

BE IT REMEMBERED that a Regular Meeting of the City Council of Jackson, Mississippi, was convened at City Hall at 10:00 a.m. on November 9, 2021, being the second Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Virgi Lindsay, Council President, Ward 7; Angelique Lee, Vice-President, Ward 2; Kenneth Stokes, Ward 3 (via teleconference); Brian Grizzell, Ward 4; Vernon Hartley, Ward 5 and Aaron Banks, Ward 6 (entered during the discussion of Agenda Item No.8). Directors: Chokwe Antar Lumumba, Mayor; Safiya Omari, Chief of Staff; Shanekia Mosley-Jordan, Clerk of the Council; Constance White, Chief Deputy Clerk of Council and Catoria Martin, City Attorney.

Absent: Ashby Foote, Ward 1.

The meeting was called to order by **President Lindsay**.

The invocation was offered by **Louis Wright, Chief Administrative Officer**.

The Council recited the **Pledge of Allegiance**.

The following individual(s) provided public comments during the meeting:

- **Graftie McDaniels**, who expressed concerns regarding gunshots and people walking and riding the streets with assault-style weapons and other illegal guns.

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

ORDER GRANTING PIX AND PINS DEVELOPMENT LLC'S REQUEST FOR A SIGN VARIANCE TO ERECT 4 BUILDING SIGNS TOTALING 166 SQUARE FEET WITHIN AN URBAN TOWN CENTER ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

There was no representation from the Applicant.

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

ORDER DENYING PIX AND PINS DEVELOPMENT LLC'S REQUEST FOR A SIGN VARIANCE TO ERECT 4 BUILDING SIGNS TOTALING 166 SQUARE FEET WITHIN AN URBAN TOWN CENTER ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

There was no opposition from the public.

President Lindsay requested that Agenda Item No. 15 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER GRANTING PIX AND PINS DEVELOPMENT LLC'S REQUEST FOR A SIGN VARIANCE TO ERECT 4 BUILDING SIGNS TOTALING 166 SQUARE FEET WITHIN AN URBAN TOWN CENTER ZONE WHICH ONLY ALLOWS A TOTAL OF 15 SQUARE FEET FOR BUILDING SIGNAGE.

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

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

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

WHEREAS, said variance application shall also demonstrate that:

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

WHEREAS, Pix and Pins Development, LLC, the applicant herein, has requested a variance from the Sign Ordinance regulations to erect 4 building signs totaling 166 square feet within an Urban Town Center which only allows a total of 15 square feet for building signage.

IT IS, THEREFORE, ORDERED that Pix and Pins Development, LLC is hereby granted a variance from the Sign Ordinance regulations to erect 4 building signs totaling 166 square feet within an Urban Town Center zone which only allows a total of 15 square feet for building signage, it being determined that the parties in interest and the general citizenry first had their opportunity to be heard and that the applicant has met the necessary criteria for the requested variance.

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

Vice President Lee moved adoption; **President Lindsay** seconded.

Yeas – Grizzell, Hartley, Lee, Lindsay, and Stokes.

Nays – None.

Absent – Banks, and Foote.

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There came on for Introduction Agenda Item No. 4:

AN ORDINANCE ENLARGING, EXTENDING, AND DEFINING THE CORPORATE LIMITS AND BOUNDARIES OF THE CITY OF JACKSON, HINDS COUNTY, MISSISSIPPI; SPECIFYING THE IMPROVEMENTS TO BE MADE IN THE ANNEXED TERRITORY AND THE MUNICIPAL OR PUBLIC SERVICES TO BE RENDERED THEREIN; AND FOR OTHER PURPOSES RELATED THERETO. **President Lindsay** stated that said item would be placed on the next Special Council agenda to be held on November 23, 2021.

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President Lindsay requested that Agenda Item No. 20 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CARROLL WARREN & PARKER, PLLC TO REPRESENT THE CITY IN ANNEXATION MATTERS.

WHEREAS, on October 1, 2019 the governing authorities of the City of Jackson, Mississippi (City) extended and executed an Agreement with Carroll Warren Parker to include legal fees for services in certain annexation matters; and

WHEREAS, on August 4, 2020, the governing authorities of the City of Jackson, Mississippi ("City") executed an agreement with Carroll Warren & Parker, to expand their representation of the City to include legal fees for services in certain annexation matters; and

WHEREAS, the City of Jackson seeks representation involving annexation, specifically in these lawsuits City of Byram, Mississippi v. City of Jackson, Mississippi. et al., Cause No. 2020-cv-00745 G/2; City of Flowood, Mississippi v. City of Jackson, Mississippi, Cause No. 18-cv-01395; City of Pearl, Mississippi vs. City of Jackson, Mississippi, Cause No. 18-cv-01714; City of Pearl, Mississippi, City of Flowood, Mississippi, and Rankin County, Mississippi v. City of Jackson, Mississippi, Cause No. 19-cv-00570, which requires expertise and training specific to this area of law; and

WHEREAS, Carroll Warren & Parker, PLLC, currently represents the City of Jackson in all annexation matters; and

WHEREAS, the City seeks to continue to protect its interest in these lawsuits and any other matters concerning annexation proceedings; and

WHEREAS, it would be in the best interests of the City to enter into a new agreement with Carroll Warren & Parker, PLLC to expand their representation of the City to perform all duties associated with representation of the City in annexation matters, not to exceed \$170,000.00 without City Council approval, for a term of November 9, 2021 to November 8, 2023.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute an agreement with Carroll Warren & Parker, PLLC, to represent the City in annexation matters in an amount not to exceed \$170,000.00 unless authorized to amend said agreement.

Vice President Lee moved adoption; **President Lindsay** seconded.

Yeas – Grizzell, Hartley, Lee, Lindsay and Stokes

Nays – None.

Absent – Banks and Foote.

ORDINANCE AMENDING PARTS OF SECTIONS 118-266 OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON.

WHEREAS, Section 118-266(c), (d), (e), and (g) of the Code of Ordinances, City of Jackson, Mississippi, states the speed limits for the City's streets, or portions of such streets, having speed limits greater than 25 miles per hour; and

WHEREAS, the Engineering Division of the Department of Public Works conducted a review of Section 118-266, including streets that have been recently constructed, annexed into the City, or otherwise inadvertently omitted; and

WHEREAS, the Department of Public Works recommends that the speed limits for such streets be established as set forth in the body of this ordinance.

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

SECTION 1. Section 118-266(c) of the Code of Ordinances, City of Jackson, Mississippi, is hereby amended to read as follows:

Thirty Miles Per Hour. Those streets, or portions of such streets, having a speed limit of 30 miles per hour are as follows:...

