



**SPECIAL MEETING OF THE CITY COUNCIL  
CITY OF JACKSON, MISSISSIPPI**

**April 28, 2020**

**AGENDA**

**10:00 AM**

**CALL TO ORDER BY THE PRESIDENT**

**INVOCATION**

1. **TIMOTHY HOWARD, CITY ATTORNEY**

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING**

2. **ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR CAMPBELL'S CRAFT DONUTS TO ERECT A 10 SQUARE FOOT PROJECTING BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 6 SQUARE FEET FOR PROJECTING BUILDING SIGNAGE. (WARD 7) (HILLMAN, LUMUMBA)**
3. **ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR NURSERY RHYMES TO ERECT TWO BUILDING SIGNS TOTALING 71 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE. (WARD 7) (HILLMAN, LUMUMBA)**
4. **ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR CAMPBELL'S CRAFT DONUTS TO ERECT A 10 SQUARE FOOT PROJECTING BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 6 SQUARE FEET FOR PROJECTING BUILDING SIGNAGE. (WARD 7) (HILLMAN, LUMUMBA)**
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6. **ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR PJ'S COFFEE OF NEW ORLEANS TO ERECT A 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT AT FIVE FEET FROM THE PUBLIC RIGHT-OF-WAY WITHIN A UTC ZONE WHICH REQUIRE MONUMENT SIGNS TO BE TEN FEET**

- FROM THE PUBLIC RIGHT-OF-WAY. (WARD 7) (HILLMAN, LUMUMBA)
7. ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR PJ'S COFFEE OF NEW ORLEANS TO ERECT A 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT AT FIVE FEET FROM THE PUBLIC RIGHT-OF-WAY WITHIN A UTC ZONE WHICH REQUIRE MONUMENT SIGNS TO BE TEN FEET FROM THE PUBLIC RIGHT-OF-WAY. (WARD 7) (HILLMAN, LUMUMBA)

#### **INTRODUCTIONS**

#### **PUBLIC COMMENTS**

#### **CONSENT AGENDA**

#### **INTRODUCTION OF ORDINANCES**

#### **REGULAR AGENDA**

8. CLAIMS (HORTON, LUMUMBA)
9. PAYROLL (HORTON, LUMUMBA)
10. ORDER AUTHORIZING THE MAYOR TO EXECUTE A PROJECT CHANGE REQUEST WITH TYLER TECHNOLOGIES, INC. FOR THE CONVERSION OF UNUSED FUNDS TO BE ALLOCATED FOR IMPLEMENTATION SERVICE HOURS. (HORTON, LUMUMBA)
11. ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CAYENTA, WHICH IS A DIVISION OF HARRIS COMPUTER CORPORATION, FOR THE PURCHASE OF A THIRD-PARTY MAINTENANCE AGREEMENT FOR THE CITY OF JACKSON'S CAYENTA "JIMS" FINANCIAL SOFTWARE SYSTEM. (HORTON, LUMUMBA)
12. ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ASSETWORKS USA, INC TO RENEW NECESSARY LICENSES FOR ASSET MANAGEMENT SOFTWARE. (ALL WARDS) (HORTON, LUMUMBA)
13. ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH FAHRENHEIT CREATIVE GROUP, LLC TO PROVIDE SOCIAL MARKETING SERVICES TO THE CITY OF JACKSON. (KIDD, LUMUMBA)
14. ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI, AND GREENWOOD CEMETERY ASSOCIATION, INC. (GCA), TO PROVIDE CARE, MAINTENANCE, IMPROVEMENT AND PROMOTIONAL SERVICES AT GREENWOOD CEMETERY, FOR A PERIOD OF FIVE (5) YEARS, AT NO COST TO THE CITY OF JACKSON. (HARRIS, LUMUMBA)
15. ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH SPECTRUM EMPLOYMENT AGENCY TO PROVIDE TEMPORARY STAFFING SERVICES TO VARIOUS CITY DEPARTMENTS. (SCOTT, LUMUMBA)

16. **RESOLUTION DECLARING INTENT TO ESTABLISH AN EMERGENCY MEDICAL SERVICE DISTRICT IN THE CITY OF JACKSON, MISSISSIPPI AND AUTHORIZING THE MAYOR OF THE CITY OF JACKSON TO SUBMIT AN APPLICATION TO THE MISSISSIPPI EMERGENCY MEDICAL SERVICE BUREAU FOR FUNDING FROM THE EMERGENCY MEDICAL SERVICE OPERATING FUND UPON ELIGIBILITY. (OWENS, LUMUMBA)**
17. **ORDER AUTHORIZING AMENDMENT NUMBER 2 TO A PROFESSIONAL SERVICES AGREEMENT WITH ORIGIN CONSULTING, LLC FOR BUSINESS OPERATIONS AND DELIVERY SUPPORT OF THE CITY'S CUSTOMER CARE AND BILLING SYSTEM AND AUTHORIZING PAYMENT. (ALL WARDS) (MILLER, LUMUMBA)**
18. **ORDER AUTHORIZING THE MAYOR TO APPLY FOR THE STATES' ECONOMIC DEVELOPMENT ASSISTANCE PROGRAM (SEDAP). (ALL WARDS) (MILLER, LUMUMBA)**
19. **ORDER AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 1 TO THE 2017 CONTRACT BETWEEN THE CITY OF JACKSON AND MIDTOWN PARTNERS, INC. TO IMPLEMENT A COMMUNITY HOUSING AND DEVELOPMENT ORGANIZATION (CHDO) ELIGIBLE RENTAL NEW CONSTRUCTION PROJECT. (HILLMAN, LUMUMBA)**
20. **ORDER AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AND ADMINISTER THE AFFORDABLE HOUSING PROGRAM GRANT THROUGH THE FEDERAL HOME LOAN BANK OF DALLAS IN PARTNERSHIP WITH BANKPLUS, THE LOCAL FHLB MEMBER FOR AN OWNER-OCCUPIED REHABILITATION PROGRAM. (HILLMAN, LUMUMBA)**
21. **ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH MULTI-CON, INC., MURPHY'S DEVELOPMENT, LLC, AND BEN WIGGINS REMODELING TO IMPLEMENT THE LEAD SAFE JACKSON HOUSING PROGRAM ACTIVITIES IN ACCORDANCE WITH THE LEAD-BASED PAINT HAZARD CONTROL GRANT, HEALTHY HOMES SUPPLEMENTAL AND COMMUNITY DEVELOPMENT BLOCK GRANT. (HILLMAN, LUMUMBA)**
22. **ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR CAMPBELL'S CRAFT DONUTS TO ERECT A 10 SQUARE FOOT PROJECTING BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 6 SQUARE FEET FOR PROJECTING BUILDING SIGNAGE. (WARD 7) (HILLMAN, LUMUMBA)**
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28. ORDER RATIFYING THE MAYOR'S EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF JACKSON AND HINDS COUNTY, MISSISSIPPI FOR THE DONATION OF 510 LOGIX SMART CORONAVIRUS DISEASE 2019 90 MINUTE TEST KITS TO THE COUNTY FOR KITS TO BE USED TO TEST DESIGNATED CITY AND COUNTY DETAINEES HOUSED AT VARIOUS HINDS COUNTY DETENTION FACILITIES. (LUMUMBA)
29. ORDER APPOINTING VICTOR ALLEN AS DEPUTY COUNCIL CLERK. (STAMPS)
30. ORDER OF THE JACKSON CITY COUNCIL INSTITUTING A CURFEW IN RESPONSE TO THE COVID-19 PANDEMIC. (STAMPS)

#### **DISCUSSION**

31. DISCUSSION: COVID-19 RESPONSE UPDATE (LINDSAY)

#### **PRESENTATION**

#### **PROCLAMATION**

#### **RESOLUTIONS**

#### **REPORT FROM MEMBERS, MAYOR, DEPARTMENT DIRECTORS**

32. MONTHLY FINANCIAL REPORTS AS REQUIRED ACCORDING TO SECTION 21-35-13 OF THE MISSISSIPPI CODE ANNOTATED OF 1972.

#### **ANNOUNCEMENTS**

#### **ADJOURNMENT**

#### **AGENDA ITEMS IN COMMITTEE**



**ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR CAMPBELL'S CRAFT DONUTS TO ERECT A 10 SQUARE FOOT PROJECTING BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 6 SQUARE FEET FOR PROJECTING BUILDING SIGNAGE (WARD 7)**

**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,** Campbell's Craft Donuts, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage.

**IT IS THEREFORE, ORDERED** that Campbell's Craft Donuts is hereby (*denied*) a variance from the Sign Ordinance regulations to erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage, 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.

Item#

Date:

By: Coleman, Hillman, Lumumba

## CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

2/13/2020  
DATE

POINTS		COMMENTS																																														
1.	<b>Brief Description/Purpose</b>	To erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage.																																														
2.	<b>Public Policy Initiative</b> 1. Youth & Education 2. Crime Prevention 3. Changes in City Government 4. Neighborhood Enhancement 5. Economic Development 6. Infrastructure and Transportation 7. Quality of Life	N/A																																														
3.	<b>Who will be affected</b>	N/A																																														
4.	<b>Benefits</b>	N/A																																														
5.	<b>Schedule (beginning date)</b>	N/A																																														
6.	<b>Location:</b> ▪ <b>WARD</b> ▪ <b>CITYWIDE</b> (yes or no) (area) ▪ <b>Project limits if applicable</b>	1119 N. Jefferson St. (Ward 7)																																														
7.	<b>Action implemented by:</b> ▪ <b>City Department</b> <input checked="" type="checkbox"/> ▪ <b>Consultant</b> <input type="checkbox"/>	Department of Planning & Development Signs & License Division																																														
8.	<b>COST</b>	N/A																																														
9.	<b>Source of Funding</b> ▪ <b>General Fund</b> <input type="checkbox"/> ▪ <b>Grant</b> <input type="checkbox"/> ▪ <b>Bond</b> <input type="checkbox"/> ▪ <b>Other</b> <input type="checkbox"/>	N/A																																														
10.	<b>EBO participation</b>	<table border="0"> <tr> <td>ABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>AABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>WBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>HBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>NABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> </table>		ABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	AABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	WBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	HBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>
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NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>																																								

Revised 2-04

STAFF RECOMMENDATION: APPROVE


Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

## MEMORANDUM

**TO:** Mayor Chokwe Antar Lumumba

**FROM:**  Jordan Hillman, Director  
Department of Planning & Development

**DATE:** February 13, 2020

**RE:** Sign Variance

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Campbell's Craft Donuts, located at 1119 N. Jefferson Street, is requesting a variance to erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage.


Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR CAMPBELL'S CRAFT DONUTS TO ERRECT A 10 SQUARE FOOT PROJECTING BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 6 SQUARE FEET FOR PROJECTING BUILDING SIGNAGE is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, City Attorney

Chandra Gayten, Deputy City Attorney 

  
\_\_\_\_\_  
Date

RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

FOR OFFICE USE ONLY

CASE NO.: \_\_\_\_\_

## CITY OF JACKSON, MS

### Application for Sign Variance

I. Subject Property Address: Campbells Craft  
Donuts, 1119 North Jefferson Street

II. Purpose for requested Sign Variance: (Brief Description)

The purpose of this requested sign  
variance is to provide adequate signage  
for Campbells Craft Donuts.

III. Have you or any other individual been cited for or notified of any ordinance violations related to this property or business? NO

If yes, please give details and dates of violations:

IV. Are there any Restrictive Covenants? NO If yes, please attach copies

V. What is the Zoning classification of property? CMU-1

If yes, please attach copies of agency findings and decisions.

#### VI. APPLICANT'S INFORMATION:

Name: Business: Campbells Craft Donuts, Owner: Mitchell  
Moore

Mailing Address: 1119 North Jefferson Street

City: Jackson State: MS Zip: 39202

Contact Phone: 769-300-2790 Fax: N/A

Email: Mitchell@campbellsbakery.ms

**RECEIVED**

**FEB - 7 2020**

**SIGNS/LICENSE DIVISION**

**VII. APPLICANT WILL BE REPRESENTED BY:**

Name: Scott Allen, A+ Signs & Creative Inc.

Mailing Address: 4147 A Northview Dr.

City: Jackson State: MS Zip: 39206

Contact Phone: (601) 355-9595 Fax: N/A

Email: sallen@aplusigns.com, bhughes@aplusigns.com

**VIII. CURRENT PROPERTY OWNER(S):**

Name: BTC Energy, LLC Rep: David Turner

Mailing Address: 3100 Old Canton Road, Suite 202

City: Jackson State: MS Zip: 39216

Email: david@davidturnercompanies.com

**IX. APPLICATION FEE SCHEDULE:** \*fees are non-refundable after public hearing

Variance(s) \$450.00

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SIGNS/LICENSE DIVISION

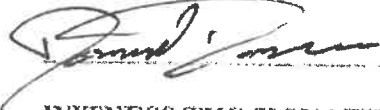
Sign Variance  
App:

Campbells Craft  
Donuts.

DECLARATION:

By signing this application, it is understood and agreed that permission is hereby given the duly authorized representative of the City of Jackson to make an investigation of the need for the sign variance request. It is further understood that the Sign & License Manager and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of its report to the City Council.

The above information is true and complete to the best of my knowledge.



WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at

1121 N. Jefferson St.

Jackson, Mississippi

On this the 22 day of October, 2019.

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally came and appeared before me, the within named:

David Turner

Who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Sign Variance Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 22

Day of October, 2019.

MY COMMISSION EXPIRES:

May 19, 2023

Brandi Thomas  
NOTARY PUBLIC





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FEB - 7 2020

SIGNS/LICENSE DIVISION

# Letter of Intent

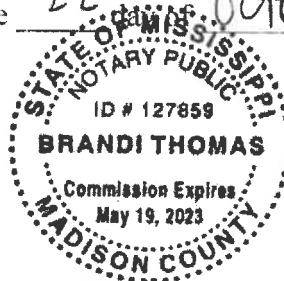
October 1, 2019

City of Jackson, Mississippi  
Department of Planning and Development  
Sign and License Division  
200 South President Street  
PO Box 17  
Jackson, MS 39205-0017

State of: MISSISSIPPI

County of: MADISON

Sworn to and subscribed before me this the 22 day of October 2019.



Brandi Thomas  
Notary Public

Seal

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**FEB - 7 2020**

**SIGNS/LICENSE DIVISION**

To whom it may concern:

The representative of 1119 North Jefferson Street is requesting building mounted signage for Campbell's Craft Donuts, a new donut shop opening in The Belhaven Town Center area. The Belhaven Town Center includes retail, entertainment, office and residential spaces. This area is going to be a lively center of activity for homeowners, visitors and businesses. Campbell's Craft Donuts is proposing signage that will be cohesive with the plans for this area as well as inviting to its customers and surrounding homeowners.

Campbell's Craft Donuts is in a CMU-1 zoning district. According to the code allowances, "projecting" or blade signs are restricted to 6 square feet. This is not enough area to make the visual impact that Campbell's Craft Donuts will need in order to be successful.

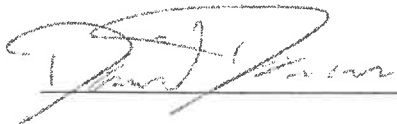
In order to have a successful business, Campbell's Craft Donuts will need to advertise to the surrounding clientele, therefore an impactful signage solution is necessary.

For marketing and aesthetic purposes, we are requesting a single blade sign for the business. The blade sign will be the Campbell's Craft Donuts logo fabricated out acrylic individual letters and mounted to an aluminum cabinet. The sign will be located on the northeast corner of the building.

Our proposal is aesthetically pleasing and unobtrusive to the surrounding area.

Thank you for your consideration and time.

**David Turner being the managing representative of BTC Energy LLC, the owner of the property, hereby acknowledges this Letter of Intent in full and certifies this to be a true and accurate statement.**



Date 2/5/20



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FEB - 7 2020

SIGNS/LICENSE DIVISION

APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

DATE RECEIVED IN OFFICE:

CITY OF JACKSON  
ZONING DIVISION

Date 2-7-20

Zone CMU-1

Approved By [Signature]

Note \_\_\_\_\_

<b>CONTRACTOR/ERECTOR:</b>		<b>LOCATION/ADDRESS OF SIGN:</b>	
Name <u>Scott Allen, A+ Signs &amp; Creative</u>		Business Name <u>Campbell's Craft Donuts</u>	
Address <u>4147 A Northview DR.</u>		Business Address <u>1119 N. Jefferson St.</u>	
City <u>Jackson</u> State <u>MS</u> Zip <u>39206</u>		Owner's Name <u>Mitchell Moore</u>	
Phone <u>(601) 355-9595</u>		Phone <u>(709) 300-2790</u>	
Bonded and Insured Yes <input type="checkbox"/> No <input type="checkbox"/>		Privilege License # _____	
City of Jackson Privilege License # _____			
<b>GROUND-MOUNTED:</b>	<b>BUILDING-MOUNTED:</b>	<b>TYPE OF LIGHTING:</b>	
Overall Height _____	Height <u>84" Tall</u>	Internal <input type="checkbox"/> External <input checked="" type="checkbox"/>	
Height _____	Length <u>18" Wide</u>	UL# _____	
Length _____	Square Footage <u>7' x 1.5' = 10.5</u>	Sign Material Type: _____	
Square Footage _____	Wall Area <u>mounting to</u>	<u>Externally lighted</u>	
Wind Pressure _____	<u>corner of building -</u>	<u>blade sign - aluminum</u>	
Billboard <input type="checkbox"/>	<u>see frontage document</u>	<u>cabinet, acrylic</u>	
<b>WORDING ON SIGN(S):</b>		<b>ZONING CLASS:</b> <u>CMU-1</u>	
<u>"Campbell's Craft Donuts"</u>		Date Inspected: _____	
_____		APPROVED <input type="checkbox"/>	
_____		DISAPPROVED <input type="checkbox"/>	
_____			
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>			

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all City Ordinances, Codes, and State Laws regulating sign construction; that I am the owner or authorized to act as the owner's agent for the herein described work.

[Signature]  
Applicant's Signature

10/15/19

Date

\_\_\_\_\_  
Sign and License Division Manager

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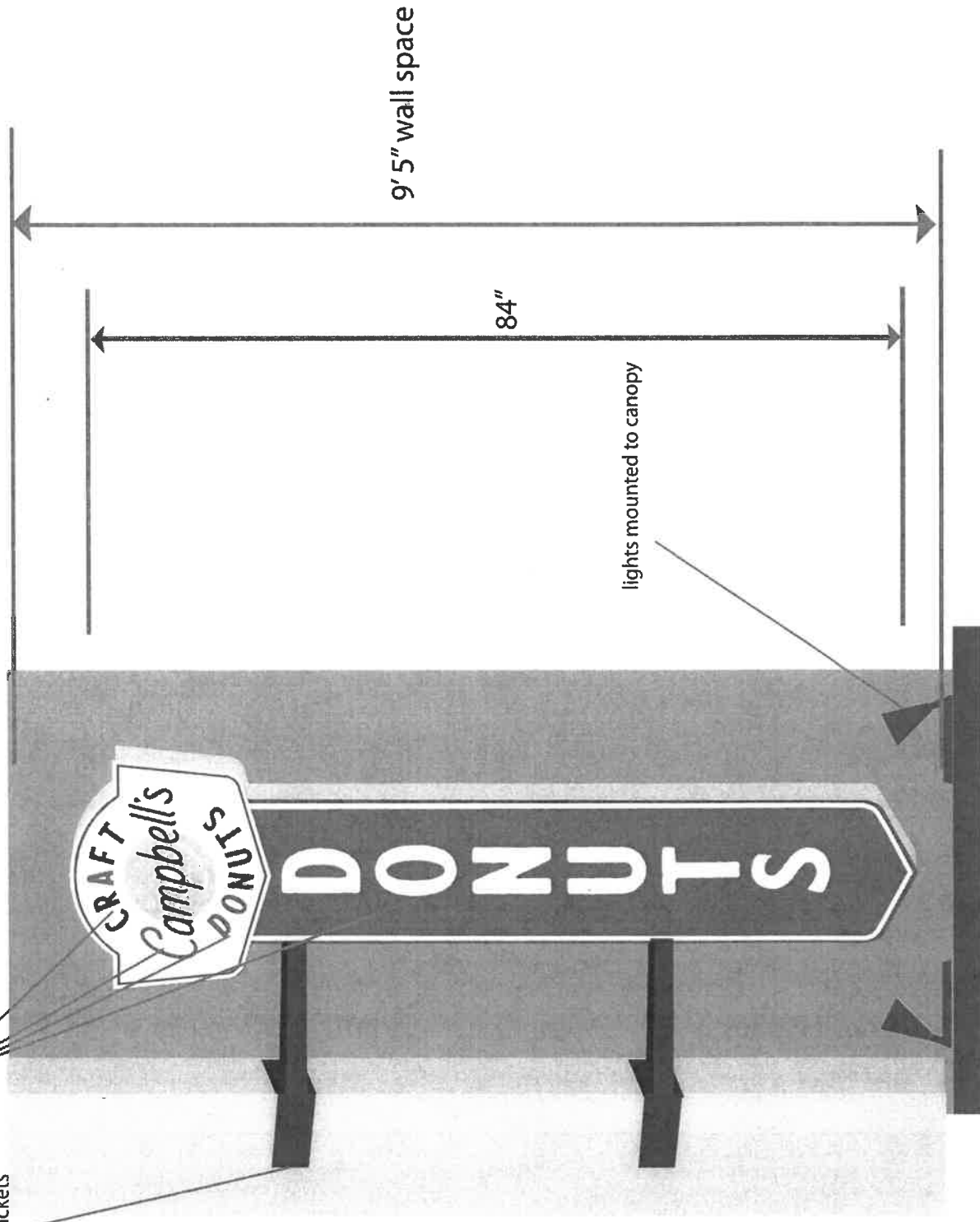
FEB - 7 2020

SIGNS/LICENSE DIVISION

Non-lighted with external lights

3/8" thick flat cut aluminum on stud mounts with spacers.

steel brackets



**RECEIVED**

**FEB - 7 2020**

**SIGNS/LICENSE DIVISION**



RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

107'

27'



128"





**RECEIVED****FEB - 7 2020**

SIGNS/LICENSE DIVISION



# Hinds County

MISSISSIPPI

FOUNDED 1821 • POPULATION 248,643

[HindsCountyMs.com](http://HindsCountyMs.com)[Database](#)[Back](#)[Print Page](#)**Landroll Detail**

Parcel Number		Map Reference Number	
19-88		649.00 1 351.00	<a href="#">View Map</a> <a href="#">Property Taxes</a> <a href="#">Gis Map</a>
Subdivision No.		Homestead Exemption Account Numbers	
1272			
Assessed Owner		Assessed Values	
BTC ENERGY LLC		Land Value	9,075
ATTN: DAVID TURNER		Improvement Value	11,174
700 N AGENCY LN		Total	20,249
RIDGELAND MS 39157		Appraised Values	
Location		Land Value	60,500
1119 N JEFFERSON ST		Improvement Value	74,490
21		Total	134,990
Legal Description		Building Info.	
LOT 1 BLK K NORTH PARK ADDN		Type	APT
		Base Area	2,359
		Adjusted Area	2,370
		Year Built	1949
Acreage Info.		Deed Info.	
Cultivated Acres	0.00	Book & Page	7223-9983
Uncultivated Acres	0.00	Date	11/13/2018

[Back](#) [Search](#)

Monday, September 30, 2019

[Contact Webmaster](#)[Phone Numbers](#)[Map to our Office](#)

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MISSISSIPPI

**ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR NURSERY RHYMES TO ERECT TWO BUILDING SIGNS TOTALING 71 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE (WARD 7)**

OFFICE OF THE CITY ATTORNEY  
3/3/09  
TCT  
Ca

**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**, Nursery Rhymes, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.

**IT IS THEREFORE, ORDERED** that Nursery Rhymes is hereby (*denied*) a variance from the Sign Ordinance regulations to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet, 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.

Item#

Date:

By: Coleman, Hillman, Lumumba

# CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

2/24/2020

DATE

POINTS		COMMENTS																																														
1.	<b>Brief Description/Purpose</b>	To erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.																																														
2.	<b>Public Policy Initiative</b> <ol style="list-style-type: none"> <li>1. Youth &amp; Education</li> <li>2. Crime Prevention</li> <li>3. Changes in City Government</li> <li>4. Neighborhood Enhancement</li> <li>5. Economic Development</li> <li>6. Infrastructure and Transportation</li> <li>7. Quality of Life</li> </ol>	N/A																																														
3.	<b>Who will be affected</b>	N/A																																														
4.	<b>Benefits</b>	N/A																																														
5.	<b>Schedule (beginning date)</b>	N/A																																														
6.	<b>Location:</b> <ul style="list-style-type: none"> <li>▪ WARD</li> <li>▪ CITYWIDE (yes or no) (area)</li> <li>▪ Project limits if applicable</li> </ul>	1254 Eastover Dr. (Ward 7)																																														
7.	<b>Action implemented by:</b> <ul style="list-style-type: none"> <li>▪ City Department <input checked="" type="checkbox"/></li> <li>▪ Consultant <input type="checkbox"/></li> </ul>	City Department - Depart of Planning & Dev. Signs & License Div.																																														
8.	<b>COST</b>	N/A																																														
9.	<b>Source of Funding</b> <ul style="list-style-type: none"> <li>▪ General Fund <input type="checkbox"/></li> <li>▪ Grant <input type="checkbox"/></li> <li>▪ Bond <input type="checkbox"/></li> <li>▪ Other <input type="checkbox"/></li> </ul>	N/A																																														
10.	<b>EBO participation</b>	<table border="0"> <tbody> <tr> <td>ABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>AABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>WBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>HBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>NABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><input checked="" type="checkbox"/></td> </tr> </tbody> </table>		ABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>	AABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>	WBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>	HBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>	NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>
ABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>																																								
AABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>																																								
WBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>																																								
HBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>																																								
NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>																																								

Revised 2-04

Staff Recommendation: **APPROVE**


Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

## MEMORANDUM

**TO:** Mayor Chokwe Antar Lumumba

**FROM:**  Jordan Hillman, Director  
Department of Planning & Development

**DATE:** February 24, 2020

**RE:** Sign Variance

---

Nursery Rhymes, located at 1254 Eastover Drive, is requesting a variance to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building.

Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This **ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR NURSERY RHYMES TO ERECT TWO BUILDING SIGNS TOTALING 71 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE** is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, City Attorney

Chandra Gayten, Deputy City Attorney ca

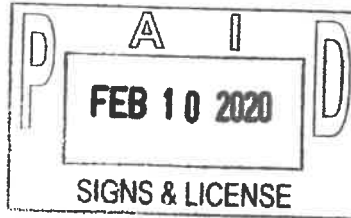
3/3/20

Date

RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION



FOR OFFICE USE ONLY

CASE NO.:

## CITY OF JACKSON, MS

### Application for Sign Variance

I. Subject Property Address: 1254 Eastover Dr., Ste 180  
Jackson, MS 39211

II. Purpose for requested Sign Variance: (Brief Description)

Signage allowance too small for facade of  
store front.

III. Have you or any other individual been cited for or notified of any ordinance violations related to this property or business? No  
If yes, please give details and dates of violations:

IV. Are there any Restrictive Covenants? No If yes, please attach copies

V. What is the Zoning classification of property? CMU-1  
If yes, please attach copies of agency findings and decisions.

#### VI. APPLICANT'S INFORMATION:

Name: Ted Duckworth (Nursery Rhymes)

Mailing Address: 308 E Pearl St Ste 200

City: Jackson State: MS Zip: 39201

Contact Phone: 601 914-0800 Fax:

Email: ted@duckworthreality.com

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FEB 14 2020

SIGNS/LICENSE DIVISION

VII. APPLICANT WILL BE REPRESENTED BY:

Name: Scott Allen, A+ Signs & Creative

Mailing Address: 4147-A Northview Dr.

City: Jackson State: MS Zip: 39206

Contact Phone: 601-355-9595 Fax: N/A

Email: Sallen@aplusigns.com ; jwebb@aplusigns.com

VIII. CURRENT PROPERTY OWNER(S):

Name: Ted Duckworth

Mailing Address: 308 E Pearl St #200

City: Jackson State: MS Zip: 39201

Email: ted@duckworthrealty.com

IX. APPLICATION FEE SCHEDULE: \*fees are non-refundable after public hearing

Variance(s)

\$450.00

RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION

DECLARATION

By signing this application, it is understood and agreed that permission is hereby given the duly authorized representative of the City of Jackson to make an investigation of the need for the sign variance request. It is further understood that the Sign & License Manager and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of its report to the City Council.

The above information is true and complete to the best of my knowledge.

WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at

1254 Eastover Drive Ste 180 Jackson, Mississippi

On this the 31st day of January, 2020.

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally came and appeared before me, the within named:

Teal Duckworth

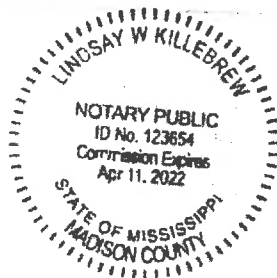
Who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Sign Variance Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 31st

Day of January, 2020.

MY COMMISSION EXPIRES:

Lindsay W. Killebrew  
NOTARY PUBLIC



**RECEIVED**

**FEB 14 2020**

**SIGNS/LICENSE DIVISION**

## **Letter of Intent**

January 31, 2020

City of Jackson, Mississippi  
Department of Planning and Development  
Sign and License Division  
200 South President Street  
PO Box 17  
Jackson, MS 39205-0017

### **To Whom It May Concern:**

The representative of Nursery Rhymes, a retail store located in the District at Eastover at 1250 Eastover Drive, is requesting a building mounted sign and a blade sign for her storefront. The District at Eastover includes retail, restaurants, office and residential spaces, and has become a lively center of activity for residents in the District as well as those nearby. The owner/developers of the District at Eastover, are proposing signage that will be cohesive with the existing signage in the area.

Nursery Rhymes is in a CMU-1 zoning district. According to the code allowances, building signs in this district are limited to 15 sq ft. This would not allow the building mounted sign to be big enough to make the visual impact needed to attract customers, or fit in with the existing signage and branding that already exists in the area. A larger, more impactful, building mounted sign is necessary in order for the business to be a successful and productive addition to the community.

For branding and aesthetic purposes, we are requesting a back lit, and face lit, channel letter sign with a channeled moon shaped logo. The channel letters will spell out the name of the business, and we believe will effectively draw customers. The proposed sign is 60"h x 144"w, coming to 60 sq ft. The sign will be on the front façade of the business suite, located above the storefront.

We believe our proposal is aesthetically pleasing, unobtrusive, and a cohesive, pleasant addition to the District at Eastover's development area.

Thank you for your consideration and time.



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FEB 14 2020

SIGNS/LICENSE DIVISION

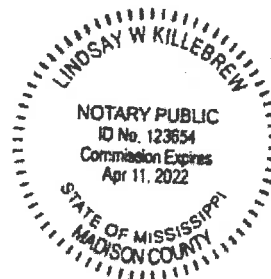
Ted Duckworth, being the managing representative of Duckworth Realty, owner of the property, hereby acknowledges this Letter of Intent in full and certifies it to be a true and accurate statement.

[Signature] Date 1/31/2020

Sworn to and subscribed before me this the 31<sup>st</sup> day of January 2020.

[Signature]  
Notary Public

My Commission Expires



Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

February 24, 2020

Nursery Rhymes

Janice Fulton

1254 Eastover Drive #180

Jackson, MS 39211

Re: Nursery Rhymes Sign Variance Application

Dear Ms. Fulton:

This correspondence is to inform you that our office is currently processing the Sign Variance Application submitted on behalf of Nursery Rhymes located at 1254 Eastover Drive.

Pursuant to Sec. 102-40 (5) of the City of Jackson Code of Ordinances, our office is required to inform the applicant or the applicant's representative of the staff's recommendation for a pending Sign Variance Application.

Your application and supporting documentation indicates that Nursery Rhymes is requesting to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.

The staff's recommendation, to the City Council, will be for approval of your sign variance request. Please understand that granting or denial of all Sign Variance request are by City Council approval only. If you have any comments, questions, or concerns please feel free to contact our office at (601) 960-1154.

Sincerely,

Terry Coleman, Manager  
Signs & License Division



RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION

APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

DATE RECEIVED IN OFFICE:

CONTRACTOR/ERECTOR:		LOCATION/ADDRESS OF SIGN:	
Name <u>Scott Allen At Signs &amp; Creative</u>		Business Name <u>Nursery Rhymes</u>	
Address <u>4147-A Northview Dr</u>		Business Address <u>1254 Eastover Dr Ste 15</u>	
City <u>JACKSON</u> State <u>MS</u> Zip <u>39206</u>		Owner's Name <u>Janice Fulton</u>	
Phone <u>601-355-9595</u>		Phone <u>601-368-9997</u>	
Bonded and Insured Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Privilege License # <u>200-01162-9</u>	
City of Jackson Privilege License # <u>33725</u>			
GROUND-MOUNTED:		BUILDING-MOUNTED:	
Overall Height _____		Height <u>5' h</u>	
Height _____		Length <u>12' w</u>	
Length _____		Square Footage <u>60 sq ft</u>	
Square Footage _____		Wall Area _____	
Wind Pressure _____		<u>24' x 20' - 480 sq ft</u>	
Billboard <input type="checkbox"/>			
WORDING ON SIGN(S):		ZONING CLASS: <u>CMU-1</u>	
<u>"Nursery Rhymes"</u>		Date Inspected: _____	
_____		APPROVED <input type="checkbox"/>	
_____		DISAPPROVED <input type="checkbox"/>	
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>			

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all City Ordinances, Codes, and State Laws regulating sign construction; that I am the owner or authorized to act as the owner agent for the herein described work.

Scott Allen 2/14/20  
Applicant's Signature Date

\_\_\_\_\_  
Sign and License Division Manager



RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION

APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

DATE RECEIVED IN OFFICE:

<b>CONTRACTOR/ERECTOR:</b>		<b>LOCATION/ADDRESS OF SIGN:</b>	
Name <u>Scott Allen, At Signs &amp; Creative</u>		Business Name <u>Nursery Rhymes</u>	
Address <u>4147-A Northview Dr.</u>		Business Address <u>1254 Eastover Dr Ste 1</u>	
City <u>Jackson</u> State <u>MS</u> Zip <u>39206</u>		Owner's Name <u>Janice Fulton</u>	
Phone <u>601-355-9595</u>		Phone <u>601-368-9997</u>	
Bonded and Insured Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Privilege License # <u>200-011629</u>	
City of Jackson Privilege License # <u>33725</u>			
<b>GROUND-MOUNTED:</b>	<b>BUILDING-MOUNTED:</b>	<b>TYPE OF LIGHTING:</b>	
Overall Height _____	Height <u>40"</u> <u>Blade Sign</u>	Internal <input type="checkbox"/> External <input type="checkbox"/>	
Height _____	Length <u>40"</u>	UL# <u>Non lighted</u>	
Length _____	Square Footage <u>11 sq ft</u>	Sign Material Type: <u>HDO (dov</u>	
Square Footage _____	Wall Area <u>24' x 20' - 480 sq ft</u>	<u>w/ aluminum brac</u>	
Wind Pressure _____			
Billboard <input type="checkbox"/>			
<b>WORDING ON SIGN(S):</b>		<b>ZONING CLASS:</b> <u>CMU-1</u>	
<u>"Nursery Rhymes"</u>		Date Inspected: _____	
_____		APPROVED <input type="checkbox"/>	
_____		DISAPPROVED <input type="checkbox"/>	
_____			
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>			

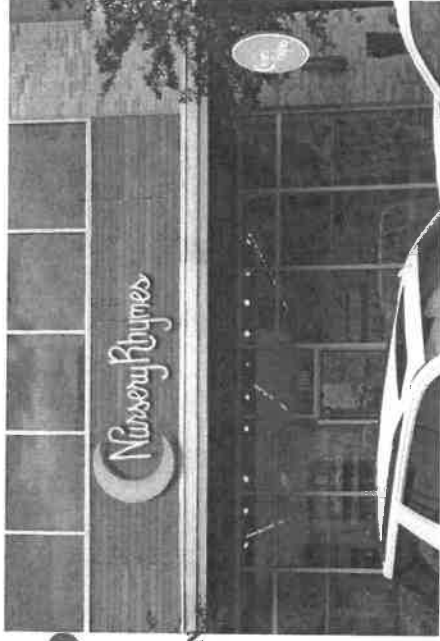
I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all City Ordinances, Codes, and State Laws regulating sign construction; that I am the owner or authorized to act as the owner agent for the herein described work.

Scott Allen 2/6/20  
Applicant's Signature Date

Sign and License Division Manager



## Day Mockup



## Night Mockup

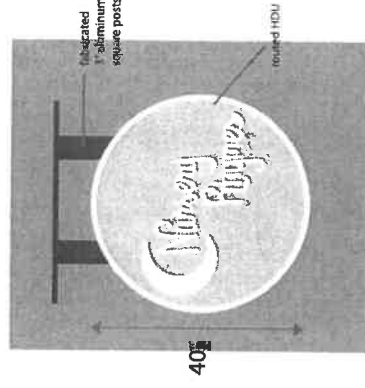
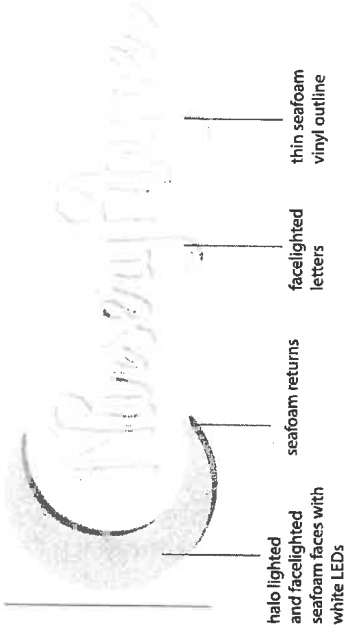


## Nursery Rhymes

Painted Pantone 566 U

12'

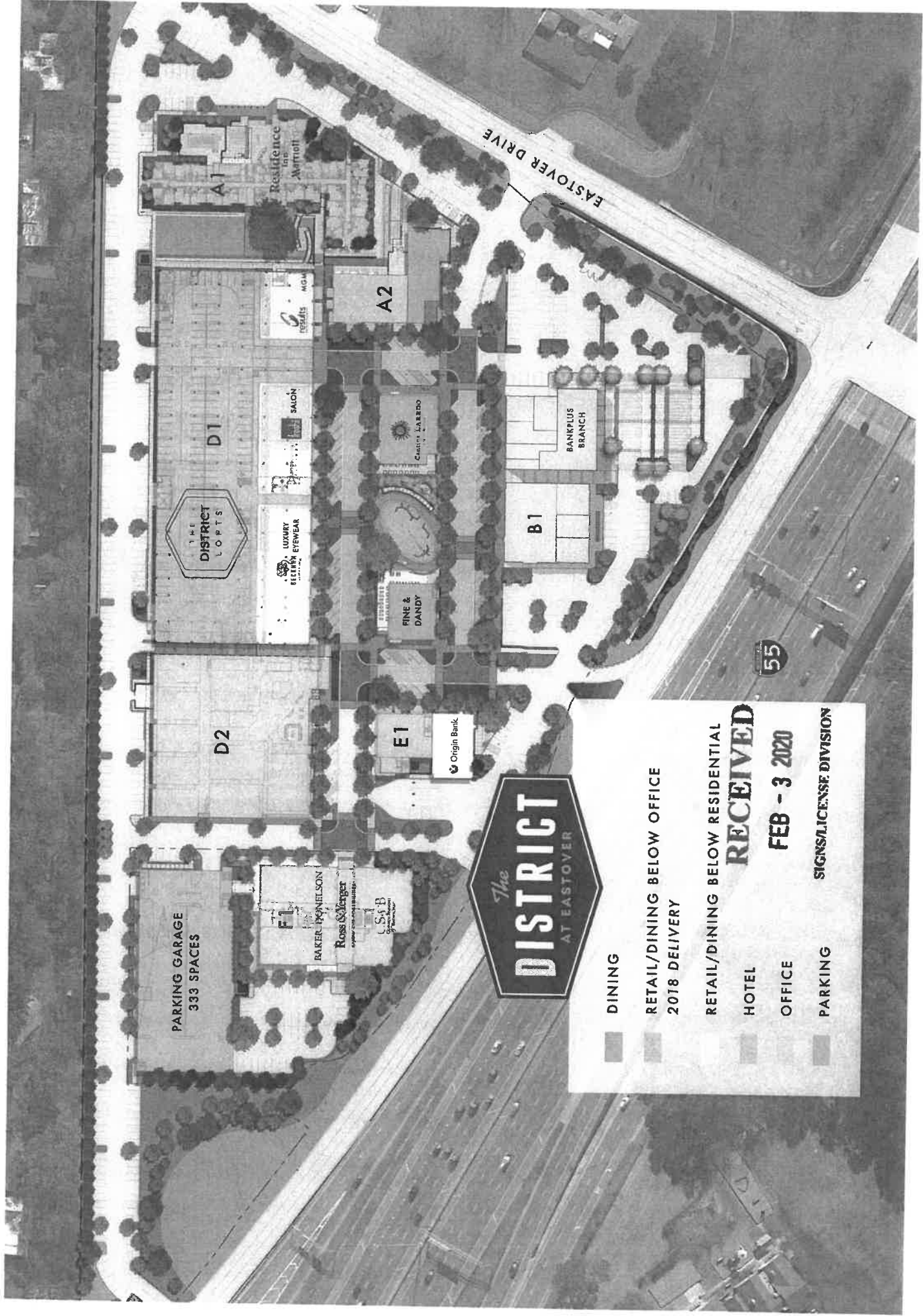
5'



2 sided, routed HDU panel, painted raised white relief, Pantone 566 U background

Please review carefully. Unless noted, no revisions will be made. If revisions are requested, please email us. If this meets approval as is, please sign and email. Your approval indicates that with the completion of all noted corrections, we will not be held responsible for any errors.

