

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, OCTOBER 6, 2015 10:00 A.M.**

BE IT REMEMBERED that a Regular Meeting of the City Council of Jackson, Mississippi was convened in the Council Chambers in City Hall at 10:00 a.m. on October 6, 2015, being the first Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Melvin Priester, President, Ward 2; Tyrone Hendrix, Vice-President, Ward 6; Ashby Foote, Ward 1; Kenneth Stokes, Ward 3; De'Keither Stamps, Ward 4 and Margaret Barrett-Simon, Ward 7 (via teleconference). Directors: Gus McCoy, Chief Administrative Officer; Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk; Allice Lattimore, Deputy City Clerk and James Anderson, Special Assistant to the City Attorney.

Absent: Charles Tillman, Ward 5.

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

The invocation was offered by **Pastor Hickman Johnson** of Farish Street Baptist Church.

There came on for a Public Hearing Agenda Item No. 2:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR COMFORT INN TO ERECT A 196 SQ FT GROUND SIGN AT 70 FT IN HEIGHT WITHIN A UTILITY EASEMENT INSIDE A C-3 ZONE THAT PROHIBITS SIGNS TO BE ERECTED OR PLACED ON, PROJECTED OVER, OR OVER HANG ANY PUBLIC RIGHT-OF-WAY, WALKWAY, STREET, ALLEY OR EASEMENT OTHER THAN SIGNS PLACED THERE BY THE GOVERNMENTAL AGENCY OWNING THE RIGHT-OF-WAY, WALKWAY, STREET, ALLEY OR EASEMENT.

President Priester recognized **Attorney Adam Denobriga**, a representative of the Applicant, who spoke in favor of said Order and requested that the Council approve said variance.

President Priester recognized **Steve Funderburg** and **Mayor Kane Ditto** who spoke in opposition of said Order and requested that the Council deny said variance.

There came on for a Public Hearing Agenda Item No. 3:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR COMFORT INN TO ERECT A 196 SQ FT GROUND SIGN AT 70 FT IN HEIGHT WITHIN A UTILITY EASEMENT INSIDE A C-3 ZONE THAT PROHIBITS SIGNS TO BE ERECTED OR PLACED ON, PROJECTED OVER, OR OVER HANG ANY PUBLIC RIGHT-OF-WAY, WALKWAY, STREET, ALLEY OR EASEMENT OTHER THAN SIGNS PLACED THERE BY THE GOVERNMENTAL AGENCY OWNING THE RIGHT-OF-WAY, WALKWAY, STREET, ALLEY OR EASEMENT.

There was no opposition from the public.

President Priester requested that Agenda Items No. 29, 16 and 17 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER RESCINDING SIGN VARIANCE GRANTED ON SEPTEMBER 23, 2014 WHICH ALLOWED COMFORT INN TO ERECT A GROUND SIGN AT 70 FEET IN HEIGHT WITHIN AN I-2 ZONE, WHICH ZONE LIMITS THE OVERALL HEIGHT FOR GROUND SIGNS TO 35 FEET.

WHEREAS, the City of Jackson Sign Ordinance, Sections 102-26, et seq., of the City of Jackson Code of Ordinances provides for reasonable restrictions on sign height and size as part of the public health, safety, morals and the general welfare of the community, and, further, is designed to “protect and promote the tourist industry, which is an important element in the city’s economy, by providing for an unobstructed view of the city’s scenic areas, and where signs are necessary, by reducing the negative impression of the city which may be conveyed to tourists and visitors by signs which are not...erected in accordance with sound aesthetic standards”; and

WHEREAS, the City of Jackson Sign Ordinance provides in Section 102-30 (9) (b) that signs in an I-2 zone should not exceed the overall height of 35 feet; and

WHEREAS, the City Council, on September 23, 2014, approved, by a 4-2 vote, a variance from the Sign Ordinance regulations to allow Comfort Inn to erect a sign 70 feet in height in an I-2 zone at 614 Monroe Street, Jackson, Mississippi; and

WHEREAS, Comfort Inn has not yet erected a sign as previously authorized despite the passage of one year; and

WHEREAS, the address of 614 Monroe Street is immediately adjacent to the High Street Overlay District which, by its terms, restricts signs to an overall height of six feet; and

WHEREAS, upon additional review and consideration, and based on the new construction which is now visible, a 70 foot sign at the location in question would have the effect of impairing and detracting from the skyline of the City of Jackson, as viewed from the Interstate 55 corridor, and elsewhere, including views of the Old Capitol building, and the current State Capitol building, as well as the Museum of Mississippi History and the Mississippi Civil Rights Museum currently under construction; and

WHEREAS, newly-obtained information indicates that the Mississippi Civil Rights Museum and the adjoining Museum of Mississippi History under construction contains a prominent window or windows in this complex directly facing the property where the 70 foot sign would be located, causing a significant impairment of the view and aesthetic appeal of the City of Jackson for visitors to the museum complex, and otherwise detracting from the full enjoyment of the museum complex and surrounding area of the city; and

WHEREAS, Comfort Inn has now filed a request for a further variance for the 70 foot sign in question for locating the sign in a location which actually lies within the street and utility right-of-way of the City of Jackson; and

WHEREAS, the advertising needs and other purposes of Comfort Inn for its sign may be fully met by the installation of a 35 foot sign, as provided by the City of Jackson Sign Ordinance for an I-2 zone.

IT IS THEREFORE, ORDERED that the variance approved by the City Council on September 23, 2014, granting a sign variance to Comfort Inn so as to allow a ground sign at 70 feet in height within an I-2 zone is hereby rescinded, and Comfort Inn may proceed with the installation of a sign at 614 Monroe Street not to exceed the overall height of 35 feet, as permitted in an I-2 zone.

Council Member Priester moved adoption; Council Member Hendrix seconded.

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

Nays- None.

Absent- Tillman.

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR COMFORT INN TO ERECT A 196 SQ FT GROUND SIGN AT 70 FT IN HEIGHT WITHIN A UTILITY EASEMENT INSIDE A C-3 ZONE THAT PROHIBITS SIGNS TO BE ERECTED OR PLACED ON, PROJECTED OVER, OR OVER HANG ANY PUBLIC RIGHT-OF-WAY, WALKWAY, STREET, ALLEY OR EASEMENT OTHER THAN SIGNS PLACED THERE BY THE GOVERNMENTAL AGENCY OWNING THE RIGHT-OF-WAY, WALKWAY, STREET, ALLEY OR EASEMENT.