SECTION 2. Section 118-266(d) of the Code of Ordinances, City of Jackson, Mississippi, is hereby established to read as follows:

Thirty-five Miles Per Hour. Those streets, or portions of such streets, having a speed limit of 35 miles per hour are as follows:

...
Timber Falls Parkway. Raymond Road to Timber Crossing.

...
SECTION 3. Section 118-266(e) of the Code of Ordinances, City of Jackson, Mississippi, is hereby established to read as follows:

Forty Miles Per Hour. Those streets, or portions of such streets, having a speed limit of 40 miles per hour are as follows:

...
County Line Road. City Limits to Old Canton Road.

...
Forest Hill Road. Terry Road to Raymond Road.

...
Northside Drive. Flag Chapel Road to Bailey Avenue Extension.

...
SECTION 4. Section 118-266(g) of the Code of Ordinances, City of Jackson, Mississippi, is hereby established to read as follows:

Fifty Miles Per Hour. Those streets, or portions of such streets, having a speed limit of 50 miles per hour are as follows:

...
Northside Drive. City Limits to Flag Chapel Road.

SECTION 5. This ordinance shall be in force and effect thirty (30) days after passage and after publication of the same by the Municipal Clerk.

Vice President Lee moved adoption; **President Lindsay** seconded.

Yeas – Grizzell, Hartley, Lee and Lindsay.

Nays – None.

Abstention – Stokes.

Absent – Banks and Foote.

ORDINANCE CLOSING AND VACATING AN UNIMPROVED PORTION OF THE WEST END OF BELMONT STREET IN FAVOR OF THE ABUTTING LANDOWNERS.

WHEREAS, Mark Lampton and Nicole Lampton, hereinafter referred to as "Petitioners", petitioned the City of Jackson, Mississippi to close and vacate a platted but unimproved portion of Belmont Street west of Linden Place, hereinafter referred to as "Street", located in the City of Jackson, First Judicial District, Hinds County, Mississippi; and

WHEREAS, The Keeping it Real Estate, LLC is the owner of property located at the west end of the street that is the subject of this petition, unimproved portion of Belmont Street located west of Linden Place; and

WHEREAS, The Keeping it Real Estate, LLC as a property owner technically abutting the subject Street has consented to the closing and vacating of the Street and further has represented that the Street is not used for access to its property at 1332 Belvoir Place nor needed for access; and

WHEREAS, the Petitioners presented their petition pursuant to Section 110-5 of the Jackson Code of Ordinances; and

WHEREAS, the Petitioners are the owners of all property abutting the Street on both sides, and have, at their own expense, furnished the City of Jackson with a survey plat; and

WHEREAS, the Site Plan Review Committee of the City of Jackson reviewed the petition to close and vacate the Street on August 19, 2021, and approved the petition on October 8, 2021; and

WHEREAS, the City Council finds that the Street sought to be closed and vacated is no longer needed as a public thoroughfare and will not be needed as a public thoroughfare in the foreseeable future.

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

SECTION 1. The herein described portion of an unnamed alley constitutes a publicly dedicated right-of-way, with said right-of-way being described as follows:

The North twenty-five feet (25') feet of Belmont Street adjacent to Lot 8, Block 11, Corrected Map of Belhaven Heights, a subdivision according to the map or plat thereof, on file and of record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, as now recorded in Plat Book 4 at Page 34, in the City of Jackson, Hinds County, Mississippi, and being more particularly described as follows:

Begin at an existing concrete monument marking the Point of Intersection of the North right-of-way line of the aforesaid Belmont Street with the West right-of-way line of Linden Place being the Southeast corner of the aforesaid Lot 8, Block 11, Corrected Map of Belhaven Heights and run thence South 01 degrees 53 minutes 36 seconds West along said West right-of-way line of Linden Place for a distance of 25.00 feet to a set ½" iron pin; leaving said West right-of-way line of Linden Place, run thence North 89 degrees 59 minutes 59 seconds West for a distance of 154.60 feet to a set ½" iron pin; run thence North 00 degrees 58 minutes 33 seconds East for a distance of 25.00 feet to an existing ½" iron pin on the aforesaid North right-of-way line of Belmont Street; said point also being on the South line of the aforesaid Lot 8; run thence South 89 degrees 59 minutes 59 seconds East along said North right-of-way line of Belmont Street and along said South line of Lot 8 for a distance of 155.00 feet to the POINT OF BEGINNING, containing 3,870 square feet, more or less.

The South twenty-five feet (25') feet of Belmont Street adjacent to Lot 22, Block A, Belvoir Place, a subdivision according to the map or plat thereof, on file and of record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, as now recorded in Plat Book B at Page 118, in the City of Jackson, Hinds County, Mississippi, and being more particularly described as follows:

Begin at a set ½" iron pin marking the Point of Intersection of the South right-of-way line of the aforesaid Belmont Street with the West right-of-way line of Linden Place being the Northeast corner of the aforesaid Lot 22, Block A, Belvoir Place and run thence North 89 degrees 59 minutes 59 seconds West along said South right-of-way line of Belmont Street and along the North line of said Lot 22 for a distance of 154.20 feet to a set ½" iron pin; leaving said South right-of-way line of Belmont Street and said North line of Lot 22, run thence North 00 degrees 58 minutes 33 seconds East for a distance of 25.00 feet to a set ½" iron pin; run thence South 89 degrees 59 minutes 59 seconds East for a distance of 154.60 feet to a set ½" iron pin on the aforesaid West right-of-way line of Linden Place; run thence South 01 degrees 53 minutes 36 seconds West along said West right-of-way line of Linden Place for a distance of 25.00 feet to the POINT OF BEGINNING, containing 3,860 square feet, more or less..

SECTION 2. Pursuant to operation of law, a certified copy of this Ordinance shall serve to convey, quitclaim, and release the City's right, title, and interest in and to said right-of-way, as herein described, to the abutting landowners of record.

SECTION 3. The conveyance of said right-of-way is subject to any dedications, limitations, restrictions, reservations, or easements of record.

SECTION 4. The Petitioners shall assume all responsibility and liability for the herein described right-of-way.

SECTION 5. The herein described right-of-way is hereby closed and vacated.

SECTION 6. The Director of the Department of Public Works is hereby authorized and directed to indicate the closing and vacation of the herein described portion of the Street on the official map of the City of Jackson.

SECTION 7. Any and all ordinances of the City of Jackson, or any parts of ordinances, in conflict herewith shall be, and the same are hereby, repealed.

SECTION 8. The cost of publication of this Ordinance shall be borne by the Petitioner.

