

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JULY 5, 2022 10:00 A.M.**

BE IT REMEMBERED that a Regular Meeting of the City Council of Jackson, Mississippi, was convened at City Hall at 10:00 a.m. on July 5, 2022, being the first 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; Ashby Foote, Ward 1; Kenneth Stokes, Ward 3; Brian Grizzell, Ward 4; Vernon Hartley, Ward 5 and Aaron Banks, Ward 6. Directors: Chokwe Antar Lumumba, Mayor; Dr. Safiya Omari, Chief of Staff; Shanekia Mosley-Jordan, Clerk of Council, Constance White, Chief Deputy Clerk of Council and Catoria Martin, City Attorney.

Absent: None.

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

The invocation was offered by **Rev. Rosa Baaron of Greater Allen Temple AME Church**.

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

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

- **Timothy Lewis** spoke on the importance of being an organ donor.
- **Michelle Wilkerson** spoke on the availability of more water donations from Premium Water.

RESOLUTION DECLARING CERTAIN PARCELS OF REAL PROPERTY IN THE CITY OF JACKSON TO BE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE AND BASED ON ADMINISTRATIVE HEARINGS HELD JUNE 14, 2022 FOR THE FOLLOWING CASES:

19-498	21-1064	21-1085	21-1101	21-1165	21-1333
21-148	21-1559	21-1577	21-320	21-645	21-778
21-812	21-824	21-848	21-843	21-1143	21-927
22-249	22-296	22-677	22-99	22-681	21-682

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

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

WHEREAS, hearings were held on June 14, 2022; and

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

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

- 1) **Case #19-498: Parcel #58-60** located at **309 McTyere Avenue**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Board up and secure house; cut grass, weeds, shrubbery, fence line, bushes, saplings; remove trash debris, tree limbs and parts, tires; and clean curbside.

- 2) **Case #21-1064 Parcel #824-5** located at **4420 Robinson Road**: No appearance by owner or an interested party. Hearing officer recommends that the property be held in abeyance, and interested parties shall be afforded time to cure. If there is default and the City proceeds with cleaning, hearing officer recommends and assessment of actual costs and a penalty of \$750.00. Ward 5

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

- 3) **Case #21-1085: Parcel #721-188** located at **103 Needle Cove** No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 2

Scope of Work: Board up and secure house; cut grass, weeds, shrubbery, fence line, bushes, saplings; remove trash debris, tree limbs and parts, tires; and clean curbside.

- 4) **Case #21-1101: Parcel #621-131** located at **3100 Whitten Road**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$1000.00. Ward 6

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

- 5) **Case #21-1165: Parcel #825-46** located at **5825 Turner Street**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Board up and secure house; cut grass, weeds, shrubbery, fence line, bushes, saplings; remove trash debris, tree limbs and parts, tires; and clean curbside.

- 6) **Case #21-1333: Parcel #309-199** located at **306 Ford Avenue**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Board up and secure house; cut grass, weeds, shrubbery, fence line, bushes, saplings; remove trash debris, tree limbs and parts, tires; and clean curbside.

- 7) **Case #21-148 Parcel #118-21** located at **4210 West Capitol Street**: After hearing testimony from owner(s) Zeric M. Buckner, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, interested parties shall be afforded until August 30, 2022 to cure. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 3

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

- 8) **Case #21-1559: Parcel #124-72** located at **113 Fredrica Avenue Unit AB**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$750.00. Ward 5

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

- 9) **Case #21-1577: Parcel #128-63** located at **718 Claiborne Avenue**: After hearing testimony from owner(s) ., hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, interested parties shall be afforded until June 30, 2022 to cure. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 5

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

- 10) **Case #21-320: Parcel #64-7** located at **209 Whitfield Street**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Board up and secure house; cut grass, weeds, shrubbery, fence line, bushes, saplings; remove trash debris, tree limbs and parts, tires; and clean curbside.

- 11) **Case #21-645 Parcel #164-17-8** located at **1135 Handy Avenue**: After hearing testimony from owner(s) Melvina Veane, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, interested parties shall be afforded until August 23, 2022 to cure. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 5

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

- 12) **Case #21-778: Parcel #305-109** located at **459 Roland Street**: After hearing testimony from owner(s) Willie Wilson, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, interested parties shall be afforded until July 14, 2022 to cure. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 5

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

- 13) **Case #21-812: Parcel #698-284** located at **3288 Washington Street**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$750.00. Ward 5

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, saplings; remove trash, debris, wooden boards, crates, appliances, old furniture, building materials, old bricks, tree limbs, tree parts, tires, and clean curbside. Remove inoperable vehicle.

- 14) **Case #21-824: Parcel #124-84** located at **2513 West Capitol Street**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$750.00. Ward 5

Scope of Work: Board up and secure house; cut grass, weeds, shrubbery, fence line, bushes, saplings; remove trash debris, tree limbs and parts, tires; and clean curbside.

- 15) **Case #21-843: Parcel #116-5** located at **235 Parkside Place**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare. Ward 5

Scope of Work: Board up and secure house; cut grass, weeds, shrubbery, fence line, bushes, saplings; remove trash debris, tree limbs and parts, tires; and clean curbside.

- 16) **Case #21-848: Parcel #119-84** located at **237 Sewanee Drive**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$750.00. Ward 4

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

- 17) **Case #21-1143: Parcel #158-102** located at **1067 Alta Vista Blvd**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 5

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

- 18) **Case #21-927: Parcel #825-110** located at **1736 Reddix Street**: After hearing testimony from owner(s) Daphne J. Nash & Eddie L. Shannon, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, interested parties shall be afforded until June 30, 2022 to cure. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 4

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

- 19) **Case #22-249: Parcel #578-76** located at **2135 Southwood Road**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$750.00. Ward 1

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

- 20) **Case #22-296: Parcel #4858-576-566** located at **1545 Cedar Pine Drive**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$750.00. Ward 4

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

21) **Case #22-677: Parcel #409-854-22** located at **2720 Newport Street**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

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

22) **Case #22-99: Parcel #411-184** located at **2852 Newport Street**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$750.00. Ward 3

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

23) **Case #22-681: Parcel #721-140** located at **222 Lake of Pines Drive**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$500.00. Ward 2

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

24) **Case #21-682: Parcel #116-183** located at **238 Georgia Avenue**: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety and welfare with assessment of actual costs and a penalty of \$1000.00. Ward 3

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

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

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

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

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

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

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

Nays – None.

Absent – None.

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

APPROVAL OF THE MAY 26, 2022 SPECIAL COUNCIL MEETING MINUTES.

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

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

APPROVAL OF THE JUNE 7, 2022 SPECIAL COUNCIL MEETING MINUTES.

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

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

APPROVAL OF THE JUNE 9, 2022 SPECIAL COUNCIL MEETING MINUTES.

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

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

Note: Council Member Stokes left the meeting:

There came on for Introduction, Agenda Item No. 7:

AN ORDINANCE PROVIDING FOR A TEMPORARY MORATORIUM (TWELVE MONTHS) ON THE ESTABLISHMENT, CREATION, OR EXPANSION OF BARS AND NIGHTCLUBS OPERATING ON OR ADJACENT TO CAPITOL STREET IN THE CITY’S CENTRAL BUSINESS DISTRICT. **President Foote** recognized **Council Member Banks** who requested that the Council suspend the rules to adopt said item.

Council Member Banks moved, seconded by **Vice President Lee**, to suspend the rules to make said item effective immediately. The motion prevailed by the following vote:

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

Thereafter, **President Lindsay** requested that the Clerk read the order:

AN ORDINANCE PROVIDING FOR A TEMPORARY MORATORIUM (TWELVE MONTHS) ON THE ESTABLISHMENT, CREATION, OR EXPANSION OF BARS AND NIGHTCLUBS OPERATING ON OR ADJACENT TO CAPITOL STREET IN THE CITY’S CENTRAL BUSINESS DISTRICT.

WHEREAS, there is a concern that the location of additional bars in a concentrated area on and around Capitol Street in the City’s Central Business District, as established by Section 707-A of the City of Jackson Zoning Ordinance, is both imminent and detrimental to public safety and to the development of this area consistent with the City’s comprehensive plan and zoning laws; and

WHEREAS, the purpose of the Central Business District (or “CBD”)—which is in the vicinity of City Hall, the State Capitol, and numerous civic, commercial and residential buildings, as further defined in Sections 202.28 and 707-A of the Zoning Ordinance—is to “preserve and perpetuate an intensive and cohesive downtown urban core characterized as the center for employment and as the focus of commercial, governmental, and cultural activities” and “to develop a strong sense of place by extending the duration of downtown's activities by improving the pedestrian environment and creating mutually supportive land uses such as cultural arts, education, entertainment, housing, business, other commerce and government[;]”and

WHEREAS, the public safety and proper development of the Capitol Street Corridor—which is the downtown area adjacent to Capitol Street that is bounded by Amite Street on the north, Pearl Street on the south, State Street on the east, and Mill Street on the west (referred to hereafter as the “Capitol Street Corridor”), is vitally important to the overall success of the CBD and the City as a whole; and

WHEREAS, the existing bars within the Capitol Street Corridor have attracted large crowds to the CBD, which have frequently spilled out of the bars, to public sidewalks and streets—creating dangerous traffic conditions and other concerns for downtown residents, guests of nearby hotels, and neighboring business and property owners; and

WHEREAS, in addition to the effects on the flow of traffic and public right-of-ways caused by the large crowds drawn to existing bars within the Capitol Street Corridor, the city has received reports of dangerous criminal conduct, including the sale of illegal drugs and discharge of firearms in a crowded area, which creates serious public safety concerns; and

WHEREAS, in one recent incident of dangerous criminal activity in the Capitol Street Corridor, which has received significant media attention that is detrimental to the CBD’s development, residents reported over 100 rounds fired by semi-automatic weapons in or around a bar operating on Capitol Street during a time in which crowds were congregating in the area, putting patrons, residents, employees, and other persons at serious risk of bodily injury or death; and

WHEREAS, the Jackson Police Department (“JPD”) has a significant shortage of officers, with approximately 150 unfilled officer positions, and has publicly encouraged business owners in downtown Jackson—including the CBD and Capitol Street Corridor—to hire private security officers to help combat crime, and protect people and property in the downtown area; and

WHEREAS, there are concerns that the concentration of an excessive number of bars and nightclubs in the Capitol Street Corridor could undermine the City’s existing zoning and development plans for the CBD by squeezing out other desirable business and civic property uses, discouraging residential development; and adversely impacting neighboring property uses and property values; and

WHEREAS, the City desires a reasonable period of time to study the impacts of bars on the Capitol Street Corridor and determine whether adoption or amendment of zoning laws and ordinances applicable to the CBD and Capitol Street Corridor—including whether bars should be limited or restricted as permitted uses—is appropriate to address those impacts; and

WHEREAS, this interim moratorium is intended to be of temporary duration so that the impact of bars on the Capitol Street Corridor can be further studied and analyzed, with as little impact on neighboring property owners and businesses as possible, and is necessary as a temporary measure to preserve and promote the health, safety, and general welfare to citizens, the property owners, businesses, and visitors to the CBD and Capitol Street Corridor; and

WHEREAS, it is anticipated that such study and review can reasonably be completed within a period of twelve months; and

WHEREAS, nothing in this temporary moratorium is meant to restrict or limit the operations of any permitted “bar” that is lawfully operating in the Capitol Street Corridor at the time of adoption of the moratorium; and

WHEREAS, the City has authority to adopt an ordinance, order, or resolution providing for a temporary moratorium on bars and nightclubs pursuant to Mississippi Code Sections 21-17-1 et seq. and 21-13-1 et seq., including the authority to adopt ordinances, orders, and resolutions for the immediate and temporary preservation of the public peace, health, and safety within the City; and

WHEREAS, the City finds that a temporary moratorium on the location, operation, permitting, or construction of bars within the Capitol Street Corridor is necessary to address a significant threat to public safety and to preserve the public peace, health, and safety within the CBD and downtown Jackson more generally.

THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN FOR THE CITY OF JACKSON ADOPT THE FOLLOWING ORDINANCE:

1. The City hereby adopts a temporary moratorium on the location, operation, permitting, or construction of bars within the Capitol Street Corridor—the downtown area adjacent to Capitol Street that is bounded by Amite Street on the north, Pearl Street on the south, State Street on the east, and Mill Street on the west;
2. This moratorium shall apply to any business that meets the definition of “bar” in Section 202.15 or “nightclub” in Section 202.106 of the Zoning Ordinance. For avoidance of doubt, those definitions are recited here. Section 202.15 defines “bar” as “[a] commercial establishment having as its principal use the serving of alcoholic beverages or liquor for consumption on the premises and providing entertainment for its patrons. Food may be served as an accessory use.” Section 202.106 defines “nightclub” as “[a] bar or similar establishment where a dance floor or live entertainment is provided.”
3. This temporary moratorium shall remain in place for a period of twelve months, unless this moratorium is terminated prior to the end of that period by order of the City Council.
4. Based on the facts and circumstances of each individual case, and subject to approval by the Mayor and City Council, relief from the prohibitions of this moratorium may be granted to avoid undue hardship or for other good cause shown.

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

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

President Lindsay recognized **Council Member Banks** who moved, seconded by **Vice President Lee** to amend said ordinance in the BE IT THEREFORE ORDERED #1, changing “the location, operation, permitting, or construction of” to “the acceptance of applications for building permits, certificates of occupancies, or privilege licenses for ” and in BE IT THEREFORE ORDERED #4, adding “ Repairs and maintenance of existing buildings and structures, consistent with their present primary use and the zoning ordinances of the City of Jackson shall be exempt. The sale or transfer of legal existing businesses for the same continuous use shall be exempt”, and adding to the end “BE IT FURTHER ORDAINED THAT in order to preserve the public peace, health, and safety of the citizens of the City of Jackson and for the reason set forth herein, this ordinance shall be effective immediately from and after its passage”. The motion prevailed by the following votes:

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

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

AN ORDINANCE PROVIDING FOR A TEMPORARY MORATORIUM (TWELVE MONTHS) ON THE ESTABLISHMENT, CREATION, OR EXPANSION OF BARS AND NIGHTCLUBS OPERATING ON OR ADJACENT TO CAPITOL STREET IN THE CITY'S CENTRAL BUSINESS DISTRICT.

WHEREAS, there is a concern that the location of additional bars in a concentrated area on and around Capitol Street in the City's Central Business District, as established by Section 707-A of the City of Jackson Zoning Ordinance, is both imminent and detrimental to public safety and to the development of this area consistent with the City's comprehensive plan and zoning laws; and

WHEREAS, the purpose of the Central Business District (or "CBD")—which is in the vicinity of City Hall, the State Capitol, and numerous civic, commercial and residential buildings, as further defined in Sections 202.28 and 707-A of the Zoning Ordinance—is to "preserve and perpetuate an intensive and cohesive downtown urban core characterized as the center for employment and as the focus of commercial, governmental, and cultural activities" and "to develop a strong sense of place by extending the duration of downtown's activities by improving the pedestrian environment and creating mutually supportive land uses such as cultural arts, education, entertainment, housing, business, other commerce and government[;]" and

WHEREAS, the public safety and proper development of the Capitol Street Corridor—which is the downtown area adjacent to Capitol Street that is bounded by Amite Street on the north, Pearl Street on the south, State Street on the east, and Mill Street on the west (referred to hereafter as the "Capitol Street Corridor"), is vitally important to the overall success of the CBD and the City as a whole; and

WHEREAS, the existing bars within the Capitol Street Corridor have attracted large crowds to the CBD, which have frequently spilled out of the bars, to public sidewalks and streets—creating dangerous traffic conditions and other concerns for downtown residents, guests of nearby hotels, and neighboring business and property owners; and

WHEREAS, in addition to the effects on the flow of traffic and public right-of-ways caused by the large crowds drawn to existing bars within the Capitol Street Corridor, the city has received reports of dangerous criminal conduct, including the sale of illegal drugs and discharge of firearms in a crowded area, which creates serious public safety concerns; and

WHEREAS, in one recent incident of dangerous criminal activity in the Capitol Street Corridor, which has received significant media attention that is detrimental to the CBD's development, residents reported over 100 rounds fired by semi-automatic weapons in or around a bar operating on Capitol Street during a time in which crowds were congregating in the area, putting patrons, residents, employees, and other persons at serious risk of bodily injury or death; and

WHEREAS, the Jackson Police Department ("JPD") has a significant shortage of officers, with approximately 150 unfilled officer positions, and has publicly encouraged business owners in downtown Jackson—including the CBD and Capitol Street Corridor—to hire private security officers to help combat crime, and protect people and property in the downtown area; and

WHEREAS, there are concerns that the concentration of an excessive number of bars and nightclubs in the Capitol Street Corridor could undermine the City's existing zoning and development plans for the CBD by squeezing out other desirable business and civic property uses, discouraging residential development; and adversely impacting neighboring property uses and property values; and

WHEREAS, the City desires a reasonable period of time to study the impacts of bars on the Capitol Street Corridor and determine whether adoption or amendment of zoning laws and ordinances applicable to the CBD and Capitol Street Corridor—including whether bars should be limited or restricted as permitted uses—is appropriate to address those impacts; and

WHEREAS, this interim moratorium is intended to be of temporary duration so that the impact of bars on the Capitol Street Corridor can be further studied and analyzed, with as little impact on neighboring property owners and businesses as possible, and is necessary as a temporary

measure to preserve and promote the health, safety, and general welfare to citizens, the property owners, businesses, and visitors to the CBD and Capitol Street Corridor; and

WHEREAS, it is anticipated that such study and review can reasonably be completed within a period of twelve months; and

WHEREAS, nothing in this temporary moratorium is meant to restrict or limit the operations of any permitted “bar” that is lawfully operating in the Capitol Street Corridor at the time of adoption of the moratorium; and

WHEREAS, the City has authority to adopt an ordinance, order, or resolution providing for a temporary moratorium on bars and nightclubs pursuant to Mississippi Code Sections 21-17-1 et seq. and 21-13-1 et seq., including the authority to adopt ordinances, orders, and resolutions for the immediate and temporary preservation of the public peace, health, and safety within the City; and

WHEREAS, the City finds that a temporary moratorium on the location, operation, permitting, or construction of bars within the Capitol Street Corridor is necessary to address a significant threat to public safety and to preserve the public peace, health, and safety within the CBD and downtown Jackson more generally.

THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN FOR THE CITY OF JACKSON ADOPT THE FOLLOWING ORDINANCE:

1. The City hereby adopts a temporary moratorium on the acceptance of applications for building permits, certificates of occupancies, or privilege licenses for bars within the Capitol Street Corridor—the downtown area adjacent to Capitol Street that is bounded by Amite Street on the north, Pearl Street on the south, State Street on the east, and Mill Street on the west;
2. This moratorium shall apply to any business that meets the definition of “bar” in Section 202.15 or “nightclub” in Section 202.106 of the Zoning Ordinance. For avoidance of doubt, those definitions are recited here. Section 202.15 defines “bar” as “[a] commercial establishment having as its principal use the serving of alcoholic beverages or liquor for consumption on the premises and providing entertainment for its patrons. Food may be served as an accessory use.” Section 202.106 defines “nightclub” as “[a] bar or similar establishment where a dance floor or live entertainment is provided.”
3. This temporary moratorium shall remain in place for a period of twelve months, unless this moratorium is terminated prior to the end of that period by order of the City Council.
4. Based on the facts and circumstances of each individual case, and subject to approval by the Mayor and City Council, relief from the prohibitions of this moratorium may be granted to avoid undue hardship or for other good cause shown. Repairs and maintenance of existing buildings and structures, consistent with their present primary use and the zoning ordinances of the City of Jackson shall be exempt. The sale or transfer of legal existing businesses for the same continuous use shall be exempt.

BE IT FURTHER ORDAINED THAT in order to preserve the public peace, health, and safety of the citizens of the City of Jackson and for the reason set forth herein, this ordinance shall be effective immediately from and after its passage.

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

Nays – None.

Absent – Stokes.

Note: Council Member Stokes returned to the meeting:

There came on for Introduction, Agenda Item No. 8:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI ORDERING THE JACKSON POLICE DEPARTMENT TO IMPOUND AND THE CITY OF JACKSON TO ACQUIRE TITLE TO ANY VEHICLES INVOLVED IN DRIVE-BY SHOOTINGS IN THE CITY OF JACKSON. President Lindsay stated that said item would be referred to the Public Safety Committee.

There came on for Introduction, Agenda Item No. 9:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORARY RENAMING I-55 FROM HIGH STREET TO NORTHSIDE DRIVE TO SUPERINTENDENT D.R. CURRY, SR. HIGHWAY. President Lindsay stated that said item would be referred to the Public Property and Renaming Committee.

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI ESTABLISHING A PUNISHMENT AND FINE FOR PARENTS, GUARDIANS OR CUSTODIANS OF MINORS UNDER 18 YEARS OF AGE WHO HAVE COMMITTED A CRIME WITH A HANDGUN AND/OR FOUND TO HAVE POSSESSION OF A HANDGUN.