WHEREAS, the public health, safety or general welfare of the community may require that variances be granted in specific cases as set forth in City of Jackson Sign Ordinance, Sections 102-26, et seq., of the City of Jackson Code of Ordinances; and

WHEREAS, pursuant to Section 102-40, no action by the City Council may be taken concerning a variance from the sign regulations until after a public hearing in relation thereto, at which parties in interest and the general citizenry shall have an opportunity to be heard; and

WHEREAS, no variance from the Sign Ordinance shall be passed by the City Council unless and until an application seeking the variance is filed with the City's Signs and License Division, with such application containing, at a minimum, a legal description, location map, plot plan, the exact nature of the requested variance, the grounds upon which it is requested, and/or such other information as may be required by the Signs and License Division manager; and

WHEREAS, said variance application shall also demonstrate that:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
2. The literal interpretation of the provisions of the Sign Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of the Sign Ordinance;
3. The special conditions and circumstances do not result from actions of the applicant; and
4. Granting the variance requested will not confer upon the applicant any special privilege that is denied by the Sign Ordinance to other similar lands, structures, or buildings in the same district; and

WHEREAS, Comfort Inn, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a 196 sq ft ground sign at 70 ft in height within a utility easement inside a C-3 zone that prohibits signs to be erected or placed on, projected over, or over hang any public right-of-way, walkway, street, alley or easement other than signs placed there by the governmental agency owning the right-of-way, walkway, street, alley or easement.

IT IS THEREFORE, ORDERED that Comfort Inn is hereby (approved) a variance from the Sign Ordinance regulations to erect a 196 sq ft ground sign at 70 ft in height within a utility easement inside a C-3 zone that prohibits signs to be erected or placed on, projected over, or over hang any public right-of-way, walkway, street, alley or easement other than signs placed there by the governmental agency owning the right-of-way, walkway, street, alley or easement, it being determined that the parties in interest and the general citizenry first had their opportunity to be heard and that the applicant (has) met the necessary criteria for the requested variance.

IT IS FURTHER ORDERED that the City Council has considered the variance application and grants the variance requested therein based on a finding that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; the literal interpretation of the provision of the Sign Ordinance (would) deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of the Sign Ordinance; the special conditions and circumstances do not result from actions of the applicant; and granting the variance requested (will not) confer upon the applicant any special privilege that is denied by the Sign Ordinance to other similar lands, structures, or buildings in the same district.

Note: Said item died for a lack of a motion and second.

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR COMFORT INN TO ERECT A 196 SQ FT GROUND SIGN AT 70 FT IN HEIGHT WITHIN A UTILITY EASEMENT INSIDE A C-3 ZONE THAT PROHIBITS SIGNS TO BE ERECTED OR PLACED ON, PROJECTED OVER, OR OVER HANG ANY PUBLIC RIGHT-OF-WAY, WALKWAY, STREET, ALLEY OR EASEMENT OTHER THAN SIGNS PLACED THERE BY THE GOVERNMENTAL AGENCY OWNING THE RIGHT-OF-WAY, WALKWAY, STREET, ALLEY OR EASEMENT.

WHEREAS, the public health, safety or general welfare of the community may require that variances be granted in specific cases as set forth in City of Jackson Sign Ordinance, Sections 102-26, et seq., of the City of Jackson Code of Ordinances; and

WHEREAS, pursuant to Section 102-40, no action by the City Council may be taken concerning a variance from the sign regulations until after a public hearing in relation thereto, at which parties in interest and the general citizenry shall have an opportunity to be heard; and

WHEREAS, no variance from the Sign Ordinance shall be passed by the City Council unless and until an application seeking the variance is filed with the City's Signs and License Division, with such application containing, at a minimum, a legal description, location map, plot plan, the exact nature of the requested variance, the grounds upon which it is requested, and/or such other information as may be required by the Signs and License Division manager; and

WHEREAS, said variance application shall also demonstrate that:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
2. The literal interpretation of the provisions of the Sign Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of the Sign Ordinance;
3. The special conditions and circumstances do not result from actions of the applicant; and
4. Granting the variance requested will not confer upon the applicant any special privilege that is denied by the Sign Ordinance to other similar lands, structures, or buildings in the same district; and

WHEREAS, Comfort Inn, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a 196 sq ft ground sign at 70 ft in height within a utility easement inside a C-3 zone that prohibits signs to be erected or placed on, projected over, or over hang any public right-of-way, walkway, street, alley or easement other than signs placed there by the governmental agency owning the right-of-way, walkway, street, alley or easement.

IT IS THEREFORE, ORDERED that Comfort Inn is hereby (denied) a variance from the Sign Ordinance regulations to erect a 196 sq ft ground sign at 70 ft in height within a utility easement inside a C-3 zone that prohibits signs to be erected or placed on, projected over, or over hang any public right-of-way, walkway, street, alley or easement other than signs placed there by the governmental agency owning the right-of-way, walkway, street, alley or easement, it being determined that the parties in interest and the general citizenry first had their opportunity to be heard and that the applicant (has not) met the necessary criteria for the requested variance.

IT IS FURTHER ORDERED that the City Council has considered the variance application and denies the variance requested therein based on a finding that no special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district; the literal interpretation of the provision of the Sign Ordinance (would not) deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of the Sign Ordinance; the special conditions and circumstances do not result from actions of the applicant; and granting the variance requested (will) confer upon the applicant any special privilege that is denied by the Sign Ordinance to other similar lands, structures, or buildings in the same district.

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

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

Nays- None.

Absent- Tillman.

President Priester recognized the following individuals who provided public comments during the meeting:

- **Daniel Johnson** spoke in regards to art work that he would be performing through 2016 and encouraged art students within Jackson Public schools to apply for paid positions within his organization.
- **Dorothy Johnson** requested assistance from the Council with residents within the Rebelwood apartment complex and a nearby night club with extremely loud music.
- **Stanley Wesley** expressed concerns regarding local convenience stores denying patrons access to its public restrooms.
- **Buba Lukata** spoke in regards to store owners having better respect for their patrons.
- **Enell Weatherspoon** requested assistance with her water bill.
- **Scott Crawford** spoke in support of the ADA transition plan.
- **Melody Moody**, Executive Director of Bike Walk Mississippi, spoke in support of the City adopting a complete streets policy.
- **Ineva May Pittman** expressed concerns regarding the location of the civil rights museum.
- **Anthony Heath** expressed concerns regarding the elimination of the Jackson Police Department 2015 recruit class due to budget cuts.

