

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, OCTOBER 13, 2020 10:00 A.M.**

BE IT REMEMBERED that a Regular Meeting of the City Council of Jackson, Mississippi, was convened at City Hall at 10:00 a.m. on October 13, 2020, being the second Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Aaron Banks, Council President, Ward 6; Charles Tillman, Vice President, Ward 5; Ashby Foote, Ward 1; Kenneth Stokes, Ward 3; De’Keither Stamps (Videoconference), Ward 4; Virgi Lindsay, Ward 7. Directors: Chokwe Antar Lumumba, Mayor; Shanekia Mosley, Clerk of the Council; John W. Carroll, Sr., Chief Deputy Clerk of Council; and Timothy Howard, City Attorney.

Absent: None.

The meeting was called to order by **President Aaron Banks**.

The invocation was offered by **Pastor Santonio Johnson**.

The Council recited the Pledge of Allegiance.

President Banks requested that Agenda Items No. 25, 26, 27, 28, 29 and 30 be moved forward on the Agenda. Hearing no objections, the following were presented:

ORDER RE-APPOINTING KIMBERLY HILLIARD TO THE HISTORIC PRESERVATION BOARD.

WHEREAS, the Historic Preservation Board consists of seven (7) members and two (2) members-at-large that serve for a term of three (3) years; and

WHEREAS, Kimberly Hilliard’s terms as Member-at-Large will expire on October 31, 2020; thereby creating a vacancy; and

WHEREAS, Kimberly Hilliard, after evaluation of her qualifications, has been appointed by the Mayor to fill said vacancy; and

IT IS THEREFORE ORDERED the Mayor’s re-appointment of Kimberly Hilliard to the Historic Preservation Board as Member-at-Large be confirmed with said term to expire October 31, 2023.

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

President Banks recognized **Mayor Chokwe Antar Lumumba** and **Jordan Hillman**, Director of Planning, who provided a brief presentation on the qualifications of **Kimberly Hilliard** to the Historic Preservation Board for the City of Jackson, Mississippi.

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

Yeas – Banks, Foote, Lindsay, Stamps, Stokes and Tillman.

Nays – None.

Absent – None.

ORDER RE-APPOINTING JEFFREY S. SEABOLD TO THE JACKSON HISTORIC PRESERVATION BOARD.

WHEREAS, the Historic Preservation Board consists of seven (7) members and two (2) members-at-large that serve for a term of three (3) years; and

WHEREAS, Jeffrey S. Seabold currently represents Ward 7 on the Historic Preservation Board with a term set to expire on October 31, 2020; thereby creating a vacancy; and

WHEREAS, Jeffrey S. Seabold, resident of Ward 7, after evaluation of his qualifications, has been re-appointed by the Mayor to fill said vacancy.

IT IS THEREFORE ORDERED the Mayor's re-appointment of Jeffrey S. Seabold, Ward 7, to the Historic Preservation Board be confirmed with said term to expire October 31, 2023.

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

President Banks recognized **Dr. Safiya Omari**, Chief of Staff and **Jordan Hillman**, Director of Planning, who provided a brief presentation on the qualifications of **Jeffrey S. Seabold** to the Historic Preservation Board for the City of Jackson, Mississippi.

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

Yeas – Banks, Foote, Lindsay, Stamps, Stokes and Tillman.

Nays – None.

Absent – None.

ORDER CONFIRMING THE MAYOR'S APPOINTMENT OF JOANN JONES TO THE MUNICIPAL ELECTION COMMISSION.

WHEREAS, the Municipal Election Commission consists of seven (7) members nominated by the Mayor for a term of four (4) years; and

WHEREAS, Dr. Della Cooper tenured her resignation as Ward 2 Election Commissioner on September 20, 2020; thereby, creating a vacancy; and

WHEREAS, JoAnn Jones, resident of Ward 2, after evaluation of her qualifications, has been appointed by the Mayor to fill the unexpired term of Dr. Della Cooper.

IT IS, THEREFORE, ORDERED that the Mayor's appointment of JoAnn Jones to the Municipal Election Commission for Ward 2 be confirmed with said term to expire on June 30, 2021.

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

President Banks recognized **Angela Harris**, Municipal Clerk, who provided a brief description of responsibilities of Election Commissioners. **Ms. Joanna Jones**, gave her personal statement and answered questions posed to her by Council Members.

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

Yeas – Banks, Foote, Lindsay, Stamps, Stokes and Tillman.

Nays – None.

Absent – None.

ORDER CONFIRMING THE MAYOR'S APPOINTMENT OF SANDRA GRIFFIN MCCALL TO THE MUNICIPAL ELECTION COMMISSION.

WHEREAS, the Municipal Election Commission consists of seven (7) members; and

WHEREAS, the untimely passing of Emma Sanders created a vacancy for Ward 3 Election Commissioner; and

WHEREAS, Sandra Griffin McCall, resident of Ward 3, after evaluation of her qualifications, has been appointed by the Mayor to fill the unexpired term.

IT IS, THEREFORE, ORDERED that the Mayor's appointment of Sandra Griffin McCall to the Municipal Election Commission for Ward 3 be confirmed with said term to expire on June 30, 2021.

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

President Banks recognized **Dr. Safiya Omari**, Chief of Staff, who gave a brief introduction of **Sandra Griffin McCall**. **Sandra Griffin McCall** gave her personal statement and answered questions posed to her by Council Members.

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

- Yeas – Banks, Foote, Lindsay, Stamps, Stokes and Tillman.
- Nays – None.
- Absent – None.

ORDER CONFIRMING THE MAYOR'S APPOINTMENT OF VERNON HARTLEY TO THE MUNICIPAL ELECTION COMMISSION.

WHEREAS, the Municipal Election Commission consists of seven (7) members nominated by the Mayor for a term of four (4) years; and

WHEREAS, Dr. James Brooks tenured his resignation as Ward 5 Election Commissioner on October 1, 2020; thereby, creating a vacancy; and

WHEREAS, Vernon Hartley, resident of Ward 5, after evaluation of his qualifications, has been appointed by the Mayor to fill the unexpired term of Dr. James Brooks.

IT IS, THEREFORE, ORDERED that the Mayor's appointment of Vernon Hartley to the Municipal Election Commission for Ward 5 be confirmed with said term to expire on June 30, 2021.

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

President Banks recognized **Dr. Safiya Omari**, Chief of Staff, who gave a brief introduction of **Vernon Hartley**. **Vernon Hartley** gave his personal statement and answered questions posed to her by Council Members.

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

- Yeas – Banks, Foote, Lindsay, Stamps, Stokes and Tillman.
- Nays – None.
- Absent – None.

ORDER CONFIRMING THE MAYOR'S APPOINTMENT OF ANTHONY VERNACI TO THE MUNICIPAL ELECTION COMMISSION.

WHEREAS, the Municipal Election Commission consists of seven (7) members nominated by the Mayor for a term of four (4) years; and

WHEREAS, the untimely passing of Horace Kelly created a vacancy for Ward 7 Election Commissioner; and

WHEREAS, Anthony Vernaci, resident of Ward 7, after evaluation of his qualifications, has been appointed by the Mayor to fill the unexpired term.

IT IS, THEREFORE, ORDERED that the Mayor's appointment of Anthony Vernaci to the Municipal Election Commission for Ward 7 be confirmed with said term to expire on June 30, 2021.

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

President Banks recognized **Dr. Safiya Omari**, Chief of Staff, who gave a brief introduction of **Anthony Vernaci**. **Anthony Vernaci** gave his personal statement and answered questions posed to her by Council Members.

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

Yeas – Banks, Foote, Lindsay, Stamps, Stokes and Tillman.

Nays – None.

Absent – None.

The following individuals provided public comments during the meeting:

- **Amelia Bolden** expressed concerns regarding adjustment of the hourly pay of the designated officers of the Jackson Police Department.
- **Adelbert Moore** expressed concerns regarding adjustment of the hourly pay of the designated officers of the Jackson Police Department.
- **Rhonda Daniels** expressed concerns regarding adjustment of the hourly pay of the designated officers of the Jackson Police Department.
- **Jaron Carter** expressed concerns regarding adjustment of the hourly pay of the designated officers of the Jackson Police Department.
- **Cedrick Kelly** expressed concerns regarding sewer issues in the Queens Subdivision.
- **Erick Ellis and Rosland Sylvester** expressed concerns regarding the infrastructure and economic development of Willowood Subdivision.

Note: Council Member Stamps left the meeting.

President Banks requested that Agenda Item No. 67 be moved forward on the Agenda. Hearing no objections, the following were presented:

**ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI
AUTHORIZING THE ADJUSTMENT OF THE HOURLY PAY OF THE
DESIGNATED OFFICERS OF THE JACKSON POLICE DEPARTMENT.**

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

WHEREAS, the hourly pay of the designated following officers of the Jackson Police Department shall be adjusted as follows:

Title: Patrol Men and Women	Adjustment	\$ 18.00 hourly pay
Corporal		\$ 21.00 hourly pay
Sergeant		\$ 25.00 hourly pay

WHEREAS, the adjustment of the salaries of the above named officers of the Jackson Police Department represent the additional work required of said officers during the present understaffing of the Jackson Police Department and the need for the retention of highly qualified and experienced officers in a time of escalating crime; and

WHEREAS, the funding of the adjustment of the salaries of the subject police officers shall be the Fund Balance of the 2019/2020 Budget of the City of Jackson with the stated adjustments to begin in January, 2021; and, said future hourly payments shall be funded by budget adjustments in the 2021/2022 Budget and beyond.

NOW, THEREFORE, IT IS HEREBY ORDERED, that the Jackson City Council hereby authorizes the adjustment of the hourly pay of the designated officers of the Jackson Police Department.

SO ORDERED, this the 13th day of October, 2020.

Council Member Stokes moved adoption; **President Banks** seconded.

President Banks recognized **Council Member Stokes**, who provided an overview of said item.

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

- Yeas – Stokes.
- Nays – Foote, Lindsay and Tillman.
- Absent – Stamps.
- Abstention – Banks.

Note: Said item failed due to lack of majority of vote.

RESOLUTION DECLARING CERTAIN PARCELS OF REAL PROPERTY IN THE CITY OF JACKSON TO BE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE AND BASED ON ADMINISTRATIVE HEARINGS HELD SEPTEMBER 15, 2020 FOR THE FOLLOWING CASES:

2020-1275	2020-1276	2020-1277	2020-1278	2020-1279	2020-1280
2020-1281	2020-1351	2020-1352	2020-1354	2020-1355	2020-1356
2020-1357	2020-1358	2020-1380	2020-1381	2020-1382	2020-1384
2020-1385	2020-1391	2020-1392	2020-1395	2020-1403	

WHEREAS, Section 21-19-11 of the Mississippi Code as amended provides that a governing authority shall conduct a hearing to determine whether property or parcels of land located within a municipality is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community; and

WHEREAS, Section 21-19-11 of the Mississippi Code as amended sets forth the procedure for mailing and posting notice of the hearing; and

WHEREAS, hearings were held on the September 15, 2020; and

WHEREAS, the hearing officer determined that notice was provided in accordance with Section 21-19-11 prior to the hearings; and

WHEREAS, after hearing testimony and reviewing evidence, the hearing officer made findings and recommendation for adjudication concerning certain parcels as follows:

1) **Case #2020-1275: Parcel #116-19** located at 172-74 Texas Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$1,000.00. Ward 5

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

2) **Case #2020-1276: Parcel #119-531** located at 332 Sewanee Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare. Ward 4

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

3) **Case #2020-1275: Parcel #306-344** located at 224 Sanford Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare. Ward 4

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

4) **Case #2020-1278: Parcel #306-293** located at 406 Lindsey Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

5) **Case 2020-1278: Parcel #306-294** located at 408 Lindsey Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare. Ward 5

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

6) **Case #2020-1280: Parcel #124-83** located at 2505 West Capitol Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

7) **Case #2020-1281: Parcel #126-127** located at 345 Fredrica Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be

adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Cutting of grass, weeds, shrubbery, and fence line. bushes, sapling and removing of trash and debris, fallen tree, wooden boards, crates, appliance, building materials, tree limbs, old furniture, old bricks, tire, Black Honda Accord, Gray Hyundai.

8) **Case 2020-1351: Parcel #642-277** located at 5538 Queen Mary Lane: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare. Ward 4

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash and debris, tree limbs, old furniture, tree parts, clean curbside.

9) **Case #2020-1352: Parcel #164-1** located at 1141 University Boulevard: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash and debris, wooden boards, crates, building materials, tree parts, tires, clean curbside.

10) **Case #2020-1354: Parcel #750-916** located at 47 Autumn Hill Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 1

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

11) **Case #2020-1355: Parcel #859-295** located at 3933 Lost Lake Circle: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

12) **Case #2020-1356: Parcel #837-14** located at 2464 Vernon Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

13) **Case #2020-1357: Parcel #837-13** located at 2454 Vernon Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

14) **Case #2020-1358: Parcel #837-15** located at 2425 Vernon Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

15) **Case #2020-1380: Parcel #645-469** located at 0 Elms Court Circle (Formerly 204): No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 5

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

16) **Case #2020-1381: Parcel #626-116-1** located at 217 Sykes Road: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash and debris, fallen tree, wooden boards, crates, appliances, building materials, tree limbs, old furniture, old bricks, tree parts, tires, clean curbside.

17) **Case #2020-1382: Parcel #837-120** located at 2306 Hickory Drive: After hearing testimony from owner Melinda S. McNamee, hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare; however, interested parties shall be afforded fourteen (14) days to cure expiring September 29, 2020. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash and debris, fallen tree, wooden boards, crates, appliances, building materials, old furniture, old bricks, tree limbs, tree parts, tires, clean curbside

18) **Case #2020-1384: Parcel #819-273** located at 3rd Lot South Of 1520 Norman Street: After hearing testimony from owner Dwight K. Norman, Sr., hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare; however, interested parties shall be afforded twenty-two (22) days to cure expiring October 6, 2020. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash and debris, fallen tree, wooden boards, crates, building materials, old bricks, tree limbs, tree parts, tires, clean curbside.

19) **Case #2020-1385: Parcel #819-275** located at 0 Lot South Of 1520 Norman Street: After hearing testimony from owner Dwight K. Norman, Sr., hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare; however, interested parties shall be afforded twenty-two (22) days to cure expiring October 6, 2020. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00, Ward 4

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash and debris, fallen tree, wooden boards, crates, building materials, tree limbs, old bricks, tree limbs, tree parts, tires, clean curbside.

20) **Case #2020-1391: Parcel #836-12** located at 156 Plummer Circle: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, sapling and removing of trash and fallen tree, wooden boards, crates, appliances, building materials, tree limbs, old furniture, old bricks, tree parts, tires, clean curbside.

21) **Case #2020-1392: Parcel #836-14** located at 161 Plummer Circle: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, sapling and removing of trash and fallen tree, wooden boards, crates, appliances, building materials, tree limbs, old furniture, old bricks, tree parts, tires, clean curbside.

22) **Case #2020-1395: Parcel #859-273** located at 4107 Rainey Road: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Board-up and secure house and cut grass, weeds, shrubbery, fence line, bushes, wooden boards, appliances, building materials, tree limbs, old furniture, old bricks, tree parts, tires. Clean curbside

23) **Case #2020-1403: Parcel #709-189** located at 200 Delmar Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$1,250.00. Ward 2

Scope of Work: Cutting of grass, weeds bushes, shrubbery, bushes, saplings, and removing of trash, debris, tree parts, tires, clean curbside.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

The Notices of Hearing pursuant to Section 21-19-11 of the Mississippi Code, as it relates to each parcel of property, is incorporated herein in their entirety, and located in Public Notices, located in the Municipal Clerk Department of the City of Jackson, Mississippi.

**RESOLUTION DECLARING CERTAIN PARCELS OF REAL PROPERTY
IN THE CITY OF JACKSON TO BE A MENACE TO PUBLIC HEALTH,
SAFETY AND WELFARE PURSUANT TO SECTION 21-19-11 OF THE
MISSISSIPPI CODE AND BASED ON ADMINISTRATIVE HEARINGS
HELD SEPTEMBER 29, 2020 FOR THE FOLLOWING CASES:**

2020-1289	2020-1308	2020-1313	2020-1315	2020-1320	2020-1336
2020-1337	2020-1338	2020-1339	2020-1340	2020-1341	2020-1342
2020-1344	2020-1346	2020-1348	2020-1359	2020-1361	2020-1363
2020-1364	2020-1365	2020-1386	2020-1387	2020-1388	2020-1389
2020-1396	2020-1398	2020-1399	2020-1401	2020-1408	2020-1409
2020-1417	2020-1422	2020-1423	2020-1424	2020-1432	2020-1433
2020-1434	2020-1438				

WHEREAS, Section 21-19-11 of the Mississippi Code as amended provides that a governing authority shall conduct a hearing to determine whether property or parcels of land located within a municipality is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community; and

WHEREAS, Section 21-19-11 of the Mississippi Code as amended sets forth the procedure for mailing and posting notice of the hearing; and

WHEREAS, hearings were held on September 29, 2020; and

WHEREAS, the hearing officer determined that notice was provided in accordance with Section 21-19-11 prior to the hearings; and

WHEREAS, after hearing testimony and reviewing evidence, the hearing officer made findings and recommendations for adjudication concerning certain parcels as follows:

- 1) **Case #2020-1289: Parcel #119-96** located at 415 Holden Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash and debris, old furniture and clean curbside.

- 2) **Case #2020-1308: Parcel #306-340** located at 216 Sanford Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, saplings, and removing of trash and debris, wooden boards, crates, appliances, tree limbs, old furniture, old bricks, tires, blue dodge and clean curbside.

- 3) **Case #2020-1313: Parcel #119-529** located at 328 Sewanee Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Cutting of grass, weeds shrubbery, fence line, bushes, saplings and removing of trash and debris, tree limbs, tree parts, tires and clean curbside.

- 4) **Case #2020-1315 Parcel #127-113** located at 248 Fredrica Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash and debris, wooden boards, crates, building materials, tree limbs, old furniture, tires and clean curbside.

- 5) **Case #2020-1320: Parcel #642-144** located at 5421 Queen Mary Lane: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, buses, sapling and removing of trash and debris, tree limbs, tree parts and clean curbside.

- 6) **Case #2020-1336: Parcel #124-46** located at 126 Fredrica Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 7) **Case #2020-1337 Parcel #144-204** located at 518 Rose Street (AB): No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, cut grass and weeds.

- 8) **Case #2020-1338: Parcel #149-52** located at 515 Rose Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 9) **Case #2020-1339: Parcel #116-88** located at 159 Louisiana Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare. Ward 4

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 10) **Case #2020-1340: Parcel #130-41** located at 1537 West Capitol Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 11) **Case #2020-1341: Parcel #816-33** located at 1237 Zephyr Road: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

- 12) **Case #2020-1342: Parcel #639-38** located at 4402 Welota Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

- 13) **Case #2020-1344: Parcel #642-167** located at 5428 Queen Mary Lane: After hearing testimony from owner James H. King, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, interested parties shall be afforded three (3) weeks to cure expiring October 20, 2020. If there is a default and the City proceeds with cleaning, hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash and debris, crates, tree limbs, tree parts, Red PU, White GMC -PU Truck, Gray Toyota and Blue Station-Wagon and clean curbside.

- 14) **Case #2020-1346: Parcel #642-181** located at 208 Queen Anne Lane: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash and debris and clean curbside.

- 15) **Case #2020-1348: Parcel #119-530** located at 330 Sewanee Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 4

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

- 16) **Case #2020-1359: Parcel #130-13** located at 1585 West Capitol Street (Ac): After hearing testimony from owner Kass Welchlin, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, interested parties shall be afforded ninety (90) days to demolish structure(s) by *December 28, 2020*. If there is a default and the City proceeds with cleaning, hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; cut grass and weeds.

- 17) **Case #2020-1361: Parcel #642-602** located at 485 West Lane Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, saplings, and removing of trash and debris, wooden boards, crates, appliances, building materials, tree limbs, old furniture, old bricks, tree parts and clean curbside.

- 18) **Case #2020-1363: Parcel #622-253** located at 3136 Revere Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 19) **Case #2020-1364: Parcel #616-272** located at 2875 Revere Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 20) **Case #2020-1365: Parcel #843-164** located at 4544 Sandlewood Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 21) **Case #2020-1386: Parcel #839-756** located at 3368 Fleetwood Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 22) **Case #2020-1387: Parcel #839-757** located at 3362 Fleetwood Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 23) **Case #2020-1388: Parcel #839-749** located at 3355 Fleetwood Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 24) **Case #2020-1389: Parcel #616-242** located at 2864 Revere Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 25) **Case #2020-1396: Parcel #422-2** located at 816 West Mayes Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 26) **Case #2020-1398: Parcel #616-269** located at 2863 Revere Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 27) **Case #2020-1399: Parcel #616-123** located at 2616 Revere Street: After hearing testimony from owner Peter Smith, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, interested parties shall be afforded seven (7) days to enter into repair agreement expiring **October 6, 2020**. If there is a default and the City proceeds with cleaning, hearing officer recommends that

the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 28) **Case #2020-1401: Parcel #425-620** located at 1016-18 Eminence Row: After hearing testimony from owner Evelyn & Lewis Sanders, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, interested parties shall be afforded ninety (90) days to demolish structure(s) expiring December 28, 2020. If there is a default and the City proceeds with cleaning, hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 29) **Case #2020-1408: Parcel #616-125** located at 2626 Revere Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, sapling and removing of trash and debris, fallen tree, wooden boards, crates, appliances, building materials, tree limbs, old furniture, old bricks, tires, and clean curbside.