WHEREAS, the City Council of Jackson, Mississippi is committed to reducing violent crimes where handguns, firearms and/or illegal firearms are used; and

WHEREAS, the City Council of Jackson, Mississippi is dedicated to increasing accountability of parents, guardians and custodians with authority over minors convicted of committing a crime with a firearm, handgun or illegal firearm; and

WHEREAS, the word handgun means a pistol, revolver or other firearm of any description, loaded or unloaded, from which any shot, bullet or other missile can be discharged, the length of the barrel of which, not including any revolving, detachable or magazine breech, is less than 16 inches; and

WHEREAS, this ordinance exempts the possession of handguns by minors in accordance with the statutory exemptions listed below in MS State Law Section 97-37-14,

- (1) Except as otherwise provided in this section, it is an act of delinquency for any person who has not attained the age of eighteen (18) years knowingly to have any handgun in such person's possession.
- (2) This section shall not apply to:
 - (a) Any person who is:
 - i) In attendance at a hunter's safety course or a firearms safety course; or
 - (ii) Engaging in practice in the use of a firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located or any other area where the discharge of a firearm is not prohibited; or
 - (iii) Engaging in an organized competition involving the use of a firearm, or participating in or practicing for a performance by an organized group under 501(c)(3) as determined by the federal internal revenue service which uses firearms as a part of such performance; or
 - (iv) Hunting or trapping pursuant to a valid license issued to such person by the Department of Wildlife, Fisheries and Parks or as otherwise allowed by law; or

(v) Traveling with any handgun in such person's possession being unloaded to or from any activity described in subparagraph (i), (ii), (iii) or (iv) of this paragraph (a) and paragraph (b).

(b) Any person under the age of eighteen (18) years who is on real property under the control of an adult and who has the permission of such adult to possess a handgun.

(3) This section shall not apply to any person who uses a handgun or other firearm to lawfully defend himself from imminent danger at his home or place of domicile and any such person shall not be held criminally liable for such use of a handgun or other firearm.

(4) For the purposes of this section, "handgun" means a pistol, revolver or other firearm of any description, loaded or unloaded, from which any shot, bullet or other missile can be discharged, the length of the barrel of which, not including any revolving, detachable or magazine breech, is less than sixteen (16) inches.; and

FURTHERMORE, the punishment and/or fine shall not exceed the allocated punishment provided in MS State Law Section 97-37-17, Weapons Possession on Educational Property.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF JACKSON, MISSISSIPPI that an ordinance to codify a punishment and/or fine for parents, guardians or custodians of minors who are less than 18 years of age:

Section 86-92:

(a) Any parent, guardian or custodian who has knowingly caused, encouraged or aided a minor who is less than 18 years old to possess or carry any handgun, firearm or illegal weapon shall be guilty of a misdemeanor punishable by either a fine up to the sum of One Thousand Dollars (\$1,000) or sentenced to serve up to six (6) months in jail, or both.

THEREFORE, BE IT ALSO ORDAINED THAT THE CITY COUNCIL OF JACKSON, MISSISSIPPI thereby also impose liability on adults who improperly store their firearms, thereby allowing children to access them.

[1] Except as provided in Section 97-37-14, a person commits the infraction of "class-one improper storage of a firearm" if all of the following conditions are satisfied:

- a. the person keeps any firearm within any premises that are under the person's custody or control;
- b. the person knows or reasonably should know that a child is likely to gain access to any such firearm without the permission of the child's parent or legal guardian, or in a manner not otherwise permissible under Section 97-37-14; and
- c. the child obtains access to the firearm and thereby causes death or great bodily injury to the child or to any other person.

[2] Except as provided in Section [3], a person commits the infraction of "class-two improper storage of a firearm" if all of the following conditions are satisfied:

- a. the person keeps any firearm within any premises that are under the person's custody or control;
- b. the person knows or reasonably should know that a child is likely to gain access to any such firearm without the permission of the child's parent or legal guardian, or in a manner not otherwise permissible under Section 97-37-14; and
- c. the child obtains access to the firearm and thereby causes injury other than death or great bodily injury to the child or any other person, or carries the firearm to a public place.

[3] Sections [1] and [2] shall not apply whenever any of the following occurs:

- a. the child obtains the firearm as a result of an illegal entry to the premises by any person;
- b. the firearm is kept in a locked container or in a location that a reasonable person would believe to be secure;
- c. the firearm is carried on the person or within close enough proximity thereto that the individual can readily retrieve and use the firearm as if carried on the person;

- d. the firearm is locked with a locking device, as defined in Section [6], which has rendered the firearm inoperable;
- e. the person is a peace officer or a member of the armed forces or the national guard, and the child obtains the firearm during, or incidental to, the performance of the person's duties;
- f. the child obtains, or obtains and discharges, the firearm in a lawful act of self-defense or defense of another person;
- g. the person who keeps a loaded firearm on any premise that is under the person's custody or control has no reasonable expectation, based on objective facts and circumstances, that a child is likely to be present on the premises; or
- h. liability would be inconsistent with any provision of state or federal law.

[4] Class-one improper storage of a firearm is punishable by a fine of not more than one thousand dollars (\$1,000) or imprisonment of up to six (6) months in jail, or both.

[5] Class-two improper storage of a firearm is punishable by a fine of not more than five hundred dollars (\$500) or imprisonment of up to six (6) months in jail, or both.

[6] A "locking device" means a device designed to prevent a firearm from functioning and that, when applied to the firearm, renders the firearm inoperable.

IT IS THEREBY ORDERED that this ordinance shall be effective and enforceable thirty (30) days after adoption and publication.

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

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

Nays – None.

Absent – None.

ORDINANCE AMENDING SECTION 106-37 OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSISSIPPI PROVIDING THE USER CHARGE FOR RESIDENTIAL SANITATION SERVICES.

WHEREAS, the last rate increase in the user charge for residential sanitation services occurred in 2008; and

WHEREAS, an increase in the user charge is necessary because the current charge is insufficient to pay the cost of the City's emergency agreement for residential solid waste collection, to pay the anticipated cost of the new agreement for residential solid waste collection that is anticipated to begin on April 1, 2022, to pay the current agreement for the disposal of the collected solid waste, and to pay the operating costs of the Solid Waste Division of the Department of Public Works; and

WHEREAS, without an increase in the user charge, the City will be required to use the General Fund budget and reserves to balance the budget of the Solid Waste Enterprise Fund, which could adversely affect the level and quality of services funded by General Fund appropriations, such as the Police and Fire Departments; and

WHEREAS, at its October 2, 2006 Special Meeting, the City Council increased the residential units user fee from \$15.39 to \$20.00 per month for solid waste collection and disposal services with automatic increases effective October 1, 2007 and October 1, 2008; and

WHEREAS, pursuant to Section 21-13-11 of the Mississippi Code of 1972, as amended, this ordinance should take effect immediately upon passage because the current user charge is insufficient during this fiscal year to pay the cost of the City's emergency agreement for residential solid waste collection, to pay the anticipated cost of the new agreement for residential solid waste collection that is anticipated to begin on April 1, 2022, to pay the current agreement for the disposal of the collected solid waste, and to pay the operating costs of the Solid Waste Division of the Department of Public Works; and

WHEREAS, Section 106-37 (a) should be amended as follows:

(a) Effective November 1, 2006, there shall be imposed on all occupied single-family residential units a user fee of \$20.00 \$37.00 per month for solid waste collection disposal services, and operations of the Solid Waste Division of the Department of Public Works, which may be provided under the auspices of the city.

(b) Effective October 1, 2007, there shall be imposed on all occupied single family residential units a user fee of \$20.40 per month for solid waste collection and disposal services, which may be provided under the auspices of the city.

(c) Effective October 1, 2008, there shall be imposed on all occupied single family residential units a user fee of \$20.80 per month for solid waste collection and disposal services, which may be provided under the auspices of the city.

THEREFORE, BE IT ORDAINED as follows:

SECTION 1. Section 106-37 (a) should be amended as follows:

(a) There is hereby imposed on all persons who occupy residential units a user fee of \$37.00 per month for solid waste collection and disposal service, and operations of the Solid Waste Division of the Department of Public Works.

SECTION 2. Pursuant to Section 21-13-11 of the Mississippi Code of 1972 as amended, this ordinance shall take effect immediately upon passage by a unanimous vote of all members of the City Council because the current user charge is insufficient during the current fiscal year to pay the cost of the City’s emergency agreement for residential solid waste collection, to pay the anticipated of cost of a new agreement residential solid waste collection, and to pay the operating costs of the Solid Waste Division of the Department of Public Works.

SECTION 3. The Municipal Clerk shall cause this ordinance to be publish.

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

Yeas –Foote, Grizzell, Lee and Lindsay.

Nays – Banks, Hartley and Stokes.

Absent – None.

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI PROVIDING FOR THE ELECTION OF COUNCIL PRESIDENT AND VICE PRESIDENT.

WHEREAS, pursuant to Section 21-8-11 of the Mississippi Code of 1972, as amended, and Section 2-37 of the Jackson Code of Ordinances, the president and vice president of the Council serve at the will and pleasure of the City Council; and

WHEREAS, the City Council has determined that a new election should be held at this time.

IT IS, THEREFORE, ORDERED that the City Council by majority vote hereby elects _____ to serve as President of the City Council and _____ to serve as Vice President of the City Council.

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

President Lindsay opened the floor for nominations for Council President.

President Lindsay recognized **Council Member Stokes**, who nominated **Council Member Banks** for Council President.

President Lindsay recognized **Vice President Lee**, who nominated **Council Member Foote** for Council President.

Council Member Hartley moved; seconded by **Vice President Lee**, to close nominations for Council President. The motion prevailed by the following vote:

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

Thereafter, **President Lindsay** called for a vote to elect **Council Member Banks** as Council President. The vote was as follows:

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

Thereafter, **President Lindsay** called for a vote to elect **Council Member Foote** as Council President. The vote was as follows:

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

President Lindsay opened the floor for nominations for Council Vice President.

President Lindsay recognized **Council Member Hartley**, who nominated **Council Member Banks** for Council Vice President.

President Lindsay recognized **Council Member Grizzell**, who nominated **Vice President Lee** for Council Vice President.

Council Member Stokes moved; seconded by **Council Member Hartley**, to close nominations for Council Vice President. The motion prevailed by the following vote:

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

Thereafter, **President Lindsay** called for a vote to elect **Council Member Banks** as Council Vice President. The vote was as follows:

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

Thereafter, **President Lindsay** called for a vote to elect **Council Member Foote** as Council President. The vote was as follows:

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

Thereafter, **President Lindsay** requested that the Clerk read the Order as amended:

**ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI PROVIDING
FOR THE ELECTION OF COUNCIL PRESIDENT AND VICE PRESIDENT.**

WHEREAS, pursuant to Section 21-8-11 of the Mississippi Code of 1972, as amended, and Section 2-37 of the Jackson Code of Ordinances, the president and vice president of the Council serve at the will and pleasure of the City Council; and

WHEREAS, the City Council has determined that a new election should be held at this time.

IT IS, THEREFORE, ORDERED that the City Council by majority vote hereby elects **Council Member Foote** to serve as President of the City Council and **Council Member Lee** to serve as Vice President of the City Council.

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

President Foote now presides over the meeting.

President Foote stated that Council would recess for 5 minutes for a short break.

