

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 Clerk of Council at 8:45 a.m. Tuesday, April 12, 2022 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) Resolution of the City Council of Jackson, Mississippi in support of and to honor Jackson State University Women's Basketball Coach Tomekia Reed. (2) Resolution of the City Council of Jackson, Mississippi in support of honoring and commending JPS-Tougaloo Early College High School Student Jahliyah Readus. (3) Presentation: Mr. Bernard Bridges, Banker of the Year. (4) Presentation: Mr. Howard Ballou, The Maude Ballou Award. (5) Order authorizing a personal services agreement with Staffmark Investment LLC for temporary personnel to staff the O.B. Curtis Water Treatment Plant, ratifying payments for services rendered, and authorizing payment. (6) Order amending the fiscal year 2021-2022 budget of the City of Jackson Department of Public Works, Sewer Maintenance Division and Water Maintenance Division. (7) Order Ratifying Emergency Procurement of a Combination tandem truck (vacuum and jet) and a vactor ramjet truck from Sansom Equipment Company and authorizing payment to said vendor. (8) Order ratifying emergency procurement of by-pass pumps from United Rentals (North America), Inc. and authorizing payments to said vendor. (9) Claims. (10) Order to override the April 5, 2022 Mayor's veto on the "Proclamation of local emergency for Jackson, Mississippi by Jackson City Council" on the September 27, 2021 City Council meeting minutes. (11) Order to override the April 5, 2022 Mayor's veto on the "Order ratifying an emergency solid waste collection and hauling agreement with Waste Management, Inc. for a term of six (6) months" on the October 26, 2021 City Council meeting minutes. (12) Resolution of the City Council of the City of Jackson, Mississippi objecting to the use of property at Hawkins Field on Lavernet Road as a staging and operational business location for garbage trucks. (13) Discussion: Pending Litigation. The meeting was convened in the Council Chambers located at 219 S. President Street at 10:00 a.m. on April 13, 2022 being the second Wednesday 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, Council Vice President, Ward 2; Ashby Foote, Ward 1; Kenneth I. Stokes, Ward 3; Brian C. Grizzell, Ward 4; Vernon Hartley, Ward 5 and Aaron Banks, Ward 6. Directors: Mayor Chokwe Antar Lumumba; Shanekia Mosley Jordan, Clerk of the Council; Constance White, Chief Deputy Clerk of the Council; and Catoria Martin, City Attorney.

Absent: None.

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

PRESENTATION OF RESOLUTION: President Lindsay recognized **Mayor Chokwe Antar Lumumba and Council Members**, who jointly presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI IN SUPPORT OF AND TO HONOR JACKSON STATE UNIVERSITY WOMEN'S BASKETBALL COACH TOMEKIA REED**. Accepting the resolution with appropriate remarks were **Coach Tomekia Reed and the JSU Women's Basketball team**.

PRESENTATION OF RESOLUTION: President Lindsay recognized **Council Member Banks**, who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI IN SUPPORT OF HONORING AND COMMENDING JPS- TOUGALOO EARLY COLLEGE HIGH SCHOOL STUDENT JAHLIYAH READUS**. Accepting the resolution with appropriate remarks were **Jahliyah Readus and Grandfather Mr. Readus**.

PRESENTATION: President Lindsay recognized **Council Member Stokes**, who presented **MR. BERNARD BRIDGES, BANKER OF THE YEAR AWARD**. Accepting this Award with appropriate remarks was **Mr. Bernard Bridges**.

PRESENTATION: President Lindsay recognized **Council Member Stokes**, who presented **MR. HOWARD BALLOU, THE MAUDE BALLOU AWARD**. Accepting this award with appropriate remarks was **Mr. Howard Ballou**.

Note: Council Member Stokes left the meeting.

President Lindsay stated that there were items needed to be discussed in Executive Session regarding "Potential Litigation".

Vice President Lee moved, seconded by **Council Member Grizzell** to go into Closed Session to discuss Agenda Items No. 13. The motion prevailed by the following vote:

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

President Lindsay announced to the public that the Council voted to go into Closed Session to discuss going into Executive Session regarding potential litigation.

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

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

An announced was made to the public that the Council voted to go into Executive Session to discuss a personnel matter and pending litigation regarding Agenda Item No. 13.

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

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

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

Note: Council Member Stokes returned to the meeting.

ORDER AUTHORIZING A PERSONAL SERVICES AGREEMENT WITH STAFFMARK INVESTMENT LLC FOR TEMPORARY PERSONNEL TO STAFF THE O.B. CURTIS WATER TREATMENT PLANT, RATIFYING PAYMENTS FOR SERVICES RENDERED, AND AUTHORIZING PAYMENT.