This design is property of A Plus Signs & Creative and for it's use only.



**THE DISTRICT AT EASTOVER**

**RECEIVED**  
**FEB - 3 2020**  
SIGNS/LICENSE DIVISION

DINING	RETAIL/DINING BELOW OFFICE	RETAIL/DINING BELOW RESIDENTIAL	HOTEL	OFFICE	PARKING
■	■	■	■	■	■

## Landroll Detail

Parcel Number	Map Reference Number	
451-8-11	567.00 1 186.11	<input type="radio"/> View Map <input type="radio"/> Property Taxes <input type="radio"/> Gis Map
Subdivision No.	Homestead Exemption Account Numbers	
3796		

Assessed Owner	Assessed Values
ARLINGTON DISTRICT LIVING LLC	Land Value 104,630
ATTN: DAVID G ELLIS	Improvement Value 2,114,790
2117 SECOND AVE N	Total 2,219,420
BIRMINGHAM AL 35203	Appraised Values
Location	Land Value 697,530
1254 EASTOVER DRIVE	Improvement Value 14,098,600
Legal Description	Total 14,796,130
LOT 10 THE DISTRICT AT EASTOVER	Building Info.
	Type APT
	Base Area 59,840
	Adjusted Area 210,916
	Year Built 2017
	Deed Info.
	Book & Page 7183-2538
	Date 10/20/2015

Acreage Info.	
Cultivated Acres	0.00
Uncultivated Acres	0.00

Back Search

RECEIVED

FEB - 6 2020

SIGNS/LICENSE DIVISION



**ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE  
THE SIGN VARIANCE REQUEST FOR CAMPBELL'S CRAFT DONUTS TO ERECT  
A 10 SQUARE FOOT PROJECTING BUILDING SIGN WITHIN A CMU-1 ZONE  
WHICH ONLY ALLOWS A TOTAL OF 6 SQUARE FEET FOR PROJECTING  
BUILDING SIGNAGE (WARD 7)**

OFFICE OF THE CITY ATTORNEY  
2/29/20  
7:41  
CA

**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,** Campbell's Craft Donuts, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage.

**IT IS THEREFORE, ORDERED** that Campbell's Craft Donuts is hereby *(approved)* a variance from the Sign Ordinance regulations to erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage, 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.

Item#

Date:

By: Coleman, Hillman, Lumumba

## CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

2/13/2020  
DATE

POINTS		COMMENTS																																														
1.	<b>Brief Description/Purpose</b>	To erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage.																																														
2.	<b>Public Policy Initiative</b> 1. Youth & Education 2. Crime Prevention 3. Changes in City Government 4. Neighborhood Enhancement 5. Economic Development 6. Infrastructure and Transportation 7. Quality of Life	N/A																																														
3.	<b>Who will be affected</b>	N/A																																														
4.	<b>Benefits</b>	N/A																																														
5.	<b>Schedule (beginning date)</b>	N/A																																														
6.	<b>Location:</b> ▪ <b>WARD</b> ▪ <b>CITYWIDE (yes or no) (area)</b> ▪ <b>Project limits if applicable</b>	1119 N. Jefferson St. (Ward 7)																																														
7.	<b>Action implemented by:</b> ▪ <b>City Department</b> <input checked="" type="checkbox"/> ▪ <b>Consultant</b> <input type="checkbox"/>	Department of Planning & Development Signs & License Division																																														
8.	<b>COST</b>	N/A																																														
9.	<b>Source of Funding</b> ▪ <b>General Fund</b> <input type="checkbox"/> ▪ <b>Grant</b> <input type="checkbox"/> ▪ <b>Bond</b> <input type="checkbox"/> ▪ <b>Other</b> <input type="checkbox"/>	N/A																																														
10.	<b>EBO participation</b>	<table border="0"> <tbody> <tr> <td>ABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>AABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>WBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>HBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>NABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> </tbody> </table>		ABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	AABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	WBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	HBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>
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NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>																																								

Revised 2-04

STAFF RECOMMENDATION: APPROVE


Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

## MEMORANDUM

**TO:** Mayor Chokwe Antar Lumumba

**FROM:**  Jordan Hillman, Director  
Department of Planning & Development

**DATE:** February 13, 2020

**RE:** Sign Variance

---


Campbell's Craft Donuts, located at 1119 N. Jefferson Street, is requesting a variance to erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage.

Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This **ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR CAMPBELL'S CRAFT DONUTS TO ERECT A 10 SQUARE FOOT PROJECTING BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 6 SQUARE FEET FOR PROJECTING BUILDING SIGNAGE** is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, *City Attorney*

Chandra Gayten, *Deputy City Attorney* CC

2/24/20  
\_\_\_\_\_  
Date

OFFICE OF THE CITY ATTORNEY  
2/24/20  
CC

Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

February 13, 2020

Campbell's Craft Donuts  
Mitchell Moore  
1119 N. Jefferson Street  
Jackson, MS 39202

Re: Campbell's Craft Donuts Sign Variance Application

Dear Mr. Moore:

This correspondence is to inform you that our office is currently processing the Sign Variance Application submitted on behalf of Campbell's Craft Donuts located at 1119 N. Jefferson Street.

Pursuant to Sec. 102-40 (5) of the City of Jackson Code of Ordinances, our office is required to inform the applicant or the applicant's representative of the staff's recommendation for a pending Sign Variance Application.

Your application and supporting documentation indicates that Campbell's Craft Donuts is requesting to erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage.

The staff's recommendation, to the City Council, will be for approval of your sign variance request. Please understand that granting or denial of all Sign Variance request are by City Council approval only. If you have any comments, questions, or concerns please feel free to contact our office at (601) 960-1154.

Sincerely,

Terry Coleman, Manager  
Signs & License Division

RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

To whom it may concern:

The representative of 1119 North Jefferson Street is requesting building mounted signage for Campbell's Craft Donuts, a new donut shop opening in The Belhaven Town Center area. The Belhaven Town Center includes retail, entertainment, office and residential spaces. This area is going to be a lively center of activity for homeowners, visitors and businesses. Campbell's Craft Donuts is proposing signage that will be cohesive with the plans for this area as well as inviting to its customers and surrounding homeowners.

Campbell's Craft Donuts is in a CMU-1 zoning district. According to the code allowances, "projecting" or blade signs are restricted to 6 square feet. This is not enough area to make the visual impact that Campbell's Craft Donuts will need in order to be successful.

In order to have a successful business, Campbell's Craft Donuts will need to advertise to the surrounding clientele, therefore an impactful signage solution is necessary.

For marketing and aesthetic purposes, we are requesting a single blade sign for the business. The blade sign will be the Campbell's Craft Donuts logo fabricated out acrylic individual letters and mounted to an aluminum cabinet. The sign will be located on the northeast corner of the building.

Our proposal is aesthetically pleasing and unobtrusive to the surrounding area.

Thank you for your consideration and time.

**David Turner being the managing representative of BTC Energy LLC, the owner of the property, hereby acknowledges this Letter of Intent in full and certifies this to be a true and accurate statement.**



Date 2/5/20

RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

FOR OFFICE USE ONLY

CASE NO.:

## CITY OF JACKSON, MS

### Application for Sign Variance

I. Subject Property Address: Campbells Craft  
Donuts, 1119 North Jefferson Street

II. Purpose for requested Sign Variance: (Brief Description)

The purpose of this requested sign  
variance is to provide adequate signage  
for Campbells Craft Donuts.

III. Have you or any other individual been cited for or notified of any ordinance violations related to this property or business? NO

If yes, please give details and dates of violations:

IV. Are there any Restrictive Covenants? NO If yes, please attach copies

V. What is the Zoning classification of property? CMU-1

If yes, please attach copies of agency findings and decisions.

#### VI. APPLICANT'S INFORMATION:

Name: Business: Campbells Craft Donuts, Owner: Mitchell  
Moore

Mailing Address: 1119 North Jefferson Street

City: Jackson State: MS Zip: 39202

Contact Phone: 769-300-2790 Fax: N/A

Email: mitchell@campbellsbakery.ms

RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

VII. APPLICANT WILL BE REPRESENTED BY:

Name: Scott Allen, At Signs & Creative Inc.

Mailing Address: 4147 A Northview Dr.

City: Jackson State: MS Zip: 39206

Contact Phone: (601) 355-9595 Fax: N/A

Email: sallen@aplusigns.com, bhughes@aplusigns.com

VIII. CURRENT PROPERTY OWNER(S):

Name: BTC Energy, LLC Rep: David Turner

Mailing Address: 3100 Old Canton Road, Suite 202

City: Jackson State: MS Zip: 39216

Email: david@davidturnercompanies.com

IX. APPLICATION FEE SCHEDULE: \*fees are non-refundable after public hearing

         Variance(s)          \$450.00



RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

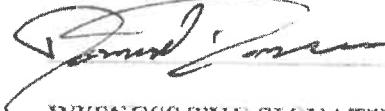
Sign Variance  
App:

Campbells Craft  
Donuts

DECLARATION:

By signing this application, it is understood and agreed that permission is hereby given the duly authorized representative of the City of Jackson to make an investigation of the need for the sign variance request. It is further understood that the Sign & License Manager and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of its report to the City Council.

The above information is true and complete to the best of my knowledge.



WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at

1121 N. Jefferson St.

Jackson, Mississippi

On this the 22 day of October, 2019.

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally came and appeared before me, the within named:

David Turner

Who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Sign Variance Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 22

Day of October, 2019.

MY COMMISSION EXPIRES:

May 19, 2023

Brandi Thomas  
NOTARY PUBLIC



RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

# Letter of Intent

October 1, 2019

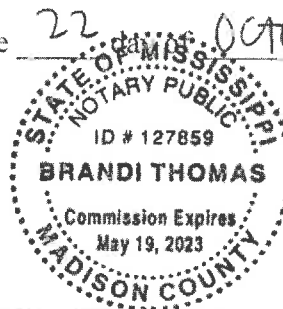
City of Jackson, Mississippi  
Department of Planning and Development  
Sign and License Division  
200 South President Street  
PO Box 17  
Jackson, MS 39205-0017

State of: MISSISSIPPI

County of: MADISON

Sworn to and subscribed before me this the 22 day of October 2019.

Brandi Thomas  
Notary Public



Seal



RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

CITY OF JACKSON  
ZONING DIVISION  
Date 2-7-20  
Zone CMU-1  
Approved By JM  
Note \_\_\_\_\_

DATE RECEIVED IN OFFICE:

CONTRACTOR/ERECTOR:		LOCATION/ADDRESS OF SIGN:	
Name <u>Scott Allen, A+ Signs &amp; Creative</u>		Business Name <u>Campbell's Craft Donuts</u>	
Address <u>4147 A Northview DR.</u>		Business Address <u>1119 N. Jefferson St.</u>	
City <u>Jackson</u> State <u>MS</u> Zip <u>39206</u>		Owner's Name <u>Mitchell Moore</u>	
Phone <u>(601) 355-9595</u>		Phone <u>(769) 300-2790</u>	
Bonded and Insured Yes <input type="checkbox"/> No <input type="checkbox"/>		Privilege License # _____	
City of Jackson Privilege License # _____			
GROUND-MOUNTED:		BUILDING-MOUNTED:	
Overall Height _____		Height <u>84" Tall</u>	
Height _____		Length <u>18" Wide</u>	
Length _____		Square Footage <u>7' x 1.5' = 10.5</u>	
Square Footage _____		Wall Area <u>mounting to</u>	
Wind Pressure _____		<u>corner of building -</u>	
Billboard <input type="checkbox"/>		<u>see frontage document</u>	
WORDING ON SIGN(S):		TYPE OF LIGHTING:	
<u>"Campbell's Craft Donuts"</u>		Internal <input type="checkbox"/> External <input checked="" type="checkbox"/>	
		UL# _____	
		Sign Material Type: <u>Externally lighted</u>	
		<u>blade sign - aluminum</u>	
		<u>cabinet, acrylic</u>	
		<u>lettering.</u>	
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>		ZONING CLASS: <u>CMU-1</u>	
		Date Inspected: _____	
		APPROVED <input type="checkbox"/>	
		DISAPPROVED <input type="checkbox"/>	

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all City Ordinances, Codes, and State Laws regulating sign construction; that I am the owner or authorized to act as the owner's agent for the herein described work.

[Signature]  
Applicant's Signature

10/15/19  
Date

\_\_\_\_\_  
Sign and License Division Manager

RECEIVED

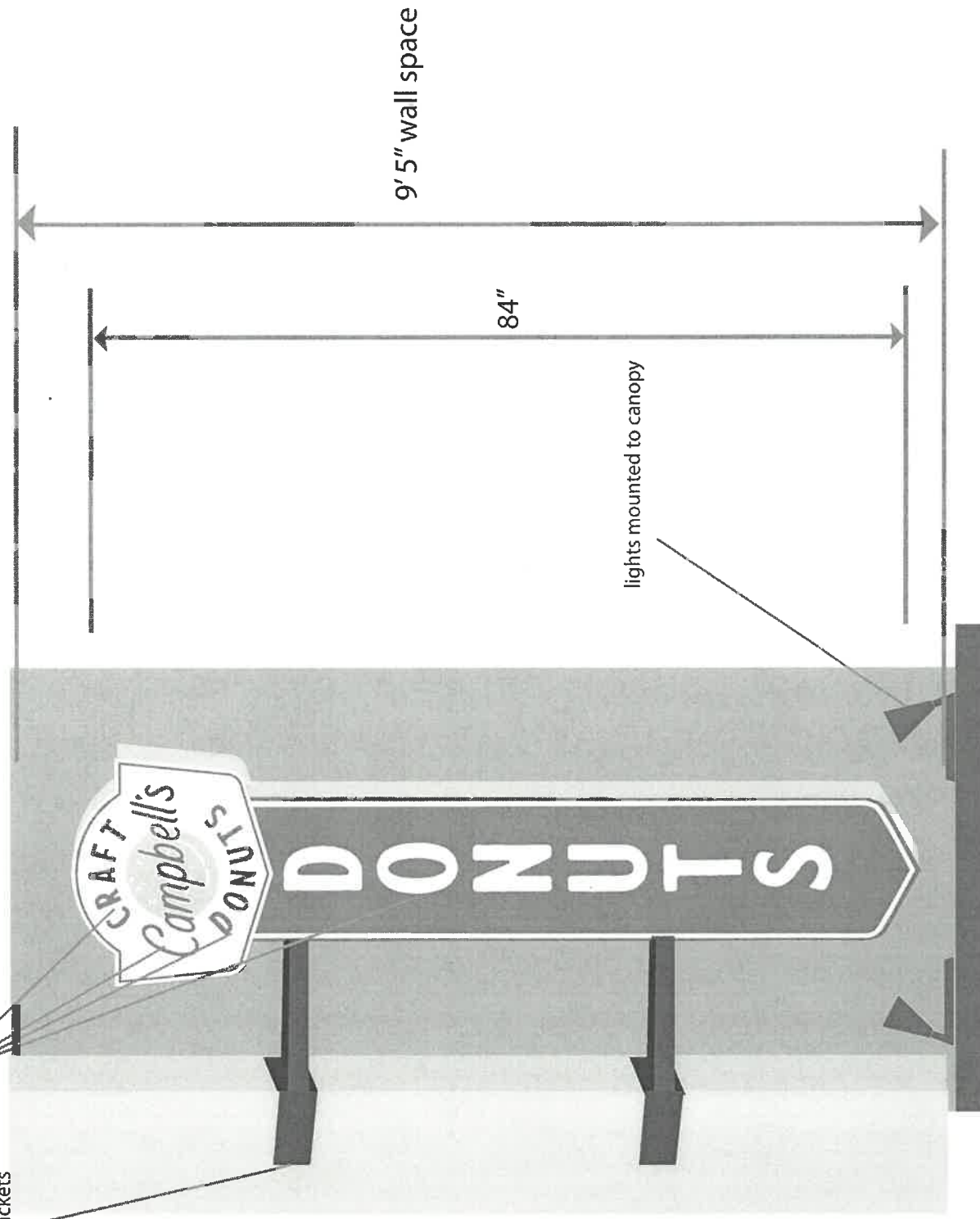
FEB - 7 2020

SIGNS/LICENSE DIVISION

Non-lighted with external lights

3/8" thick flat cut aluminum on stud mounts with spacers.

steel brackets





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FEB - 7 2020

SIGNS/LICENSE DIVISION





RECEIVED

FEB - 7 2020

SIGNAL LICENSE DIVISION

107'

27'



8"



DONDOS

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FEB - 7 2020

SIGNS/LICENSE DIVISION



# Hinds County

MISSISSIPPI

FOUNDED 1821 \* POPULATION 248,643

[HindsCountyMs.com](http://HindsCountyMs.com)

[Database](#)

[Back](#)

[Print Page](#)

## Landroll Detail

Parcel Number		Map Reference Number	
19-88		649.00 1 351.00	<input type="radio"/> View Map <input type="radio"/> Property Taxes <input type="radio"/> Gis Map
Subdivision No.		Homestead Exemption Account Numbers	
1272			
Assessed Owner		Assessed Values	
BTC ENERGY LLC		Land Value	9,075
ATTN: DAVID TURNER		Improvement Value	11,174
700 N AGENCY LN		Total	20,249
RIDGELAND MS 39157		Appraised Values	
Location		Land Value	60,500
1119 N JEFFERSON ST		Improvement Value	74,490
21		Total	134,990
Legal Description		Building Info.	
LOT 1 BLK K NORTH PARK ADDN		Type	APT
		Base Area	2,359
		Adjusted Area	2,370
		Year Built	1949
		Deed Info.	
		Book & Page	7223-9983
		Date	11/13/2018
Acreage Info.			
Cultivated Acres	0.00		
Uncultivated Acres	0.00		

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OFFICE OF THE CITY ATTORNEY  
3/13/20  
(6)

**ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR NURSERY RHYMES TO ERECT TWO BUILDING SIGNS TOTALING 71 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE (WARD 7)**

**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,** Nursery Rhymes, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.

**IT IS THEREFORE, ORDERED** that Nursery Rhymes is hereby *(approved)* a variance from the Sign Ordinance regulations to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage, 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.

Item#

Date:

By: Coleman, Hillman, Lumumba

# CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

2/24/2020

DATE

POINTS		COMMENTS																																														
1.	<b>Brief Description/Purpose</b>	To erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.																																														
2.	<b>Public Policy Initiative</b> 1. Youth & Education 2. Crime Prevention 3. Changes in City Government 4. Neighborhood Enhancement 5. Economic Development 6. Infrastructure and Transportation 7. Quality of Life	N/A																																														
3.	<b>Who will be affected</b>	N/A																																														
4.	<b>Benefits</b>	N/A																																														
5.	<b>Schedule (beginning date)</b>	N/A																																														
6.	<b>Location:</b> ▪ <b>WARD</b> ▪ <b>CITYWIDE (yes or no) (area)</b> ▪ <b>Project limits if applicable</b>	1254 Eastover Dr. (Ward 7)																																														
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NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>  X  </u>																																								

Revised 2-04

**Staff Recommendation: APPROVE**


Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

## MEMORANDUM

**TO:** Mayor Chokwe Antar Lumumba

**FROM:**  Jordan Hillman, Director  
Department of Planning & Development

**DATE:** February 24, 2020

**RE:** Sign Variance

---

Nursery Rhymes, located at 1254 Eastover Drive, is requesting a variance to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.

Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR NURSERY RHYMES TO ERECT TWO BUILDING SIGNS TOTALING 71 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, City Attorney

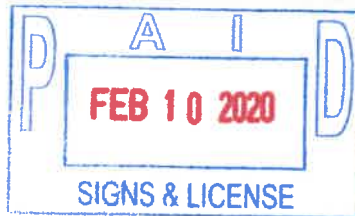
Chandra Gayten, Deputy City Attorney Ca

3/3/20  
\_\_\_\_\_  
Date

RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION



FOR OFFICE USE ONLY

CASE NO.:

## CITY OF JACKSON, MS

### Application for Sign Variance

I. Subject Property Address: 1254 Eastover Dr, Ste 180  
Jackson, MS 39211

II. Purpose for requested Sign Variance: (Brief Description)

Signage allowance too small for facade of  
store front

III. Have you or any other individual been cited for or notified of any ordinance violations related to this property or business? NO  
If yes, please give details and dates of violations:

IV. Are there any Restrictive Covenants? NO If yes, please attach copies

V. What is the Zoning classification of property? CMU-1  
If yes, please attach copies of agency findings and decisions.

#### VI. APPLICANT'S INFORMATION:

Name: Ted Duckworth (Nursery Rhymes)

Mailing Address: 308 E Pearl St Ste 200

City: Jackson State: MS Zip: 39201

Contact Phone: 601 914-0800 Fax:

Email: ted@duckworthrealty.com

RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION

VII. APPLICANT WILL BE REPRESENTED BY:

Name: Scott Allen, A+ Signs & Creative

Mailing Address: 4147-A Northview Dr.

City: Jackson State: MS Zip: 39206

Contact Phone: 601-355-9595 Fax: N/A

Email: Sallen@aplusigns.com ; jwebb@aplusigns.c

VIII. CURRENT PROPERTY OWNER(S):

Name: Ted Duckworth

Mailing Address: 308 E Pearl St #200

City: Jackson State: MS Zip: 39201

Email: ted@duckworthrealty.com

IX. APPLICATION FEE SCHEDULE: \*fees are non-refundable after public hearing

Variance(s)

\$450.00

RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION

DECLARATION

By signing this application, it is understood and agreed that permission is hereby given the duly authorized representative of the City of Jackson to make an investigation of the need for the sign variance request. It is further understood that the Sign & License Manager and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of its report to the City Council.

The above information is true and complete to the best of my knowledge



WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at

1254 Eastover Drive Ste 180

Jackson, Mississippi

On this the 31<sup>st</sup> day of January, 2020.

STATE OF MISSISSIPPI  
COUNTY OF HINDS

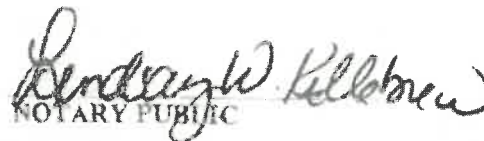
Personally came and appeared before me, the within named:

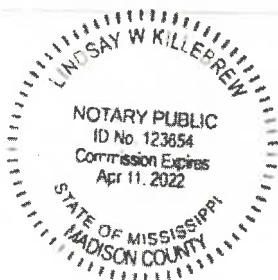
Teal Duckworth

Who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Sign Variance Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 31<sup>st</sup>  
Day of January, 2020.

MY COMMISSION EXPIRES:

  
NOTARY PUBLIC



**RECEIVED**  
**FEB 14 2020**  
**SIGNS/LICENSE DIVISION**

## **Letter of Intent**

January 31, 2020

City of Jackson, Mississippi  
Department of Planning and Development  
Sign and License Division  
200 South President Street  
PO Box 17  
Jackson, MS 39205-0017

### **To Whom It May Concern:**

The representative of Nursery Rhymes, a retail store located in the District at Eastover at 1250 Eastover Drive, is requesting a building mounted sign and a blade sign for her storefront. The District at Eastover includes retail, restaurants, office and residential spaces, and has become a lively center of activity for residents in the District as well as those nearby. The owner/developers of the District at Eastover, are proposing signage that will be cohesive with the existing signage in the area.

Nursery Rhymes is in a CMU-1 zoning district. According to the code allowances, building signs in this district are limited to 15 sq ft. This would not allow the building mounted sign to be big enough to make the visual impact needed to attract customers, or fit in with the existing signage and branding that already exists in the area. A larger, more impactful, building mounted sign is necessary in order for the business to be a successful and productive addition to the community.

For branding and aesthetic purposes, we are requesting a back lit, and face lit, channel letter sign with a channeled moon shaped logo. The channel letters will spell out the name of the business, and we believe will effectively draw customers. The proposed sign is 60"h x 144"w, coming to 60 sq ft. The sign will be on the front façade of the business suite, located above the storefront.

We believe our proposal is aesthetically pleasing, unobtrusive, and a cohesive, pleasant addition to the District at Eastover's development area.

Thank you for your consideration and time.




RECEIVED

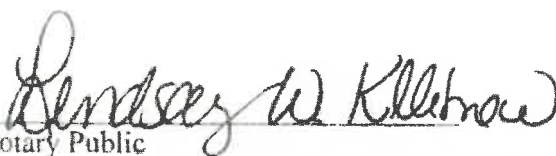
FEB 14 2020

SIGNS/LICENSE DIVISION

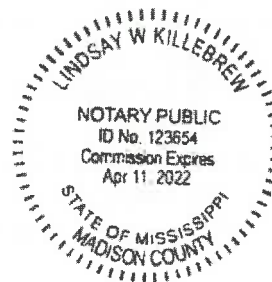
Ted Duckworth, being the managing representative of Duckworth Realty, owner of the property, hereby acknowledges this Letter of Intent in full and certifies it to be a true and accurate statement.

 Date 1/31/2020

Sworn to and subscribed before me this the 31st day of January 2020.

  
Notary Public

My Commission Expires



Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

February 24, 2020

Nursery Rhymes

Janice Fulton

1254 Eastover Drive #180

Jackson, MS 39211

Re: Nursery Rhymes Sign Variance Application

Dear Ms. Fulton:

This correspondence is to inform you that our office is currently processing the Sign Variance Application submitted on behalf of Nursery Rhymes located at 1254 Eastover Drive.

Pursuant to Sec. 102-40 (5) of the City of Jackson Code of Ordinances, our office is required to inform the applicant or the applicant's representative of the staff's recommendation for a pending Sign Variance Application.

Your application and supporting documentation indicates that Nursery Rhymes is requesting to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.

The staff's recommendation, to the City Council, will be for approval of your sign variance request. Please understand that granting or denial of all Sign Variance request are by City Council approval only. If you have any comments, questions, or concerns please feel free to contact our office at (601) 960-1154.

Sincerely,

Terry Coleman, Manager  
Signs & License Division



RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION

APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

DATE RECEIVED IN OFFICE:

CONTRACTOR/ERECTOR:		LOCATION/ADDRESS OF SIGN:	
Name <u>Scott Allen, At Signs &amp; Creative</u>		Business Name <u>Nursery Rhymes</u>	
Address <u>4147-A Northview Dr</u>		Business Address <u>1254 Eastover Dr Ste 18</u>	
City <u>Jackson</u> State <u>MS</u> Zip <u>39206</u>		Owner's Name <u>Janice Fulton</u>	
Phone <u>601-355-9595</u>		Phone <u>601-368-9997</u>	
Bonded and Insured Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Privilege License # <u>200-01162-9</u>	
City of Jackson Privilege License # <u>33725</u>			
GROUND-MOUNTED:		BUILDING-MOUNTED:	
Overall Height _____		Height <u>5' h</u>	
Height _____		Length <u>12' w</u>	
Length _____		Square Footage <u>60 sqft</u>	
Square Footage _____		Wall Area _____	
Wind Pressure _____		<u>24' x 20' - 480 sqft</u>	
Billboard <input type="checkbox"/>			
WORDING ON SIGN(S):		ZONING CLASS: <u>CMU-1</u>	
<u>"Nursery Rhymes"</u>		Date Inspected: _____	
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>		APPROVED <input type="checkbox"/>	
		DISAPPROVED <input type="checkbox"/>	

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all City Ordinances, Codes, and State Laws regulating sign construction; that I am the owner or authorized to act as the owner agent for the herein described work.

Scott Allen 2/6/20  
Applicant's Signature Date

Sign and License Division Manager

RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION



APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

DATE RECEIVED IN OFFICE:

CONTRACTOR/ERECTOR:		LOCATION/ADDRESS OF SIGN:	
Name <u>Scott Allen, At Signs &amp; Creative</u>		Business Name <u>Nursery Rhymes</u>	
Address <u>4147-A Northview Dr.</u>		Business Address <u>1254 Eastview Dr Ste 15</u>	
City <u>Jackson</u> State <u>MS</u> Zip <u>39206</u>		Owner's Name <u>Janice Fulton</u>	
Phone <u>601-355-9595</u>		Phone <u>601-368-9997</u>	
Bonded and Insured Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Privilege License # <u>200-01162-9</u>	
City of Jackson Privilege License # <u>33725</u>			
GROUND-MOUNTED:		BUILDING-MOUNTED:	
Overall Height _____		Height <u>40"</u> <u>Blade Sign</u>	
Height _____		Length <u>40"</u>	
Length _____		Square Footage <u>11' sq ft</u>	
Square Footage _____		Wall Area <u>24' x 20' - 480 sq ft</u>	
Wind Pressure _____			
Billboard <input type="checkbox"/>			
WORDING ON SIGN(S):		ZONING CLASS: <u>CMU-1</u>	
<u>"Nursery Rhymes"</u>		Date Inspected: _____	
_____		APPROVED <input type="checkbox"/>	
_____		DISAPPROVED <input type="checkbox"/>	
_____			
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>			

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all City Ordinances, Codes, and State Laws regulating sign construction; that I am the owner or authorized to act as the owner agent for the herein described work.

Scott Allen 2/6/20  
Applicant's Signature Date

Sign and License Division Manager



**SIGN PROOF FOR APPROVAL**  
Casey Jennings - 1/20/2020

**Day Mockup**



**Night Mockup**

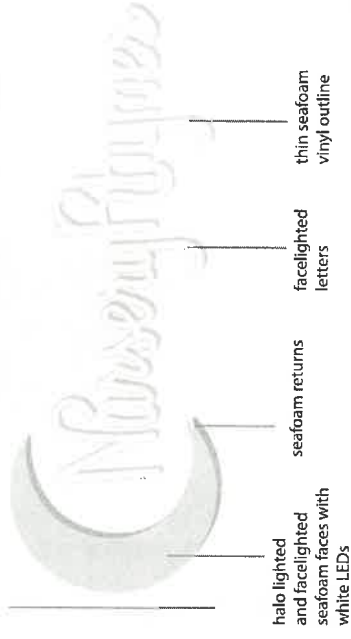


**Nursery Rhymes**

Painted Pantone 566 U

12'

5'

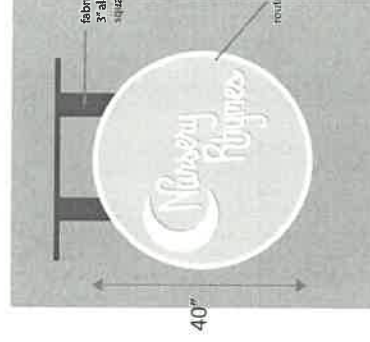


halo lighted  
and facelighted  
seafoam faces with  
white LEDs

seafoam returns

facelighted  
letters

thin seafoam  
vinyl outline



fabricated  
3" aluminum  
square posts

routed HDU

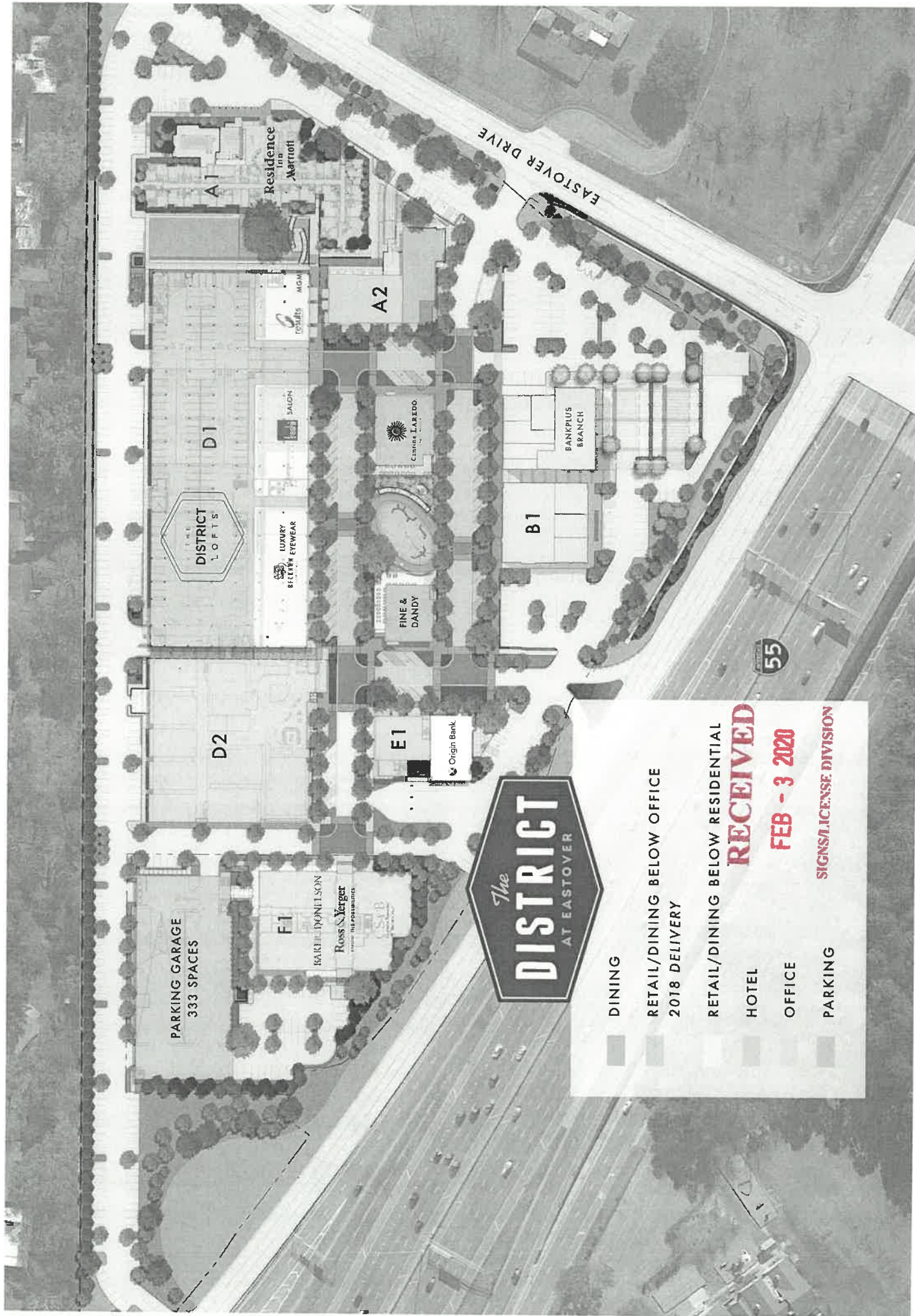
40"

2 sided, routed HDU panel, painted raised white relief Pantone 566 U background

Please review carefully. Unless noted, no revisions will be made. If revisions are requested, please email us. If this meets approval as is, please sign and email. Your approval indicates that with the completion of all noted corrections, we will not be held responsible for any errors.

This design is property of A Plus Signs & Creative and for its use only.





*The*  
**DISTRICT**  
AT EASTOVER

■ DINING  
 ■ RETAIL/DINING BELOW OFFICE  
 2018 DELIVERY  
 ■ RETAIL/DINING BELOW RESIDENTIAL  
 ■ HOTEL  
 ■ OFFICE  
 ■ PARKING

**RECEIVED**  
**FEB - 3 2020**  
 SIGNS/LICENSE DIVISION

## Landroll Detail

Parcel Number	Map Reference Number	
451-8-11	567.00 1 186.11	<input type="radio"/> View Map <input type="radio"/> Property Taxes <input type="radio"/> Gis Map
Subdivision No.	Homestead Exemption Account Numbers	
3796		
Assessed Owner		
ARLINGTON DISTRICT LIVING LLC		
ATTN: DAVID G ELLIS		
2117 SECOND AVE N		
BIRMINGHAM AL 35203		
Location		
1254 EASTOVER DRIVE		
Legal Description		
LOT 10 THE DISTRICT AT EASTOVER		
Assessed Values		
Land Value	104,630	
Improvement Value	2,114,790	
Total	2,219,420	
Appraised Values		
Land Value	697,530	
Improvement Value	14,098,600	
Total	14,796,130	
Building Info.		
Type	APT	
Base Area	59,840	
Adjusted Area	210,916	
Year Built	2017	
Deed Info.		
Book & Page	7183-2538	
Date	10/20/2015	
Acreage Info.		
Cultivated Acres	0.00	
Uncultivated Acres	0.00	
Back Search		

RECEIVED

FEB - 6 2020

SIGNS/LICENSE DIVISION

**ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR PJ'S COFFEE OF NEW ORLEANS TO ERECT A 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT AT FIVE FEET FROM THE PUBLIC RIGHT-OF-WAY WITHIN A UTC ZONE WHICH REQUIRE MONUMENT SIGNS TO BE TEN FEET FROM THE PUBLIC RIGHT-OF-WAY (WARD 7)**

**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

OFFICE OF THE CITY ATTORNEY  
9/16/20  
CK



**WHEREAS**, PJ's Coffee of New Orleans, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a 15 sq. ft. monument sign at six feet in height at five feet from the public right-of-way within a UTC zone which require monument signs to be ten feet from the public right-of-way.

**IT IS THEREFORE, ORDERED** that PJ's Coffee of New Orleans is hereby *(approved)* a variance from the Sign Ordinance regulations to erect a 15 sq. ft. monument sign at six feet in height at five feet from the public right-of-way within a UTC zone which require monument signs to be ten feet from the public right-of-way, 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 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.

Item#

Date:

By: Coleman, Hillman, Lumumba

# CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

3/4/2020

DATE

POINTS		COMMENTS																																														
1.	<b>Brief Description/Purpose</b>	To erect a 15 sq. ft. monument sign at 6 ft. in height at five feet from the public right-of-way within a UTC zone which require monument signs be ten ft. from the public right-of-way.																																														
2.	<b>Public Policy Initiative</b> <ol style="list-style-type: none"> <li>1. Youth &amp; Education</li> <li>2. Crime Prevention</li> <li>3. Changes in City Government</li> <li>4. Neighborhood Enhancement</li> <li>5. Economic Development</li> <li>6. Infrastructure and Transportation</li> <li>7. Quality of Life</li> </ol>	N/A																																														
3.	<b>Who will be affected</b>	N/A																																														
4.	<b>Benefits</b>	N/A																																														
5.	<b>Schedule (beginning date)</b>	N/A																																														
6.	<b>Location:</b> <ul style="list-style-type: none"> <li>▪ WARD</li> <li>▪ CITYWIDE (yes or no) (area)</li> <li>▪ Project limits if applicable</li> </ul>	3100 Old Canton Rd. (Ward 7)																																														
7.	<b>Action implemented by:</b> <ul style="list-style-type: none"> <li>▪ City Department <input checked="" type="checkbox"/></li> <li>▪ Consultant <input type="checkbox"/></li> </ul>	Department of Planning & Development Signs & License Division																																														
8.	<b>COST</b>	N/A																																														
9.	<b>Source of Funding</b> <ul style="list-style-type: none"> <li>▪ General Fund <input type="checkbox"/></li> <li>▪ Grant <input type="checkbox"/></li> <li>▪ Bond <input type="checkbox"/></li> <li>▪ Other <input type="checkbox"/></li> </ul>	N/A																																														
10.	<b>EBO participation</b>	<table border="0"> <tbody> <tr> <td>ABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>AABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>WBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>HBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>NABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> </tbody> </table>		ABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	AABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	WBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	HBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>
ABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>																																								
AABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>																																								
WBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>																																								
HBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>																																								
NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>																																								


Revised 2-04

STAFF RECOMMENDATION: DISAPPROVE



## MEMORANDUM

**TO:** Mayor Chokwe Antar Lumumba

**FROM:**  Jordan Hillman, Director  
Department of Planning & Development

**DATE:** March 4, 2020

**RE:** Sign Variance

---

PJ's Coffee of New Orleans, located at 3100 Old Canton Road, is requesting a variance to erect a 15 sq. ft. monument sign at six feet in height at five feet from the public right-of-way within a UTC zone which require monument signs to be ten feet from the public right-of-way.


Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This **ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR PJ'S COFFEE OF NEW ORLEANS TO ERECT A 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT AT FIVE FEET FROM THE PUBLIC RIGHT-OF WAY WITHIN A UTC ZONE WHICH REQUIRE MONUMENT SIGNS TO BE TEN FEET FROM THE PUBLIC RIGHT-OF-WAY** is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Tim Howard, City Attorney

Chandra Gayten, Deputy City Attorney 

  
\_\_\_\_\_  
Date

RECEIVED

FEB 27 2020

SIGNS/LICENSE DIVISION

PJS p.1

FOR OFFICE USE ONLY

CASE NO.: \_\_\_\_\_

## CITY OF JACKSON, MS

### Application for Sign Variance

I. Subject Property Address: 3100 Old Canton Road,  
PJS Coffee

II. Purpose for requested Sign Variance: (Brief Description)

Monument sign will need to be displayed closer to  
the property line than technically allowed per code  
because of the new large multi-use trail in front of property.

III. Have you or any other individual been cited for or notified of any ordinance violations related to this property or business? NO

If yes, please give details and dates of violations:

IV. Are there any Restrictive Covenants? NO If yes, please attach copies

V. What is the Zoning classification of property? UTC  
If yes, please attach copies of agency findings and decisions.

#### VI. APPLICANT'S INFORMATION:

Name: PJS Coffee, owner: Jack & Anne Stanton

Mailing Address: 3100 Old Canton Road

City: Jackson State: MS Zip: 39216

Contact Phone: (504) 858-5779 Fax: N/A

Email: jack@jacksonbrew.com

RECEIVED

FEB 27 2020

SIGNS/LICENSE DIVISION

PJs p2

VII. APPLICANT WILL BE REPRESENTED BY:

Name: Scott Allen, A+ Signs and Creative Inc.