ORDER APPROVING CLAIMS NUMBER 27445 to 27519 APPEARING AT PAGES 204 TO 237 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$2,607,549.94 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 27445 to 27519 appearing at pages 204 to 237, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$2,607,549.94 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	813,507.31
SEIZURE & FORF PROP-STATE	10,000.00
TECHNOLOGY FUND	34,260.12
PARKS & RECR. FUND	135,294.42
BUSINESS IMPROV FUND (LANDSCP)	60,763.97
LANDFILL SANITATION FUND	31,281.46
STATE TORT CLAIMS FUND	16,710.80
WATER/SEWER OP & MAINT FUND	356,194.53
WATER/SEWER CAPITAL IMPR FUND	27,354.55
DISABILITY RELIEF FUND	87,900.56
EMPLOYEES GROUP INSURANCE FUND	129,907.69
EARLY CHILDHOOD (DAYCARE)	64.37
HOUSING COMM DEV ACT (CDBG) FD	9,912.95
HOME PROGRAM FUND	120.60
H O P W A GRANT – DEPT OF HUD	2,930.02
INFRASTRUCTURE BOND 2020 \$32M	25,275.00
1% INFRASTRUCTURE TAX	9,957.36

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JULY 5, 2022 10:00 A.M.**

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WATER/SEWER CAP IMP NOTE 7M	25,721.18
TRANSPORTATION FUND	12,041.04
FONDREN BUSINESS IMPROV FUND	11,825.16
RESURFACING – REPAIR & REPL.FD	25,963.68
P E G ACCESS – PROGRAMMING FUND	7,291.28
MHC BLIGHT ELIMINATION PROGRAM	7,820.00
MODERNIZATION TAX	5,644.92
ESG COVID CARES ACT	176,867.11
PARKS & RECS GRANTS	168.00
ZOOLOGICAL PARK	15,737.03
AMERICAN RESUCE PLAN ACT 2021	400,984.17
LIBRARY FUND	162,250.66
DFA-SB2971-PETE BROWN GOLF	3,800.00
TOTAL	<u>\$2,607,549.94</u>

Vice President Lee moved adoption; Council Member Grizzell seconded.

President Foote recognized Sharon Thames, Interim Director of Administration, who provided a brief overview of the claims docket at the request of President Foote.

President Foote recognized Carrie Johnson, Deputy City Attorney, who provided an overview of payment to Berkshire Hathaway.

President Foote recognized Vice President Lee who moved; seconded by Council Member Stokes to remove Berkshire Hathaway from the claims docket in the amount of \$120,187.99.

After thorough discussion, President Foote recognized Vice President Lee and Council Member Stokes who withdrew their motion and second.

President Foote recognized Council Member Hartley who moved; seconded by Vice President Lee to remove Berkshire Hathaway from the claims docket in the amount of \$120,187.99.

After thorough discussion, Vice President Lee and Council Member Grizzell withdrew their motion and second. President Foote stated said item would be discussed later in the meeting.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 27445 TO 27519 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 27445 to 27519 inclusive therein, in the Municipal “Docket of Claims”, in the aggregate amount of \$106,650.92 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	TO
	ACCOUNTS PAYABLE	PAYROLL

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JULY 5, 2022 10:00 A.M.**

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	FUND	FUND
GENERAL FUND		2,048,787.02
PARKS & RECR FUND		93,877.12
LANDFILL FUND		15,153.45
SENIOR AIDES		3,360.24
WATER/SEWER OPER & MAINT		223,767.18
PAYROLL	106,650.92	
EARLY CHILDHOOD		20,469.13
HOUSING COMM DEV		9,682.45
TITLE III AGING PROGRAMS		5,816.63
TRANSPORTATION FUND		15,245.20
PEG ACCESS-PROGRAMMING FUND		6,040.93
2020 SAKI GRAND DOJ		7,350.76
ZOOLOGICAL PARK		25,897.85
AMERICAN RESCUE PLAN ACT 2021		59,308.55
TOTAL		\$2,534,756.51

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

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

Nays – None.

Absent – None.

ORDER ADOPTING THE DEPARTMENT OF REVENUE’S UNIFORM ASSESSMENT SCHEDULE FOR THE ASSESSMENT, CALCULATING, AND COLLECTION OF AD VALOREM TAXES ON MOTOR VEHICLES FOR THE CITY OF JACKSON AND THE JACKSON MUNICIPAL SEPARATE SCHOOL DISTRICT FOR THE YEAR 2022-2023, AS CONSIDERED, EXAMINED, CORRECTED, AND EQUALIZED, SUBJECT TO THE RIGHT OF TAXPAYERS TO BE HEARD ON ALL OBJECTIONS MADE BY THEM IN WRITING AT A MEETING OF THE COUNCIL COMMENCING JULY 19, 2022, AND SUBJECT TO CHANGES AND CORRECTIONS BY THE COUNCIL AS AUTHORIZED BY LAW.

WHEREAS, Section 112 of the Mississippi Constitution of 1890 mandates that taxation shall be uniform and equal throughout the State and that all property not exempt from ad valorem taxation shall be taxed at its assessed value; and

WHEREAS, pursuant to “The Motor Vehicle Ad Valorem Tax Law of 1985,” Section 27-51-15, Mississippi Code, “[m]otor vehicles shall be assessed uniformly according to value, and such assessed value shall be determined by an assessment schedule which shall be prepared and made of minute record by the state tax commission and shall be certified to the mayor or the presiding officer of the municipal boards of the various municipalities, and municipal separate school districts of the state, in care of the clerk of said respective boards, as the official motor vehicle assessment schedule which shall be used by the proper officials of both respective jurisdictions in assessing motor vehicle ad valorem taxes for the ensuing fiscal year; and

WHEREAS pursuant to Section 27-51-21 of the Mississippi Code, the Council of the City of Jackson, Mississippi, shall examine and consider the motor vehicle assessment schedule and shall adopt an order on their respective minutes that such motor vehicle assessment schedule is ready and open for inspection and examination by any interested taxpayer and that within a period of fifteen (15) days the respective boards shall reconvene in regular or adjourned meeting to hear and take action on any complaint, filed in writing, objecting to and petitioning for a specified reduction on any portion or portions of the assessment schedule affecting the complainant directly. The respective boards shall continue in session from day to day until all such objections and petitions have been heard, and action has been taken thereon; and

WHEREAS, within a period of fifteen (15) days the Council of the City of Jackson, Mississippi shall reconvene in regular or adjourned meeting to hear and take action on any complaint, filed in writing, objecting to and petitioning for a specified reduction on any portion or portions of the assessment schedule affecting the complainant directly. The Council of the City of Jackson shall continue in session from day to day until all such objections and petitions have been heard and action has been taken thereon; and

WHEREAS, the Department of Administration recommends that the official motor vehicle assessment schedule be approved, subject to the right of property owners to protest and object.

IT IS, THEREFORE, ORDERED that the Motor Vehicle Ad Valorem Tax Assessment Schedule be and the same is hereby approved, subject to the rights of citizens and property owners to object and protest thereto, and that the Municipal Clerk be and she is hereby authorized and directed to give notice thereof by publication in the Mississippi Link, a newspaper of general circulation in the City of Jackson, Mississippi, one time on July 14, 2022, the publication of which shall be made no more than fifteen (15) days prior to the regular meeting of the Council to be held on July 19, 2022, notifying the public and taxpayers of the City of Jackson and of the Jackson Municipal Separate School District that the said motor vehicle ad valorem tax assessment schedule for the year 2022-2023, and the valuation therein set forth has been considered and approved by the Council, and is now ready for inspection and examination by the public, and that any objection to the valuation set forth and contained in said assessment schedule must be filed in writing with the Municipal Clerk at City Hall located at 219 S. President Street in Jackson, Mississippi, on or before 6:00 p.m. on July 19, 2022 at which time the Council will convene in regular session and commence hearing and considering objections, if any, to the said schedule and the valuation contained therein, and will continue hearing from day to day thereafter until all taxpayers and parties in interest who have filed written objections to any of the said valuations contained in said schedule have been heard and such objections have been disposed of in the manner approved by law.

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

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

Nays – None.

Absent – None.

ORDER CONFIRMING THE MAYOR’S APPOINTMENT OF VIRGINIA LYNN WATKINS, ESQ. AS MUNICIPAL COURT JUDGE FOR THE CITY OF JACKSON, MISSISSIPPI.

WHEREAS, the Mayor has appointed Virginia Lynn Watkins, as Municipal Court Judge for the City of Jackson to be effective June 21, 2022; and

WHEREAS, this appointment is made pursuant to Section 21-23-3, Mississippi Code of 1972, as amended, and is now before the City Council for confirmation; and

WHEREAS, the City Council has considered the appointment and a majority of the Council present and voting has determined that the appointment should be confirmed.

IT IS, THEREFORE, ORDERED by the City Council of Jackson, Mississippi, that Virginia Lynn Watkins is appointed as Municipal Court Judge for the City of Jackson, Mississippi.

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

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

Nays – Stokes.

Abstention – Banks.

Absent – None.

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF JACKSON, MISSISSIPPI TO SET AUGUST 9, 2022, AS THE ELECTION DATE TO AUTHORIZE THE LEFLEUR EAST BUSINESS IMPROVEMENT DISTRICT PURSUANT TO THE BUSINESS IMPROVEMENT DISTRICT ACT.

WHEREAS, the Mississippi Legislature authorized the creation of business improvement Districts which shall be established in accordance with the procedures described in Section 21-43-101 through 21-43-133 of the Mississippi Code of 1972, as Annotated; and

WHEREAS, in compliance with Section 21-43-111, a group of non-residentially zoned local property owners provided notice to the City of Jackson by delivering a petition signed by at least twenty percent (20%) of the property owners in the area to the City Clerk on April 13, 2022 proposing to establish a business improvement district, i.e. LeFleur East Business Improvement District; and

WHEREAS, section 21-43-113 mandates that, in order to establish a business improvement district, those property owners which make up the area of the proposed district, i.e. LeFleur East Business Improvement District, shall be notified of a meeting by United States mail no less than ten (10) days prior to the scheduled date of the meeting and notice shall be given in accordance with Section 21-43-113; and

WHEREAS, official notice of the meeting was duly given to the specific property owner who makes up the area of the proposed district, and a meeting was held to develop a district plan for the upcoming ten-year period on June 14, 2022; and

WHEREAS, pursuant to Section 21-43-117, the governing authority shall set an election date not more than sixty (60) days from the date of the June 14, 2022, public hearing. The ballot shall state the issue to be decided. Only property owners of record as of the date of the initial notice given as provided in Section 21-43-111 shall be eligible to participate in such elections; and

WHEREAS, notice of an election to create district shall be:

- (a) Mailed to each of the district property owners of record thirty (30) days prior to the election; and
- (b) Published at least twice in a newspaper of general circulation in the municipality, the first publication shall be not less than ten (10), nor more than thirty (30) days before the date for the election. The notice shall include a copy of the plan, a ballot for the election, and a notice about the time and date for the election; and

WHEREAS, not less than ten (10) nor more than thirty (30) days before the date set for the election, the governing authority of the municipality shall cause a copy of the plan and the ballot to be posted in the lobby of its city hall.