WHEREAS, because of the inability to hire and retain adequate full-personnel to staff the City's O.B. Curtis Water Treatment Plant, its primary drinking water treatment facility, the Department of Public Works needs to hire temporary personnel; and

WHEREAS, temporary personnel can be hired through a temporary personnel staffing company; and

WHEREAS, because the need for these temporary personnel are on an ongoing basis and has become the necessary method for providing staff required for the operations of the O.B. Curtis Water Treatment Plant, the Department of Public Work needs a personal services contract for temporary personnel; and

WHEREAS, because of the exigent circumstances, these temporary personnel were provided by Staffmark Investment LLC at the request of the Department of Public Works without a contract executed by the Mayor for a period beginning November 1, 2021 through March 13, 2022; and

WHEREAS, the Department of Public Works recommends entering into a personal services agreement with Staffmark Investment, LLC to provide temporary personnel to staff the City water treatment plant, particularly the O.B. Curtis Water Treatment Plant for a term of March 14, 2022 through September 30, 2025 with an option to renew the agreement annually upon the mutual agreement of the parties beginning October 1, 2025; and

WHEREAS, the Agreement may be terminated for convenience by either the City or Staffmark Investment LLC upon thirty days' written notice to the other party; and

WHEREAS, Staffmark Investment LLC will provide temporary employees at the following rate schedule:

Positions	Mark Up	Pay	Bill
Clean up and light industrial duties	43%	11.00	15.73
Skilled Laborer – LI duties clean up	43%	15.00	21.45
Utility Maintenance	43%	18.00	25.74
Clerical	43%	16.00	22.88

; and

WHEREAS, the City agrees to pay Staffmark Investment LLC for hours worked by agency personnel in excess of 40 hours per week at 1.5 times their hourly bill rate; and

WHEREAS, if the City uses Staffmark Investment LLC for less than four (4) hours, City will be billed for four (4) hours; and

WHEREAS, Staffmark Investment LLC shall maintain insurance coverage that includes general liability, crime insurance, state unemployment insurance, federal unemployment insurance, and workers' compensation insurance and shall provide the City with a certificate of insurance evidencing such insurance coverages; and

WHEREAS, the Department of Public Works recommends paying invoices for labor provided by Staffmark Investment LLC for November 12, 2021 through March 18, 2022, which are attached hereto as an exhibit and total \$90,869.18.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a personal services contract for temporary personnel at the City's two water treatment plants as set forth above.

IT IS FURTHER ORDERED that temporary personnel services provided by Staffmark Investment LLC are hereby ratified and payment in the amount set forth, consistent with the attached invoices, is authorized as follows:

Temporary Personnel

Invoice Number	Invoice Date	Invoice Amount
16018893	11/12/2021	\$8,552.45
16046650	11/24/2021	\$5,457.29
16037773	11/19/2021	\$7,918.92
16074496	12/03/2021	\$5,366.37
16091386	12/10/2021	\$5,872.64
16096724	12/14/2021	\$1,398.10
16111046	12/17/2021	\$4,904.50
16129637	12/24/2021	\$6,403.39
16148830	12/31/2021	\$4,071.52
16164908	01/07/2022	\$4,576.69
16182441	01/14/2022	\$4,460.86
16197008	01/21/2022	\$4,454.44
16217061	01/28/2022	\$4,184.17
16233978	02/04/2022	\$4,106.95
16250662	02/11/2022	\$3,012.41
16267941	02/18/2022	\$3,287.02
16285006	02/25/2022	\$3,375.00
16302033	03/04/2022	\$3,488.66
16318776	03/11/2022	\$3,375.00
16334634	03/18/2022	\$2,602.80
Temporary Personnel Total		\$90,869.18

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

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

ORDER AMENDING THE FISCAL YEAR 2021-2022 BUDGET OF THE CITY OF JACKSON DEPARTMENT OF PUBLIC WORKS, SEWER MAINTENANCE DIVISION AND WATER MAINTENANCE DIVISION.

WHEREAS, certain unanticipated needs and allocation in the amount of \$136,650.00 have arisen since the adoption of the Fiscal Year 2021-2022 City of Jackson Budget for the Sewer Maintenance Division; and

WHEREAS, additional budgeting short falls in the amount of \$75,000.00 have arisen since the adoption of the Fiscal Year 2021-2022 City of Jackson Budget for the Water Maintenance Division; and

WHEREAS, the Fiscal Year 2021-2022 City of Jackson Budget should be amended to provide funding for these unanticipated needs; and

WHEREAS, the following accounts should be amended as follows:

From Account	To Account	Amount
031-522-20-6111	031-522-20-6514	\$136,650.00
031-521-40-6113	031-521-40-6514	\$75,000.00

IT IS, THEREFORE, ORDERED that the Fiscal Year 2021-2022 Budget be revised in the amount of \$136,650.00 for Sewer Maintenance and \$75,000.00 for Water Maintenance:

From Account	To Account	Amount
031-522-20-6111	031-522-20-6514	\$136,650.00
031-521-40-6113	031-521-40-6514	\$75,000.00

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

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

Nays – None.