- 30) **Case #2020-1409: Parcel #616-231** located at 2736 Revere Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Cutting of grass, weeds, shrubbery, fence line, bushes, saplings and removing of trash and debris, fallen tree, wooden boards, crates, appliances, building materials, tree limbs, old furniture, old bricks, tree parts, tires, and clean curbside.

- 31) **Case #2020-1417 Parcel #616-268** located at 2857 Revere Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 32) **Case #2020-1422: Parcel #59-10-31** located at 1609 Adelle Court: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 33) **Case #2020-1423: Parcel #572-54** located at 5045 Riverwood Circle: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$250.00. Ward 1

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 34) **Case #2020-1424: Parcel #433-116** located at 4645 Normandy Drive: After hearing testimony from owner Rogelio Solis, hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare; however, interested parties shall be afforded seven (7) days to enter into repair agreement expiring October 6, 2020. If there is a default and the City proceeds with cleaning, hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 35) **Case #2020-1432 Parcel #108-4-26** located at 2442 Eleanor Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 36) **Case #2020-1433: Parcel #101-218** located at 1253 Gentry Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 37) **Case #2020-1434: Parcel #423-208** located at 3117 James Hill Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

- 38) **Case #2020-1438: Parcel #60-52** located at 1705 North Lamar Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards, and cut grass and weeds.

IT IS HEREBY ORDERED that the above parcels be adjudicated a menace to public health, safety and welfare as recommended by the hearing officer.

IT IS HEREBY ORDERED that a copy of the notices mailed and posted to owners and interested parties of the above parcels shall be included in the minutes along with this resolution pursuant to Section 21-19-11 of the Mississippi Code as amended.

IT IS HEREBY ORDERED that the Administration shall be authorized to remedy conditions on the parcels posing a threat to public health, safety and welfare using municipal resources or contract labor if the owners fail to do so.

IT IS HEREBY ORDERED that the adjudication of penalties, if any, shall be reserved until such time that a resolution is approved assessing actual costs.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

The Notices of Hearing pursuant to Section 21-19-11 of the Mississippi Code, as it relates to each parcel of property, is incorporated herein in their entirety, and located in Public Notices, located in the Municipal Clerk Department of the City of Jackson, Mississippi.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND VW LANDSCAPE, LLC, TO CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #2018-2112 - 160 EAST DAVIS STREET -\$201.60.

WHEREAS, on March 19, 2019, the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on January 15, 2019 for Case 2018-2112 located in Ward 7 of the City of Jackson; and

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

WHEREAS, VW Landscape, LLC, appeared next on the rotation list and through its representative, Victor Williams Esq, agreed to cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, fallen tree parts, wooden boards, crates, appliances, old furniture, building materials, old bricks and clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 160 East Davis Street for the sum of \$201.60; and

WHEREAS, VW Landscape, LLC, has a principal office address of 322 Fredrica Avenue Jackson, Mississippi 39209.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with VW Landscape, LLC, to cut vegetation and remedy conditions on the property located at 160 East Davis Street deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER HEREBY ORDERED that a sum not to exceed \$201.60 shall be paid to VW Landscape, LLC, for the services provided from funds budgeted for the Division.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND VW LANDSCAPE, LLC, TO CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #2018-1213 – 0 BRADLEY STREET/9 NORTH OF 228 BRADLEY STREET– \$960.00.

WHEREAS, on March 19, 2019, the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on June 19, 2018 for Case 2018-1213 located in Ward 5 of the City of Jackson; and

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

WHEREAS, VW Landscape, LLC, appeared next on the rotation list and through its representative, Victor Williams Esq, agreed to cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, fallen tree parts, wooden boards, crates, appliances, old furniture, building materials, old bricks and clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 0 Bradley Street/9 North of 228 Bradley Street for the sum of \$960.00; and

WHEREAS, VW Landscape, LLC, has a principal office address of 322 Fredrica Avenue Jackson, Mississippi 39209.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with VW Landscape, LLC, to cut vegetation and remedy conditions on the property located at 0 Bradley Street/9 North of 228 Bradley Street deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER HEREBY ORDERED that a sum not to exceed \$960.00 shall be paid to VW Landscape, LLC, for the services provided from funds budgeted for the Division.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND VW LANDSCAPE, LLC, TO CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #2018-1253 - 303 BON AIR STREET - \$1,345.00.

WHEREAS, on September 11, 2018, the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on July 10, 2018 for Case 2018-1253 located in Ward 5 of the City of Jackson; and

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

WHEREAS, VW Landscape, LLC, appeared next on the rotation list and through its representative, Victor Williams Esq, agreed to cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, fallen tree parts, wooden boards, crates, appliances, old furniture, building materials, old bricks and clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 303 Bon Air Street for the sum of \$1,345.00; and

WHEREAS, VW Landscape, LLC, has a principal office address of 322 Fredrica Avenue Jackson, Mississippi 39209.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with VW Landscape, LLC, to cut vegetation and remedy conditions on the property located at 303 Bon Air Street deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER HEREBY ORDERED that a sum not to exceed \$1,345.00 shall be paid to VW Landscape, LLC, for the services provided from funds budgeted for the Division.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND VW LANDSCAPE, LLC, TO BOARD UP AND SECURE STRUCTURE(S) AND/OR CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #2018-2023 – 716 KIRKLEY DRIVE– \$1,241.50.

WHEREAS, on May 14, 2019, the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on December 18, 2018 for Case 2018-2023 located in Ward 2 of the City of Jackson; and

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

WHEREAS, VW Landscape, LLC, appeared next on the rotation list and through its representative, Victor Williams Esq, agreed to board up and secure structure(s) and/or cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, fallen tree parts, wooden boards, crates, appliances, old furniture, building materials, old bricks and clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 716 Kirkley Drive for the sum of \$1,241.50; and

WHEREAS, VW Landscape, LLC has a principal office address of 322 Fredrica Avenue Jackson, Mississippi 39209.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with VW Landscape, LLC, to cut vegetation and remedy conditions on the property located at 716 Kirkley Drive deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER HEREBY ORDERED that a sum not to exceed \$1,241.50 shall be paid to VW Landscape, LLC, for the services provided from funds budgeted for the Division.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND JONES LANDSCAPE CONTRACTOR SERVICES LLC TO CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE

ANNOTATED SECTION 21-9-11 FOR CASE #2019-1475 – 130 WEST LANE DRIVE– \$791.80 – WARD 4

WHEREAS, on November 26, 2019, the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on November 5, 2019 for Case 2019-1475 located in Ward 4 of the City of Jackson; and

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

WHEREAS, Jones Landscape Contractor Services, LLC, appeared next on the rotation list and through its representative, Donald M. Jones, agreed to cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, wooden boards, appliances, furniture, building materials, tree parts, tires, all inoperative vehicles (front and back); and clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 130 West Lane Drive for the sum of \$791.80; and

WHEREAS, Jones Landscape Contractor Services, LLC, has a principal office address of 3172 Bilgray Drive Jackson, Mississippi 39212.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with Jones Landscape Contractor Services, LLC, to cut vegetation and remedy conditions on the property located at 130 West Lane Drive deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER HEREBY ORDERED that a sum not to exceed \$791.80 shall be paid to Jones Landscape Contractor Services, LLC, for the services provided from funds budgeted for the Division.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND ACA DEMOLITION & PROJECT GROUP, LLC, TO DEMOLISH STRUCTURE FOUNDATION, STEPS AND DRIVEWAY; CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #2019-1569 - 3758 NORTHVIEW DRIVE - \$5,000.00.

WHEREAS, on March 3, 2020, the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on January 14, 2020 for Case 2019-1569 located in Ward 7 of the City of Jackson; and

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

WHEREAS, ACA Demolition & Project Group, LLC, appeared next on the rotation list and through its representative, Elton Smith, agreed to demolish structure, foundation, steps, driveway and/or cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, , crates, appliances, building materials, furniture, and fallen tree parts; clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 3758 Northview Drive for the sum of \$5,000.00; and

WHEREAS, ACA Demolition & Project Group, LLC, has a principal office address of 120 Hillcroft Place Jackson, Mississippi 39211.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with ACA Demolition & Project Group, LLC, to demolish structure, foundation, steps, and driveway and/or cut vegetation and remedy conditions on the property located at 3758 Northview Drive deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER HEREBY ORDERED that a sum not to exceed \$5,000.00 shall be paid to ACA Demolition & Project Group, LLC, for the services provided from funds budgeted for the Division.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND VW LANDSCAPE, LLC, TO CUT GRASS AND WEEDS; REMOVE TRASH AND DEBRIS; AND REMEDY CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #2020-1118 – 170 DEL RIO STREET – \$672.00.

WHEREAS, on August 18, 2020, the Jackson City Council approved a resolution declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety, and welfare pursuant to Section 21-19-11 of the Mississippi Code following an administrative hearing held on June 30, 2020 for Case 2020-1118 located in Ward 3 of the City of Jackson; and

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

WHEREAS, VW Landscape, LLC, appeared next on the rotation list and through its representative, Victor Williams Esq, agreed to cut grass, weeds, shrubbery, fence line, bushes, and saplings; remove trash, debris, tires, fallen tree parts, wooden boards, crates, appliances, old furniture, building materials, old bricks and clean curbside; and remedy conditions constituting a menace to public health and welfare for the parcel located at 170 Del Rio Street for the sum of \$672.00; and

WHEREAS, VW Landscape, LLC, has a principal office address of 322 Fredrica Avenue Jackson, Mississippi 39209.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with VW Landscape, LLC, to cut vegetation and remedy conditions on the property located at 170 Del Rio Street deemed to be a menace to public health, safety, and welfare.

IT IS FURTHER HEREBY ORDERED that a sum not to exceed \$672.00 shall be paid to VW Landscape, LLC, for the services provided from funds budgeted for the Division.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

President Banks recognized **Council Member Tillman** who moved, seconded by **Council Member Lindsay** to add an Resolution adjudicating costs and penalties totaling \$24,082.01 for parcels cleaned pursuant to resolutions adjudicating same to be menace to public health, safety and welfare On July 1, 2014, June 30, 2015, September 17, 2019, and October 29, 2019 in the following cases: 2014-1253, 2019-1308, 2019-1399, 2019-1410, 2014-3351. The motion prevailed by the following vote:

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

There came on as the Emergency Agenda Item RESOLUTION ADJUDICATING COSTS AND PENALTIES TOTALING \$24,082.01 FOR PARCELS CLEANED PURSUANT TO RESOLUTIONS ADJUDICATING SAME TO BE MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ON JULY 1, 2014, JUNE 30, 2015, SEPTEMBER 17, 2019, AND OCTOBER 29, 2019 IN THE FOLLOWING CASES: 2014-1253, 2019-1308, 2019-1399, 2019-1410, 2014-3351. Hearing no objections, the Clerk read the following:

RESOLUTION ADJUDICATING COSTS AND PENALTIES TOTALING \$24,082.01 FOR PARCELS CLEANED PURSUANT TO RESOLUTIONS ADJUDICATING SAME TO BE MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ON - JULY 1, 2014, JUNE 30, 2015, SEPTEMBER 17, 2019, AND OCTOBER 29, 2019 IN THE FOLLOWING CASES:

2014-1253	2019-1308	2019-1399	2019-1410
2014-3351			

WHEREAS, Administrative Hearings were held, April 29, 2014, March 24, 2015, August 7, 2019, and September 24, 2019 pursuant to Section 21-19-11 of the Mississippi Code to determine whether certain parcels located in the City of Jackson constituted a menace to public health, safety, and welfare; and

WHEREAS, on July 1, 2014, June 30, 2015, September 17, 2019, and October 29, 2019 the governing authorities for the City of Jackson passed resolutions approving recommendations from the administrative hearing officer that certain parcels be deemed a menace to public health, safety, and welfare; and

WHEREAS, property owners and interested parties were afforded opportunity to be heard and did not appeal the governing authorities' adjudication; and

WHEREAS, contract labor was utilized to clean the parcels and address conditions deemed to be a menace to public health, safety, and welfare when the owners failed to do so; and

WHEREAS, costs were incurred as a result of the employment of the contract labor; and

WHEREAS, penalties have been recommended and should be imposed against those parcel owners who failed to remedy and address violations.

NOW BE IT THEREFORE RESOLVED that the following costs and penalties are assessed in the following cases:

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, OCTOBER 13, 2020 10:00 A.M.**

2014-1253	Reed Kevin	2227 Robinson St/39209	302-1	\$15,000.00	\$1,500.00	\$500.00	\$17,000.00	Demolish and remove remains of burned apts., trash, debris, foundation, steps, driveway, and cut grass and weeds.
2014-3351	Brumfield Lee	1913 Camellia Ln/39204	631-41	\$1,368.20	\$136.82	\$500.00	\$2,005.02	Board-up and secure house. Cut grass & weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs & parts, fallen tree, tires and clean curbside.
2019-1308	Travis Todd	239 E Ash St/ 39202	66-36	\$2,584.00	\$258.40	\$500.00	\$3,342.40	Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards. Cut grass and weeds.
2019-1399	Patterson Patty	Corner Lot of Adelle St & Adelle Ct/39202	59-10-26	\$222.30	\$22.23	\$750.00	\$994.53	Cut grass, weeds, shrubbery, bushes, fence line, saplings; remove trash and debris, tree parts, tires, building materials, appliances, old furniture; and clean curbside.
2019-1410	Detailed Development LLC	Lot West of 169 Adelle St/39202	59-10-25	\$218.24	\$21.82	\$500.00	\$740.06	Cut grass, weeds, shrubbery, fence line, bushes, saplings; remove trash and debris, tires, tree parts; and clean curbside.
							GRAND TOTAL	\$24,082.01

IT IS FURTHER RESOLVED that the costs and penalties assessed shall become liens against the parcels stated and shall be enrolled in the office of the circuit clerk of Hinds County as other judgments are enrolled consistent with the provisions of Section 21-19-11 of the Mississippi Code.

IT IS FURTHER RESOLVED that the tax collector shall sell the parcels to satisfy the liens in a manner consistent with the sale of lands for delinquent taxes and in accordance with the provisions of Section 21-19-11 of the Mississippi Code as amended.

IT IS FURTHER RESOLVED that pursuant to Section 21-19-11 of Mississippi Code as amended that the costs and penalties assessed in this Resolution be included with municipal ad valorem taxes and the payment shall be enforced in the same manner as municipal ad valorem taxes; and all statutes related to the collection of other taxes in the City of Jackson shall apply to the enforcement and collection of the costs and penalties levied by this Resolution.

IT IS FINALLY RESOLVED that the Mayor and municipal clerk be authorized to perform any and all acts necessary to ensure that provisions of this Resolution are implemented.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

The Notices of Hearing pursuant to Section 21-19-11 of the Mississippi Code, as it relates to each parcel of property, is incorporated herein in their entirety, and located in Public Notices, located in the Municipal Clerk Department of the City of Jackson, Mississippi.

Note: Council Member Lindsay left the meeting.

There came on for Introduction, Agenda Item No. 12:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORARY RENAMING LAMAR STREET FROM PASCAGOULA STREET TO COURT STREET ATTORNEY DENNIS SWEET DRIVE. Said item would be placed on the October 27, 2020 agenda for adoption.

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI AMENDING CHAPTER 126, ARTICLE VIII OF THE JACKSON CODE OF ORINANCES TO ADD SECTION 126-359 REQUIRING POSTING OF “REQUIRED RULES OF BEHAVIOR ON CITY BUSES” AND SECTION 126-360 PROVIDING ENFORCEMENT THEREOF.

WHEREAS, the public health, safety and welfare will be considered by this Ordinance;
and

WHEREAS, this Ordinance shall require that the "Required Rules of Behavior on City Buses" be prominently displayed on all buses; and

WHEREAS, the purpose of this Ordinance shall be to promote safety, security and a wholesome riding environment for all patrons of the city bus service.

THEREFORE, BE IT ORDAINED AS FOLLOWS:

SECTION ONE. Section 126-359, "Required Rules of Behavior on City Buses", is hereby added to read as follows:

1. Loud or disruptive behavior is prohibited.
2. Actions disrespecting the bus operator are prohibited.
3. Eating and drinking are permitted provided that the waste from eating or drinking is properly disposed.
4. Unsealed or consumption of alcoholic beverages is prohibited.
5. No smoking on buses, inside transit facilities or within 20 feet of the opening of a window or door at transit facilities.
6. Intoxicated passengers shall be refused service.
7. No standing in front of the white or yellow "standee" line, in doorways or stepwells while the bus is in motion.
8. No unnecessary conversation or interference with bus operator for safety reasons.
9. No fighting, using vulgar or offensive language, pushing, shouting or participating in rough behavior on the bus or at transit facilities.
10. All electronic devices in use require the use of headphones. Amplified music is not allowed on buses or at transit facilities.
11. No flammable, hazardous materials or weapons of kind (unless legally allowed under a concealed weapons permit or a law enforcement officer) shall be allowed on board the bus (except oxygen).
12. No large objects that cannot be held by the passenger placed under seat or out of the aisle way is allowed on board the bus.
 - o Bicycles, surfboards and strollers are permitted inside all JTRAN vehicles provided that they do not constitute a hazard towards other passengers. Bicycles are allowed inside buses at the discretion of the bus operator and as space permits. All strollers, scooters, folding carts and large packages must be stowed away under the seat.
 - o Rollerblades and skates are not allowed to be worn on buses.
13. All animals brought on board must be in an approved pet carrier, except service animals, which are trained to assist individuals with a disability as defined by the Americans with Disabilities Act (ADA).
14. No unapproved signs or advertisements may be placed on board vehicles or facilities controlled or owned by JTRAN.
15. No vandalism, defacing, destroying, damaging or placing graffiti on buses or at transit facilities.
16. No illegal activity of any kind shall be tolerated on board buses or at transit facilities.
17. Shoes and shirts are required to ride buses.
18. No littering on buses or at transit facilities.
19. Not paying the established fare or misuse of transfers, passes, tokens or tickets with the intent to evade fare payment is prohibited.
20. Bus Operators cannot assist in carrying packages. These items must be stowed under the seat, in the passenger lap or out of the aisle way.
21. Passengers must have exact change ready as the bus operator cannot make change and no refunds are provided for overpayment.
22. Yield the seats in front of the bus for seniors and persons with disabilities as identified by a posted decal.
23. Never extend your body from, throw any object outside the window or door or ride on any part of the exterior of a bus.
24. Holding of meetings or ceremonies is prohibited on buses or at transit facilities.
25. Use of a transit facility or bus for sleeping, camping or general use in lieu of regular housing is prohibited.

26. Improper use of the waiting area as a cooking, washing or toilet facility is prohibited.
27. Children under the age of 9 may not ride JTRAN buses or services unless accompanied by a fare paying passenger age 16 years old or older.
28. Any behavior which annoys, disturbs, injures or endangers the comfort, health, peace and safety of others properly utilizing the transit facility or riding a bus is prohibited.
29. A person who commits an assault or battery upon a transit operator with a deadly weapon or presents the ability to use a deadly weapon is subject to being prosecuted as a felony.
30. Passengers must have a destination when riding JTRAN buses. Passengers will be allowed two complete round trips on JTRAN routes to allow for the passenger to access his/her appropriate destination. Passengers that do not have a destination or exceed the two round trips may be requested to leave the bus by the Bus Operator at the nearest transit center or major transfer point.

SECTION TWO: Section 126-360, Penalties for Violating Rules, is hereby added to read as follows:

1. Any behavior in violation of said rules may result in removal from the buses; and
2. After two reported offenses, a rider may be banned from riding JTRAN buses.
3. JTRAN reserves the right to refuse service to and/or suspend passengers who demonstrate disruptive and unsafe behavior or violates any of the rules and regulations presented herein.

SECTION THREE: Should any sentence, paragraph, clause, phase, or section of this Article be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Article as a whole, or any part or provision thereof other the part so decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of the Code of Ordinance of the City of Jackson, Mississippi, as a whole

SECTION FOUR: This ordinance shall become effective thirty (30) days after passage, and upon publication in accordance with Section 2-13-11 of the Mississippi Code Annotated, as amended.

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

Yeas – Banks, Foote, Stokes and Tillman.

Nays – None.

Absent – Lindsay and Stamps.

Note: **Council Member Lindsay** returned to the meeting.

ORDINANCE AMENDING SECTION 110-28(b) (4) and (d) (1) OF THE CITY OF JACKSON CODE OF ORDINANCES REGARDING PROCEDURES FOR THE ERECTION OF PUBLIC GATES TO INCLUDE LANGUAGE FROM THE INTERNATIONAL FIRE CODE, 2018 EDITION, AS ADOPTED BY THE CITY OF JACKSON, DESCRIBING THE ACCESSIBILITY AND DESIGN STANDARDS FOR PUBLIC ACCESS GATES AND THE ABILITY OF EMERGENCY VEHICLES TO SAFELY PASS THROUGH DURING TIMES OF POLICE AND FIRE EMERGENCIES.