THEREFORE, BE IT RESOLVED that the date for the election on the acceptance or rejection of the district plan establishing the LeFleur East Business Improvement District is set for August 9, 2022, and that 5:00 o'clock p.m. on said date is the deadline for delivery of ballots to the Department of Municipal Clerk.

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby directed to prepare and mail all ballots, give all notices, make all publications, make all postings, receive and tabulated the ballots and to do all things provided herein and under the applicable laws of the State of Mississippi to conduct the election on the question of the establishment of the LeFleur East Business Improvement District, and that said Business Improvement District, shall reimburse the City for the expense of the special election.

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

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

Nays – None.

Abstention – Stokes and Hartley.

Absent – None.

ORDER RATIFYING FOUR RENTAL CONTRACTS FOR VARIOUS PERFORMANCES AND EVENTS AT THALIA MARA HALL.

WHEREAS, the Department of Human and Cultural Services is committed to bringing and attracting a diverse offering of live entertainment to visitors and residents of Jackson at Thalia Mara Hall; and

WHEREAS, on July 23, 2019, the Jackson City Council has authorized the Mayor to execute contracts between Thalia Mara Hall and concert promoters in advance of the council's approval, given that all contracts are to be retroactively approved by the City Council; and

WHEREAS, on behalf of the City of Jackson, the Mayor has executed four rental contracts for various events and promoters at Thalia Mara Hall, as follows;

<u>Event</u>	<u>Promoters ("Lessee(s)")</u>	<u>Event Date</u>
Patti LaBelle	Ardenland	June 10, 2022
Baptist State Convention	GMBSC	July 17, 2022
Steve-O	Outback Presents, LLC	July 31, 2022
Bonnie Raitt	Ardenland	November 8, 2022

WHEREAS, the City of Jackson hereby agrees to rent Thalia Mara Hall at the base rent of \$1,250.00 for the use of lease space or 10% of the net-adjusted gross box office receipts less \$3.00 facility fee and any applicable sales tax, with a cap of \$3,000 whichever is greater for the November 8, 2022, Bonnie Raitt event. Lessee agrees to pay \$500.00 with the return of the signed agreement as a deposit, and further agrees to pay \$750.00 no later than October 25, 2022, and a balance of 10% of net ticket sales and a restoration fee of \$3.00 per ticket is due at intermission; and

WHEREAS, the City of Jackson hereby agrees to rent Thalia Mara Hall at the base rent of \$1,200.00 for the use of lease space or 10% of the net-adjusted gross box office receipts less \$3.00 facility fee and any applicable sales tax, with a cap of \$3,000 whichever is greater for the July 31, 2022, Steve-O event. Lessee agrees to pay \$500.00 with the return of the signed agreement as a deposit, and further agrees to pay \$700.00 no later than July 15, 2022, and a balance of 10% of net ticket sales and a restoration fee of \$3.00 per ticket is due at intermission; and

WHEREAS, the City of Jackson hereby agrees to rent Thalia Mara Hall at the base rent of \$1,250.00 for the use of lease space or 10% of the net-adjusted gross box office receipts less \$3.00 facility fee and any applicable sales tax, with a cap of \$3,000 whichever is greater for the June 10, 2022, Patti LaBelle event. Lessee agrees to pay \$500.00 with the return of the signed agreement as a deposit, and further agrees to pay \$750.00 no later than May 27, 2022, and a balance of 10% of net ticket sales and a restoration fee of \$3.00 per ticket is due at intermission; and

WHEREAS, the City of Jackson hereby agrees to rent Thalia Mara Hall at the base rent of \$700.00 for the use of lease space or 0% of the net-adjusted gross box office receipts less \$3.00 facility fee and any applicable sales tax, with a cap of \$3,000 whichever is greater for the July 17, 2022, Inauguration of Reginald M. Buckley, the 16th President of the General Missionary Baptist State Convention of Mississippi event. Lessee agrees to pay 15% fee of all merchandise sales from the event. Lessee hereby agrees to pay a restoration fee of \$3.00 per ticket, excluding comp tickets. Lessee agrees to pay \$150.00 with the return of the signed agreement as deposit, and further agrees to pay \$550.00 no later than July 8, 2022, and a balance of 10% of net ticket sales and restoration fee of \$3.00 per ticket is due at intermission; and

WHEREAS, the attached contracts have been executed by the Mayor and contain the following standard clauses and terms and conditions:

- a) Lessee hereby covenants and agrees to pay for all personnel, services, equipment, and materials required presentation of these events. Lessee is required to use the services of IATSE union, booked through the venue Stage Manager.
- b) Lessee, over the signature solely of such authorized officer as executes this lease on behalf of Lessee, may issue additional requests of the Lessor subject, however, to the discretion and approval of Lessor, the compliance with or performance of, such request to be at the sole expense of Lessee.
- c) Lessee represents and warrants that it has inspected the leased premises and equipment to the extent Lessee deems necessary and that the same are in proper condition and adequate for the uses contemplated by Lessee; and
- d) Lessee understands and agrees that during the term of this lease. Lessor may use or permit to use or cause to be used for other Lessees any portion of the premises not leased to Lessee. Lessee agrees that it, nor its agents, employees or contractors, shall interfere in any way with the ordinary use by others of any portion of the premises not covered by the rental contract.
- e) The premises, including the keys hereto, shall at all times be under the sole and exclusive charge and control of Lessor.
- f) Lessor agrees to furnish, at its own expense, general lighting from its permanent fixtures and water for normal usage as now installed in the facility, accidents and unavoidable delays excepted.
- g) Lessee shall indemnify and hold the City of Jackson harmless for all loss, cost, and expense arising out of any liability or claim of liability, for injury or damage to persons or property sustained or claimed to have been sustained by reason of the use or occupancy of the facilities and premises described, whether such use is authorized or not, by any act or omission of Lessees or any of its officers, agents, employees, guests, patrons, or invitees, and also, Lessees shall pay for any and all damage to the property of the City of Jackson, or loss or theft of such property, done or caused by such persons.
- h) As a condition precedent of leasing Thalia Mara Hall and premises and to the Lessee's taking possession of said premises and facilities, Lessees shall obtain at its own expense a Comprehensive General Liability Insurance Policy, including contractual liability, products, and completed operations liability, and automobile liability, if applicable, for the entire term of the rental contract with the City of Jackson and Thalia Mara Hall named as additional insureds as said policy. Said policy shall provide limits of liability coverage in the minimum amount of \$1,000,000 for bodily and personal injury, and property damage.
- i) Lessee must provide to the Lessor at least ten (10) days prior to the date of the scheduled use of said facilities a certificate of insurance showing that said policy has been obtained and that the City of Jackson and Thalia Mara Hall is named as additional insured.
- j) Lessee shall not do nor permit to be done anything in or upon the premises or bring on keep therein or thereon, which in any way increase the conditions of any insurance policy upon the facilities or any part thereof, or in any way increase the rate of fire or public liability insurance upon the facilities or upon property kept therein or in any way conflict with ordinances of the City of Jackson or in any way obstruct or interfere with rights of other tenant's under City of Jackson's control of which would cause injury or annoy such other tenants in any manner.
- k) Lessee agrees that in the event of a disaster or emergency signal, or imminence of a disaster or emergency of any kind or nature whatsoever, City of Jackson shall have the right as it may determine in its sole discretion, to suspend or terminate any performance in

progress, to alter the lighting of the premises, to vacate the premises or take such other action for such duration as City of Jackson, in its discretion may deem necessary or appropriate in accordance with federal, state, and municipal emergency laws.

l) The City of Jackson shall be excused from performance of any or all of its obligations hereinunder in the extent, and for the time such performance is rendered impossible or impractical due to acts of God, labor unrest, war, riot, civil disturbances, or any other cause beyond the reasonable control of the City of Jackson.

m) The City of Jackson reserves the right to operate the box office at the Thalia Mara Hall on behalf of Lessee for which service Lessee shall pay the cost of ticketing services provided by box office management, which is Ticketland.

n) Should Lessee desire to cancel the rental contract, all deposit monies shall become the sole property of the Lessor. Lessee hereby agrees to reimburse Lessor for any and all expense incurred by Lessor on behalf of Lessee for such cancellation.

o) Lessee agrees that if said premises or any portion of said premise, during the term of this lease, shall be damaged by act, default, or negligence of Lessee's agents, employees, patrons, guests, or any person admitted to said premises by said Lessee, Lessee shall pay to Lessor upon demand such sum as shall be necessary to restore said premises to its present condition. Lessee hereby assumes full responsibility for the character, acts, and conduct of all persons admitted to said premises or to any portion of said building by the consent of said Lessee or by or with the consent of any person acting for or in behalf of said Lessee.

p) Lessee shall not enter into any agreements for the granting of radio or television rights or both in connection with the staging of any game, performance, or event hereinunder with the prior written consent of Lessor.

q) Lessee agrees to pay all costs and expenses, including reasonable attorneys' fees, incurred by Lessor in collecting or attempting to collect any rental or service charge that becomes past due or in enforcing or attempting to enforce any of the terms and conditions of this rental contract.

r) Lessor assumes no responsibility whatsoever for any property placed in the premises, and Lessee hereby releases and discharges Lessor from any and all liability for any loss, injury, or damage to person or property including, death, that may be sustained by reason of occupancy of said premises under this rental contract, including but not limited to such loss, injury, damage or death by reason of plumbing, gas, water, steam, sewage, heating, air-condition, electrical equipment or other related facilities of the malfunction or lack of function thereof or otherwise. Lessee assumes all risks of damage to and loss by theft or otherwise fixtures, appliances, or other property of Lessee's exhibitors, contestants, performers, or those contracting with Lessee, as well as agents, employees, patrons, guests, or any person admitted to the premises thereof, and Lessor is expressly released and discharged from any and all liability for such loss. In the receipt, handling, care or custody of the property of any kind shipped or otherwise delivered to the premises of Lessor, either prior to, during or subsequent to the use of said premises by Lessee, Lessor and its officers, agents, and employees are acting solely for the accommodation of Lessee and shall not be liable for any loss, damage, or injury to or destruction of such property.

IT IS HEREBY ORDERED that the attached contracts are retroactively approved by the Jackson City Council and all contract, including all their terms and conditions, are hereby stated in express terms and recorded on the official minutes and the action of the Jackson City Council.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ALLEGIANCE CONSULTING, LLC TO SERVE AS GRANTS COORDINATOR FOR THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, COMMUNITY DEVELOPMENT BLOCK GRANT – CORONAVIRUS (CDBG-CV).