Absent – None.

ORDER RATIFYING EMERGENCY PROCUREMENT OF A COMBINATION TANDEM TRUCK (VACUUM AND JET) AND A VACTOR RAMJET JET TRUCK FROM SANSOM EQUIPMENT COMPANY AND AUTHORIZING PAYMENT TO SAID VENDOR.

WHEREAS, the Water-Sewer Operations Division of the Department of Public Works had the emergency need for a combination tandem truck (vacuum and jet) and a Vactor Ramjet jet truck to comply with the Clean Water Act to address sanitary sewer overflows at various locations within the City of Jackson’s wastewater collections system; and

WHEREAS, due to exigent circumstances, the procurement of this equipment from Sansom Equipment Company was done without prior approval by the City Purchasing Manager or the City Council of the City of Jackson; and

WHEREAS, two months’ rental of the combination tandem truck totaling \$22,000.00- and one-month’s rental of the jet truck totaling \$8,930.00 were provided by Sansom Equipment Company to the Water-Sewer Utilities Division; and

WHEREAS, to ensure that sewerage is prevented from freely running on the ground and to the rivers and lakes of the United States and to assist the City in complying with the Clean Water Act, it is necessary to pay these outstanding invoices to continue receiving any needed equipment rentals from this vendor.

IT IS, THEREFORE, ORDERED that procurement of certain equipment described above is ratified and payment to Sansom Equipment Company in the total amount of \$30,930.00 as set forth above be made, consistent with the attached invoices.

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

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

Nays – None.

Absent – None.

ORDER RATIFYING EMERGENCY PROCUREMENT OF A BY-PASS PUMPS FROM UNITED RENTALS (NORTH AMERICA), INC. AND AUTHORIZING PAYMENTS TO SAID VENDOR.

WHEREAS, the Water-Sewer Utility Division of the Department of Public Works had the emergency need for by-pass pumps to comply with the Clean Water Act to address certain sewer main breaks at various locations within the City of Jackson’s wastewater collections system; and

WHEREAS, due to exigent circumstances, the procurement of these by-pass pumps from United Rentals (North America), Inc. was done without prior approval by the City Purchasing Manager or the City Council of the City of Jackson; and

WHEREAS, the by-pass pumps at the locations set forth in certain invoices attached hereto totaling \$279,583.79 were provided by United Rentals (North America), Inc. to the Water-Sewer Utilities Division; and

WHEREAS, to ensure that sewerage is prevented from freely running on the ground and to the rivers and lakes of the United States and to assist the City in complying with the Clean Water Act, it is necessary to pay these outstanding invoices to continue receiving any needed equipment rentals from these vendors.

IT IS, THEREFORE, ORDERED that payment to United Rentals (North America), Inc. in the amount of \$279,583.79 set forth be made, consistent with the attached invoices.

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

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

ORDER APPROVING CLAIMS NUMBER 27113 to 27113 APPEARING AT PAGES 36 TO 37 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$302,845.50 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 27113 to 27113 appearing at pages 36 to 37, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$302,845.50 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
CAO GRANTS	302,845.50
TOTAL	<u>\$302,845.50</u>

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

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

ORDER TO OVERRIDE THE APRIL 5, 2022 MAYOR’S VETO ON THE “PROCLAMATION OF LOCAL EMERGENCY FOR JACKSON, MISSISSIPPI BY JACKSON CITY COUNCIL” ON THE SEPTEMBER 27, 2021 CITY COUNCIL MEETING MINUTES.

WHEREAS, the City Council passed Agenda Item No. 9 during its September 27, 2021 Special City Council meeting, instating the proclamation of a local emergency for Jackson, Mississippi by Jackson City Council; and

WHEREAS, the City Council of Jackson, Mississippi deemed it necessary to declare a local emergency due to the impending expiration of the city's solid waste and hauling services with then current vendor, Waste Management, Inc. on September 30, 2021; and

WHEREAS, said Order was passed by the City Council with four (4) in favor, two (2) opposing and one (1) absence; and

WHEREAS, said Order was vetoed by Mayor Chokwe A. Lumumba on April 5, 2022; and

WHEREAS, Virgi Lindsay, President of the Jackson City Council, pursuant to 21-8-18(2) of the Mississippi Code Annotated of 1972, in response to the Honorable Chokwe A. Lumumba's veto, places this Order of reconsideration of vetoed Order before the City Council.