WHEREAS, the City of Jackson adopted the International Fire Code, 2018 edition, for use of the City of Jackson Fire Department in the regular operation of the department; and

WHEREAS, the City of Jackson approved the application of various homeowners associations and neighborhoods for the installation of access gates; and

WHEREAS, the City of Jackson Fire Department has expressed concern regarding the ability of emergency vehicles to safely pass through access gates in the event of police and/or fire emergencies; and

WHEREAS, the City of Jackson Fire Department has also requested inclusion of relevant sections of the International Fire Code within Section 110-28 of the City of Jackson Code of Ordinances regarding the accessibility and design standards for public access gates; and

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF JACKSON MISSISSIPPI that Section 110-28(b)(4) pertaining to Accessibility and Section (d)(1) pertaining to Design Standards of the City of Jackson Code of Ordinances shall be amended to read as follows:

Procedures for the erection of public access gates to neighborhoods:

(a) *Applicability.* This section shall apply to any residential street within the city in which the homeowner's organization or other approved applicant agrees to install and maintain the gate(s) at applicant's sole expense.

(b) *Accessibility.*

(1) Gates controlling entry to residential streets must provide full and equal access to the residential neighborhood to all members of the general public 24 hours a day, seven days a week.

(2) All public access gates should be marked with signage indicating that it is open to the public. Gates may only be erected in neighborhoods, which are defined as one or more of the following:

a. Residential areas within the boundary of one homeowner's association.

b. Residential areas shown on one or multiple recorded plats with the same or similar name commonly considered or referred to as one neighborhood that may or may not be the same name as the recorded plat(s); or

c. Other areas determined by city staff to be distinctive and cohesive.

(3) Gates shall not be erected on or in conflict with any collector or arterial streets as shown on the current MDOT functional classification system map. (<http://mdot.ms.gov/documents/planning/?dir=Maps/Functional%20Class%20Maps/>)

(4) A street shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm) except for approved gates (i.e. security gates) in accordance with Section 503.6 (International Fire Code 2018 Edition as adopted by the City of Jackson or any subsequently adopted edition of the International Fire Code). To the extent this provision conflicts with the International Fire Code (2018 Edition or any subsequently adopted Fire Code by the city), this provision shall govern.

(c) *Prior approval required.* All applications for permits to install gates shall be submitted to the department of planning and development's site plan review coordinator. All permit applications shall contain the following information:

(1) Scaled sketch plans or photographs showing proposed gate dimensions and details of surrounding streetscape elements, including property lines, sidewalks, curb lines, lighting, trees indicating size, tree grates, planters, street signs, bus stops and fire hydrants if relevant.

(2) A petition reflecting that at least 75 percent of the property owners who reside within the proposed gated area are in favor. In lieu of a petition, a ballot may be sent by mail to all property owners who reside within the proposed gated area. If 75 percent of those property owners vote in favor of the gate(s), a sworn letter confirming that the vote occurred as described shall be submitted in place of a petition. The names and addresses of property owners voting in favor of the public access gate must be provided with the sworn letter.

(3) Any other additional information required by law, rule, or ordinance, or that any department of the city or city council, or the permit applicant reasonably deems appropriate to assist the city in determining whether the permit should be granted. The application can be supplemented prior to final determination.

(4) Upon filing an application a public notice sign, provided by city staff, shall be posted at all proposed gate locations 15 days prior to the site plan review committee hearing for the proposed gate. On the day of applicant's site plan review committee hearing, applicant shall provide visual time stamped evidence that public notice signs have been properly displayed.

(d) *Design standards.*

(1) All gate installations must conform to the following provisions:

a. Gates shall be designed in such way as to avoid damage to existing public infrastructure including road surface, base, and curbing.

b. A turn around space shall be constructed at the expense of the applicant or homeowners association in an area at a distance in front of the public access gate to allow an average size passenger vehicle to turn around and leave without accessing the gate.

c. A sign shall be installed at the public access gate control mechanism, which states "Push Button for Access." The absence of signage or use of signage, which in any manner discourages entrance by the public, shall not be allowed.

d. The gate shall have a Firebox and SOS system, which allows access by emergency vehicles, including fire and police department vehicles. Approach and departure areas on both sides of a gated entrance must provide adequate setbacks and proper alignment to allow free and unimpeded passage of emergency vehicles through the entrance area.

e. The area containing and adjacent to the public access gate shall be sufficiently lighted so that the public access gate may be easily seen at night.

f. All components of the gate system must be maintained in an approved operating condition, with all components serviced and maintained on a regular basis as needed to ensure proper gate operation. A proper power supply shall be maintained to all electrical and electronic components at all times. In the event of a loss of power, a default open function shall be installed to keep the gate open until such time as power has been restored.

g. In neighborhoods where multiple entrances exist, exit-only gates may be permitted so long as one entrance remains open to the general public at all times. The city shall determine whether or not a gate location is suitable to function as an "exit-only" gate on a case-by-case basis in the site plan review process.

h. The public access gate shall comply with all other design standards consistent with a policy established by staff to implement this section.

i. **A street shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). To the extent that this provision conflicts with the International Fire Code (2018 Edition or any subsequently adopted Fire Code by the City), this provision shall govern.**

(2) The applicant shall assume all costs and responsibility for planning, installation, and maintenance of the public access gate, including repair or replacement if the public access gate malfunctions, become inoperable, or is damaged.

(3) City shall have the right to enter, inspect, disable, open, or remove any device or other feature that implements or controls vehicle access at the sole expense of the applicant. All gate signage and equipment are subject to periodic inspection by the city and if found to be in a condition of disrepair must be repaired by the applicant within five days of written notice from the city to the applicant's listed point of contact. Any request for extension of time to repair must be approved, in writing, by city staff. While the gate is under repair it shall remain in an open position at all times.

(4) To protect the interests of the city, the applicant shall obtain a policy of liability insurance in an amount of not less than \$1,000,000.00, which policy will include the city as an additional insured interest and which will protect against costs, expenses, damages or judgments associated with claims arising out of the approval, installation and maintenance of the public access gate. Further, the applicant shall indemnify the city and hold harmless for any costs, expenses, damages or judgments associated with claims arising out of the approval, installation and maintenance of the public access gate.

(5) Upon submission of application to the site plan review committee, the applicant shall name an individual who will act as the point of contact for any issues relating to or regarding its gate. The applicant shall keep on file with the planning and development department the name, telephone number, and email address of the point of contact. Additionally, each applicant shall provide the same information of an alternate to act in the absence of the point of contact.

(e) *Approval and appeals process.*

(1) Within 60 days of receipt of the application, the site plan review committee shall make a written recommendation for approval or denial to be submitted to the planning and development director. At that time, the planning and development director shall notify the applicant of the determination, and shall also place upon the city council agenda its recommendation for the approval or denial of a permit to erect a public access gate. Council shall then, by regular or special called meeting, conduct a public hearing in which interested parties and general citizenry shall have an opportunity to be heard. Before the city council holds such a hearing, there shall be two advertisements of the hearing. Said advertisements set forth the time and place of the hearing, and describe the nature of the proposed action. Such publications shall be submitted to the city clerk's office for the publication in a newspaper approved by staff and of general circulation within the city. The first publication shall be made at least 15 calendar days before such hearing. All advertising costs shall be borne by the applicant. Proof of the publication shall be provided to the planning and development director five calendar days prior to the scheduled hearing.

(2) Any party aggrieved by a recommendation of the site plan review committee may, at the aforementioned public hearing, make known their opinions in support or in opposition to the committee's recommendation.

BE IT FURTHER ORDAINED BY THE MAYOR AND COUNCIL of the City of Jackson Mississippi that the amendments to Section 110-28(b)(4) and (d)(1) set forth in this ordinance shall become effective upon completion of the activities described in Section 21-13-11 of the Mississippi Code.

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

President Banks recognized **Carrie Johnson**, City Attorney's Office, who provided a brief overview of said item and recommend an amendment in Section 4, changing "503.6" to "503.2.1" on said item.

Council Member Stokes moved and **Council Member Tillman** seconded, to amend said order changing "503.6" to "503.2.1" on said item. The motion prevailed by the following vote:

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.
Nays – None.
Absent – Stamps.

Thereafter, **President Banks** called for the final Order, as amended:

ORDINANCE AMENDING SECTION 110-28(b) (4) and (d) (1) OF THE CITY OF JACKSON CODE OF ORDINANCES REGARDING PROCEDURES FOR THE ERECTION OF PUBLIC GATES TO INCLUDE LANGUAGE FROM THE INTERNATIONAL FIRE CODE, 2018 EDITION, AS ADOPTED BY THE CITY OF JACKSON, DESCRIBING THE ACCESSIBILITY AND DESIGN STANDARDS FOR PUBLIC ACCESS GATES AND THE ABILITY OF EMERGENCY VEHICLES TO SAFELY PASS THROUGH DURING TIMES OF POLICE AND FIRE EMERGENCIES.

WHEREAS, the City of Jackson adopted the International Fire Code, 2018 edition, for use of the City of Jackson Fire Department in the regular operation of the department; and

WHEREAS, the City of Jackson approved the application of various homeowners associations and neighborhoods for the installation of access gates; and

WHEREAS, the City of Jackson Fire Department has expressed concern regarding the ability of emergency vehicles to safely pass through access gates in the event of police and/or fire emergencies; and

WHEREAS, the City of Jackson Fire Department has also requested inclusion of relevant sections of the International Fire Code within Section 110-28 of the City of Jackson Code of Ordinances regarding the accessibility and design standards for public access gates; and

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF JACKSON MISSISSIPPI that Section 110-28(b)(4) pertaining to Accessibility and Section (d)(1) pertaining to Design Standards of the City of Jackson Code of Ordinances shall be amended to read as follows:

Procedures for the erection of public access gates to neighborhoods:

- (a) *Applicability.* This section shall apply to any residential street within the city in which the homeowner's organization or other approved applicant agrees to install and maintain the gate(s) at applicant's sole expense.
- (b) *Accessibility.*

(1) Gates controlling entry to residential streets must provide full and equal access to the residential neighborhood to all members of the general public 24 hours a day, seven days a week.

(2) All public access gates should be marked with signage indicating that it is open to the public. Gates may only be erected in neighborhoods, which are defined as one or more of the following:

a. Residential areas within the boundary of one homeowner's association.

b. Residential areas shown on one or multiple recorded plats with the same or similar name commonly considered or referred to as one neighborhood that may or may not be the same name as the recorded plat(s); or

c. Other areas determined by city staff to be distinctive and cohesive.

(3) Gates shall not be erected on or in conflict with any collector or arterial streets as shown on the current MDOT functional classification system map. (<http://mdot.ms.gov/documents/planning/?dir=Maps/Functional%20Class%20Maps/>)

(4) A street shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm) except for approved gates (i.e. security gates) in accordance with Section 503.2.1 (International Fire Code 2018 Edition as adopted by the City of Jackson or any subsequently adopted edition of the International Fire Code). To the extent this provision conflicts with the International Fire Code (2018 Edition or any subsequently adopted Fire Code by the city), this provision shall govern.

(c) *Prior approval required.* All applications for permits to install gates shall be submitted to the department of planning and development's site plan review coordinator. All permit applications shall contain the following information:

(1) Scaled sketch plans or photographs showing proposed gate dimensions and details of surrounding streetscape elements, including property lines, sidewalks, curb lines, lighting, trees indicating size, tree grates, planters, street signs, bus stops and fire hydrants if relevant.

(2) A petition reflecting that at least 75 percent of the property owners who reside within the proposed gated area are in favor. In lieu of a petition, a ballot may be sent by mail to all property owners who reside within the proposed gated area. If 75 percent of those property owners vote in favor of the gate(s), a sworn letter confirming that the vote occurred as described shall be submitted in place of a petition. The names and addresses of property owners voting in favor of the public access gate must be provided with the sworn letter.

(3) Any other additional information required by law, rule, or ordinance, or that any department of the city or city council, or the permit applicant reasonably deems appropriate to assist the city in determining whether the permit should be granted. The application can be supplemented prior to final determination.

(4) Upon filing an application a public notice sign, provided by city staff, shall be posted at all proposed gate locations 15 days prior to the site plan review committee hearing for the proposed gate. On the day of applicant's site plan review committee hearing, applicant shall provide visual time stamped evidence that public notice signs have been properly displayed.

(d) *Design standards.*

(1) All gate installations must conform to the following provisions:

a. Gates shall be designed in such way as to avoid damage to existing public infrastructure including road surface, base, and curbing.

b. A turn around space shall be constructed at the expense of the applicant or homeowners association in an area at a distance in front of the public access gate to allow an average size passenger vehicle to turn around and leave without accessing the gate.

c. A sign shall be installed at the public access gate control mechanism, which states "Push Button for Access." The absence of signage or use of signage, which in any manner discourages entrance by the public, shall not be allowed.

d. The gate shall have a Firebox and SOS system, which allows access by emergency vehicles, including fire and police department vehicles. Approach and departure areas on both sides of a gated entrance must provide adequate setbacks and proper alignment to allow free and unimpeded passage of emergency vehicles through the entrance area.

e. The area containing and adjacent to the public access gate shall be sufficiently lighted so that the public access gate may be easily seen at night.

f. All components of the gate system must be maintained in an approved operating condition, with all components serviced and maintained on a regular basis as needed to ensure proper gate operation. A proper power supply shall be maintained to all electrical and electronic components at all times. In the event of a loss of power, a default open function shall be installed to keep the gate open until such time as power has been restored.

g. In neighborhoods where multiple entrances exist, exit-only gates may be permitted so long as one entrance remains open to the general public at all times. The city shall determine whether or not a gate location is suitable to function as an "exit-only" gate on a case-by-case basis in the site plan review process.

h. The public access gate shall comply with all other design standards consistent with a policy established by staff to implement this section.

i. **A street shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). To the extent that this provision conflicts with the International Fire Code (2018 Edition or any subsequently adopted Fire Code by the City), this provision shall govern.**

(2) The applicant shall assume all costs and responsibility for planning, installation, and maintenance of the public access gate, including repair or replacement if the public access gate malfunctions, become inoperable, or is damaged.

(3) City shall have the right to enter, inspect, disable, open, or remove any device or other feature that implements or controls vehicle access at the sole expense of the applicant. All gate signage and equipment are subject to periodic inspection by the city and if found to be in a condition of disrepair must

be repaired by the applicant within five days of written notice from the city to the applicant's listed point of contact. Any request for extension of time to repair must be approved, in writing, by city staff. While the gate is under repair it shall remain in an open position at all times.

(4) To protect the interests of the city, the applicant shall obtain a policy of liability insurance in an amount of not less than \$1,000,000.00, which policy will include the city as an additional insured interest and which will protect against costs, expenses, damages or judgments associated with claims arising out of the approval, installation and maintenance of the public access gate. Further, the applicant shall indemnify the city and hold harmless for any costs, expenses, damages or judgments associated with claims arising out of the approval, installation and maintenance of the public access gate.

(5) Upon submission of application to the site plan review committee, the applicant shall name an individual who will act as the point of contact for any issues relating to or regarding its gate. The applicant shall keep on file with the planning and development department the name, telephone number, and email address of the point of contact. Additionally, each applicant shall provide the same information of an alternate to act in the absence of the point of contact.

(e) *Approval and appeals process.*

(1) Within 60 days of receipt of the application, the site plan review committee shall make a written recommendation for approval or denial to be submitted to the planning and development director. At that time, the planning and development director shall notify the applicant of the determination, and shall also place upon the city council agenda its recommendation for the approval or denial of a permit to erect a public access gate. Council shall then, by regular or special called meeting, conduct a public hearing in which interested parties and general citizenry shall have an opportunity to be heard. Before the city council holds such a hearing, there shall be two advertisements of the hearing. Said advertisements set forth the time and place of the hearing, and describe the nature of the proposed action. Such publications shall be submitted to the city clerk's office for the publication in a newspaper approved by staff and of general circulation within the city. The first publication shall be made at least 15 calendar days before such hearing. All advertising costs shall be borne by the applicant. Proof of the publication shall be provided to the planning and development director five calendar days prior to the scheduled hearing.

(2) Any party aggrieved by a recommendation of the site plan review committee may, at the aforementioned public hearing, make known their opinions in support or in opposition to the committee's recommendation.

BE IT FURTHER ORDAINED BY THE MAYOR AND COUNCIL of the City of Jackson Mississippi that the amendments to Section 110-28(b)(4) and (d)(1) set forth in this ordinance shall become effective upon completion of the activities described in Section 21-13-11 of the Mississippi Code.

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDINANCE AMENDING CHAPTER 2, ARTICLE II, DIVISION 4 OF THE JACKSON CODE OF ORDINANCES.

WHEREAS, Section 21-8-13 of the Miss. Code Ann. specifically authorizes the City Council to "...appoint a clerk of the council and deputy clerks, as necessary, who shall compile the minutes and records of its proceedings, its ordinances and resolutions as this chapter requires, and perform such duties as may be required by law...."; and

WHEREAS, the City of Jackson (“City”), by ordinance, delineated the number of chief deputy clerks of council and deputy clerks of council, as well as the duties to be performed by the same in Chapter 2, Article II, Division 4 of the Jackson Code of Ordinances; and

WHEREAS, the Jackson City Council finds it in the best interest of the City to amend Section 2-135 of the Jackson Code of Ordinances to increase the number of Chief Deputy Clerks of Council from one (1) to three (3); and

WHEREAS, the Jackson City Council finds that Section 2-135 of the Jackson Code of Ordinances should be amended as follows:

Sec. 2-135. - Deputy Clerks of the Council.

A Three chief deputy clerks of the council and seven or more deputy clerks of the council may be employed and assigned to provide clerical support and to perform such other duties as required by councilmembers. These clerks shall be appointed in the same manner as the clerk of the council.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI, THAT Section 2-135 of the Jackson Code of Ordinances is amended to read as follows:

Sec. 2-135. - Deputy Clerks of the Council.

Three chief deputy clerks of the council and seven or more deputy clerks of the council may be employed and assigned to provide clerical support and to perform such other duties as required by councilmembers. These clerks shall be appointed in the same manner as the clerk of council.

Council Member Stokes moved adoption; **President Banks** seconded.

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDINANCE AMENDING CHAPTER 2, ARTICLE IV OF THE JACKSON CODE OF ORDINANCES.

WHEREAS, pursuant to Section 2-327 of the Jackson Code of Ordinances, in part, the City Clerk shall keep the official minutes of the proceedings of the council, shall have custody of records of the municipality, and shall be responsible for publication of all matters which require publication by law; and

WHEREAS, in that the City Clerk is the custodian of records of the municipality, the Records Management Division would be best placed under the direction and supervision of the Department of Municipal Clerk; and

WHEREAS, the Jackson City Council finds it in the best interest of the City to amend Section 2-336 of the Jackson Code of Ordinances to remove the duties of “record retention” from the Department of Administration and assign the duties of “record retention” to the Department of Municipal Clerk; and

WHEREAS, the Jackson City Council finds that Section 2-336 of the Jackson Code of Ordinances should be amended as follows:

Sec. 2-336. - Creation; functions.

There are hereby created the following departments which shall have the following principal functions:

(1) *Administration.* The department of administration shall perform the functions of finance and management information systems, fleet management, office of publications, ~~record retention~~, purchasing, communications center, telecommunications and municipal court services.

(2) *Fire.* The fire department shall perform the functions of fire prevention, suppression and education.

(3) *Police.* The police department shall perform the functions of crime prevention and suppression, animal control, youth court, and community improvement.

(4) *Public works.* The public works department shall perform the functions of water and sewer engineering and maintenance; streets, bridges and drainage engineering and maintenance; traffic engineering and maintenance; water/sewer business administration, right-of-way maintenance; cemetery maintenance; building maintenance; wastewater treatment plant contract administration and maintenance of wastewater collector system, solid waste collection contract administration; management of water treatment and distribution facilities; administration of the pest control contract; central supply, and custodial services.

(5) *Human and cultural services.* The human and cultural services department shall perform the functions of senior services, early childhood education, museums, art galleries, arts centers, auditoriums and planetariums.

(6) *Personnel management.* The personnel management department shall perform all personnel management functions including the administration of benefits.

(7) *Planning and development.* The planning and development department shall perform the functions of planning and zoning, developmental assistance including, but not limited to, housing, economic development and grants, federal programs, public transportation/JTRAN, building and permits, and community improvement.

(8) *Parks and recreation.* The parks and recreation department shall perform a variety of recreational services including maintenance, programming, athletics, special events and the administration of contract facilities.

(9) *Constituent services and information.* The constituent services and information department shall be responsible for the quality and content of information regarding city government. This department will serve as an information conduit for the city council, department heads, employees, and citizens. This department will also conduct site visits with businesses and citizens to identify problems and find solutions before they become unmanageable. The divisions of Action Line, Public Education and Government (PEG) Television, publications, public relations and quality of life, and related duties shall be under this department.

