

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JANUARY 3, 2023 10:00 A.M.

496

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 January 3, 2023, being the second Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Ashby Foote, Council President, Ward 1; Angelique Lee, Vice-President, Ward 2; Brian Grizzell, Ward 4; Vernon Hartley, Ward 5; Aaron Banks, Ward 6; and Virgi Lindsay, Ward 7. Directors: Chokwe Antar Lumumba, Mayor; Shanekia Mosley-Jordan, Clerk of Council, Sabrina Shelby, Chief Deputy Clerk of Council and Catoria Martin, City Attorney.

Absent: Kenneth Stokes, Ward 3.

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

The invocation was offered by **Pastor Charlie Clark of Wee Care Church**.

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

President Foote recognized several members of the Council who opened the meeting in memory of **Mrs. Ineva May Pittman**.

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

**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI
HONORARY RENAMING VALLEY STREET FROM JOHN R. LYNCH STREET
TO UTICA AVENUE TO ROBERT SHULER SMITH DRIVE.**

There was no opposition from the public.

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

**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI
HONORARY RENAMING J.R. LYNCH STREET (FROM DALTON STREET TO
ROSE STREET) TO DR. ROBERT "BOB" MOSES DRIVE.**

There was no opposition from the public.

President Foote requested that Agenda Items No. 9 and 10 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI
HONORARY RENAMING VALLEY STREET FROM JOHN R. LYNCH STREET
TO UTICA AVENUE TO ROBERT SHULER SMITH DRIVE.**

WHEREAS, Attorney Robert Shuler Smith, a pillar of the community, elected official, family man, and respected business leader in Jackson, Mississippi, made his earthly transition recently; and

WHEREAS, Attorney Robert Shuler Smith, reared by loving parents, Mr. Royce M. Smith and Mrs. Lou Alice Smith, was reared under the guidance of Christian leaders and ministers. He was a graduate of Forest Hill High School and Tougaloo College. He received his Juris Doctorate Degree at St. Louis University School of Law in St. Louis, Missouri. He began his law practice at the former Smith's Supermarket owned by his grandfather, the Reverend R.L.T. Smith. He received many accolades and served the community in many capacities. He worked as a Prosecutor for the City of Jackson, and a Public Defender for Hinds County. He was elected Hinds County District Attorney in 2008, and served for twelve years. He is mourned by a close-knit family, friends, co-workers and by all who knew him; and

WHEREAS, Attorney Robert Shuler Smith and his legal, business, and humanitarian efforts in the City of Jackson, Hinds County, and the State of Mississippi deserve recognition by the honorary renaming of Valley Street in his honor.

NOW, THEREFORE, BE IT ORDAINED that the Jackson City Council hereby honorary renames Valley Street from John R. Lynch Street to Utica Avenue in honor of Attorney Robert Shuler Smith.

SO ORDAINED this the 3rd day of January, 2023.

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

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

Nays – None.

Absent – Stokes.

**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI
HONORARY RENAMING J.R. LYNCH STREET (FROM DALTON STREET TO
ROSE STREET) TO DR. ROBERT "BOB" MOSES DRIVE.**

WHEREAS, Dr. Robert "Bob" Moses, an internationally recognized civil rights activist, former Field Director of the Student Nonviolent Coordinating Committee and a central organizer of the 1964 Freedom Summer Project to bring students from across the United States to the south to register Black and disenfranchised voters; and, a recipient of a McArthur "genius" grant in 1982 in which he started The Algebra Project to promote math literacy in underserved communities, teaching at Lanier High School in Jackson; and

WHEREAS, Dr. Robert "Bob" Moses was recently honored with the unveiling of a mural on the COFO building on J.R. Lynch Street; and

WHEREAS, Dr. Robert "Bob" Moses' life was full and fruitful; and, he departed this life on July 25, 2021, at the age of 86. His life's work lives on and his contributions shall never be forgotten.

NOW, THEREFORE, BE IT ORDAINED that the Jackson City Council hereby honorary renames J.R. Lynch Street (from Dalton Street to Rose Street) to Dr. Robert "Bob" Moses Drive.

SO ORDAINED this the 3rd day of January, 2023.

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

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

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APPROVAL OF THE DECEMBER 6, 2022 REGULAR COUNCIL MEETING MINUTES.