Mailing Address: 4147-A Northview Drive

City: Jackson State: MS Zip: 39206

Contact Phone: (601)-355-9595 Fax: N/A

Email: sallen@aplusigns.com

VIII. CURRENT PROPERTY OWNER(S):

Name: Wilson Hood

Mailing Address: 3100 Old Canton Rd, Suite 200

City: Jackson State: MS Zip: 39216

Email: jwilsonhood@gmail.com

IX. APPLICATION FEE SCHEDULE: \*fees are non-refundable after public hearing

\_\_\_\_\_ Variance(s) \$450.00

RECEIVED

FEB 27 2020

SIGNS/LICENSE DIVISION

PJS p-3

**DECLARATION:**

By signing this application, it is understood and agreed that permission is hereby given the duly authorized representative of the City of Jackson to make an investigation of the need for the sign variance request. It is further understood that the Sign & License Manager and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of its report to the City Council.

The above information is true and complete to the best of my knowledge.

J. Wilson Hood

WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at

3100 Old Cantel - Rd Jackson, MS 39216 Jackson, Mississippi

On this the 20<sup>th</sup> day of February, 2020.

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally came and appeared before me, the within named:

J. Wilson Hood

Who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Sign Variance Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 20<sup>th</sup>

Day of February, 2020.

MY COMMISSION EXPIRES:

6-20-20



Laurie K Holloway  
NOTARY PUBLIC

RECEIVED

FEB 27 2020

SIGNS/LICENSE DIVISION

To whom it may concern:

The representative of 3100 Old Canton Road is requesting a monument sign for PJ's Coffee of New Orleans, a new coffee shop opening in the Fondren area. PJ's is in a UTC zoning area which includes retail, entertainment, office and residential spaces. This area is a lively center of activity for homeowners, visitors and businesses. PJ's Coffee of New Orleans is proposing a monument sign that will be visually accessible and inviting to its surrounding clientele.


According to code ordinances, ground mounted signage in the UTC zoning district must be set back ten feet from the property line. This poses a unique problem for this property which has a very large multiuse trail that pushes back the access point into the parking lot significantly. If this sign were to be ten feet back from the property line, it would *not* be readily viewable from Old Canton Road. *For PJ's to be a successful business, the proposed monument sign will need to make visual impact to the surrounding thoroughfares.*

For marketing and aesthetic purposes, we are requesting a monument sign set back approximately 5 feet from the property line. The sign will feature the PJ's logo fabricated out of hand painted, high-density urethane material. The sign panels will be attached to an attractive aluminum structure which will measure six feet in height total.

Our proposal is aesthetically pleasing and unobtrusive to the surrounding area. In order to have a successful business, PJ's Coffee will need to advertise to the surrounding clientele, therefore an impactful signage solution is necessary.

Thank you for your consideration and time.

**Wilson Hood being the owner of the property, hereby acknowledges this Letter of Intent in full and certifies this to be a true and accurate statement.**

 Date 2/21/20



RECEIVED

FEB 27 2020

# Letter of Intent

SIGNS/LICENSE DIVISION

February 3, 2020

City of Jackson, Mississippi  
Department of Planning and Development  
Sign and License Division  
200 South President Street  
PO Box 17  
Jackson, MS 39205-0017

State of: Mississippi

County of: Hinds

Sworn to and subscribed before me this the 24 day of February 2020.

  
Notary Public

Seal



Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

March 5, 2020

PJ's Coffee of New Orleans  
Jack and Anne Stanton  
3100 Old Canton Road  
Jackson, MS 39216

Re: PJ's Coffee of New Orleans Sign Variance Application

Dear Mr./Mrs. Stanton:

This correspondence is to inform you that our office is currently processing the Sign Variance Application submitted on behalf of PJ's Coffee of New Orleans located at 3100 Old Canton Road.

Pursuant to Sec. 102-40 (5) of the City of Jackson Code of Ordinances, our office is required to inform the applicant or the applicant's representative of the staff's recommendation for a pending Sign Variance Application.

Your application and supporting documentation indicates that PJ's Coffee of New Orleans is requesting to erect a 15 sq. ft. monument sign at 6 ft. in height at five feet from the public right-of-way within a UTC zone which require monument signs to be ten feet from the public right-of-way.

The staff's recommendation, to the City Council, will be for disapproval of your sign variance request. Please understand that granting or denial of all Sign Variance request are by City Council approval only. If you have any comments, questions, or concerns please feel free to contact our office at (601) 960-1154.

Sincerely,

A handwritten signature in black ink that reads "Terry Coleman".

Terry Coleman, Manager  
Signs & License Division

RECEIVED

FEB 27 2020

SIGNS/LICENSE DIVISION



APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

PJ'S COFFEE MONUMENT

ZONING DIVISION

Date 2/27/20

Zone UTC

Approved By JM

Note \_\_\_\_\_

DATE RECEIVED IN OFFICE:

CONTRACTOR/ERECTOR:		LOCATION/ADDRESS OF SIGN:	
Name <u>Scott Allen, A+ Signs and Creative</u>		Business Name <u>PJ's Coffee of New Orleans</u>	
Address <u>4147- A Northview Drive</u>		Business Address <u>3100 Old Canton Road</u>	
City <u>Jackson</u> State <u>MS</u> Zip <u>39206</u>		Owner's Name <u>Jack and Anne Stanton</u>	
Phone <u>601-355-9595</u>		Phone <u>504-858 5779</u>	
Bonded and Insured Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Privilege License # <u>applied for</u>	
City of Jackson Privilege License # _____			
GROUND-MOUNTED:		BUILDING-MOUNTED:	
Overall Height <u>6'</u>		Height _____	
Height <u>4.25'</u>		Length _____	
Length <u>3.75'</u>		Square Footage _____	
Square Footage <u>15 square feet total</u>		Wall Area _____	
Wind Pressure _____			
Billboard <input type="checkbox"/>			
WORDING ON SIGN(S):		TYPE OF LIGHTING:	
<u>PJ's coffee logo text that reads "Drive- Thru"</u>		Internal <input type="checkbox"/> External <input checked="" type="checkbox"/>	
		UL# _____	
		Sign Material Type: <u>HDU Monument</u>	
		Externally Lighted HDU panels	
		Mounted to freestanding	
		aluminum structure. Total Height	
		with structure is 6'.	
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>		ZONING CLASS: <u>UTC</u>	
		Date Inspected: _____	
		APPROVED <input type="checkbox"/>	
		DISAPPROVED <input type="checkbox"/>	

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all City Ordinances, Codes, and State Laws regulating sign construction; that I am the owner or authorized to act as the owner's agent for the herein described work.

Applicant's Signature

Date

Sign and License Division Manager



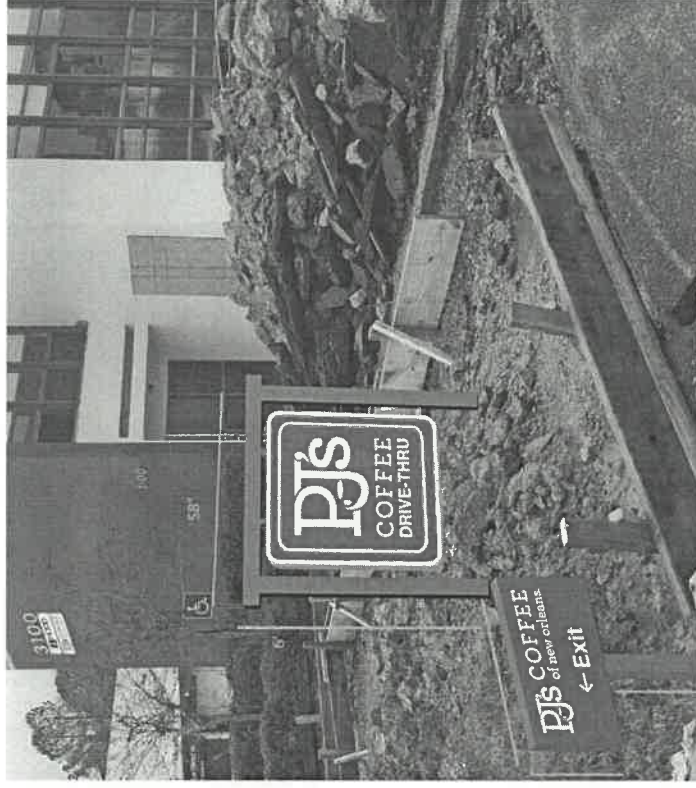
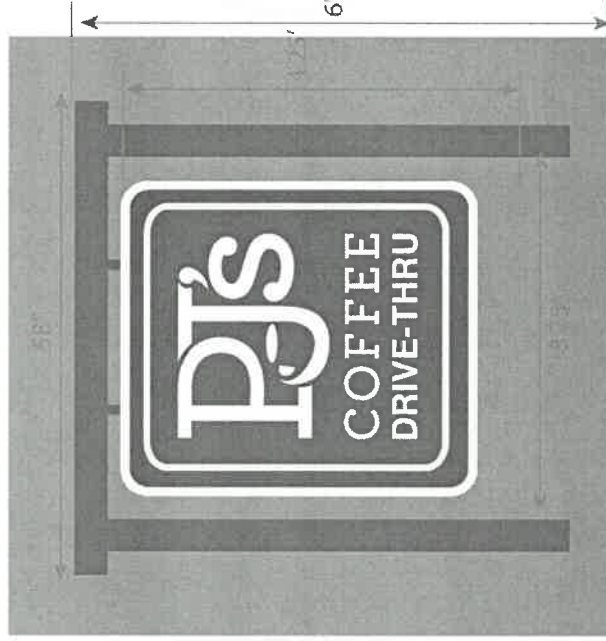
RECEIVED

FEB 27 2020

SIGNS/LICENSE DIVISION

## PJ's MONUMENT SIGN

4.25' x 3.75', 2 sided, routed HDU panel, painted white, raised  
PMS 2613C purple relief  
"Drive-Thru" painted  
fabricated 4" square aluminum tubing  
quantity 2 HDU panels mounted back to back



Please review carefully. Unless noted, no revisions will be made. If revisions are requested, please email us. If this meets approval as is, please sign and email. Your approval indicates that with the completion of all noted corrections, we will not be held responsible for any errors.

This design is property of A Plus Signs & Creative and for it's use only.



**RECEIVED****FEB 27 2020**

SIGNS/LICENSE DIVISION



# Hinds County

MISSISSIPPI

FOUNDED 1821 \* POPULATION 248,643

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## Landroll Detail

Parcel Number	Map Reference Number	
2-16	579.00 1 28.00	<input type="radio"/> <a href="#">View Map</a> <input type="radio"/> <a href="#">Property Taxes</a> <input type="radio"/> <a href="#">Gis Map</a>
Subdivision No.	Homestead Exemption Account Numbers	
1376		
Assessed Owner	Assessed Values	
HOOD FONDREN PROPERTY LLC	Land Value	28,820
P O BOX 4931	Improvement Value	42,812
JACKSON MS 39296	Total	71,632
Location	Appraised Values	
3100 OLD CANTON RD	Land Value	192,130
Legal Description	Improvement Value	285,410
BEG E S OLD CANTON RD 155.58 FT SWLY FROM	Total	477,540
S S BLK B WOODLAND HILLS EXT THENCE	Building Info.	
SWLY 91.5 FT SE LY 206.95 FT NE LY 79.35 FT	Type	BANK
N 81.48 FT W 196.76 FT TO BEG IN LOT 20	Base Area	2,821
ODENEAL SY	Adjusted Area	5,513
	Year Built	1955
	Deed Info.	
	Book & Page	7202-1420
	Date	01/30/2017
Acreage Info.		
Cultivated Acres	0.00	
Uncultivated Acres	0.00	

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The official seal of the State of Mississippi, featuring a circular design with the word "MISSISSIPPI" and a central emblem.

OFFICE OF THE CITY ATTORNEY  
3/10/24  
CC

**ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR PJ'S COFFEE OF NEW ORLEANS TO ERECT A 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT AT FIVE FEET FROM THE PUBLIC RIGHT-OF-WAY WITHIN A UTC ZONE WHICH REQUIRE MONUMENT SIGNS TO BE TEN FEET FROM THE PUBLIC RIGHT-OF-WAY (WARD 7)**

**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,** PJ's Coffee of New Orleans, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a monument sign at 21 square feet and three building signs totaling 315 square feet within a UTC zone which only allows a total of 15 square feet for building signage and 15 square feet for monument.

**IT IS THEREFORE, ORDERED** that Homewood Suites is hereby *(denied)* a variance from the Sign Ordinance regulations to erect a monument sign at 21 square feet and three building signs totaling 315 square feet within a UTC zone which only allows a total of 15 square feet for building signage and 15 square feet for monument, 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.

Item#

Date:

By: Coleman, Hillman, Lumumba

# CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

3/4/2020  
DATE

POINTS		COMMENTS																																														
1.	<b>Brief Description/Purpose</b>	To erect a 15 sq. ft. monument sign at 6 ft. in height at five feet from the public right-of-way within a UTC zone which require monument signs be ten ft. from the public right-of-way.																																														
2.	<b>Public Policy Initiative</b> <ol style="list-style-type: none"> <li>1. Youth &amp; Education</li> <li>2. Crime Prevention</li> <li>3. Changes in City Government</li> <li>4. Neighborhood Enhancement</li> <li>5. Economic Development</li> <li>6. Infrastructure and Transportation</li> <li>7. Quality of Life</li> </ol>	N/A																																														
3.	<b>Who will be affected</b>	N/A																																														
4.	<b>Benefits</b>	N/A																																														
5.	<b>Schedule (beginning date)</b>	N/A																																														
6.	<b>Location:</b> <ul style="list-style-type: none"> <li>▪ WARD</li> <li>▪ CITYWIDE (yes or no) (area)</li> <li>▪ Project limits if applicable</li> </ul>	3100 Old Canton Rd. (Ward 7)																																														
7.	<b>Action implemented by:</b> <ul style="list-style-type: none"> <li>▪ City Department <input checked="" type="checkbox"/></li> <li>▪ Consultant <input type="checkbox"/></li> </ul>	Department of Planning & Development Signs & License Division																																														
8.	<b>COST</b>	N/A																																														
9.	<b>Source of Funding</b> <ul style="list-style-type: none"> <li>▪ General Fund <input type="checkbox"/></li> <li>▪ Grant <input type="checkbox"/></li> <li>▪ Bond <input type="checkbox"/></li> <li>▪ Other <input type="checkbox"/></li> </ul>	N/A																																														
10.	<b>EBO participation</b>	<table border="0"> <tr> <td>ABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>AABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>WBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>HBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>NABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> </table>		ABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	AABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	WBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	HBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>
ABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>																																								
AABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>																																								
WBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>																																								
HBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>																																								
NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>																																								

Revised 2-04

STAFF RECOMMENDATION: DISAPPROVE



Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

## MEMORANDUM

**TO:** Mayor Chokwe Antar Lumumba

**FROM:** Jordan Hillman, Director  
Department of Planning & Development

**DATE:** March 4, 2020

**RE:** Sign Variance

---

PJ's Coffee of New Orleans, located at 3100 Old Canton Road, is requesting a variance to erect a 15 sq. ft. monument sign at six feet in height at five feet from the public right-of-way within a UTC zone which require monument signs to be ten feet from the public right-of-way.


Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This **ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR PJ'S COFFEE OF NEW ORLEANS TO ERECT A 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT AT FIVE FEET FROM THE PUBLIC RIGHT-OF WAY WITHIN A UTC ZONE WHICH REQUIRE MONUMENT SIGNS TO BE TEN FEET FROM THE PUBLIC RIGHT-OF-WAY** is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Tim Howard, City Attorney

Chandra Gayten, Deputy City Attorney 

  
\_\_\_\_\_  
Date

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FEB 27 2020

SIGNS/LICENSE DIVISION

PJS p.1

FOR OFFICE USE ONLY

CASE NO.: \_\_\_\_\_

## CITY OF JACKSON, MS

### Application for Sign Variance

I. Subject Property Address: 3100 Old Canton Road,  
PJS Coffee

II. Purpose for requested Sign Variance: (Brief Description)

Monument sign will need to be displayed closer to  
the property line than technically allowed per code  
because of the new large multi-use trail in front of property.

III. Have you or any other individual been cited for or notified of any ordinance violations related to this property or business? NO

If yes, please give details and dates of violations:

IV. Are there any Restrictive Covenants? NO If yes, please attach copies

V. What is the Zoning classification of property? UTC  
If yes, please attach copies of agency findings and decisions.

#### VI. APPLICANT'S INFORMATION:

Name: PJS Coffee, owner: Jack & Anne Stanton

Mailing Address: 3100 Old Canton Road

City: Jackson State: MS Zip: 39216

Contact Phone: (504) 858-5779 Fax: N/A

Email: jack@jacksonbrew.com

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FEB 27 2020

SIGNS/LICENSE DIVISION

PJs p2

**VII. APPLICANT WILL BE REPRESENTED BY:**

Name: Scott Allen, A+ Signs and Creative Inc.

Mailing Address: 4147-A Northview Drive

City: Jackson State: MS Zip: 39206

Contact Phone: (601)-355-9595 Fax: N/A

Email: sallen@aplusigns.com

**VIII. CURRENT PROPERTY OWNER(S):**

Name: Wilson Hood

Mailing Address: 3100 Old Canton Rd, Suite 200

City: Jackson State: MS Zip: 39216

Email: jwilsonhood@gmail.com

**IX. APPLICATION FEE SCHEDULE: \*fees are non-refundable after public hearing**

\_\_\_\_\_ Variance(s) \$450.00

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FEB 27 2020

SIGNS/LICENSE DIVISION

PJS p.3

**DECLARATION:**

By signing this application, it is understood and agreed that permission is hereby given the duly authorized representative of the City of Jackson to make an investigation of the need for the sign variance request. It is further understood that the Sign & License Manager and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of its report to the City Council.

The above information is true and complete to the best of my knowledge.

J. Wilson Hood

WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at

3100 Old Canton Rd Jackson, MS 39216 Jackson, Mississippi

On this the 20<sup>th</sup> day of February, 2020.

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally came and appeared before me, the within named:

J. Wilson Hood

Who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Sign Variance Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 20<sup>th</sup>

Day of February, 2020.

MY COMMISSION EXPIRES

6-20-20



Laurie K. Holloway  
NOTARY PUBLIC

**RECEIVED**

**FEB 27 2020**

**SIGNS/LICENSE DIVISION**

To whom it may concern:

The representative of 3100 Old Canton Road is requesting a monument sign for PJ's Coffee of New Orleans, a new coffee shop opening in the Fondren area. PJ's is in a UTC zoning area which includes retail, entertainment, office and residential spaces. This area is a lively center of activity for homeowners, visitors and businesses. PJ's Coffee of New Orleans is proposing a monument sign that will be visually accessible and inviting to its surrounding clientele.


According to code ordinances, ground mounted signage in the UTC zoning district must be set back ten feet from the property line. This poses a unique problem for this property which has a very large multiuse trail that pushes back the access point into the parking lot significantly. If this sign were to be ten feet back from the property line, it would *not* be readily viewable from Old Canton Road. *For PJ's to be a successful business, the proposed monument sign will need to make visual impact to the surrounding thoroughfares.*

For marketing and aesthetic purposes, we are requesting a monument sign set back approximately 5 feet from the property line. The sign will feature the PJ's logo fabricated out of hand painted, high-density urethane material. The sign panels will be attached to an attractive aluminum structure which will measure six feet in height total.

Our proposal is aesthetically pleasing and unobtrusive to the surrounding area. In order to have a successful business, PJ's Coffee will need to advertise to the surrounding clientele, therefore an impactful signage solution is necessary.

Thank you for your consideration and time.

**Wilson Hood being the owner of the property, hereby acknowledges this Letter of Intent in full and certifies this to be a true and accurate statement.**

 Date 2/24/20

**RECEIVED**

**FEB 27 2020**

## Letter of Intent

SIGNS/LICENSE DIVISION

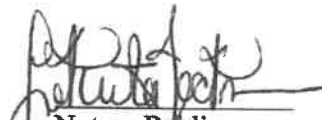
February 3, 2020

City of Jackson, Mississippi  
Department of Planning and Development  
Sign and License Division  
200 South President Street  
PO Box 17  
Jackson, MS 39205-0017

State of: Mississippi

County of: Hinds

Sworn to and subscribed before me this the 24 day of February 2020.

  
Notary Public

Seal





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SIGNS/LICENSE DIVISION



APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

PJ'S COFFEE MONUMENT

ZONING DIVISION

Date 2/27/20

Zone UTC

Approved By JM

Note \_\_\_\_\_

DATE RECEIVED IN OFFICE:

CONTRACTOR/ERECTOR:		LOCATION/ADDRESS OF SIGN:	
Name <u>Scott Allen, A+ Signs and Creative</u>		Business Name <u>PJ's Coffee of New Orleans</u>	
Address <u>4147- A Northview Drive</u>		Business Address <u>3100 Old Canton Road</u>	
City <u>Jackson</u> State <u>MS</u> Zip <u>39206</u>		Owner's Name <u>Jack and Anne Stanton</u>	
Phone <u>601-355-9595</u>		Phone <u>504-858 5779</u>	
Bonded and Insured Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Privilege License # <u>applied for</u>	
City of Jackson Privilege License # _____			
GROUND-MOUNTED:		BUILDING-MOUNTED:	
Overall Height <u>6'</u>		Height _____	
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Length <u>3.75'</u>		Square Footage _____	
Square Footage <u>15 square feet total</u>		Wall Area _____	
Wind Pressure _____			
Billboard <input type="checkbox"/>			
WORDING ON SIGN(S):		TYPE OF LIGHTING:	
<u>PJ's coffee logo text that reads "Drive- Thru"</u>		Internal <input type="checkbox"/> External <input checked="" type="checkbox"/>	
		UL# _____	
		Sign Material Type: <u>HDU Monument</u>	
		Externally Lighted HDU panels	
		Mounted to freestanding	
		aluminum structure. Total Height	
		with structure is 6'.	
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>		ZONING CLASS: <u>UTC</u>	
		Date Inspected: _____	
		APPROVED <input type="checkbox"/>	
		DISAPPROVED <input type="checkbox"/>	

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all City Ordinances, Codes, and State Laws regulating sign construction; that I am the owner or authorized to act as the owner's agent for the herein described work.

Applicant's Signature

Date

Sign and License Division Manager



**SIGN PROOF FOR APPROVAL**  
Casey Jennings - 1/15/2019

**RECEIVED**

**FEB 27 2020**

**SIGNS/LICENSE DIVISION**

**PJ's MONUMENT SIGN**

4.25' x 3.75', 2 sided, routed HDU panel, painted white, raised  
PMS 2613C purple relief  
"Drive-Thru" painted  
fabricated 4" square aluminum tubing  
quantity 2 HDU panels mounted back to back



Please review carefully. Unless noted, no revisions will be made. If revisions are requested, please email us. If this meets approval as is, please sign and email. Your approval indicates that with the completion of all noted corrections, we will not be held responsible for any errors.

This design is property of A Plus Signs & Creative and for it's use only.

**RECEIVED****FEB 27 2020**

SIGNS/LICENSE DIVISION



# Hinds County

 MISSISSIPPI  
 FOUNDED 1821 \* POPULATION 248,643

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## Landroll Detail

<b>Parcel Number</b>		<b>Map Reference Number</b>	
2-16		579.00 1 28.00	<input type="radio"/> <a href="#">View Map</a> <input type="radio"/> <a href="#">Property Taxes</a> <input type="radio"/> <a href="#">Gis Map</a>
<b>Subdivision No.</b>		<b>Homestead Exemption Account Numbers</b>	
1376			
<b>Assessed Owner</b>		<b>Assessed Values</b>	
HOOD FONDREN PROPERTY LLC		Land Value	28,820
P O BOX 4931		Improvement Value	42,812
JACKSON MS 39296		Total	71,632
<b>Location</b>		<b>Appraised Values</b>	
3100 OLD CANTON RD		Land Value	192,130
<b>Legal Description</b>		Improvement Value	285,410
BEG E S OLD CANTON RD 155.58 FT SW/LY FROM		Total	477,540
S/S BLK B WOODLAND HILLS EXT THENCE		<b>Building Info.</b>	
SW/LY 91.5 FT SE/LY 206.95 FT NE/LY 79.35 FT		Type	BANK
N 81.48 FT W 196.76 FT TO BEG IN LOT 20		Base Area	2,821
ODENEAL SY		Adjusted Area	5,513
		Year Built	1955
		<b>Deed Info.</b>	
		Book & Page	7202-1420
		Date	01/30/2017
<b>Acreage Info.</b>			
Cultivated Acres	0.00		
Uncultivated Acres	0.00		

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MISSISSIPPI

**ORDER AUTHORIZING THE MAYOR TO EXECUTE A PROJECT CHANGE REQUEST WITH TYLER TECHNOLOGIES, INC. FOR THE CONVERSION OF UNUSED FUNDS TO BE ALLOCATED FOR IMPLEMENTATION SERVICE HOURS**

OFFICE OF THE CITY ATTORNEY  
BK 3/31/20

**WHEREAS**, an agreement between the City of Jackson, Mississippi and Tyler Technologies, Inc. was signed in December 2018 for software, hardware and implementation services for an Enterprise Resource Planning System "ERP"; and

**WHEREAS**, all Payroll data (Accrual Balances, Certifications, Deductions, Education, PM Action History, Position Control, and Standard) was imported resulting in unused funds; and

**WHEREAS**, the agreement provides for converting unused funds for additional purposes such as this; and

**WHEREAS**, the unused accounting module funds will be reallocated for one hundred and twenty-two (122) hours of implementation services totaling \$21,400.00 at a rate of \$175.00 per hour; and

**WHEREAS**, there is no cost associated with the Project Change Request; and

**WHEREAS**, the needs for this change have been analyzed and the Project Change Request is recommended.

**IT IS THEREFORE ORDERED** that the Mayor be authorized to execute a Project Change Request with Tyler Technologies, Inc. at no cost along with any other documents needed to implement this change.

## CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

**3-31-2020****DATE**

POINTS		COMMENTS	
1.	<b>Brief Description</b>	Project Change Request to reallocate payroll conversion expenses for implementation service hours.	
2.	<b>Public Policy Initiative</b> 1. Youth & Education 2. Crime Prevention 3. Changes in City Government 4. Neighborhood Enhancement 5. Economic Development 6. Infrastructure and Transportation 7. Quality of Life	Changes in City Government	
3.	<b>Who will be affected</b>	All Departments	
4.	<b>Benefits</b>	Will allow unused money for conversion expenses to be used for implementation service hours with no impact on project budget.	
5.	<b>Schedule (beginning date)</b>	Final date of execution by both parties.	
6.	<b>Location:</b> ▪ WARD  ▪ CITYWIDE (yes or no) (area)  ▪ Project limits if applicable	Citywide	
7.	<b>Action implemented by:</b> ▪ City Department <input type="checkbox"/> ▪ Consultant <input type="checkbox"/>	City Department	
8.	<b>COST</b>	\$0.00	
9.	<b>Source of Funding</b> ▪ General Fund <input type="checkbox"/> ▪ Grant <input type="checkbox"/> ▪ Bond <input type="checkbox"/> ▪ Other <input type="checkbox"/>		
10.	<b>EBO participation</b>	ABE _____ %      WAIVER    yes _____ no _____ N/A _____ AABE _____ %      WAIVER    yes _____ no _____ N/A _____ WBE _____ %      WAIVER    yes _____ no _____ N/A _____ HBE _____ %      WAIVER    yes _____ no _____ N/A _____ NABE _____ %      WAIVER    yes _____ no _____ N/A _____	

Department of Administration



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

To: Mayor Chokwe Antar Lumumba  
Office of the Mayor

From: LaaWanda Horton, Director  
Administration

A handwritten signature in blue ink, appearing to be "LW", is written over the word "Director" in the "From:" line.

Date: Monday, March 31, 2020

Re: Purchase Justification for reallocating payroll conversion expenses to implementation service hours.

---

In December 2018, the City of Jackson entered into an agreement with Tyler Technologies, Inc. for software, hardware and implementation services for an Enterprise Resource Planning System. The Enterprise Resource Planning System was used to replace the City of Jackson's financial system and several stand-alone applications in various departments.

The original agreement provides for amendments in writing by both parties to add software and services (Section I paragraph 11 located at page 9). The addendum and Project Change Request proposed enables unused money for conversion data expenses, which were not utilized, to be reallocated for implementation service hours which are needed.

LH/rb

Office of the City Attorney


455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This **ORDER AUTHORIZING THE MAYOR TO EXECUTE A PROJECT CHANGE REQUEST WITH TYLER TECHNOLOGIES, INC. FOR THE CONVERSION OF UNUSED ACCOUNTING MODULE FUNDS TO BE ALLOCATED FOR IMPLEMENTATION SERVICE HOURS** is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, City Attorney

  
\_\_\_\_\_  
Date

Briana Keeler, Deputy City Attorney 

OFFICE OF THE CITY ATTORNEY  
BR 3-31-20





Quoted By: David Regnery  
 Date: 2/26/2020  
 Quote Expiration: 8/24/2020  
 Quote Name: City of Jackson-ERP-120 Hours  
 Quote Number: 2020-104291  
 Quote Description: 120 Hours of Implementation

**Sales Quotation For**

City of Jackson  
 PO Box 17  
 Jackson, MS 39205-0017  
 Phone +1 (601) 960-1033

**Other Services**

Description	Quantity	Unit Price	Unit Discount	Extended Price
Implementation Hours	120	\$175.00	\$0.00	\$21,000.00
<b>TOTAL:</b>				<b>\$21,000.00</b>

**Summary**

	One Time Fees	Recurring Fees
Total Tyler Software	\$0.00	\$0.00
Total Tyler Services	\$21,000.00	\$0.00
Total 3rd Party Hardware, Software and Services	\$0.00	\$0.00
<b>Summary Total</b>	<b>\$21,000.00</b>	<b>\$0.00</b>
<b>Contract Total</b>	<b>\$21,000.00</b>	

Unless otherwise indicated in the contract or amendment thereto, pricing for optional items will be held for six (6) months from the Quote date or the Effective Date of the contract, whichever is later.

Customer Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ P.O. #: \_\_\_\_\_  
All primary values quoted in US Dollars

Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

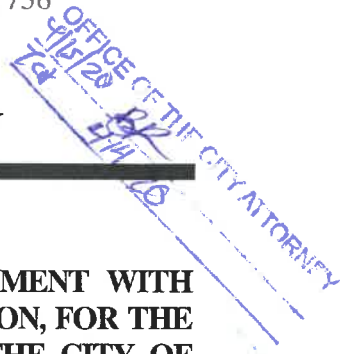
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This **ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CAYENTA, WHICH IS A DIVISION OF HARRIS COMPUTER CORPORATION, FOR THE PURCHASE OF A THIRD-PARTY MAINTENANCE AGREEMENT FOR THE CITY OF JACKSON'S CAYENTA "JIMS" FINANCIAL SOFTWARE SYSTEM** is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
**Timothy Howard**, *City Attorney*

**Briana Keeler**, *Deputy City Attorney* 

  
\_\_\_\_\_  
**Date**



**ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CAYENTA, WHICH IS A DIVISION OF HARRIS COMPUTER CORPORATION, FOR THE PURCHASE OF A THIRD-PARTY MAINTENANCE AGREEMENT FOR THE CITY OF JACKSON'S CAYENTA "JIMS" FINANCIAL SOFTWARE SYSTEM**

**WHEREAS**, the City of Jackson purchased Cayenta "JIMS" software from Cayenta in 1994; and

**WHEREAS**, the "JIMS" software uses Actuate, ACU4GL, and AcuCobol for its financial system; and

**WHEREAS**, the maintenance agreement for Actuate, ACU4GL, and AcuCobol software expired on March 31, 2019 and needs to be renewed; and

**WHEREAS**, the cost of renewal is \$21,229.37; and

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

**IT IS, THEREFORE, ORDERED** that the Mayor be authorized to execute a maintenance agreement with Cayenta, at a cost of \$21,229.37 for the period beginning on April 1, 2020 through March 31, 2021.

OFFICE OF THE CITY ATTORNEY  
4-22-20

Department of Administration



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

## MEMORANDUM

To: Mayor Chokwe Antar Lumumba

From: LaaWanda Horton, Director  
Administration

Date: April 7, 2020

Re: Purchase Justification for Cayenta Maintenance

---

This quote is for our Cayenta maintenance, Actuate maintenance, ACU4GL, and AcuCobol. We use these products for Cayenta (JIMS). Actuate is the report server we use. ACU4GL and AcuCobol are the programming languages (modules) used by Cayenta to create and compile their applications. These are all bundled as maintenance from Cayenta because Cayenta licenses these for use with their software.

I recommend we renew this maintenance. The quote is for \$21,229.37

FW/rb

## CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

**4-7-2020****DATE**

POINTS		COMMENTS				
1.	<b>Brief Description</b>	Annual Maintenance renewal for the Cayenta software.				
2.	<b>Public Policy Initiative</b> 1. Youth & Education 2. Crime Prevention 3. Changes in City Government 4. Neighborhood Enhancement 5. Economic Development 6. Infrastructure and Transportation 7. Quality of Life	Changes in City Government				
3.	<b>Who will be affected</b>	All Departments				
4.	<b>Benefits</b>	Cayenta, a division of Harris Computer Corporation "Cayenta", will continue to provide maintenance support for the "JIM" financial third-party software.				
5.	<b>Schedule (beginning date)</b>	Final date of execution by both parties.				
6.	<b>Location:</b> ▪ WARD  ▪ CITYWIDE (yes or no) (area)  ▪ Project limits if applicable	Citywide				
7.	<b>Action implemented by:</b> ▪ City Department <input type="checkbox"/> ▪ Consultant <input type="checkbox"/>	City Department				
8.	<b>COST</b>	\$21,229.37				
9.	<b>Source of Funding</b> ▪ General Fund <input type="checkbox"/> ▪ Grant <input type="checkbox"/> ▪ Bond <input type="checkbox"/> ▪ Other <input type="checkbox"/>	Account # 001-40610-6464				
10.	<b>EBO participation</b>	ABE _____ % AABE _____ % WBE _____ % HBE _____ % NABE _____ %	WAIVER WAIVER WAIVER WAIVER WAIVER	yes _____ yes _____ yes _____ yes _____ yes _____	no _____ no _____ no _____ no _____ no _____	N/A _____ N/A _____ N/A _____ N/A _____ N/A _____



**Quote 03.26.2020**

City of Jackson Quote for Cayenta Maintenance Support 2020		
Period	Cayenta Annual Maintenance April 1, 2020 to March 31, 2021	
Jackson City of	Actuate	10,905.15
Jackson City of	Microfocus Acu4GL	9,471.62
Jackson City of	Microfocus AcuCobol	852.60
Total Annual Maintenance		21,229.37



**ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT  
WITH ASSETWORKS USA, INC TO RENEW NECESSARY LICENSES  
FOR ASSET MANAGEMENT SOFTWARE (ALL WARDS).**

**WHEREAS**, the City received a Restated Software License Agreement from AssetWorks USA, Inc. ("AssetWorks") to renew non-exclusive and non-transferable licenses to the City of Jackson, Mississippi ("City") to track municipal assets; and

**WHEREAS**, the renewal of said asset management software licenses from AssetWorks is important for the City to track its municipal assets; and

**WHEREAS**, the proposed AssetWorks Restated Software License Agreement includes a term period of one year set to commence on the effective date, as well as renewal and hosting fees of Ten Thousand, Six Hundred and Eighty-Five Dollars and Eighty-One Cents (\$10,685.81).

**IT IS, THEREFORE, ORDERED** that the Mayor is authorized to execute a Restated Software License Agreement with AssetWorks USA, Inc. to renew asset management software licenses with the City of Jackson for a term period of one year set to commence on the effective date, as well as authorize payment of renewal and hosting fees of Ten Thousand, Six Hundred and Eighty-Five Dollars and Eighty-One Cents (\$10,685.81) as incorporated and set forth in said Agreement.

(HORTON, LUMUMBA)

# Memo

**To:** Chokwe Lumumba, Mayor

**From:** LaaWanda Horton, Director of Administration

**Date:** April 13, 2020

**Re:** Order to accept an agreement to renew license with Assetworks

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The Department of Administration Finance Division is requesting to accept an agreement to renew our license with Assetworks. Assetworks currently tracks assets throughout the City.

We respectfully request this acceptance to ensure the Finance department can continue to properly track assets throughout the City. Should you have any questions or concerns, please contact me at 601.960.1005

## CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

April 13, 2020

DATE

POINTS		COMMENTS								
1.	<b>Brief Description/Purpose</b>	ORDER AUTHORIZING THE MAYOR TO SIGN INTO AN AGREEMENT WITH ASSETWORKS USA, INC FOR RENEWAL LICENSE TO THEIR SOFTWARE TO TRACK ASSET THROUGHOUT THE CITY								
2.	<b>Public Policy Initiative</b> <ol style="list-style-type: none"> <li>1. Youth &amp; Education</li> <li>2. Crime Prevention</li> <li>3. Changes in City Government</li> <li>4. Neighborhood Enhancement</li> <li>5. Economic Development</li> <li>6. Infrastructure and Transportation</li> <li>7. Quality of Life</li> </ol>	Quality of Life								
3.	<b>Who will be affected</b>	City of Jackson								
4.	<b>Benefits</b>	To prove a tracking system for assets for the City								
5.	<b>Schedule (beginning date)</b>	After Council Approval								
6.	<b>Location:</b> <ul style="list-style-type: none"> <li>▪ WARD</li> <li>▪ CITYWIDE (yes or no) (area)</li> <li>▪ Project limits if applicable</li> </ul>	ALL WARDS  CITY WIDE								
7.	<b>Action implemented by:</b> <ul style="list-style-type: none"> <li>▪ City Department <input type="checkbox"/></li> <li>▪ Consultant <input type="checkbox"/></li> </ul>	Administration Department of Finance								
8.	<b>COST</b>	\$10,685.81 a year								
9.	<b>Source of Funding</b> <ul style="list-style-type: none"> <li>▪ General Fund <input type="checkbox"/></li> <li>▪ Grant <input type="checkbox"/></li> <li>▪ Bond <input type="checkbox"/></li> <li>▪ Other <input type="checkbox"/></li> </ul>	General Fund 001.411.10.6419								
10.	<b>EBO participation</b>	ABE	_____ %	WAIVER	yes	_____	no	_____	N/A	_____
		AABE	_____ %	WAIVER	yes	_____	no	_____	N/A	_____
		WBE	_____ %	WAIVER	yes	_____	no	_____	N/A	_____
		HBE	_____ %	WAIVER	yes	_____	no	_____	N/A	_____
		NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	_____

Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

OFFICE OF THE CITY ATTORNEY  
MHA 4/30/20

## OFFICE OF THE CITY ATTORNEY

This **ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ASSETWORKS USA, INC TO RENEW NECESSARY LICENSES FOR ASSET MANAGEMENT SOFTWARE (ALL WARDS).** is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, *City Attorney*  
Monica Allen, *Special Assistant* 



\_\_\_\_\_  
Date

## RESTATED SOFTWARE LICENSE AGREEMENT

This Restated Software License Agreement ("Agreement") is effective March 8, 2020 ("Effective Date") and entered into between AssetWorks USA, Inc. ("AssetWorks"), a Delaware corporation, with offices at 6300 Bridge Point Pkwy, Suite 1-240, Austin TX 78732 and the City of Jackson ("Client"), with offices at 219 S. President St., Jackson, MS 39205. In consideration of the mutual covenants contained herein, the parties agree as follows:

WHEREAS, AssetWorks is the owner of certain proprietary Software as defined below and more particularly described in Schedule A hereto; and

WHEREAS, on or about on or before May 10, 2010, Client originally licensed the Software from Incircuit Development Corporation, for which AssetWorks is a successor in interest ("Original License"); and

WHEREAS, the parties wish to restate the license to the Software, and AssetWorks desires to affirm the grant of such license, on the terms and conditions specified herein;

**1. Definitions.** As used herein, the terms defined below shall have the following meanings:

1.1 "Authorized Computer System" means a computer system owned, leased, or operated for the benefit of Client upon which AssetWorks has granted Client the right to install and use the Software on Client's premises.

1.2 "Authorized User" means a Client employee or independent contractor working within their job responsibilities or engagement by Client or other end user for which AssetWorks has granted Client the right to use the Software.

1.3 "Data Center" means a third party data center used by AssetWorks to provide Hosting.

1.4 "Documentation" means documentation in the form of instructions and manuals provided by AssetWorks through various methods including electronically via a link within the Software that describes the function and use of the Software.

1.5 "Error" means a reproducible error in the Software which prevents use of the Software as described in the Documentation.

1.6 "Hosting" means the Software licensed by Client pursuant to this Agreement will be maintained by AssetWorks in a hosted environment at a Data Center, as further described in Section 5.

1.7 "Intellectual Property Rights" means all present and future right, title, and interest in and to, whether by virtue of direct ownership, exclusive or non-exclusive license or otherwise, trade secrets, patents, copyrights, designs, mask works, drawings, training materials, proprietary symbols, trademarks, and service marks, trade names, logos, domain names, Universal Resource Locators (URLs), Internet Protocol (IP) addresses, and all other proprietary rights, whether registered or unregistered.

1.8 "Maintenance" means the Software maintenance services provided by AssetWorks, which includes online and telephone support relating to the use and Maintenance of the Software and providing Updates as they are developed and made generally available.

1.9 "New Software" means additional features, modules, enhancements, versions of the Software that incorporates additional capability or functionality that AssetWorks licenses for additional fees separately from Updates, or other new Software licensed from AssetWorks.