President Priester requested that Agenda Items No. 40, 37, 38, 39, 30 and 28 be moved forward on the agenda. Hearing no objections, the Clerk read the following:

President Priester recognized **Council Member Stokes** who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING PROGRESSIVE BAPTIST CHURCH**. Accepting the Resolution with appropriate remarks was **Pastor Arthur Sutton**.

President Priester recognized **Council Member Stokes** who presented a **DRUM MAJOR FOR JUSTICE AWARD TO DR. AND MRS. BOSE BRUCE**. Accepting the Award with appropriate remarks was **Arthur Sutton**.

President Priester recognized **Gus McCoy** who read a **PROCLAMATION PROCLAIMING OCTOBER 2015 AS COMMUNITY PLANNING MONTH**.

President Priester recognized **Gus McCoy** who presented a **PROCLAMATION SUPPORTING THE MISSISSIPPI WOMEN'S ECONOMIC SECURITY INITIATIVE**. Accepting the Proclamation with appropriate remarks was **Cassandra Welchlin**.

Council Member Barrett-Simon left the meeting.

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI IN SUPPORT OF FORWARDING ALL DOCUMENTS RELATED TO PROPOSALS FOR BIOSOLIDS SCREENING, LOADING, TRANSPORTATION AND DISPOSAL, CITY PROJECT NO. 15B050091 TO THE MISSISSIPPI ATTORNEY GENERAL'S OFFICE, MISSISSIPPI ETHICS COMMISSION AND MISSISSIPPI OFFICE OF THE STATE AUDITOR FOR EXPEDITED OPINIONS TO ENSURE FULL COMPLIANCE WITH THE PROCUREMENT PROCESS.

WHEREAS, the City of Jackson received proposals for biosolids screening, loading, transportation, and disposal, city project no. 15BO50091 on April 14, 2015; and

WHEREAS, the City received proposals from Denali/SGE and from Synagro-Fisher, both of which are joint ventures; and

WHEREAS, an evaluation committee consisting of City employees, who were assisted by CDM Smith Inc, the design engineer for this project, reviewed each of the proposals and heard oral presentations from both joint ventures; and

WHEREAS, the evaluation committee rated the proposal of Denali/SGE as the best proposal; and

WHEREAS, pursuant to section 31-7-13 (r) of the Mississippi Code of 1972 as amended, the Department of Public Works negotiated first with Denali/SGE, then with Synagro-Fisher for best and final offers from the two joint ventures; and

WHEREAS, based on the price negotiated and the factors used by the evaluation committee to rate the proposals, the Department of Public Works recommended that the governing authorities contract with Denali/SGE for biosolids screening, loading, transportation, and disposal, City Project No. 15BO50091, for a total contract amount not to exceed \$15,456,100; and

WHEREAS, September 14, 2015 an order accepting the proposal of Denali/SGE for biosolids screening, loading, transportation, and disposal, city project No. 15BO50091 came before the City Council of Jackson, Mississippi for consideration; and

WHEREAS, the council meeting was recessed, which allowed the Office of the City Attorney an opportunity to research whether or not the Council could hear from Synagro-Fisher before voting on this item; and

WHEREAS, the council meeting reconvened September 17, 2015 and both Denali/SGE and Synagro-Fisher were allowed to speak. The order accepting the proposal of Denali/SGE for biosolids screen, loading, transportation, and disposal, City Project No. 15BO50091 failed, with 1 councilmember in favor and 3 opposed; and

WHEREAS, the City is under consent decree and must have the work associated with this proposal completed by December 2017. The City will incur liquidated damages of \$1000 per day if it fails to comply with the consent decree deadline. The biosolids work is estimated to take 2 ½ years and an expedited opinion is needed.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI that the City of Jackson does find that it in the best interest of the City of Jackson to forward all documents associated with proposals for biosolids screening, loading, transportation, and disposal, city project no. 15BO500991 to the Mississippi Attorney General's Office, Mississippi Ethics Commission and State Auditor for expedited opinions to ensure full compliance with the procurement process.

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

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

There came on for consideration Agenda Item No. 28:

ORDER ACCEPTING THE PROPOSAL OF DENALI/SGE FOR BIOSOLIDS SCREENING, LOADING, TRANSPORTATION, AND DISPOSAL, CITY PROJECT NO. 15B050091. President Priester tabled said item until the November 3, 2015 Regular Council meeting.

ORDER ACCEPTING PROPOSAL OF STATEWIDE GENERAL INSURANCE AGENCY, INC. TO PROVIDE "24-HOUR ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE COVERAGE" FOR HAZARDOUS OCCUPATIONS IN THE CITY OF JACKSON'S WORKFORCE.

WHEREAS, on August 6, 2015, via a Request for Proposals, the City of Jackson (City) solicited proposals from prospective insurance providers to provide "24-Hour Accidental Death and Dismemberment" insurance coverage for City employees who work in hazardous occupations; and

WHEREAS, prospective insurance providers were given the opportunity to submit sealed proposals to the Office of The City Clerk to be opened at 3:30 p.m. on August 25, 2015; and

WHEREAS, the City requested that the level of insurance coverage for employees in such classifications be as follows:

Level of Coverage (per employee)	Occupations
\$100,000	Firefighters
\$25,000	All other Employees

WHEREAS, there are approximately 1,314 employees currently working in the "hazardous occupation" classification; and

WHEREAS, in response to the City's Request for Proposals, Statewide General Insurance Agency, Inc., via its underwriter Metlife Insurance Company, proposed to provide said coverage at a rate of \$0.044 (per \$1,000 of coverage) which will cost \$28,941.00 annually.

IT IS, THEREFORE, ORDERED that Statewide General Insurance Agency, Inc.'s proposal to provide "24-Hour Accidental Death and Dismemberment" insurance coverage, via its underwriter Metlife Insurance Company, from October 1, 2015, to September 30, 2016, at a cost of \$0.044 (per \$1,000 of coverage) be accepted.

IT IS FURTHER ORDERED that the policy period may be extended for three (3) additional years at the same cost and terms if it is mutually agreeable to both parties in writing.

IT IS FINALLY ORDERED the Mayor or his designee be authorized to execute the necessary documents to effectuate said insurance coverage.

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

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

There came on for Introduction Agenda Item No. 6:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI RENAMING FYMNASIUM DRIVE (FROM BULLARD STREET TO DEAD END) TO JAMES RICE, JR., DRIVE. Said item was referred to the Planning Committee.