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

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

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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 OCTOBER 25, 2022 FOR THE FOLLOWING CASES:

22-1343	22-484	22-409	22-554	22-660
22-1497	22-1507	22-1533	22-1951	22-1929
22-793	22-1878	22-1874	22-1875	22-1942
22-1948	22-1963	21-1353	21-1357	21-1362
21-1555	22-1775	22-426	21-1366	21-1567
21-1568	22-1770	22-213	21-750	21-771
22-926	21-1537	21-1841	22-196	22-347
21-1192	21-1737			

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 October 25, 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 #22-1343: Parcel #606-279** located at 2938 Englewood Blvd.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 7

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

2) **Case #22-484: Parcel #209-142** located at 2718 Glenn St.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare. Ward 5

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

3) **Case #22-409: Parcel #631-23** located at 923 Raymond Rd.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$1,000.00. Ward 6

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

4) **Case #22-554: Parcel #409-111** located at 3329 Pocahontas Ave.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 3

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

5) **Case #22-660: Parcel #635-214** located at 962 Raymond Rd.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$1,000.00. Ward 5

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

6) **Case #21-1497: Parcel #846-45-1** located at 4890 Raymond Rd.: The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare. However, interested parties shall be afforded thirty (30) days to cure expiring November 25, 2022. If there is a default and the City proceeds with cleaning, the hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 4

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

7) **Case #22-1507: Parcel #212-11** located at 2126 Belvedere Dr.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$1,000.00. Ward 3

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

8) **Case #22-1533: Parcel #634-80-1** located at 1115 Raymond Road: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$1,500.00. Ward 6

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

9) **Case #22-1951: Parcel #621-130** located at 0 Whitten Road: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$1,500.00. Ward 6

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

10) **Case #22-1929: Parcel #153-60** located at 838 Rhodes Lane: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 5

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

11) **Case #22-793: Parcel #837-180-1** located at 5461 Robinson Road: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 4

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

12) **Case #22-1878: Parcel #152-25** located at 1319 Robinson St.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 5

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

13) **Case #22-1874: Parcel #132-43** located at 0 Robinson St.: No appearance by owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 5

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

14) **Case #22-1875: Parcel #132-47** located at 0 Robinson St.: After hearing testimony from Foster Ellis Jr, the hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare. However, Foster Ellis Jr shall be afforded forty-five (45) days, or until December 9, 2022, to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, the 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, and saplings; remove the trash, debris, wooden boards/crates, appliances/old furniture, building materials/old bricks, tree limbs & parts, and tires; and clean curbside.

15) **Case #22-1942: Parcel #132-44-1** located at 0 Robinson St.: After hearing testimony from Foster Ellis Jr, the hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare. However, Foster Ellis Jr shall be afforded forty-five (45) days, or until December 9, 2022, to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, the 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, and saplings; remove the trash, debris, wooden boards/crates, appliances/old furniture, building materials/old bricks, tree limbs & parts, and tires; and clean curbside.

16) **Case #22-1948: Parcel #132-24** located at 0 Robinson St.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 5

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

17) **Case #22-1963: Parcel #132-41** located at 0 Robinson St.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 5

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

18) **Case #21-1353: Parcel #405-212** located at 1037 Carnation St.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare. Ward 3

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

19) **Case #21-1357: Parcel #405-204-1** located at 1007 Carnation St.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$1,000.00. Ward 3

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

20) **Case #21-1362: Parcel #405-227** located at 940 Carnation St.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 3

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

21) **Case #21-1555: Parcel #105-50** located at 702 Maple St.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 3

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

22) **Case #22-1775: Parcel #95-13-1** located at 208 Maple St.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$1,000.00. Ward 3

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

23) **Case #22-426: Parcel #422-209-1** located at 3405 Lampton Avenue: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 3

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

24) **Case #21-1366: Parcel #405-226** located at 0 Carnation St.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 3

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

25) **Case #21-1567: Parcel #105-51** located at 706 Maple St.: After hearing testimony from James Lewis, the hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare. However, interested parties shall be afforded thirty (30) days, or until November 24, 2022, to cure. If there is a default and the City proceeds with cleaning, the 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, and saplings; remove the trash, debris, wooden boards/crates, appliances/old furniture, building materials/old bricks, tree limbs & parts, and tires; and clean curbside.