SECTION 9. This Ordinance shall be effective thirty (30) days after passage and after publication by the Municipal Clerk.

Vice President Lee moved adoption; **President Lindsay** seconded.

Yeas – Grizzell, Hartley, Lee and Lindsay.

Nays – None.

Abstention – Stokes

Absent – Banks and Foote.

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ORDINANCE CREATING ARTICLE 2 DIVISION2 SECTION 2.77 RULES OF ETHICAL CONDUCT.

WHEREAS, In keeping with the policies declared by the state legislature in enacting codes of ethics for state officials, the Jackson City Council recognizes that high moral and ethical standards among city officials are equally essential to the conduct of local and state government; that a code of ethics for the guidance of city officials is necessary in order to prevent conflicts of interest in public office, improve standards of public service, and promote and strengthen the faith and confidence of the people of the City of Jackson; and

WHEREAS, The governing body of this city has determined that it is in the best interest of the City of Jackson to operate in complete transparency; thereby, amending Division 2 Article 2 Section 2.101 to include defining guidelines to govern its own conduct; and

WHEREAS, Councilmembers will hereafter conduct themselves according to the following rules of conduct as they pertain to work for and on behalf of the City of Jackson:

- A. A councilmember shall maintain decorum and set an example for conduct when the councilmember represents the City of Jackson. Councilmembers shall conduct themselves so as not to bring disgrace or embarrassment upon the city.
- B. A councilmember shall always represent that opinions stated are the member's own and do not necessarily represent those of the council unless the council has voted and passed an ordinance, resolution or motion that so states the expressed policy.
- C. If a councilmember writes to a citizen, the member may use city stationery. However, the form and language must clearly state that opinions are those of the writer unless the council has taken some official action.
- D. A councilmember shall not divulge the discussions held in executive session until or unless:
 - 1. The discussions have become public by some other means of which the councilmember is not a voluntary participant;
 - 2. The council itself has made the discussion public; or
 - 3. The reason for secrecy has passed.
- E. A councilmember shall make public any conflict of interest the member has with respect to any issue under consideration by the council. The nature of such conflict need only be described in terms that make clear the existence of a conflict. The councilmember shall not participate in discussions of the subject and shall not vote on it if:
 - 1. The councilmember has a personal, financial or property involvement in the subject;
 - 2. The councilmember is related to the subject/subjects in the first degree;
 - 3. The councilmember is employed by, or has a contractual relationship with the subject or parties; or
 - 4. The ordinances of the City of Jackson or the statutes of the State of Mississippi prohibit the member's involvement.If the councilmember has only a casual association with the subject or parties, the member must state the relationship, and then may fully participate.
- F. A councilmember shall not use his/her office for personal gain, especially financial gain, including particularly the acceptance of gifts and gratuities.
- G. A councilmember shall not make false statements on which the council, city staff or other agencies rely to establish policy or make important decisions. A councilmember violates this rule if he/she knows it is untrue, or if the person has knowledge that would lead a reasonable person of ordinary prudence to conclude that the statement is untrue.

WHEREAS, No councilmember shall, except as required in the performance of his/her duties, or in the course of any conduct reasonably believed to be in the performance of their duties, disclose confidential information gained by reason of his/her official position, nor shall he/she otherwise use the information for personal interest. Confidential information shall include:

- A. Personnel information applications, and any files maintained for city employees, appointees or elected officials;
- B. Information required of any taxpayer or city license holder in connection with the assessment or collection of any tax or license fee if the disclosure of the information to other persons would tend to violate the taxpayer or licensee's right to privacy or may result in unfair competitive disadvantage to such taxpayer or licensee;
- C. Specific intelligence information and specific investigative files compiled by investigative law enforcement and penology agencies and those state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy;
- D. Information revealing the identity of persons who file complaints with investigative law enforcement or penology agencies; except as the complainant may authorize;

- E. Test questions, scoring keys and other examination data used to administer license, employment or civil service examination;
- F. The contents of any real estate appraisals made for or by any agency, including the city relative to the acquisition of property by the city until the project is abandoned or until such time as all of the property has been acquired, but in no event shall disclosure be denied for more than three years after the date of the appraisal;
- G. Valuable formula, designs, drawings and research data obtained or produced by the city, its officers, employees and agents within five years of any request for disclosure thereof, when disclosure would produce private gain and public loss;
- H. Preliminary drafts, notes, recommendations and intra-agency memorandums in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action;
- I. Records which are relevant to a controversy to which the city or any of its officers, employees or agents is a party and would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts;
- J. Any other information as is declared confidential by other specific statutes;
- K. The confidential areas hereinabove listed shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interest, can be deleted from the specific records sought.

WHEREAS, Regulations referenced in this amendment are also applicable to former city officials:

- A. A former member of city council shall not use or disclose confidential government information acquired during the member's service on the city council. A former member of city council is not prohibited from disclosing information if:
 - 1. The information is no longer confidential;
 - 2. The information involves reports of illegal or unethical conduct and is disclosed to a law enforcement agency; or
 - 3. The disclosure is necessary to further public safety and is not otherwise prohibited by law.
- B. No former member of city council shall have a financial interest in a significant contract with the city, within 13 months following the expiration of the former member's most recent term of office.

WHEREAS, Members of this governing body may commence an action either by mandamus or injunction for the purpose of stopping violations or preventing threatened violations of this chapter; and

WHEREAS, Any Councilmember violating the provisions of this chapter is liable to the City of Jackson for a penalty in the amount of \$500.00 (five hundred dollars) at his/her own expense, in addition to such other civil or criminal liability or penalty as may otherwise be imposed upon the member by law. In addition to all other penalties, civil or criminal, the violation by any Councilmember of the provisions of this chapter may be grounds for forfeiture of his or her office.

IT IS, THEREFORE, ORDERED that Article 2 Division 2 Section 2.77 Rules of Ethical Conduct is created to define guidelines to govern the conduct of this body and is effective immediately upon passage of this legislation.

Vice President Lee moved adoption; **President Lindsay** seconded.

Yeas – Grizzell, Hartley, Lee and Lindsay.

Nays – Stokes.

Absent – Banks and Foote.

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Note: Councilman Banks joined the meeting.