There came on for Introduction Agenda Item No. 7:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI ESTABLISHING THE BUSINESS DEVELOPMENT FUND WITHIN THE CITY OF JACKSON. Said item was referred to the Economic Development Committee.

ORDER APPROVING CLAIMS NUMBER 1 TO 279, APPEARING AT PAGES 1 TO 45 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$3,669,924.03 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 1 to 279 appearing at pages 1 to 45, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$3,669,924.03 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:

**TO
ACCOUNTS PAYABLE**

FROM:

FUND

AMERICORP CAPITAL CITY REBUILD	972.65
BUSINESS IMPROV FUND (LANDSCP)	57,204.71
CAPITOL STREET 2-WAY PROJECT	129,826.13
DISABILITY RELIEF FUND	422,643.21
DUI ALCOHOL INCENTIVE GRNT	747.15
EARLY CHILDHOOD (DAYCARE)	5,165.55
ECONOMIC DEVELOPMENT FUND	230.62
EDI – SPECIAL PROJECT	18,435.94
EMERGENCY SHELTER GRANT (ESG)	6,848.69
FIRE PROTECTION	4,276.17
GENERAL FUND	748,126.64
H O P W A GRANT – DEPT. OF HUD	150,182.27
HAIL DAMAGE MARCH 2013	6,465.07
HOUSING COMM DEV ACT (CDBG) FD	17,982.56
LANDFILL/SANITATION FUND	10,224.69
MADISON SEWAGE DISP OP & MAINT	13.48
NCSC SENIOR AIDES	35.00
PARKS & RECR FUND	3,498.56
POLICE PROP EVIDENCE CASH FUND	65.12
RESURFACING – REPAIR & REPL FD	61,973.44
SEIZURE & FORFEITED PROP- STATE	265.00
STATE TORT CLAIMS FUND	140.00
TECHNOLOGY FUND	29,277.09
TITLE III AGING PROGRAMS	200.00
TRANSPORTATION FUND	247,475.19
WATER/SEWER CAPITAL IMPR FUND	1,583,158.00
WATER/SEWER OP & MAINT FUND	164,291.10
WATER/SEWER REVENUE FUND	200.00

TOTAL **\$3,669,924.03**

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

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

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

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

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 1 TO 279 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 1 to 279 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$229,871.23 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		2,064,959.74
PARKS & RECR.		74,122.80
LANDFILL FUND		24,529.83
SENIOR AIDES		2,578.73
WATER/SEWER OPER. & MAINT		208,020.94
PAYROLL	229,871.23	
PAYROLL FUND		928.50
EARLY CHILDHOOD		34,752.08
HOUSING COMM DEV		7,882.24
TITLE III AGING PROGAMS		5,777.66
AMERICORP CAPITAL CITY REBUILD		11,072.40
TRANSPORTATION FUND		7,368.47
T-WARNER PA/GA FUND		8,614.41
SAMSHA		1,076.80

TOTAL **\$2,451,684.60**

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

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

Nays- None.

Absent- Barrett-Simon and Tillman.

ORDER AUTHORIZING THE MAYOR TO EXECUTE THE AUDIT ENGAGEMENT LETTER FROM BANKS, FINLEY, WHITE & CO. TO PROVIDE AUDITING SERVICES FOR FISCAL YEAR 2015.

WHEREAS, Banks, Finley, White & Co. has audited the City of Jackson for the last six (6) consecutive years with a total of eighteen (18) years auditing the City of Jackson; and

WHEREAS, the Government Finance Officers Association has awarded the City of Jackson with the Certificate of Excellence in Financial Reporting for those eighteen (18) years that the City of Jackson was audited by Banks, Finley, White & Co.; and

WHEREAS, Banks, Finley, White & Co. has agreed to audit the City of Jackson for an amount not to exceed \$274,401.00.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute the Audit Engagement Letter from Banks, Finley, White & Co. to provide auditing services for Fiscal Year 2015, said audit to be performed for an amount not to exceed \$274,401.00.

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

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

Nays- None.

Absent- Barrett-Simon and Tillman.

ORDER ACCEPTING THE BID OF MID SOUTH UNIFORM & SUPPLY, INC., FOR A TWENTY - FOUR MONTH SUPPLY OF WORK PANTS MEN/WOMEN (BID NO. 20084-090815).

WHEREAS, sealed bids for a twenty-four month supply of work pants men/women were opened on September 08, 2015; wherein three (3) bids were received; and

WHEREAS, the Jackson Fire Department (JFD) will use said work pants to fit JFD personnel at the various fire stations throughout the City of Jackson; and

WHEREAS, the Jackson Fire Department staff has reviewed all bids submitted and recommends that this governing authority deem the following bid submitted by Mid South Uniform & Supply, Inc., 1825 University Boulevard, Jackson, Mississippi 39204, for a twenty-four month supply of work pants men/women, received September 08, 2015, at a cost of \$24.75 each, for items one (1) and two (2), to be the lowest and best bid received.

IT IS, THEREFORE, ORDERED that the bid of Mid South Uniform & Supply, Inc., 1825 University Boulevard, Jackson, Mississippi 39204, received September 08, 2015, for a twenty-four month supply or work pants men/women, (starting November 01, 2015 through October 31, 2017) be accepted as the lowest and best bid received, it being determined that said bid met the City's specifications.

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

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

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

Nays- None.

Absent- Barrett-Simon and Tillman.

President Priester left the meeting at 12:58 p.m.

RESOLUTION APPROVING AND ADOPTING A COMPLETE STREETS POLICY TO GUIDE AND ENCOURAGE PUBLIC AND PRIVATE DEVELOPMENT EFFORTS TO PROMOTE PEDESTRIAN, BICYCLE, PUBLIC TRANSPORTATION AND HEALTHY LIVING IN THE CITY.

