

**SPECIAL MEETING OF THE CITY COUNCIL
TUESDAY, OCTOBER 6, 2020 3:00 P.M.**

a

BE IT REMEMBERED that a Special Meeting of the City Council of Jackson, Mississippi, was called by a majority of the City Council Members and notices having been placed by the City Clerk at 2:55 p.m. on Monday, October 5, 2020, in the Clerk of Council's Office, electronic notifications to all Council Members', on the City's website and on the public bulletin board in City Hall, relative to: (1) Order authorizing the governing authorities of the City of Jackson to fill vacancy in the Ward 2 council member seat, pursuant to section 23-15-857 of the Mississippi code annotated (1972), as amended, and setting the date for the special election to fill the unexpired term of said seat; (2) Discussion: Election Commissioner; (3) Discussion: JRA. The meeting was convened in the Council Chambers located at 219 S. President Street at 3:00 p.m. on Tuesday, October 6, 2020 being the first 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; Kenneth Stokes, Ward 3; De'Keither Stamps, (teleconference), Ward 4 and 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: Ashby Foote, Ward 1.

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

ORDER AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF JACKSON TO FILL VACANCY IN THE WARD 2 COUNCIL MEMBER SEAT, PURSUANT TO SECTIN 23-15-857 OF THE MISSISSIPPI CODE ANNOTATED (1972), AS AMENDED, AND SETTING THE DATE FOR THE SPECIAL ELECTION TO FILL THE UNEXPIRED TERM OF SAID SEAT.

WHEREAS, effective October 5, 2020, Attorney Melvin Priester, Jr. submitted to the City Clerk of the City of Jackson, Mississippi ("City of Jackson"), a letter of resignation as the Councilman of Ward 2 of the City of Jackson, Mississippi; thereby, creating a vacancy in the Ward 2 Council Member seat; and

WHEREAS, Section 21-8-7(5) of the Mississippi Code Annotated (1972), as amended, states: "vacancies occurring in the council shall be filled as provided in Section 23-15-857"; and

WHEREAS, pursuant to Section 23-15-857 of the Mississippi Code Annotated (1972), as amended, when there is vacancy in an elective office in a city, the unexpired term of which exceeds six (6) months, the governing authorities shall make and on the minutes an order for an election to be held in the city to fill the vacancy and fix a date upon which the election shall be held; and

WHEREAS, Section 23-15-857 of the Mississippi Code Annotated (1972), as amended, further requires the order to be made and entered upon the minutes at the next regular meeting of the governing authorities after the vacancy occurs, or at a special meeting to be held not later than ten (10) days after the vacancy occurs, Saturday, Sundays, and legal holidays excluded, whichever shall occur first; and

WHEREAS, pursuant to Section 23-15-857 of the Mississippi Code Annotated (1972), as amended, the election to fill the vacancy shall be held on a date not less than thirty (30) days and not more than forty-five (45) days after the date upon which the order for election is adopted; and

WHEREAS, the current term of the Ward 2 Council Member seat is set to expire on or about June 30, 2020, which is in excess of six (6) months from the effective date of the vacancy stated herein; and

WHEREAS, the City Council of the City of Jackson has determined that, pursuant to Section 23-15-857 of the Mississippi Code Annotated (1972), as amended, the date for a special election to fill the vacancy in the Ward 2 Council Member seat shall be Tuesday, November _____, 2020; and

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WHEREAS, pursuant to section 23-15-587 of the Mississippi Code Annotated (1972), as amended, if a run-off election is necessary, it shall be held Tuesday, December ____, 2020.

IT IS, THEREFORE, ORDERED that a Special Election to fill the vacancy in the Ward 2 Council member seat shall be held on Tuesday, November ____, 2020, and if necessary a run-off election on Tuesday, December ____, 2020.

IT IS FURTHER ORDERED that the City Clerk shall give notice of the election in the manner prescribed by law, and shall immediately undertake all duties required by law to effectuate such election.