1.10 "Services" means services provided by AssetWorks in support of the Software including, but not limited to, data conversion, system configuration, installation, training, consulting, custom reporting, custom programming (i.e., ancillary modifications to the Software requested by Client), and other related services,

excluding Maintenance and Hosting. Specific Services are identified in Schedule A, or in a separate signed quote or statement of work referencing this Agreement.

1.11 “Software” means the proprietary computer software program(s) (more particularly described in Schedule A hereto) licensed by AssetWorks to Client in accordance with the terms of this Agreement, in object code form and exclusive of source code, including any Updates and New Software provided by AssetWorks to Client pursuant to this Agreement.

1.12 “Update” means the latest updates, modifications, and enhancements to the Software, including corrections of Errors, which relate to the operating performance of the Software and are made generally available by AssetWorks.

## **2. Rights Granted and Permitted Use.**

2.1 License Grant. Subject to the terms and conditions of this Agreement, AssetWorks affirms and restates the grant to Client of a non-exclusive and non-transferable license for Authorized Users to use the Software in connection with Client’s internal business operations within one (1) business entity, on the Authorized Computer System (if applicable), and to use the Documentation in connection with the Software. If the Software is self-hosted by Client on its premises, Client shall have the right to make a one (1) copy of the Software, in object code form only, solely for archival purposes.

2.2 License Restrictions. Client agrees (i) not to decompile, disassemble, reverse engineer, or otherwise attempt to derive the Software’s source code from the object code; (ii) not to modify, enhance, change the data structures for or create derivative works from the Software; (iii) not to rent, lease, sell, sublicense, or otherwise transfer the Software to third parties; (iv) not to make the Software available in any form to anyone other than Client’s Authorized Users; (v) to use reasonable care and protection to prevent the unauthorized use, copying, publication, or dissemination of the Software; and (vi) not to permit use of the Software by more than one (1) business entity, unless otherwise approved by AssetWorks in writing.

2.3 Original License. For clarity, Client has had a valid license to use the Software since the Original License. In consideration for AssetWorks’ grant to Client under this Agreement, Client has paid the license fee due under the Original License and acknowledges AssetWorks as successor in interest to Incircuit Development Corporation.

2.4 New Software. If Client desires to license New Software, the terms of this Agreement will apply upon the execution of a written amendment to Schedule A (or other form of written documentation mutually agreed upon by the parties) and the payment by Client of any applicable license and Service fees.

2.5 Ownership. AssetWorks owns all Intellectual Property Rights in and to: (i) the Software; (ii) all Updates to the Software; (iii) any Documentation or data related to the Software; and (iv) any software, applications, inventions or other technology developed in connection with the Software. For clarity, Client obtains no interest in the Software, Hosting, Maintenance, Services, or Documentation except as expressly provided in this Agreement.

2.6 Client Data. Client shall retain all right, title, and interest in and to the data which is Client created or owned and provided to AssetWorks or to which AssetWorks has access in connection with Client’s use of the Software (“Client Data”). Client grants to AssetWorks a royalty-free, non-exclusive, non-transferable license for the term of this Agreement to use Client Data to the extent necessary to perform Hosting, Maintenance, and Services. Client is solely responsible for the accuracy, quality, integrity, legality, reliability, and appropriateness of all Client Data. Client will not send or store infringing, obscene, threatening, libelous, or otherwise unlawful or tortious material, including material that violates third party privacy or intellectual property rights, includes malicious code, or that will interfere with the integrity of the Software.





### **3. Installation of On-Premises Software and Updates.**

3.1 Installation of On-Premises Software. AssetWorks has delivered the Software pursuant to the Original License, by either having installed the Software (i) on a single server in Client's Authorized Computer System or (ii) in AssetWorks' hosted environment, as indicated in Schedule A.

3.2 Installation of Updates. All Updates made available by AssetWorks to Client shall be installed into the Software by Client in a reasonably timely manner when the Software is self-hosted by Client on its premises. Client acknowledges that its failure to do so may render the Software unusable or nonconforming to the Documentation, and Client agrees to assume the risks arising therefrom, including possible reinstallation of the Software for which additional fees may apply. Notwithstanding the foregoing, AssetWorks will continue to support the most recent two (2) prior versions of the Software.

**4. Test Environment.** During the term of this Agreement, AssetWorks will maintain a test environment in addition to the production environment. New Software releases or patches are first introduced to the test environment and it is Client's responsibility to perform testing and report any Errors within ten (10) days. If Client does not report any Errors within ten (10) days, the new Software release or patch will then be discharged in the production environment. AssetWorks may use the test environment to trouble shoot or configure and test new functionalities or reports. If Client requests for AssetWorks to synchronize data between the test and production environments, additional fees will apply.

### **5. Hosting.**

5.1 Hosting. If AssetWorks will provide Hosting of the Software, as indicated in Schedule A, AssetWorks will install the Software in AssetWorks' hosted environment at the Data Center. Hosting includes: (i) providing the server infrastructure and Hosting the Software; (ii) migrating Client Data to the Data Center; (iii) providing operating system (Linux) support; (iv) installing Updates in accordance with the terms of this Agreement; (v) providing a single production instance of the Software; (vi) providing backup management; and (vii) targeting Software availability of 99% (exclusive of scheduled maintenance or any downtime attributable to third parties or Client, or for which AssetWorks is not responsible including, but not limited to interruptions and delays inherent in internet communications). Hosting is subject to the payment of annual Hosting fees.

5.2 Client Responsibilities. When Hosting of the Software is provided by AssetWorks, Client is responsible for: (i) assigning a primary and alternate Client representative to coordinate with AssetWorks regarding Hosting; (ii) all physical printing requirements, including purchasing and installing printers at Client's sites (i.e., all printing is Client's responsibility as no print job will print at the Data Center); (iii) Client's environment including installing, operating, and maintaining of all workstation software (and Client's LAN, existing data communications configuration, hardware, or software required at Client's site to access and use the Software); (iv) testing Updates and Error fixes applied by AssetWorks to the Software; and (v) reasonably analyzing suspected problems to determine their specific nature and possible causes before contacting AssetWorks for assistance. Notwithstanding this diligence requirement, Client is responsible for informing AssetWorks of any problems encountered in a timely manner.

**6. Maintenance.** Subject to the payment of annual Maintenance fees, AssetWorks will provide Maintenance during normal business hours (8:00 a.m. to 6:00 p.m. ET, Monday through Friday, excluding legal holidays). Requests for Support may be submitted to AssetWorks by Client via email at: [awsupport@assetworks.com](mailto:awsupport@assetworks.com) (or through other methods provided by AssetWorks). Maintenance does not include: (a) custom programming services; (b) on-site support, including installation of hardware or software; (c) support of any software other than the Software licensed hereunder; (d) training; (e) expenses for third party products including, but not limited to, hardware and related supplies; (f) support of Client's computer system, software, or hardware (e.g., computer equipment, servers, printers etc.) or third party software or hardware, including problems which arise therefrom. For clarity, AssetWorks is not responsible for errors or defects of Client or third party software or hardware.

**7. Services.** AssetWorks will provide Client with the Services selected by Client, subject to the payment of Service fees.

**8. Fees and Payment.**

8.1 License Fees. The license fees for Software licensed on a perpetual basis have been paid by Client under the Original License. Client shall pay annual license fees for Software licensed on annual basis as set forth in Schedule A. If Client elects to license New Software, Client shall pay additional license fees.

8.2 Hosting Fees. If AssetWorks will provide Hosting of the Software, Client shall pay the annual Hosting fees set forth in Schedule A. AssetWorks may increase Hosting fees on an annual basis.

8.3 Maintenance Fees. The initial Maintenance fees have been paid by Client under the Original License. Client shall pay the annual Maintenance fees set forth in Schedule A. AssetWorks may increase Maintenance fees on an annual basis. If Client terminates Maintenance pursuant to Section 9.3 and subsequently requests for AssetWorks to reinstate Maintenance, Client will pay all fees necessary to (i) become up to date on Maintenance or (ii) procure a new license to have access to the most current version of the Software.

8.4 Service Fees. Certain Service fees may have been paid by Client under the Original License.

8.5 Payment. Client agrees to pay all fees within thirty (30) days of the invoice date. With regard to any invoiced amount that is not paid when due, AssetWorks reserves the right to charge, and Client agrees to pay, a late payment fee on the unpaid balance, from the due date until paid, equal to the lesser of one and one half percent (1.5%) per month, or the maximum amount allowable by law. All fees are non-refundable, except as otherwise explicitly stated in this Agreement.

**9. Term and Termination.**

9.1 Term. This Agreement shall commence on the Effective Date and continue for a term of 1 year until March 7, 2021.

9.2 Termination. Either party may terminate this Agreement immediately upon written notice if the other party breaches any material provision of this Agreement and does not cure the breach within thirty (30) days after receiving written notice thereof.

9.3 Effect of Termination. Upon termination of this Agreement, Client shall immediately cease using all Software in any form whatsoever and, if applicable, certify to AssetWorks, within thirty (30) days after termination, that Client has deleted the Software and any archival copy thereof from its computer system, and has deleted or destroyed any copies of Documentation in its possession. For clarity, Client may elect to terminate Maintenance or Hosting without terminating the license (if applicable). If AssetWorks is providing Hosting and the Agreement is terminated, upon Client's request, AssetWorks will provide a standard media download of the Client Data for an additional fee charged at AssetWorks' standard rates. Custom downloads or handling of Client Data are subject to an additional fee.

9.4 Suspension or Termination of Service. AssetWorks may suspend or terminate Maintenance and Hosting (if applicable) of the Software if Client fails to (i) pay any fees when due which remain unpaid for thirty (30) days after receipt of notice or (ii) install Updates as required by this Agreement. AssetWorks reserves the right to temporarily suspend Hosting based on its good faith belief that it is necessary to protect the integrity of the Software. If AssetWorks is providing Hosting and the Agreement is terminated pursuant to this Section 9, AssetWorks may terminate Client's access to the hosted environment as of the termination date.

## **10. Confidentiality.**

10.1 Confidential Information. Each party (the “Disclosing Party”) may from time to time during the term of this Agreement disclose to the other party (the “Receiving Party”) certain information relating to trade secrets, data, designs, drawings, documentation, software (regardless of form or media), prototypes, processes, methods, concepts, research, development, facilities, employees, vendors, clients, marketing, financials, business activities, and other confidential or proprietary information (collectively “Confidential Information”). To the extent practicable, the Disclosing Party shall mark and/or identify Confidential Information as confidential or proprietary at the time of disclosure; provided however, this Agreement shall also apply to information which, based on its nature, is reasonably expected to be deemed confidential. In addition, the terms of this Agreement shall be deemed Confidential Information. Furthermore, whether or not so marked or identified, the Software, Documentation and any related data, and any quantitative analysis of the Software or performance of the Software are deemed the Confidential Information of AssetWorks, and the Client Data is deemed the Confidential Information of Client.

10.2 Exceptions. Confidential Information shall not include information that: (a) becomes generally available to the public through no fault of the Receiving Party; (b) is lawfully provided to the Receiving Party by a third party not under an obligation of confidentiality; (c) was lawfully possessed by the Receiving Party prior to receiving the Confidential Information from the Disclosing Party, as evidenced by the Receiving Party’s records; or (d) the Receiving Party can demonstrate was independently developed by Receiving Party without use of the Disclosing Party’s Confidential Information. The Receiving Party may disclose Confidential Information pursuant to applicable law, regulation, court order, or other legal process; provided, (i) if allowed by law, the Receiving Party has given the Disclosing Party prompt written notice of such required disclosure so that the Disclosing Party may seek a protective order or other appropriate remedy and (ii) the Receiving Party discloses only that portion of the requested Confidential Information that, in the opinion of its legal counsel, it is required to disclose.

10.3 Non-Disclosure and Non-Use. The Receiving Party agrees that it shall not use Confidential Information, or disclose any Confidential Information to any third party, except as expressly permitted under this Agreement. The Receiving Party shall not provide access to the Confidential Information to anyone other than those of its employees, contractors, and financial and legal advisors who have a need to know, who have confidentiality obligations no less restrictive than those set forth herein, and who have been informed of the confidential nature of such information. The Receiving Party shall protect the Confidential Information from unauthorized use, access, or disclosure in the same manner as it protects its own confidential or proprietary information of a similar nature, and in any event with at least a reasonable degree of care.

## **11. Representations and Warranties.**

11.1 General Warranty. Each party represents and warrants: (i) it has the full power and authority to enter into this Agreement; (ii) its execution and performance of this Agreement have been duly authorized by all necessary corporate action on behalf of such party; and (iii) the person signing this Agreement on behalf of such party has the full authority to do so.

11.2 Limited Warranty. AssetWorks warrants the Software will conform to the specifications set forth in the Documentation for a period of ninety (90) days after installation. This warranty will not apply if: (i) the Software is used on a system other than the Authorized Computer System with the configuration approved by AssetWorks; (ii) the Software is not used in accordance with AssetWorks’ instructions or the Documentation; (iii) the newest Updates provided to Client by AssetWorks have not been installed into the Software; (iv) the Software has been altered, modified, or converted by anyone other than AssetWorks; or (v) non-conformance is caused by (a) a defect in the operating system, database server, web server, or other hardware or software in Client’s Authorized Computer System or (b) Client’s negligence or willful misconduct. Client’s exclusive remedy, and AssetWorks’ sole liability, for breach of this warranty shall be for AssetWorks to use commercially reasonable efforts to correct Errors affecting conformance, provided that Client has given written notice of non-conformance to AssetWorks. AssetWorks shall, to the extent reasonably possible and permissible, pass-

through or assign to Client all available warranties it receives from a third party provider for third party products or services provided by AssetWorks to Client under this Agreement.

11.3 Disclaimer of Warranty. EXCEPT AS EXPRESSLY PROVIDED IN THIS AGREEMENT, THE SOFTWARE, MAINTENANCE, HOSTING, SERVICES, DOCUMENTATION, AND THIRD PARTY PRODUCTS AND SERVICES, IF ANY AND AS APPLICABLE, ARE PROVIDED "AS IS", AND ASSETWORKS DISCLAIMS ALL OTHER WARRANTIES AND REPRESENTATIONS, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, ANY IMPLIED WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, NON-INFRINGEMENT OR THAT THE SOFTWARE, MAINTENANCE, HOSTING, SERVICES, DOCUMENTATION, AND THIRD PARTY PRODUCTS OR SERVICES, IF ANY AND AS APPLICABLE, WILL MEET ALL OF CLIENT'S REQUIREMENTS.

11.4 Client Representations. Client represents that it is fully responsible for: (a) the content of any Client Data; (b) selection and implementation of controls, including settings and policies, regarding access rights and use of the Software by Client and its Authorized Users; and (c) Client's computer system, software, and hardware (e.g., computer equipment, servers, printers etc.). AssetWorks assumes no responsibility for the correctness or performance of, or any resulting incompatibilities with, current or future releases of the Software if Client has made changes to the system hardware/software configuration or modifications to any supplied source code which changes affect the performance of the Software and were made without prior notification and written approval by AssetWorks. AssetWorks assumes no responsibility for the operation or performance of any Client or third party hardware or software.

## **12. Indemnification.**

12.1 AssetWorks will indemnify and defend Client against any claim, action, suit, or proceeding brought by a third party ("Claim") to the extent Client's use of the Software within the scope of this Agreement directly infringes a United States patent or copyright issued to or held by a third party, or misappropriates a trade secret of such third party; provided, that Client notifies AssetWorks promptly in writing of such Claim and provides AssetWorks with the sole control, authority, information and assistance necessary to defend or settle such Claim.

12.2 In the event of an infringement Claim, or AssetWorks believes that such a Claim is likely, then AssetWorks shall at its expense: (i) procure the right for Client to continue using the Software; (ii) replace or modify the Software so that it becomes non-infringing, without materially decreasing the functionality of the Software; or (iii) if neither (i) or (ii) is commercially practical, then, at AssetWorks' sole option, terminate this Agreement and refund depreciated license fees paid hereunder based on five year straight line depreciation.

12.3 AssetWorks will not be liable for any infringement Claim based upon any (i) use of a version of the Software that was not, at the time that the Claim arose, the current unaltered version of the Software provided by AssetWorks hereunder, including, without limitation, failure of Client to install Updates containing modifications to make the Software non-infringing; (ii) combination, operation, integration, or interfacing of the Software with other products, equipment, devices, software, systems, or data not supplied by AssetWorks, or which the Software was not intended to operate as specified in the Documentation, to the extent such Claim would not have arisen but for such combination, operation, integration, or interfacing (regardless of whether or not AssetWorks has advised Client that such use would likely result in a Claim of infringement by a third party); (iii) use of the Software in a manner other than as authorized by the Documentation or this Agreement; (iv) AssetWorks' compliance with the designs, plans, or specifications furnished by or on behalf of Client; (v) modifications to the Software made by anyone other than AssetWorks; or (vi) Client's failure to accept any procured right to continue using the Software.

12.4 THE FOREGOING STATES ASSETWORKS' SOLE AND EXCLUSIVE LIABILITY AND THE SOLE AND EXCLUSIVE REMEDY OF CLIENT WITH RESPECT TO ANY CLAIM OF INFRINGEMENT OR MISAPPROPRIATION OF INTELLECTUAL PROPERTY RIGHTS OR PROPRIETARY RIGHTS OF ANY THIRD PARTY.

12.5 Client shall defend and indemnify AssetWorks from and against any and all Claims, liabilities, damages, costs, and expenses, including reasonable legal fees, arising from or related to the exclusions set forth in Section 12.3 or any violation of Sections 2.2 or 2.6.

### **13. Limitation of Liability.**

13.1 Neither party shall be liable for any indirect, incidental, consequential, exemplary, special, or punitive damages including, without limitation, any damages resulting from loss of use, loss of business, loss of revenue, loss of profits, or loss of data, even if a party has been advised of the possibility of such damages.

13.2 AssetWorks' entire liability under this Agreement or in any way related to the Software, Hosting, Maintenance, or Services will be limited to direct damages in an amount equal to the fees paid by Client to AssetWorks pursuant to this Agreement during the twelve (12) month period immediately preceding the Claim.

### **14. General.**

14.1 Governing Law. This Agreement shall be governed by and interpreted in accordance with the laws of the State of New York without regard to conflicts of law principles.

14.2 Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be unenforceable for any reason, such provision will be changed and interpreted to accomplish the objectives of such provision to the greatest extent possible under applicable law and the remaining provisions hereof shall be unaffected and remain in full force and effect.

14.3 Modification and Waiver. Any modification, amendment, supplement, waiver, or other change to this Agreement must be in writing and signed by duly authorized representatives of each party. Any waiver or failure to enforce any provision of this Agreement on any occasion shall not be deemed a waiver of any other provision or of such provision on any other occasion.

14.4 Assignment. Neither party may assign any of its rights or obligations hereunder, whether by operation of law or otherwise, without the other party's prior written consent, which shall not be unreasonably withheld; provided, however, either party may assign this Agreement in its entirety, without the other party's consent, in connection with a merger, acquisition, corporate reorganization, or sale of all or substantially all of its assets. This Agreement shall be binding upon and inure to the benefit of the successors in interest and permitted assigns of the respective parties.

14.5 Remedies. The parties agree that monetary damages are an inadequate remedy for breach of Sections 2 and 10, and further recognize that any such breach would cause irreparable injury for which there would be no adequate remedy at law; therefore, the parties agree that the non-breaching party may seek equitable remedies, including, without limitation, injunctive relief and specific performance (without obligation to post a bond) from a court of competent jurisdiction, in addition to other remedies available at law or in equity.

14.6 Survival. All provisions of this Agreement, which by their nature should survive termination of this Agreement, will so survive.

14.7 Force Majeure. Neither party shall be in breach of this Agreement nor liable for delay in performing or failure to perform any of its obligations under this Agreement if such delay or failure result from events, circumstances, or causes beyond its reasonable control; provided, that the party affected by such failure or delay gives the other party prompt written notice of the cause and uses commercially reasonable efforts to correct such failure or delay within a reasonable period of time.

14.8 Headings. The headings and subheadings contained herein are inserted for convenience of reference only and shall in no way be construed to be interpretations of terms.

14.9 Notices. All notices under this Agreement shall be in writing and shall be deemed given upon personal delivery, delivery by prepaid overnight courier, facsimile or electronic mail transmission with receipt acknowledged, or three (3) business days after deposit in the mail via first class mail postage prepaid to the intended recipient at its address listed above or other such address as the parties may indicate in writing.

14.10 Entire Agreement. This Agreement, including schedules or other attachments hereto and any amendments or written documentation executed by the parties, are the final, complete, and exclusive agreement between the parties relating to the subject matter hereof, and supersede all prior or contemporaneous proposals, understandings, representations, warranties, promises, and other communications, whether oral or written, relating to such subject matter.

14.11 Counterparts. This Agreement, and any amendment or waiver of the terms hereof, may be signed in counterparts, each of which will constitute an original and all of which together will constitute one and the same instrument. Any signature may be delivered by facsimile or electronic format, which will have the effect of an original signature.

The parties, through their authorized representatives, have executed this Agreement as of the Effective Date.

**Client**

**AssetWorks USA, Inc.**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## **SCHEDULE A**

### **1. Original License (Restated): Fees Paid**

1.1 The Software licensed under Original License includes the following Software:

Asset Management Software (AMS)  
Scan & Validate

1.2 The Software is hosted by (AssetWorks/Client): AssetWorks

1.3 Maintenance Term: March 8, 2019 – March 7, 2020

Client has paid Maintenance fees through March 7, 2020.

### **2. Maintenance Term and/or Hosting Renewal**

Maintenance and Hosting Term: March 8, 2020 – March 7, 2021

### **3. Maintenance and/or Hosting Fee**

Client will pay AssetWorks the following Maintenance and Hosting fee for the Maintenance Term and/or Hosting Term renewal set forth in Section 2 above.

Maintenance & Hosting Fee: \$10,685.81



**ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH FAHRENHEIT CREATIVE GROUP, LLC TO PROVIDE SOCIAL MARKETING SERVICES TO THE CITY OF JACKSON. (KIDD, LUMUMBA)**

OFFICE OF THE CITY CLERK  
4/23/20

**WHEREAS**, the W.K. Kellogg Foundation has awarded the City of Jackson, Mississippi ("City") funds to establish a quality foundation of prekindergarten services that will ensure all Jackson's four and five year old residents enter kindergarten ready to learn; and

**WHEREAS**, the W. K. Kellogg Foundation requires all funded recipients to provide Social Marketing Services and report on the effectiveness of its programming; and

**WHEREAS**, it is the best interest of the City to hire an independent agent/agency to analyze, evaluate and report on effectiveness of the program; and

**WHEREAS**, Fahrenheit Creative Group, LLC is capable and qualified to conduct Social Marketing Services and prepare the report required by W. K. Kellogg Foundation.

**IT IS HEREBY ORDERED** that the Mayor be authorized to execute and submit an agreement with Fahrenheit Creative Group, LLC in an amount not to exceed Sixty Six Thousand and Two Hundred Dollars (\$66,200) for the provision of Social Marketing Services and prepare the report required by W. K. Kellogg Foundation including but not limited to printing and binding the aforementioned report.

Item No. \_\_\_\_\_

Agenda Date \_\_\_\_\_

By: Kidd

## ITEM 10 POINT DATA SHEET

DATE: 4/15/20

P O I N T S		C O M M E N T S					
1.	<b>Brief Description/Purpose</b>	Order authorizes an agreement with Fahrenheit creative Group, LLC to provide Social Marketing Services to the City of Jackson.					
2.	<b>Public Policy Initiative</b> <ul style="list-style-type: none"> <li>○ Youth &amp; Education</li> <li>○ Crime Prevention</li> <li>○ Changes in City Government</li> <li>○ Neighborhood Enhancement</li> <li>○ Economic Development</li> <li>○ Infrastructure and Transportation</li> <li>○ Quality of Life</li> </ul>	Quality of Life Youth and Education Economic Development					
3.	<b>Who will be affected</b>	Residents with children ages four and five					
4.	<b>Benefits</b>	Educational					
5.	<b>Schedule</b> (Beginning date) (Completion date)	April 15, 2020					
6.	<b>Location:</b> <b>Ward:</b> <b>CITYWIDE (yes or no)</b> <b>(area)</b> <b>Project limits if applicable</b>	Citywide					
7.	<b>Action implemented by:</b> <ul style="list-style-type: none"> <li>○ Mayor's Office</li> <li>○ City Department</li> <li>○ Consultant</li> </ul>	Department of Human and Cultural Services					
8.	<b>COST</b>	\$66,200.00					
9.	<b>Source of Funding</b> <ul style="list-style-type: none"> <li>○ General Fund</li> <li>○ Enterprise</li> <li>○ Grant</li> <li>○ Bond</li> </ul> <b>Other</b>	Kellogg Grant  076- 43311-6419					
10.	<b>EBO participation</b>	ABE _____ % AABE _____ % WBE _____ % HBE _____ % NABE _____ %	WAIVER yes _____ no _____ WAIVER yes _____ no _____ WAIVER yes _____ no _____ WAIVER yes _____ no _____ WAIVER yes _____ no _____	N/A N/A N/A N/A N/A			

Department of Human and Cultural Services



1000 Metrocenter, Suite 101  
Post Office Box 17  
Jackson, Mississippi 39205-0017

## MEMO

**TO: The Honorable Chokwe Antar Lumumba  
Mayor**

**FROM: Dr. Adriane Dorsey Kidd, Director**   
**Department of Human and Cultural Services**

**DATE: April 15, 2020**

**SUBJECT: ORDER AUTHORIZING AN AGREEMENT WITH FAHRENHEIT CREATIVE GROUP, LLC TO  
PROVIDE SOCIAL MARKETING SERVICES TO THE CITY OF JACKSON.**

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This agenda item authorizes the execution of a contractual agreement with Fahrenheit Creative Group, LLC to provide Social Marketing Services to the City of Jackson in accordance with terms, conditions and compensation mutually agreed upon by the parties.

Should you desire additional information, please do not hesitate to notify me.

Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH FAHRENHEIT CREATIVE GROUP, LLC TO PROVIDE SOCIAL MARKETING SERVICES TO THE CIT OF JACKSON is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, City Attorney

Monica D. Allen, Special Assistant 

4/22/20  
Date

**ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI, AND GREENWOOD CEMETERY ASSOCIATION, INC. (GCA), TO PROVIDE CARE, MAINTENANCE, IMPROVEMENT AND PROMOTIONAL SERVICES AT GREENWOOD CEMETERY, FOR A PERIOD OF FIVE (5) YEARS, AT NO COST TO THE CITY OF JACKSON. (HARRIS, LUMUMBA)**

OFFICE OF THE CITY ATTORNEY  
*West*  
4/22/20

**WHEREAS**, the City of Jackson is the owner of and responsible for the care and maintenance of the approximate 21 acre cemetery (located in the downtown area of the City of Jackson, bounded by West Street on the east, George Street on the south, Lamar Street on the west, and Davis Street on the north), known as Greenwood Cemetery; and

**WHEREAS**, the City's funding and staffing limitations make it difficult for the City to increase the improvements it can make to the Cemetery; and

**WHEREAS**, the GCA is a private, non-profit organization comprised of individuals with an interest in assisting the City in the care, improvement, and beautification of Greenwood Cemetery, its grounds, graves, markers, monuments, streets and flora; and

**WHEREAS**, the GCA would like to promote the Cemetery, offer programs for and about the Cemetery, provide tours of the Cemetery, distribute literature about the Cemetery and engage in general public relations work to promote public awareness of the Cemetery and its historical associations; and

**WHEREAS**, the City and GCA desire to define and formalize a contractual relationship; and

**WHEREAS**, the term of this Agreement shall commence upon execution and shall expire five (5) years thereafter; and

**WHEREAS**, the Department of Parks and Recreation recommends the execution of the Agreement with the Greenwood Cemetery Association, Inc. (GCA).

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the Mayor is authorized to execute an Agreement, and such other documents as necessary, with the Greenwood Cemetery Association, Inc. (GCA), to allow GCA to provide care, improvement and beautification of Greenwood Cemetery, its grounds, graves, markers, monuments, streets and flora, for a period of five (5) years, at no cost to the City of Jackson.

Agenda Item#: \_\_\_\_\_

Agenda Date: \_\_\_\_\_

**(HARRIS, LUMUMBA)**

# CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

**04-17-20**  
**DATE**

	<b>P O I N T S</b>	<b>C O M M E N T S</b>																																								
1.	<b>Brief Description</b>	The attached agenda item is a request to enter into an Agreement with the Greenwood Cemetery Association, Inc. (GCA), to assist the City in the care, improvement, and beautification of Greenwood Cemetery, its grounds, graves, markers, monuments, streets and flora.																																								
2.	<b>Public Policy Initiative</b> 1. Youth & Education 2. Crime Prevention 3. Changes in City Government 4. Neighborhood Enhancement 5. Economic Development 6. Infrastructure and Transportation 7. Quality of Life	Youth & Education Neighborhood Enhancement Quality of Life																																								
3.	<b>Who will be affected</b>	The City of Jackson, Greenwood Cemetery Association, Inc. and all other interested parties interested in assisting and learning more about the Cemetery.																																								
4.	<b>Benefits</b>	Will save the City the time and money, allowing staff to concentrate on other cemeteries and park facilities.																																								
5.	<b>Schedule (beginning date)</b>	Upon Council Approval and the Greenwood Cemetery Association, Inc. (GCA) Agreement, effective date.																																								
6.	<b>Location:</b> ▪ <b>WARD</b>  ▪ <b>CITYWIDE (yes or no) (area)</b>  ▪ <b>Project limits if applicable</b>	Ward 5																																								
7.	<b>Action implemented by:</b> ▪ <b>City Department</b> <input type="checkbox"/>  ▪ <b>Consultant</b> <input type="checkbox"/>	Department of Parks and Recreation																																								
8.	<b>COST</b>	None																																								
9.	<b>Source of Funding</b> ▪ <b>General Fund</b> <input type="checkbox"/> ▪ <b>Grant</b> <input type="checkbox"/> ▪ <b>Bond</b> <input type="checkbox"/> ▪ <b>Other</b> <input type="checkbox"/>	N/A																																								
10.	<b>EBO participation</b>	<table style="width: 100%; border: none;"> <tr> <td>ABE</td><td>_____ %</td> <td>WAIVER</td><td>_____</td> <td>no</td><td>✓</td> <td>N/A</td><td>✓</td> </tr> <tr> <td>AABE</td><td>_____ %</td> <td>WAIVER</td><td>_____</td> <td>no</td><td>✓</td> <td>N/A</td><td>✓</td> </tr> <tr> <td>WBE</td><td>_____ %</td> <td>WAIVER</td><td>_____</td> <td>no</td><td>✓</td> <td>N/A</td><td>✓</td> </tr> <tr> <td>HBE</td><td>_____ %</td> <td>WAIVER</td><td>_____</td> <td>no</td><td>✓</td> <td>N/A</td><td>✓</td> </tr> <tr> <td>NABE</td><td>_____ %</td> <td>WAIVER</td><td>_____</td> <td>no</td><td>✓</td> <td>N/A</td><td>✓</td> </tr> </table>	ABE	_____ %	WAIVER	_____	no	✓	N/A	✓	AABE	_____ %	WAIVER	_____	no	✓	N/A	✓	WBE	_____ %	WAIVER	_____	no	✓	N/A	✓	HBE	_____ %	WAIVER	_____	no	✓	N/A	✓	NABE	_____ %	WAIVER	_____	no	✓	N/A	✓
ABE	_____ %	WAIVER	_____	no	✓	N/A	✓																																			
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WBE	_____ %	WAIVER	_____	no	✓	N/A	✓																																			
HBE	_____ %	WAIVER	_____	no	✓	N/A	✓																																			
NABE	_____ %	WAIVER	_____	no	✓	N/A	✓																																			

Parks & Recreation Department  
1000 Metro Center, Suite 104  
Jackson, MS 39209-7503  
601-960-0716 (Office)  
601-960-1576 (Fax)  
Website: [www.jacksonms.gov](http://www.jacksonms.gov)



*"One City, One Aim, One Destiny"*

# Memo

**To:** Mayor Chokwe Antar Lumumba  
**From:** Ison B. Harris, Jr., Director, Dept. of Parks & Recreation  
**Date:** April 17, 2020  
**Re:** Greenwood Cemetery Association, Inc. (GCA) Agreement

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The attached agenda item is a request to enter into an Agreement with the Greenwood Cemetery Association, Inc., (GCA) to assist in the care, improvement, beautification and promotion of Greenwood Cemetery.

Greenwood Cemetery Association, Inc. (GCA) desires to define and formalize the relationship between the City of Jackson for a term of five (5) years, at no cost to the City.

The Department recommends this Order is approved.

IBHjr/pb

Office of the City Attorney

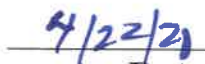
455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1756  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI, AND GREENWOOD CEMETERY ASSOCIATION, INC. (GCA), TO PROVIDE CARE, MAINTENANCE, IMPROVEMENT AND PROMOTION SERVICES AT GREENWOOD CEMETERY, FOR A PERIOD OF FIVE (5) YEARS, AT NO COST TO THE CITY OF JACKSON is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, City Attorney

Monica D. Allen, Special Assistant 

  
\_\_\_\_\_  
4/22/21

Date



## AGREEMENT

This Agreement is entered into on this the \_\_\_\_ day of \_\_\_\_\_, 2020, between the City of Jackson, Mississippi, ("the City") by and through its officer duly authorized to do so and the Greenwood Cemetery Association, Inc., a not for profit Mississippi corporation, (the "GCA") as follows:

WHEREAS the City is the owner of and responsible for the care and maintenance of the approximately 21 acre cemetery located in the downtown area of the City of Jackson, bounded by West Street on the east, George Street on the South, Lamar Street on the west, and Davis Street on the north, known as Greenwood Cemetery (the "Cemetery"); and

WHEREAS the City's funding and staffing limitations make it difficult for the City to increase the improvements it can make to the Cemetery; and

WHEREAS the GCA is a private, nonprofit organization comprised of individuals with an interest in assisting the City in the care, improvement, and beautification of Greenwood Cemetery, its grounds, graves, markers, monuments, streets and flora; and

WHEREAS the GCA would like to promote the Cemetery, offer programs for and about the Cemetery, provide tours of the Cemetery, distribute literature about the Cemetery, and engage in general public relations work to promote public awareness of the Cemetery and its historical associations; and

WHEREAS the City and the GCA would like to define and formalize the relationship between the City and the GCA;

NOW, THEREFORE, the City and the GCA do agree as follows:

1. The term of this agreement shall begin upon the approval of the same by the City and shall extend for a period of five years from that date. At the end of that period the parties hereto contemplate that a renewal agreement will be executed to extend the life of this Agreement.

2. The City shall continue to be responsible for and will continue to perform the maintenance, mowing and upkeep of the Cemetery that it has previously performed.

3. The GCA will continue—as it has done in the past—to solicit and raise funds from private sources and individuals and expend the funds to assist the City and supplement work the City may do in regard to the Cemetery in areas such as monument cleaning, drainage improvement, tree and landscaping maintenance, monument repair and upkeep, and similar activities.

4. The GCA may—as it has done in the past—seek and apply for grants, appropriations, and donations from individuals, private and governmental sources, and private and public foundations to be expended for improving, repairing, promoting and maintaining the Cemetery along with its grounds, ditches, roads, fences, monuments and flora as well as for capital improvements in the Cemetery. The City agrees that the GCA will have complete authority and control over the expenditure of any such funds it

obtains for these purposes, subject to the terms and conditions under which the GCA acquired such funds.

5. The City and the GCA will coordinate and cooperate to accomplish grounds work, monument maintenance and repair, and landscaping work. The City will continue to do such work as it has done in the past, and the GCA may use its members and funds to assist the City in this work. The City agrees to allow the GCA to plan and execute any capital improvement projects such as road repair, drainage improvement and structure replacement for which the GCA is providing the funds. The GCA agrees to keep the City informed of any such projects it intends to implement.

6. The City will remain responsible for burials and entombments and will notify the GCA of these events as soon as possible.

7. For coordination, the primary and secondary points of contact for the City  
are: \_\_\_\_\_ email \_\_\_\_\_  
and: \_\_\_\_\_ email \_\_\_\_\_.

The primary and secondary points of contact for the GCA

are: Cecile Wardlaw, Exec. Dir. \_\_\_\_\_ email [greenwoodcemeteryjackson@gmail.com](mailto:greenwoodcemeteryjackson@gmail.com)  
and \_\_\_\_\_ email \_\_\_\_\_.

The parties agree to update each other if these points of contact change.

8. The City and GCA both represent to each other by executing this Agreement that each has received the approval required by their respective governing bodies.

**City of Jackson**

by (signature) \_\_\_\_\_

(printed name) \_\_\_\_\_

its (position/title) \_\_\_\_\_

**Greenwood Cemetery Association, Inc.**

by (signature) \_\_\_\_\_

(printed name) \_\_\_\_\_

its (position/title) \_\_\_\_\_

## Patrice Bernard

---

**From:** Ison Harris,Jr.  
**Sent:** Friday, April 17, 2020 10:54 AM  
**To:** Patrice Bernard  
**Subject:** FW: Proposed agreement  
**Attachments:** City of Jackson agreement.docx

**From:** Greenwood Cemetery Jackson <[greenwoodcemeteryjackson@gmail.com](mailto:greenwoodcemeteryjackson@gmail.com)>  
**Sent:** Wednesday, April 8, 2020 11:21 AM  
**To:** Ison Harris,Jr. <[iharris@city.jackson.ms.us](mailto:iharris@city.jackson.ms.us)>  
**Subject:** Proposed agreement

Dear Mr. Harris;

I hope you and your family are safe and in healthy in this weird time.

Attached is a proposed contract for your consideration between the City and the Greenwood Cemetery Association. This is a project which has been in the works for nearly a year. I think the current situation has given the lawyers on the board more time to think about it.

The association and City have worked under an unwritten but mutually agreeable arrangement for many years and I don't think this document will substantially change that. Our recent request to the Community Foundation for MS (CFM) for funds to repair drainage problems and upgrade the secondary roads has prompted the creation of the proposal. We have been informed by the CFM that approval of funding will be forthcoming as soon as this agreement is signed.

Please review the attached and if you have questions or concerns, don't hesitate to contact me by phone or text at 601-540-6558 or email at [greenwoodcemeteryjackson@gmail.com](mailto:greenwoodcemeteryjackson@gmail.com)

The cemetery is of course in a sad state at present and we are working to do what we can to improve the situation. The SCV hired someone to mow their area and volunteers have done bits in other prominent spaces, such as the entrance and center circle. Earlier this year the board seriously considered taking over the regular mowing, but after hearing the bids for the job, decided we are not in a position to assume that responsibility. We have better luck asking for donations and grants for specific projects.

Thank you for your time and consideration. I look forward to hearing from you .

Sincerely,

Cecile Wardlaw

Email secured by Check Point

Office of the City Attorney  
455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

OFFICE OF THE CITY ATTORNEY  
*Carrie Johnson*

OFFICE OF THE CITY ATTORNEY

This ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH SPECTRUM EMPLOYMENT AGENCY INC has been reviewed by me and is legally sufficient for placement in NOVUS Agenda.

*Carrie Johnson*

Carrie Johnson, Deputy City Attorney

Date *4/22/2020*

**ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT  
WITH SPECTRUM EMPLOYMENT AGENCY TO PROVIDE TEMPORARY  
STAFFING SERVICES TO VARIOUS CITY DEPARTMENTS**

**WHEREAS**, the City of Jackson has a need for temporary staffing services for various City Departments; and

**WHEREAS**, the Department of Personnel Management is responsible for securing temporary staffing services for all City Departments; and

**WHEREAS**, representatives from City Departments will notify the Department of Personnel Management when they are in need of temporary staffing services; and

**WHEREAS**, the Department of Personnel Management sends a request to temporary agencies when there is a need for services;

**WHEREAS**, the request includes the requesting Department, classification title, duties, quote and schedule; and

**WHEREAS**, the Department of Personnel Management selects the agency with the lowest quote; and

**WHEREAS**, Spectrum Employment Agency will provide the City of Jackson on request with qualified temporary staffing services for the classification specifications; and

**WHEREAS**, Spectrum Employment Agency has an office, 413 South President, Suite 205, Jackson, Mississippi, 39201; and

**WHEREAS**, Spectrum Employment Agency submitted a rate sheet for the temporary positions provided to the City of Jackson as follows:

\$ 9.65 - \$ 16.25	Administrative Assistant, Executive Secretary, Secretary Principal
\$ 9.50 - \$ 14.60	Secretary / Statistical Typist, Clerk Typist, Data Entry Operator, Word Processor, Computer Operator, Customer Service Representative, Claims Clerk
\$ 9.25 - \$ 13.50	Receptionist / Light Secretarial
\$ 9.49 - \$ 13.88	General Office Clerk, File Clerk, Copy Clerk
\$ 9.50 - \$ 12.60	General Laborer
\$ 9.48 - \$ 23.38	Accountant, Accounting Clerk, General Bookkeeping,
\$12.50 - \$ 19.33	Legal Secretary, Paralegal

**WHEREAS**, Spectrum Employment Agency will invoice for services provided under this Agreement on a weekly basis and the City of Jackson will remit payment within 30 days, which is consistent with the statute for timely payment by governmental entities.