WHEREAS, the United States Department of Housing and Urban Development (HUD) awarded Community Development Block Grant – Coronavirus (CDBG-CV) funds to the City of Jackson to prevent, prepare, and respond to the COVID-19 Pandemic; and

WHEREAS, the Office of Housing and Community Development awarded the Office of Economic CDBG-CV funds to assist businesses to prevent, prepare, and respond to the COVID-19 Pandemic; and

WHEREAS, the CDBG-CV project is funded in the total amount of \$1,101,225, from the funding account 42610-6742, for the term of the grant, which is August 20, 2020 – July 20, 2023, and covers consultant fees for services rendered; and the Office of Housing and Community Development is performing the Special Economic Development Activity directly and set aside funds in the amount of \$880,980.00 to complete the activity; and

WHEREAS, Latorsha Humphris, doing business as “Allegiance Consulting, LLC” will, as a consultant under the CDBG-CV project, coordinate all grant processes to ensure compliance with the regulatory guidelines; monitor proposals and application requirements (e.g., deadlines, eligibility, etc.); monitor and coordinate the administration of post-award grants; manage administrative problems or budget changes occurring during the awarded granting period; maintain knowledge of grant funding policies, regulations, and procedures; advise on implementing changes and the impact of changes on funded operations; conduct phone and internet research to assist with business and economic development interests and priorities; provide support to applicants throughout the grant process, including sending award/decline letters; reviewing receipts, documents, reports, etc.; track compliance, data entry, and reporting for awarded grants in an electronic management system and provide monthly progress reports; assemble materials, present concepts, status, and information to the Review Committee to gain the required administrative approvals; maintains specialized databases and systems for recording and tracking grant proposals, awards, and related statistical information; create and distribute standard and special reports, studies, summaries, and analyses; assist management in developing efficient processes to promote CDBG grants; plan and organize periodic networking events; update businesses on relevant updates and announcements; and respond to inquiries and concerns; and

WHEREAS, the City of Jackson will compensate Ms. Humphris for her services as consultant in an amount not to exceed \$2,946.67 a month for 12 months, totaling an amount not to exceed \$35,360.00 over the term of the CDBG-CV grant project – July 11, 2022 – July 10, 2023.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to enter into an agreement with Allegiance Consulting, LLC for consultant services provided on the United States Department of Housing and Urban Development-funded project, Community Development Block Grant – Coronavirus (CDBG-CV).

IT IS FURTHER ORDERED that Allegiance Consulting, LLC will be compensated in an amount not to exceed \$35,360.00 over 12 months from July 11, 2022 – July 10, 2023, upon submission of invoices monthly to the City of Jackson for payment.

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

President Banks recognized **Jordan Hillman**, Director of Planning and Development, who provided a brief overview on said item.

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

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

Absent – None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN EVENT LICENSE AGREEMENT WITH ALAMO THEATER TO HOST THE BOSS FILM AND PANEL JULY 31, 2022.

WHEREAS, the City applied and received grant funding from the Department of Planning & Development to host the BOSS Film and Panel; and

WHEREAS, Mississippi Code Annotated Sections 17-3-1 and 17-3-3, 1972 as amended, authorize municipalities to expend funds, not to exceed the proceeds of one mil of the municipality's valuation and assessment, to advertise and bring into favorable notice the opportunities, possibilities and resources of the municipality; and

WHEREAS, the event will serve to highlight the City's current Jackson-based businesses, its medical corridor and healthcare organizations, its institutions of higher education, and its strong cultural presence by providing a platform for each to present their purpose in the City and their achievements; and

WHEREAS, the City of Jackson hosts BOSS, a Film Screening and Panel Discussion at the Alamo on July 31, 2022, purposed for outreach to the City of Jackson's business community and to showcase opportunities within the City of Jackson; and

WHEREAS, the Alamo Theater will provide four (4) hours of theater usage (weekend rate); a movie screen/projector and accessories; a technician, sound/light (4 hours); two (2) security officers (4 hours) at a cost of \$1,860.00 on July 31, 2022; and

WHEREAS, the total cost to the City of Jackson for all services rendered will not exceed \$1,860.00; and

WHEREAS, it is the recommendation that the City of Jackson enters into an event license agreement with Alamo Theater (P.O. Box 3259, Jackson, MS 39202) to host BOSS Film and Panel on July 31, 2022, providing four (4) hours of theater usage (weekend rate); a movie screen/projector and accessories; a technician, sound/light (4 hours); two (2) security officers (4 hours), not to exceed One Thousand Eight Hundred Sixty Dollars and Zero Cents (\$1,860.00).

IT IS HERBY ORDERED that the Mayor be authorized to enter into an event license agreement with Alamo Theater (P.O. Box 3259, Jackson, MS 39202) to host BOSS Film and Panel on July 31, 2022, providing four (4) hours of theater usage (weekend rate); a movie screen Projector and accessories; a technician, sound/light (4 hours); two (2) security officers (4 hours), not to exceed One Thousand Eight Hundred Sixty Dollars and Zero Cents (\$1,860.00).

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

President Banks recognized **Jordan Hillman**, Director of Planning and Development, who provided a brief overview on said item.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH SAFE AND SOUND SURVEILLANCE, INC FOR SURVEILLANCE, MONITORING, AND SECURITY EQUIPMENT MAINTENANCE FOR JTRAN ADMINISTRATIVE AND MAINTENANCE FACILITY (JAMF) AND JTRAN CUSTOMER SERVICE AREA AT UNION STATION.

WHEREAS, the surveillance, monitoring, and security equipment maintenance is reasonably required for efficient operation of the transit system under local and federal policies which provides quality and efficient service delivery as supported by the City; and

WHEREAS by order entered on February 13, 2018, found at Minute Book 6-M, pages 347-348, the governing authorities authorized the Mayor to execute an Agreement with Safe and Sound Surveillance, Inc. to provide surveillance, monitoring, and security equipment maintenance for the City's public transportation system (JTRAN); and

WHEREAS, on April 27, 2021, Minute Book pages 61-62, the governing authorities authorized the Mayor to execute Extension#1 with Safe and Sound Surveillance, Inc. to provide surveillance, monitoring, and security maintenance for the City's public transportation system (JTRAN); and

WHEREAS, on January 18, 2022, Minute Book page 356, the governing authorities authorized the Mayor to execute Extension#2 with Safe and Sound Surveillance, Inc. to provide surveillance, monitoring, and security maintenance for the City's public transportation system (JTRAN); and

WHEREAS, Safe and Sound Surveillance, Inc. provided said services from January 1, 2022 expiring on June 30, 2022 in accordance with the governing authorities' authorization; and

WHEREAS, the Department of Planning, through its Transit Division, has determined that extending the agreement with Safe and Sound Surveillance, Inc. to provide the services through December 31, 2022, will serve the best interest and welfare of the citizens of the City of Jackson and will allow the staff sufficient time to procure competitively pricing of similar services.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an Agreement with Safe and Sound Surveillance, Inc. to provide surveillance, monitoring, and security equipment maintenance for the City's transportation system for a period not to exceed six (6) months beginning July 1, 2022 and expiring on December 31, 2022 at a rate of one thousand three hundred and sixty dollars (\$1,360.00) monthly.

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

President Banks recognized **Jordan Hillman**, Director of Planning and Development, who provided a brief overview on said item.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT AND RELATED DOCUMENTS TO THE AGREEMENT WITH MICHAEL BAKER INTERNATIONAL TO EXTEND THE TIME NEEDED TO COMPLETE THE BUS STOP IMPROVEMENT PROGRAM OF THE JACKSON PUBLIC TRANSPORTATION SYSTEM (JTRAN).

WHEREAS, the City of Jackson, Mississippi ("City"), determined that it was in the City's best interest to seek a professional company for site design, engineering, and project management services for bus shelters, bus stop signs and associated improvements; and

WHEREAS, on June 11, 2019, Minute Book 6P, pages 265-266, the governing authorities authorized the Mayor to execute an agreement with Michael Baker International to provide site design, engineering, and project management for the bus stop improvement program at a total cost not to exceed \$88,309.92; and

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WHEREAS, on August 4, 2020, Minute Book 6R, pages 379-380, the governing authorities authorized the Mayor to execute Extension#1 with Michael Baker International to provide site design, engineering, and project management for the bus stop improvement program at a total cost not to exceed \$68,394.32; and

WHEREAS, on August 17, 2021, Minute Book 6T, pages 425-426, the governing authorities authorized the Mayor to execute Extension#2 with Michael Baker International to provide site design, engineering, and project management for the bus stop improvement program at a total cost not to exceed \$44,180.24; and

WHEREAS, due to delays in acquiring the bus stop improvement construction contract and material supply and delivery delays, Michael Baker International experienced a delay in providing project management and final project closeout; and

WHEREAS, there is \$44,180.24 remaining from the original contract cost; therefore, no additional cost to extend the time needed to complete the bus improvement project; and

WHEREAS, acknowledging that neither the scope of work nor the cost has changed, the Department of Planning and Development, through its Transit Division, has determined that it is in the best interest of the City to continue to utilize the services of Michael Baker International until the bus stop improvement project is completed; and

WHEREAS, the Transit Division is recommending that the governing authorities authorize the Mayor to execute an amendment and related documents to the agreement with Michael Baker International to extend the time needed to complete the bus improvement project, with no change in the scope of work or the original cost.

IT IS, THEREFORE, ORDERED that the governing authorities hereby authorizes the Mayor to execute an amendment and related documents to the agreement with Michael Baker International to extend the time needed to complete the bus stop improvement project for an additional five (5) months expiring on January 31, 2023.

IT IS FURTHER ORDERED that the Transit Division is authorized to pay Michael Baker International the \$44,180.24 remaining from the original contract to complete the bus stop improvement project under the same terms and conditions as the original contract.

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

President Banks recognized **Jordan Hillman**, Director of Planning and Development, who provided a brief overview on said item.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING AMENDMENT NO. 2 WITH SOUTHERN CONSULTANTS, INCORPORATED FOR ENGINEERING SERVICES FOR THE BELHAVEN CREEK DRAINAGE IMPROVEMENTS. (WOODROW WILSON TO RIVERSIDE/ST. MARY TO LAUREL STREET).

WHEREAS, the City Council approved an engineering services agreement with Southern Consultants, Incorporated on July 12, 2016 in an amount not to exceed \$224,789.00; and

WHEREAS, the City Council approved Amendment No. 1 for engineering services with Southern Consultants, Incorporated on May 25, 2021 in an amount not to exceed \$333,029.00; and

WHEREAS, Southern Consultants, Incorporated has encountered additional costs related to additional construction administration services totaling \$31,762.00; and

WHEREAS, the Department of Public Works recommends the City of Jackson amend the Engineering Services Agreement with Southern Consultants, Incorporated, in a total amount not to exceed \$364,791.00 for the Belhaven Creek Drainage Improvements.

IT IS, THEREFORE, ORDERED that Amendment No. 2 for engineering services with Southern Consultants, Incorporated, in an amount not to exceed \$364,791.00, for the Belhaven Creek Drainage Improvements is accepted.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PRELIMINARY ENGINEERING SERVICES CONTRACT WITH CIVILTECH, INC., FOR THE MONUMENT STREET BRIDGE PROJECT.