WHEREAS, a Complete Street is defined as one which provides a safe, convenient, and context-sensitive facility for all modes of travel, for users of all ages and all abilities; and

WHEREAS, promoting pedestrian, bicycle, and public transportation travel as an alternative to the automobile reduces negative environmental impacts, promotes healthy living, and is less costly to the commuter; and

WHEREAS, streets are a critical component in the success and vitality of adjoining uses and neighborhoods and play a major role in establishing the image and identity of a city, providing a key framework for current and future development; and

WHEREAS, complete streets improve access and safety for those who cannot or choose not to drive motor vehicles and serve the needs of those who use transit by providing access to transit systems; and

WHEREAS, complete streets enhance safe walking and bicycling options for school-age children, in recognition of the national Safe Routes to Schools program; and

WHEREAS, in March 2015, the Office of City Planning of the Department of Planning and Development of the City of Jackson accepted the Mayor's Challenge for Safer People and Safer Streets call to action by the U.S. Department of Transportation and initiated the creation of the Complete Streets Policy; and

WHEREAS, the Office of City Planning of the Department of Planning and Development researched other cities best practices and worked with the Engineering Division of the Department of Public Works and drafted a Complete Streets Policy, which will apply to the scoping, design and construction of projects and to guide public and private development and redevelopment efforts for walk and bike friendly streets and promote healthy living; and

WHEREAS, the Complete Streets Policy will be implemented through the City's Site Plan Review Process via the Site Plan Review Committee established by Article XII-A of the Zoning Ordinance subject to oversight by the Office of City Planning of the Department of Planning and Development and the Engineering Division of the Department of Public Works; and

WHEREAS, appeals to the written decisions of the Site Plan Review Committee in the administration and enforcement of the provisions of the Complete Streets Policy shall be ruled upon by the City Council in accordance with Article XIX-A of the Zoning Ordinance.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Jackson, Mississippi approves and adopts this Complete Streets Policy prepared by the Office of City Planning of the Department of Planning and Development to guide and encourage public and private development efforts to promote pedestrian, bicycle, public transportation and healthy living in the City.

IT IS, FURTHER RESOLVED that the implementation of the Complete Streets Policy will be through the Site Plan Review Committee subject to oversight by the Department of Planning and Development and the Department of Public Works.

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

Yeas- Foote, Hendrix, Stamps and Stokes.

Nays- None.

Absent- Barrett-Simon, Priester and Tillman.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A USE LICENSE AGREEMENT WITH THE JACKSON CONVENTION COMPLEX/SMG TO PROVIDE USE OF FACILITY FOR THE CITY OF JACKSON'S "DOING BUSINESS WITH THE CITY" NETWORKING RECEPTION ON DECEMBER 10, 2015.

WHEREAS, the City of Jackson, Mississippi, Office of Planning and Development desires the use of the Jackson Convention Complex to hold its "Doing Business with the City" Networking Reception; and

WHEREAS, the City of Jackson, Mississippi recognizes that networking for the minority business community is a needed tool to increase capacity; and

WHEREAS, the Jackson Convention Complex will waive the rental of the facility for the event on December 10, 2015; and

WHEREAS, the only cost the City will be responsible for is the \$210 which will provide security and A/V services.

IT IS, HEREBY, ORDERED that the Mayor is authorized to execute an agreement with the Jackson Convention Complex/SMG, for the use of their facility.

IT IS FURTHERMORE ORDERED that the Mayor is authorized to execute any related documents required by the Jackson Convention Complex/SMG for these services.

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

Yeas- Foote, Hendrix, Stamps and Stokes.

Nays- None.

Absent- Barrett-Simon, Priester and Tillman.

ORDER AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE MISSISSIPPI STATE TAX COMMISSION, OFFICE OF ALCOHOL BEVERAGE CONTROL TO HAVE 1000 NORTH MILL STREET, JACKSON, MISSISSIPPI DESIGNATED AS A QUALIFIED RESORT AREA.

WHEREAS, the City of Jackson, Mississippi, having recognized the historical impact of the Farish Street area, dating back to the mid-nineteenth century as one of the largest intact African American communities in the southeast, and as the seat of commerce and culture, and the lifeblood of the African American community in the early history of the City of Jackson; and

WHEREAS, because of these factors, A-1 Pallets/Mill Street Studio is looking to invest in the infrastructure, as well as, buildings that are located within the boundary of its property line by creating a tourist attraction facility; and

WHEREAS, the location of the proposed project is 1000 North Mill Street, Jackson, Mississippi 39202; and

WHEREAS, in furtherance of the project, A-1 Pallets/Mill Street Studio is requesting that authorization be give for the City of Jackson to submit an application to the State Tax Commission, Alcoholic Beverage Control Division requesting that the above-referenced area be designated as a qualified resort area pursuant to Miss. Code Ann. 67-1-5; and

WHEREAS, A-1 Pallets/Mill Street Studio is not seeking any financial support from the City regarding the project; and

WHEREAS, the City of Jackson is in support of this project and look to the completion so the amenities of entertainment will be provided to those that patronize this venue; and

WHEREAS, the City of Jackson is committed to new venues in this area with the development of filming, music and other tourist attractions; and recognize that the development of these venues will greatly enhance the economic viability of this area.

IT IS THEREFORE ORDERED that the Mayor be authorized to submit an application to the Mississippi State Tax Commission, Office of Alcohol Beverage Control to have 1000 North Mill Street declared a qualified resort area pursuant to Miss. Code Ann. 67-1-5.

IT IS FURTHER ORDERED that pending above-referenced approval, the City of Jackson recognize 1000 North Mill Street a Qualified Resort Area, according to the statutes of the State of Mississippi, the State Tax Commission and Alcoholic Beverage Control Division.

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

Yeas- Foote, Hendrix and Stamps.

Nays- Stokes.

Absent- Barrett-Simon, Priester and Tillman.

President Priester returned to the meeting at 1:05 p.m.

ORDER AUTHORIZING THE MAYOR ON BEHALF OF THE CITY OF JACKSON TO EXECUTE A CONTRACT WITH THE JACKSON MEDICAL MALL FOUNDATION (JMMF) TO IMPLEMENT THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM IN THE JACKSON METROPOLITAN STATISTICAL AREA (MSA) FOR THE USE OF 2012 HOPWA FUNDS.

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

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

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

WHEREAS, the previous grant agreement with HUD has expired and the City of Jackson received an extension of the original grant agreement; and

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

WHEREAS, the Jackson Medical Mall Foundation, as a subrecipient of the Mississippi State Department of Health implemented the HOPWA program for the Jackson MSA; and

WHEREAS, the previous contract between the City of Jackson and the Mississippi State Department of Health expired on September 30, 2015, and the Office of Housing and Community Development recommends entering into a new contract with the Jackson Medical Mall Foundation to provide HOPWA services to residents of the City of Jackson's Metropolitan Statistical Area; and

WHEREAS, this contract shall be effective October 1, 2015.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a contract with the Jackson Medical Mall Foundation (JMMF) in the amount not to exceed \$585,409.00 to implement the HOPWA related services in the Jackson Metropolitan Statistical Area (MSA).