**WHEREAS**, Invoices will be supported by Spectrum Employment Agency time sheets documenting time worked by the assigned employees; and

**WHEREAS**, Temporary employees will be paid 1 ½ times for hours worked exceeding 40 hours per week, based on federal law;

**WHEREAS**, Spectrum Employment Agency employees will work no less than four (4) hours per, unless otherwise specified; and

**WHEREAS**, the term of the contract will be one (1) year from the date of execution of the agreement and may be extended for two (2) additional one (1) year terms on the same terms and condition subject to the right of succeeding governing authorities to cancel; and

**WHEREAS**, the City of Jackson may not employ or cause others to employ Spectrum Employment Agency's employees; and

**WHEREAS**, the City of Jackson will not authorize or direct Spectrum Employment Agency employee's to operate machinery, heavy duty equipment automotive or truck equipment without the prior written consent of Spectrum Employment Agency; and

**WHEREAS**, it is also understood and agreed that the Spectrum Employment Agency employee shall not be entrusted with cash, negotiables, or other valuables while performing services for the City of Jackson without prior written consent; and

**WHEREAS** Spectrum Employment Agency will recruit, screen, interview, hire, and assign its employees to perform the work under the supervision of the City of Jackson and will be responsible for paying the assigned employees' wages and provide them with the benefits Spectrum Employment Agency offers to them; and

**WHEREAS**, Spectrum Employment Agency shall screen all employees working on behalf of this agreement to insure that none have a criminal record within the last five years or any felony conviction; and

**WHEREAS**, Spectrum Employment Agency employees will be required to sign a confidential statement in areas where it demands a non-disclosure of client information; and

**WHEREAS**, the City of Jackson reserves the right to reject or discontinue the work of any or all of Spectrum Employment Agency employees with or without cause but will provide Spectrum with an explanation if for cause; and

**WHEREAS**, rejection of assigned employees will not prohibit the assignment of additional personnel; and

**WHEREAS**, Spectrum Employment Agency will pay, withhold, and transmit payroll taxes, provide unemployment insurance and workers compensation benefits and handle unemployment and workers' compensation claims involving the assigned employees; and

**WHEREAS,** Spectrum Employment Agency will comply with federal, state and local labor and employment laws applicable to assigned employees including the Immigration Reform and Control Act of 1986, the Internal Revenue Code, the Employee Retirement Income Security Act, the Health Insurance Portability and Accountability Act, the Family Medical Leave Act, Title VII of the Civil Rights Act of 1964, the Americans With Disabilities Act, the Fair Labor Standards Act, the Consolidated Omnibus Budget Reconciliation Act, the Uniformed Services Employment and Reemployment Rights Act of 1994, and the Patient Protection and Affordable Care Act; and

**WHEREAS,** Spectrum Employment Agency will comply with all provisions of the Affordable Care Act applicable to assigned employees, including the employer shared responsibility provisions related to the offer of minimum essential coverage to “full-time” employees as those terms are defined in the United States Code and related regulations and the applicable employer information reporting provisions set forth in the United States Code and related regulations; and

**WHEREAS,** Spectrum Employment Agency may talk to or meet with any employee working pursuant to this agreement at the location of the employee's work at any time; and

**WHEREAS,** Spectrum Employment Agency may arrange to meet with any employee on the City of Jackson premises where the employee is based at any time with notice when possible to the manager, superintendent, or supervisor of the operation where the employee is working; and

**WHEREAS,** Spectrum Employment Agency will be provided the job descriptions, position, and duties of the work or categories of work the employees are to perform under this agreement for the various department's participation; and

**WHEREAS,** the City will not change the assigned employees job duties without Spectrum Employment Agency' express prior written approval; and

**WHEREAS,** the City will exclude assigned employees from its benefit plans, policies, and practices and not make any offer or promise relating to the assigned employee's compensation and benefits; and

**WHEREAS,** the terms of the agreement will be considered severable, such that if any provision or clause which conflicts with existing or future law or may not be given full effect because of the law, no other provision that can operate without the conflicting provision or clause will be affected; and

**WHEREAS,** neither party will be responsible for failure or delay in performance of the agreement if the delay in performance is due to labor disputes, strikes, fire, riot, war, terrorism, Acts of God or other causes beyond the control of the nonperforming party; and

**WHEREAS,** Spectrum Employment Agency will provide proof of liability and workers compensation coverage;

**IT IS, HEREBY ORDERED** that the Mayor be authorized to execute a contract with Spectrum Employment Agency for the purposes stated in this order.

**IT IS, FURTHER ORDERED** that the Mayor, or his designee, be authorized to execute any and all documents necessary to implement the contract described in this Order.

**IT IS FURTHER ORDERED** that payment for the services provided *after* the contract has been executed may be made to Spectrum Employment Agency.



## CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

April 28, 2020

DATE

POINTS		COMMENTS	
1.	<b>Brief Description/Purpose</b>	ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH SPECTRUM EMPLOYMENT AGENCY TO PROVIDE TEMPORARY STAFFING SERVICES TO VARIOUS CITY DEPARTMENTS	
2.	<b>Public Policy Initiative</b> 1. Youth & Education 2. Crime Prevention 3. Changes in City Government 4. Neighborhood Enhancement 5. Economic Development 6. Infrastructure and Transportation 7. Quality of Life	Change in City Government	
3.	<b>Who will be affected</b>	All City Departments, assigned employees	
4.	<b>Benefits</b>	Provides personnel on temporary basis to address employee shortages	
5.	<b>Schedule (beginning date)</b>	Upon approval by the council	
6.	<b>Location:</b> § WARD  § CITYWIDE (yes or no) (area)  § Project limits if applicable	Citywide	
<input type="checkbox"/> <input type="checkbox"/> 7.	<b>Action implemented by:</b> § City Department  § Consultant	Department of Personnel Management	
8.	<b>COST</b>		
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> 9.	<b>Source of Funding</b> § General Fund § Grant § Bond § Other	General Fund	
10.	<b>EBO participation</b>	ABE _____ % AABE _____ % WBE _____ % HBE _____ % NABE _____ %	WAIVER yes _____ no _____ N/A _____ WAIVER yes _____ no _____ N/A _____ WAIVER yes _____ no _____ N/A _____ WAIVER yes _____ no _____ N/A _____ WAIVER yes _____ no _____ N/A _____

## **M E M O R A N D U M**

**TO:** Mayor Chokwe A. Lumumba

**FROM:** Toya Martin, Deputy Director  
Personnel Management

**DATE:** April 5, 2020

**RE:** Contract with Spectrum Employment Agency

The Department of Personnel Management is recommending that the City enter into a contract with Spectrum Employment Agency, Inc. to provide temporary office employees when needed to address shortages in personnel resulting from terminations or leave.

The attached Order requests that the Council authorize an agreement with Spectrum Employment Agency. The hourly rates range from \$9.65 - \$19.33 per hour.

**SPECTRUM EMPLOYMENT AGENCY, INC.  
AGREEMENT**

This agreement is made and entered into between Spectrum Employment Agency, Inc. , hereinafter referred to as *Agency*, a Mississippi corporation whose principal office is located at 413 South President, Ste. 205, Jackson MS 39201 and the City of Jackson, Mississippi, hereinafter a municipal corporation, hereinafter referred to as *City*:

**PARTIES MUTUAL AGREEMENT**

**Agency Covenants**

1. The Agency agrees to furnish skilled and unskilled personnel to perform services in various departments and at varying locations during varied shifts to assist in the operations of the City on an as needed basis.
2. The Agency agrees to screen all personnel assigned to the City of Jackson pursuant to this agreement to ensure that none have felony convictions or criminal records within the previous five (5) year period.
3. The Agency agrees to provide the City of Jackson with a confidential statement executed by personnel assigned to the City of Jackson containing the assigned personnel's covenant to keep confidential information revealed to them during the course and scope of work performed not known to the general public.
4. The Agency agrees not to discriminate against persons on the basis of race, color, sex, religion, gender, national origin, age, disability, or other classifications protected under the Civil Rights Acts of 1964 or other federal or state law.
5. The Agency agrees to comply with federal, state, and local labor and employment laws applicable to assigned employees, including but not limited to, the following: (a) Immigration Reform and Control Act of 1986; (b) the Internal Revenue Code; ( c) the Employee Retirement Income Security Act; ( d) the Health Insurance Portability and Accountability Act; ( e) the Family Medical Leave Act; ( f) Title VII of the Civil Rights Act of 1964; (g ) the Americans with Disabilities Act; (h) the Fair Labor Standards Act; (i) the Consolidated Omnibus Budget Reconciliation Act (COBRA); ( j) the Uniformed Services Employment and Reemployment Rights Act of 1994; ( k ) the Patient Protection and Affordable Care Act.
6. The Agency agrees to comply with all provisions of the Affordable Care Act applicable to assigned personnel, including the employer shared responsibility provisions related to the offer of minimum essential coverage to "full-time" employees as those terms are defined

in the United States code and related regulations and the applicable employer information reporting provisions set forth in the United States Code and related regulations.

7. The Agency agrees to submit invoices to the City of Jackson weekly for assigned personnel. The invoices will be supported by time sheets completed for assigned personnel and verified by the person supervising the assigned personnel or director of the department where the assigned personnel provided services. The signature of the supervisor or the director of the department where services were provided by assigned personnel shall constitute acknowledgment that services were provided for the hours stated on the time sheet but shall not constitute acknowledgment that the invoice is accurate.
8. The Agency agrees to pay wages and provide required benefits to the assigned personnel. Agency will be responsible for responding to unemployment claims, paying payroll taxes, withholding taxes, payment of unemployment insurance, and worker's compensation insurance.
9. The Agency agrees to provide the City of Jackson with proof of worker's compensation coverage conforming to statutory limits and general commercial liability coverage.

#### **City covenants**

10. City agrees to pay covenant within thirty (30) days of receipt and verification of an invoice for the services provided by its assigned personnel based on the following rate schedule for the positions:

<b>Position</b>	<b>Rate</b>
Administrative Assistant, Executive Secretary Secretary Principal	\$9.65-\$16.25
Secretary, Statistical typist, clerk typist data entry operator, word processor, computer operator customer service representative, claims clerk	\$9.50 - \$14.60
Receptionist, light secretarial	\$9.25 - \$13.50
General office clerk, file clerk, copy clerk	\$9.49 - \$13.88
General laborer	\$9.50 - \$12.60
Accountant, accounting clerk, general bookkeeping	\$9.48 -\$23.38
Legal secretary, paralegal	\$12.50 - \$19.33

11. City agrees not to require assigned personnel to drive forklifts, operate heavy machinery, trucks, or equipment without the prior written consent of Agency. City also agrees not to change the assigned employees job duties following assignment without the prior written approval of Agency.

12. City agrees not to entrust assigned personnel with cash, negotiable instruments, or other items of valuable municipal property during the course of providing services.
13. City agrees to provide adequate supervision and instruction to assigned personnel in the performance and rendering of services.
14. City will furnish to Agency a description of the work and categories of work to be performed by assigned personnel.

#### **Other provisions**

15. **Term:** The term of the agreement shall be for a period of one (1) year from the date of execution by all parties. The agreement may be extended for two (2) additional terms of one year upon the same terms and conditions subject to the right of a succeeding governing authority to cancel same.
16. **Agency's right to communicate:** Agency shall have the right to meet and talk with assigned personnel at the work site at any time with reasonable notice to the City.
17. **City's right to reject assigned personnel:** City shall have the right to reject the services of Agency's assigned personnel at anytime with or without cause. If the rejection is for cause, City will advise Agency of the cause. The rejection of assigned personnel does not prohibit the City from requesting the assignment of replacement personnel.
18. **Placement fees and other compensation:** No placement fee will be paid by the City for the duration of the agreement. City's compensation obligation is limited to the payment of a rate consistent with Paragraph 10 for services provided by assigned personnel.
19. **Minimum hours:** A four (4) hour minimum applies to assigned personnel.
20. **Confidentiality:** The parties agree to refrain from disclosing confidential information of the other unless required by law. Assigned personnel's access to confidential information shall not be imputed to Agency.
21. **Severability:** The terms of this agreement shall be considered to be severable. If any provision or clause of the agreement is deemed to be unlawful or invalid by a court of competent jurisdiction or as a result of the passage of a laws in the future, the agreement shall remain in full force and effect to the extent practical and shall be construed without the unlawful or invalid provision.
22. **Force majeure:** Neither party shall be responsible for failure or delay in performance of the agreement if the delay is the result of labor disputes, strikes, fire, riot, terrorism, acts of God, or other causes beyond the control of the party whose performance is delayed.

23. **Early Termination:** The agreement may be terminated by either party with or without cause prior to the expiration of the term by the submission of thirty (30) days advance written notice. Upon termination of the agreement, the services of assigned personnel shall cease, and Agency shall tender to the City a final invoice for services provided by assigned personnel, which shall be paid within the time established in Paragraph 10.
24. **Liability and Indemnification:** The City shall not be liable for loss, damage, injuries, or other casualty of any kind whatsoever or by whomever causes to the person or property of Agency, its agents, employees, or others arising out of or resulting from the performance of this agreement. Agency, its heirs, executors, administrators, successors, and assigns will indemnify and hold the City, its agents, employees, and officials harmless from and against all claims, demands, liabilities, lawsuits, or actions, including all reasonable expenses and attorney's fees incurred by or assessed against the City for loss, damage, casualty to the extent allowed by Mississippi law.
25. **Modification:** The terms of this agreement shall not be modified except with the written consent of the parties.
26. **Waiver:** The failure of a party to insist upon performance of a provision of the agreement at a particular instance shall not be construed to constitute a waiver of the provision or the performance absent a writing executed by the party expressly indicating an intent to waive the performance or provision.
27. **Status of Assigned Personnel:** The parties agree that the personnel assigned by Agency to City are not employees of the City and shall not be entitled to any of the benefits customarily afforded employees of the City. Assigned personnel shall at all times be deemed to be employees of the Agency and shall be subject to the employment policy of the Agency.
- City agrees not to employ or encourage others to hire Agency's employees without knowledge of Agency and without reaching an agreement with Agency on reasonable compensation to be paid for the cost of recruiting, screening, and placing the employee.
28. **Governing law:** This agreement shall be governed by the laws of the State of Mississippi.
29. **Conclusiveness of agreement:** This agreement constitutes the entire agreement of the parties. No oral or prior contemporaneous agreement or understanding shall be effective to alter, vary, or modify the terms of this document.

In witness hereof, each person executing this agreement certifies that it has the authority

to bind the other party and affixes his signature below:

**Spectrum Employment Agency, Inc.**

**By:** \_\_\_\_\_  
**Title** \_\_\_\_\_

Witnessed by: \_\_\_\_\_  
Title \_\_\_\_\_

**The City of Jackson Mississippi**

**By** \_\_\_\_\_  
Chokwe Antar Lumumba  
Title: Mayor of the City of Jackson

Attested by: \_\_\_\_\_

OFFICE OF THE CITY ATTORNEY  
*[Signature]*

**RESOLUTION DECLARING INTENT TO ESTABLISH AN EMERGENCY MEDICAL SERVICE DISTRICT IN THE CITY OF JACKSON MISSISSIPPI AND AUTHORIZING THE MAYOR OF THE CITY OF JACKSON TO SUBMIT AN APPLICATION TO THE MISSISSIPPI EMERGENCY MEDICAL SERVICE BUREAU FOR FUNDING FROM THE EMERGENCY MEDICAL SERVICE OPERATING FUND UPON ELIGIBILITY**

**WHEREAS**, Section 41-59-51 of the Mississippi Code authorizes the governing authorities of a municipality to establish a *special subdivision* to be known as an emergency medical service district to provide hospital care and ambulance service for all or part of a geographical region under its jurisdiction; and

**WHEREAS**, Section 41-59-53 of the Mississippi Code specifies the procedure to be followed in establishing the emergency medical district and requires that the governing authority of the municipality to adopt a resolution specifying the area to be serve, the nature of the services provided, form of administration, and allocation of expenses; and

**WHEREAS**, Section 41-59-55 of the Mississippi Code provides that the administration of the emergency medical service district may be administered by the governing authorities either (a) appointing a person or persons, who may be an elected official to a board which promulgates policy for and guide the administration activities of the district *or* (b) the governing authorities appointing by mutual and unanimous agreement an executive manager who shall have full authority over operation of the district; and

**WHEREAS**, Section 41-59-57 of the Mississippi Code vests the emergency medical service district with the power to receive funds from all sources and expend funds for any necessary and proper purpose in the manner provided for by law for municipalities; and

**WHEREAS**, Section 41-59-59 authorizes an emergency medical service district to borrow monies in anticipation of receipt of tax monies as otherwise provided for by law for counties or municipalities; and

**WHEREAS**, Section 41-59-61(1) indicates that assessments collected under subsections (1) and (2) of Section 99-19-73 of the Mississippi Code are to be deposited in the State Treasury in a special fund known as the Emergency Medical Service Operation Fund, and the Legislature *may* make appropriations from the fund to the Mississippi State Department of Health to defray costs of the Emergency Medical Service Operation and for redistribution to municipalities, counties, and emergency medical service district to support the emergency medical service program; and

**WHEREAS**, Section 41-59-61(2) of the Mississippi Code provides that the funds shall be disbursed to the governmental unit based on its population in relation to the total population of the state on an annual basis at the end of the governmental unit's fiscal year; and

**WHEREAS**, Section 41-59-61(2) of the Mississippi Code states that funds distributed to the governmental unit shall be used in addition to existing annual Emergency Medical Services budgets of the governmental unit; and



**WHEREAS**, Section 41-59-61(2) of the Mississippi Code states that the Director of the Emergency Medical Service program or his designee is authorized to require from units utilizing the funding to provide satisfactory proof of the maintenance of the effort by the governmental unit; and

**WHEREAS**, the Emergency Medical Service Bureau (EMSB) of the Mississippi State Department of Health has promulgated regulations related to the Emergency Medical Services Operating Fund; and

**WHEREAS**, Rule 8.1.1 of the EMSB restricts applicants for Emergency Medical Services Operating Funds (EMSOF) counties, municipalities, and emergency medical service districts; and

**WHEREAS**, Rule 8.1.2 of the EMSB provides that to be eligible, in part for EMSOF, a governmental unit must have expended from local funds directly to the ambulance service, at minimum, an amount equal to or greater than \$0.15 per capita, with population computed from the most current federal census, the year the EMSOF was collected. For governmental units that own and operate governmental ambulance service, to be eligible, in part, the governmental unit must show equal to or greater than \$0.15 per capita with population computed from the most current federal census, in the year the EMSOF fund was collected; and

**WHEREAS**, pursuant to Rule 8.2.1 of the EMSB, applications for EMSOF funds are forwarded to applicants receiving EMSOF funds for the prior year; however, other counties, municipalities, and legal EMS districts wishing to receive applicants must submit a written request for the application on or before October 1 of the year in which they plan to request EMSOF; and

**WHEREAS**, Rule 8.2.1 of the EMSB establishes the deadline for submitting applications as 5:00 p.m. on the second Friday of November of each year; and

**WHEREAS**, Rule 8.2.2 of the EMSB provides that applications for EMSOF must have satisfactory proof of the maintenance of the funding effort by the governmental unit in the form of a line item local fund expense for ambulance in the fiscal year in which EMSOF funds were collected; and

**WHEREAS**, in addition to the line item local fund expense, satisfactory proof must also be provided in the form of a line item budget of local funds for ambulance in the fiscal year that EMSOF is being requested; and

**WHEREAS**, Rule 8.2.3 of the EMSB requires that a letter or memorandum of support for the application be submitted from the licensed ambulance provider(s) or the same will be returned without action; and

**WHEREAS**, Rule 8.2.5 of the EMSB requires applicants to attend an EMSOF grantee meeting before grant approval; and

OFFICE OF THE CITY ATTORNEY

**WHEREAS**, Rule 8.2.6 of the EMSB states that all EMSOF funds must be deposited into the governmental units' treasury and items purchased with EMSOF funds must be purchased in the name of the governmental unit and requires that existing rules for purchasing, inventory, and disposal of the items be followed; and

**WHEREAS**, Rule 8.3.1 of the EMSB provides that EMSOF funds must be expended or escrow by the end of the local fiscal year in which the EMSOF funds were disbursed to the governmental unit. Escrow is defined as depositing the funds in an interest bearing account in accordance with Section 27-105-1 of the Mississippi Code with funds being used only in accordance with the provisions of the EMSOF grant;

**WHEREAS**, Rule 8.3.1 of the EMSB provides that EMSOF funds may only be expended for the direct benefit of a Mississippi licensed ambulance service and may *not* be used in support of EMS Support Services including but not limited to, local or county fire service rescue operations and local or county first responders other than training, medical supplies, or medical equipment to be used for direct patient care ; and

**WHEREAS**, Rule 8.3.2 states that EMSOF funds may be used to pay payroll and benefit differential pay for governmental units for the first year that a governmental unit applies to improve its level of ambulance service licensure. No other personnel expenses are allowed under EMSOF; and

**WHEREAS**, the Jackson Fire Department recommends that the City of Jackson create an emergency medical service district for the geographical region of its incorporated territory and any future annexed territory situated within Hinds County, Mississippi; and

**WHEREAS**, the purpose for creating the emergency medical service district would be to improve the delivery of emergency medical services by providing basic and advance life support ambulance and related emergency services; and

**WHEREAS**, the expenses of the emergency medical service district would be the responsibility of the City of Jackson, Mississippi; and

**WHEREAS**, the Jackson Fire Department recommends that the governing authorities for the City of Jackson appoint an executive manager of the district, who shall have full control of the operation of the district; and

**WHEREAS**, if the district is created, it is anticipated that an agreement with a licensed and permitted ambulance service will be negotiated;

**IT IS HEREBY RESOLVED** that it is the intent of the City of Jackson to establish an emergency service district for the geographical region of its incorporated territory and any future annexed territory situated within Hinds County Mississippi.

**IT IS HEREBY RESOLVED** that a written request for the submission of an application

may be submitted to the Emergency Medical Services Bureau and upon receipt, the application may be completed and submitted by the Mayor if requisite criteria is met.

**IT IS HEREBY RESOLVED** that the emergency medical service district shall be administered by an executive manager which shall be appointed by the Mayor and confirmed by the Council in accordance with Section 41-59-55 of the Mississippi Code.

OFFICE OF THE CITY ATTORNEY

## **MEMORANDUM**

**To: Chokwe Antar Lumumba, Mayor City of Jackson**  
**From: Willie Owens, Chief of Fire Department**  
**Date: April 6, 2020**  
**Re: Intent Establish Emergency Medical Service District**

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The Jackson Fire Department is recommending that the governing authorities for the City of Jackson declare its intent to establish an emergency medical service district within the City of Jackson in order to improve the delivery of services and response times within the incorporated territory of Jackson situated within Hinds County, Mississippi.

It will be necessary for the governing authorities of the City of Jackson to appropriate funds in the fiscal year budget and expend same directly to the ambulance service an amount equal to or greater than \$0.15 per capita with population computed from the most current federal census. The City may apply and receive funding from the Emergency Medical Service Operation Fund by submitting an application on or before the second Friday of November of each year.

Emergency Medical Service Operation Funds must be expended for the direct benefit of a licensed ambulance service and may not be used in support of local or county fire service rescue operations or for first responder training, medical supplies, or medical equipment unless to be used for direct patient care.

Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This RESOLUTION DECLARING INTENT TO ESTABLISH AN EMERGENCY MEDICAL SERVICE DISTRICT IN THE CITY OF JACKSON MISSISSIPPI AND AUTHORIZING THE MAYOR OF THE CITY OF JACKSON TO SUBMIT AN APPLICATION TO THE MISSISSIPPI EMERGENCY MEDICAL SERVICE BUREAU FOR FUNDING FROM THE EMERGENCY MEDICAL SERVICE OPERATING FUND UPON ELIGIBILITY is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, City Attorney

Carrie Johnson, Deputy City Attorney 

4/24/20  
Date

**ORDER AUTHORIZING AMENDMENT NUMBER 2 TO A PROFESSIONAL SERVICES AGREEMENT WITH ORIGIN CONSULTING, LLC FOR BUSINESS OPERATIONS AND DELIVERY SUPPORT OF THE CITY'S CUSTOMER CARE AND BILLING SYSTEM AND AUTHORIZING PAYMENT (ALL WARDS)**

OFFICE OF THE CITY ATTORNEY  
3-26-2020

**WHEREAS**, the City of Jackson Water/Sewer Business Administration Division, responsible for using the Oracle Customer Care & Billing enterprise software (CC&B) to generate monthly bills for water/sewer/sanitation customers, is in continuing need of support to implement recommendations in the Risk Remediation Plan; and

**WHEREAS**, Origin Consulting, LLC (Origin) has previously provided professional services supporting business operations and delivery support for CC&B during the previous fiscal year, Fiscal Year 2018-2019; and

**WHEREAS**, the support being provided by Origin is needed during the first quarter of Fiscal Year 2019-2020; and

**WHEREAS**, Origin will continue to assist with resolution of issues in bill generation and delivery, payment management, asset management, field work management, meter reading management, and credit and collections management; and

**WHEREAS**, Origin will continue you implement a plan to assist in the correction of the known data issues relating to meters, services, and other operations; and

**WHEREAS**, Origin will continue to correct additional stranded bills and address issues with CC&B batch processes; and

**WHEREAS**, the Water Ad Hoc Committee of the City Council authorized payment for services by Origin up to an amount of \$300,000.00 from the proceeds of the \$7,000,000.00 loan obtained by the City of Jackson to pay for work on the Water-Sewer Automated Metering Infrastructure; and

**WHEREAS**, in order to continue providing the professional services previously described during through December 2019, an amendment in an amount not to exceed \$210,196.00 was previously approved; and

**WHEREAS**, the previous order was intended to be in the amount approved by the Water Ad Hoc Committee, \$300,000.00; and

**WHEREAS**, the total amount approved by the Water Ad Hoc Committee is needed to pay for the work performed by Origin, which will require a second amendment of \$89,804.00.

**IT IS, THEREFORE, ORDERED** that an Amendment No. 2 to the Agreement with Origin Consulting, LLC for Business Operations and Delivery Support of the City's Customer Care and Billing System in an amount not to exceed \$89,804.00 to provide professional services under the Agreement through December 2019 is accepted.

AGENDA DATE: \_\_\_\_\_  
BY: MILLER, LUMUMBA

**IT IS FURTHER ORDERED** that the Mayor is authorized to execute Amendment No. 2 Task Orders for the first quarter of Fiscal Year 2019-2020.

**IT IS FURTHER ORDERED** that payment is authorized as it becomes due and payable for professional services performed during the first quarter of Fiscal Year 2019-2020 by Origin Consulting LLC under the Agreement for Business Operations and Delivery Support and its Amendment No. 2.

Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

OFFICE OF THE CITY ATTORNEY  
3/6/2020

## OFFICE OF THE CITY ATTORNEY

This **ORDER AUTHORIZING AMENDMENT NUMBER 2 TO A PROFESSIONAL SERVICES AGREEMENT WITH ORIGIN CONSULTING, LLC FOR BUSINESS OPERATIONS AND DELIVERY SUPPORT OF THE CITY'S CUSTOMER CARE AND BILLING SYSTEM AND AUTHORIZING PAYMENT (ALL WARDS)** is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
**TIMOTHY C. HOWARD, CITY ATTORNEY**  
Terry Williamson, *Legal Counsel* 

  
\_\_\_\_\_  
**DATE**



**CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET**    **February 28, 2020**  
DATE

<b>P O I N T S</b>		<b>C O M M E N T S</b>
<b>1.</b>	<b>Brief Description</b>	<b>ORDER AUTHORIZING AMENDMENT NUMBER 2 TO A PROFESSIONAL SERVICES AGREEMENT WITH ORIGIN CONSULTING, LLC FOR BUSINESS OPERATIONS AND DELIVERY SUPPORT OF THE CITY'S CUSTOMER CARE AND BILLING SYSTEM AND AUTHORIZING PAYMENT (ALL WARDS)</b>
<b>2.</b>	<b>Public Policy Initiative</b> 1. Youth & Education 2. Crime Prevention 3. Changes in City Government 4. Neighborhood Enhancement 5. Economic Development 6. Infrastructure and Transportation 7. Quality of Life	6. Infrastructure and Transportation 7. Quality of Life
<b>3.</b>	<b>Who will be affected</b>	All of the City's utility customers and citizens
<b>4.</b>	<b>Benefits</b>	Pays for implementation of portions of the Risk Remediation Plan for CC&B
<b>5.</b>	<b>Schedule (beginning date)</b>	As soon as possible
<b>6.</b>	<b>Location:</b> ▪ <b>WARD</b>  ▪ <b>CITYWIDE (yes or no) (area)</b>  ▪ <b>Project limits if applicable</b>	Wards 1, 2, 3, 4, 5, 6, and 7 (citywide)
<b>7.</b>	<b>Action implemented by:</b> ▪ <b>City Department</b> <input checked="" type="checkbox"/> ▪ <b>Consultant</b> <input type="checkbox"/>	Department of Public Works
<b>8.</b>	<b>COST</b>	Not to exceed \$89,804.00
<b>9.</b>	<b>Source of Funding</b> ▪ <b>General Fund</b> <input type="checkbox"/> ▪ <b>Grant</b> <input type="checkbox"/> ▪ <b>Bond</b> <input type="checkbox"/> ▪ <b>Other</b> <input type="checkbox"/>	Emergency Loan of \$7,000,000.00
<b>10.</b>	<b>EBO participation</b>	ABE _____ %    WAIVER    yes _____    N/A _____ AABE _____ %    WAIVER    yes _____    N/A _____ FBE _____ %    WAIVER    yes _____    N/A _____ HBE _____ %    WAIVER    yes _____    N/A _____ NABE _____ %    WAIVER    yes _____    N/A _____



**City of Jackson  
Department of Public Works**

**To: Chokwe Antar Lumumba, Mayor**  
**From: Robert K. Miller, Director, Department of Public Works**

**Council Agenda Item Briefing Memo**

**Agenda Item:** **ORDER AUTHORIZING AMENDMENT NUMBER 2 TO A PROFESSIONAL SERVICES AGREEMENT WITH ORIGIN CONSULTING, LLC FOR BUSINESS OPERATIONS AND DELIVERY SUPPORT OF THE CITY'S CUSTOMER CARE AND BILLING SYSTEM AND AUTHORIZING PAYMENT (ALL WARDS)**

**Council Meeting:** Regular Council Meeting March 17, 2020

**Purpose:** To provide the full amount of funding for the Origin Agreement during the first quarter of the fiscal year

**Cost:** \$89,804.00

**Funding Source:** \$7,000,000.00 Emergency Loan

**Background:**

The City of Jackson Water/Sewer Business Administration Division, responsible for using the Oracle Customer Care & Billing enterprise software (CC&B) to generate monthly bills for water/sewer/sanitation customers, is in need of continuing support from Origin Consulting, LL to implement recommendations in the Risk Remediation Plan for CC&B prepared by West Monroe Partners, LLC.

Origin Consulting, LLC (Origin) provided the City with support of CC&B through the first quarter of the fiscal year. Origin also provided staff augmentation at WSBA to assist with stranded bills during this time. Origin also continued to complete tasks in Business Operations and Delivery Support statement of work.

Origin's support was needed through December 2019 to allow for a transition to the next phase of supporting and standing up CC&B to consistently bill all customers. The Department of Public Works presented an Order to the Water Ad Hoc Committee in an amount of \$300,000.00 that would complete the work necessary during the transition period. However, without explanation, the minutes of the City Council meeting where the first Amendment was approved reflect an amendment in the amount of \$210,196 rather than \$300,000.00.

Because the entire amount is need to pay the outstanding invoices for the first quarter of the fiscal year, an Amendment of \$89,804 is needed to increase the authorization to the full \$300,000.00. This will reflect the full amount authorized by the Water Ad Hoc Committee.

Please let me know if you need any additional information or have any questions.

**ORDER AUTHORIZING THE MAYOR TO APPLY FOR THE STATES' ECONOMIC DEVELOPMENT ASSISTANCE PROGRAM (SEDAP) (ALL WARDS)**

**WHEREAS,** The City of Jackson would like to submit applications to the Delta Regional Authority for the States' Economic Development Assistance Program; and

**WHEREAS,** The City of Jackson has identified potential infrastructure projects for consideration under the State's Economic Development Assistance Program (SEDAP); and

**WHEREAS,** the Delta Regional Authority works to support and improve regional economic opportunities by helping to create jobs, build communities, and improve the lives of residents within the boundaries of the authority ; and

**WHEREAS,** the States' Economic Development Assistance Program (SEDAP) administered by the Delta Regional Authority makes investments through:

- Basic public infrastructure
- Transportation infrastructure;
- Business Development with an emphasis on entrepreneurship; and
- Workforce Development

**IT IS, THEREFORE, ORDERED** that the Mayor is authorized to execute all related documents necessary to submit applications for the States' Economic Development Assistance Program including no-cost items and a copy of said applications and all other related documents shall be filed for record with the City Clerk.

ITEM #

DATE:

BY:

WILLIAMS, MILLER, LUMUMBA

**CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET**  
**APRIL 30, 2019**

<b>P O I N T S</b>		<b>C O M M E N T S</b>	
1.	<b>Brief Description/Purpose</b>	<b>ORDER AUTHORIZING THE MAYOR TO APPLY FOR THE STATES' ECONOMIC DEVELOPMENT ASSISTANCE PROGRAM (SEDAP) (ALL WARDS)</b>	
2.	<b>Public Policy Initiative</b> 1. Youth & Education 2. Crime Prevention 3. Changes in City Government 4. Neighborhood Enhancement 5. Economic Development 6. Infrastructure and Transportation 7. Quality of Life	This item addresses Items 5, 6, and 7	
3.	<b>Who will be affected</b>	City of Jackson Corporate Limits	
4.	<b>Benefits</b>	Infrastructure Improvements	
5.	<b>Schedule (beginning date)</b>	Deadline for application submission is May 31, 2019	
6.	<b>Location:</b> ■ <b>WARD</b> ■ <b>CITYWIDE (yes or no) (area)</b> ■ <b>Project limits if applicable</b>	Citywide	
7.	<b>Action implemented by:</b> ■ <b>City Department</b> <input checked="" type="checkbox"/> <b>at</b> ■ <b>Consultant</b> <input type="checkbox"/>	This project was implemented by the Engineering Division.	
8.	<b>COST</b>	No Cost	
9.	<b>Source of Funding</b> ■ <b>General Fund</b> <input type="checkbox"/> ■ <b>Grant</b> <input type="checkbox"/> ■ <b>Bond</b> <input checked="" type="checkbox"/> ■ <b>Other</b> <input type="checkbox"/>		
10.	<b>EBO participation</b>	ABE _____%      WAIVER    yes _____ no _____ N/A _____ AABE _____%      WAIVER    yes _____ no _____ N/A _____ WBE _____%      WAIVER    yes _____ no _____ N/A _____ HBE _____%      WAIVER    yes _____ no _____ N/A _____ NABE _____%      WAIVER    yes _____ no _____ N/A _____	

## Council Agenda Item Memorandum

To: Chokwe Antar Lumumba

From: Robert K. Miller, Director



Date: April 16, 2019

### **Background:**

Attached, you will find an item authorizing the Mayor to submit applications for the States' Economic Development Assistance Program for assistance with funding various infrastructure projects within the City of Jackson Corporate Limits.

It is the recommendation of this office that the Mayor is authorized to execute applications for the States' Economic Development Assistance Program. If you have any questions, or require additional information, please do not hesitate to contact this office at (601) 960-2091.

**Office of the City Attorney**

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## **OFFICE OF THE CITY ATTORNEY**

---

This **ORDER AUTHORIZING THE MAYOR TO APPLY FOR THE STATES' ECONOMIC DEVELOPMENT ASSISTANCE PROGRAM (SEDAP)** is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
**TIMOTHY C. HOWARD, CITY ATTORNEY**  
Terry Williamson, *Legal Counsel* 

  
\_\_\_\_\_  
**DATE**

OFFICE OF THE CITY ATTORNEY  
APR 24 2017

**ORDER AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 1 TO THE 2017 CONTRACT BETWEEN THE CITY OF JACKSON AND MIDTOWN PARTNERS, INC. TO IMPLEMENT A COMMUNITY HOUSING AND DEVELOPMENT ORGANIZATION (CHDO) ELIGIBLE RENTAL NEW CONSTRUCTION PROJECT**

OFFICE OF THE CITY ATTORNEY  
CA

**WHEREAS**, the City of Jackson receives an annual allocation from the U. S. Department of Housing and Urban Development (HUD) of HOME Investment Partnership Grant (HOME) Funds to provide decent, safe and affordable housing to low-and moderate-income residents; and

**WHEREAS**, by Order entered on November 7, 2017, Minute Book 6-M, Page 94, the Mayor was authorized to execute a contract and related documents with Midtown Partners, Inc., to implement the Community Housing and Development Organization eligible rental new construction project, in the amount not to exceed \$556,965.84; and

**WHEREAS**, the City of Jackson and Mississippi Housing Partnership, Inc. entered into an Agreement on November 28, 2017, as authorized by the City Council; and

**WHEREAS**, it is necessary to extend the contract period an additional 180 days to ensure all rehabilitation activities are finalized and to ensure that sufficient time is available to complete all inspections and process required payments; and

**WHEREAS**, the extension is necessary to make up time from the extensive rainy season experienced in Jackson, Mississippi, and the necessary changes made in light of the Coronavirus Pandemic; and

**WHEREAS**, the amendment also ensures that the City of Jackson sufficiently addresses all HOME regulations and remains in compliance; and

**WHEREAS**, no additional cost will be associated with this Amendment.

**IT IS, THEREFORE, ORDERED** that the Mayor is authorized to execute Amendment No. 1 to the 2017 contract between the City of Jackson and Midtown Partners, Inc. for the completion of a Community Housing and Development Organization (CHDO) eligible Rental New Construction Project.

Item# \_\_\_\_\_

Date: April 28, 2020

By: Lumumba, Hillman, Henderson

# CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

DATE: 04/28/2020

	POINTS	COMMENTS
1.	<b>Brief Description</b>	ORDER AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT #1 TO THE 2017 CONTRACT BETWEEN THE CITY OF JACKSON AND MIDTOWN PARTNERS, INC. TO IMPLEMENT A COMMUNITY HOUSING AND DEVELOPMENT ORGANIZATION (CHDO) ELIGIBLE RENTAL NEW CONSTRUCTION PROJECT.
2.	<b>Purpose</b>	To finalize all provisions of the 2017 contract with Midtown Partners HOME funded New Construction Rental Project.
3.	<b>Who will be affected</b>	Citizens of Jackson.
4.	<b>Benefits</b>	Two new affordable rental units will be available for low-income families.
5.	<b>Schedule (beginning date)</b>	N/A
6.	<b>Location:</b> <b>WARD</b> <b>CITYWIDE (yes/no)</b> <b>(area)</b> <b>Project limits if applicable</b>	Ward 1
7.	<b>Action implemented by:</b> <b>City Department</b> <u>  X  </u> <b>Consultant</b> _____	Department of Planning and Development. Office of Housing & Community Development.
8.	<b>COST</b>	No additional cost associated with this amendment
9.	<b>Source of Funding</b> <b>General fund</b> _____ <b>Grant</b> <u>  X  </u> <b>Bond</b> _____ <b>Other</b> _____	N/A
10.	<b>E. B.O. Participation</b>	<div> <div> ABE _____ %  AABE _____ %  WBE _____ %  HBE _____ %  NABE _____ % </div> <div> WAIVER _____ yes _____ no _____ N/A _____  WAIVER _____ yes _____ no _____ N/A _____  WAIVER _____ yes _____ no _____ N/A _____  WAIVER _____ yes _____ no _____ N/A _____  WAIVER _____ yes _____ no _____ N/A _____ </div> </div>



## MEMORANDUM

**TO:** Mayor, Chokwe A. Lumumba

**FROM:** Vanessa Henderson, Deputy Director  
Office of Housing and Community Development

**DATE:** April 17, 2020

**RE:** Agenda Item for April 28, 2020 City Council Meeting

The attached agenda item is to authorize the Mayor to execute an amendment to the 2017 contract between the City of Jackson and Midtown Partners, Inc. to implement a Community Housing and Development Organization (CHDO) eligible rental new construction project.

It is necessary to extend the contract period an additional 180 days to ensure all new construction activities are finalized and enough time is available to complete all inspections and process required payments. The extension is necessary to make up time from the extensive rainy season we experienced in Jackson, MS, and the necessary changes made in City and contractor staff to stay safe during the Corona Virus Pandemic. The amendment also ensures that the City of Jackson sufficiently addresses all HOME regulations and remains in compliance.

For Office Use Only:

Manager Approval: \_\_\_\_\_

Date: \_\_\_\_\_

Fiscal Officer Approval: \_\_\_\_\_

Date: \_\_\_\_\_


Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This ORDER AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT #1 TO THE 2017 CONTRACT BETWEEN THE CITY OF JACKSON AND MIDTOWN PARTNERS, INC. TO IMPLEMENT A COMMUNITY HOUSING AND DEVELOPMENT ORGANIZATION (CHDO) ELIGIBLE RENTAL NEW CONSTRUCTION PROJECT is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, City Attorney

Chandra Gayten, Deputy City Attorney \_\_\_\_\_

  
\_\_\_\_\_  
Date

**ORDER AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AND ADMINISTER THE AFFORDABLE HOUSING PROGRAM GRANT THROUGH THE FEDERAL HOME LOAN BANK OF DALLAS IN PARTNERSHIP WITH BANKPLUS, THE LOCAL FHLB MEMBER FOR AN OWNER-OCCUPIED REHABILITATION PROGRAM**

OFFICE OF THE CITY ATTORNEY  
Ca

**WHEREAS**, the Department of Planning and Development has identified the Washington Addition Neighborhood for the pilot Neighborhood Planning project; and

**WHEREAS**, the Department of Planning and Development's Office of Housing and Community Development is applying for an Affordable Housing Program grant through the Federal Home Loan Bank of Dallas in order to assist with facilitating a program to address that need for housing rehabilitation services in the Washington Addition Neighborhood; and

**WHEREAS**, the Office of Housing and Community Development is preparing to submit an application to the Federal Home Loan Bank in the amount of \$300,000 to provide housing rehabilitation services to homeowners in the Washington Addition Neighborhood; and

**WHEREAS**, the application will be submitted in partnership with BankPlus as the Federal Home Loan Bank member; and

**WHEREAS**, the funding will be used to assist homeowners who reside in the Washington Addition neighborhood with minor housing repair needs; and

**WHEREAS**, it is estimated that the funding will assist a total of thirty (30) families with repairs not to exceed \$10,000 per property.