WHEREAS, the City of Jackson made application for and received \$1,380,000 in federal surface transportation block grant funds through the Jackson MPO to replace the Monument Street bridge over Town Creek with a required minimum 20% match; and

WHEREAS, the City of Jackson selected CivilTech, Inc. to perform necessary preliminary engineering services for the project; and

WHEREAS, CivilTech, Inc. has provided a cost estimate of \$131,979.61 to provide preliminary engineering services for the project.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a preliminary engineering services contract with CivilTech, Inc. for the Monument Street Bridge Project, for an amount not to exceed \$131,979.61.

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

President Foote recognized **Robert Lee**, Interim City Engineer, who provided a brief overview on said item.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PRELIMINARY ENGINEERING SERVICES CONTRACT WITH STANTEC CONSULTING SERVICES, INC., FOR THE OFFICER THOMAS CATCHINGS DRIVE BRIDGE PROJECT.

WHEREAS, the City of Jackson made application for and received \$1,380,000 in federal surface transportation block grant funds through the Jackson MPO to replace the Officer Thomas Catchings Drive bridge with a required minimum 20% match; and

WHEREAS, the City of Jackson selected Stantec Consulting Services, Inc. to perform necessary preliminary engineering services for the project; and

WHEREAS, Stantec Consulting Services, Inc. has provided a cost estimate of \$249,865.14 to provide preliminary engineering services for the project.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a preliminary engineering services contract with Stantec Consulting Services, Inc. for the Officer Thomas Catchings Drive Bridge Project, for an amount not to exceed \$249,865.14.

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

President Foote recognized **Robert Lee**, Interim City Engineer, who provided a brief overview on said item.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PRELIMINARY ENGINEERING SERVICES CONTRACT WITH NEEL-SCHAFFER, INC., FOR THE BEASLEY ROAD AT HIGHLAND DRIVE INTERSECTION PROJECT.

WHEREAS, the City of Jackson made application for and received \$736,000 in federal surface transportation block grant funds through the Jackson MPO for intersection improvements at Beasley Road at Highland Drive with a required minimum 20% match; and

WHEREAS, the City of Jackson selected Neel-Schaffer, Inc. to perform necessary preliminary engineering services for the project; and

WHEREAS, Neel-Schaffer, Inc. has provided a cost estimate of \$88,705.39 to provide preliminary engineering services for the project.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a preliminary engineering services contract with Neel-Schaffer, Inc. for the Beasley Road at Highland Drive Intersection Project, for an amount not to exceed \$88,705.39.

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

President Foote recognized **Robert Lee**, Interim City Engineer, who provided a brief overview on said item.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PRELIMINARY ENGINEERING SERVICES CONTRACT WITH SOUTHERN CONSULTANTS, INC., FOR THE SOUTH STATE STREET RESURFACING PROJECT.

WHEREAS, the City of Jackson made application for and received \$1,182,529 in federal surface transportation block grant funds through the Jackson MPO for the pavement rehabilitation and resurfacing of South State Street from the Town Creek bridge to the KCS railroad crossing with a required minimum 20% match; and

WHEREAS, the City of Jackson selected Southern Consultants, Inc. to perform necessary preliminary engineering services for the project; and

WHEREAS, Southern Consultants, Inc. has provided a cost estimate of \$219,969.40 to provide preliminary engineering services for the project.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a preliminary engineering services contract with Southern Consultants, Inc. for the South State Street Resurfacing Project, for an amount not to exceed \$219,969.40:

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

President Foote recognized **Robert Lee**, Interim City Engineer, who provided a brief overview on said item.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PRELIMINARY ENGINEERING SERVICES CONTRACT WITH MYRIAD ENGINEERING SOLUTIONS, LLC, FOR THE MCDOWELL ROAD EXTENSION (HIGHWAY 18 TO RAYMOND ROAD) RESURFACING PROJECT.

WHEREAS, the City of Jackson made application for and received \$2,327,415 in federal surface transportation block grant funds through the Jackson MPO for the pavement rehabilitation and resurfacing of McDowell Road Extension from Highway 18 to Raymond Road with a required minimum 20% match; and

WHEREAS, the City of Jackson selected Myriad Engineering Solutions, LLC to perform necessary preliminary engineering services for the project; and

WHEREAS, Myriad Engineering Solutions, LLC has provided a cost estimate of \$220,096.39 to provide preliminary engineering services for the project.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a preliminary engineering services contract with Myriad Engineering Solutions, LLC for the McDowell Road Extension (Highway 18 to Raymond Road) Resurfacing Project, for an amount not to exceed \$220,096.39.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE A TEMPORARY WORKSPACE AGREEMENT WITH GULF SOUTH PIPELINE COMPANY, LLC AND ACCEPTING PAYMENT OF APPRAISED VALUE OF THE CITY'S INTEREST IN THE PROPERTY.

WHEREAS, Gulf South Pipeline Company, LLC (“Gulf South”) is a natural gas pipeline company with a natural gas transmission line that supplies natural gas to Atmos Energy, the natural gas retailer in the City of Jackson; and

WHEREAS, Gulf South is currently performing maintenance on the transmission line it uses to supply natural gas to Atmos Energy for resale in the City of Jackson; and

WHEREAS, in order to perform the maintenance of its transmission line, Gulf South is in need of a workspace located in proximity to Atmos Energy’s distribution lines that will allow Gulf South to pump liquefied natural gas into Atmos Energy’s distribution system; and

WHEREAS, Gulf South has identified a vacant parcel of property owned by the City of Jackson that is approximately one acre in size located in close proximity to Atmos Energy’s distribution system lines that will allow Gulf South to park at least two tanker trucks containing liquefied natural gas and connect them to the Atmos distribution line; and

WHEREAS, Gulf South has requested that the City of Jackson grant it a temporary workspace agreement on a one acre parcel of property with an address of 1695 High Street and identified as follows: This property is situated in Section 2, Township 5 North, Range 1 East, City of Jackson, Hinds County, MS; this property is located on a dead end street, just east of Herrin Gear Car dealership; and the Pearl River Levee is immediately east of the subject property; and

WHEREAS, Gulf South has provided the City of Jackson with an appraisal of the value of the temporary workspace agreement, which sets the value at \$2,200.00.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a temporary workspace agreement with Gulf South Pipeline Company, LLC for the purposed of locating at least two tanker trucks containing liquefied natural gas to be pumped into the distribution lines of Atmos Energy to provide the customers of Atmos Energy in the City of Jackson with natural gas during the period of time during which Gulf South Pipeline Company, LLC is performing maintenance on its natural gas distribution line.

IT IS FURTHER ORDERED that the Mayor is authorized to accept Gulf South Pipeline Company, LLC as payment of the fair market value of the temporary workspace agreement as determined by an appraisal the amount of \$2,200.00.

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

President Foote recognized **Terry Williamson**, City Attorney’s Office, who provided a brief overview on said item.

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

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

**ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH
TIM HOWARD TO PROVIDE INDIGENT DEFENDER LEGAL SERVICES FOR
THE CITY OF JACKSON, MISSISSIPPI.**

WHEREAS, pursuant to Section 21-23-7(4) of the Mississippi Code of 1972 (as amended), when a person is charged with an offense in municipal court punishable by confinement, the municipal judge, being satisfied that such person is an indigent person and is unable to employ counsel, may, in the discretion of the court, appoint counsel and compensation for appointed counsel in criminal cases shall be approved and allowed by the municipal judge and shall be paid by the municipality; and

WHEREAS, the City Council previously authorized a contract between the City of Jackson and Metro Public Defender Office to provide professional legal services to indigent criminal defendants as required by law; and

WHEREAS, the Office of the City Attorney in consultation with the Office of the City Prosecutor and municipal court judges, determined there is a need for additional attorneys to ensure representation of indigent defendants in cases arising within Municipal Court, in Jackson, Mississippi; and

WHEREAS, pursuant to Section 21-23-7(4) of the Mississippi Code of 1972 (as amended), the maximum compensation provided for representation shall not exceed Two Hundred Dollars (\$200.00) for any one (1) case and the governing authorities of a municipality may, in their discretion, appoint a public defender(s) who must be a licensed attorney and who shall receive a salary to be fixed by the governing authorities; and

WHEREAS, the Office of the City Attorney recommends the City of Jackson execute a contract with Tim Howard for six (6) months with an option to renew said contract for additional terms in an amount not to exceed \$5,000.00 per month to represent indigent defendants in cases arising within the Municipal Court, Jackson, Mississippi.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract with Tim Howard to provide professional legal services for certain indigent defendants charged with misdemeanor offenses in Jackson Municipal Court in the contract amount of \$5,000.00 per month or less.

IT IS FURTHER ORDERED that the Mayor is authorized to execute any other documents that are necessary to effectuate the intent of this order.

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

President Foote recognized **Carrie Johnson**, Deputy City Attorney, who provided a brief overview on said item.

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

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

Nays – None.

Absent – None.

ORDER AUTHORIZING PAYMENT OF \$22,000.00 TO MARGARET JONES AS FULL AND COMPLETE SETTLEMENT OF SEWAGE BACKUP CLAIM AT HER RESIDENCE 1814 BOLING STREET ON APRIL 10, 2021.

WHEREAS, on April 10, 2021, sewage began to back-up into Margaret Jones residence located at 1814 Boling Street, Jackson, Mississippi 39213, causing damage to flooring, walls, bathtub, carpet and personal items; and

WHEREAS, the City Attorney’s office has determined that compromising the claim is in the best interest of the City of Jackson as claimant had previous reports of sewage backup; and

WHEREAS, pursuant to the current consent decree, the City of Jackson paid for the clean up to the residence located at 132 Hickory Cove, Jackson, Mississippi, in the amount of \$18,928.55 for the April 10, 2021 incident; and

WHEREAS, the home owner incurred costs associated with the sewage backup which includes: repair/replacement to carpet, floors, sheet rock, fixtures, furniture and replacement of other personal items.

IT IS HEREBY ORDERED that payment in the amount of \$22,000.00 be made to Margaret Jones, as a compromised full and complete settlement for any and all claims resulting from property damage and expenses related to the incidents that occurred on April 10, 2021, due to sewage backup into her residence located at 1814 Boling Street, Jackson, Mississippi 39213.

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

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

Nays – None.

Absent – None.

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI REQUIRING THE REPAIR OF THE LIGHTS ON THE BAILEY AVENUE BRIDGE.

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

WHEREAS, the lights on the Bailey Avenue bridge are out and have been out for an extended period of time; and

WHEREAS, it is in the best interest of the citizens of the City of Jackson that the Jackson City Council hereby seeks to address a major public safety hazard of no lights on a bridge in the City of Jackson.

THEREFORE, IT IS HEREBY ORDERED the Jackson City Council requires the repair of the lights on the Bailey Avenue Bridge.

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

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

Nays – None.

Absent – None.