26) **Case #21-1568: Parcel #105-68** located at 705 Maple St.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 3

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

27) **Case #22-1770: Parcel #95-68-27** located at 408 Maple St.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 3

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

28) **Case #22-313: Parcel #161-43** located at 1622 Valley St.: After hearing testimony from Chante Pillers, the hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare. However, interested parties shall be afforded forty-four (44) days to cure expiring December 8, 2022. If there is a default and the City proceeds with cleaning, the hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 5

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

29) **Case #21-750: Parcel #131-125** located at 501 Broad St.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare. Ward 5

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

30) **Case #21-771: Parcel #159-71** located at 1225 Wiggins St.: After hearing testimony from Robert Hatcher, the hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare. However, Robert Hatcher shall be afforded forty-five (45) days, or until December 9, 2022, to cure the violations by completing the scope of work. If there is a

default and the City proceeds with cleaning, the hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 5

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

31) **Case #22-926: Parcel #131-199** located at 1227 First Avenue: After hearing testimony from owner Jan Hillegas, the hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare. However, the owner shall be afforded thirty-six (36) days, or until November 30, 2022, to cure the violations by completing the scope of work. Ward 3

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

32) **Case #21-1537: Parcel #127-18** located at 246 Valley St.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 5

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

33) **Case #21-1841: Parcel #822-152** located at 4935 Sunny Brook Dr.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare. Ward 4

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

34) **Case #22-196: Parcel #126-7** located at 245 Prentiss St.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$1,500.00. Ward 4

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

35) **Case #22-347: Parcel #820-754** located at 5525 Deckard Drive: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Remove the trash, and debris, and remove the inoperative vehicle(s) or vehicle (s) parked on the lawn.

36) **Case #21-1192: Parcel #162-215** located at 1710 Florence Avenue: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 5

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

37) **Case #21-1737: Parcel #626-317** located at 317 Springfield Circle: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 4

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

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.

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

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

Nays – None.

Absent – Stokes.

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.

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 NOVEMBER 8, 2022 FOR THE FOLLOWING CASES:

20-326	21-770	22-1921	22-1920	22-1891
22-1892	22-1939	22-393		

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 November 8, 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 #20-326: Parcel #622-241** located at 3187 Peterson Drive: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$750.00. Ward 6

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

2.) **Case #21-770: Parcel #62-42** located at 324 Manship Street: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$750.00. Ward 7

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

3) **Case #22-1921: Parcel #149-33** located at 0 Lewis Street: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 3

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

4) **Case #22-1920: Parcel #149-32** located at 0 Lewis Street: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$750.00. Ward 3

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

5) **Case #22-1891: Parcel #149-43** located at 1119 Lewis Street: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$750.00. Ward 3

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

6) **Case #22-1892: Parcel #149-36** located at 1120 Lewis Street: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 3

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

7) **Case #22-1939: Parcel #144-283** located at 807 Deer Park: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 3

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

8) **Case 22-393: Parcel #154-10-4** located at 1514 Deer Park Drive: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$1,000.00. Ward 5

Scope of Work: Demolish and remove remains of the dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure the 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.

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

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

Nays – None.

Absent – Stokes.

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.

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 NOVEMBER 22, 2022 FOR THE FOLLOWING CASES:

20-354	20-366	22-1402	22-1254	22-1980
22-104	21-723	21-615	22-146	22-229
22-882	22-590	22-1525	21-573	22-1433
22-796	21-1889	22-703		

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 November 22, 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 #20-354: Parcel #859-29** located at 3933 Lost Lake Cir.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$750.00. Ward 6

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

2) **Case #20-366: Parcel #857-18** located at 883 McCluer Rd.: After hearing testimony from owner Bobby S. Jones, the hearing officer recommends that the property be adjudicated as a

menace to public health, safety, and welfare. However, Bobby S. Jones shall be afforded thirty (30) days, or until December 22, 2022, to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, the hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 6