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

President Banks recognized **Timothy Howard**, City Attorney, who gave a brief overview on said item and recommended an amendment to fill in the dates for a Special Election to be held on Tuesday, November 17, 2020; with a Run-Off Election if necessary on Tuesday, December 8, 2020.

President Banks recognized **Council Member Stamps** who moved, seconded by **Council Member Stokes**, to amend said Order to set the election date as November 17, 2020 to fill the vacancy of Ward 2 council position and December 8, 2020, as a run-off date if applicable. The motion prevailed by the following vote:

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

Nays – None.

Absent – Foote.

Thereafter, **President Banks** called for a final vote on the order as amended:

ORDER AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF JACKSON TO FILL VACANCY IN THE WARD 2 COUNCIL MEMBER SEAT, PURSUANT TO SECTIN 23-15-857 OF THE MISSISSIPPI CODE ANNOTATED (1972), AS AMENDED, AND SETTING THE DATE FOR THE SPECIAL ELECTION TO FILL THE UNEXPIRED TERM OF SAID SEAT.

WHEREAS, effective October 5, 2020, Attorney Melvin Priester, Jr. submitted to the City Clerk of the City of Jackson, Mississippi (“City of Jackson”), a letter of resignation as the Councilman of Ward 2 of the City of Jackson, Mississippi; thereby, creating a vacancy in the Ward 2 Council Member seat; and

WHEREAS, Section 21-8-7(5) of the Mississippi Code Annotated (1972), as amended, states: “vacancies occurring in the council shall be filled as provided in Section 23-15-857”; and

WHEREAS, pursuant to Section 23-15-857 of the Mississippi Code Annotated (1972), as amended, when there is vacancy in an elective office in a city, the unexpired term of which exceeds six (6) months, the governing authorities shall make and on the minutes an order for an election to be held in the city to fill the vacancy and fix a date upon which the election shall be held; and

WHEREAS, Section 23-15-857 of the Mississippi Code Annotated (1972), as amended, further requires the order to be made and entered upon the minutes at the next regular meeting of the governing authorities after the vacancy occurs, or at a special meeting to be held not later than ten (10) days after the vacancy occurs, Saturday, Sundays, and legal holidays excluded, whichever shall occur first; and

WHEREAS, pursuant to Section 23-15-857 of the Mississippi Code Annotated (1972), as amended, the election to fill the vacancy shall be held on a date not less than thirty (30) days and not more than forty-five (45) days after the date upon which the order for election is adopted: and

WHEREAS, the current term of the Ward 2 Council Member seat is set to expire on or about June 30, 2020, which is in excess of six (6) months from the effective date of the vacancy stated herein; and

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WHEREAS, THE City Council of the City of Jackson has determined that, pursuant to Section 23-15-857 of the Mississippi Code Annotated (1972), as amended, the date for a special election to fill the vacancy in the Ward 2 Council Member seat shall be Tuesday, November 17, 2020; and

WHEREAS, pursuant to section 23-15-587 of the Mississippi Code Annotated (1972), as amended, if a run-off election is necessary, it shall be held Tuesday, December 8, 2020.

IT IS, THEREFORE, ORDERED that a Special Election to fill the vacancy in the Ward 2 Council member seat shall be held on Tuesday, November 17, 2020, and if necessary a run-off election on Tuesday, December 8, 2020.

IT IS FURTHER ORDERED that the City Clerk shall give notice of the election in the manner prescribed by law, and shall immediately undertake all duties required by law to effectuate such election.

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

DISCUSSION: ELECTION COMMISSIONERS: President Banks recognized Angela Harris, Municipal Clerk, who spoke on the current Election Commissioner vacancies in Wards 2, 3, 5 and 7.

DISCUSSION: JRA: President Banks recognized Council Member Stamps expressed concerns regarding collective cooperation with JRA.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Council meeting at 10:00 a.m. on October 13, 2020. At 3:40 p.m., the Council stood adjourned.

PREPARED BY:

CLERK OF COUNCIL

APPROVED:

MAYOR ^{MDA} _____ DATE _____

ATTEST:

CITY CLERK