(10) *Municipal clerk.* The department of municipal clerk shall perform the functions of and duties of the municipal clerk as inherent by law, and those duties referenced in the Mississippi Code Annotated (1972), as amended as belonging to the "clerk", "municipal clerk", or "city clerk". The municipal clerk shall attend all council meetings and, subsequent to the meeting, shall receive the compiled minutes from the clerk of council for recordation. The municipal clerk shall keep the official minutes of the proceedings of the council, shall have custody of records of the municipality *and be responsible for record retention*, and shall be responsible for publication of all matters which require publication by law. In the absence of the municipal clerk, the duties of the municipal clerk shall be performed by that person serving as the chief deputy clerk of municipality. The municipal clerk shall plan and assign work and exercise general supervision of the deputy municipal clerks, and clerical employees that are assigned to the municipal clerk.

In addition to departmental functions specified in this section, such departments shall have such additional responsibilities as the mayor or council may from time to time deem necessary.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI, THAT Section 2-336 of the Jackson Code of Ordinances is amended to read as follows:

Sec. 2-336. - Creation; functions.

There are hereby created the following departments which shall have the following principal functions:

(1) *Administration.* The department of administration shall perform the functions of finance and management information systems, fleet management, office of publications, purchasing, communications center, telecommunications and municipal court services.

(2) *Fire.* The fire department shall perform the functions of fire prevention, suppression and education.

(3) *Police.* The police department shall perform the functions of crime prevention and suppression, animal control, youth court, and community improvement.

(4) *Public works.* The public works department shall perform the functions of water and sewer engineering and maintenance; streets, bridges and drainage engineering and maintenance; traffic engineering and maintenance; water/sewer business administration, right-of-way maintenance; cemetery maintenance; building maintenance; wastewater treatment plant contract administration and maintenance of wastewater collector system, solid waste collection contract administration; management of water treatment and distribution facilities; administration of the pest control contract; central supply, and custodial services.

(5) *Human and cultural services.* The human and cultural services department shall perform the functions of senior services, early childhood education, museums, art galleries, arts centers, auditoriums and planetariums.

(6) *Personnel management.* The personnel management department shall perform all personnel management functions including the administration of benefits.

(7) *Planning and development.* The planning and development department shall perform the functions of planning and zoning, developmental assistance including, but not limited to, housing, economic development and grants, federal programs, public transportation/JATRAM, building and permits, and community improvement.

(8) *Parks and recreation.* The parks and recreation department shall perform a variety of recreational services including maintenance, programming, athletics, special events and the administration of contract facilities.

(9) *Constituent services and information.* The constituent services and information department shall be responsible for the quality and content of information regarding city government. This department will serve as an information conduit for the city council, department heads, employees, and citizens. This department will also conduct site visits with businesses and citizens to identify problems and find solutions before they become unmanageable. The divisions of Action Line, Public Education and Government (PEG) Television, publications, public relations and quality of life, and related duties shall be under this department.

(10) *Municipal clerk.* The department of municipal clerk shall perform the functions of and duties of the municipal clerk as inherent by law, and those duties referenced in the Mississippi Code Annotated (1972), as amended as belonging to the "clerk", "municipal clerk", or "city clerk". The municipal clerk shall attend all council meetings and, subsequent to the meeting, shall receive the compiled minutes from the clerk of council for recordation. The municipal clerk shall keep the official minutes of the proceedings of the council, shall have custody of records of the municipality and be responsible for record retention, and shall be responsible for publication of all matters which require publication by law. In the absence of the municipal clerk, the duties of the municipal clerk shall be performed by that person serving as the chief deputy clerk of municipality. The municipal clerk shall plan and assign work and exercise general supervision of the deputy municipal clerks, and clerical employees that are assigned to the municipal clerk.

In addition to departmental functions specified in this section, such departments shall have such additional responsibilities as the mayor or council may from time to time deem necessary.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDINANCE ACCEPTING MISSION HILL SUBDIVISION AND AUTHORIZING THE MAYOR TO SIGN THE FINAL PLAT OF SAID SUBDIVISION.

WHEREAS, the Preliminary Plat for the subdivision of Mission Hill was approved by the Site Plan Review Committee on August 5, 2020; and

WHEREAS, the Public Works Department recommends accepting Mission Hill subdivision as a subdivision in the City of Jackson.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI, THAT:

SECTION 1. Mission Hill subdivision is hereby accepted.

SECTION 2. The Mayor is authorized to sign the final plat of Mission Hill subdivision.

SECTION 3. This Ordinance shall be effective thirty (30) days following its passage and upon its publication.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDINANCE ACCEPTING LEFLEUR COURT SUBDIVISION AND AUTHORIZING THE MAYOR TO SIGN THE FINAL PLAT OF SAID SUBDIVISION.

WHEREAS, the Preliminary Plat for the subdivision of LeFleur Court was approved by the Site Plan Review Committee on February 18, 2009; and

WHEREAS, after construction was completed but before the final plat was recorded, the development changed ownership and the new owners intend to complete the platting process; and

WHEREAS, the Public Works Department recommends accepting LeFleur Court subdivision as a subdivision in the City of Jackson.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI, THAT:

SECTION 1. LeFleur Court subdivision is hereby accepted.

SECTION 2. The water and sewer improvements and easements as shown on the final plat are hereby accepted.

SECTION 3. The Mayor is authorized to sign the final plat of LeFleur Court subdivision.

SECTION 4. This Ordinance shall be effective thirty (30) days following its passage and upon its publication.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDER APPROVING CLAIMS NUMBER 23810 to 23898 APPEARING AT PAGES 467 TO 550 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$5,759,483.21 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 23810 to 23898 appearing at pages 467 to 550, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$5,759,483.21 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

IT IS FURTHER ORDERED that there is appropriated from the various funds the sums necessary to be transferred to other funds for the purpose of paying the claims as follows:

FROM:	TO ACCOUNTS PAYABLE FUND
GENERAL FUND	1,990,130.68
SEIZURE FORF PROP-STATE	6,927.56
TECHNOLOGY FUND	418,061.59
PARKS & RECR. FUND	39,294.76
LANDFILL/SANITATION FUND	160,267.00
STATE TORT CLAIMS FUND	6,500.00
WATER/SEWER REVENUE FUND	542.03
WATER/SEWER OP & MAINT FUND	1,519,086.20
WATER/SEWER CAPITAL IMPR FUND	38,896.00
EMPLOYEES GROUP INSURANCE FUND	174,166.70
KELLOGG FOUNDATION PROJECT	10,028.40
EARLY CHILDHOOD (DAYCARE)	316.01
HOUSING COMM DEV ACT (CDBG) FD	15,515.07
EMERGENCY SHELTER GRANT (ESG)	16,824.64
H O P W A GRANT – DEPT. OF HUD	99,681.07
CAPITOL STREET 2-WAY PROJECT	3,542.38
1% INFRASTRUCTURE TAX	125,672.32
MADISON SEWAGE DISP OP & MAINT	5,480.45
WATER/SEWER CAP IMP NOTE 7M	14,780.00
TRANSPORTATION FUND	594,093.69
FONDREN BUSINESS IMPROV FUND	14,565.74
WATR SER REFD B&I 2011\$50,663	3,500.00
RESURFACING – REPAIR & REPL FD	21,432.76
HAIL DAMAGE MARCH 2013	83,782.88
P E G ACCESS – PROGRAMMING FUND	10,489.94
CAPITAL CITY REVENUE FUND	170.31
2015 A/B G.O. REFUNDING	351,306.26
2017 ED BYRNE MEMORIAL JUSTICE	12,750.00
COVID-19 RESPONSE FUND	11,425.26
LIBRARY FUND	9,453.50
2016 WATER/SEWER REFUNDING B&I	400.00
TOTAL	<u>\$5,759,483.21</u>

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

Yeas – Foote, Lindsay, and Tillman.
Nays – Banks and Stokes.
Absent – Stamps.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 23810 TO 23898 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 23810 to 23898 inclusive therein, in the Municipal “Docket of Claims”, in the aggregate amount of \$118,352.82 plus payroll, are approved for payment and necessary amounts are appropriated from various municipal funds for transfer to the payroll fund for the immediate payment thereof.

IT IS FINALLY ORDERED that the following expenditures from the accounts payable fund be made in order to pay amounts transferred thereto from the payroll fund for payment of the payroll deduction claims authorized herein for payment:

FROM:	TO ACCOUNTS PAYABLE FUND	TO PAYROLL FUND
GENERAL FUND		1,831,771.15
PARKS & RECR FUND		84,901.51
LANDFILL FUND		16,424.84
SENIOR AIDES		9,897.63
WATER/SEWER OPER & MAINT		195,250.74
PAYROLL	118,352.82	
EARLY CHILDHOOD		28,193.71
HOUSING COMM DEV		8,843.12
TITLE III AGING PROGRAMS		4,254.14
TRANSPORTATION FUND		14,740.92
PEG ACCESS-PROGRAMMING FUND		4,742.51
TOTAL		\$2,199,020.27

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

President Banks recognized **Monica Allen**, Office of the City Attorney, who gave a brief overview of how payroll is prepared.

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

Yeas – Banks, Foote, Lindsay and Tillman.
Nays – Stokes.
Absent – Stamps.

ORDER APPROVING MUNICIPAL COMPLIANCE QUESTIONNAIRE FOR THE 2020 AUDIT AND AUTHORIZING THE MAYOR TO EXECUTE SAID DOCUMENT.

WHEREAS, as part of the municipality’s annual audit, the City must complete the Municipal Compliance Questionnaire for Fiscal Year 2020; and

WHEREAS, The Municipal Compliance Questionnaire must be approved by the governing authorities and executed by the Mayor;

IT IS, THEREFORE, ORDERED that the Municipal Compliance Questionnaire for the 2020 City Audit be approved and that the Mayor be authorized to execute said questionnaire and made part of the minutes.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.
Nays – None.
Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO AMEND MASTER LEASE PURCHASE AGREEMENT AND RELATED DOCUMENTS WITH REGIONS EQUIPMENT FINANCE CORPORATION.

WHEREAS, Regions Equipment Finance Corporation and the City of Jackson, Mississippi (“City”) are parties to a Master Lease Purchase Agreement dated September 28, 2020 (“Agreement”); and

WHEREAS, Regions Equipment Finance Corporation and the City desire to amend Article V, Section 6.5 of the Agreement, Exhibit B and the Tax Compliance Agreement to remove the term “qualified tax-exempt obligations” and replace it with “tax-exempt obligations”.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute the amended Master Lease Purchase Agreement, Exhibit B and the Tax Compliance Agreement, and all other documents necessary, related to the 2020 lease purchase transaction to remove any reference to the term “qualified tax-exempt obligations” and replace it with “tax-exempt obligations”.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.
Nays – None.
Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH DR. DOMINIKA PARRY, PRESIDENT OF 2⁰C MISSISSIPPI, TO SPEARHEAD A LEADERSHIP IN COMMUNITY RESILIENCE TASKFORCE FUNDED BY THE NATIONAL LEAGUE OF CITIES TO DEVELOP A RESILIENCE PLAN FOR THE CITY OF JACKSON IN PREPARATION FOR EXTREME TEMPERATURES.

WHEREAS, the National League of Cities (NLC) has awarded the City of Jackson, a grant for participation in its 2020 Leadership in Community Resilience program designed to develop and advance the emerging city-level models for pursuing resilience objectives; and

WHEREAS, the City of Jackson is focused on strategies for providing relief and assistance to those communities most impacted by climate stressors such as heat, cold, storms, fires, and drought, and to reduce mortality and prevent illness associated with Urban Heat Island (UHI) in Jackson; and

WHEREAS, the City of Jackson is invested in heat mitigation/ heat preparedness and implementing strategies to establish effective and natural cooling environments; and

WHEREAS, Dr. Dominika Parry, president 2⁰C Mississippi, an expert in the field of climate change, leads Jackson’s climate mitigation and adaptation taskforce, which is charged assessing the impacts of climate on our community. The taskforce will develop strategies to mitigate the effects of climate change on the residents of Jackson, MS; and

WHEREAS, Dr. Parry will organize six focus group interviews with 10 participants each, led by qualified focus group facilitators; and will engage college students in the Jackson area to conduct heat mapping data collection throughout the City; and

Exhibit A
Municipal Compliance Questionnaire for Fiscal Year 2020

Municipal Compliance Questionnaire

As part of the municipality's audit, the governing authorities of the municipality must make certain assertions with regard to legal compliance. The municipal compliance questionnaire was developed for this purpose.

The following questionnaire and related certification must be completed at the end of the municipality's fiscal year and entered into the official minutes of the governing authorities at their next regular meeting.

The governing authorities should take care to answer these questions accurately. Incorrect answers could reduce the auditor's reliance on the questionnaire responses, resulting in the need to perform additional audit procedures at added cost.

Information

Note: Due to the size of some municipalities, some of the questions may not be applicable. If so, mark N/A in answer blanks. Answers to other questions may require more than "yes" or "no," and, as a result, more information on this questionnaire may be required and/or separate work papers may be needed.

1. Name and address of municipality:

City of Jackson, MS P.O. Box 17, Jackson, MS 39205

2. List the date and population of the latest official U.S. Census or most recent official census:

Based on 2010 Census, Population 173,514

3. Names, addresses and telephone numbers of officials (include elected officials, chief administrative officer, and attorney).

SEE ATTACHED

4. Period of time covered by this questionnaire:

From: 10-1-2019

To: 9-30-2020

5. Expiration date of current elected officials' term: JUNE 30, 2021

MUNICIPAL COMPLIANCE QUESTIONNAIRE

Year Ended September 30, 2020

Answer All Questions: Y - YES, N - NO, N/A - NON APPLICABLE

Part I - General

- | | |
|---|----------|
| 1. Have all ordinances been entered into the ordinance book and included in the minutes? (Section 21-13-13) | <u>Y</u> |
| 2. Do all municipal vehicles have public license plates and proper markings? (Sections 25-1-87 and 27-19-27) | <u>Y</u> |
| 3. Are municipal records open to the public? | <u>Y</u> |
| 4. Are meetings of the board open to the public? (Section 25-41-5) | <u>Y</u> |
| 5. Are notices of special or recess meetings posted? (Section 25-41-13) | <u>Y</u> |
| 6. Are all required personnel covered by appropriate surety bonds? | |
| * Board or council members (Section 21-17-5) | <u>Y</u> |
| * Appointed officers and those handling money, see statutes governing the form of government (i.e., Section 21-3-5 for Code Charter) | |
| *Municipal clerk (Section 21-15-38) | <u>Y</u> |
| *Deputy Clerk (Section 21-15-23) | <u>Y</u> |
| *Chief of police (Section 21-21-1) | <u>Y</u> |
| *Deputy police (Section 45-5-9) (if hired under this law) | <u>Y</u> |
| 7. Are minutes of board meetings prepared to properly reflect the actions of the board? (Sections 21-15-17 and 21-1519) | <u>Y</u> |
| 8. Are minutes of board meetings signed by the mayor or majority of the board within 30 days of the meeting? (Section 21-15-33) | <u>Y</u> |
| 9. Has the municipality complied with the nepotism law in its employment practices? (Section 25-1-53) | <u>Y</u> |
| 10. Did all officers, employees of the municipality, or their relatives avoid any personal interest in any contracts with the municipality during their term or within one year after their terms of office or employment? (Section 25-4-105) | <u>Y</u> |

-
-
11. Does the municipality contract with a Certified Public Accountant or an auditor approved by the State Auditor for its annual audit within twelve months of the end of each fiscal year? (Section 21-35-31) Y
12. Has the municipality published a synopsis or notice of the annual audit within 30 days of acceptance? (Sections 21-35-31 or 21-17-19) Y
- PART II - Cash and Related Records
1. Where required, is a claims docket maintained? (Section 21-39-7) Y
2. Are all claims paid in the order of their entry in the claims docket? (Section 21-39-9) Y
3. Does the claims docket identify the claimant, claim number, amount and fund from which each warrant will be issued? (Section 21-39-7) Y
4. Are all warrants approved by the board, signed by the mayor or majority of the board, attested to by the clerk, and bearing the municipal seal? (Section 21-39-13) Y
5. Are warrants for approved claims held until sufficient cash is available in the fund from which it is drawn? (Section 21-39-13) Y
6. Has the municipality adopted and entered on it minutes a budget in the format prescribed by the Office of the State Auditor? (Sections 21-35-15, 21-35-7, and 21-35-9) Y
7. Does the municipality operate on a cash basis budget, except for expenditures paid within 30 days of fiscal year end or for construction in progress? (Section 21-35-23) Y
8. Has the municipality held a public hearing and published its adopted budget? (Sections 21-35-5, 27-39-203, 27-39-205) Y
9. Has the municipality complied with legal publication requirements when budgetary changes of 10% or more are made to a department's budget? (Section 21-35-25) Y
10. If revenues are less than estimated and a deficit is anticipated, did the board revise the budget by its regular July meeting? (Section 21-35-25) Y
11. Have financial records been maintained in accordance with the chart of accounts prescribed by the State Auditor? (Section 21-35-11) Y

-
-
12. Does the municipal clerk submit to the board a monthly report of expenditures against each budget item for the preceding month and fiscal year to date and the unexpended balances of each budget item? (Section 21-35-13) Y
13. Does the board avoid approving claims and the city clerk not issue any warrants which would be in excess of budgeted amounts, except for court-ordered or emergency expenditures? (Section 21-35-17) Y
14. Has the municipality commissioned municipal depositories? (Sections 27-105-353 and 27-105-363) Y
15. Have investments of funds been restricted to those instruments authorized by law? (Section 21-33-323) Y
16. Are donations restricted to those specifically authorized by law? (Section 21-17-5 (Section 66, Miss. Constitution)—Sections 21-19-45 through 21-19-59, etc.) Y
17. Are fixed assets properly tagged and accounted for? Section II - Municipal Audit and Accounting Guide) Y
18. Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41? Y
19. Are all travel advances made in accordance with the State Auditor's regulations? (Section 25-3-41) Y
- PART III - Purchasing and Receiving
1. Are bids solicited for purchases, when required by law (written bids and advertising)? (Section 31-7-13(b) and (c)) Y
2. Are all lowest and best bids decisions properly documented? (Section 31-7-13(d)) Y
3. Are all one-source item and emergency purchases documents on the board's minutes? (Section 31-7-13(m) and (k)) Y
4. Do all officers and employees understand and refrain from accepting gifts or kickbacks from suppliers? (Section 31-7-23) Y
- PART IV - Bonds and Other Debt
1. Has the municipality complied with the percentage of taxable property limitation on bonds and other debt issued during the year? (Section 21-33-303) Y

2. Has the municipality levied and collected taxes, in a sufficient amount for the retirement of general obligation debt principal and interest? (Section 21-33-87) Y
3. Have the required trust funds been established for utility revenue bonds? (Sections 21-27-65) Y
4. Have expenditures of bond proceeds been strictly limited to the purposes for which the bonds were issued? (Section 21-33-317) Y
5. Has the municipality refrained from borrowing, except where it had specific authority? (Section 21-17-5) Y

PART V - Taxes and Other receipts

1. Has the municipality adopted the county ad valorem tax rolls? (Section 27-35-167) Y
2. Are interest and penalties being collected on delinquent ad valorem taxes? (Section 21-33-53) Y
3. Has the municipality conducted an annual land sale for delinquent ad valorem taxes? (Section 21-33-63) N/A
4. Have the various ad valorem tax collections been deposited into the appropriate funds? (Separate Funds for Each Tax Levy) (Section 21-33-53) Y
5. Has the increase in ad valorem taxes, if any, been limited to amounts allowed by law? (Sections 27-39-320 and 27-39-321) Y
6. Are local privilege taxes collected from all businesses located within the municipality, except those exempted? (Section 27-17-5) Y
7. Are transient vendor taxes collected from all transient vendors within the municipality, except those exempted? (Section 75-85-1) Y
8. Is money received from the state's "Municipal Fire Protection Fund" spent only to improve municipal fire departments? (Section 83-1-37) Y
9. Has the municipality levied or appropriated not less than 1/4 mill for fire protection and certified to the county it provides its own fire protection or allowed the county to levy such tax? (Section 83-1-37 and 83-1-39) Y


-
- | | |
|--|----------|
| 10. Are state-imposed court assessments collected and settled monthly? (Section 99-19-73, 83-39-31, etc.) | <u>Y</u> |
| 11. Are all fines and forfeitures collected when due and settled immediately to the municipal treasury? (Section 21-15-21) | <u>Y</u> |
| 12. Are bids solicited by advertisement or, under special circumstances, three appraisals obtained when real property is sold? (Section 21-17-1) | <u>Y</u> |
| 13. Has the municipality determined the full and complete cost for solid waste for the previous fiscal year? (Section 17-17-347) | <u>Y</u> |
| 14. Has the municipality published an itemized report of all revenues, costs and expenses incurred by the municipality during the immediately preceding fiscal year in operating the garbage or rubbish collection or disposal system? (Section 17-17-348) | <u>Y</u> |
| 15. Has the municipality conducted an annual inventory of its assets in accordance with guidelines established by the Office of the State Auditor? (MMAAG) | <u>Y</u> |

APPROVAL OF
MUNICIPAL COMPLIANCE QUESTIONNAIRE
SEPTEMBER 30, 2020


LaaWanda Jones Horton, *Director of Administration*

 ^{LS}
Wilma Scott, *Personnel Director*


Charles Williams, *Interim Public Works Director*


MacDarrell Poullard, *Risk Manager*


Angela Harris, *Municipal Clerk*

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, OCTOBER 13, 2020 10:00 A.M.**

Intentionally Left Blank

WHEREAS, expenses incurred with the heat mapping and focus groups will not exceed \$5,000.00.