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**ORDINANCE OF THE CITY OF JACKSON, MISSISSIPPI ESTABLISHING
COMPENSATION FOR MUNICIPAL ELECTION COMMISSIONERS, POLL
MANAGERS, RESOLUTION BOARD AND BOX HELPERS.**

WHEREAS, municipal election commissioners are responsible for conducting general and special municipal elections; and

WHEREAS, Sections 23-15-153 of the Mississippi Code (1972) sets forth the compensation for duly appointed county election commissioners and does not provide for the compensation of duly appointed municipal election commissioners; and

WHEREAS, the Mississippi Attorney General opined that as there is no state statute setting the compensation of municipal election commissioners, municipal governing authorities may set the compensation of municipal election commissioners for the same or similar rate and parameters established by Section 23-15-153 of the Mississippi Code (1972) for county commissioners; and

WHEREAS, Sections 23-15-227 and 23-15-229 of the Mississippi Code (1972) provide for the compensation of certain duly appointed poll managers and other workers for the performance of duly authorized activities during an election; and

WHEREAS, pursuant to Section 23-15-229 of the Mississippi Code (1972) the compensation for poll managers and other workers in the polling places of a municipality shall be the same as the compensation paid by the county for said services without any requirement to pay any additional compensation authorized by board of supervisors; and

WHEREAS, pursuant to Section 23-15-227 of the Mississippi Code (1972) poll managers are paid a minimum seventy-five dollars (\$75.00) per election; and

WHEREAS, however, under Section 23-15-229 of the Mississippi Code (1972) that municipal governing authorities may, in their discretion, pay said poll managers and other workers an additional amount of compensation not to exceed Fifty Dollars (\$50.00) per election; and

WHEREAS, poll managers duly designated to be the receiving and returning manager are entitled to an additional ten dollars (\$10.00) for carrying the boxes to the polling place and another ten dollars (\$10.00) for returning the boxes; and

WHEREAS, the resolution board is comprised of an odd number of not less than three qualified voters appointed by municipal election commissioners to review all rejected, damaged, defective, blank or overvoted ballots in accordance with Section 23-15-523 of the Mississippi Code (1972); and

WHEREAS, box helpers are utilized to assist with loading and uploading ballot boxes and supplies immediately before and after an election; and

WHEREAS, it is the recommendation of the Municipal Clerk that compensation be made for election commissioners, poll managers, resolution board members and box helpers as follows:

SECTION 1. Municipal Election Commissioners shall be compensated in the amount of eighty-four (\$84.00) for every day or period of no less than five (5) hours accumulated over two or more days actually employed in the performance of their duties in the conduct of an election, for not more than one hundred seventy-five (175) days per year, with no more than sixty-five (65) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year. Election Commissioners will receive a per diem in the amount of two hundred dollars (\$200.00) on Election Day. Election Commissioners shall sign personally a certification setting forth the number of hours actually worked in the performance of the Commissioner's official duties and for which the Commissioner seeks compensation. The certification must be on the form prescribed in Section 23-15-153 of the Mississippi Code (1972). The Commissioner's signature is, as a matter of law, made under the commissioner's oath of office and under penalties of perjury.

SECTION 2. Poll Managers shall be compensated in the amount of one hundred and twenty-five dollars (\$125.00) per election. Poll Managers designated as Receiving and Returning Managers shall be compensated an additional ten (\$10.00) for taking boxes to the polling place and another ten (\$10.00) for returning the boxes after the election. Poll Managers shall sign personally a certification setting forth the number of hours actually worked in the performance of the Poll Manager's official duties and for which the Poll Manager seeks compensation. The Poll

Manager's signature is, as a matter of law, made under the Poll Manager's oath of office and under penalties of perjury.

SECTION 3. Resolution Board members shall be compensated in the amount of one hundred and fifty dollars (\$150.00) for the performance of any duties prescribed in Section 23-15-523 of the Mississippi Code (1972) on Election Day. However, that shall be one hundred dollars (\$100.00) for the performance of any duties prescribed in Section 23-15-523 of the Mississippi Code (1972) after Election Day. Resolution Board members shall sign personally a certification setting forth the number of hours actually worked in the performance of the Resolution Board member's official duties and for which the Resolution Board member seeks compensation. The Resolution Board member's signature is, as a matter of law, made under the Resolution Board member's oath of office and under penalties of perjury.

SECTION 4. Box Helpers shall be compensated in the amount of fifteen dollars (\$15.00) an hour not to exceed five (5) hours per day immediately before and after an election. Box helpers shall sign personally a certification setting forth the number of hours actually worked in providing assistance with loading and uploading ballot boxes and supplies immediately before and after an election and for which the Box Helper seeks compensation. The Box Helper's signature is, as a matter of law, made under the Box Helper's oath of office and under penalties of perjury.

THEREFORE, BE IT ORDAINED that this ordinance will be effective thirty (30) days after passage and publication.

Vice President Lee moved adoption; **Council Member Hartley** seconded.

President Lindsay recognized **Angela Harris, Municipal Clerk**, who recommended an amendment in Section 1 changing "\$84.00 to \$100.00"; in Section 2, after the word election, insert "Poll Managers shall be compensated \$25.00 for a 2-hour training," and in Section 4, change \$15.00 an hour to \$75.00 per day.

President Lindsay recognized **Vice President Lee** who moved; seconded by **Council Member Hartley**, to amend said order to reflect recommendation made **Angela Harris, Municipal Clerk**. The motion prevailed by the following vote:

Yeas – Banks, Grizzell, Hartley, Lee, Lindsay and Stokes.
Nays – None.
Absent – Foote.

Thereafter, **President Lindsay** called for a vote on said Order as amended:

**ORDINANCE OF THE CITY OF JACKSON, MISSISSIPPI ESTABLISHING
COMPENSATION FOR MUNICIPAL ELECTION COMMISSIONERS, POLL
MANAGERS, RESOLUTION BOARD AND BOX HELPERS.**

WHEREAS, municipal election commissioners are responsible for conducting general and special municipal elections; and

WHEREAS, Sections 23-15-153 of the Mississippi Code (1972) sets forth the compensation for duly appointed county election commissioners and does not provide for the compensation of duly appointed municipal election commissioners; and

WHEREAS, the Mississippi Attorney General opined that as there is no state statute setting the compensation of municipal election commissioners, municipal governing authorities may set the compensation of municipal election commissioners for the same or similar rate and parameters established by Section 23-15-153 of the Mississippi Code (1972) for county commissioners; and

WHEREAS, Sections 23-15-227 and 23-15-229 of the Mississippi Code (1972) provide for the compensation of certain duly appointed poll managers and other workers for the performance of duly authorized activities during an election; and

WHEREAS, pursuant to Section 23-15-229 of the Mississippi Code (1972) the compensation for poll managers and other workers in the polling places of a municipality shall be the same as the compensation paid by the county for said services without any requirement to pay any additional compensation authorized by board of supervisors; and

WHEREAS, pursuant to Section 23-15-227 of the Mississippi Code (1972) poll managers are paid a minimum seventy-five dollars (\$75.00) per election; and