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

3) **Case #22-1402: Parcel #420-225** located at 1309 Geeston St.: The hearing officer heard testimony from the administrator of the estate of the property owner(s), Sharon McKinnis, and Attorney Marcus Williams. After hearing testimony, the hearing officer recommends that adjudication of the property as a menace to public health, safety, and welfare be held in abeyance. However, Sharon McKinnis, shall be afforded sixty (60) days, or until January 22, 2023, to cure. Ward 3

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

4) **Case #22-1254: Parcel #425-491** located at 3603 Lampton Ave.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$750.00. Ward 3

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

5) **Case #22-1980: Parcel #425-477** located at 3610 Brame Ave.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 3

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

6) **Case #22-104: Parcel #425-545** located at 3535 Mosley Ave.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 7

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

7) **Case #21-723: Parcel #425-224** located at 3737 Mosley Ave.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 3

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

8) **Case #21-615: Parcel #522-536** located at 732 Witsell Ave.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 3

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

9) **Case #22-146: Parcel #427-12** located at 522 W. Northside Dr.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$1,250.00. Ward 3

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

10) **Case #22-229: Parcel #806-195** located at 4449 W. Northside Dr.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 2

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

11) **Case #22-882: Parcel #640-153** located at 507 E. Hillsdale Dr.: After hearing testimony from Frank Hobson, the hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare. However, Frank Hobson shall be afforded seven (7) days to enter into a repair agreement, or until November 29, 2022. If there is a default and the City proceeds with cleaning, the hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 4

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

12) **Case #22-590: Parcel #308-210** located at 4245 Richmond Cir.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 4

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

13) **Case #22-1525: Parcel #802-108** located at 6540 Franklin D. Roosevelt Dr.: No appearance by owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$750.00. Ward 2

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

14) **Case #21-573: Parcel #802-381** located at 6380 Abraham Lincoln Dr.: No appearance by owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 2

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

15) **Case #22-1433: Parcel #721-867** located at 6696 Glen Ridge Dr.: After hearing testimony from owner Daisey Hunter, the hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare. However, Daisey Hunter shall be afforded thirty (30) days, or until December 22, 2022, to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, the hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 2

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

16) **Case #22-796: Parcel #15-42** located at 1203 Pinehurst Pl.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 7

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

17) **Case #21-1889: Parcel #304-228** located at 750 Primos Ave.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 5

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

18) **Case #22-703: Parcel #304-170** located at 770 Primos Ave.: No appearance by the owner or an interested party. The hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with an assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Demolish and remove remains of the dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure the 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.

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

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

Nays – None.

Absent – Stokes.

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.

President Foote recognized **Council Member Banks** who moved, seconded by **Council Member Lindsay** to add an item to the agenda on an emergency basis, Order amending the fiscal year 2022-2023 budget of the City of Jackson to provide for the transfer of funds to the interim third-party manager appointed pursuant to the interim stipulated order in United State of America vs. City of Jackson, Mississippi, civil action number 3:22-CV-00686-HTW-LGI, U.S. DIST. CT., S.D. Miss. The motion prevailed by the following vote:

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

There came on as the Emergency Agenda Item: ORDER AMENDING THE FISCAL YEAR 2022-2023 BUDGET OF THE CITY OF JACKSON TO PROVIDE FOR THE TRANSFER OF FUNDS TO THE INTERIM THIRD-PARTY MANAGER APPOINTED PURSUANT TO THE INTERIM STIPULATED ORDER IN UNITED STATE OF AMERICA VS. CITY OF JACKSON, MISSISSIPPI, CIVIL ACTION NUMBER 3:22-CV-00686-HTW-LGI, U.S. DIST. CT., S.D. MISS.: Hearing no objections, the Clerk read the following:

ORDER AMENDING THE FISCAL YEAR 2022-2023 BUDGET OF THE CITY OF JACKSON TO PROVIDE FOR THE TRANSFER OF FUNDS TO THE INTERIM THIRD-PARTY MANAGER APPOINTED PURSUANT TO THE INTERIM STIPULATED ORDER IN UNITED STATE OF AMERICA VS. CITY OF JACKSON, MISSISSIPPI, CIVIL ACTION NUMBER 3:22-CV-00686-HTW-LGI, U.S. DIST. CT., S.D. MISS.