IT IS HEREBY ORDERED that the Mayor be authorized to execute an agreement with Dr. Dominika Parry, President 2°C Mississippi, for services provided to the City of Jackson in facilitating National League of Cities Leadership in Community Resilience project; and to pay Dr. Parry for expenses incurred, not to exceed \$5,000.00 which will be funded by the National League of Cities grant award for Leadership in Community Resilience project.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

* * * * *

ORDER AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH DR. ANDRÉ HINES, ASSISTANT PROFESSOR OF HEALTHCARE ADMINISTRATION IN THE SCHOOL OF PUBLIC HEALTH AT JACKSON STATE UNIVERSITY, TO SERVE AS FACILITATOR, ORGANIZING DATA COLLECTION AND ASSESSMENT FOR THE NATIONAL LEAGUE OF CITIES LEADERSHIP IN COMMUNITY RESILIENCE TASKFORCE IN PREPARATION FOR EXTREME TEMPERATURES IN THE CITY.

WHEREAS, the National League of Cities (NLC) has awarded the City of Jackson, a grant for participation in its 2020 Leadership in Community Resilience program designed to develop and advance the emerging city-level models for pursuing resilience objectives; and

WHEREAS, the City of Jackson is focused on strategies for providing relief and assistance to those communities most impacted by climate stressors to reduce mortality and prevent illness associated with Urban Heat Island (UHI) in Jackson; and

WHEREAS, the City of Jackson is invested in heat mitigation/ heat preparedness and implementing strategies to establish effective and natural cooling environments; and

WHEREAS, Dr. André Hines, Assistant Professor of Health Care Administration in the School of Public Health at Jackson State University, will participate with the City of Jackson's Climate Mitigation and Adaptation Taskforce (CliMAT) in the capacity of facilitator, organizing and training college students in heat mapping throughout the City of Jackson; and she will facilitate a number of focus group interviews with City of Jackson residents to gather more sensitive information regarding life in communities impacted most severely by extreme temperatures; and

WHEREAS, the data gathered will allow the climate mitigation and adaptation taskforce to assess the impacts of climate on Jackson's communities, which will allow the taskforce to develop strategies to mitigate the effects of climate on the residents of Jackson, MS; and

WHEREAS, Dr. André Hines will create a brochure to advertise in communities the importance of the heat mapping activities that will be visible within many communities; and

WHEREAS, a stipend in the amount not to exceed \$2,000 will be paid to Dr. André Hines for her services throughout the term of Leadership in Community Resilience grant, ending September 30, 2022.

IT IS HEREBY ORDERED that the Mayor be authorized to execute an agreement with Dr. André Hines for facilitating, organizing and gathering data to be used by Jackson's CliMAT project; which will be funded by the National League of Cities Leadership in Community Resilience grant in a stipend in the amount not to exceed \$2,000 will be paid to Dr. André Hines for her services throughout the term of Leadership in Community Resilience grant, ending September 30, 2022.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING A NEW MASTER AGREEMENT WITH MUELLER SYSTEMS, LLC TO PROVIDE SUPPORT FOR Mi.HOST SOFTWARE AND METER DATA HOSTING FOR ONE YEAR.

WHEREAS, the City of Jackson entered into a Master Agreement with Mueller Systems, LLC, whose principal place of business is 10210 Statesville, Boulevard, Cleveland, North Carolina 27013, on February 11, 2019 to provide certain support services for to the City of Jackson for its Mi.Net software, AMI infrastructure, and Mi.Node meter transceivers; and

WHEREAS, the terms of the Master Agreement renew from year-to-year, but the services provided under the Agreement were for a period of six months, through August 7, 2019; and

WHEREAS, Mueller Systems, LLC has continued to provide support services to the City since August 7, 2019 on a non-compensated basis to assist the City in maintaining its utility billing system; and

WHEREAS, Mueller Systems, LLC is proposing to provide support for Mi.Host software and online hosting of the City’s meter data beginning October 1, 2020 for a period of one year at a cost of \$270,243.00 under the terms and conditions of a new Master Agreement; and

WHEREAS, this support is necessary to allow the City to continue to use the Mueller AMI infrastructure and Mi.Node transceivers associated with each meter to bill its utility customers for water and sewer usage; and

WHEREAS, the Water Sewer Business Administration is recommending at this time that the City continue to use the Mi.Host meter data management system, which includes online hosting of meter data, during the next year while it undertakes a program to evaluate and repair the City’s utility billing system.

IT IS, THEREFORE, ORDERED that termination of the February 11, 2019 Master Agreement with Mueller Systems, LLC is authorized.

IT IS FURTHER ORDERED that a new Master Agreement with Mueller Systems, LLC to provide Mi.Host software support and meter data hosting for one year at a cost not to exceed \$270,243.00 beginning October 1, 2020 is authorized.

IT IS FURTHER ORDERED that the Mayor is authorized to execute a Master Agreement with Mueller Systems, LLC including therein the terms set forth in this order and all other documents necessary for the purposes of the amendment to the agreement.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING AN AGREEMENT WITH KEYSTONE UTILITY SYSTEMS, LLC TO PROVIDE MAINTENANCE SERVICES FOR THE CITY OF JACKSON AUTOMATED METERING INFRASTRUCTURE (AMI) INCLUDING WATER METERS.

WHEREAS, the City of Jackson currently has automated metering infrastructure (AMI) equipment and water meters supplied by Mueller Systems, LLC (Mueller); and

WHEREAS, Mueller has been providing maintenance services for this equipment through a subcontractor, Keystone Utility Systems, LLC (KUS); and

WHEREAS, the Water-Sewer Business Administration has determined that it will be able to obtain more effective, efficient, and less costly maintenance by contracting directly with KUS, whose principal business address is 99 Parry Street, Luzerne, Pennsylvania 18709; and

WHEREAS, KUS is proposing to provide project implementation and oversight; mitigation and service of any non-responsive endpoints or meters; crew management; QA audits; programming and register swaps; network mitigation; node swaps; radio reading services; and Hot Rod installation; and

WHEREAS, the City would be responsible for supplying vendor-specific materials necessary for maintenance, repair, and replacement of equipment; and

WHEREAS, KUS is proposing to provide these services, including travel to Jackson, for a six-month period for \$73,200 with an option to renew from month-to-month thereafter, solely at the City's option, at a cost of \$12,200 per month for a total period of one year; and

WHEREAS, the Water-Sewer Business Administration recommends entering into a services agreement with KUS for the described services for a period of one year at a cost not to exceed \$146,400.00 with the option to terminate the Agreement at the end of six months or at the end of any month thereafter.

IT IS, THEREFORE, ORDERED that a services agreement with Keystone Utility Systems, LLC to provide project implementation and oversight; mitigation and service of any non-responsive endpoints or meters; crew management; QA audits; programming and register swaps; network mitigation; node swaps; radio reading services; Hot Rod installation; and related services for a period of one year at a cost not to exceed \$146,400.00 with the option to terminate the Agreement at the end of six months or at the end of any month thereafter, solely at the option of the City, is approved.

IT IS FURTHER ORDERED that the Mayor is authorized to execute a services agreement with Keystone Utility Systems, LLC consistent with the terms described herein.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH YOLANDA WILSON, MD D/B/A JACKSON PEDIATRIC ASSOCIATES TO PROVIDE HEALTHCARE INFORMATION SERVICES TO THE CITY OF JACKSON, MISSISSIPPI.

WHEREAS, the Bluegreen Alliance Foundation has awarded the City of Jackson, Mississippi ("City") funds to implement programs that will measurably reduce babies' exposure to toxic chemicals in the first 1000 days of development; and

WHEREAS, the Bluegreen Alliance Foundation requires all funded recipients to evaluate 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 provide certain services to ensure the effectiveness of the program; and

WHEREAS, Yolanda Wilson, MD d/b/a Jackson Pediatric Associates is capable and qualified to provide healthcare information services, conduct an evaluation, and prepare a report as required by the Bluegreen Alliance Foundation.

IT IS HEREBY ORDERED that the Mayor be authorized to execute and submit an agreement with Yolanda Wilson, MD d/b/a Jackson Pediatric Associates in an amount not to exceed One Thousand Dollars (\$1,000) for the provision of healthcare information services evaluation, and preparation of a report as required by The Bluegreen Alliance Foundation related to its collaboration with the Bright Cities Program of Healthy Babies Bright Futures.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH DR. PAMELA SCOTT D/B/A SCOTT PROFESSIONAL SERVICES, LLC, TO PROVIDE BREASTFEEDING EDUCATION INFORMATION SERVICES TO THE CITY OF JACKSON, MISSISSIPPI.

WHEREAS, the Bluegreen Alliance Foundation has awarded the City of Jackson, Mississippi (“City”) funds to implement programs that will measurably reduce babies’ exposure to toxic chemicals in the first 1000 days of development; and

WHEREAS, the Bluegreen Alliance Foundation requires all funded recipients to evaluate 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 provide certain services to ensure the effectiveness of the program; and

WHEREAS, Dr. Pamela Scott d/b/a Scott Professional Services, LLC is capable and qualified to provide breastfeeding education information services, conduct an evaluation, and provide a report as required by the Bluegreen Alliance Foundation.

IT IS HEREBY ORDERED that the Mayor be authorized to execute and submit an agreement with Dr. Pamela Scott d/b/a Scott Professional Services, LLC in an amount not to exceed Four Hundred Dollars (\$400.00) for the provision of breastfeeding education information services required by The Bluegreen Alliance Foundation related to its collaboration with the Bright Cities Program of Healthy Babies Bright Futures.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH DR. CINDY AYERS ELLIOTT DBA FOOTPRINT FARMS, LLC TO PROVIDE FRESH FOOD AND PRODUCE TO THE CITY OF JACKSON, MISSISSIPPI.

WHEREAS, the Bluegreen Alliance Foundation has awarded the City of Jackson, Mississippi (“City”) funds to implement programs that will measurably reduce babies’ exposure to toxic chemicals in the first 1000 days of development; and

WHEREAS, the Bluegreen Alliance Foundation requires all funded recipients to evaluate 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 provide certain services to ensure the effectiveness of the program; and

WHEREAS, Dr. Cindy Ayers Elliott d/b/a Footprint Farms, LLC is capable and qualified to provide fresh food and produce as contemplated by the Bluegreen Alliance Foundation.

IT IS HEREBY ORDERED that the Mayor be authorized to execute and submit an agreement with Dr. Cindy Ayers Elliott d/b/a Footprint Farms, LLC in an amount not to exceed Two Thousand Dollars (\$2,000) for the provision of fresh food and produce as contemplated by The Bluegreen Alliance Foundation related to its collaboration with the Bright Cities Program of Healthy Babies Bright Futures.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.
Nays – None.
Absent – Stamps.

ORDER AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO NORTH MISSISSIPPI EDUCATION CONSORTIUM CHILD CARE CLEAN + PROGRAM FOR PERSONAL PROTECTIVE EQUIPMENT AND CLEANING AND SANITIZING SUPPLIES.

WHEREAS, the North Mississippi Education Consortium has issued a request for grant applications from childcare facilities to provide funding under the Child Care Clean + Program; and

WHEREAS, the submission of a grant application to North Mississippi Education Consortium Child Care Clean + Program will be based on the number of applicants that meet the requirements; and

WHEREAS, if selected, the City of Jackson, Mississippi’s (“City of Jackson”) Early Childhood Centers (Jones and Westside locations) will receive a credit to spend on personal protection equipment, and cleaning and sanitizing supplies. There will not be any funds awarded; and

WHEREAS, the City is not required to provide a match; and

WHEREAS, the Department of Human and Cultural Services recommends the submission of a grant application to the North Mississippi Education Consortium’s Child Care Clean + Program on behalf of the City of Jackson, Mississippi.

IT IS THEREFORE ORDERED that the Mayor be authorized to execute and submit a grant application, as well as any and all documents necessary, to the North Mississippi Education Consortium’s Child Care Clean + Program on behalf of the City of Jackson, Mississippi’s Early Childhood Development Centers (Jones and Westside locations).

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.
Nays – None.
Absent – Stamps.

ORDER RATIFYING THE REVISED RESOLUTION OF THE CITY OF JACKSON, MISSISSIPPI REQUESTING THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ADOPT A RESOLUTION TO DECLARE THE NECESSITY FOR ISSUANCE OF STATE GENERAL OBLIGATION BONDS.

WHEREAS, the City of Jackson, Mississippi (“City of Jackson”) voted to approve a resolution by the Mayor of Jackson requesting the Department of Finance and Administration adopt a resolution to declare the necessity for issuance of state general obligation bonds; and

WHEREAS, resolution addressed funding to assist the City of Jackson with the renovation of the Russell C Davis Planetarium; and

WHEREAS, the original resolution was not accepted by the Department of Finance and Administration due to the lack of information regarding the estimated project completion; and

WHEREAS, the Cultural Services Division was notified on Friday, October 2, 2020 at 12:27 PM of the need to change the information and resubmit by 1:30 PM the same day; and

WHEREAS, the resolution was revised, approved by Legal, resigned by the necessary parties, and resubmitted in the allotted time frame,

IT IS, THEREFORE, ORDERED that the revised resolution of the City of Jackson sent to the Department of Finance and Administration regarding the issuance of state general obligation bonds for the renovation of the planetarium is hereby ratified.

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

Yeas – Banks, Foote, Lindsay and Tillman.

Nays – Stokes.

Absent – Stamps.

ORDER ADOPTING A REVISED CITYWIDE RECORDS RETENTION SCHEDULE FOR THE CITY OF JACKSON, MISSISSIPPI.

WHEREAS, on February 23, 2016, the City Council of Jackson, Mississippi passed a Resolution adopting a citywide records retention schedule for the City of Jackson; and

WHEREAS, in July 2020, the Mississippi Department of Archives and History revised the State of Mississippi’s retention schedule; and

WHEREAS, it has been determined that the State of Mississippi’s “Records Retention Schedules for Municipalities: General Schedules”, as set forth by the State of Mississippi, comply with federal and state statutes and generally accepted records management practices for the retention and destruction of City records; and

WHEREAS, the adoption of the same is in the best interests of the City of Jackson, in order to facilitate the orderly and efficient transfer, retention, and destruction of its records.

IT IS, THEREFORE, ORDERED that the City of Jackson, Mississippi, hereby adopts the State of Mississippi’s “Records Retention Schedules for Municipalities: General Schedules” as its revised citywide records retention schedule.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR'S SUBMISSION AND ACCEPTANCE OF THE FY 2019 MISSISSIPPI OFFICE OF HIGHWAY SAFETY GRANT PROGRAM APPLICATION (402), ADMINSTRATED BY THE STATE OF MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$500,000.00.

WHEREAS, the City of Jackson has been granted the opportunity to apply and receive for the fiscal year 2021 Mississippi Office of Highway Safety Grant and Implementation administered by the State of Mississippi Department of Public Safety; and

WHEREAS, the 2021 Mississippi Office of Highway Safety Grant and Implementation Program requires no matching funds; and

WHEREAS, the grant will assist the City of Jackson Police Department with the Community Policing concept, overtime to increase arrest in Occupant Protection, Seatbelts, DUI’s, Child Restraint, and Click It or Ticket for Police Officer. The grant will also, provide the team with necessary support for the police department.

IT IS, HEREBY, ORDERED that the Mayor's is authorized to submit an application for the 2021 Mississippi Office of Highway Safety and the Department of Public Safety Grant and Implementation.

IT IS FURTHERED ORDERED, that the Mayor or his designee be authorized to execute any and all documents necessary for the acceptance and administration of said grant if it is awarded.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE PAYMENT TO VARIOUS VENDORS FOR THE JACKSON ZOO FROM OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021.

WHEREAS, the governing authorities of the City of Jackson, Mississippi provided authority on January 28, 2019 to negotiate with the ZoOceanarium Group, LLC to provide operations and maintenance for the Jackson Zoo; and

WHEREAS, negotiations are still ongoing; and

WHEREAS, the Department of Parks and Recreation desires to retain current vendors to ensure they are paid timely and expeditiously for a variety of services necessary to ensure continuous care of animals, staff and maintenance needs are met, at the Jackson Zoo, while negotiations between the City and ZoOceanarium continue; and

WHEREAS, said Jackson Zoo vendors (without contracts), shall provide services from October 1, 2020 through September 30, 2021, as follows:

JACKSON ZOO VENDORS – (WITHOUT CONTRACTS)			
	Vendor Name	Business Type	Account Number
1.	AirGas USA Payments not to exceed \$1,200.00	Oxygen for Animal Medical Procedures	001-498.00-6419
2.	All About Animals Veterinary Clinic Payments not to exceed \$31,900.00	Contract Veterinarian	001-498.00-6419
3.	Aloha Lock & Key Payments not to exceed \$500.00	Locksmith	001-498.00-6214
4.	Animal Health Products Payments not to exceed \$700.00	Animal Medical Supplies	001-498.00-6212
5.	Bionic Bait Payments not to exceed \$6,000.00	Feed Products	001-498.00-6214
6.	Bob's Pool Service Payments not to exceed \$1,500.00	Aquatic Exhibit Supplies	001-498.00-6419
7.	Boehringer Ingelheim Animal Health USA Payments not to exceed \$1,000.00	Animal Medication	001-498.00-6213
8.	Centaman	POS System	001-498.00-6419

JACKSON ZOO VENDORS – (WITHOUT CONTRACTS)			
	Vendor Name	Business Type	Account Number
	Payments not to exceed \$12,000.00		
9.	Central Nebraska Packing Payments not to exceed \$27,000.00	Feed Products	001-498.00-6214
10.	Comcast Business Payments not to exceed \$3,500.00	Cable/Network Services	001-498.00-6419
11.	Computer Management Service of MS Payments not to exceed \$2,500.00	IT Services	001-498.00-6419
12.	Covetrus North America Payments not to exceed \$1,500.00	Animal Medical Supplies	001-498.00-6212
13.	Digital X-Ray Service Payments not to exceed \$500.00	Animal X-Rays	001-498.00-6419
14.	eMaint Enterprises Payments not to exceed \$3,800.00	Maintenance Work Order Software	001-498.00-6419
15.	Federal Express Payments not to exceed \$1,500.00	Ship Animal Supplies	001-498.00-6419
16.	First Veterinary Supply Payments not to exceed \$900.00	Animal Medical Supplies	001-498.00-6212
17.	Freedom Outreach Ranch Payments not to exceed \$1,000.00	Guest Entertainment	001-498.00-6419
18.	Freedom Ranch Wildlife Center Payments not to exceed \$5,000.00	Wildlife education and outreach program.	001-498.00-6419
19.	Grainger Payments not to exceed \$1,500.00	Maintenance Supplies	001-498.00-6419
20.	Hinds County Tax Collector Payments not to exceed \$250.00	License Plates	001-498.00-6419
21.	HMS Zoo Diets Payments not to exceed \$14,000.00	Feed Products	001-498.00-6214
22.	Jackson Business Systems Payments not to exceed \$2,500.00	Office Supplies	001-498.00-6419
23.	Jacobson Hat Company Payments not to exceed \$3,000.00	Gift Shop Inventory	001-498.00-6419
24.	Jones Refrigeration Payments not to exceed \$7,500.00	Repair Animal Food Cooler and Freezer	001-498.00-6419
25.	Living Reptile Museum Payments not to exceed \$1,200.00	Guest Entertainment	001-498.00-6419