**IT IS, THEREFORE, ORDERED** that the Mayor be authorized to execute any and all documents and agreements necessary to apply for, accept and administer the Affordable Housing Program through the Federal Home Loan Bank of Dallas in the amount of \$300,000.

Item No: \_\_\_\_\_

Date: April 28, 2020

By: Hillman, Lumumba

## CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

DATE: 04/28/2020

	POINTS	COMMENTS										
1.	<b>Brief Description</b>	ORDER AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AND ADMINISTER THE AFFORDABLE HOUSING PROGRAM GRANT THROUGH THE FEDERAL HOME LOAN BANK OF DALLAS IN PARTNERSHIP WITH BANKPLUS, THE LOCAL FHLB MEMBER FOR AN OWNER-OCCUPIED REHABILITATION PROGRAM.										
2.	<b>Purpose</b>	The purpose of the grant is to provide housing rehabilitation to low- and moderate-income families who own their home as their primary residence.										
3.	<b>Who will be affected</b>	Washington Addition Neighborhood										
4.	<b>Benefits</b>	Community revitalization efforts in Washington Addition										
5.	<b>Schedule (beginning date)</b>	N/A										
6.	<b>Location:</b> <b>WARD</b> <b>CITYWIDE (yes/no)</b> <b>(area)</b> <b>Project limits if</b> <b>applicable</b>	City of Jackson Ward 5 Washington Addition										
7.	<b>Action implemented by:</b> <b>City Department</b> <u>  X  </u> <b>Consultant</b> _____	Department of Planning and Economic Development. Office of Housing & Community Development.										
8.	<b>COST</b>	No match required										
9.	<b>Source of Funding</b> <b>General fund</b> _____ <b>Grant</b> <u>  X  </u> <b>Bond</b> _____ <b>Other</b> _____	The source of funding will be the AHP grant in the amount of \$300,000 Account numbers for this grant have not been established.										
10.	<b>E. B.O. Participation</b>	<table> <tr> <td>ABE _____ %</td> <td>WAIVER _____ yes _____ no _____ N/A _____</td> </tr> <tr> <td>AABE _____ %</td> <td>WAIVER _____ yes _____ no _____ N/A _____</td> </tr> <tr> <td>WBE _____ %</td> <td>WAIVER _____ yes _____ no _____ N/A _____</td> </tr> <tr> <td>HBE _____ %</td> <td>WAIVER _____ yes _____ no _____ N/A _____</td> </tr> <tr> <td>NABE _____ %</td> <td>WAIVER _____ yes _____ no _____ N/A _____</td> </tr> </table>	ABE _____ %	WAIVER _____ yes _____ no _____ N/A _____	AABE _____ %	WAIVER _____ yes _____ no _____ N/A _____	WBE _____ %	WAIVER _____ yes _____ no _____ N/A _____	HBE _____ %	WAIVER _____ yes _____ no _____ N/A _____	NABE _____ %	WAIVER _____ yes _____ no _____ N/A _____
ABE _____ %	WAIVER _____ yes _____ no _____ N/A _____											
AABE _____ %	WAIVER _____ yes _____ no _____ N/A _____											
WBE _____ %	WAIVER _____ yes _____ no _____ N/A _____											
HBE _____ %	WAIVER _____ yes _____ no _____ N/A _____											
NABE _____ %	WAIVER _____ yes _____ no _____ N/A _____											

## Office of Housing & Community Development

### MEMORANDUM

**TO:** Mayor, Chokwe A. Lumumba  
**FROM:** Vanessa Henderson, Deputy Director  
**DATE:** April 20, 2020  
**RE:** Agenda Item for April 28, 2020 Regular City Council Meeting

The attached agenda item is to authorize the Mayor to execute any and all documents necessary to apply for and administer the Affordable Housing Program (AHP) grant through the Federal Home Loan Bank of Dallas (FHLB) in partnership with BankPlus, the local FHLB member.

The Office of Housing and Community Development (OHCD) is requesting \$300,000, and, if awarded, the funding will create an owner-occupied rehabilitation program specifically for the Washington Addition Neighborhood. Through the preparation of a Neighborhood Plan for Washington Addition, OHCD has determined that housing rehabilitation activities are needed for the revitalization of this community.

The project will aim to assist 30 families with housing repairs at an estimated cost of \$10,000 per property. This effort will hopefully be a catalyst in moving forward with the goals and objectives identified in the Neighborhood Plan.

For Office Use Only:

Manager Approval: \_\_\_\_\_

Date: \_\_\_\_\_

Fiscal Officer Approval: \_\_\_\_\_

Date: \_\_\_\_\_

Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This ORDER AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AND ADMINISTER THE AFFORDABLE HOUSING PROGRAM GRANTED THROUGH THE FEDERAL HOME LOAN BANK OF DALLAS IN PARTNERSHIP WITH BANKPLUS, THE LOCAL FHLB MEMBER FOR AN OWNER-OCCUPIED REHABILITATION PROGRAM is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, City Attorney

Chandra Gayten, Deputy City Attorney CC

4/21/20

\_\_\_\_\_  
Date

OFFICE OF THE CITY ATTORNEY  
CC

**ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH MULTI-CON, INC., MURPHY'S DEVELOPMENT, LLC, AND BEN WIGGINS REMODELING TO IMPLEMENT THE LEAD SAFE JACKSON HOUSING PROGRAM ACTIVITIES IN ACCORDANCE WITH THE LEAD-BASED PAINT HAZARD CONTROL GRANT, HEALTHY HOMES SUPPLEMENTAL AND COMMUNITY DEVELOPMENT BLOCK GRANT**

**WHEREAS**, the purpose of the Lead-Based Paint Hazard Control Grant Program is to assist states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately owned rental or owner-occupied housing; and

**WHEREAS**, Lead-Based programs are essential for existing and future housing rehabilitation programs; and

**WHEREAS**, more than half of the housing units in the City of Jackson were built prior to 1978 when Lead-Based Paint was abolished; and

**WHEREAS**, by Council Order dated April 5, 2016, found at Minute Book 6-J, page 20, the governing authorities authorized the Mayor to execute all documents necessary to apply and administer the Lead-Based Paint Hazard Control Grant to the Office of Lead Hazard Control and Healthy Homes administered by the U.S. Department of Housing and Urban Development ("HUD"); and

**WHEREAS**, on July 20, 2016, HUD announced the City of Jackson as one of its recipients to be awarded grant funds through the Lead-Based Paint Hazard Control Grant and Healthy Homes Supplemental Funds for a thirty-six (36) month funding period and issued Grant Agreements on October 17, 2016 to begin program activities for the City's Lead Safe Jackson Housing Program; and

**WHEREAS**, by Council Order dated February 7, 2017, found at Minute Book 6-K, Page 517, the Mayor was authorized to execute any and all documents necessary to administer \$1,384,180.42 in funds awarded through HUD's Lead-Based Paint Hazard Control Grant and Healthy Homes Supplemental Funds and \$487,377 of matching CDBG funds; and

**WHEREAS**, the Office of Housing and Community Development (OHCD) received seven (7) responses to its Request for Qualifications ("RFQs") for the Lead Safe Jackson Housing Program to invest Lead-Based Paint Hazard Control Grant funds, Healthy Homes Supplemental funds, and Community Development Block Grant (CDBG) funds for the remediation of lead and healthy homes hazards to renter and owner occupied units throughout the City; and

**WHEREAS**, six (6) contractors met all the qualifications to be included in OHCD's list of approved contractors eligible to bid on Lead Safe Jackson Housing Program contracts; and

**WHEREAS**, the City wants to award contracts to various contractors to perform Lead Safe Jackson Housing Program activities on five (5) eligible units scheduled to receive services through this program subject to the completion and acceptance of the appropriate environmental evaluations; and

**WHEREAS**, the contractors will be required to enter into a HUD approved contract agreement with the City of Jackson to perform Lead Safe Jackson Housing Program activities for low to moderate income households with children present under the age of six and/or households occupied by pregnant women.

**IT, IS THEREFORE, ORDERED** that the Mayor is authorized to execute the contract and related documents with Multi-Con, LLC, Murphy's Development, LLC, and Ben Wiggins Remodeling for the use of Lead-Based Paint Hazard Control (LBPHC) Grant, Healthy Homes Supplemental, and Community Development Block Grant Funds to implement Lead Safe Jackson Housing Program activities on five (5) units scheduled to receive services through the Lead Safe Jackson Housing Program.

<b>Multi-Con, Inc.</b>	4418 Hoover Street	\$31,468.00
	772 Broadmoor Drive	\$22,917.00
<b>Murphy's Development, LLC</b>	459 Williaman Street	\$ 5,160.00
	701 Combs Street	\$ 4,035.00
<b>Ben Wiggins Remodeling</b>	238 Lexington Avenue	\$14,000.00

**IT IS FURTHER ORDERED** that the Office of Housing and Community Development (OHCD) is authorized to review and approve change orders with Multi-Con, LLC in an amount not to exceed \$3,500.00 on the unit located at 4418 Hoover Street, and in an amount not to exceed \$3,500.00 on the unit located at 772 Broadmoor Drive; change orders with Murphy's Development, LLC in an amount not to exceed \$3,500.00 on the unit located at 459 Williaman Street, and an amount not to exceed \$3,500.00 at the unit located on 701 Combs Street; and with Ben Wiggins Remodeling in an amount not to exceed \$3,500.00 on the unit located at 238 Lexington Avenue. Any cost that exceeds the authorized amounts must have prior Council approval.

Item No: \_\_\_\_\_

Date: April 28, 2020

By: (Hillman, Lumumba)



# CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

DATE: 4/28/2020

	POINTS	COMMENTS																									
1.	<b>Brief Description</b>	ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH MULTI-CON, INC., MURPHY'S DEVELOPMENT, LLC, AND BEN WIGGINS REMODELING TO IMPLEMENT THE LEAD SAFE JACKSON HOUSING PROGRAM ACTIVITES IN ACCORDANCE WITH THE LEAD-BASED PAINT HAZARD CONTROL GRANT, HEALTHY HOMES SUPPLEMENTAL AND COMMUNITY DEVELOPMENT BLOCK GRANT																									
2.	<b>Purpose</b>	Provide lead and healthy homes remediation for low to moderate income households with pregnant women and/or children present under the age of 6.																									
3.	<b>Who will be affected</b>	Constituents of the city of Jackson																									
4.	<b>Benefits</b>	This project is lead and healthy homes initiative to help residents address lead and healthy homes hazards. These interventions will improve the affordability, livability, health, and safety of their homes.																									
5.	<b>Schedule (beginning date)</b>	May 2020																									
6.	<b>Location:</b> <b>WARD</b> <b>CITYWIDE (yes/no)</b> <b>(area)</b> <b>Project limits if</b> <b>applicable</b>	City of Jackson																									
7.	<b>Action implemented by:</b> <b>City Department</b> <u>  X  </u> <b>Consultant</b> _____	Department of Planning Office of Housing & Community Development.																									
8.	<b>COST</b>	\$77,580.00 of combined funding from LBPHC, HHSF, and CDBG funds																									
9.	<b>Source of Funding</b> <b>General fund</b> _____ <b>Grant</b> <u>  X  </u> <b>Bond</b> _____ <b>Other</b> <u>  -  </u>	085-84510-6485 (CDBG) 085-96430-6485 (LBPHC) 085-96440-6485 (LBPHC-HH)																									
10.	<b>E. B.O. Participation</b>	<table border="0"> <tr> <td>ABE _____ %</td> <td>WAIVER _____</td> <td>yes _____</td> <td>no _____</td> <td>N/A _____</td> </tr> <tr> <td>AABE _____ %</td> <td>WAIVER _____</td> <td>yes _____</td> <td>no _____</td> <td>N/A _____</td> </tr> <tr> <td>WBE _____ %</td> <td>WAIVER _____</td> <td>yes _____</td> <td>no _____</td> <td>N/A _____</td> </tr> <tr> <td>HBE _____ %</td> <td>WAIVER _____</td> <td>yes _____</td> <td>no _____</td> <td>N/A _____</td> </tr> <tr> <td>NABE _____ %</td> <td>WAIVER _____</td> <td>yes _____</td> <td>no _____</td> <td>N/A _____</td> </tr> </table>	ABE _____ %	WAIVER _____	yes _____	no _____	N/A _____	AABE _____ %	WAIVER _____	yes _____	no _____	N/A _____	WBE _____ %	WAIVER _____	yes _____	no _____	N/A _____	HBE _____ %	WAIVER _____	yes _____	no _____	N/A _____	NABE _____ %	WAIVER _____	yes _____	no _____	N/A _____
ABE _____ %	WAIVER _____	yes _____	no _____	N/A _____																							
AABE _____ %	WAIVER _____	yes _____	no _____	N/A _____																							
WBE _____ %	WAIVER _____	yes _____	no _____	N/A _____																							
HBE _____ %	WAIVER _____	yes _____	no _____	N/A _____																							
NABE _____ %	WAIVER _____	yes _____	no _____	N/A _____																							

**OFFICE OF HOUSING  
AND COMMUNITY  
DEVELOPMENT**

**MEMORANDUM**

**TO:** Mayor Chokwe Lumumba

**FROM:** Jordan Hillman, Director  
Department of Planning and Development

**CC:** Vanessa Henderson, Deputy Director,  
Office of Housing and Community Development

**DATE:** April 10, 2020

**RE:** Agenda Item for April 28, 2020 City Council Meeting

The Office of Housing and Community Development (OHCD) is preparing to begin lead and healthy homes remediation activities on five (5) units enrolled in the City's Lead Safe Jackson Housing Program funded through the HUD's Lead-Based Paint Hazard Control Grant and Healthy Homes Supplemental Funds, and Community Development Block Grant (CDBG) funds. The six approved contractors were asked to complete a walk through with OHCD staff and provide cost estimates on five (5) units scheduled to receive services.

Staff compiled cost estimates utilizing the HomeWyse website and actual cost data from local building supply providers to establish the standard for a reasonable "lowest and best" bid. If the bid is not 10% greater than or 10% lower than the amount established in the cost estimate, it is a reasonable cost.

Two items are attached for your review and approval: (1) the agenda item authorizing the Mayor to execute a contract for the use of Lead-Based Paint Hazard Control (LBPHC) grant, Healthy Homes Supplemental, and CDBG funds to implement Lead Safe Jackson Housing Program activities based upon the recommendations of OHCD staff; and (2) a summary of the bids provided by the approved contractors.

If you have questions or need additional information, please contact me.

For Office Use Only:

Manager Approval: \_\_\_\_\_

Date: \_\_\_\_\_

Fiscal Officer Approval: \_\_\_\_\_

Date: \_\_\_\_\_


Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

OFFICE OF THE CITY ATTORNEY  
7/21/20  
CA

## OFFICE OF THE CITY ATTORNEY

This ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH MULTI-CON, INC., MURPHY'S DEVELOPMENT, LLC, AND BEN WIGGINS REMODELING TO IMPLEMENT THE LEAD SAFE JACKSON HOUSING PROGRAM ACTIVITIES IN ACCORDANCE WITH THE LEAD-BASED PAINT HAZARD CONTROL GRANT, HEALTHY HOMES SUPPLEMENTAL AND COMMUNITY DEVELOPMENT BLOCK GRANT is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, City Attorney  
Chandra Gayten, Deputy City Attorney CA

7/21/20  
\_\_\_\_\_  
DATE

**ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE  
THE SIGN VARIANCE REQUEST FOR CAMPBELL'S CRAFT DONUTS TO ERECT  
A 10 SQUARE FOOT PROJECTING BUILDING SIGN WITHIN A CMU-1 ZONE  
WHICH ONLY ALLOWS A TOTAL OF 6 SQUARE FEET FOR PROJECTING  
BUILDING SIGNAGE (WARD 7)**

OFFICE OF THE CITY ATTORNEY  
2/29/20  
7:41  
CA

**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,** Campbell's Craft Donuts, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage.

**IT IS THEREFORE, ORDERED** that Campbell's Craft Donuts is hereby *(approved)* a variance from the Sign Ordinance regulations to erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage, 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.

Item#

Date:

By: Coleman, Hillman, Lumumba

## CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

2/13/2020  
DATE

POINTS		COMMENTS																																														
1.	<b>Brief Description/Purpose</b>	To erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage.																																														
2.	<b>Public Policy Initiative</b> 1. Youth & Education 2. Crime Prevention 3. Changes in City Government 4. Neighborhood Enhancement 5. Economic Development 6. Infrastructure and Transportation 7. Quality of Life	N/A																																														
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6.	<b>Location:</b> ▪ <b>WARD</b> ▪ <b>CITYWIDE (yes or no) (area)</b> ▪ <b>Project limits if applicable</b>	1119 N. Jefferson St. (Ward 7)																																														
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9.	<b>Source of Funding</b> ▪ <b>General Fund</b> <input type="checkbox"/> ▪ <b>Grant</b> <input type="checkbox"/> ▪ <b>Bond</b> <input type="checkbox"/> ▪ <b>Other</b> <input type="checkbox"/>	N/A																																														
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Revised 2-04

STAFF RECOMMENDATION: APPROVE


Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

## MEMORANDUM

**TO:** Mayor Chokwe Antar Lumumba

**FROM:**  Jordan Hillman, Director  
Department of Planning & Development

**DATE:** February 13, 2020

**RE:** Sign Variance

---


Campbell's Craft Donuts, located at 1119 N. Jefferson Street, is requesting a variance to erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage.

Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This **ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR CAMPBELL'S CRAFT DONUTS TO ERECT A 10 SQUARE FOOT PROJECTING BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 6 SQUARE FEET FOR PROJECTING BUILDING SIGNAGE** is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, *City Attorney*

Chandra Gayten, *Deputy City Attorney* CC

2/24/20  
\_\_\_\_\_  
Date

OFFICE OF THE CITY ATTORNEY  
2/24/20  
CC



Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

February 13, 2020

Campbell's Craft Donuts  
Mitchell Moore  
1119 N. Jefferson Street  
Jackson, MS 39202

Re: Campbell's Craft Donuts Sign Variance Application

Dear Mr. Moore:

This correspondence is to inform you that our office is currently processing the Sign Variance Application submitted on behalf of Campbell's Craft Donuts located at 1119 N. Jefferson Street.

Pursuant to Sec. 102-40 (5) of the City of Jackson Code of Ordinances, our office is required to inform the applicant or the applicant's representative of the staff's recommendation for a pending Sign Variance Application.

Your application and supporting documentation indicates that Campbell's Craft Donuts is requesting to erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage.

The staff's recommendation, to the City Council, will be for approval of your sign variance request. Please understand that granting or denial of all Sign Variance request are by City Council approval only. If you have any comments, questions, or concerns please feel free to contact our office at (601) 960-1154.

Sincerely,

Terry Coleman, Manager  
Signs & License Division

RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

To whom it may concern:

The representative of 1119 North Jefferson Street is requesting building mounted signage for Campbell's Craft Donuts, a new donut shop opening in The Belhaven Town Center area. The Belhaven Town Center includes retail, entertainment, office and residential spaces. This area is going to be a lively center of activity for homeowners, visitors and businesses. Campbell's Craft Donuts is proposing signage that will be cohesive with the plans for this area as well as inviting to its customers and surrounding homeowners.

Campbell's Craft Donuts is in a CMU-1 zoning district. According to the code allowances, "projecting" or blade signs are restricted to 6 square feet. This is not enough area to make the visual impact that Campbell's Craft Donuts will need in order to be successful.

In order to have a successful business, Campbell's Craft Donuts will need to advertise to the surrounding clientele, therefore an impactful signage solution is necessary.

For marketing and aesthetic purposes, we are requesting a single blade sign for the business. The blade sign will be the Campbell's Craft Donuts logo fabricated out acrylic individual letters and mounted to an aluminum cabinet. The sign will be located on the northeast corner of the building.

Our proposal is aesthetically pleasing and unobtrusive to the surrounding area.

Thank you for your consideration and time.

**David Turner being the managing representative of BTC Energy LLC, the owner of the property, hereby acknowledges this Letter of Intent in full and certifies this to be a true and accurate statement.**



Date 2/5/20

RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

FOR OFFICE USE ONLY

CASE NO.:

## CITY OF JACKSON, MS

### Application for Sign Variance

I. Subject Property Address: Campbells Craft  
Donuts, 1119 North Jefferson Street

II. Purpose for requested Sign Variance: (Brief Description)

The purpose of this requested sign  
variance is to provide adequate signage  
for Campbells Craft Donuts.

III. Have you or any other individual been cited for or notified of any ordinance violations related to this property or business? NO

If yes, please give details and dates of violations:

IV. Are there any Restrictive Covenants? NO If yes, please attach copies

V. What is the Zoning classification of property? CMU-1

If yes, please attach copies of agency findings and decisions.

#### VI. APPLICANT'S INFORMATION:

Name: Business: Campbells Craft Donuts, Owner: Mitchell  
Moore

Mailing Address: 1119 North Jefferson Street

City: Jackson State: MS Zip: 39202

Contact Phone: 769-300-2790 Fax: N/A

Email: mitchell@campbellsbakery.ms

RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

VII. APPLICANT WILL BE REPRESENTED BY:

Name: Scott Allen, At Signs & Creative Inc.

Mailing Address: 4147 A Northview Dr.

City: Jackson State: MS Zip: 39206

Contact Phone: (601) 355-9595 Fax: N/A

Email: sallen@aplusigns.com, bhughes@aplusigns.com

VIII. CURRENT PROPERTY OWNER(S):

Name: BTC Energy, LLC Rep: David Turner

Mailing Address: 3100 Old Canton Road, Suite 202

City: Jackson State: MS Zip: 39216

Email: david@davidturnercompanies.com

IX. APPLICATION FEE SCHEDULE: \*fees are non-refundable after public hearing

         Variance(s)          \$450.00

RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

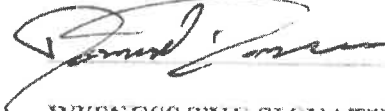
Sign Variance  
App:

Campbells Craft  
Donuts

DECLARATION:

By signing this application, it is understood and agreed that permission is hereby given the duly authorized representative of the City of Jackson to make an investigation of the need for the sign variance request. It is further understood that the Sign & License Manager and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of its report to the City Council.

The above information is true and complete to the best of my knowledge.



WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at

1121 N. Jefferson St.

Jackson, Mississippi

On this the 22 day of October, 2019.

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally came and appeared before me, the within named:

David Turner

Who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Sign Variance Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 22

Day of October, 2019.

MY COMMISSION EXPIRES:

May 19, 2023

Brandi Thomas  
NOTARY PUBLIC



RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

# Letter of Intent

October 1, 2019

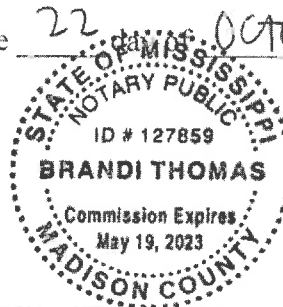
City of Jackson, Mississippi  
Department of Planning and Development  
Sign and License Division  
200 South President Street  
PO Box 17  
Jackson, MS 39205-0017

State of: MISSISSIPPI

County of: MADISON

Sworn to and subscribed before me this the 22 day of October 2019.

Brandi Thomas  
Notary Public



Seal



RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

CITY OF JACKSON  
ZONING DIVISION  
Date 2-7-20  
Zone CMU-1  
Approved By JM  
Note \_\_\_\_\_

DATE RECEIVED IN OFFICE:

CONTRACTOR/ERECTOR:		LOCATION/ADDRESS OF SIGN:	
Name <u>Scott Allen, A+ Signs &amp; Creative</u>		Business Name <u>Campbell's Craft Donuts</u>	
Address <u>4147 A Northview DR.</u>		Business Address <u>1119 N. Jefferson St.</u>	
City <u>Jackson</u> State <u>MS</u> Zip <u>39206</u>		Owner's Name <u>Mitchell Moore</u>	
Phone <u>(601) 355-9595</u>		Phone <u>(769) 300-2790</u>	
Bonded and Insured Yes <input type="checkbox"/> No <input type="checkbox"/>		Privilege License # _____	
City of Jackson Privilege License # _____			
GROUND-MOUNTED:		BUILDING-MOUNTED:	
Overall Height _____		Height <u>84" Tall</u>	
Height _____		Length <u>18" Wide</u>	
Length _____		Square Footage <u>7' x 1.5' = 10.5</u>	
Square Footage _____		Wall Area <u>mounting to</u>	
Wind Pressure _____		<u>corner of building -</u>	
Billboard <input type="checkbox"/>		<u>see frontage document</u>	
WORDING ON SIGN(S):		TYPE OF LIGHTING:	
<u>"Campbell's Craft Donuts"</u>		Internal <input type="checkbox"/> External <input checked="" type="checkbox"/>	
		UL# _____	
		Sign Material Type: <u>Externally lighted</u>	
		<u>blade sign - aluminum</u>	
		<u>cabinet, acrylic</u>	
		<u>lettering.</u>	
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>		ZONING CLASS: <u>CMU-1</u>	
		Date Inspected: _____	
		APPROVED <input type="checkbox"/>	
		DISAPPROVED <input type="checkbox"/>	

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all City Ordinances, Codes, and State Laws regulating sign construction; that I am the owner or authorized to act as the owner's agent for the herein described work.

[Signature]  
Applicant's Signature

10/15/19  
Date

\_\_\_\_\_  
Sign and License Division Manager



RECEIVED

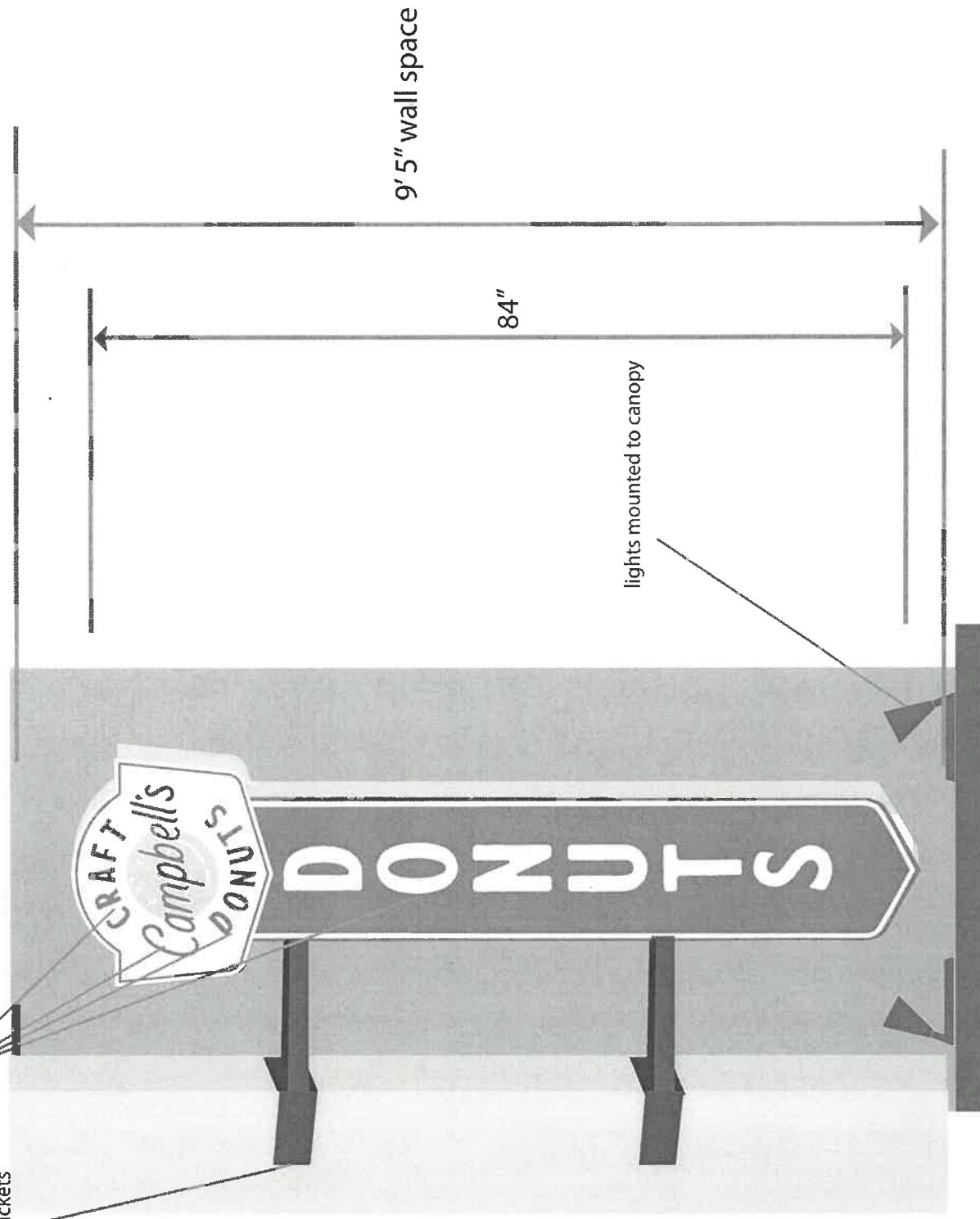
FEB - 7 2020

SIGNS/LICENSE DIVISION

Non-lighted with external lights

3/8" thick flat cut aluminum on stud mounts with spacers.

steel brackets





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FEB - 7 2020

SIGNS/LICENSE DIVISION





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FEB - 7 2020

SIGNAL LICENSE DIVISION

107'

27'



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SIGNS/LICENSE DIVISION



# Hinds County

MISSISSIPPI

FOUNDED 1821 \* POPULATION 248,643

[HindsCountyMs.com](http://HindsCountyMs.com)

[Database](#)

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[Print Page](#)

## Landroll Detail

Parcel Number		Map Reference Number	
19-88		649.00 1 351.00	<a href="#">View Map</a> <a href="#">Property Taxes</a> <a href="#">Gis Map</a>
Subdivision No.		Homestead Exemption Account Numbers	
1272			
Assessed Owner		Assessed Values	
BTC ENERGY LLC		Land Value	9,075
ATTN: DAVID TURNER		Improvement Value	11,174
700 N AGENCY LN		Total	20,249
RIDGELAND MS 39157		Appraised Values	
Location		Land Value	60,500
1119 N JEFFERSON ST		Improvement Value	74,490
21		Total	134,990
Legal Description		Building Info.	
LOT 1 BLK K NORTH PARK ADDN		Type	APT
		Base Area	2,359
		Adjusted Area	2,370
		Year Built	1949
		Deed Info.	
		Book & Page	7223-9983
		Date	11/13/2018
Acreage Info.			
Cultivated Acres	0.00		
Uncultivated Acres	0.00		

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**ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR CAMPBELL'S CRAFT DONUTS TO ERECT A 10 SQUARE FOOT PROJECTING BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 6 SQUARE FEET FOR PROJECTING BUILDING SIGNAGE (WARD 7)**

**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;
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**WHEREAS,** Campbell's Craft Donuts, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage.

**IT IS THEREFORE, ORDERED** that Campbell's Craft Donuts is hereby (*denied*) a variance from the Sign Ordinance regulations to erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage, 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.

Item#

Date:

By: Coleman, Hillman, Lumumba

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2/13/2020  
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Revised 2-04

STAFF RECOMMENDATION: APPROVE


Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

## MEMORANDUM

**TO:** Mayor Chokwe Antar Lumumba

**FROM:**  Jordan Hillman, Director  
Department of Planning & Development

**DATE:** February 13, 2020

**RE:** Sign Variance

---


Campbell's Craft Donuts, located at 1119 N. Jefferson Street, is requesting a variance to erect a 10 square foot projecting building sign within a CMU-1 zone which only allows a total of 6 square feet for projecting building signage.


Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR CAMPBELL'S CRAFT DONUTS TO ERECT A 10 SQUARE FOOT PROJECTING BUILDING SIGN WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 6 SQUARE FEET FOR PROJECTING BUILDING SIGNAGE is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, City Attorney

Chandra Gayten, Deputy City Attorney 

  
\_\_\_\_\_  
Date



RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

FOR OFFICE USE ONLY

CASE NO.: \_\_\_\_\_

## CITY OF JACKSON, MS

### Application for Sign Variance

I. Subject Property Address: Campbells Craft  
Donuts, 1119 North Jefferson Street

II. Purpose for requested Sign Variance: (Brief Description)

The purpose of this requested sign  
variance is to provide adequate signage  
for Campbells Craft Donuts.

III. Have you or any other individual been cited for or notified of any ordinance violations related to this property or business? NO

If yes, please give details and dates of violations:

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#### VI. APPLICANT'S INFORMATION:

Name: Business: Campbells Craft Donuts, Owner: Mitchell  
Moore

Mailing Address: 1119 North Jefferson Street

City: Jackson State: MS Zip: 39202

Contact Phone: 769-300-2790 Fax: N/A

Email: Mitchell@campbellsbakery.ms

RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

VII. APPLICANT WILL BE REPRESENTED BY:

Name: Scott Allen, Ar Signs & Creative Inc.

Mailing Address: 4147 A Northview Dr.

City: Jackson State: MS Zip: 39206

Contact Phone: (601) 355-9595 Fax: N/A

Email: sallen@aplusigns.com, bhughes@aplusigns.com

VIII. CURRENT PROPERTY OWNER(S):

Name: BTC Energy, LLC Rep: David Turner

Mailing Address: 3100 Old Canton Road, Suite 202

City: Jackson State: MS Zip: 39216

Email: david@davidturnercompanies.com

IX. APPLICATION FEE SCHEDULE: \*fees are non-refundable after public hearing

Variance(s) \$450.00

RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

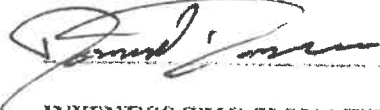
Sign Variance  
App:

Campbells Craft  
Donuts.

DECLARATION:

By signing this application, it is understood and agreed that permission is hereby given the duly authorized representative of the City of Jackson to make an investigation of the need for the sign variance request. It is further understood that the Sign & License Manager and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of its report to the City Council.

The above information is true and complete to the best of my knowledge.



WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at

1121 N. Jefferson St.

Jackson, Mississippi

On this the 22 day of October, 2019.

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally came and appeared before me, the within named:

David Turner

Who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Sign Variance Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 22

Day of October, 2019.

MY COMMISSION EXPIRES:

May 19, 2023

  
NOTARY PUBLIC



RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

# Letter of Intent

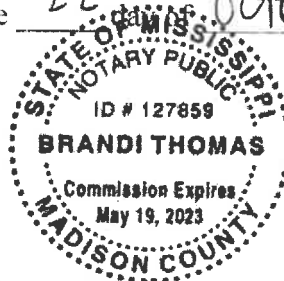
October 1, 2019

City of Jackson, Mississippi  
Department of Planning and Development  
Sign and License Division  
200 South President Street  
PO Box 17  
Jackson, MS 39205-0017

State of: MISSISSIPPI

County of: MADISON

Sworn to and subscribed before me this the 22 day of October 2019.



Brandi Thomas  
Notary Public

Seal

**RECEIVED**

**FEB - 7 2020**

**SIGNS/LICENSE DIVISION**

To whom it may concern:

The representative of 1119 North Jefferson Street is requesting building mounted signage for Campbell's Craft Donuts, a new donut shop opening in The Belhaven Town Center area. The Belhaven Town Center includes retail, entertainment, office and residential spaces. This area is going to be a lively center of activity for homeowners, visitors and businesses. Campbell's Craft Donuts is proposing signage that will be cohesive with the plans for this area as well as inviting to its customers and surrounding homeowners.

Campbell's Craft Donuts is in a CMU-1 zoning district. According to the code allowances, "projecting" or blade signs are restricted to 6 square feet. This is not enough area to make the visual impact that Campbell's Craft Donuts will need in order to be successful.

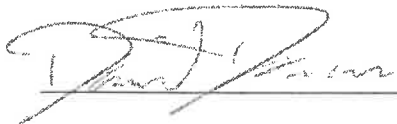
In order to have a successful business, Campbell's Craft Donuts will need to advertise to the surrounding clientele, therefore an impactful signage solution is necessary.

For marketing and aesthetic purposes, we are requesting a single blade sign for the business. The blade sign will be the Campbell's Craft Donuts logo fabricated out acrylic individual letters and mounted to an aluminum cabinet. The sign will be located on the northeast corner of the building.

Our proposal is aesthetically pleasing and unobtrusive to the surrounding area.

Thank you for your consideration and time.

**David Turner being the managing representative of BTC Energy LLC, the owner of the property, hereby acknowledges this Letter of Intent in full and certifies this to be a true and accurate statement.**



Date 2/5/20



RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

DATE RECEIVED IN OFFICE:

CITY OF JACKSON  
ZONING DIVISION

Date 2-7-20

Zone CMU-1

Approved By [Signature]

Note \_\_\_\_\_

<b>CONTRACTOR/ERECTOR:</b>		<b>LOCATION/ADDRESS OF SIGN:</b>	
Name <u>Scott Allen, A+ Signs &amp; Creative</u>		Business Name <u>Campbell's Craft Donuts</u>	
Address <u>4147 A Northview DR.</u>		Business Address <u>1119 N. Jefferson St.</u>	
City <u>Jackson</u> State <u>MS</u> Zip <u>39206</u>		Owner's Name <u>Mitchell Moore</u>	
Phone <u>(601) 355-9595</u>		Phone <u>(709) 300-2790</u>	
Bonded and Insured Yes <input type="checkbox"/> No <input type="checkbox"/>		Privilege License # _____	
City of Jackson Privilege License # _____			
<b>GROUND-MOUNTED:</b>	<b>BUILDING-MOUNTED:</b>	<b>TYPE OF LIGHTING:</b>	
Overall Height _____	Height <u>84" Tall</u>	Internal <input type="checkbox"/> External <input checked="" type="checkbox"/>	
Height _____	Length <u>18" Wide</u>	UL# _____	
Length _____	Square Footage <u>7' x 1.5' = 10.5</u>	Sign Material Type: _____	
Square Footage _____	Wall Area <u>mounting to</u>	<u>Externally lighted</u>	
Wind Pressure _____	<u>corner of building -</u>	<u>blade sign - aluminum</u>	
Billboard <input type="checkbox"/>	<u>see frontage document</u>	<u>cabinet, acrylic</u>	
<b>WORDING ON SIGN(S):</b>		<b>ZONING CLASS:</b> <u>CMU-1</u>	
<u>"Campbell's Craft Donuts"</u>		Date Inspected: _____	
_____		APPROVED <input type="checkbox"/>	
_____		DISAPPROVED <input type="checkbox"/>	
_____			
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>			

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all City Ordinances, Codes, and State Laws regulating sign construction; that I am the owner or authorized to act as the owner's agent for the herein described work.