WHEREAS, the City of Jackson entered into an Interim Stipulated Order with the United States Department of Justice, the United States Environmental Protection Agency, and the Mississippi State Department of Health in that certain civil action filed by the United States of American versus the City of Jackson, Mississippi, Civil Action Number 3:22-cv-00686-HTW-LGI, U.S. Dist. Ct., S.D. Miss., and

WHEREAS, the Interim Stipulated Order requires that the City transfer certain funds belonging to the City of Jackson to the Interim Third-Party Manager for deposits in account to be used for the benefit of the City of Jackson drinking water system; and

WHEREAS, the Interim Stipulated Order requires that the City transfer certain of the American Recovery Plan Act funds it received to the Interim Third-Party Manager that were designated as matching funds for drinking water system improvements under the Mississippi Municipality & County Water Infrastructure Grant Program Act (MCWI); and

WHEREAS, the amount of those funds to be transferred to the Interim Third-Party Manager as matching funds for the MCWI grants is \$15,149,500.00; and

WHEREAS, in order to pay these funds to the Interim Third-Party Manager, the funds must be transferred to an appropriate account as follows:

To/From	Fund/Account Number	Amount
From:	391-40193-6736	\$15,149,500.00
To:	391-52101-6493	\$15,149,500.00;

and
WHEREAS, the Interim Stipulated Order also requires that the City transfer funds to the Interim Third-Party Manager that were budgeted for the operation and maintenance of the City's Water division and its Water-Sewer Business Administration division for Fiscal Year 2023; and

WHEREAS, the Interim Stipulated Order requires that the budgeted operation and maintenance funds be transferred on a schedule beginning with an initial transfer of \$2,000,000.00 within seven days of notification to the City by the Interim Third-Party Manager's creation of the required bank accounts; and

WHEREAS, the Interim Stipulated Order also requires the transfer of \$1,000,000.00 each month of the funds budgeted for operation and maintenance; and

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WHEREAS, in order to pay these funds to the Interim Third-Party Manager, funds must be transferred to an appropriate account as follows:

<u>To/From</u>	<u>Fund/Account Number</u>	<u>Description</u>	<u>Amount</u>
From:			
	031-52010 6213	CLEANING & SANITATION SUPPLIES	\$19.00
	031-52010 6215	FUEL USAGE	\$1,081.00
	031-52010 6218	OFFICE SUPPLIES	\$1,603.00
	031-52010 6219	PRINTING SUPPLIES	\$1,500.00
	031-52010 6220	OIL & LUBE - PRIVATIZATION	\$250.00
	031-52010 6242	DATA PROCESSING EQUIPMENT	\$10,000.00
	031-52010 6299	OTHER OPERATING SUPPLIES	\$500.00
	031-52010 6316	MOTOR VEHICLE REPAIR MATERIALS	\$655.00
	031-52010 6419	OTHER PROFESSIONAL SERVICES	\$75,796.00
	031-52010 6421	POSTAGE P O BOX RENT ETC.	\$3,791.00
	031-52010 6422	FREIGHT EXPRESS & TRUCKING CHG	\$350.00
	031-52010 6423	AUTO LICENSE TITLES	\$20.00
	031-52010 6431	OUTSIDE PRINTING SERVICES	\$100.00
	031-52010 6451	ELECTRIC LIGHT AND POWER	\$29,878.00
	031-52010 6452	WATER/SEWER - UTILITY SERVICES	\$10,000.00
	031-52010 6454	TELEPHONE	\$33,246.00
	031-52010 6455	CELLULAR PHONES	\$7,881.00
	031-52010 6852	PHOTO & VIDEO EQUIPMENT	\$25,000.00
	031-52020 6215	FUEL USAGE	\$5,655.00
	031-52020 6220	OIL & LUBE - PRIVATIZATION	\$1,000.00
	031-52020 6230	HAND TOOLS	\$200.00
	031-52020 6299	OTHER OPERATING SUPPLIES	\$2,889.00
	031-52020 6316	MOTOR VEHICLE REPAIR MATERIALS	\$7,854.00
	031-52020 6317	OTHER REPAIR & MAINT MATERIALS	\$1,000.00
	031-52020 6419	OTHER PROFESSIONAL SERVICES	\$100.00
	031-52020 6454	TELEPHONE	\$209.00
	031-52020 6464	MACHINE/EQUIP MAINTENANCE	\$300.00
	031-52020 6465	AUTO + TRUCK GARAGE + OTHER	\$455.00
	031-52020 6481	MEDICAL DRUG TEST HOSPITAL	\$100.00
	031-52020 6516	UNIFORMS RUGS ETC. RENTAL	\$2,725.00
	031-52030 6414	SPECIAL LEGAL SERVICES	\$5,000.00
	031-52120 6215	FUEL USAGE	\$5,954.00
	031-52120 6218	OFFICE SUPPLIES	\$500.00
	031-52120 6220	OIL & LUBE - PRIVATIZATION	\$700.00
	031-52120 6222	MAPPING & DRAFTING SUPPLIES	\$800.00
	031-52120 6299	OTHER OPERATING SUPPLIES	\$700.00
	031-52120 6312	PAINTS OILS & GLASS	\$200.00
	031-52120 6316	MOTOR VEHICLE REPAIR MATERIALS	\$3,965.00
	031-52120 6419	OTHER PROFESSIONAL SERVICES	\$6,000.00
	031-52120 6421	POSTAGE P O BOX RENT ETC.	\$100.00
	031-52120 6423	AUTO LICENSE TITLES	\$50.00
	031-52120 6444	LEGAL ADS ADVERTISING ETC.	\$150.00
	031-52120 6454	TELEPHONE	\$750.00
	031-52120 6455	CELLULAR PHONES	\$4,793.00
	031-52120 6464	MACHINE/EQUIP MAINTENANCE	\$750.00
	031-52120 6481	MEDICAL DRUG TEST HOSPITAL	\$200.00
	031-52120 6516	UNIFORMS RUGS ETC. RENTAL	\$1,500.00
	031-52130 6211	AGRI + BOT-SEED FERT ETC	\$600.00
	031-52130 6212	CHEM DRUGS MED & LAB SUPPLIES	\$13,204.00