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

President Priester recognized **Primus Wheeler**, Executive Director of the Jackson Mall Foundation, who provided Council with a brief overview of the services offered by the Jackson Mall Foundation.

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

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

ORDER ACCEPTING THE BID OF JEFCOAT RECREATION, LLC, FOR CONSTRUCTION SERVICES FOR THE BENJAMIN BROWN PARK PLAYGROUND RESURFACING PROJECT, PROJECT NUMBER 5B8001 AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH SAID COMPANY.

WHEREAS, the Benjamin Brown Park Playground Resurfacing Project advertised for bids on May 28 and June 4, 2015; and

WHEREAS, three (3) bids were received in response to the City's advertisement for bids and opened on July 7, 2015; and

WHEREAS, the bid received from Jefcoat Recreation, LLC, in the amount of \$13,546.51 was the lowest bid received and met specifications; and

WHEREAS, the Department of Public Works recommends that the City accept the bid of Jefcoat Recreation, LLC as the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Jefcoat Recreation, LLC opened July 7, 2015, being the lowest and best bid for Benjamin Brown Park Playground Resurfacing Project at and for the total amount of \$13,546.51 is accepted.

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

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

ORDER AUTHORIZING AN AGREEMENT 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 programs for the City of Jackson for calendar year 2016.

IT IS, THEREFORE, ORDERED that payment in the amount of \$40,000.00 is made to Keep Jackson Beautiful, Inc. to develop and promote litter prevention programs and activities in the City of Jackson, Mississippi for calendar year 2016.

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

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

ORDER AUTHORIZING ACCEPTANCE OF A GRANT WITH THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY TO FUND THE ENVIRONMENTAL SERVICE CENTER (ESC), A PERMANENT HOUSEHOLD HAZARDOUS WASTE COLLECTION SITE.

WHEREAS, the Environmental Service Center located at 1570 Terry Road is funded through the Mississippi Department of Environmental Quality's Solid Waste Assistance Grant; and

WHEREAS, the Solid Waste Assistance Grant is applied for October 1st and April 1st of each fiscal year; and

WHEREAS, the City is requesting the full amount of \$75,000 on October 1st and April 1st of each year to keep the Environmental Service Center operational; and

WHEREAS, the Solid Waste Assistance Grant has no matching fund requirement; and

WHEREAS, the City provides the Environmental Service Center to residents in the tri-county area for the proper disposal of all household hazardous waste materials that cannot be disposed with regular garbage.

IT IS, THEREFORE, ORDERED that the City is authorized to accept a grant for \$75,000 with the Mississippi Department of Environmental Quality to fund the Environmental Service Center, a permanent household hazardous waste collection site.

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

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

ORDER AUTHORIZING APPLICATION FOR A GRANT FROM THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FUNDING A WASTE TIRE RECYCLING PROGRAM.

WHEREAS, tires are collected from tire abatement projects and the Waste Tire Program, which includes the collection of illegally dumped tires, the collection of tires brought into the City's landfill by residents, and the collection of tires from City right-of-ways and City facilities; and

WHEREAS, the Mississippi Department of Environmental Quality offers Waste Tire Grant on an as-needed basis; and

WHEREAS, the Solid Waste Division of the Public Works Department has need of funds to pay contractors to recycle for alternative uses the waste tires it collects; and

WHEREAS, the Solid Waste Division of the Public Works Department recommends requesting a grant in the amount of \$50,000 from the Mississippi Department of Environmental Quality to enable it to continue recycling the tires it collects.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to apply for a grant of \$50,000 from the Mississippi Department of Environmental Quality to fund the City's Waste Tire Recycling Program.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN ENGINEERING SERVICES AGREEMENT WITH NEEL-SCHAFFER, INC. FOR THE CAPITOL STREET WATER LINE IMPROVEMENTS PROJECT-PHASE 2, CITY PROJECT NUMBER 15B0104.701.

WHEREAS, the City of Jackson desires to have design and construction engineering services for the installation of a new 12-inch diameter water line along Capitol Street from Lamar Street to President Street; and

WHEREAS, Neel-Schaffer, Inc. has provided the City of Jackson a proposed engineering services agreement for design and construction engineering services at a cost not to exceed \$145,835.50; and

WHEREAS, the City of Jackson has funds remaining from the MDA Capital Complex Loan that will be used to pay for the construction of the new waterline; and

WHEREAS, Neel-Schaffer, Inc., has valuable experience and knowledge regarding the waterline installation in Phase I, and the Engineering Division recommends use of their services in Phase II; and

WHEREAS, the Public Works Department recommends the City enter into an Engineering Services Agreement with Neel-Schaffer, Inc. in the amount of \$145,835.50 for the Capitol Street Water Line Improvements Project – Phase 2.

IT IS THEREFORE ORDERED that the Mayor is authorized to execute an engineering services agreement with Neel-Schaffer, Inc., for an amount not to exceed \$145,835.50 for the Capitol Street Water Line Improvements Project – Phase 2, City Project Number 15B0104.701.

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

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

ORDER AUTHORIZING THE ACCEPTANCE OF THE LOWES CHARITABLE FOUNDATION FOR FISCAL YEAR 2016 (FY2016) COMMUNITY PARTNERS GRANTS IN THE AMOUNT OF \$50,000 TO SUPPORT THE CITY OF JACKSON'S NEIGHBORHOOD REVITALIZATION EFFORTS THROUGH THE COMMUNITY GARDEN PROGRAM.

WHEREAS, the Lowes Charitable Foundation annually allocates funding for neighborhood revitalization through its Community Partners Grant; and

WHEREAS, to receive these funds the City of Jackson must make an application and the deadline for submission of applications for FY2016 community partners grant was August 28, 2015, and the Department of Constituent Services submitted said application on behalf of the City, for financial assistance in the amount of \$50,000; and

WHEREAS, these funds can be used to support operating expenses for the City's neighborhood revitalization efforts through the gardening project; and

WHEREAS, the Department of Public Works, Division of Solid Waste is recommending that the City accept said award for use in the city's community garden program.

IT IS, THEREFORE, ORDERED that the City Council of the City of Jackson, Mississippi hereby authorizes acceptance of the Lowes Charitable Foundation for fiscal year 2016 Community Partners Grant in the amount of \$50,000 to aid in the City's neighborhood revitalization efforts through the community garden program.