WHEREAS, however, under Section 23-15-229 of the Mississippi Code (1972) that municipal governing authorities may, in their discretion, pay said poll managers and other workers an additional amount of compensation not to exceed Fifty Dollars (\$50.00) per election; and

WHEREAS, poll managers duly designated to be the receiving and returning manager are entitled to an additional ten dollars (\$10.00) for carrying the boxes to the polling place and another ten dollars (\$10.00) for returning the boxes; and

WHEREAS, the resolution board is comprised of an odd number of not less than three qualified voters appointed by municipal election commissioners to review all rejected, damaged, defective, blank or overvoted ballots in accordance with Section 23-15-523 of the Mississippi Code (1972); and

WHEREAS, box helpers are utilized to assist with loading and uploading ballot boxes and supplies immediately before and after an election; and

WHEREAS, it is the recommendation of the Municipal Clerk that compensation be made for election commissioners, poll managers, resolution board members and box helpers as follows:

SECTION 1. Municipal Election Commissioners shall be compensated in the amount of one hundred (\$100.00) for every day or period of no less than five (5) hours accumulated over two or more days actually employed in the performance of their duties in the conduct of an election, for not more than one hundred seventy-five (175) days per year, with no more than sixty-five (65) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year. Election Commissioners will receive a per diem in the amount of two hundred dollars (\$200.00) on Election Day. Election Commissioners shall sign personally a certification setting forth the number of hours actually worked in the performance of the Commissioner's official duties and for which the Commissioner seeks compensation. The certification must be on the form prescribed in Section 23-15-153 of the Mississippi Code (1972). The Commissioner's signature is, as a matter of law, made under the commissioner's oath of office and under penalties of perjury.

SECTION 2. Poll Managers shall be compensated in the amount of one hundred and twenty-five dollars (\$125.00) per election. Poll Managers designated as Receiving and Returning Managers shall be compensated an additional ten (\$10.00) for taking boxes to the polling place and another ten (\$10.00) for returning the boxes after the election. Poll Managers shall be compensated twenty-five (\$25.00) for attending a two-hour training. Poll Managers shall sign personally a certification setting forth the number of hours actually worked in the performance of the Poll Manager's official duties and for which the Poll Manager seeks compensation. The Poll Manager's signature is, as a matter of law, made under the Poll Manager's oath of office and under penalties of perjury.

SECTION 3. Resolution Board members shall be compensated in the amount of one hundred and fifty dollars (\$150.00) for the performance of any duties prescribed in Section 23-15-523 of the Mississippi Code (1972) on Election Day. However, that shall be one hundred dollars (\$100.00) for the performance of any duties prescribed in Section 23-15-523 of the Mississippi Code (1972) after Election Day. Resolution Board members shall sign personally a certification setting forth the number of hours actually worked in the performance of the Resolution Board member's official duties and for which the Resolution Board member seeks compensation. The Resolution Board member's signature is, as a matter of law, made under the Resolution Board member's oath of office and under penalties of perjury.

SECTION 4. Box Helpers shall be compensated in the amount of seventy-five dollars (\$75.00) per day immediately before and after an election. Box helpers shall sign personally a certification setting forth the number of hours actually worked in providing assistance with loading and uploading ballot boxes and supplies immediately before and after an election and for which the Box Helper seeks compensation. The Box Helper's signature is, as a matter of law, made under the Box Helper's oath of office and under penalties of perjury.

THEREFORE, BE IT ORDAINED that this ordinance will be effective thirty (30) days after passage and publication.

Yeas – Banks, Grizzell, Hartley, Lee, Lindsay and Stokes.

Nays – None.

Absent – Foote.

Note: Council Member Banks left the meeting.

ORDER APPROVING CLAIMS NUMBER 26287 to 26352 APPEARING AT PAGES 69 TO 100 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$4,498,692.35 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 26287 to 26352 appearing at pages 69 to 100, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$4,498,692.35 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	836,700.59
TECHNOLOGY FUND	502,624.06
PARKS & RECR. FUND	110,298.48
LANDFILL SANITATION FUND	1,906.66
STATE TORT CLAIMS FUND	13,444.98
WATER/SEWER OP & MAINT FUND	1,453,366.74
WATER/SEWER CAPITAL IMPR FUND	212,708.18
DISABILITY RELIEF FUND	39,614.70
EMPLOYEES GROUP INSURANCE FUND	232,391.36
KELLOGG FOUNDATION PROJECT	44,727.15
EARLY CHILDHOOD (DAYCARE)	2,885.77
HOUSING COMM DEV ACT (CDBG) FD	352,855.58
H O P W A GRANT – DEPT. OF HUD	97,555.93
INFRASTRUCTURE BOND 2020 \$32M	54,970.00
WATER/SEWER CAP IMP NOTE 7M	47,140.61
TRANSPORTATION FUND	4,161.81
RESURFACING – REPAIR & REPL. FD	29,580.00
P E G ACCESS – PROGRAMMING FUND	4,658.85
ESG COVID CARES ACT	29,848.35
CDBG COVID CARES	449.70
ZOOLOGICAL PARK	5,098.69
AMERICAN RESCUE PLAN ACT 2021	250,000.00
LIBRARY FUND	171,704.16
TOTAL	<u>\$4,498,692.35</u>

Vice President Lee moved adoption; **President Lindsay** seconded.

President Lindsay recognized **Louis Wright, Chief Administrative Officer**, who provided a brief overview of claims docket at the request of **President Lindsay**.

Thereafter, **President Lindsay** called for a vote on said order:

Yeas – Grizzell, Lee and Lindsay.
Nays – Hartley and Stokes.
Absent – Banks and Foote.

Note: Council Member Banks returned to the meeting.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 26281 TO 26352 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 26281 to 26352 inclusive therein, in the Municipal “Docket of Claims”, in the aggregate amount of \$104,196.04 plus payroll, are approved for payment and necessary amounts are appropriated from various municipal funds for transfer to the payroll fund for the immediate payment thereof.

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

FROM:	TO ACCOUNTS PAYABLE FUND	TO PAYROLL FUND
GENERAL FUND		2,219,439.99
PARKS & RECR FUND		92,460.79
LANDFILL FUND		19,427.73
SENIOR AIDES		1,544.91
WATER/SEWER OPER & MAINT		214,305.07
PAYROLL	104,196.04	
EARLY CHILDHOOD		23,031.86
HOUSING COMM DEV		11,664.84
TITLE III AGING PROGRAMS		5,481.43
TRANSPORTATION FUND		12,716.18
PEG ACCESS-PROGRAMMING FUND		8,633.99
ZOOLOGICAL PARK		25,836.02
TOTAL		\$2,634,542.81

Vice President Lee moved adoption; **Council Member Banks** seconded.