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031-52130 6213	CLEANING & SANITATION SUPPLIES	\$18.00
031-52130 6215	FUEL USAGE	\$12,422.00
031-52130 6216	TIRE TUBES & BATTERIES	\$500.00
031-52130 6217	UNIFORMS & WORK CLOTHING	\$500.00
031-52130 6218	OFFICE SUPPLIES	\$2,944.00
031-52130 6220	OIL & LUBE - PRIVATIZATION	\$1,500.00
031-52130 6230	HAND TOOLS	\$600.00
031-52130 6233	SAFETY SUPPLIES	\$1,100.00
031-52130 6240	NON-CAPITALIZED EQUIPMENT	\$2,000.00
031-52130 6299	OTHER OPERATING SUPPLIES	\$14,593.00
031-52130 6311	BUILDING MATERIALS	\$1,200.00
031-52130 6312	PAINTS OILS & GLASS	\$2,500.00
031-52130 6313	STRUCTURAL STEEL & RELATED MAT	\$700.00
031-52130 6314	PLUMBING FIXTURES & SUPPLIES	\$1,000.00
031-52130 6315	ELECTRICAL MATERIALS	\$5,000.00
031-52130 6316	MOTOR VEHICLE REPAIR MATERIALS	\$5,500.00
031-52130 6317	OTHER REPAIR & MAINT MATERIALS	\$45,650.00
031-52130 6319	GRAVEL	\$2,000.00
031-52130 6332	PLASTIC PIPE & FITTINGS	\$3,000.00
031-52130 6336	PIPES & FITTINGS	\$1,500.00
031-52130 6419	OTHER PROFESSIONAL SERVICES	\$146,791.00
031-52130 6420	CONTRACT SECURITY SERVICES	\$39,841.00
031-52130 6421	POSTAGE P O BOX RENT ETC	\$100.00
031-52130 6422	FREIGHT EXPRESS & TRUCKING CHG	\$1,140.00
031-52130 6423	AUTO LICENSE TITLES	\$20.00
031-52130 6432	PRINT/BIND-BOOKS CATALOGS	\$500.00
031-52130 6441	NEWSPAPERS & PERIODICALS	\$200.00
031-52130 6443	DUES MEM. REGIS FEES TUITION	\$1,362.00
031-52130 6444	LEGAL ADS ADVERTISING ETC.	\$300.00
031-52130 6449	PUBLICITY PROMOTION SUNDRY	\$300.00
031-52130 6451	ELECTRIC LIGHT AND POWER	\$245,579.00
031-52130 6453	GAS	\$32,000.00
031-52130 6454	TELEPHONE	\$3,806.00
031-52130 6455	CELLULAR PHONES	\$948.00
031-52130 6464	MACHINE/EQUIP MAINTENANCE	\$35,985.00
031-52130 6465	AUTO + TRUCK GARAGE + OTHER	\$500.00
031-52130 6481	MEDICAL DRUG TEST HOSPITAL	\$200.00
031-52130 6516	UNIFORMS RUGS ETC. RENTAL	\$6,401.00
031-52135 6211	AGRI + BOT-SEED FERT ETC	\$1,000.00
031-52135 6212	CHEM DRUGS MED & LAB SUPPLIES	\$481,195.00
031-52135 6213	CLEANING & SANITATION SUPPLIES	\$8,323.00
031-52135 6215	FUEL USAGE	\$22,911.00
031-52135 6216	TIRE TUBES & BATTERIES	\$500.00
031-52135 6217	UNIFORMS & WORK CLOTHING	\$2,941.00
031-52135 6218	OFFICE SUPPLIES	\$6,636.00
031-52135 6220	OIL & LUBE - PRIVATIZATION	\$1,200.00
031-52135 6230	HAND TOOLS	\$5,000.00
031-52135 6231	COMPUTER SOFTWARE	\$8,518.00
031-52135 6233	SAFETY SUPPLIES	\$4,500.00
031-52135 6240	NON-CAPITALIZED EQUIPMENT	\$1,166.00
031-52135 6242	DATA PROCESSING EQUIPMENT	\$3,000.00
031-52135 6299	OTHER OPERATING SUPPLIES	\$14,178.00
031-52135 6312	PAINTS OILS & GLASS	\$1,000.00
031-52135 6313	STRUCTURAL STEEL & RELATED MAT	\$1,000.00