[Signature]  
Applicant's Signature

10/15/19

Date

\_\_\_\_\_  
Sign and License Division Manager

RECEIVED

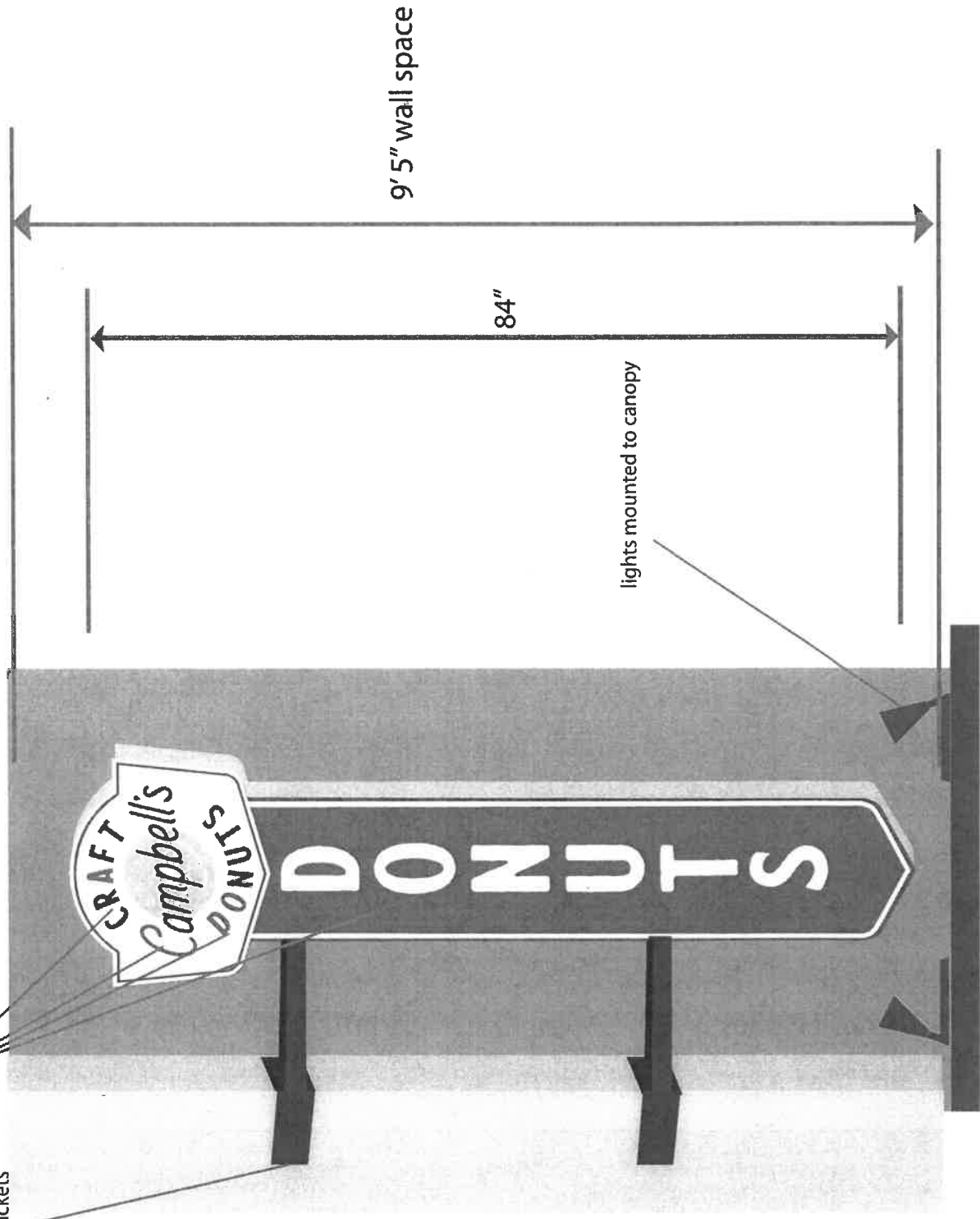
FEB - 7 2020

SIGNS/LICENSE DIVISION

Non-lighted with external lights

3/8" thick flat cut aluminum on stud mounts with spacers.

steel brackets



**RECEIVED**

**FEB - 7 2020**

**SIGNS/LICENSE DIVISION**





RECEIVED

FEB - 7 2020

SIGNS/LICENSE DIVISION

107'

27'



12'8"



**RECEIVED****FEB - 7 2020**

SIGNS/LICENSE DIVISION



# Hinds County

MISSISSIPPI

FOUNDED 1821 • POPULATION 248,643

[HindsCountyMs.com](http://HindsCountyMs.com)[Database](#)[Back](#)[Print Page](#)**Landroll Detail**

Parcel Number		Map Reference Number	
19-88		649.00 1 351.00	<a href="#">View Map</a> <a href="#">Property Taxes</a> <a href="#">Gis Map</a>
Subdivision No.		Homestead Exemption Account Numbers	
1272			
Assessed Owner		Assessed Values	
BTC ENERGY LLC		Land Value	9,075
ATTN: DAVID TURNER		Improvement Value	11,174
700 N AGENCY LN		Total	20,249
RIDGELAND MS 39157		Appraised Values	
Location		Land Value	60,500
1119 N JEFFERSON ST		Improvement Value	74,490
21		Total	134,990
Legal Description		Building Info.	
LOT 1 BLK K NORTH PARK ADDN		Type	APT
		Base Area	2,359
		Adjusted Area	2,370
		Year Built	1949
Acreage Info.		Deed Info.	
Cultivated Acres	0.00	Book & Page	7223-9983
Uncultivated Acres	0.00	Date	11/13/2018

[Back](#) [Search](#)

Monday, September 30, 2019

[Contact Webmaster](#)[Phone Numbers](#)[Map to our Office](#)

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MISSISSIPPI

OFFICE OF THE CITY ATTORNEY  
3/13/20  
(6)

**ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR NURSERY RHYMES TO ERECT TWO BUILDING SIGNS TOTALING 71 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE (WARD 7)**

**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,** Nursery Rhymes, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.

**IT IS THEREFORE, ORDERED** that Nursery Rhymes is hereby *(approved)* a variance from the Sign Ordinance regulations to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage, 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.

Item#

Date:

By: Coleman, Hillman, Lumumba

# CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

2/24/2020

DATE

POINTS		COMMENTS																																														
1.	<b>Brief Description/Purpose</b>	To erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.																																														
2.	<b>Public Policy Initiative</b> <ol style="list-style-type: none"> <li>1. Youth &amp; Education</li> <li>2. Crime Prevention</li> <li>3. Changes in City Government</li> <li>4. Neighborhood Enhancement</li> <li>5. Economic Development</li> <li>6. Infrastructure and Transportation</li> <li>7. Quality of Life</li> </ol>	N/A																																														
3.	<b>Who will be affected</b>	N/A																																														
4.	<b>Benefits</b>	N/A																																														
5.	<b>Schedule (beginning date)</b>	N/A																																														
6.	<b>Location:</b> <ul style="list-style-type: none"> <li>▪ <b>WARD</b></li> <li>▪ <b>CITYWIDE (yes or no) (area)</b></li> <li>▪ <b>Project limits if applicable</b></li> </ul>	1254 Eastover Dr. (Ward 7)																																														
7.	<b>Action implemented by:</b> <ul style="list-style-type: none"> <li>▪ <b>City Department</b> <input checked="" type="checkbox"/></li> <li>▪ <b>Consultant</b> <input type="checkbox"/></li> </ul>	City Department - Depart of Planning & Dev. Signs & License Div.																																														
8.	<b>COST</b>	N/A																																														
9.	<b>Source of Funding</b> <ul style="list-style-type: none"> <li>▪ <b>General Fund</b> <input type="checkbox"/></li> <li>▪ <b>Grant</b> <input type="checkbox"/></li> <li>▪ <b>Bond</b> <input type="checkbox"/></li> <li>▪ <b>Other</b> <input type="checkbox"/></li> </ul>	N/A																																														
10.	<b>EBO participation</b>	<table border="0"> <tbody> <tr> <td>ABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>  X  </u></td> </tr> <tr> <td>AABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>  X  </u></td> </tr> <tr> <td>WBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>  X  </u></td> </tr> <tr> <td>HBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>  X  </u></td> </tr> <tr> <td>NABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>  X  </u></td> </tr> </tbody> </table>		ABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>  X  </u>	AABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>  X  </u>	WBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>  X  </u>	HBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>  X  </u>	NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>  X  </u>
ABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>  X  </u>																																								
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HBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>  X  </u>																																								
NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>  X  </u>																																								

Revised 2-04

**Staff Recommendation: APPROVE**


Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

## MEMORANDUM

**TO:** Mayor Chokwe Antar Lumumba

**FROM:**  Jordan Hillman, Director  
Department of Planning & Development

**DATE:** February 24, 2020

**RE:** Sign Variance

---

Nursery Rhymes, located at 1254 Eastover Drive, is requesting a variance to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.

Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR NURSERY RHYMES TO ERECT TWO BUILDING SIGNS TOTALING 71 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, City Attorney

Chandra Gayten, Deputy City Attorney Ca

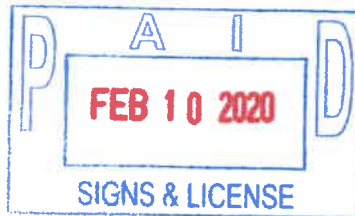
3/3/20  
\_\_\_\_\_  
Date



RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION



FOR OFFICE USE ONLY

CASE NO.:

## CITY OF JACKSON, MS

### Application for Sign Variance

I. Subject Property Address: 1254 Eastover Dr, Ste 180  
Jackson, MS 39211

II. Purpose for requested Sign Variance: (Brief Description)

Signage allowance too small for facade of  
store front

III. Have you or any other individual been cited for or notified of any ordinance violations related to this property or business? NO  
If yes, please give details and dates of violations:

IV. Are there any Restrictive Covenants? NO If yes, please attach copies

V. What is the Zoning classification of property? CMU-1  
If yes, please attach copies of agency findings and decisions.

#### VI. APPLICANT'S INFORMATION:

Name: Ted Duckworth (Nursery Rhymes)

Mailing Address: 308 E Pearl St Ste 200

City: Jackson State: MS Zip: 39201

Contact Phone: 601 914-0800 Fax:

Email: ted@duckworthrealty.com



RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION

VII. APPLICANT WILL BE REPRESENTED BY:

Name: Scott Allen, A+ Signs & Creative

Mailing Address: 4147-A Northview Dr.

City: Jackson State: MS Zip: 39206

Contact Phone: 601-355-9595 Fax: N/A

Email: Sallen@aplusigns.com ; jwebb@aplusigns.c

VIII. CURRENT PROPERTY OWNER(S):

Name: Ted Duckworth

Mailing Address: 308 E Pearl St #200

City: Jackson State: MS Zip: 39201

Email: ted@duckworthrealty.com

IX. APPLICATION FEE SCHEDULE: \*fees are non-refundable after public hearing

Variance(s)	\$450.00
-------------	----------

RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION

DECLARATION

By signing this application, it is understood and agreed that permission is hereby given the duly authorized representative of the City of Jackson to make an investigation of the need for the sign variance request. It is further understood that the Sign & License Manager and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of its report to the City Council.

The above information is true and complete to the best of my knowledge



WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at

1254 Eastover Drive Ste 180

Jackson, Mississippi

On this the 31<sup>st</sup> day of January, 2020.

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally came and appeared before me, the within named:

Teal Duckworth

Who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Sign Variance Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 31<sup>st</sup>

Day of January, 2020.

MY COMMISSION EXPIRES:

Lindsay W. Killip  
NOTARY PUBLIC



**RECEIVED**  
**FEB 14 2020**  
**SIGNS/LICENSE DIVISION**

## **Letter of Intent**

January 31, 2020

City of Jackson, Mississippi  
Department of Planning and Development  
Sign and License Division  
200 South President Street  
PO Box 17  
Jackson, MS 39205-0017

### **To Whom It May Concern:**

The representative of Nursery Rhymes, a retail store located in the District at Eastover at 1250 Eastover Drive, is requesting a building mounted sign and a blade sign for her storefront. The District at Eastover includes retail, restaurants, office and residential spaces, and has become a lively center of activity for residents in the District as well as those nearby. The owner/developers of the District at Eastover, are proposing signage that will be cohesive with the existing signage in the area.

Nursery Rhymes is in a CMU-1 zoning district. According to the code allowances, building signs in this district are limited to 15 sq ft. This would not allow the building mounted sign to be big enough to make the visual impact needed to attract customers, or fit in with the existing signage and branding that already exists in the area. A larger, more impactful, building mounted sign is necessary in order for the business to be a successful and productive addition to the community.

For branding and aesthetic purposes, we are requesting a back lit, and face lit, channel letter sign with a channeled moon shaped logo. The channel letters will spell out the name of the business, and we believe will effectively draw customers. The proposed sign is 60"h x 144"w, coming to 60 sq ft. The sign will be on the front façade of the business suite, located above the storefront.

We believe our proposal is aesthetically pleasing, unobtrusive, and a cohesive, pleasant addition to the District at Eastover's development area.


Thank you for your consideration and time.

RECEIVED

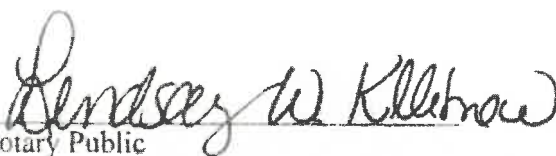
FEB 14 2020

SIGNS/LICENSE DIVISION

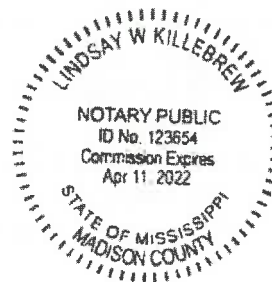
Ted Duckworth, being the managing representative of Duckworth Realty, owner of the property, hereby acknowledges this Letter of Intent in full and certifies it to be a true and accurate statement.

 Date 1/31/2020

Sworn to and subscribed before me this the 31st day of January 2020.

  
Notary Public

My Commission Expires



Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

February 24, 2020

Nursery Rhymes

Janice Fulton

1254 Eastover Drive #180

Jackson, MS 39211

Re: Nursery Rhymes Sign Variance Application

Dear Ms. Fulton:

This correspondence is to inform you that our office is currently processing the Sign Variance Application submitted on behalf of Nursery Rhymes located at 1254 Eastover Drive.

Pursuant to Sec. 102-40 (5) of the City of Jackson Code of Ordinances, our office is required to inform the applicant or the applicant's representative of the staff's recommendation for a pending Sign Variance Application.

Your application and supporting documentation indicates that Nursery Rhymes is requesting to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.

The staff's recommendation, to the City Council, will be for approval of your sign variance request. Please understand that granting or denial of all Sign Variance request are by City Council approval only. If you have any comments, questions, or concerns please feel free to contact our office at (601) 960-1154.

Sincerely,

Terry Coleman, Manager  
Signs & License Division



RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION

APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

DATE RECEIVED IN OFFICE:

CONTRACTOR/ERECTOR:		LOCATION/ADDRESS OF SIGN:	
Name <u>Scott Allen, At Signs &amp; Creative</u>		Business Name <u>Nursery Rhymes</u>	
Address <u>4147-A Northview Dr</u>		Business Address <u>1254 Eastover Dr Ste 18</u>	
City <u>Jackson</u> State <u>MS</u> Zip <u>39206</u>		Owner's Name <u>Janice Fulton</u>	
Phone <u>601-355-9595</u>		Phone <u>601-368-9997</u>	
Bonded and Insured Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Privilege License # <u>200-01162-9</u>	
City of Jackson Privilege License # <u>33725</u>			
GROUND-MOUNTED:		BUILDING-MOUNTED:	
Overall Height _____		Height <u>5' h</u>	
Height _____		Length <u>12' w</u>	
Length _____		Square Footage <u>60 sq ft</u>	
Square Footage _____		Wall Area _____	
Wind Pressure _____		<u>24' x 20' - 480 sq ft</u>	
Billboard <input type="checkbox"/>			
WORDING ON SIGN(S):		ZONING CLASS: <u>CMU-1</u>	
<u>"Nursery Rhymes"</u>		Date Inspected: _____	
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>		APPROVED <input type="checkbox"/>	
		DISAPPROVED <input type="checkbox"/>	

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all City Ordinances, Codes, and State Laws regulating sign construction; that I am the owner or authorized to act as the owner agent for the herein described work.

Scott Allen 2/6/20  
Applicant's Signature Date

Sign and License Division Manager



RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION



APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

DATE RECEIVED IN OFFICE:

CONTRACTOR/ERECTOR:		LOCATION/ADDRESS OF SIGN:	
Name <u>Scott Allen, At Signs &amp; Creative</u>		Business Name <u>Nursery Rhymes</u>	
Address <u>4147-A Northview Dr.</u>		Business Address <u>1254 Eastview Dr Ste 15</u>	
City <u>Jackson</u> State <u>MS</u> Zip <u>39206</u>		Owner's Name <u>Janice Fulton</u>	
Phone <u>601-355-9595</u>		Phone <u>601-368-9997</u>	
Bonded and Insured Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Privilege License # <u>200-01162-9</u>	
City of Jackson Privilege License # <u>33725</u>			
GROUND-MOUNTED:		BUILDING-MOUNTED:	
Overall Height _____		Height <u>40"</u> <u>Blade Sign</u>	
Height _____		Length <u>40"</u>	
Length _____		Square Footage <u>11 sq ft</u>	
Square Footage _____		Wall Area <u>24' x 20' - 480 sq ft</u>	
Wind Pressure _____			
Billboard <input type="checkbox"/>			
WORDING ON SIGN(S):		ZONING CLASS: <u>CMU-1</u>	
<u>"Nursery Rhymes"</u>		Date Inspected: _____	
_____		APPROVED <input type="checkbox"/>	
_____		DISAPPROVED <input type="checkbox"/>	
_____			
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>			

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all City Ordinances, Codes, and State Laws regulating sign construction; that I am the owner or authorized to act as the owner agent for the herein described work.

Scott Allen 2/6/20  
Applicant's Signature Date

Sign and License Division Manager



**SIGN PROOF FOR APPROVAL**  
Casey Jennings - 1/20/2020

**Day Mockup**



**Night Mockup**

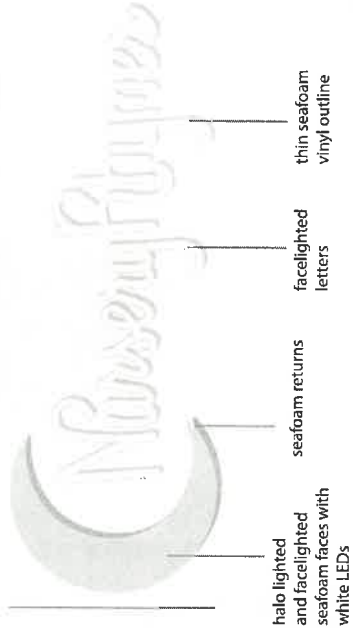


**Nursery Rhymes**

Painted Pantone 566 U

12'

5'

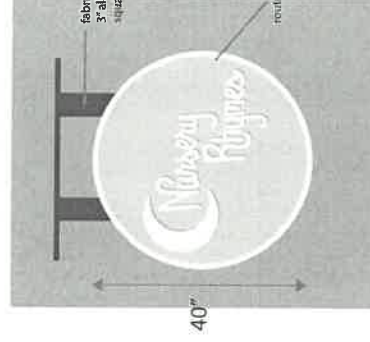


halo lighted  
and facelighted  
seafoam faces with  
white LEDs

seafoam returns

facelighted  
letters

thin seafoam  
vinyl outline



fabricated  
3" aluminum  
square posts

routed HDU

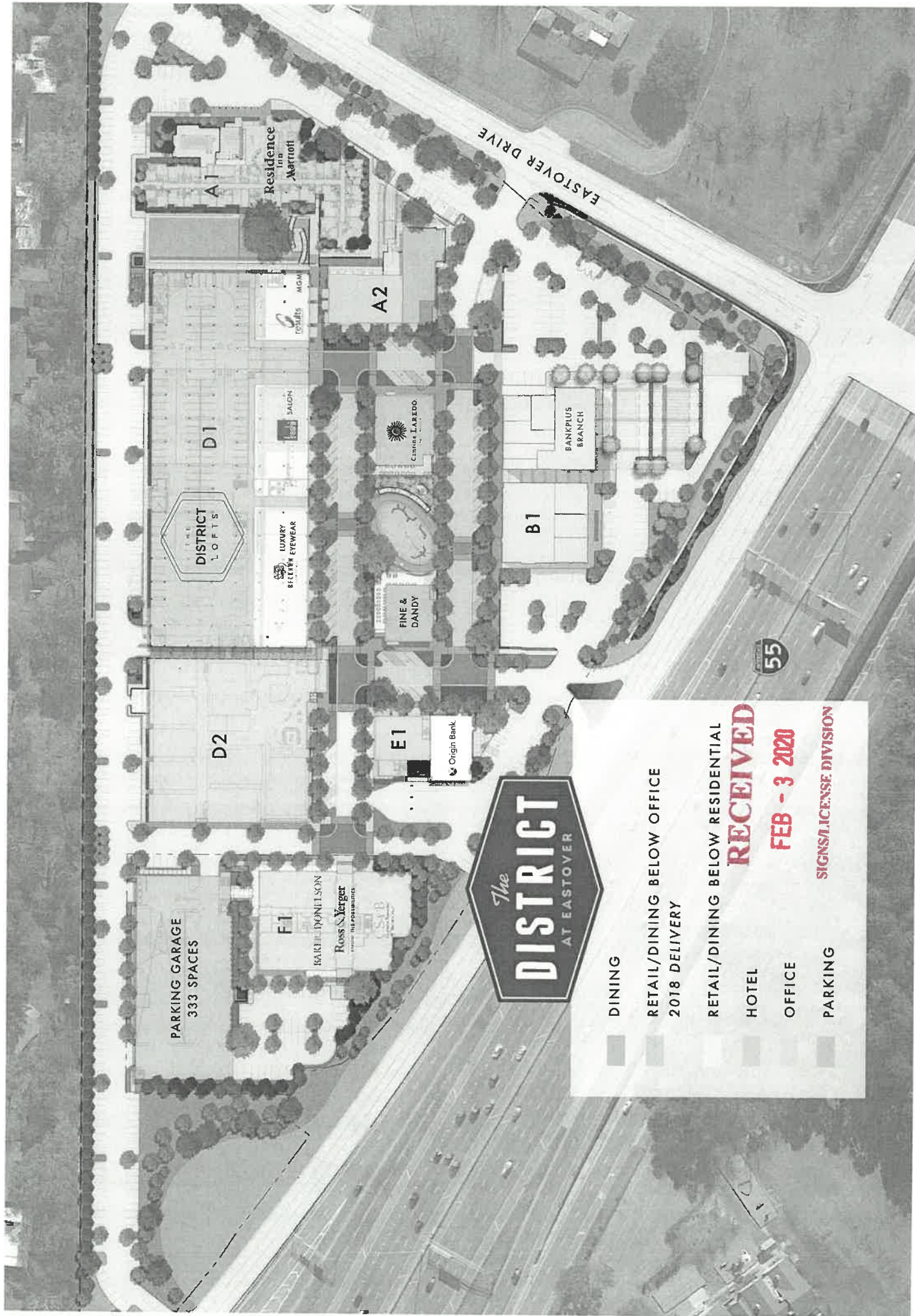
40"

2 sided, routed HDU panel, painted raised white relief Pantone 566 U background








Please review carefully. Unless noted, no revisions will be made. If revisions are requested, please email us. If this meets approval as is, please sign and email. Your approval indicates that with the completion of all noted corrections, we will not be held responsible for any errors.

This design is property of A Plus Signs & Creative and for its use only.





*The*  
**DISTRICT**  
AT EASTOVER

	DINING
	RETAIL/DINING BELOW OFFICE
	2018 DELIVERY
	RETAIL/DINING BELOW RESIDENTIAL
	HOTEL
	OFFICE
	PARKING

**RECEIVED**  
**FEB - 3 2020**  
SIGNS/LICENSE DIVISION

## Landroll Detail

Parcel Number	Map Reference Number	
451-8-11	567.00 1 186.11	<input type="radio"/> View Map <input type="radio"/> Property Taxes <input type="radio"/> Gis Map
Subdivision No.	Homestead Exemption Account Numbers	
3796		
Assessed Owner		
ARLINGTON DISTRICT LIVING LLC		
ATTN: DAVID G ELLIS		
2117 SECOND AVE N		
BIRMINGHAM AL 35203		
Location		
1254 EASTOVER DRIVE		
Legal Description		
LOT 10 THE DISTRICT AT EASTOVER		
Assessed Values		
Land Value	104,630	
Improvement Value	2,114,790	
Total	2,219,420	
Appraised Values		
Land Value	697,530	
Improvement Value	14,098,600	
Total	14,796,130	
Building Info.		
Type	APT	
Base Area	59,840	
Adjusted Area	210,916	
Year Built	2017	
Deed Info.		
Book & Page	7183-2538	
Date	10/20/2015	
Acreage Info.		
Cultivated Acres	0.00	
Uncultivated Acres	0.00	
Back Search		

**RECEIVED****FEB - 6 2020**

SIGNS/LICENSE DIVISION

**ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR NURSERY RHYMES TO ERECT TWO BUILDING SIGNS TOTALING 71 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE (WARD 7)**

OFFICE OF THE CITY ATTORNEY  
3/3/09  
TCT  
Ca

**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**, Nursery Rhymes, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.

**IT IS THEREFORE, ORDERED** that Nursery Rhymes is hereby (*denied*) a variance from the Sign Ordinance regulations to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet, 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.

Item#

Date:

By: Coleman, Hillman, Lumumba

# CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

2/24/2020

DATE

POINTS		COMMENTS																																														
1.	<b>Brief Description/Purpose</b>	To erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.																																														
2.	<b>Public Policy Initiative</b> <ol style="list-style-type: none"> <li>1. Youth &amp; Education</li> <li>2. Crime Prevention</li> <li>3. Changes in City Government</li> <li>4. Neighborhood Enhancement</li> <li>5. Economic Development</li> <li>6. Infrastructure and Transportation</li> <li>7. Quality of Life</li> </ol>	N/A																																														
3.	<b>Who will be affected</b>	N/A																																														
4.	<b>Benefits</b>	N/A																																														
5.	<b>Schedule (beginning date)</b>	N/A																																														
6.	<b>Location:</b> <ul style="list-style-type: none"> <li>▪ WARD</li> <li>▪ CITYWIDE (yes or no) (area)</li> <li>▪ Project limits if applicable</li> </ul>	1254 Eastover Dr. (Ward 7)																																														
7.	<b>Action implemented by:</b> <ul style="list-style-type: none"> <li>▪ City Department <input checked="" type="checkbox"/></li> <li>▪ Consultant <input type="checkbox"/></li> </ul>	City Department - Depart of Planning & Dev. Signs & License Div.																																														
8.	<b>COST</b>	N/A																																														
9.	<b>Source of Funding</b> <ul style="list-style-type: none"> <li>▪ General Fund <input type="checkbox"/></li> <li>▪ Grant <input type="checkbox"/></li> <li>▪ Bond <input type="checkbox"/></li> <li>▪ Other <input type="checkbox"/></li> </ul>	N/A																																														
10.	<b>EBO participation</b>	<table border="0"> <tr> <td>ABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>AABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>WBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>HBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>NABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><input checked="" type="checkbox"/></td> </tr> </table>		ABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>	AABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>	WBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>	HBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>	NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>
ABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>																																								
AABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>																																								
WBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>																																								
HBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>																																								
NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<input checked="" type="checkbox"/>																																								

Revised 2-04

Staff Recommendation: **APPROVE**


Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

## MEMORANDUM

**TO:** Mayor Chokwe Antar Lumumba

**FROM:**  Jordan Hillman, Director  
Department of Planning & Development

**DATE:** February 24, 2020

**RE:** Sign Variance

---

Nursery Rhymes, located at 1254 Eastover Drive, is requesting a variance to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building.

Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This **ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR NURSERY RHYMES TO ERECT TWO BUILDING SIGNS TOTALING 71 SQUARE FEET WITHIN A CMU-1 ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE** is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Timothy Howard, City Attorney

Chandra Gayten, Deputy City Attorney ca

3/3/20

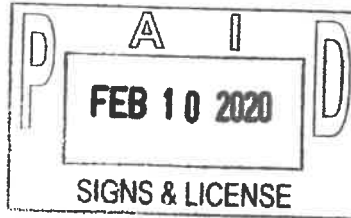
Date

OFFICE OF THE CITY ATTORNEY  
3/3/20  
ca

RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION



FOR OFFICE USE ONLY

CASE NO.:

## CITY OF JACKSON, MS

### Application for Sign Variance

I. Subject Property Address: 1254 Eastover Dr., Ste 180  
Jackson, MS 39211

II. Purpose for requested Sign Variance: (Brief Description)

Signage allowance too small for facade of  
store front.

III. Have you or any other individual been cited for or notified of any ordinance violations related to this property or business? No  
If yes, please give details and dates of violations:

IV. Are there any Restrictive Covenants? No If yes, please attach copies

V. What is the Zoning classification of property? CMU-1  
If yes, please attach copies of agency findings and decisions.

#### VI. APPLICANT'S INFORMATION:

Name: Ted Duckworth (Nursery Rhymes)

Mailing Address: 308 E Pearl St Ste 200

City: Jackson State: MS Zip: 39201

Contact Phone: 601 914-0800 Fax:

Email: ted@duckworthreality.com



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FEB 14 2020

SIGNS/LICENSE DIVISION

VII. APPLICANT WILL BE REPRESENTED BY:

Name: Scott Allen, A+ Signs & Creative

Mailing Address: 4147-A Northview Dr.

City: Jackson State: MS Zip: 39206

Contact Phone: 601-355-9595 Fax: N/A

Email: Sallen@aplusigns.com ; jwebb@aplusigns.com

VIII. CURRENT PROPERTY OWNER(S):

Name: Ted Duckworth

Mailing Address: 308 E Pearl St #200

City: Jackson State: MS Zip: 39201

Email: ted@duckworthrealty.com

IX. APPLICATION FEE SCHEDULE: \*fees are non-refundable after public hearing

Variance(s)

\$450.00

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FEB 14 2020

SIGNS/LICENSE DIVISION

DECLARATION

By signing this application, it is understood and agreed that permission is hereby given the duly authorized representative of the City of Jackson to make an investigation of the need for the sign variance request. It is further understood that the Sign & License Manager and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of its report to the City Council.

The above information is true and complete to the best of my knowledge.

WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at

1254 Eastover Drive Ste 180

Jackson, Mississippi

On this the 31st day of January, 2020.

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally came and appeared before me, the within named:

Teal Duckworth

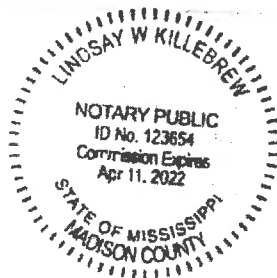
Who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Sign Variance Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 31st

Day of January, 2020.

MY COMMISSION EXPIRES:

Lindsay W. Killebrew  
NOTARY PUBLIC



**RECEIVED**

**FEB 14 2020**

**SIGNS/LICENSE DIVISION**

## **Letter of Intent**

January 31, 2020

City of Jackson, Mississippi  
Department of Planning and Development  
Sign and License Division  
200 South President Street  
PO Box 17  
Jackson, MS 39205-0017

### **To Whom It May Concern:**

The representative of Nursery Rhymes, a retail store located in the District at Eastover at 1250 Eastover Drive, is requesting a building mounted sign and a blade sign for her storefront. The District at Eastover includes retail, restaurants, office and residential spaces, and has become a lively center of activity for residents in the District as well as those nearby. The owner/developers of the District at Eastover, are proposing signage that will be cohesive with the existing signage in the area.

Nursery Rhymes is in a CMU-1 zoning district. According to the code allowances, building signs in this district are limited to 15 sq ft. This would not allow the building mounted sign to be big enough to make the visual impact needed to attract customers, or fit in with the existing signage and branding that already exists in the area. A larger, more impactful, building mounted sign is necessary in order for the business to be a successful and productive addition to the community.

For branding and aesthetic purposes, we are requesting a back lit, and face lit, channel letter sign with a channeled moon shaped logo. The channel letters will spell out the name of the business, and we believe will effectively draw customers. The proposed sign is 60"h x 144"w, coming to 60 sq ft. The sign will be on the front façade of the business suite, located above the storefront.

We believe our proposal is aesthetically pleasing, unobtrusive, and a cohesive, pleasant addition to the District at Eastover's development area.

Thank you for your consideration and time.

RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION

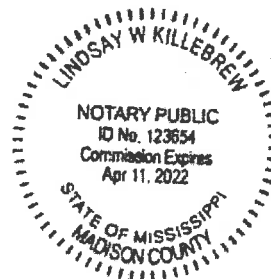
Ted Duckworth, being the managing representative of Duckworth Realty, owner of the property, hereby acknowledges this Letter of Intent in full and certifies it to be a true and accurate statement.

[Signature] Date 1/31/2020

Sworn to and subscribed before me this the 31<sup>st</sup> day of January 2020.

[Signature]  
Notary Public

My Commission Expires



Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

February 24, 2020

Nursery Rhymes

Janice Fulton

1254 Eastover Drive #180

Jackson, MS 39211

Re: Nursery Rhymes Sign Variance Application

Dear Ms. Fulton:

This correspondence is to inform you that our office is currently processing the Sign Variance Application submitted on behalf of Nursery Rhymes located at 1254 Eastover Drive.

Pursuant to Sec. 102-40 (5) of the City of Jackson Code of Ordinances, our office is required to inform the applicant or the applicant's representative of the staff's recommendation for a pending Sign Variance Application.

Your application and supporting documentation indicates that Nursery Rhymes is requesting to erect two building signs totaling 71 square feet within a CMU-1 zone which only allows a total of 15 square feet for building signage.

The staff's recommendation, to the City Council, will be for approval of your sign variance request. Please understand that granting or denial of all Sign Variance request are by City Council approval only. If you have any comments, questions, or concerns please feel free to contact our office at (601) 960-1154.

Sincerely,

Terry Coleman, Manager  
Signs & License Division



**RECEIVED**

**FEB 14 2020**

SIGNS/LICENSE DIVISION

APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

DATE RECEIVED IN OFFICE:

<b>CONTRACTOR/ERECTOR:</b>		<b>LOCATION/ADDRESS OF SIGN:</b>	
Name <u>Scott Allen At Signs &amp; Creative</u> Address <u>4147-A Northview Dr</u> City <u>JACKSON</u> State <u>MS</u> Zip <u>39206</u> Phone <u>601-355-9595</u> Bonded and Insured Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> City of Jackson Privilege License # <u>33725</u>		Business Name <u>Nursery Rhymes</u> Business Address <u>1254 Eastover Dr Ste 15</u> Owner's Name <u>Janice Fulton</u> Phone <u>601-368-9997</u> Privilege License # <u>200-01162-9</u>	
<b>GROUND-MOUNTED:</b>	<b>BUILDING-MOUNTED:</b>	<b>TYPE OF LIGHTING:</b>	
Overall Height _____ Height _____ Length _____ Square Footage _____ Wind Pressure _____ Billboard <input type="checkbox"/>	Height <u>5' h</u> Length <u>12' w</u> Square Footage <u>60 sq ft</u> Wall Area <u>24' x 20' - 480 sq ft</u>	Internal <input checked="" type="checkbox"/> External <input type="checkbox"/> UL# _____ Sign Material Type: <u>aluminum, LED's, paint</u>	
<b>WORDING ON SIGN(S):</b>		<b>ZONING CLASS:</b> <u>CMU-1</u>	
<u>"Nursery Rhymes"</u> _____ _____ _____		Date Inspected: _____ APPROVED <input type="checkbox"/> DISAPPROVED <input type="checkbox"/>	
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>			

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all City Ordinances, Codes, and State Laws regulating sign construction; that I am the owner or authorized to act as the owner agent for the herein described work.

Scott Allen 2/14/20  
Applicant's Signature Date

\_\_\_\_\_  
Sign and License Division Manager



RECEIVED

FEB 14 2020

SIGNS/LICENSE DIVISION

APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

DATE RECEIVED IN OFFICE:

<b>CONTRACTOR/ERECTOR:</b>		<b>LOCATION/ADDRESS OF SIGN:</b>	
Name <u>Scott Allen, At Signs &amp; Creative</u>		Business Name <u>Nursery Rhymes</u>	
Address <u>4147-A Northview Dr.</u>		Business Address <u>1254 Eastover Dr Ste 1</u>	
City <u>Jackson</u> State <u>MS</u> Zip <u>39206</u>		Owner's Name <u>Janice Fulton</u>	
Phone <u>601-355-9595</u>		Phone <u>601-368-9997</u>	
Bonded and Insured Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Privilege License # <u>200-011629</u>	
City of Jackson Privilege License # <u>33725</u>			
<b>GROUND-MOUNTED:</b>		<b>BUILDING-MOUNTED:</b>	
Overall Height _____		Height <u>40"</u> <u>Blade Sign</u>	
Height _____		Length <u>40"</u>	
Length _____		Square Footage <u>11 sq ft</u>	
Square Footage _____		Wall Area _____	
Wind Pressure _____		<u>24' x 20' - 480 sq ft</u>	
Billboard <input type="checkbox"/>			
<b>WORDING ON SIGN(S):</b>		<b>TYPE OF LIGHTING:</b>	
<u>"Nursery Rhymes"</u>		Internal <input type="checkbox"/> External <input type="checkbox"/>	
		UL# <u>Non lighted</u>	
		Sign Material Type: <u>HDO (dov</u>	
		<u>w/ aluminum brac</u>	
		<b>ZONING CLASS:</b> <u>CMU-1</u>	
		Date Inspected: _____	
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>		APPROVED <input type="checkbox"/>	
		DISAPPROVED <input type="checkbox"/>	

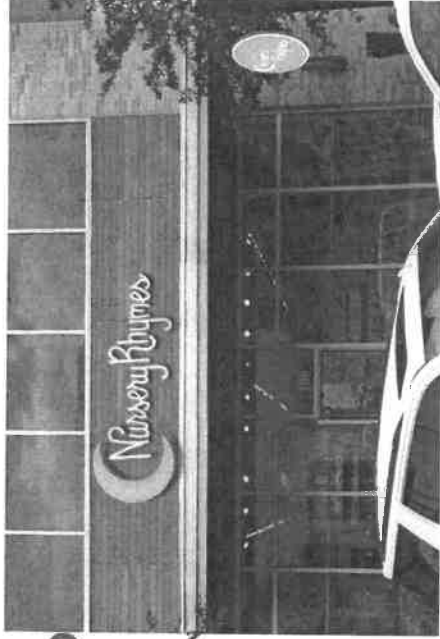
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Janice Fulton 4/6/20  
Applicant's Signature Date

Sign and License Division Manager



## Day Mockup



## Night Mockup

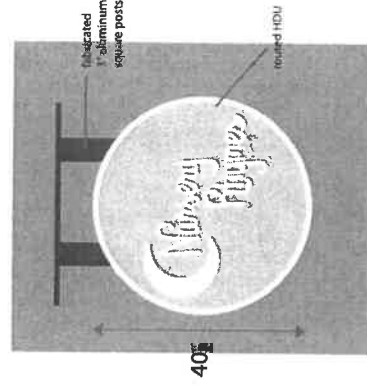
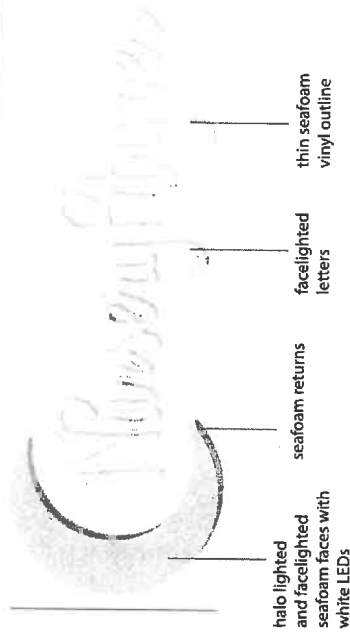


## Nursery Rhymes

Painted Pantone 566 U

12'

5'

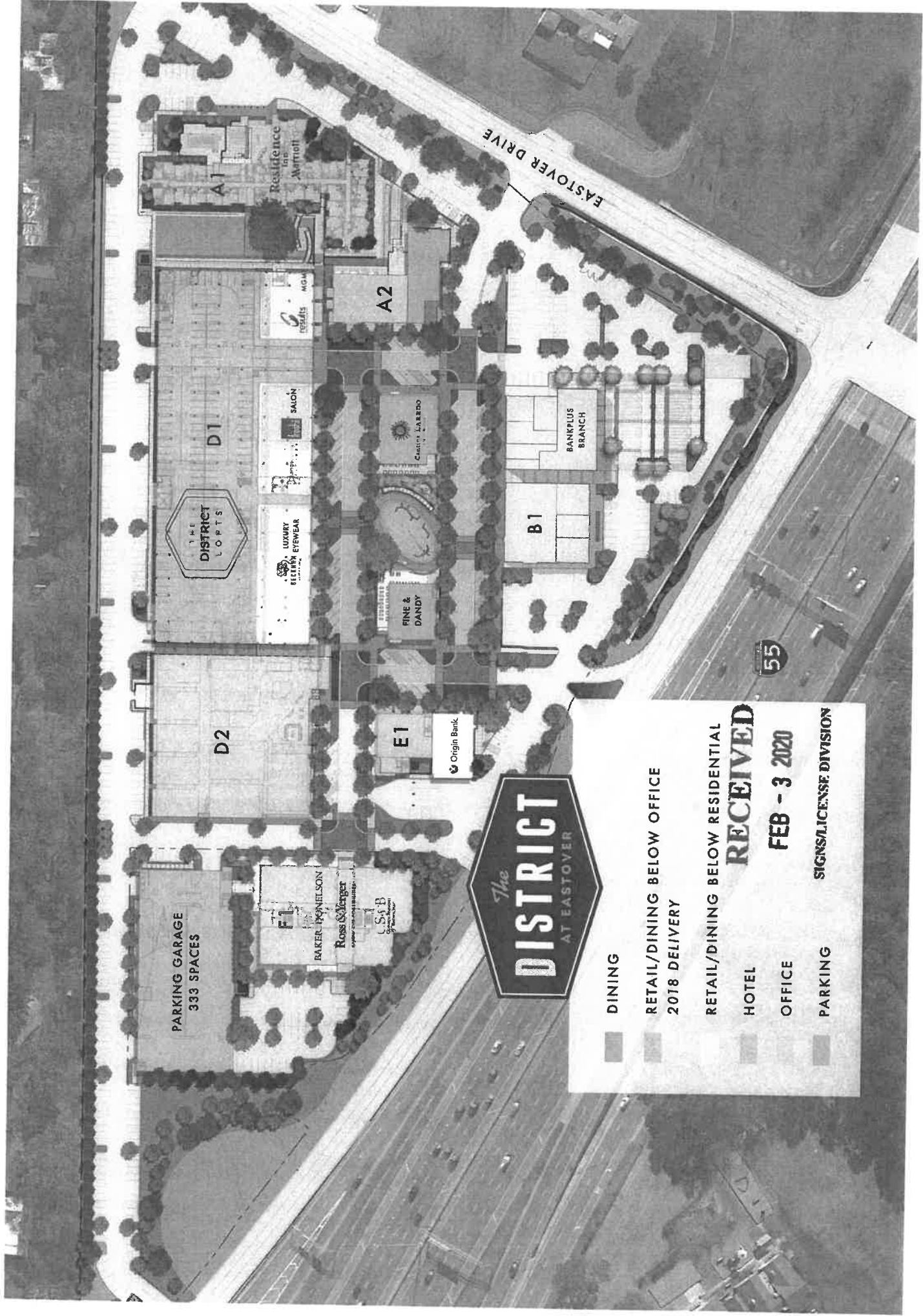


2 sided, rounded HDU panel, painted raised white relief, Pantone 566 U background

Please review carefully. Unless noted, no revisions will be made. If revisions are requested, please email us. If this meets approval as is, please sign and email. Your approval indicates that with the completion of all noted corrections, we will not be held responsible for any errors.

This design is property of A Plus Signs & Creative and for it's use only.