Yeas – Banks, Grizzell, Hartley, Lee, Lindsay and Stokes.
Nays – None.
Absent – Foote.

ORDER AUTHORIZING THE TRANSFER OF FUNDS FROM PERSONAL SERVICES TO OTHER SERVICES & CHARGES.

WHEREAS, the City of Jackson Police Department needs funding in the proper categories to pay past due and current bills for temporary staffing at 911 Communications and parking lot rent at Precinct 1, and

WHEREAS, it is in the City’s best interest that these invoices be paid, and

WHEREAS, the City of Jackson Police Department will utilize personal services funds available due to departmental vacancies.

IT IS HEREBY ORDERED that funds in the amount \$50,000.00 be transferred from Personal Services category to Other Services & Charges within the Communications division to cover the cost of temporary staffing, and \$80,000 be transferred from Personal Services category in Patrol Operations to Other Services & Charge in Precinct 1, for a total transfer of \$130,000.00 as follows:

ACCT #	ACCT DESC	AMOUNT	INC/DEC
001.442.35.6111	Salaries (Communications)	\$50,000	Decrease
001.442.35.6489	Contract Labor	\$50,000	Increase
001.442.40.6111	Salaries (Patrol Operations)	\$80,000	Decrease
001.442.41.6512	Building Rental	\$80,000	Increase

Vice President Lee moved adoption; **Council Member Hartley** seconded.

President Lindsay recognized **Trivia Jones, Jackson Police Department**, who provided a brief overview of said item.

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

Yeas – Banks, Grizzell, Hartley, Lee, Lindsay and Stokes.

Nays – None.

Absent – Foote.

ORDER AUTHORIZING THE PROCUREMENT OF FIRE DEPARTMENT BOOT APPAREL FROM EMERGENCY VEHICLE SPECIALISTS PURSUANT TO SALES QUOTE 00004422 AND AUTHORIZING THE FINANCING OF THE PURCHASE UPON TERMS DEEMED REASONABLE.

WHEREAS, the Jackson Fire Department needs leather boots for personnel engaged in fire suppression and combat activities; and

WHEREAS, Section 31-7-13(b) of the Mississippi Code states that purchases which involve an expenditure of more than \$5,000.00 but not more than \$50,000.00 exclusive of freight and shipping charges may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained; and

WHEREAS, Section 31-7-13(b) of the code defines the term *competitive* to mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids; and

WHEREAS, Section 31-7-13(b) states that bids may be submitted by facsimile, electronic mail, or other generally accepted method of information distribution; and

WHEREAS, a member of the command staff within the Jackson Fire Department solicited quotes for 300 pairs of leather boots by sending emails on October 13, 2021 to the following: (1) Matt Nault of Sunbelt Fire (2) Jessi Collums of Emergency Vehicle Specialist (3) JBuggs@eeproinc.com and (4) a Ryan Brown of NAFECO; and

WHEREAS, on October 14, 2021, the command staff member sent an email to those solicited on the previous day, which revised the quantity of leather boots desired to be purchase from 300 to 280 pair; and

WHEREAS, Ryan Brown, the NAFECO's representative submitted a quote by electronic mail indicating that a Thorogood QR 14 Leather boot pursuant to Contract # 8200055342 would cost \$292.00 each for a total cost of \$81,760.00 (\$292 x 280); and

WHEREAS, Matt Nault of Sunbelt Fire submitted a quote by electronic mail indicating that Item number G301300, a Globe Onyx Leather boot was listed on page 37 of State Contract 8200055233 at \$404.03 but could be purchased for \$355.00 per unit, thereby resulting in a total cost of \$99,400.00 (\$355.00 x 280); and

WHEREAS, Jessi Collums, the Emergency Vehicle Specialist submitted a quote by electronic mail indicating that item number BT 4010, a Morning Pride Leather Boot could be purchased for \$175.00 each, thereby resulting in a total cost of \$49,000.00 (\$175 x 280); and

WHEREAS, the referenced vendors who responded to the command staff member's solicitation were not aware of the bids submitted by a competing vendor; and

WHEREAS, neither the command staff member or other persons within the Jackson Fire Department with knowledge of the bids disclosed same to the other vendor; and

WHEREAS, the requirements of Section 31-7-13(b) were adhered to in the solicitation of the bids or quotes; and

WHEREAS, Emergency Vehicle Specialist submitted the lowest and best quote for the leather boots desired to be purchased; and

WHEREAS, the best interest of the City of Jackson would be served by procuring the leather boots from Emergency Vehicle Specialist; and

WHEREAS, the Jackson Fire Department is proposing that the governing authorities finance the procurement from the vendor or a third party; and

WHEREAS, Emergency Vehicle Specialist advised the Department that Republic First National may be amenable to financing the purchase for a term of five (5) years; and

WHEREAS, subject to credit approval, Republic First National submitted terms indicating that the boots could be financed for five years at a rate of 3.13%; and

WHEREAS, the financing of the purchase for a term of five at years at rate of 3.13% would require annual payments of \$10,614.95; and

WHEREAS, the total interest to be paid for the five (5) year term of the agreement would be \$4,074.75; and

WHEREAS, the principal and interest payments for the five (5) year term would total \$53,074.75; and

WHEREAS, the proposal for the financing of the items is reasonable and serves the best interest of the City of Jackson and its citizenry.

IT IS HEREBY ORDERED that the items referenced may be procured subject to the securing of the financing from the vendor or a third party.

IT IS HEREBY ORDERED that the Mayor shall be authorized to execute a financing agreement with Republic First National containing the terms stated in this order.

IT IS HEREBY ORDERED that the principal and interest to be paid for the financing of the boot purchase shall not exceed \$53,074.75.

Vice President Lee moved adoption; Council Member Hartley seconded.

Yeas – Banks, Grizzell, Hartley, Lee, Lindsay and Stokes.

Nays – None.

Absent – Foote.

* * * * *

There came on for consideration, Agenda Item No. 13:

ORDER AUTHORIZING THE MAYOR TO REVISE THE 2021/2022 FISCAL YEAR BUDGET FOR THE CITY OF JACKSON, DEPARTMENT OF PARKS AND RECREATION, TO TRANSFER FUNDS FROM THE PUBLICITY PROMOTIONS CATEGORY TO THE LAWN AND GARDEN EQUIPMENT CATEGORY, IN THE AMOUNT OF \$100,000.00. Said Item was pulled by the Administration.