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

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

Nays- None.

Absent- Barrett-Simon and Tillman.

ORDER ADOPTING THE AMERICANS WITH DISABILITIES ACT TRANSITION PLAN AS REQUIRED BY THE AMERICANS WITH DISABILITIES ACT (ADA) OF 1990.

WHEREAS, The City of Jackson has prepared a plan pursuant to Title II of the Americans with Disabilities Act (ADA); and

WHEREAS, the Americans with Disabilities Act Transition Plan addresses accessibility issues to those with disabilities in terms of facilities, rights-of-way, programs, services and activities.

IT IS, THEREFORE, ORDERED that the Americans with Disabilities Act Transition Plan be adopted.

IT IS FURTHER ORDERED that the Mayor is authorized to execute and the City Clerk attest adoption of this plan on file with the Public Works Department, Engineering Division, Room 424 at 200 S. President Street and the City Clerk, Jackson, Mississippi.

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

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

Nays- None.

Absent- Barrett-Simon and Tillman.

ORDER ACCEPTING THE BID OF SPENCER READY MIX, FOR A TWELVE MONTH SUPPLY OF READY-MIXED CONCRETE (BID NO. 75070-090815).

WHEREAS, sealed bids for ready-mixed concrete opened September 9, 2015 and only one (1) bid was received; and

WHEREAS, the Public Works Department, Infrastructure Management Division, will use ready-mixed concrete throughout the City of Jackson for various projects; and

WHEREAS, the staff of the Infrastructure Management Division has reviewed the bid received and recommends that the governing authorities deem the bid of Spencer Ready Mix, 9161 Highway 49 North, Jackson, MS 39209 for a twelve-month supply of ready-mixed concrete to be the lowest and best bid received as follows:

Item 1.	<u>Class "A" 1.75 Bbls Concrete (Picked up)</u>	\$132.00/Per Cubic Yard
Item 2.	<u>Class "B" 1.50 Bbls Concrete (Picked up)</u>	\$126.00/Per Cubic Yard
Item 3.	<u>Class "C" 1.25 Bbls Concrete (Picked up)</u>	\$120.00/Per Cubic Yard

If the City requires pea gravel, there is a \$5.00 per yard fee added to items 1 through 3.

WHEREAS, no bids were received for items 4 through 10, and no bid price was received for any item for delivery to a designated work site.

IT IS, THEREFORE, ORDERED that the bid of Spencer Ready Mix, 9161 Highway 49 North, Jackson, MS 39209 for a twelve-month supply of ready-mixed concrete, (starting November 01, 2015 through October 31, 2016) is accepted as follows:

Item 1.	<u>Class "A" 1.75 Bbls Concrete (Picked up)</u>	\$132.00/Per Cubic Yard
Item 2.	<u>Class "B" 1.50 Bbls Concrete (Picked up)</u>	\$126.00/Per Cubic Yard
Item 3.	<u>Class "C" 1.25 Bbls Concrete (Picked up)</u>	\$120.00/Per Cubic Yard

If the City requires pea gravel, there is a \$5.00 per yard fee added to items 1 through 3.

IT IS FURTHER ORDERED that payment for said ready-mixed concrete is paid from the General Fund.

Council Member Priestler moved adoption; Council Member Stamps seconded.

Yeas- Foote, Hendrix, Priestler and Stamps.

Nays- Stokes.

Absent- Barrett-Simon and Tillman.

ORDER ACCEPTING DEDUCTIVE CHANGE ORDER NUMBER 1 TO THE CONTRACT OF HIBBARD INSHORE, LLC FOR THE WEST BANK INTERCEPTOR CONDITION ASSESSMENT, CITY PROJECT NO. 3B0500903.

WHEREAS, the City accepted proposals for the West Bank Interceptor Condition Assessment, City Project No. 3B0500903, and accepted the lowest proposal of Hibbard Inshore, LLC in the total amount of \$563,850; and

WHEREAS, Hibbard Inshore, LLC has encountered problems with their equipment and with accessing certain areas on the south end of the West Bank Interceptor; and

WHEREAS, Hibbard has agreed to a reduction in their contract in an amount of \$207,705.20, which reflects a reduction in the scope of their work and the cost of having another contractor perform that scope of work; and

WHEREAS, the Department of Public Works recommends that the governing authorities accept this deductive change order.

IT IS, THEREFORE, ORDERED that Change Order Number 1 to the contract of Hibbard Inshore, LLC for the West Bank Interceptor Condition Assessment, City Project No. 3B0500903, reducing the amount of the contract by \$207,705.20 to a total contract amount of \$356,144.80 is accepted.

Council Member Stokes moved adoption; Council Member Stamps seconded.

Yeas- Foote, Hendrix, Priestler, Stamps and Stokes.

Nays- None.

Absent- Barrett-Simon and Tillman.

ORDER RATIFYING A CONTRACT WITH COMPLIANCE ENVIROSYSTEMS, LLC FOR COMPLETION OF THE WEST BANK INTERCEPTOR CONDITION ASSESSMENT, CITY PROJECT NO. 3B0500903.

WHEREAS, the City accepted proposals for the West Bank Interceptor Condition Assessment, City Project No. 3B0500903 and accepted the lowest proposal of Hibbard Inshore, LLC in the total amount of \$563,850; and

WHEREAS, Hibbard Inshore, LLC has encountered problems with their equipment and with accessing certain areas on the south end of the West Bank Interceptor; and

WHEREAS, the second lowest proposer for the West Bank Interceptor Condition Assessment, Compliance Envirosystems, LLC, is willing and able to complete the assessment of the south end of the West Bank Interceptor at the original prices in their proposal for the West Bank Interceptor Condition Assessment; and

WHEREAS, a contract for the repair of the Savanna Street Wastewater Treatment Facility raw sewage pump station has been awarded and work has begun; and

WHEREAS, once bypass pumping for the raw sewage pump station begins, the West Bank Interceptor will remain filled too high with wastewater to be properly assessed, which constitutes an emergency pursuant to Section 31-7-13 (k) of the Mississippi Code Annotated of 1972, in that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority; and

WHEREAS, as a result of this emergency and the need to complete the West Bank Interceptor Condition Assessment as soon as possible, the Mayor has executed a contract with Compliance Envirosystems, LLC to complete the work that Hibbard Inshore was not able to perform, at a cost of \$93,574.50; and

WHEREAS, the cost of this work will not increase the total cost of the project because of a deductive change order to Hibbard Inshore's contract with the City; and

WHEREAS, the contingency of \$100,000.00 included in the contract of Hibbard Inshore, is being transferred to the contract with Compliance Envirosystems, LLC to cover contingencies that may arise.