*The*  
**DISTRICT**  
AT EASTOVER

	DINING
	RETAIL/DINING BELOW OFFICE 2018 DELIVERY
	RETAIL/DINING BELOW RESIDENTIAL
	HOTEL
	OFFICE
	PARKING

**RECEIVED**  
**FEB - 3 2020**  
SIGNS/LICENSE DIVISION

## Landroll Detail

Parcel Number	Map Reference Number	
451-8-11	567.00 1 186.11	<input type="radio"/> View Map <input type="radio"/> Property Taxes <input type="radio"/> Gis Map
Subdivision No.	Homestead Exemption Account Numbers	
3796		

Assessed Owner	Assessed Values
ARLINGTON DISTRICT LIVING LLC	Land Value 104,630
ATTN: DAVID G ELLIS	Improvement Value 2,114,790
2117 SECOND AVE N	Total 2,219,420
BIRMINGHAM AL 35203	Appraised Values
Location	Land Value 697,530
1254 EASTOVER DRIVE	Improvement Value 14,098,600
Legal Description	Total 14,796,130
LOT 10 THE DISTRICT AT EASTOVER	Building Info.
	Type APT
	Base Area 59,840
	Adjusted Area 210,916
	Year Built 2017
	Deed Info.
	Book & Page 7183-2538
	Date 10/20/2015

Acreage Info.	
Cultivated Acres	0.00
Uncultivated Acres	0.00

Back Search

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FEB - 6 2020

SIGNS/LICENSE DIVISION

**ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR PJ'S COFFEE OF NEW ORLEANS TO ERECT A 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT AT FIVE FEET FROM THE PUBLIC RIGHT-OF-WAY WITHIN A UTC ZONE WHICH REQUIRE MONUMENT SIGNS TO BE TEN FEET FROM THE PUBLIC RIGHT-OF-WAY (WARD 7)**

**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

OFFICE OF THE CITY ATTORNEY  
9/16/20  
CK

**WHEREAS**, PJ's Coffee of New Orleans, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a 15 sq. ft. monument sign at six feet in height at five feet from the public right-of-way within a UTC zone which require monument signs to be ten feet from the public right-of-way.

**IT IS THEREFORE, ORDERED** that PJ's Coffee of New Orleans is hereby *(approved)* a variance from the Sign Ordinance regulations to erect a 15 sq. ft. monument sign at six feet in height at five feet from the public right-of-way within a UTC zone which require monument signs to be ten feet from the public right-of-way, 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 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.

Item#

Date:

By: Coleman, Hillman, Lumumba

# CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

3/4/2020  
DATE

POINTS		COMMENTS																																														
1.	<b>Brief Description/Purpose</b>	To erect a 15 sq. ft. monument sign at 6 ft. in height at five feet from the public right-of-way within a UTC zone which require monument signs be ten ft. from the public right-of-way.																																														
2.	<b>Public Policy Initiative</b> <ol style="list-style-type: none"> <li>1. Youth &amp; Education</li> <li>2. Crime Prevention</li> <li>3. Changes in City Government</li> <li>4. Neighborhood Enhancement</li> <li>5. Economic Development</li> <li>6. Infrastructure and Transportation</li> <li>7. Quality of Life</li> </ol>	N/A																																														
3.	<b>Who will be affected</b>	N/A																																														
4.	<b>Benefits</b>	N/A																																														
5.	<b>Schedule (beginning date)</b>	N/A																																														
6.	<b>Location:</b> <ul style="list-style-type: none"> <li>▪ WARD</li> <li>▪ CITYWIDE (yes or no) (area)</li> <li>▪ Project limits if applicable</li> </ul>	3100 Old Canton Rd. (Ward 7)																																														
7.	<b>Action implemented by:</b> <ul style="list-style-type: none"> <li>▪ City Department <input checked="" type="checkbox"/></li> <li>▪ Consultant <input type="checkbox"/></li> </ul>	Department of Planning & Development Signs & License Division																																														
8.	<b>COST</b>	N/A																																														
9.	<b>Source of Funding</b> <ul style="list-style-type: none"> <li>▪ General Fund <input type="checkbox"/></li> <li>▪ Grant <input type="checkbox"/></li> <li>▪ Bond <input type="checkbox"/></li> <li>▪ Other <input type="checkbox"/></li> </ul>	N/A																																														
10.	<b>EBO participation</b>	<table border="0"> <tr> <td>ABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>AABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>WBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>HBE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> <tr> <td>NABE</td> <td>_____ %</td> <td>WAIVER</td> <td>yes</td> <td>_____</td> <td>no</td> <td>_____</td> <td>N/A</td> <td><u>X</u></td> </tr> </table>		ABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	AABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	WBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	HBE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>	NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>
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NABE	_____ %	WAIVER	yes	_____	no	_____	N/A	<u>X</u>																																								


Revised 2-04

STAFF RECOMMENDATION: DISAPPROVE



## MEMORANDUM

**TO:** Mayor Chokwe Antar Lumumba

**FROM:**  Jordan Hillman, Director  
Department of Planning & Development

**DATE:** March 4, 2020

**RE:** Sign Variance

---

PJ's Coffee of New Orleans, located at 3100 Old Canton Road, is requesting a variance to erect a 15 sq. ft. monument sign at six feet in height at five feet from the public right-of-way within a UTC zone which require monument signs to be ten feet from the public right-of-way.


Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This **ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR PJ'S COFFEE OF NEW ORLEANS TO ERECT A 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT AT FIVE FEET FROM THE PUBLIC RIGHT-OF WAY WITHIN A UTC ZONE WHICH REQUIRE MONUMENT SIGNS TO BE TEN FEET FROM THE PUBLIC RIGHT-OF-WAY** is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Tim Howard, City Attorney

Chandra Gayten, Deputy City Attorney 

  
\_\_\_\_\_  
Date



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FEB 27 2020

SIGNS/LICENSE DIVISION

PJS p.1

FOR OFFICE USE ONLY

CASE NO.: \_\_\_\_\_

## CITY OF JACKSON, MS

### Application for Sign Variance

I. Subject Property Address: 3100 Old Canton Road,  
PJS Coffee

II. Purpose for requested Sign Variance: (Brief Description)

Monument sign will need to be displayed closer to  
the property line than technically allowed per code  
because of the new large multi-use trail in front of property.

III. Have you or any other individual been cited for or notified of any ordinance violations related to this property or business? NO

If yes, please give details and dates of violations:

IV. Are there any Restrictive Covenants? NO If yes, please attach copies

V. What is the Zoning classification of property? UTC  
If yes, please attach copies of agency findings and decisions.

#### VI. APPLICANT'S INFORMATION:

Name: PJS Coffee, owner: Jack & Anne Stanton

Mailing Address: 3100 Old Canton Road

City: Jackson State: MS Zip: 39216

Contact Phone: (504) 858-5779 Fax: N/A

Email: jack@jacksonbrew.com



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SIGNS/LICENSE DIVISION

PJs p2

VII. APPLICANT WILL BE REPRESENTED BY:

Name: Scott Allen, A+ Signs and Creative Inc.

Mailing Address: 4147-A Northview Drive

City: Jackson State: MS Zip: 39206

Contact Phone: (601)-355-9595 Fax: N/A

Email: sallen@aplusigns.com

VIII. CURRENT PROPERTY OWNER(S):

Name: Wilson Hood

Mailing Address: 3100 Old Canton Rd, Suite 200

City: Jackson State: MS Zip: 39216

Email: jwilsonhood@gmail.com

IX. APPLICATION FEE SCHEDULE: \*fees are non-refundable after public hearing

\_\_\_\_\_ Variance(s) \$450.00

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FEB 27 2020

SIGNS/LICENSE DIVISION

PJS p-3

**DECLARATION:**

By signing this application, it is understood and agreed that permission is hereby given the duly authorized representative of the City of Jackson to make an investigation of the need for the sign variance request. It is further understood that the Sign & License Manager and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of its report to the City Council.

The above information is true and complete to the best of my knowledge.

J. Wilson Hood

WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at

3100 Old Cantor Rd Jackson, MS 39216 Jackson, Mississippi

On this the 20<sup>th</sup> day of February, 2020.

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally came and appeared before me, the within named:

J. Wilson Hood

Who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Sign Variance Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 20<sup>th</sup>

Day of February, 2020.

MY COMMISSION EXPIRES  
6-20-20



Laurie K. Holloway  
NOTARY PUBLIC

RECEIVED

FEB 27 2020

SIGNS/LICENSE DIVISION

To whom it may concern:

The representative of 3100 Old Canton Road is requesting a monument sign for PJ's Coffee of New Orleans, a new coffee shop opening in the Fondren area. PJ's is in a UTC zoning area which includes retail, entertainment, office and residential spaces. This area is a lively center of activity for homeowners, visitors and businesses. PJ's Coffee of New Orleans is proposing a monument sign that will be visually accessible and inviting to its surrounding clientele.


According to code ordinances, ground mounted signage in the UTC zoning district must be set back ten feet from the property line. This poses a unique problem for this property which has a very large multiuse trail that pushes back the access point into the parking lot significantly. If this sign were to be ten feet back from the property line, it would *not* be readily viewable from Old Canton Road. *For PJ's to be a successful business, the proposed monument sign will need to make visual impact to the surrounding thoroughfares.*

For marketing and aesthetic purposes, we are requesting a monument sign set back approximately 5 feet from the property line. The sign will feature the PJ's logo fabricated out of hand painted, high-density urethane material. The sign panels will be attached to an attractive aluminum structure which will measure six feet in height total.

Our proposal is aesthetically pleasing and unobtrusive to the surrounding area. In order to have a successful business, PJ's Coffee will need to advertise to the surrounding clientele, therefore an impactful signage solution is necessary.

Thank you for your consideration and time.

**Wilson Hood being the owner of the property, hereby acknowledges this Letter of Intent in full and certifies this to be a true and accurate statement.**

 Date 2/21/20

RECEIVED

FEB 27 2020

# Letter of Intent

SIGNS/LICENSE DIVISION

February 3, 2020

City of Jackson, Mississippi  
Department of Planning and Development  
Sign and License Division  
200 South President Street  
PO Box 17  
Jackson, MS 39205-0017

State of: Mississippi

County of: Hinds

Sworn to and subscribed before me this the 24 day of February 2020.

  
Notary Public

Seal



Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

March 5, 2020

PJ's Coffee of New Orleans  
Jack and Anne Stanton  
3100 Old Canton Road  
Jackson, MS 39216

Re: PJ's Coffee of New Orleans Sign Variance Application

Dear Mr./Mrs. Stanton:

This correspondence is to inform you that our office is currently processing the Sign Variance Application submitted on behalf of PJ's Coffee of New Orleans located at 3100 Old Canton Road.

Pursuant to Sec. 102-40 (5) of the City of Jackson Code of Ordinances, our office is required to inform the applicant or the applicant's representative of the staff's recommendation for a pending Sign Variance Application.

Your application and supporting documentation indicates that PJ's Coffee of New Orleans is requesting to erect a 15 sq. ft. monument sign at 6 ft. in height at five feet from the public right-of-way within a UTC zone which require monument signs to be ten feet from the public right-of-way.

The staff's recommendation, to the City Council, will be for disapproval of your sign variance request. Please understand that granting or denial of all Sign Variance request are by City Council approval only. If you have any comments, questions, or concerns please feel free to contact our office at (601) 960-1154.

Sincerely,

A handwritten signature in black ink that reads "Terry Coleman".

Terry Coleman, Manager  
Signs & License Division

RECEIVED

FEB 27 2020

SIGNS/LICENSE DIVISION



APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

PJ'S COFFEE MONUMENT

ZONING DIVISION

Date 2/27/20

Zone UTC

Approved By JM

Note \_\_\_\_\_

DATE RECEIVED IN OFFICE:

CONTRACTOR/ERECTOR:		LOCATION/ADDRESS OF SIGN:	
Name <u>Scott Allen, A+ Signs and Creative</u>		Business Name <u>PJ's Coffee of New Orleans</u>	
Address <u>4147- A Northview Drive</u>		Business Address <u>3100 Old Canton Road</u>	
City <u>Jackson</u> State <u>MS</u> Zip <u>39206</u>		Owner's Name <u>Jack and Anne Stanton</u>	
Phone <u>601-355-9595</u>		Phone <u>504-858 5779</u>	
Bonded and Insured Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Privilege License # <u>applied for</u>	
City of Jackson Privilege License # _____			
GROUND-MOUNTED:		BUILDING-MOUNTED:	
Overall Height <u>6'</u>		Height _____	
Height <u>4.25'</u>		Length _____	
Length <u>3.75'</u>		Square Footage _____	
Square Footage <u>15 square feet total</u>		Wall Area _____	
Wind Pressure _____			
Billboard <input type="checkbox"/>			
WORDING ON SIGN(S):		TYPE OF LIGHTING:	
PJ's coffee logo text that reads "Drive- Thru"		Internal <input type="checkbox"/> External <input checked="" type="checkbox"/>	
		UL# _____	
		Sign Material Type: <u>HDU Monument</u>	
		Externally Lighted HDU panels Mounted to freestanding aluminum structure. Total Height with structure is 6'.	
		ZONING CLASS: <u>UTC</u>	
		Date Inspected: _____	
		APPROVED <input type="checkbox"/>	
		DISAPPROVED <input type="checkbox"/>	
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>			

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all City Ordinances, Codes, and State Laws regulating sign construction; that I am the owner or authorized to act as the owner's agent for the herein described work.

Applicant's Signature

Date

Sign and License Division Manager





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FEB 27 2020

SIGNS/LICENSE DIVISION

## PJ's MONUMENT SIGN

4.25' x 3.75', 2 sided, routed HDU panel, painted white, raised  
PMS 2613C purple relief  
"Drive-Thru" painted  
fabricated 4" square aluminum tubing  
quantity 2 HDU panels mounted back to back



**RECEIVED****FEB 27 2020**

SIGNS/LICENSE DIVISION



# Hinds County

MISSISSIPPI

FOUNDED 1821 \* POPULATION 248,643

[HindsCounty.Ms.com](http://HindsCounty.Ms.com)
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## Landroll Detail

Parcel Number	Map Reference Number	
2-16	579.00 1 28.00	<input type="radio"/> <a href="#">View Map</a> <input type="radio"/> <a href="#">Property Taxes</a> <input type="radio"/> <a href="#">Gis Map</a>
Subdivision No.	Homestead Exemption Account Numbers	
1376		
Assessed Owner	Assessed Values	
HOOD FONDREN PROPERTY LLC	Land Value	28,820
P O BOX 4931	Improvement Value	42,812
JACKSON MS 39296	Total	71,632
Location	Appraised Values	
3100 OLD CANTON RD	Land Value	192,130
Legal Description	Improvement Value	285,410
BEG E S OLD CANTON RD 155.58 FT SWLY FROM	Total	477,540
S S BLK B WOODLAND HILLS EXT THENCE	Building Info.	
SWLY 91.5 FT SE LY 206.95 FT NE LY 79.35 FT	Type	BANK
N 81.48 FT W 196.76 FT TO BEG IN LOT 20	Base Area	2,821
ODENEAL SY	Adjusted Area	5,513
	Year Built	1955
	Deed Info.	
	Book & Page	7202-1420
	Date	01/30/2017
Acreage Info.		
Cultivated Acres	0.00	
Uncultivated Acres	0.00	

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Monday, February 03, 2020   [Contact Webmaster](#)   [Phone Numbers](#)   [Map to our Office](#)  
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The official seal of the State of Mississippi, featuring a circular design with the word "MISSISSIPPI" and a central emblem.



OFFICE OF THE CITY ATTORNEY  
3/10/24  
CC

**ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR PJ'S COFFEE OF NEW ORLEANS TO ERECT A 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT AT FIVE FEET FROM THE PUBLIC RIGHT-OF-WAY WITHIN A UTC ZONE WHICH REQUIRE MONUMENT SIGNS TO BE TEN FEET FROM THE PUBLIC RIGHT-OF-WAY (WARD 7)**

**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,** PJ's Coffee of New Orleans, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect a monument sign at 21 square feet and three building signs totaling 315 square feet within a UTC zone which only allows a total of 15 square feet for building signage and 15 square feet for monument.

**IT IS THEREFORE, ORDERED** that Homewood Suites is hereby *(denied)* a variance from the Sign Ordinance regulations to erect a monument sign at 21 square feet and three building signs totaling 315 square feet within a UTC zone which only allows a total of 15 square feet for building signage and 15 square feet for monument, 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.

Item#

Date:

By: Coleman, Hillman, Lumumba

# CITY COUNCIL AGENDA ITEM 10 POINT DATA SHEET

3/4/2020  
DATE

POINTS		COMMENTS																																														
1.	<b>Brief Description/Purpose</b>	To erect a 15 sq. ft. monument sign at 6 ft. in height at five feet from the public right-of-way within a UTC zone which require monument signs be ten ft. from the public right-of-way.																																														
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Revised 2-04

STAFF RECOMMENDATION: DISAPPROVE

Department of Planning and Development



200 South President Street  
Post Office Box 17  
Jackson, Mississippi 39205-0017

## MEMORANDUM

**TO:** Mayor Chokwe Antar Lumumba

**FROM:** Jordan Hillman, Director  
Department of Planning & Development

**DATE:** March 4, 2020

**RE:** Sign Variance

---

PJ's Coffee of New Orleans, located at 3100 Old Canton Road, is requesting a variance to erect a 15 sq. ft. monument sign at six feet in height at five feet from the public right-of-way within a UTC zone which require monument signs to be ten feet from the public right-of-way.


Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756

## OFFICE OF THE CITY ATTORNEY

This **ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR PJ'S COFFEE OF NEW ORLEANS TO ERECT A 15 SQUARE FOOT MONUMENT SIGN AT 6 FEET IN HEIGHT AT FIVE FEET FROM THE PUBLIC RIGHT-OF WAY WITHIN A UTC ZONE WHICH REQUIRE MONUMENT SIGNS TO BE TEN FEET FROM THE PUBLIC RIGHT-OF-WAY** is legally sufficient for placement in NOVUS Agenda.

  
\_\_\_\_\_  
Tim Howard, City Attorney

Chandra Gayten, Deputy City Attorney 

  
\_\_\_\_\_  
Date

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SIGNS/LICENSE DIVISION

PJS p.1

FOR OFFICE USE ONLY

CASE NO.: \_\_\_\_\_

## CITY OF JACKSON, MS

### Application for Sign Variance

I. Subject Property Address: 3100 Old Canton Road,  
PJS Coffee

II. Purpose for requested Sign Variance: (Brief Description)

Monument sign will need to be displayed closer to  
the property line than technically allowed per code  
because of the new large multi-use trail in front of property.

III. Have you or any other individual been cited for or notified of any ordinance violations related to this property or business? NO

If yes, please give details and dates of violations:

IV. Are there any Restrictive Covenants? NO If yes, please attach copies

V. What is the Zoning classification of property? UTC  
If yes, please attach copies of agency findings and decisions.

#### VI. APPLICANT'S INFORMATION:

Name: PJS Coffee, owner: Jack & Anne Stanton

Mailing Address: 3100 Old Canton Road

City: Jackson State: MS Zip: 39216

Contact Phone: (504) 858-5779 Fax: N/A

Email: jack@jacksonbrew.com

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PJs p2

**VII. APPLICANT WILL BE REPRESENTED BY:**

Name: Scott Allen, A+ Signs and Creative Inc.

Mailing Address: 4147-A Northview Drive

City: Jackson State: MS Zip: 39206

Contact Phone: (601)-355-9595 Fax: N/A

Email: sallen@aplusigns.com

**VIII. CURRENT PROPERTY OWNER(S):**

Name: Wilson Hood

Mailing Address: 3100 Old Canton Rd, Suite 200

City: Jackson State: MS Zip: 39216

Email: jwilsonhood@gmail.com

**IX. APPLICATION FEE SCHEDULE: \*fees are non-refundable after public hearing**

\_\_\_\_\_ Variance(s) \$450.00

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SIGNS/LICENSE DIVISION

PJS p.3

**DECLARATION:**

By signing this application, it is understood and agreed that permission is hereby given the duly authorized representative of the City of Jackson to make an investigation of the need for the sign variance request. It is further understood that the Sign & License Manager and staff may inspect the subject property, make photographs and obtain any verifications and data necessary for preparation of its report to the City Council.

The above information is true and complete to the best of my knowledge.

J. Wilson Hood

WITNESS THE SIGNATURE(S) of the owner(s) of the subject property located at

3100 Old Canton Rd Jackson, MS 39216 Jackson, Mississippi

On this the 20<sup>th</sup> day of February, 2020.

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally came and appeared before me, the within named:

J. Wilson Hood

Who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Sign Variance Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 20<sup>th</sup>

Day of February, 2020.

MY COMMISSION EXPIRES

6-20-20



Laurie K. Holloway  
NOTARY PUBLIC



**RECEIVED**

**FEB 27 2020**

**SIGNS/LICENSE DIVISION**

To whom it may concern:

The representative of 3100 Old Canton Road is requesting a monument sign for PJ's Coffee of New Orleans, a new coffee shop opening in the Fondren area. PJ's is in a UTC zoning area which includes retail, entertainment, office and residential spaces. This area is a lively center of activity for homeowners, visitors and businesses. PJ's Coffee of New Orleans is proposing a monument sign that will be visually accessible and inviting to its surrounding clientele.


According to code ordinances, ground mounted signage in the UTC zoning district must be set back ten feet from the property line. This poses a unique problem for this property which has a very large multiuse trail that pushes back the access point into the parking lot significantly. If this sign were to be ten feet back from the property line, it would *not* be readily viewable from Old Canton Road. *For PJ's to be a successful business, the proposed monument sign will need to make visual impact to the surrounding thoroughfares.*

For marketing and aesthetic purposes, we are requesting a monument sign set back approximately 5 feet from the property line. The sign will feature the PJ's logo fabricated out of hand painted, high-density urethane material. The sign panels will be attached to an attractive aluminum structure which will measure six feet in height total.

Our proposal is aesthetically pleasing and unobtrusive to the surrounding area. In order to have a successful business, PJ's Coffee will need to advertise to the surrounding clientele, therefore an impactful signage solution is necessary.

Thank you for your consideration and time.

**Wilson Hood being the owner of the property, hereby acknowledges this Letter of Intent in full and certifies this to be a true and accurate statement.**

 Date 2/24/20

**RECEIVED**

**FEB 27 2020**

## Letter of Intent

SIGNS/LICENSE DIVISION

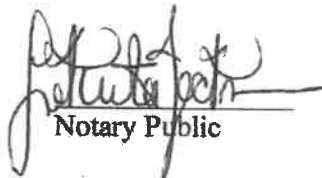
February 3, 2020

City of Jackson, Mississippi  
Department of Planning and Development  
Sign and License Division  
200 South President Street  
PO Box 17  
Jackson, MS 39205-0017

State of: Mississippi

County of: Hinds

Sworn to and subscribed before me this the 24 day of February 2020.

  
Notary Public

Seal



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FEB 27 2020

SIGNS/LICENSE DIVISION



APPLICATION FOR SIGN PERMIT  
CITY OF JACKSON  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
SIGN AND LICENSE DIVISION  
200 S. PRESIDENT STREET-JACKSON, MS 39201  
601-960-1154

PJ'S COFFEE MONUMENT

ZONING DIVISION

Date 2/27/20

Zone UTC

Approved By JM

Note \_\_\_\_\_

DATE RECEIVED IN OFFICE:

CONTRACTOR/ERECTOR:		LOCATION/ADDRESS OF SIGN:	
Name <u>Scott Allen, A+ Signs and Creative</u>		Business Name <u>PJ's Coffee of New Orleans</u>	
Address <u>4147- A Northview Drive</u>		Business Address <u>3100 Old Canton Road</u>	
City <u>Jackson</u> State <u>MS</u> Zip <u>39206</u>		Owner's Name <u>Jack and Anne Stanton</u>	
Phone <u>601-355-9595</u>		Phone <u>504-858 5779</u>	
Bonded and Insured Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Privilege License # <u>applied for</u>	
City of Jackson Privilege License # _____			
GROUND-MOUNTED:		BUILDING-MOUNTED:	
Overall Height <u>6'</u>		Height _____	
Height <u>4.25'</u>		Length _____	
Length <u>3.75'</u>		Square Footage _____	
Square Footage <u>15 square feet total</u>		Wall Area _____	
Wind Pressure _____			
Billboard <input type="checkbox"/>			
WORDING ON SIGN(S):		TYPE OF LIGHTING:	
<u>PJ's coffee logo text that reads "Drive- Thru"</u>		Internal <input type="checkbox"/> External <input checked="" type="checkbox"/>	
		UL# _____	
		Sign Material Type: <u>HDU Monument</u>	
		Externally Lighted HDU panels	
		Mounted to freestanding	
		aluminum structure. Total Height	
		with structure is 6'.	
		ZONING CLASS: <u>UTC</u>	
		Date Inspected: _____	
		APPROVED <input type="checkbox"/>	
		DISAPPROVED <input type="checkbox"/>	
Temporary Banner <input type="checkbox"/> Plot Drawings <input type="checkbox"/> Sign Drawings <input type="checkbox"/>			

I hereby certify that I have read this application and that all information contained herein is true and correct; that I agree to comply with all City Ordinances, Codes, and State Laws regulating sign construction; that I am the owner or authorized to act as the owner's agent for the herein described work.

Applicant's Signature

Date

Sign and License Division Manager



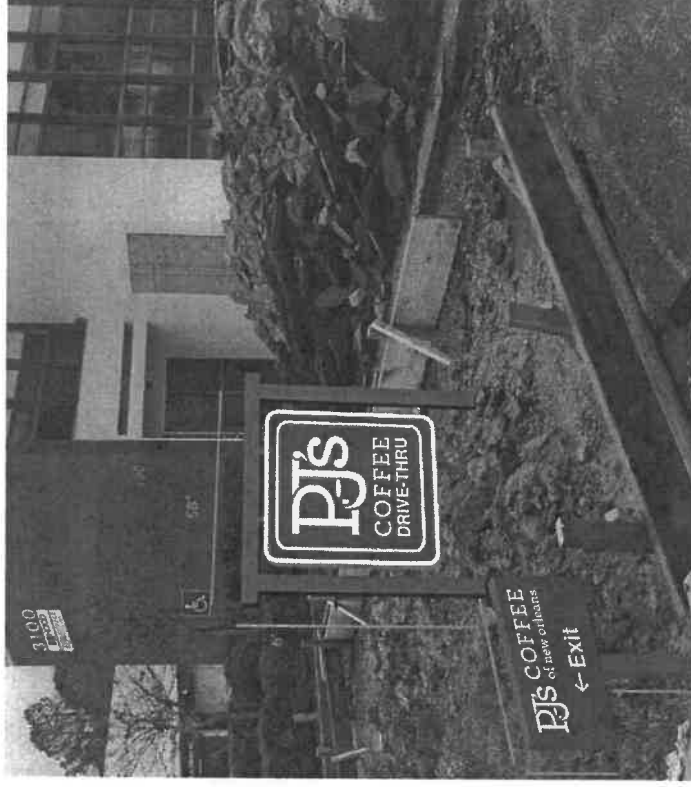
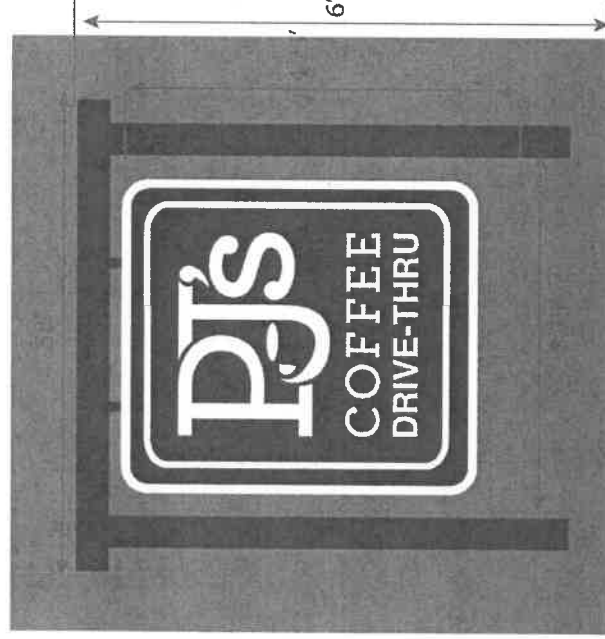
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SIGNS/LICENSE DIVISION

## PJ's MONUMENT SIGN

4.25' x 3.75', 2 sided, routed HDU panel, painted white, raised  
PMS 2613C purple relief  
"Drive-Thru" painted  
fabricated 4" square aluminum tubing  
quantity 2 HDU panels mounted back to back



Please review carefully. Unless noted, no revisions will be made. If revisions are requested, please email us. If this meets approval as is, please sign and email. Your approval indicates that with the completion of all noted corrections, we will not be held responsible for any errors.

This design is property of A Plus Signs & Creative and for it's use only.

**RECEIVED****FEB 27 2020**

SIGNS/LICENSE DIVISION



# Hinds County

 MISSISSIPPI  
 FOUNDED 1821 \* POPULATION 248,643

[HindsCountyMs.com](http://HindsCountyMs.com)
[Database](#)
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[Print Page](#)

## Landroll Detail

<b>Parcel Number</b>		<b>Map Reference Number</b>	
2-16		579.00 1 28.00	<input type="radio"/> <a href="#">View Map</a> <input type="radio"/> <a href="#">Property Taxes</a> <input type="radio"/> <a href="#">Gis Map</a>
<b>Subdivision No.</b>		<b>Homestead Exemption Account Numbers</b>	
1376			
<b>Assessed Owner</b>		<b>Assessed Values</b>	
HOOD FONDREN PROPERTY LLC		Land Value	28,820
P O BOX 4931		Improvement Value	42,812
JACKSON MS 39296		Total	71,632
<b>Location</b>		<b>Appraised Values</b>	
3100 OLD CANTON RD		Land Value	192,130
<b>Legal Description</b>		Improvement Value	285,410
BEG E S OLD CANTON RD 155.58 FT SW/LY FROM		Total	477,540
S/S BLK B WOODLAND HILLS EXT THENCE		<b>Building Info.</b>	
SW/LY 91.5 FT SE/LY 206.95 FT NE/LY 79.35 FT		Type	BANK
N 81.48 FT W 196.76 FT TO BEG IN LOT 20		Base Area	2,821
ODENEAL SY		Adjusted Area	5,513
		Year Built	1955
		<b>Deed Info.</b>	
		Book & Page	7202-1420
		Date	01/30/2017
<b>Acreage Info.</b>			
Cultivated Acres	0.00		
Uncultivated Acres	0.00		

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 Monday, February 03, 2020   [Contact Webmaster](#)   [Phone Numbers](#)   [Map to our Office](#)  
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MISSISSIPPI

**ORDER RATIFYING THE MAYOR'S EXECUTION OF A MEMORANDUM OF AGREEMENT  
BETWEEN THE CITY OF JACKSON AND HINDS COUNTY, MISSISSIPPI FOR THE DONATION OF  
510 LOGIX SMART CORONAVIRUS DISEASE 2019 90 MINUTE TEST KITS TO THE COUNTY FOR  
KITS TO BE USED TO TEST DESIGNATED CITY AND COUNTY DETAINEES HOUSED AT VARIOUS  
HINDS COUNTY DETENTION FACILITIES**

**WHEREAS**, the City is a municipal corporation and a political subdivision of the State of Mississippi; and

**WHEREAS**, the County is a political subdivision of the State of Mississippi; and

**WHEREAS**, on March 13, 2020, the President of the United States declared the ongoing COVID-19 outbreak a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Secs. 512105207 (the "Stafford Act"); and

**WHEREAS**, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. Sec. 1601, *et seq.*, and consistent with Section 1135 of the Social Security Act, as amended (41 U.S.C. Sec. 1320b-5), declared that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020; and

**WHEREAS**, on March 14, 2020, pursuant to the Constitution of the State of Mississippi and Miss. Code Ann. Sec. 33-15-11(b)(17), the Governor of the State of Mississippi issued a Proclamation declaring that a State of Emergency exists in the State of Mississippi as a result of the outbreak of COVID-19; and

**WHEREAS**, on March 16, 2020, pursuant to Section 45-17-3 of the Mississippi Code of 1972, as amended, the Chief Executive Officer of the City of Jackson, Mississippi issued a Proclamation declaring a Civil Emergency for the City of Jackson in the wake of the Coronavirus pandemic; and

**WHEREAS**, cases of COVID-19 have accelerated throughout the local community, even in the face of efforts to try to control its spread; and

**WHEREAS**, on April 14, 2020, the Mississippi State Department of Health reported that there were 3,360 positive cases of COVID-19 in the State of Mississippi, including 280 in Hinds County, where one detention officer at the Hinds County Detention Center in Raymond, Mississippi has tested positive; and

**WHEREAS**, personal hygiene, social distancing, and movement restrictions, while important, are not enough to extinguish the pandemic; and

OFFICE OF THE CITY ATTORNEY

**WHEREAS**, one of the most effective ways to prevent infections and save lives is breaking the chains of transmission, and to do that there must be aggressive and widespread testing and isolation; and

**WHEREAS**, aggressive testing allows health services to quickly identify who has the disease and arrange for them to receive the care needed; and

**WHEREAS**, aggressive testing will allow for people who've been in close contact with those who test positive to be identified and tested as well; and

**WHEREAS**, City and County detainees who are housed in various Hinds County detention facilities are in need of testing to minimize the spread of the highly infectious Coronavirus among the detainees and personnel; and

**WHEREAS**, many of the detainees are held in close quarters and have preexisting health conditions; and

**WHEREAS**, pursuant to Section 17-13-1, *et al.*, of the Mississippi Code of 1972, as amended, the City and the County may enter into collaborative agreements to facilitate the provision of equipment and services for the public benefit; and

**WHEREAS**, pursuant to Section 33-15-17(b) of the Mississippi Code of 1972, as amended, the City and the County possess the power and authority to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to victims of such disaster; and

**WHEREAS**, pursuant to Section 33-15-17(b) of the Mississippi Code of 1972, as amended, the City and County are authorized to exercise the powers vested under this section in the light of the exigencies of the extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering into contracts, and the incurring of obligations; and

**WHEREAS**, pursuant to Section 33-15-17(c)(1) of the Mississippi Code of 1972, as amended, the City and the County possess the power and authority to appropriate and expend funds, make contracts, obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of person and property, including emergency assistance to the victims of any enemy attack or man-made, technological or natural disasters and to direct and coordinate the development of emergency management plans and programs in accordance with the policies and plans set by the federal and state emergency management agencies.

**WHEREAS**, the Coronavirus pandemic necessitates that the City and County share and use available resources to protect public health and safety as contemplated.

**WHEREAS**, the Mayor of the City and the President of the Hinds County Board of Supervisors determined that there was a significant need for creating a collaboration between

the Parties in order to provide greater access to Coronavirus testing for designated City and County detainees; and

**WHEREAS**, in furtherance of the Parties interest to protect life, a Memorandum of Agreement ("MOA") was entered into for the donation of test kits to Hinds County, Mississippi; and

**WHEREAS**, the City agreed in the MOA to donate to the County 510 LOGIX Smart Coronavirus Disease 2019 90 Minute Test Kits, including Facts Sheets required by the FDA, as well as the FDA Emergency Use Authorization Letter issued to Co-Diagnostics, Inc. and the Instructions for Use document; and

**WHEREAS**, the County agreed in the MOA to receive the Test Kits and use them to test designated City and County Detainees housed at the various Hinds County Detention Facilities; and

**WHEREAS**, the County agreed in the MOA to be responsible for properly storing the Test Kits and ensuring that the Kits are used in accordance with the manufacturer's instructions; and

**WHEREAS**, the County agreed in the MOA to be responsible for paying all costs associated with the administration of tests and not seek any contribution from the City; and

**WHEREAS**, the City expressly made no warranty concerning the safety and effectiveness of the Kits and informed the County that the Kits did not have full FDA approval; and

**WHEREAS**, the Agreement was executed for the purpose of advancing the public health, safety, and welfare and was not unreasonable.

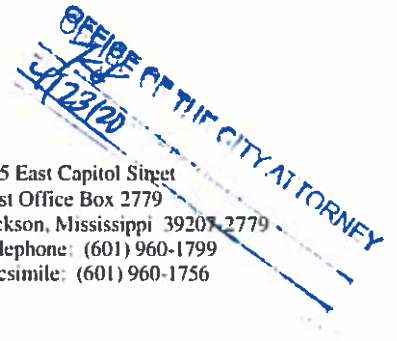
**NOW THEREFORE**, the Jackson City Council ratifies the herein described Agreement with Hinds County, Mississippi which has been executed by the Mayor.

(LUMUMBA)



Office of the City Attorney

455 East Capitol Street  
Post Office Box 2779  
Jackson, Mississippi 39207-2779  
Telephone: (601) 960-1799  
Facsimile: (601) 960-1756



## OFFICE OF THE CITY ATTORNEY

---

**ORDER RATIFYING THE MAYOR'S EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF JACKSON AND HINDS COUNTY, MISSISSIPPI FOR THE DONATION OF 510 LOGIX SMART CORONAVIRUS DISEASE 2019 90 MINUTE TEST KITS TO THE COUNTY FOR KITS TO BE USED TO TEST DESIGNATED CITY AND COUNTY DETAINEES HOUSED AT VARIOUS HINDS COUNTY DETENTION FACILITIES** is legally sufficient for placement in NOVUS Agenda

  
\_\_\_\_\_  
Timothy Howard, City Attorney

4/23/20  
\_\_\_\_\_  
Date

**ORDER APPOINTING VICTOR ALLEN AS DEPUTY COUNCIL CLERK.**

**WHEREAS**, the governing authorities for the City of Jackson passed an ordinance on December 20, 2019, which is recorded in Minute Book 6Q on pages 319-322; and

**WHEREAS**, the position of Deputy Clerk of the Council was inherently established by the passage of the ordinance passed by the governing authorities on December 20, 2019; and

**WHEREAS**, after evaluating his qualifications and experience, the governing authorities for the City of Jackson have determined that *Victor Allen* is a suitable person to serve as Deputy Clerk of the Council.

**IT IS HEREBY ORDERED** that *Victor Allen* shall be appointed to serve as Deputy Clerk of the Council commencing on April 29, 2020.

**IT IS HEREBY ORDERED** that the *Victor Allen* upon commencement of his service as Deputy Clerk of the Council shall work at a maximum of 40 hours per week.

**IT IS HEREBY ORDERED** that the compensation to be paid *Victor Allen* upon commencement of his service as Deputy Clerk of Council shall be \$31,676.24 excluding any applicable fringe benefits.

**IT IS HEREBY ORDERED** that *Victor Allen's* tenure as Deputy Clerk of the Council shall continue and be at the will and pleasure of the Jackson City Council.

**IT IS HEREBY ORDERED** that no contract shall be construed as resulting from the appointment of *Victor Allen* as Deputy Clerk of the Council.

**IT IS FINALLY ORDERED** that Mississippi's law concerning at will employment shall remain unchanged by the appointment of *Victor Allen* as Deputy Clerk of the Council.

## **ORDER OF THE JACKSON CITY COUNCIL INSTITUTING A CURFEW IN RESPONSE TO THE COVID-19 PANDEMIC. (STAMPS)**

**WHEREAS**, on March 16, 2020, Mayor Chokwe Antar Lumumba, declared and issued a citywide Proclamation of Civil Emergency in the wake of the Coronavirus pandemic (COVID-19 spread); and

**WHEREAS**, Section 33-15-17(d) of the Mississippi Code Annotated (1972) as amended, states, in part, as follows: “[d]uring a local emergency, the governing body of a political subdivision may promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety”; and

**WHEREAS**, over the past two weeks the spread of COVID-19 has continued and increased in the City of Jackson; and

**WHEREAS**, the City of Jackson does not have the luxury of a wait-and-see approach to the Coronavirus pandemic; and

**WHEREAS**, continued extraordinary measures related to preventing the spread of the Coronavirus are necessary and expedient for the health, safety, welfare and good order to protect the public peace and preserve lives.

**NOW, THEREFORE**, the City Council of the City of Jackson, Mississippi, pursuant to the authority set forth by Section 33-15-17(d) of the Mississippi Code Annotated (1972), as amended, and in the public interest and for the general welfare of the City of Jackson, do hereby institute an Order of Curfew.

**IT IS ORDERED** that a curfew is established within the entire geographical area of the City of Jackson.

**IT IS FURTHER ORDERED** that all pedestrian and vehicular movement, standing and parking, except for individuals commuting to and from places of “Essential Business or Operation” as defined in Executive Order No. 1463 - issued by the Governor of the State of Mississippi, places of employment, the provision of fire, police, emergency and hospital services, medical patients, utility repairs, state and local government employees providing services, and emergency calls by physicians within the above curfew area, are prohibited during curfew hours. Curfew hours during which such movement is prohibited shall be each day from 10:00 P.M. until 5:00 A.M., commencing on Wednesday, April 15, 2020 at 10:00 P.M. and shall remain in force until such time as the civil emergency regarding the COVID-19 spread is finally terminated and/or until this Order is rescinded by the governing authorities. This order shall not continue once the civil emergency has terminated.

**IT IS FURTHER ORDERED** that this Order be: (1) promptly filed with the City Clerk; (2) distributed to the news media and other organizations calculated to bring its content to

the attention of the general public; and (3) distributed to others as necessary to ensure proper implementation of this Order.

**IT IS FURTHER ORDERD** that violations of the Order may be subject to misdemeanor prosecution.

**IT IS FINALLY ORDERED** that any variance or exception to the prohibitions and/or restrictions set forth herein shall be valid only when stated in writing and spread across the minutes of the municipality.

Agenda Item #

April 14, 2020

(STAMPS)