* * * * *

ORDER PROPOSING \$2.00 TUESDAYS AT THE CITY OF JACKSON ZOO AS WELL AS SELECT \$2.00 FOOD VENDOR ITEMS ONLY ON \$2.00 TUESDAYS, TO BE HELD THE SECOND (2ND) AND FOURTH (4TH) TUESDAY OF EACH MONTH.

WHEREAS, the City of Jackson Zoo, serves as a recreational and educational environment, dedicated to the professional care and well-being of all wildlife; and also serves to educate children and adults on the importance of wildlife conservation; and

WHEREAS, the City of Jackson, Department of Parks and Recreation and Jackson Zoo feel it would be extremely beneficial at this time to offer residents and guests, the opportunity to enjoy visiting the Jackson Zoo at a drastically reduced admittance fee on certain days; and

WHEREAS, this “new” fee is being offered to attract and increase public participation by introducing \$2.00 Tuesdays the second (2nd) and fourth (4th) Tuesday of each month; and

NEW FEE INTRODUCTION - \$2.00 TUESDAYS		
Age Groups	Schedule	Admittance Fee
Children under 2 years of age.	2 nd & 4 th Tuesday of each month.	Free
Ages 2 years and older.		\$2.00

WHEREAS, the City of Jackson Zoo, currently charges the following fees for general admittance, as shown below and introduction of \$2.00 Tuesdays will offer a more affordable admittance fee opportunity.

CURRENT DAILY ADMISSION FEES	
Ages Groups	Admittance Fees
Children under 2 years of age.	Free
Ages 2 to 12	\$5.00 each
Ages 13 years and older.	\$8.00 each

IT IS FURTHER ORDERED, the City of Jackson Zoo, will be allowed to offer certain food truck items (at the Jackson Zoo’s discretion) for a reduced \$2.00 fee on \$2.00 Tuesdays as well; and

IT IS HEREBY ORDERED that the proposed fee revision for the City of Jackson, Department of Parks and Recreation, be adopted as provided in above referenced table.

Vice President Lee moved adoption; **Council Member Hartley** seconded.

Yeas – Banks, Grizzell, Hartley, Lee, Lindsay and Stokes.

Nays – None.

Absent – Foote.

**ORDER AUTHORIZING FINAL PAYMENT TO DICKERSON & BOWEN, INC.,
FOR THE 2020 FLOOD DISASTER STREET RESURFACING PROJECT.**

WHEREAS, on March 3, 2021 the City of Jackson accepted Dickerson & Bowen, Inc. bid of \$527,260.92 for the 2020 Flood Disaster Street Resurfacing Project; and

WHEREAS, the contract work involved the removal and replacement of the existing curb types and asphalt on the 2020 Flood Disaster Streets within the City of Jackson corporate limits; 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 \$24,987.37 to Dickerson & Bowen, Inc.; and

WHEREAS, the bonding company Hartford Accident and Indemnity Company, Attorney-in-fact, surety on performance of the said contract, has authorized release and payment of all money due under said contract.

IT IS, THEREFORE ORDERED that the City make final payment in the amount of \$24,987.37 and release all securities held to Dickerson & Bowen, Inc. for all the work completed and materials furnished under this contract and that the City Clerk publish the Notice of Completion of the 2020 Flood Disaster Street Resurfacing Project.

Vice President Lee moved adoption; **Council Member Hartley** seconded.

Yeas – Banks, Grizzell, Hartley, Lee, Lindsay and Stokes.

Nays – None.

Absent – Foote.

**ORDER RATIFYING PROCUREMENT OF SERVICES FROM ALLIED
INDUSTRIAL SERVICES, FOR EQUIPMENT REPAIRS AT THE O.B. CURTIS
WATER TREATMENT PLANT AND AUTHORIZING PAYMENT TO SAID
VENDOR.**

WHEREAS, the Water-Sewer Utility Division of the Department of Public Works had need of certain services necessary to operate and maintain the City's two water treatment plants; and

WHEREAS, due to exigent circumstances, the procurement of these necessary services was done without prior approval by the City Purchasing Manager or the City Council of the City of Jackson; and

WHEREAS, the services set forth in certain invoices attached hereto were provided to the City's O.B. Curtis Water Treatment Plants; and

WHEREAS, to ensure the continued and proper operation and maintenance of O.B. Curtis Water Treatment Plant, it is necessary to pay these outstanding invoices to continue receiving any needed services from this vendor; and

IT IS, THEREFORE, ORDERED that payment to Allied Industrial Services, in the amounts set forth be made, consistent with the attached invoices:

Allied Industrial Services

\$365,674.00

Vice President Lee moved adoption; **Council Member Hartley** seconded.

Yeas – Banks, Grizzell, Hartley, Lee, and Lindsay.

Nays – None.

Abstention – Stokes

Absent – Foote.

There came on for consideration Agenda Item No. 19:

ORDER ACCEPTING THE DEDICATION OF A PUBLIC STREET AS CLAUSELL SCHOOL CIRCLE AND ACCEPTING THE DEDICATION OF A RELATED SEWER FACILITY; AND FOR RELATED PURPOSES. Said item was pulled by the Administration.

President Lindsay recognized **Council Member Hartley** who moved, seconded by **Vice President Lee** to add an item to the agenda on an emergency basis, “order ratifying procurement of contract labor from staff mark to augment staff at the O.B. Curtis water treatment plant and authorizing payment to said vendor.” The motion prevailed by the following vote:

Yeas – Banks, Grizzell, Hartley, Lee, Lindsay and Stokes.

Nays – None.

Absent – Foote.

There came on as the Emergency Agenda Item: **ORDER RATIFYING PROCUREMENT OF CONTRACT LABOR FROM STAFFMARK TO AUGMENT STAFF AT THE O.B. CURTIS WATER TREATMENT PLANT AND AUTHORIZING PAYMENT TO SAID VENDOR:** Hearing no objections, the Clerk read the following:

ORDER RATIFYING PROCUREMENT OF CONTRACT LABOR FROM STAFFMARK TO AUGMENT STAFF AT THE O.B. CURTIS WATER TREATMENT PLANT AND AUTHORIZING PAYMENT TO SAID VENDOR.

WHEREAS, the Water-Sewer Utility Division of the Department of Public Works had need of additional labor to operate and maintain the O.B. Curtis Water Treatment Plant, the City’s primary plant for the treatment of drinking water; and

WHEREAS, due to the existence of an Emergency Administrative Order (EAO) issued by the United States Environmental Protection Agency and, beginning in July 2021, an Administrative Compliance Order on Consent (AOC), the procurement of contract labor was vital to compliance with the EAO without the prior approval of the City Council of the City of Jackson; and

WHEREAS, the contract labor set forth in the invoices from Staffmark attached hereto in the total amount of \$110,309.82 was provided to the City’s O.B. Curtis Water Treatment Plant; and

WHEREAS, in order to ensure the continued and proper operation and maintenance of the City’s O.B. Curtis Water Plant, it is necessary to pay these outstanding invoices to continue receiving contract labor services from Staffmark.