IT IS, THEREFORE, ORDERED that the contract in a total amount not to exceed \$193,574.50 with Compliance Envirosystems, LLC for completion of the West Bank Interceptor Assessment, City Project No. 3B0500903, is ratified.

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

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

Nays- None.

Absent- Barrett-Simon and Tillman.

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI AMENDING THE 2015 SPECIAL COUNCIL MEETING SCHEDULE OF THE JACKSON CITY COUNCIL TO ELIMINATE ALL SPECIAL MEETING DATES OCCURRING AFTER OCTOBER 26, 2015.

WHEREAS, December 30, 2014, the Jackson City adopted the 2015 Special City Council Meeting Schedule as recorded in Minute Book 6G, Pages 262- 264; and

WHEREAS, Jackson, Mississippi Code of Ordinances, Section 2-62(d) states in pertinent part that "special meetings of the council may be called at any time by the mayor or a majority of the members of the council"; and

WHEREAS, the Jackson City Council has determined that the 2015 Special Council Meeting should be amended to eliminate all previously adopted scheduled City Council Special Meeting dates occurring after October 26, 2015; and

WHEREAS, the Office of City Clerk has determined that the 2015 Special Council Meeting Schedule of the City Council should be amended as follows:

2015
Special City Council Meeting Schedule

City Council Special Meeting Dates	Time
January 05, 2015	4:00 p.m.
January 20, 2015 (Due to Holiday)	4:00 p.m.
February 02, 2015	4:00 p.m.
February 17, 2015 (Due to Holiday)	4:00 p.m.
March 02, 2015	4:00 p.m.
March 16, 2015	4:00 p.m.
March 30, 2015	4:00 p.m.
April 13, 2015	4:00 p.m.
April 27, 2015	4:00 p.m.
May 11, 2015	4:00 p.m.
May 26, 2015 (Due to Holiday)	4:00 p.m.
June 08, 2015	4:00 p.m.
June 22, 2015	4:00 p.m.
July 6, 2015	4:00 p.m.
July 20, 2015	4:00 p.m.
August 03, 2015	4:00 p.m.
August 17, 2015	4:00 p.m.
August 31, 2015	4:00 p.m.
September 14, 2015	4:00 p.m.
September 28, 2015	4:00 p.m.
October 12, 2015	4:00 p.m.
October 26, 2015	4:00 p.m.

THEREFORE, BE IT RESOLVED by the Council of the City of Jackson, Mississippi that the City of Jackson does find that the adoption of this resolution is in the best interest and welfare of its citizenry.

Council Member Stamps moved adoption; Council Member Stokes seconded.

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

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI IN
SUPPORT OF PUBLIC SCHOOLS FUNDING-INITIATIVE 42.

WHEREAS, the amendment will protect each child's fundamental right to educational opportunity through the 12th grade by amending Section 201 so that the state must provide and the legislature must fund an adequate and efficient system of free public schools. The recommendation is to finance this not by new taxes but by using a portion of future increases in general fund revenues over the next seven years in order to reach the necessary level of funding; and

WHEREAS, to protect each child’s fundamental right to educational opportunity, the State shall provide for the establishment, maintenance and support of an adequate and efficient system of free public schools; and

WHEREAS, Initiative 42 would protect each child’s fundamental right to educational opportunity through the 12th grade by amending Section 201 of the Mississippi Constitution to require that the State must provide and the legislature must fund an adequate and efficient system of free public schools. This initiative would also authorize the chancery courts of this State to enforce this section with appropriate injunctive relief; and

WHEREAS, this Initiative will is not intended to restrict or meaningfully reduce the overall percentage of general fund revenues devoted to public schools, which at present is approximately 40%. If enforcement is necessary, injunctive relief will be the preferred remedy.

THEREFORE, BE IT RESOLVED that the City of Jackson, Mississippi hereby formally supports the Public Schools Funding-Initiative 42.

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

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

DISCUSSION: AFFORDABLE HOUSING: President Priester recognized **Council Member Stamps** who introduced **David Kelly**, Agent for Chartre Consulting and **Clarence Chapman**, President for Chartre Companies, provided Council with a brief overview of the affordable housing units within the city of Jackson. **Mr. Kelly** stated that forty-four (44) at the Medical Mall and eighty-eight (88) townhouses at Mt. Helm are currently under construction.

DISCUSSION: AGREEMENT BETWEEN JATRAM, PTM OF JACKSON, AND AMALGAMATED TRANSIT UNION-LOCAL NO. 1208 (JANUARY 1, 2015 THROUGH SEPTEMBER 30, 2016): President Priester recognized **Council Member Stokes** who introduced **Alphonso Burns**, a representative of Local 1208, who expressed concerns regarding the new management provider for Jatram transit system. **Mr. Burns** read the following:

- This Agreement made and entered into by and between PTM of Jackson, Inc., its successors or assigns, each hereinafter referred to as the “COMPANY” and Local #1208 of the Amalgamted Transit Union, hereinafter referred to as the “UNION”.

Council Member Stokes asked if said agreement would transfer with the new management company. **James Anderson**, Special Assistant to the City Attorney, stated that said agreement does not apply due to a new contract was issued and it not a successor of PTM of Jackson.

DISCUSSION: NO LOITERING: President Priester recognized **Council Member Stokes**, who inquired of the authority of the police department to enforce “No loitering” signs visible at certain businesses.

DISCUSSION: NEW WATER BILLING SYSTEM: President Priester recognized Jerriot Smash, Deputy Director of Public Works, who provided Council with an update on the new water billing system and the installation of new water meters.

The following reports/announcements were provided during the meeting:

- **Council Member Stokes** announced the Cadillac George Harris Fall Festival would be held on October 10, 2015 at 12:00 p.m. at the LB Buckley Walking Trail.
- **Council Member Stokes** announced that a Ward 3 Community meeting would be held on Wednesday, October 14, 2015 at 6:00 p.m. at Cornerstone Baptist Church.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Special Council Meeting to be held at 10:00 a.m. on Monday, October 12, 2015; at 2:59 p.m., the Council stood adjourned.

ATTEST:

Kristi Moore
CITY CLERK

APPROVED:

[Signature], 10.14.15
MAYOR DATE