JACKSON ZOO VENDORS – (WITHOUT CONTRACTS)			
	Vendor Name	Business Type	Account Number
26.	McGraw Gotta Go Payments not to exceed \$2,500.00	Hand Sanitizer Stations	001-498.00-6419
27.	McRoberts Sales Company Payments not to exceed \$6,000.00	Feed Products	001-498.00-6214
28.	Merchants Feed Service Payments not to exceed \$20,000.00	Feed Products	001-498.00-6214
29.	Millbrook Cricket Farm, Inc. Payments not to exceed \$1,500.00	Feed Products	001-498.00-6214
30.	MS Pet & Livestock, LLC Payments not to exceed \$18,332.00	Feed Products	001-498.00-6214
31.	MS Vet. Research & Diagnostic Lab Payments not to exceed \$2,500.00	Perform Medical Testing and Necropsies for Animals	001-498.00-6212
32.	NASCO Payments not to exceed \$1,000.00	Animal Care Supplies	001-498.00-6212
33.	Neopost Payments not to exceed \$500.00	Postage	001-498.00-6419
34.	Northern Ocean Marine Payments not to exceed \$4,000.00	Seafood/Meat Processing Distributor	001-498.00-6214
35.	NovaTime Payments not to exceed \$1,200.00	Time Clock	001-498.00-6419
36.	Old South Office Supplies Payments not to exceed \$500.00	Gift Shop Supplies	001-498.00-6419
37.	Payments not to exceed \$16,000.00	Animal Cleaning and Janitorial Supplies	001-498.00-6213
38.	Pennington & Trim Alarm Services, Inc. Payments not to exceed \$1,200.00	Alarm Services	001-498.00-6419
39.	Petco Payments not to exceed \$2,000.00	Animal Food / Supplies	001-498.00-6214 001-498.00-6212
40.	Petsmart Payments not to exceed \$2,000.00	Animal Food / Supplies	001-498.00-6214 001-498.00-6212
41.	Pitney Bowes Payments not to exceed \$500.00	Postage	001-498.00-6419
42.	P-Patch Payments not to exceed \$2,500.00	Bird Feed Products	001-498.00-6214
43.	Radiation Detection Co. Payments not to exceed \$2,500.00	Wide range of X-ray measurement devices.	001-498.00-6419

JACKSON ZOO VENDORS – (WITHOUT CONTRACTS)			
	Vendor Name	Business Type	Account Number
44.	Rhode Island Novelty Payments not to exceed \$7,500.00	Gift Shop Inventory	001-498.00-6419
45.	Robertson Produce Payments not to exceed \$41,000.00	Feed Products	001-498.00-6214
46.	Security Support Services Payments not to exceed \$2,000.00	Security Cameras	001-498.00-6419
47.	Signs First Payments not to exceed \$600.00	Zoo Signage	005-501.10-6419
48.	Southern Feed & Supply Payments not to exceed \$2,000.00	Feed Products	001-498.00-6214
49.	Species 360 Payments not to exceed \$10,000.00	Animal Database	001-498.00-6419
50.	Sunrise Fresh Produce Payments not to exceed \$10,000.00	Feed Products	001-498.00-6214
51.	Telpro Communications Payments not to exceed \$4,200.00	Repair Telephone/Internet Lines	001-498.00-6419
52.	Terry L. Vandeventer Payments not to exceed \$5,000.00	Live education science and safety snake programs.	001-498.00-6419
53.	Tommy Rodden Payments not to exceed \$2,500.00	Animal Food	001-498.00-6214
54.	Tonight Payments not to exceed \$1,000.00	Gift Shop Inventory	001-498.00-6419
55.	U.S. Fish & Wildlife Payments not to exceed \$600.00	Animal Permits	001-498.00-6419
56.	Unifirst Corporation Payments not to exceed \$3,400.00	Animal Care Uniforms	001-498.00-6419
57.	United Postal Service (UPS) Payments not to exceed \$1,500.00	Ship Animal Supplies	001-498.00-6419
58.	United States Postal Service (USPS) Payments not to exceed \$350.00	Ship Animal Supplies	001-498.00-6419
59.	USDA APHIS Animal Care Payments not to exceed \$500.00	Animal Permits	001-498.00-6419
60.	VRL Laboratories Payments not to exceed \$500.00	Animal Testing	001-498.00-6419
61.	Warm & Fuzzy Toys	Gift Shop Inventory	001-498.00-6419

JACKSON ZOO VENDORS – (WITHOUT CONTRACTS)			
	Vendor Name	Business Type	Account Number
	Payments not to exceed \$2,500.00		
62.	Wilcher Farm Payments not to exceed \$3,300.00	Feed Products	001-498.00-6214
63.	Wild Republic Payments not to exceed \$6,000.00	Gift Shop Inventory	001-498.00-6419
64.	Wildmorph Pythons Payments not to exceed \$2,000.00	Animal Food	001-498.00-6214

WHEREAS, each vendor shall be paid up to and not to exceed the amounts listed above in the chart.

IT IS, THEREFORE, ORDERED that the City is hereby authorized to make payments to the above referenced Jackson Zoo vendors, in reference to all requests for payments necessary to ensure continuous care of animals, staff and maintenance needs are met at the Jackson Zoo, not to exceed the amounts listed in the following chart on a per vendor basis for a term period of October 1, 2020 through September 30, 2021:

JACKSON ZOO VENDORS – (WITHOUT CONTRACTS)			
	Vendor Name	Business Type	Account Number
1.	AirGas USA Payments not to exceed \$1,200.00	Oxygen for Animal Medical Procedures	001-498.00-6419
2.	All About Animals Veterinary Clinic Payments not to exceed \$31,900.00	Contract Veterinarian	001-498.00-6419
3.	Aloha Lock & Key Payments not to exceed \$500.00	Locksmith	001-498.00-6214
4.	Animal Health Products Payments not to exceed \$700.00	Animal Medical Supplies	001-498.00-6212
5.	Bionic Bait Payments not to exceed \$6,000.00	Feed Products	001-498.00-6214
6.	Bob's Pool Service Payments not to exceed \$1,500.00	Aquatic Exhibit Supplies	001-498.00-6419
7.	Boehringer Ingelheim Animal Health USA Payments not to exceed \$1,000.00	Animal Medication	001-498.00-6213
8.	Centaman Payments not to exceed \$12,000.00	POS System	001-498.00-6419
9.	Central Nebraska Packing Payments not to exceed \$27,000.00	Feed Products	001-498.00-6214
10.	Comcast Business	Cable/Network Services	001-498.00-6419

JACKSON ZOO VENDORS – (WITHOUT CONTRACTS)			
	Vendor Name	Business Type	Account Number
	Payments not to exceed \$3,500.00		
11.	Computer Management Service of MS Payments not to exceed \$2,500.00	IT Services	001-498.00-6419
12.	Covetrus North America Payments not to exceed \$1,500.00	Animal Medical Supplies	001-498.00-6212
13.	Digital X-Ray Service Payments not to exceed \$500.00	Animal X-Rays	001-498.00-6419
14.	eMaint Enterprises Payments not to exceed \$3,800.00	Maintenance Work Order Software	001-498.00-6419
15.	Federal Express Payments not to exceed \$1,500.00	Ship Animal Supplies	001-498.00-6419
16.	First Veterinary Supply Payments not to exceed \$900.00	Animal Medical Supplies	001-498.00-6212
17.	Freedom Outreach Ranch Payments not to exceed \$1,000.00	Guest Entertainment	001-498.00-6419
18.	Freedom Ranch Wildlife Center Payments not to exceed \$5,000.00	Wildlife education and outreach program.	001-498.00-6419
19.	Grainger Payments not to exceed \$1,500.00	Maintenance Supplies	001-498.00-6419
20.	Hinds County Tax Collector Payments not to exceed \$250.00	License Plates	001-498.00-6419
21.	HMS Zoo Diets Payments not to exceed \$14,000.00	Feed Products	001-498.00-6214
22.	Jackson Business Systems Payments not to exceed \$2,500.00	Office Supplies	001-498.00-6419
23.	Jacobson Hat Company Payments not to exceed \$3,000.00	Gift Shop Inventory	001-498.00-6419
24.	Jones Refrigeration Payments not to exceed \$7,500.00	Repair Animal Food Cooler and Freezer	001-498.00-6419
25.	Living Reptile Museum Payments not to exceed \$1,200.00	Guest Entertainment	001-498.00-6419
26.	McGraw Gotta Go Payments not to exceed \$2,500.00	Hand Sanitizer Stations	001-498.00-6419
27.	McRoberts Sales Company Payments not to exceed \$6,000.00	Feed Products	001-498.00-6214
28.	Merchants Feed Service	Feed Products	001-498.00-6214

JACKSON ZOO VENDORS – (WITHOUT CONTRACTS)			
	Vendor Name	Business Type	Account Number
	Payments not to exceed \$20,000.00		
29.	Millbrook Cricket Farm, Inc. Payments not to exceed \$1,500.00	Feed Products	001-498.00-6214
30.	MS Pet & Livestock, LLC Payments not to exceed \$18,332.00	Feed Products	001-498.00-6214
31.	MS Vet. Research & Diagnostic Lab Payments not to exceed \$2,500.00	Perform Medical Testing and Necropsies for Animals	001-498.00-6212
32.	NASCO Payments not to exceed \$1,000.00	Animal Care Supplies	001-498.00-6212
33.	Neopost Payments not to exceed \$500.00	Postage	001-498.00-6419
34.	Northern Ocean Marine Payments not to exceed \$4,000.00	Seafood/Meat Processing Distributor	001-498.00-6214
35.	NovaTime Payments not to exceed \$1,200.00	Time Clock	001-498.00-6419
36.	Old South Office Supplies Payments not to exceed \$500.00	Gift Shop Supplies	001-498.00-6419
37.	Payments not to exceed \$16,000.00	Animal Cleaning and Janitorial Supplies	001-498.00-6213
38.	Pennington & Trim Alarm Services, Inc. Payments not to exceed \$1,200.00	Alarm Services	001-498.00-6419
39.	Petco Payments not to exceed \$2,000.00	Animal Food / Supplies	001-498.00-6214 001-498.00-6212
40.	Petsmart Payments not to exceed \$2,000.00	Animal Food / Supplies	001-498.00-6214 001-498.00-6212
41.	Pitney Bowes Payments not to exceed \$500.00	Postage	001-498.00-6419
42.	P-Patch Payments not to exceed \$2,500.00	Bird Feed Products	001-498.00-6214
43.	Radiation Detection Co. Payments not to exceed \$2,500.00	Wide range of X-ray measurement devices.	001-498.00-6419
44.	Rhode Island Novelty Payments not to exceed \$7,500.00	Gift Shop Inventory	001-498.00-6419
45.	Robertson Produce Payments not to exceed \$41,000.00	Feed Products	001-498.00-6214
46.	Security Support Services	Security Cameras	001-498.00-6419

JACKSON ZOO VENDORS – (WITHOUT CONTRACTS)			
	Vendor Name	Business Type	Account Number
	Payments not to exceed \$2,000.00		
47.	Signs First Payments not to exceed \$600.00	Zoo Signage	005-501.10-6419
48.	Southern Feed & Supply Payments not to exceed \$2,000.00	Feed Products	001-498.00-6214
49.	Species 360 Payments not to exceed \$10,000.00	Animal Database	001-498.00-6419
50.	Sunrise Fresh Produce Payments not to exceed \$10,000.00	Feed Products	001-498.00-6214
51.	Telpro Communications Payments not to exceed \$4,200.00	Repair Telephone/Internet Lines	001-498.00-6419
52.	Terry L. Vandeventer Payments not to exceed \$5,000.00	Live education science and safety snake programs.	001-498.00-6419
53.	Tommy Rodden Payments not to exceed \$2,500.00	Animal Food	001-498.00-6214
54.	Tonight Payments not to exceed \$1,000.00	Gift Shop Inventory	001-498.00-6419
55.	U.S. Fish & Wildlife Payments not to exceed \$600.00	Animal Permits	001-498.00-6419
56.	Unifirst Corporation Payments not to exceed \$3,400.00	Animal Care Uniforms	001-498.00-6419
57.	United Postal Service (UPS) Payments not to exceed \$1,500.00	Ship Animal Supplies	001-498.00-6419
58.	United States Postal Service (USPS) Payments not to exceed \$350.00	Ship Animal Supplies	001-498.00-6419
59.	USDA APHIS Animal Care Payments not to exceed \$500.00	Animal Permits	001-498.00-6419
60.	VRL Laboratories Payments not to exceed \$500.00	Animal Testing	001-498.00-6419
61.	Warm & Fuzzy Toys Payments not to exceed \$2,500.00	Gift Shop Inventory	001-498.00-6419
62.	Wilcher Farm Payments not to exceed \$3,300.00	Feed Products	001-498.00-6214
63.	Wild Republic Payments not to exceed \$6,000.00	Gift Shop Inventory	001-498.00-6419

JACKSON ZOO VENDORS – (WITHOUT CONTRACTS)			
	Vendor Name	Business Type	Account Number
64.	Wildmorph Pythons Payments not to exceed \$2,000.00	Animal Food	001-498.00-6214

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH STAFFING INNOVATIONS INCORPORATION 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; and

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, Staffing Innovations Incorporation will provide the City of Jackson on request with qualified temporary staffing services for the classification specifications; and

WHEREAS, Staffing Innovations Incorporation has an office located at, 407 Briarwood Drive, Suite 207 B2, Jackson, Mississippi, 39206; and

WHEREAS, Staffing Innovations Incorporated submitted a rate sheet for the temporary positions provided to the City of Jackson as follows:

Clerical	\$13.50/hr
Receptionist	\$13.77/hr
General Labor	\$13.98/hr
Administrative Assistant	\$18.00/hr
File Clerk	\$12.89/hr

WHEREAS, Staffing Innovations Incorporation will invoice for services provided under this Agreement on a weekly basis and the City of Jackson will remit payment within 45 days, which is consistent with the statute for timely payment by governmental entities; and

WHEREAS, the term of the contract, which supersedes all prior agreements, shall take effect upon execution and continue for one year, subject to the right of either party to terminate at any time by giving a thirty (30) days prior written notice by registered or certified mail return receipt; and

WHEREAS, in the event of default by one party, the other party may immediately terminate; and

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

WHEREAS, Staffing Innovations Incorporation shall furnish available temporary personnel who shall be qualified to perform the duties customarily required in the job classifications; and

WHEREAS, the City of Jackson may direct Staffing Innovations Incorporated to replace any assigned personnel to City of Jackson and Staffing Innovations Incorporated will endeavor to promptly replace the temporary employee with another temporary employee; and

WHEREAS, if the City of Jackson notifies Staffing Innovations Incorporated within the first four hours of assignment that the person is unsatisfactory, the City of Jackson will not be charged for those initial hours; and

WHEREAS, there is a minimum of four (4) hours per employee per day; and

WHEREAS, the City of Jackson may not employ or cause others to employ Staffing Innovations Incorporation personnel before an eight (8) week period at forty (40) hours per week or three hundred twenty (320) hours whichever comes first or a settlement payment is required; and

WHEREAS, the City of Jackson agrees to pay the settlement amount for hiring Staffing Innovation Personnel before an eight (8) week period or 320 hours will be the billed rate multiplied by the balance of the hours or weeks left; and

WHEREAS, Staffing Innovations Incorporation agrees to maintain workers' compensation insurance prescribed by law; and

WHEREAS, Staffing Innovations Incorporation agrees to comply with all federal and state labor laws, regulations and orders, including such as related to the payment of minimum wages and overtime, and non-discrimination in employment; and

WHEREAS, the City of Jackson agrees to provide a suitable place for the employees of Staffing Innovations Incorporated to perform services which shall comply with all applicable statutes and ordinances relating to health and safety; and

WHEREAS, the City of Jackson agrees not to leave any cash negotiable instruments or other valuable items unattended in the presence of any of Staffing Innovations Incorporated employees; and

WHEREAS, if Staffing Innovations Incorporated file suit to collect any monies due or to become due hereunder, the prevailing party in such litigation will be entitled to reasonable attorney's fees and cost of collection. Reasonable attorney's fees will reflect actual time spent by counsel. Legal work performed by corporate counsel shall be charged based on average hourly fee prevailing in law firms at the situs of the action for like quality and quantity of representation; and

WHEREAS, the City of Jackson agrees to not assign this agreement in whole or in part, by operation of law or otherwise without consent of Staffing Innovations; and

WHEREAS, Staffing Innovations Incorporated 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, Staffing Innovations Incorporated 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, Staffing Innovations Incorporated 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, 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

IT IS, HEREBY ORDERED that the Mayor be authorized to execute a contract with Staffing Innovations Incorporated 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 Staffing Innovations Incorporated.

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

Yeas – Banks, Foote, Lindsay and Tillman.

Nays – Stokes.

Absent – Stamps.

* * * * *

ORDER AMENDING THE CITY OF JACKSON’S COMPENSATION PLAN TO PROVIDE CERTAIN SALARY INCREASES FOR RECRUITS AND OFFICERS WITHIN THE CITY OF JACKSON POLICE DEPARTMENT.

WHEREAS, the Jackson City Council became cognizant of the challenges confronting the Jackson Police Department with recruiting and retaining sworn law enforcement personnel; and

WHEREAS, the challenge in recruiting and retaining sworn law enforcement personnel partially stemmed from the absence of a competitive wage when compared to other municipalities within the Metropolitan area of Jackson, including but not limited to Clinton, Ridgeland, Madison, and Flowood; and

WHEREAS, the governing authorities for the City of Jackson adopted a compensation plan on or about September 22, 1998 which is found in Minute Book 4Y; and

WHEREAS, the Jackson City Council adopted a budget for the fiscal year commencing October 1, 2020 and ending September 30, 2021, which included certain salary increases and contained compensation provisions for officers within the Jackson Police Department based on consecutive years of service; and

WHEREAS, Section 21-8-21(2) of the Mississippi Code vests the Jackson City Council with the authority to fix the compensation of all employees of the municipality from time to time as occasion may be demand; and

WHEREAS, the pay plan adopted by the Jackson City Council currently provides for the following compensation: (a) *Recruit* - \$26,418.08 (b) *1 year officer* \$31,658.03 (c) *3 year officer* \$31,658.03 (d) *5 year officer* \$35,000.00; and

WHEREAS, the budgeted salary and compensation provisions included in the 2020-2021 fiscal year budget provide for the following compensation to be paid to recruits and law enforcement officers: **(a) Recruit - \$30,000.00 (b) Upon completion of 1 year of service - \$31,659.72 (c) Upon completion of 3 years of service - \$33,000.00 and (d) Upon completion of 5 years of service - \$35,000.00**; and

WHEREAS, in order to ensure that the budgeted compensation for recruits and other officers within the Jackson Police Department are implemented, the Department of Personnel Management recommends that the compensation plan be amended; and

WHEREAS, the best interest of the City of Jackson would be served by amending the compensation plan adopted by the Jackson City Council to conform to the budgeted salary increases.

IT IS THEREFORE ORDERED that the City of Jackson's pay plan shall be amended to provide for the following compensation: **(a) Recruit - \$30,000.00 (b) Upon completion of 1 year of service - \$31,659.72 (c) Upon completion of 3 years of service - \$33,000.00 and (d) Upon completion of 5 years of service - \$35,000.00.**

IT IS FURTHER ORDERED that the amended compensation shall become effective for the pay period beginning October 25, 2020, going forward.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDER RATIFYING AN EMERGENCY CONTRACT WITH HEMPHILL CONSTRUCTION COMPANY, INC., FOR THE WEST PORTER STREET SEWER EMERGENCY REPAIRS.

WHEREAS, a portion of a sewer main collapsed on West Porter Street; and

WHEREAS, the collapse resulted in the discharge of raw sewage into local streams and ditches creating an environmental, human health, and public safety issue for those living on Livingston Road; and

WHEREAS, because of the adverse effect on human health, the environment, and public safety, the Mayor invoked the emergency procurement process, pursuant to Section 31-7-13 (k), a copy of which is attached to this Order and made a part of these minutes; and

WHEREAS, pursuant to the emergency procurement process, a contract has been executed with Hemphill Construction Company, Inc. in amount not to exceed \$170,086.96 without further authorization of the governing authorities to make repairs to the collapsed sewer main, a copy of which is attached to this Order and made a part of these minutes.

IT IS, THEREFORE, ORDERED that the emergency contract with Hemphill Construction Company, Inc. in an amount not to exceed \$170,086.96 without further authorization of the governing authorities for repairs to a collapsed sewer main on West Porter Street is ratified.

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

Yeas – Foote, Lindsay and Tillman.

Nays – Banks and Stokes.

Absent – Stamps.

ORDER RATIFYING AN EMERGENCY CONTRACT WITH HEMPHILL CONSTRUCTION COMPANY, INC., FOR THE ROBINSON ROAD SEWER EMERGENCY REPAIRS.

WHEREAS, a portion of a sewer main collapsed on Robinson Road; and

WHEREAS, the collapse resulted in the discharge of raw sewage into local streams and ditches creating an environmental, human health, and public safety issue for those living on Livingston Road; and

WHEREAS, because of the adverse effect on human health, the environment, and public safety, the Mayor invoked the emergency procurement process, pursuant to Section 31-7-13 (k), a copy of which is attached to this Order and made a part of these minutes; and

WHEREAS, pursuant to the emergency procurement process, a contract has been executed with Hemphill Construction Company, Inc. in amount not to exceed \$127,290.00 without further authorization of the governing authorities to make repairs to the collapsed sewer main, a copy of which is attached to this Order and made a part of these minutes.

IT IS, THEREFORE, ORDERED that the emergency contract with Hemphill Construction Company, Inc. in an amount not to exceed \$127,290.00 without further authorization of the governing authorities for repairs to a collapsed sewer main on Robinson Road is ratified.

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

Yeas – Foote, Lindsay and Tillman.

Nays – Banks and Stokes.

Absent – Stamps.

ORDER RATIFYING AN EMERGENCY CONTRACT WITH HEMPHILL CONSTRUCTION COMPANY, INC., FOR THE LIVINGSTON ROAD SEWER EMERGENCY REPAIRS.