IT IS, THEREFORE, ORDERED that payment to Staffmark for contract labor services in the amount of \$110,309.82 as set forth in the attached invoices is hereby authorized \$110,309.82.

President Lindsay moved adoption; Vice President Lee seconded.

President Lindsay recognized Marlin King, Public Works Director who provided a brief overview of said item.

Thereafter, President Lindsay call for a vote on said item:

Yeas – Banks, Grizzell, Hartley, Lee, Lindsay and Stokes.

Nays – None.

Absent – Foote.

ORDER AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO JOIN IN MOTION TO REALIGN PARTIES FILED BY JACKSON STATE UNIVERSITY IN ORDER TO FACILITATE THE CARE AND MAINTENANCE OF MOUNT OLIVE CEMETERY.

WHEREAS, on November 24, 2020, the governing authorities for the City of Jackson authorized the Office of the City Attorney to pursue judicial action to acquire title to an abandoned cemetery, which was abandoned by the Jackson Cemetery Association and is commonly known as the Mount Olive Cemetery; and

WHEREAS, the action of the governing authorities was recorded in Minute Book 6S beginning at Page 225; and

WHEREAS, the Office of the City Attorney retained a professional to research the title and subsequently filed a complaint in the Chancery Court of Hinds County Mississippi on July 29, 2021 to acquire title to the property; and

WHEREAS, the complaint named Jackson State University as a Defendant because of its interest in preserving monuments of historical significance and its National Register of Historic Places designation; and

WHEREAS, Jackson State University entered an appearance in the cause and filed a Motion to Realign the Parties on or about October 28, 2021; and

WHEREAS, the motion filed by Jackson State University does not state or indicate that it has an objection to the City acquiring title to the property; and

WHEREAS, the motion filed by Jackson State University indicates that it has interests similar to the City of Jackson in ensuring that the cemetery be maintained; and

WHEREAS, in addition to Jackson State University, unknown persons interested in Mount Olive Cemetery were also summoned by publication to appear and defend the complaint; and

WHEREAS, no unknown persons have appeared and defended the complaint, and it is the intent of the Office of the City Attorney to request that judgment by default be entered; and

WHEREAS, joining in the Motion to Realign the parties filed by Jackson State University may remove impediments to the City acquiring title to the property and allow the City to proceed with ensuring that the cemetery and its historical significance is preserved.

IT IS, THEREFORE, ORDERED that the Office of the City Attorney is authorized to join in the Motion to Realign the Parties filed by Jackson State University.

Council Member Grizzell moved adoption; **Council Member Hartley** seconded.

Yeas – Banks, Grizzell, Hartley, Lee, Lindsay and Stokes.

Nays – None.

Absent – Foote.

There came on for consideration Agenda Item No. 22:

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI AUTHORIZING THE REMOVAL OF THE SANITATION CHARGES (GARBAGE COLLECTION CHARGES) FROM THE CITY OF JACKSON WATER BILLS. **President Lindsay** stated said item would be tabled until the next Special Council Meeting to be held on November 23, 2021 at the request of **Council Member Stokes**.

There came on for Discussion, Agenda Item No. 23:

DISCUSSION: Keyshia Sanders: **President Lindsay** stated said item would be tabled until the next Special Council Meeting to be held on November 23, 2021 at the request of **Council Member Stokes**.

There came on for Discussion, Agenda Item No. 24:

DISCUSSION: Streets: **President Lindsay** stated said item would be tabled until the next Special Council Meeting to be held on November 23, 2021 at the request of **Council Member Stokes**.

There came on for Discussion, Agenda Item No. 25:

DISCUSSION: Drinking Water – Winter Contingency Plan: **President Lindsay** stated said item would be tabled until the next Special Council Meeting to be held on November 23, 2021 at the request of **Council Member Hartley**.

There came on for Discussion, Agenda Item No. 26:

DISCUSSION: Solid Waste RFP: **President Lindsay** stated said item was explained during the work session by the City Attorney and all council members received said information via email.

President Lindsay recognized **Council Member Banks** who moved, seconded by **Vice President Lee** to add an item to the agenda on an emergency basis, Discussion Item: Pending Litigation. The motion prevailed by the following vote:

Yeas – Banks, Grizzell, Hartley, Lee, Lindsay and Stokes.

Nays – None.

Absent – Foote.

There came on as the Emergency Agenda Item: DISCUSSION ITEM: PENDING LITIGATION.

President Lindsay stated that said item needed to be discussed in Executive Session regarding "Pending Litigation".

Council Member Banks moved, seconded by **Council Member Hartley** to go into Closed Session to discuss Pending Litigation. The motion prevailed by the following vote:

Yeas – Banks, Grizzell, Hartley, Lee, Lindsay and Stokes.

Nays – None.

Absent – Foote.

President Lindsay announced to the public that the Council voted to go into Closed Session to discuss going into Executive Session regarding "Pending Litigation".

During Closed Session, **Council Member Grizzell** moved, seconded by **Council Member Hartley** to go into Executive Session to discuss pending litigation. The motion prevailed by the following vote:

Yeas – Banks, Grizzell, Hartley, Lee, Lindsay and Stokes.

Nays – None.

Absent – Foote.

An announcement was made to the public that the Council voted to go into Executive Session to discuss pending litigation.

Note: Council Member Stokes left the meeting.

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

Yeas – Banks, Grizzell, Hartley, Lee and Lindsay.

Nays – None.

Absent – Foote and Stokes.

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

The following reports/announcements were provided during the meeting:

- **President Lindsay** announced the following:
 - Encouraged citizens to attend the Town Hall meeting regarding the RFP process for the City of Jackson's garbage contract Thursday, November 11, 2021 at Fondren Church starting at 6:00 p.m.
- **Council Member Hartley** announced the following:
 - City of Jackson's roll-off dumpster day would be Saturday, November 13, 2021 in the Tougaloo Community from 8:00 a.m.- 2:00 p.m.

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, NOVEMBER 9, 2021 10:00 A.M.

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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 November 23, 2021. At 10:47 a.m., the Council stood adjourned.

PREPARED BY:

Sharekia Mosley-Barker
CLERK OF COUNCIL

APPROVED:

Ch. Pol, 4/5/22
MAYOR DATE

ATTEST:

Angele Harris
CITY CLERK