There came on for consideration, Agenda Item No. 33:

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI ORDERING THE EXPANSION OF THE RANKS OF THE JACKSON POLICE DEPARTMENT BY A MINIMUM OF ONE HUNDRED SWORN OFFICERS WITHIN A TIME PERIOD OF ONE YEAR. President Foote stated that said item would be tabled at the request of **Council Member Stokes**.

There came on for Discussion, Agenda Item No. 34:

DISCUSSION: NEW WATER PLANT: President Foote recognized **Council Member Stokes**, who spoke on the need for a new water plant for the City of Jackson and recommended seeking federal and state assistance.

There came on for Discussion, Agenda Item No. 35:

DISCUSSION: BED BUGS: President Foote recognized **Council Member Stokes**, who spoke on how bed bugs were affecting poor and elderly citizens.

There came on for Discussion, Agenda Item No. 36:

DISCUSSION: HOMELESS POPULATION & GATEWAYS: President Foote recognized Council Member Hartley, expressed concerns about homeless population in Ward 5. President Foote who recognized Linda Caldwell, Manager of Housing, who provided an overview of the City of Jackson plans for the homeless population.

There came on for Discussion, Agenda Item No: 37:

DISCUSSION: UPDATE ON RESTORATION AND REOPENING OF GROVE PARK GOLF COURSE: President Foote recognized Council Member Grizzell, who inquired about the reopening of Grove Park Golf course. President Foote recognized Isom Harris, Director of Parks and Recreation, who provide an update on repairs and reopening.

There came on for Discussion, Agenda Item No. 38:

DISCUSSION: TRAIN CONDUCTORS BLOCKING RAILROAD CROSSINGS: President Foote recognized Councilman Grizzell who spoke on the dangers and inconvenience of train conductors blocking railroad crossings for long periods of time.

President Foote requested that the Clerk read Agenda Item No. 13:

ORDER APPROVING CLAIMS NUMBER 27445 to 27519 APPEARING AT PAGES 204 TO 237 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$2,607,549.94 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 27445 to 27519 appearing at pages 204 to 237, inclusive thereon in the Municipal "Docket of Claims", in the aggregate amount of \$2,607,549.94 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	813,507.31
SEIZURE & FORF PROP-STATE	10,000.00
TECHNOLOGY FUND	34,260.12
PARKS & RECR. FUND	135,294.42
BUSINESS IMPROV FUND (LANDSCP)	60,763.97
LANDFILL SANITATION FUND	31,281.46
STATE TORT CLAIMS FUND	16,710.80
WATER/SEWER OP & MAINT FUND	356,194.53
WATER/SEWER CAPITAL IMPR FUND	27,354.55
DISABILITY RELIEF FUND	87,900.56
EMPLOYEES GROUP INSURANCE FUND	129,907.69
EARLY CHILDHOOD (DAYCARE)	64.37

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HOUSING COMM DEV ACT (CDBG) FD	9,912.95
HOME PROGRAM FUND	120.60
H O P W A GRANT – DEPT OF HUD	2,930.02
INFRASTRUCTURE BOND 2020 \$32M	25,275.00
1% INFRASTRUCTURE TAX	9,957.36
WATER/SEWER CAP IMP NOTE 7M	25,721.18
TRANSPORTATION FUND	12,041.04
FONDREN BUSINESS IMPROV FUND	11,825.16
RESURFACING – REPAIR & REPL.FD	25,963.68
P E G ACCESS – PROGRAMMING FUND	7,291.28
MHC BLIGHT ELIMINATION PROGRAM	7,820.00
MODERNIZATION TAX	5,644.92
ESG COVID CARES ACT	176,867.11
PARKS & RECS GRANTS	168.00
ZOOLOGICAL PARK	15,737.03
AMERICAN RESUCE PLAN ACT 2021	400,984.17
LIBRARY FUND	162,250.66
DFA-SB2971-PETE BROWN GOLF	3,800.00
TOTAL:	<u>\$2,607,549.94</u>

Council Member Lindsay moved adoption; **Vice President Lee** seconded:

President Foote recognized **Council Member Grizzell** who moved, seconded by Vice President Lee to remove a payment to Berkshire Hathaway from the claims docket in the amount of \$120,187.99. The motion prevailed by the following vote:

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

Thereafter, **President Foote** called for a vote on said item as amended:

ORDER APPROVING CLAIMS NUMBER 27445 to 27519 APPEARING AT PAGES 204 TO 237 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$2,607,549.94 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 27445 to 27519 appearing at pages 204 to 237, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$2,607,549.94 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	813,507.31
SEIZURE & FORF PROP-STATE	10,000.00
TECHNOLOGY FUND	34,260.12
PARKS & RECR. FUND	135,294.42
BUSINESS IMPROV FUND (LANDSCP)	60,763.97
LANDFILL SANITATION FUND	31,281.46

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STATE TORT CLAIMS FUND	16,710.80
WATER/SEWER OP & MAINT FUND	356,194.53
WATER/SEWER CAPITAL IMPR FUND	27,354.55
DISABILITY RELIEF FUND	87,900.56
EMPLOYEES GROUP INSURANCE FUND	129,907.69
EARLY CHILDHOOD (DAYCARE)	64.37
HOUSING COMM DEV ACT (CDBG) FD	9,912.95
HOME PROGRAM FUND	120.60
H O P W A GRANT – DEPT OF HUD	2,930.02
INFRASTRUCTURE BOND 2020 \$32M	25,275.00
1% INFRASTRUCTURE TAX	9,957.36
WATER/SEWER CAP IMP NOTE 7M	25,721.18
TRANSPORTATION FUND	12,041.04
FONDREN BUSINESS IMPROV FUND	11,825.16
RESURFACING – REPAIR & REPL.FD	25,963.68
P E G ACCESS – PROGRAMMING FUND	7,291.28
MHC BLIGHT ELIMINATION PROGRAM	7,820.00
MODERNIZATION TAX	5,644.92
ESG COVID CARES ACT	176,867.11
PARKS & RECS GRANTS	168.00
ZOOLOGICAL PARK	15,737.03
AMERICAN RESUCE PLAN ACT 2021	400,984.17
LIBRARY FUND	162,250.66
DFA-SB2971-PETE BROWN GOLF	3,800.00
TOTAL	<u>\$2,487,361.95</u>

Yeas- Foote, Grizzell, Lee and Lindsay.

Nays- Banks, Hartley and Stokes.

Absent- None.

The following reports/announcements were provided during the meeting:

- **Mayor Chokwe A. Lumumba** announced the following:
 - You can now link you Digital Self-Serve account using your zip code instead of your Social Security Number. Create Your Account:
Login at dss-coj.opower.com/days/login.
 - You can now complete your Special Events Permit Application online at www.jackson.ms.gov.
 - For any garbage pick-up concerns, contact information for Richards Disposal- 769-333-4222 or CSRJM@richardsdisposal.com
 - Please sign up for CodeRed Emergency alerts @ www.jacksonms.gov
 - Please Dial 3-1-1 for non-emergency City services.
 - COJ Early Childhood Development Centers are currently accepting applications for children ages 8 weeks to 5 years of age.
 - Precinct 1 Cops Meeting, July 7, 2022 at 6:00pm. 810 Cooper Rd, Jackson, MS 39212
 - Jackson Police Department Youth Citizen’s Police Academy. Applications for children ages 5 to 17 years of age are currently being accepted. The program will take place from 8:00am to 4:00pm. Monday through Friday from July 11, 2022 to July 22, 2022.
 - Sole to Soul 5K Race. MS Trade Mart. Saturday, July 16, 2022. 1200 Mississippi St. Jackson, MS 39202
 - Movie in the park (Cost \$5). Saturday, July 23, 2022. Pre-Show starts at 6:30pm. Movie begins at 7:00pm 2607 Raymond Rd., Forest Hill School (Back Parking Lot)

- Basketball Camp (Girls Only 6th-8th grade). Saturday, August 13, 2022. 1450 Wiggins Rd., (Westside Gymnasium). Registration begins at 9:00am. For more information, please call Alex Thompson at 769-798-7441/email at thompson394@gmail.com

President Foote recognized **Council Member Lindsay** who moved, seconded by **Council Member Stokes** to go into Closed Session to discuss prospective litigation. The motion prevailed by the following vote:

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

President Foote announced to the public that the Council voted to go into Closed Session to discuss litigation.

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

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

President Foote announced that the Council voted to go into Executive Session to discuss prospective litigation.

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

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

President Foote announced that the Council voted to come out of Executive Session and action was taken on an emergency item.

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI TO RETAIN LEGAL COUNSEL.

WHEREAS, the City of Jackson, Mississippi was named as a defendant in the lawsuit styled “Richard’s Disposal vs City of Jackson”; and

WHEREAS, the City Council of Jackson, Mississippi has determined that a conflict does exist between the City Council and the Mayor’s office rendering the City Attorney unable to represent both the Council and the Mayor; and

WHEREAS, the City Council of Jackson, Mississippi has determined that it is in the best interest of the City of Jackson to defend this lawsuit by retaining the independent legal counsel of Martin and Martin, PA and Mills, Scanlon, Dye and Pittman as Co-Counsel representing only the City Council; and

WHEREAS, the attorneys with Martin and Martin, PA and Mills, Scanlon, Dye and Pittman as Co-Counsel will represent the governing authorities in all matters referencing the

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lawsuit styled "Richard's Disposal vs City of Jackson" in the United States District Court for the Southern District of Mississippi Northern Division Cause No. 3:22-CV-396-KHJ-MTP; and

WHEREAS, the governing authorities have determined that such representation by outside counsel shall be limited to the City Council of Jackson, MS and shall not include the representation of Mayor Chokwe A. Lumumba individually or in his official capacity; and

WHEREAS, the attorneys with Martin and Martin, PA and Mills, Scanlon, Dye and Pittman as Co-Counsel are highly experienced with the subject matter involved in this case and have agreed to perform services for the City Council of Jackson, MS at an hourly rate not to exceed \$325.00 per hour, based on the skill and experience of the assigned counsel for the charge tasked.

IT IS, THEREFORE, ORDERED that the firm of Martin and Martin, PA and Mills, Scanlon, Dye and Pittman as Co-Counsel are retained as the independent legal counsel of the City Council of Jackson at an hourly rate not to exceed \$325.00 per hour based upon the skill and experience of the assigned counsel for the charged task for the purpose of defending Jackson City Council in the lawsuit styled "Richard's Disposal vs City of Jackson".

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

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

There being no further business to come before the City Council, it was unanimously voted to adjourn until the Special City Council Meeting at 10:00 a.m. on July 19, 2022. At 4:08 p.m., the Council stood adjourned.

PREPARED BY:

Shanika Moxley-Brandon
CLERK OF COUNCIL

APPROVED:

[Signature], 8/2/2022
COUNCIL PRESIDENT DATE

[Signature]
MAYOR

ATTEST:

Angela Harris
CITY CLERK