WHEREAS, a portion of a sewer main collapsed on Livingston Road; and

WHEREAS, the collapse resulted in the discharge of raw sewage into local streams and ditches creating an environmental, human health, and public safety issue for those living on Livingston Road; and

WHEREAS, because of the adverse effect on human health, the environment, and public safety, the Mayor invoked the emergency procurement process, pursuant to Section 31-7-13 (k), a copy of which is attached to this Order and made a part of these minutes; and

WHEREAS, pursuant to the emergency procurement process, a contract has been executed with Hemphill Construction Company, Inc. in amount not to exceed \$127,284.00 without further authorization of the governing authorities to make repairs to the collapsed sewer main, a copy of which is attached to this Order and made a part of these minutes.

IT IS, THEREFORE, ORDERED that the emergency contract with Hemphill Construction Company, Inc. in an amount not to exceed \$127,284.00 without further authorization of the governing authorities for repairs to a collapsed sewer main on Livingston Road is ratified.

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

Yeas – Foote, Lindsay and Tillman.

Nays – Banks and Stokes.

Absent – Stamps.

Note: Council Member Stokes left the meeting.

ORDER AUTHORIZING FINAL PAYMENT TO HEMPHILL CONSTRUCTION COMPANY, INC., FOR THE O.B. CURTIS WATER TREATMENT PLANT

MICRO SCREENS AND SLUICE GATES EQUIPMENT PROJECT, CITY PROJECT NUMBER 19B0104, SRF# DWI-L250008-01.

WHEREAS, the City of Jackson entered into a construction contract with Hemphill Construction Company, Inc., on August 6, 2019 for the O.B. Curtis Water Treatment Plant Microscreens and Sluice Gates Equipment Project; and

WHEREAS, the City Council approved change order No. 1 on May 12, 2020 increasing the contract amount from \$1,156,620.00 to \$1,353,620.00, and increasing the construction calendar days from ninety (90) calendar day to two hundred and ninety (290) calendar days; and

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

WHEREAS, the Department of Public Works recommends final payment in the amount of \$7,680.00 to Hemphill Construction Company, Inc.; and

WHEREAS, the bonding company Federal Insurance Company, Attorney-in-fact, surety on performance of the said contract, has authorized release and payment of all money due under said contract; and

IT IS, THEREFORE, ORDERED that the City make final payment in the amount of \$7,680.00 and release all securities held to Hemphill Construction Company, Inc., for the O.B. Curtis Water Treatment Plant Microscreens and Sluice Gates Equipment Project, City Project Number 19B0104, SRF# DWI-L250008-01.

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

Yeas – Foote, Lindsay and Tillman.

Nays – Banks.

Absent – Stamps and Stokes.

ORDER AUTHORIZING CHANGE ORDER NO.1/FINAL TO THE CONTRACT WITH DELTA CONSTRUCTORS, INC., FOR THE SEWER REPAIR EMERGENCY RIDGEWOOD ROAD AND AT THE INTERSECTION OF RIDGEWOOD ROAD AND SHEFFIELD DRIVE.

WHEREAS, a portion of a sewer main collapsed on Ridgewood Road and the intersection of Ridgewood Road and Sheffield Drive within right-of-way; and

WHEREAS, the collapse resulted in large voids within the pavement structure creating a welfare and safety issue for motorist traveling on Ridgewood; and

WHEREAS, because of the adverse effect on human health, the environment, and public safety, the Mayor invoked the emergency procurement process, pursuant to Section 31-7-13 (k), a copy of which is attached to this Order and made a part of these minutes; and

WHEREAS, pursuant to the emergency procurement process, a contract has been executed with Delta Constructors, Inc., in an amount not to exceed \$351,288.00 without further authorization of the governing authorities to make repairs to the collapsed sewer main, a copy of which is attached to this Order and made a part of these minutes; and

WHEREAS, the City Council approved a ratified contract with Delta Constructors, Inc. on August 18, 2020 in an amount not to exceed \$351,288.00; and

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

WHEREAS, the original quote amount was for \$351,288.00, and the increased amount due to additional sewer main repairs is \$391,149.00; and

WHEREAS, the bonding company Ohio Casualty Insurance Company, Attorney-in-fact, surety on performance of the said contract, has authorized release and payment of all money due under said contract; and

IT IS, THEREFORE, ORDERED that Change Order No. 1/Final Payment is approved for the sewer main repair work on Ridgewood Road at the intersection of Sheffield Drive performed by Delta Constructors, Inc.

IT IS, FURTHER, ORDERED that the City make final payment in the amount of \$391,149.00 to Delta Constructors, Inc. and release all held securities to Delta Constructors, Inc. for all the work completed and materials furnished under this contract and that the City Clerk publish the Notice of Completion of the Sewer Repair Emergency Ridgewood Road at the intersection of Sheffield Drive.

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

Yeas – Foote, Lindsay and Tillman.

Nays – Banks.

Absent – Stamps and Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONSTRUCTION ENGINEERING AND INSPECTION SERVICES CONTRACT WITH EJES, INC., FOR THE STATE STREET REHABILITATION PROJECT, FEDERAL AID PROJECT NUMBER STP-6928-00(015)LPA/108077-701000, CITY PROJECT NUMBER 19B4011.

WHEREAS, the City of Jackson has federal transportation funds to make improvements to State Street (Sheppard Road to Briarwood Drive); and

WHEREAS, the City of Jackson selected EJES, Inc., to provide construction engineering and inspection services for the project; and

WHEREAS, EHES, Inc., has provided an estimated fee of \$133,362.32 for construction engineering and inspection services work; and

WHEREAS, the execution of the construction engineering and inspection series agreement is subject to the concurrence of the Mississippi Department of Transportation.

IT IS THEREFORE ORDERED that the Mayor is authorized to execute a construction engineering and inspection services contract with EJES, Inc., for the State Street Rehabilitation Project, Federal Aid Project Number STP-6928-00(15) LPA/108077-701000, City Project Number 19B4011, in an amount not to exceed \$133,362.32.

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

Yeas – Banks, Foote, Lindsay and Tillman.

Nays – None.

Absent – Stamps and Stokes.

ORDER AUTHORIZING A PROFESSIONAL GENERAL ENGINEERING SERVICES AGREEMENT WITH CORNERSTONE ENGINEERING, LLC, FOR TECHNICAL ASSISTANCE WITH MAINTAINING THE WATER TREATMENT FACILITIES AT O.B. CURTIS WTP & JH FEWEL WTP.

WHEREAS, the City of Jackson needs technical assistance with maintaining the treatment facilities at OB Curtis WTP & JH Fewell WTP to ensure the City of Jackson maintains compliance with the Safe Water Drinking Act; and

WHEREAS, the City of Jackson Public Works has requested Cornerstone Engineering, LLC provide a proposal for general engineering services to assist the City of Jackson with maintaining compliance with the Safe Drinking Water Act; and

WHEREAS, Cornerstone Engineering, LLC has submitted a proposal for their services in an amount not to exceed \$250,000.00; and

WHEREAS, the Department of Public Works recommends the City of Jackson enter into a professional general engineering services agreement with Cornerstone Engineering, LLC in an amount not to exceed \$250,000.00.

IT IS, THEREFORE, ORDERED that a professional general engineering services agreement with Cornerstone Engineering, LLC in amount not to exceed \$250,000.00, is approved.

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

Yeas – Banks, Foote, Lindsay and Tillman.

Nays – None.

Absent – Stamps and Stokes.

ORDER RATIFYING TASK ORDER 4B UNDER THE CONSENT DECREE PROGRAM MANAGEMENT AGREEMENT WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC., FOR CONSENT DECREE PROGRAM MANGEMENT SERVICES.

WHEREAS, the City Council approved an agreement with Burns & McDonnell Engineering Company, Inc. (Burns & McDonnell) on January 24, 2017 to provide Consent Decree Program Management Services; and

WHEREAS, Burns & McDonnell have been providing requested consent decree program management services under a series of Task Orders, which are approved by the governing authorities; and

WHEREAS, toward the beginning of Fiscal 2020, the City Council approved and the Mayor executed Task Order 4A, which was a continuation of requested work on the Agreement; and

WHEREAS, Task Order 4A was intended to fund the first six months of Fiscal Year 2020, but prudent, frugal management of the funding, combined with a reduction in meetings and the suspension of the Fats, Oils, and Grease Program during April and May carried the work later into the fiscal year; and

WHEREAS, having provided services through the end of Fiscal Year 2020, approval Task Order 4B in an amount not to exceed \$395,018.00 is needed primarily to pay several subconsultants; and

WHEREAS, the Department of Public Works recommends ratifying Task Order 4B under the Consent Decree Program Management Agreement with Burns & McDonnell in an amount not to exceed \$395,018.00.

IT IS, THEREFORE, ORDERED that Task Order 4B under the Consent Decree Program Management Agreement with Burns & McDonnell Engineering Company, Inc. in an amount not to exceed \$395,018.00 is ratified.

IT IS FURTHER ORDERED that the Mayor is authorized to execute Task Order 4B under the Consent Decree Program Management Agreement with Burns & McDonnell Engineering Company, Inc. in an amount not to exceed \$395,018.00.

Council Member Lindsay moved adoption; Council Member Tillman seconded.

Yeas – Banks, Foote, Lindsay and Tillman.

Nays – None.

Absent – Stamps and Stokes.

ORDER AUTHORIZING A PROFESSIONAL GENERAL ENGINEERING SERVICES AGREEMENT WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC., FOR CONSENT DECREE MODIFICATION SUPPORT AND ASSOCIATED SERVICES, AND AUTHORIZING TASK ORDER 1A.

WHEREAS, the City of Jackson Department of Public Works is currently in the process of negotiating a modification to its existing Clean Water Act Consent Decree with the United States and the state of Mississippi; and

WHEREAS, for the past four years Burns & McDonnell Engineering Company, Inc. (Burns & McDonnell) has served as the City's Consent Decree Program Manager, which has included providing support and associated services for negotiations with the U.S. Environmental Protection Agency and the Mississippi Department of Environmental Quality to modify the City's Clean Water Act Consent Decree; and

WHEREAS, the Department of Public Works requested Burns & McDonnell, whose principal office address is 9400 Ward Parkway, Kansas City, Missouri 64114, to provide a proposal for general engineering services to assist the City of Jackson with consent decree modification support and associated services; and

WHEREAS, the initial term of the contract will be for two years, with two, one-year options at the conclusion of the initial term exercisable upon the mutual agreement of the parties; however, the contract shall be voidable upon the beginning of a new term in office of the Mayor and City Council; and

WHEREAS, work under the contract will proceed based on a series of Task Orders negotiated by the parties; and

WHEREAS, due to limited sources of funding at this time, Burns & McDonnell has submitted a proposal for services and corresponding budget for Task Order 1A for consent decree modification support and associated services in an amount not to exceed \$295,300.00 that is intended to provide funding for the services for a period until March 31, 2021, but will continue until funds for Task Order 1A have been exhausted; and

WHEREAS, the Department of Public Works recommends the City of Jackson enter into a professional general engineering services agreement with Burns & McDonnell to provide consent decree modification support and associated services for the City's Clean Water Act Consent Decree and recommends authorization of Task Order 1A.

IT IS, THEREFORE, ORDERED that a professional general engineering services agreement with Burns & McDonnell Engineering Company, Inc. for an initial term of two years, with two, one-year options at the conclusion of the initial term exercisable upon the mutual agreement of the parties for consent decree modification support and associated services is approved.

IT IS FURTHER ORDERED that Task Order 1A in an amount not to exceed \$295,300.00, which is intended to provide funding for the services for a period until March 31, 2021, but will continue until funds for Task Order 1A have been exhausted, is approved.

IT IS FURTHER ORDERED that the Mayor is authorized to execute a professional general engineering services agreement with Burns & McDonnell for consent decree modification support and associated services and is authorized to execute Task Order 1A under that contract.

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

Yeas – Banks, Foote, Lindsay and Tillman.

Nays – None.

Absent – Stamps and Stokes.

ORDER AUTHORIZING A PROFESSIONAL GENERAL ENGINEERING SERVICES AGREEMENT WITH WEI/AJA, LLC FOR CONSENT DECREE PROGRAM MANAGEMENT SERVICES AND AUTHORIZING TASK ORDER 1A.

WHEREAS, the City of Jackson Department of Public Works requires program management services to assist with meeting the requirements of the City’s Clean Water Act Consent Decree with the United States of American and the state of Mississippi; and

WHEREAS, the Department of Public Works requested WEI/AJA, LLC, whose principal office address is 143 A LeFleurs Square, Jackson, MS 39211, to provide a proposal for general engineering services to assist the City of Jackson with Consent Decree Program Management Services; and

WHEREAS, initial term of the contract would be for four years, with two, two-year options at the conclusion of the initial term exercisable upon the mutual agreement of the parties; however, the contract shall be voidable upon the beginning of a new term in office of the Mayor and City Council; and

WHEREAS, work under the contract will proceed based on a series of Task Orders negotiated by the parties; and

WHEREAS, due to limited sources of funding at this time, WEI/AJA, LLC has submitted a proposal for services and corresponding budget for Task Order 1A for consent decree program management services in an amount not to exceed \$1,413,799.00 that is intended to provide funding for the services for a period until March 31, 2021, but will continue until funds for Task Order 1A have been exhausted; and

WHEREAS, the Department of Public Works recommends the City of Jackson enter into a professional general engineering services agreement with WEI/AJA, LLC to provide program management services for the City’s Clean Water Act Consent Decree and recommends authorization of Task Order 1A.

IT IS, THEREFORE, ORDERED that a professional general engineering services agreement with WEI/AJA, LLC for an initial term of four years, with two, two-year options at the conclusion of the initial term exercisable upon the mutual agreement of the parties for consent decree program management services is approved.

IT IS FURTHER ORDERED that Task Order 1A in an amount not to exceed \$1,413,799.00, which is intended to provide funding for the services for a period until March 31, 2021, but will continue until funds for Task Order 1A have been exhausted, is approved.

IT IS FURTHER ORDERED that the Mayor is authorized to execute a professional general engineering services agreement with WEI/AJA, LLC for consent decree program management services and is authorized to execute Task Order 1A under that contract.

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

Yeas – Banks, Foote, Lindsay and Tillman.

Nays – None.

Absent – Stamps and Stokes.

ORDER AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT WITH SIMMONS EROSION CONTROL, INC., FOR THE MEDGAR EVERS BOULEVARD IMPROVEMENTS, CITY PROJECT NUMBER 18B4017.302.

WHEREAS, on July 7, 2020 the bid received from Simmons Erosion Control, Inc., in the amount of \$3,951,743.61, was approved by the City Council; and

WHEREAS, Simmons Erosion Control, Inc. has expressed concern about constructing the project during the winter months, and requested the contract language regarding completion time change from calendar days to working days; and

WHEREAS, the approved contract language specified 180 consecutive calendars to complete the project; and

WHEREAS, the proposed revised contract language will specify 120 working days to complete the project; and

WHEREAS, the recommends approval of Change Order No. 1 changing the contract completion from 180 consecutive calendar days to 120 working days to complete the Medgar Evers Boulevard Improvements, City Project Number 18B4017.302; and

IT IS, THEREFORE, ORDERED that Change Order No. 1 to the contract with Simmons Erosion Control, Inc., is approved.

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

Yeas – Banks, Foote, Lindsay and Tillman.
Nays – None.
Absent – Stamps and Stokes.

ORDER RESCINDING THE SEPTEMBER 15, 2020 ORDER ACCEPTING THE BID OF COPELAND & JOHNS, INC., FOR THE BELHAVEN CREEK DRAINAGE IMPROVEMENT CITY PROJECT NUMBER 15B5014.701.

WHEREAS, on September 15, 2020 the City Council awarded the contract for the Belhaven Creek Drainage Improvements Project to Copeland & Johns, Inc. in an amount not to exceed \$2,571,795.00, and

WHEREAS, the Department of Public Works and Southern Consultants, Inc. was notified by Thomas Cronin, Executive Vice President for Copeland & Johns, Inc., that Copeland & Johns, Inc. intended to honor their bid past September 2, 2020; and

WHEREAS, the Department of Public Works and Southern Consultants, Inc. has learned that Thomas Cronin has left Copeland & Johns, Inc. and the current management at Copeland and Johns, Inc. has no interest in constructing the project; and

WHEREAS, the President of Copeland & Johns, Inc., Dupree Petty sent a certified letter on September 17, 2020 withdrawing their bid due to the 90-day period for awarding the project having expired on September 2, 2020.

IT IS, THEREFORE, ORDERED that the September 15, 2020 Order Accepting the Bid of Copeland & Johns, Inc. for the Belhaven Creek Drainage Improvement Project Number 15B5014.701 is rescinded.

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

Yeas – Banks, Foote, Lindsay and Tillman.
Nays – None.
Absent – Stamps and Stokes.

Note: Council Member Stokes returned to the meeting.

ORDER RATIFYING PROCUREMENT SERVICES WITH GRINER DRILLING SERVICE, INC., FOR EMERGENCY REPAIRS TO THE TV ROAD WELL.

WHEREAS, the TV Road Well pump failed stopping all flow of water into the distribution system; and

WHEREAS, residents who are served by the TV Road Well were without water due to the failed pump; and

WHEREAS, a quote for the repairs in an amount of \$13,800.00 was received from Griner Drilling Service, Inc.; and

WHEREAS, the original quote received from Griner Drilling Service, Inc. was only to lower the well depth; and

WHEREAS, further investigation at the TV Road Well discovered that the pump failed requiring additional work above the original \$13,800.00 quote submitted by Griner Drilling Service, Inc.; and

WHEREAS, the revised quote received from Griner Drilling Service, Inc. to lower the well depth and repair the well pump totaled \$74,600.00; and

WHEREAS, Griner Drilling Service, Inc. has completed the repairs, and the TV Road Well is back in-service supplying water into the distribution system; and

WHEREAS, Griner Drilling Service, Inc. final payment is as quoted in the amount of \$74,600.00; and

WHEREAS, Department of Public Works recommend final payment in the amount of \$74,600.00 to Griner Drilling Service, Inc. for the TV Road Well pump repairs.

IT IS, THEREFORE, ORDERED that Griner Drilling Service, Inc. for emergency repairs to the TV Road Well, and payment in the amount of \$74,600.00 is ratified.

Council Member Lindsay moved adoption; Council Member Tillman seconded.

President Banks recognized Charles Williams, Department of Public Works, who provided a brief overview on said item.

Thereafter, President Banks called for a vote on said item:

- Yeas – Banks, Foote, Lindsay, Stokes and Tillman.
- Nays – None.
- Absent – Stamps.

ORDER RATIFYING PROCUREMENT SERVICES WITH GRINER DRILLING SERVICE, INC., FOR EMERGENCY REPAIRS TO THE SIWELL ROAD WELL.

WHEREAS, the Siwell Road Well pump failed stopping all flow of water into the distribution system; and

WHEREAS, residents who are served by the Siwell Road Well were without water due to the failed pump; and

WHEREAS, because of the adverse effect on human health, the environment, and public safety, the Mayor invoked the emergency procurement process, pursuant to Section 31-7-13 (k), a copy of which is attached to this Order and made a part of these minutes; and

WHEREAS, pursuant to the emergency procurement process, a quote was obtained from Griner Drilling, Inc. to repair the failed pump and other pertinences associated with the repair in an amount of \$70,675.00; and

WHEREAS, Griner Drilling Service, Inc. has completed the repairs, and the Siwell Road Well is back in-service supplying water into the distribution system; and

WHEREAS, Griner Drilling Service, Inc. final payment is as quoted in the amount of \$70,675.00; and

WHEREAS, Department of Public Works recommend final payment in the amount of \$70,675.00 to Griner Drilling Service, Inc. for the Siwell Road Well pump repairs.

IT IS, THEREFORE, ORDERED that Griner Drilling Service, Inc. for emergency repairs to the Siwell Road Well, and payment in the amount of \$70,675.00 is ratified.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE TWO MISSISSIPPI DEPARTMENT OF TRANSPORTATION PERFORMANCE BONDS REQUIRED FOR THE EUBANKS CREEK INTERCEPTOR REHABILITATION PROJECT.

WHEREAS, the Department of Public Works is preparing to advertise the Eubanks Creek Interceptor Rehabilitation Project for bids; and

WHEREAS, the project crosses under both I-55 and Lakeland Drive/Highway 25; and

WHEREAS, the Mississippi Department of Transportation is responsible for maintenance of these two roadways where the project crosses under them; and

WHEREAS, the Mississippi Department of Transportation requires the issuance of a right-of-way crossing permit, which is accompanied by a performance bond in the amount of \$500,000.00 for each crossing within the project; and

WHEREAS, the City must execute each of the two performance bonds; and

WHEREAS, the two required performance bonds are being obtained from Fisher Brown Bottrell Insurance, Inc. at a cost of \$12,250.00.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute two performance bonds required by the Mississippi Department of Transportation and necessary for the construction of the Eubanks Creek Interceptor Rehabilitation Project.

IT IS FURTHER ORDERED that payment in the amount of \$12,250.00 to Fisher Brown Bottrell Insurance, Inc. for providing the two performance bonds is authorized.