IT IS HEREBY ORDERED that the Order instating the proclamation of a local emergency for Jackson, Mississippi by Jackson City Council be reinstated by a two-thirds majority vote of the members present and voting resolving to override the Mayor's veto.

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

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

Nays – Lee.

Absent – None.

ORDER TO OVERRIDE THE APRIL 5, 2022 MAYOR'S VETO ON THE "ORDER RATIFYING AN EMERGENCY SOLID WASTE COLLECTION AND HAULING AGREEMENT WITH WASTE MANAGEMENT, INC. FOR A TERM OF SIX (6) MONTHS" ON THE OCTOBER 26, 2021 CITY COUNCIL MEETING MINUTES.

WHEREAS, the City Council passed Agenda Item No. 16 during its October 26, 2021 Special City Council meeting, ratifying an emergency solid waste collection and hauling agreement with Waste Management, Inc. for a term of six (6) months; and

WHEREAS, the City Council of Jackson, Mississippi deemed it necessary to continue the city's solid waste services with then current vendor, Waste Management, Inc., while pending legal proceedings pursued to establish the validity of the mayor's September 17, 2021 local emergency proclamation; and

WHEREAS, said Order was passed by the City Council with six (6) in favor, (1) opposing and zero (0) absences; and

WHEREAS, said Order was vetoed by Mayor Chokwe A. Lumumba on April 5, 2022; and

WHEREAS, Virgi Lindsay, President of the Jackson City Council, pursuant to 21-8-18(2) of the Mississippi Code Annotated of 1972, in response to the Honorable Chokwe A. Lumumba's veto, places this Order of reconsideration of vetoed Order before the City Council.

IT IS HEREBY ORDERED that the Order ratifying an emergency solid waste collection and hauling agreement with Waste Management, Inc. for a term of six (6) months be reinstated by a two-thirds majority vote of the members present and voting resolving to override the Mayor's veto.

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

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

Nays – None.

Abstention – Lee.

Absent – None.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI OBJECTING TO THE USE OF PROPERTY AT HAWKINS FIELD ON LAVERNET ROAD AS A STAGING AND OPERATIONAL BUSINESS LOCATION FOR GARBAGE TRUCKS.

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

WHEREAS, the current location for the garbage company operating at the Hawkins Field location is in a residential area, golf course area, and on the grounds of a Federal Aviation Administration (FAA) regulated airport; and

WHEREAS, the citizens of the residential neighborhood where the garbage trucks are housed and travel through the neighborhood in the course of business were not given any due process notice of the placement of a garbage truck business being located within feet of their homes and whether the possible public health and safety damage to the neighbors by locating such a business in their neighborhood was ever considered; and

WHEREAS, the City of Jackson golf course is in close proximity to the garbage truck business and the environmental impact as well as whether the potential economic loss of patrons not wanting to play at a golf course next to a garbage truck business was ever considered; and

WHEREAS, the Hawkins Field airport property is designated as an aviation facility with federal oversight and not to be used for any other purpose without notice to the public, hearings and public input which was clearly not done in this decision-making process and it is against public policy to unilaterally decide to allow such a garbage truck business to be located on airport property without proper legal channels being followed; and

WHEREAS, it is in the best interest of the citizens of the City of Jackson that the Jackson City Council does hereby declare and officially on the public record to resolve to express their strong and vigorous objection to the heretofore described action as being illegal, potentially hazardous, economically damaging, and in total disregard for public health, safety, and welfare in the use of property at Hawkins Field on Lavernet Road as a staging and operational business location for garbage trucks.

THEREFORE, IT IS HEREBY RESOLVED, that the City Council of Jackson, Mississippi hereby objects to the use of property at Hawkins Field on Lavernet Road as a staging and operational business location for garbage trucks.

SO RESOLVED, this the 13th day of April, 2022.

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

Yeas – Banks, Foote, Hartley and Stokes.

Nays – Grizzell.

Abstentions – Lee and Lindsay.

Absent – None.

There were no reports/announcements provided during the meeting.

**SPECIAL MEETING OF THE CITY COUNCIL
WEDNESDAY, APRIL 13, 2022 10:00 A.M.**

There being no further business to come before the City Council, it was unanimously voted to adjourn until the City Council Zoning Meeting at 2:30 p.m. on April 18, 2022. At 11:58 a.m., the Council stood adjourned.

PREPARED BY:

Shanekia Mosley-Jordan
CLERK OF COUNCIL

APPROVED:

Ving Randsay, 5/10/2022
COUNCIL PRESIDENT **DATE**

ATTEST:

Angela Harris
CITY CLERK