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

President Banks recognized **Charles Williams**, Department of Public Works, who gave a brief overview on said item.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO ENTER INTO AN ENGINEERING SERVICES AGREEMENT WITH SOUTHERN CONSULTANTS, INC., FOR THE WESTBANK SEWER INTERCEPTOR DAMAGE ASSESSMENT FROM THE FEBRUARY 2020 FLOODING EVENT.

WHEREAS, the City of Jackson experienced significant flooding for the Pearl River in February 2020; and

WHEREAS, the City believes certain areas along the Westbank Sewer Interceptor were damaged from the flooding event by being inundated from the Pearl River; and

WHEREAS, the City of Jackson applied to FEMA/MEMA for disaster funds to repair the flood damages incurred; and

WHEREAS, the City must assess all damages to the Westbank Sewer Interceptor and provide this documentation to FEMA/MEMA; and

WHEREAS, Southern Consultants, Inc. has provided a scope of services to assist the City of Jackson with performing a damage assessment report on the Westbank Sewer Interceptor at a cost not to exceed \$42,575.00; and

WHEREAS, the Department of Public Works recommends entering into an Engineering Services agreement with Southern Consultants, Inc. to provide a damage assessment for the Westbank Sewer Interceptor at a cost not to exceed \$42,575.00.

IT IS, THEREFORE, ORDERED that an engineering services agreement with Southern Consultant, Inc. in an amount not to exceed \$42,575.00 is accepted.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING PAYMENT FOR ADDITIONAL LEGAL SERVICES DURING FISCAL YEAR 2020 TO SUSAN RICHARDSON, ESQ. AND THE LAW FIRM OF KILPATRICK TOWNSEND & STOCKTON LLP, FOR REPRESENTATION OF THE CITY OF JACKSON IN UNITED STATES OF AMERICA, ET AL. VS. THE CITY OF JACKSON, MISSISSIPPI, CASE NO. 3:12- CV-790 TSL-MTP, U.S.D.C., S.D. MISS. AND OTHER RELATED MATTERS AND AUTHORIZING PAYMENT FOR LEGAL SERVICES TO SUSAN RICHARDSON AND THE LAW FIRM OF KILPATRICK TOWNSEND & STOCKTON LLP FOR SAME FOR REPRESENTATION DURING FISCAL YEAR 2021.

WHEREAS, the City entered into a Consent Decree pursuant to the Clean Water Act in United State of America, et al. vs. The City of Jackson, Mississippi, Case No. 3:12-cv-790 TSL-MTP, U.S.D.C., S.D. Miss. On March 1, 2013; and

WHEREAS, the City has retained Susan Richardson, Esq. of the law firm of Kilpatrick Townsend & Stockton, LLP to represent the City in the above matter, particularly with respect to providing assistance, and legal advice and counsel in negotiating a modification of the Consent Decree and matters relating thereto; and

WHEREAS, the City Council authorized payments to Ms. Richardson and the law firm for representation during Fiscal Year 2020 in an amount not to exceed \$120,000, which was estimated based on previous expenses for representing the City in this matter; and

WHEREAS, due to the resignation of the Director of Public Works, the U.S. Environmental Protection Agency and the Mississippi Department of Environmental Quality requesting that the parties conduct weekly telephone conferences, and the U.S.E.P.A. and MDEQ requesting that the City develop amendments to and an implementation plan for the Sewer Overflow Response Plan, the estimated hours required for representation during the last third of the fiscal year were exceeded; and

WHEREAS, additional fees in the amount of \$33,151.84 have been incurred in Fiscal Year 2020 providing representation to the City for the above reasons; and

WHEREAS, the City continues to require additional representation in the matter, specifically, assistance, and legal advice and counsel in negotiating a modification of the Consent Decree and matters relating thereto because the modification negotiations are ongoing; and

WHEREAS, due to the continuing request from the U.S.E.P.A. and MDEQ to meet weekly and in anticipation that during January through March there will be significant negotiations on modified injunctive relief, the estimated fees, for fiscal management purposes, for the period from October 2020 through the end of March 2021 are \$106,000.00; and

WHEREAS, the Department of Public Works recommends the authorization of the additional fees for Fiscal Year 2020 and the additional fees and expenses for the first six months of Fiscal Year 2021.

IT IS, THEREFORE, ORDERED that additional payment for fees of representing the City during Fiscal Year 2020 in the amount of \$33,151.84 is authorized.

IT IS FURTHER ORDERED that payments made to Susan Richardson, Esq. and the law firm of Kilpatrick Townsend & Stockton LLP for representation of the City in Clean Water Act Consent Decree modification negotiations and for other related services shall not exceed \$106,000.00 during Fiscal Year 2021 without further approval by the City Council.

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

President Banks recognized **Charles Williams**, Department of Public Works, who provided a brief overview on said item.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI, HOLMES COUNTY, MISSISSIPPI, AND THE HOLMES COUNTY SHERIFF'S DEPARTMENT FOR THE TEMPORARY HOUSING OF JACKSON POLICE DEPARTMENT ARRESTEES.

WHEREAS, on or about September 22, 1994, the Jackson City Jail was consolidated with the Hinds County Detention Center by virtue of an Amended Interlocal Cooperation Agreement between the City of Jackson, Mississippi ("City") and Hinds County, Mississippi; and

WHEREAS, the Hinds County Detention Center remains the subject of a Federal consent decree due, in part, to chronic overcrowding. Consequently, said detention center has been unable

to house the vast majority of the Jackson Police Department (“JPD” arrestees, in particular persons charged with misdemeanors; and

WHEREAS, the afore-mentioned circumstances at the Hinds County Detention Center has forced the City to seek supplemental jail space to house JPD arrestees; and

WHEREAS, Holmes County, Mississippi and the Holmes County Sheriff’s Office are agreeable to providing the City with additional jail space, approximately 12 beds, at the Holmes-Humphreys County/Regional Correctional Facility in Lexington, Mississippi to house JPD arrestees; and

WHEREAS, under the proposed agreement, the City would pay \$31.00 per occupied bed per day. Said cost would include all supplies and equipment, health screening, blankets, water, food and clothing, which shall be provided to the arrestee(s); and

WHEREAS, said cost would also include routine medical services, but not major medical services (ex., medical services unavailable at the facility, services requiring hospitalization, surgery. etc.); and

WHEREAS, the term of the agreement would be one-year period from the date of execution by all the parties; and

IT IS HEREBY ORDERED that the Mayor is authorized to execute an agreement with Holmes County, Mississippi, and Holmes County Sheriff’s Office to provide the City with supplemental jail space (i.e., approximately 12 beds) at a rate of \$31.00 per occupied bed per day, and under the other terms and conditions described herein.

IT IS FURTHER ORDERED that the parties may include such other cost neutral terms as Mississippi law requires, or may be necessary to achieve the purpose(s) of this order.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF JACKSON, MISSISSIPPI, YAZOO COUNTY, MISSISSIPPI, AND THE YAZOO COUNTY SHERIFF’S DEPARTMENT FOR THE TEMPORARY HOUSING OF JACKSON POLICE DEPARTMENT ARRESTEES.

WHEREAS, on or about September 22, 1994, the Jackson City Jail was consolidated with the Hinds County Detention Center by virtue of an Amended Interlocal Cooperation Agreement between the City of Jackson, Mississippi (“City”) and Hinds County, Mississippi; and

WHEREAS, the Hinds County Detention Center remains the subject of a Federal consent decree due, in part, to chronic overcrowding. Consequently, said detention center has been unable to house the vast majority of the Jackson Police Department (“JPD” arrestees, in particular persons charged with misdemeanors; and

WHEREAS, the afore-mentioned circumstances at the Hinds County Detention Center has forced the City to seek supplemental jail space to house JPD arrestees; and

WHEREAS, Yazoo County, Mississippi and the Yazoo County Sheriff’s Office are agreeable to providing the City with additional jail space, approximately 25 beds, at the Yazoo County Regional Correctional Facility in Yazoo City, Mississippi to house JPD arrestees; and

WHEREAS, under the proposed agreement, the City would pay \$25.00 per occupied bed per day. Said cost would include all supplies and equipment, health screening, blankets, water, food and clothing, which shall be provided to the arrestee(s); and

WHEREAS, said cost would also include routine medical services, but not major medical services (ex., medical services unavailable at the facility, services requiring hospitalization, surgery. etc.); and

WHEREAS, the term of the agreement would be one-year period from the date of execution by all the parties; and

IT IS HEREBY ORDERED that the Mayor is authorized to execute an agreement with Yazoo County, Mississippi, and Yazoo County Sheriff's Office to provide the City with supplemental jail space (i.e., approximately 25 beds) at a rate of \$25.00 per occupied bed per day, and under the other terms and conditions described herein.

IT IS FURTHER ORDERED that the parties may include such other cost neutral terms as Mississippi law requires, or may be necessary to achieve the purpose(s) of this order.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.
Nays – None.
Absent – Stamps.

Note: Council Member Stokes recused himself on said item.

ORDER AUTHORIZING PAYMENT OF FULL AND FINAL SETTLEMENT OF ALL CLAIMS IN THE MATTER OF "MOUNTAIN LAUREL ASSURANCE COMPANY VS. THE CITY OF JACKSON, ET AL." IN THE COUNTY COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY, MISSISSIPPI; CIVIL ACTION NO.: 18-981.

WHEREAS, on or about December 8, 2016, a vehicle driven by then City employee Marshand Crisler was involved in an accident inside the City of Jackson, Mississippi. The vehicle operated by Mr. Crisler "rear-ended" a vehicle that was insured by Mountain Laurel Assurance Company; and

WHEREAS, Mountain Laurel Assurance Company filed a subrogation action against the City alleging that it paid out in excess of Nine Thousand Dollars (\$9000.00) on behalf of its insured as a result of said collision; and

WHEREAS, the Office of the City Attorney has negotiated a settlement with said Mountain Laurel Assurance Company for the amount of Seven Thousand Five Hundred and no/100 Dollars (\$7,500.00) as full and complete settlement of the matter.

IT IS THEREFORE ORDERED, by the City Council of the City of Jackson, Mississippi, that the City of Jackson, Mississippi pay a total sum of \$7,500.00 to Mountain Laurel Assurance Company and its attorneys Wells Young Williams, P.A. in return for a complete release of the City from any and all liability.

Council Member Lindsay moved adoption; **Council Member Lindsay** seconded.

Yeas – Banks, Foote, Lindsay and Tillman.
Nays – None.
Recusal – Stokes.
Absent – Stamps.

Note: Council Member Stokes recused himself and left the room prior to discussion of said item.

**RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI
DECLARING A CRISIS OF VIOLENT CRIME AND A CALL FOR ACTION TO
ADDRESS THE VIOLENCE.**

WHEREAS, the City of Jackson is experiencing an unprecedented crisis of homicides and other violent crimes that is overwhelming Jackson Police Department; and

WHEREAS, it was reported by the Jackson Police Department as of September 27, 2020 that Armed Robberies against Individual Constituents have increased 15%; and

WHEREAS, it was reported by the Jackson Police Department as of September 27, 2020 that Rape/Sexual Assaults against Individual Constituents have increased 41%; and

WHEREAS, it was reported by the Jackson Police Department as of September 27, 2020 that the rate of Homicides have increased by 44%; and

WHEREAS, it was reported by the Jackson Police Department as of September 27, 2020 that the rate of Aggravated Assaults against Individual Constituents have increased 57%; and

WHEREAS, it was reported by the Jackson Police Department as of September 27, 2020 that Carjackings have increased 217%; and

WHEREAS, the City of Jackson Police Department is currently undermanned by over 100 sworn officers (301 of 402 budgeted); and

WHEREAS, the Jackson Police Department has only 41% of its budgeted Detectives (21 of 50 budgeted) to investigate what is now a 48% increase in violent crimes across the city; and

WHEREAS, violent crime is scary; it scares citizens, it scares businesses and it scares visitors to Jackson.

BE IT HEREBY RESOLVED that Jackson and its City government must confront this violent crime epidemic with action that exhausts all available resources and reinforcements in an “all hands on deck” effort to make Jackson and its citizens safe.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.

Nays – None.

Absent – Stamps.

Note: **Council Member Stokes** returned to the meeting during discussion.

**RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI
SUPPORTING THE HELP OF DESIGNATED FEDERAL LAW
ENFORCEMENT PERSONNEL WITHIN PRESCRIBED AUTHORITY AND
WITH THE HELP OF THE HINDS COUNTY SHERIFF DEPARTMENT IN THE
FIGHT AGAINST THE ESCALATING CRIME IN THE CITY OF JACKSON.**

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

WHEREAS, the City of Jackson is in the midst of life-changing and life-threatening crime with unprecedented homicidal activities in an escalating crime wave which has put the general public at risk of hurt, harm and danger- - including, unsolved murders, shootings, killings of children and youth, adults, and criminal activities which are of such a nature as the extreme need for extra help in this time of escalating crime is necessary; and

WHEREAS, the Jackson Police Department being presently understaffed could use the help of federal law enforcement personnel and the Hinds County Sheriff Department; and

WHEREAS, the jurisdiction for the cases developed by this special interaction with the City of Jackson Police Department shall be under the jurisdiction of Hinds County, the Hinds County Criminal Courts, and the Hinds County Sheriff Department.

NOW, THEREFORE, BE IT RESOLVED, that the Jackson City Council hereby supports the help of designated federal law enforcement personnel within prescribed authority and with the help of the Hinds County Sheriff Department in the fight against the escalating crime in the City of Jackson.

SO RESOLVED, this the 13th day of October, 2020.

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

Yeas – Banks, Foote, Lindsay, Stokes and Tillman.
Nays – None.
Absent – Stamps.

There came for Discussion Agenda Item No. 68:

DISCUSSION: JACKSON ZOO: President Banks recognized **Council Member Lindsay** stated that said item had previously been discussed during Council Work Session held on October 12, 2020.

There came for Discussion Agenda Item No. 69:

DISCUSSION: CHASTAIN: President Banks recognized **Council Member Stokes** who stated said item would be tabled until a later date.

There came for Discussion Agenda Item No. 70:

DISCUSSION: STATE TESTING: President Banks recognized **Council Member Stokes** spoke on school testing for the current school year and will provide information to Council Members and Administration.

Note: Council Member Stokes left the meeting.

There came for Discussion Agenda Item No. 71:

DISCUSSION: WARD 4 CONCERNS & SEWER ISSUES: President Banks stated that said item would be tabled due to the absence of **Council Member Stamps**.

There came for Discussion Agenda Item No. 72:

DISCUSSION: MENTAL HELATH: President Banks stated that said item would be tabled due to the absence of **Council Member Stamps**.

There came for Discussion Agenda Item No. 73:

DISCUSSION: REVIEW AND CONTINUATION OF COVID-19 LOCAL EMERGENCY: City Council discussed the continuation of Covid-29 local emergency due to the order passed by Council.

There came for Discussion Agenda Item No. 74:

DISCUSSION: PUBLIC SAFETY CONCERNS & ISSUES: President Banks stated said item would be discussed later in the meeting during Executive Session.

The following reports/announcements were provided during the meeting:

- **Mayor Chokwe Antar Lumumba** announced the following:
 - Citizens are encourage to visit the City of Jackson’s website at www.jacksonms.gov to sign up for Code Red in order to receive critical notices.
 - Citizens are encourage to sign up to participate in “Make a Difference” that will be held on Saturday, October 24, 2020. Contact Solid Waste Department to register your neighborhood.
 - The City of Jackson will be hosting Light the Night Parade to register contact Constituent Services at 601-960-1084 to register your neighborhood.
 - Encouraged all citizens that experience symptoms of the COVID-19 virus to call 601-586-3067 or 1-866-375-2819, and fill out the symptom collector form online.
 - Encouraged all citizens in need Mental Health Support to call the Mental Health Warm Line to call 601-586-3073 or 866-300-7948.
 - Encouraged all citizens that need a face mask to contact Constituent Services at 601-960-1084
 - Passport Hours: Monday, Tuesday, Wednesday, Friday from 8:00 a.m. to 5:00 p.m. and Thursday’s from 8:00 a.m. to 6:00 p.m.
 - TSA PreCheck Services Monday thru Friday 8:30 a.m. to 5:00 p.m., closed between 12:00 p.m. to 1:00 p.m. daily
 - Encouraged citizens to complete Census – September 30th deadline – gave information on how to identify a census worker – iPhone with Census logo on back – tote bag with Census log on it.
- **Council Member Tillman** announced the following:
 - Lace Street C.M.E. will host “Round up Your Vote” with State Representative Alice Clark from 6:00 p.m. to 7:00 p.m.
- **Angela Harris, Municipal Clerk** announced the Clerk’s Office will be open this week from 8:00 a.m. to 7:00 p.m. Monday through Friday and Saturday from 8:00 a.m. to 12:00 p.m. for Voter Registration for citizens in Ward 2.

President Banks, recognized **Timothy Howard**, City Attorney, who recommended Council go into executive session to discussion Agenda Items 17, 18, and 74.

Council Member Foote moved, seconded by **President Banks** to go into Closed Session to discuss going into Executive Session regarding potential litigation and personnel matters. The motion prevailed by the following vote:

Yeas – Banks, Foote, Lindsay and Tillman.
Nays – None.
Absent – Stamps and Stokes

President Banks announced to the public that the Council was in Closed Session to discuss going into Executive Session.

In Closed Session; **Council Member Tillman** moved, seconded by **Council Member Foote** to go into Executive Session to discuss a potential litigation and personnel matters. The motion prevailed by the following vote:

Yeas – Banks, Foote, Lindsay and Tillman.

Nays – None.

Absent – Stamps and Stokes

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

Yeas – Banks, Foote, Lindsay and Tillman.

Nays – None.

Absent – Stamps and Stokes

President Banks stated that the Council voted to come out of Executive Session and action had been taken. The item passed by unanimously vote as follows:

There came for consideration Agenda Item No. 17:

ORDINANCE OF THE CITY OF JACKSON AMENDING SECTION 118-480 OF THE JACKSON CODE OF ORDINANCES.

WHEREAS, Section 118-480 of the Jackson Code of Ordinances states: “Pedestrians soliciting business or contributions from occupants of vehicles. No person shall stand in a street or any portion of a street for the purpose of soliciting employment, business or contributions of any kind for any purpose from the occupant of any vehicle”; and

WHEREAS, the First Amendment forbids state and federal governments from passing laws that restrict speech that is protected; and

WHEREAS, “Panhandling” is protected by the First Amendment **right to free speech**; and

WHEREAS, the City, after reviewing Section 118-480 of the Jackson Code of Ordinances finds that the regulations affecting “Panhandling”, should be repealed in its entirety.

BE IT, THEREFORE, RESOLVED that Section 118-480 of the Code of Ordinance for the City of Jackson, Mississippi is hereby repealed as follows:

SECTION 1

That Section 118-480 of the Jackson Code of Ordinance is hereby repealed.

SECTION 2

This Ordinance shall be effective thirty (30) days after its passage and after publication of same as required in Section 21-13-11 of the Mississippi Code of 1972, as amended.

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

President Banks called for vote after a thorough discussion on said item:

Yeas – Banks, Foote, Lindsay, Priester and Tillman.

Nays – None.

Absent – Stamps and Stokes.

There came for consideration Agenda Item No. 18:

ORDINANCE OF THE CITY OF JACKSON AMENDING CHAPTER 94 OF THE JACKSON CODE OF ORDINANCES.

WHEREAS, Chapter 94 of the Jackson Code of Ordinances is entitled “Peddlers and Solicitors”; and

WHEREAS, the First Amendment forbids state and federal governments from passing laws that restrict speech that is protected; and

WHEREAS, “Panhandling” is protected by the First Amendment **right to free speech**; and

WHEREAS, the City, after reviewing Chapter 94 of the Jackson Code of Ordinances and the specific sections therein finds that the regulations affecting commercial solicitation, Section 94-2 of the Jackson Code of Ordinances, should be repealed in its entirety.

BE IT, THEREFORE, RESOLVED that the Code of Ordinances for the City of Jackson, Mississippi is hereby amended as follows:

SECTION 1

That Section 94-2 of the Jackson Code of Ordinance is hereby repealed.

SECTION 2

The remainder of Chapter 94, Code of Ordinances for the City of Jackson, Mississippi shall remain unaffected.

SECTION 3

This Ordinance shall be effective thirty (30) days after its passage and after publication of same as required in Section 21-13-11 of the Mississippi Code of 1972, as amended.

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

President Banks called for vote after a thorough discussion:

Yeas – Banks, Foote, Lindsay, Priester and Tillman.

Nays – None.

Absent – Stamps and Stokes.

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, OCTOBER 13, 2020 10:00 A.M.

75

There being no further business to come before the City Council, it was unanimously voted to adjourn until the Special Council Meeting at 10:00 a.m. on October 27, 2020. At 4:00 p.m., the Council stood adjourned.

PREPARED BY:

Shanekia Mosley
CLERK OF COUNCIL

APPROVED:

[Signature], 12/15/2020
MAYOR *MDA* DATE

ATTEST:

Angela Harris
CITY CLERK