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031-52135 6314	PLUMBING FIXTURES & SUPPLIES	\$1,200.00
031-52135 6315	ELECTRICAL MATERIALS	\$42,545.00
031-52135 6316	MOTOR VEHICLE REPAIR MATERIALS	\$11,910.00
031-52135 6317	OTHER REPAIR & MAINT MATERIALS	\$89,077.00
031-52135 6320	ASPHALT-ROUTINE MAINTENANCE	\$10,000.00
031-52135 6332	PLASTIC PIPE & FITTINGS	\$4,000.00
031-52135 6333	CONCRETE	\$1,000.00
031-52135 6336	PIPES & FITTINGS	\$1,116.00
031-52135 6419	OTHER PROFESSIONAL SERVICES	\$199,881.00
031-52135 6420	CONTRACT SECURITY SERVICES	\$47,087.00
031-52135 6421	POSTAGE P O BOX RENT ETC.	\$26,000.00
031-52135 6422	FREIGHT EXPRESS & TRUCKING CHG	\$1,743.00
031-52135 6423	AUTO LICENSE TITLES	\$10.00
031-52135 6443	DUES MEM. REGIS FEES TUITION	\$1,096.00
031-52135 6444	LEGAL ADS ADVERTISING ETC.	\$1,128.00
031-52135 6449	PUBLICITY PROMOTION SUNDRY	\$200.00
031-52135 6451	ELECTRIC LIGHT AND POWER	\$243,413.00
031-52135 6453	GAS	\$11,563.00
031-52135 6454	TELEPHONE	\$18,981.00
031-52135 6455	CELLULAR PHONES	\$4,296.00
031-52135 6464	MACHINE/EQUIP MAINTENANCE	\$30,385.00
031-52135 6481	MEDICAL DRUG TEST HOSPITAL	\$200.00
031-52135 6489	CONTRACT LABOR	\$19,963.00
031-52135 6497	SLUDGE DISPOSAL	\$13,431.00
031-52135 6516	UNIFORMS RUGS ETC. RENTAL	\$6,054.00
031-52135 6865	MISC. NON-AUTO EQUIPMENT	\$367,072.00
031-52135 6876	LAWN + GARDEN EQUIPMENT	\$10,650.00
031-52140 6211	AGRI + BOT-SEED FERT ETC	\$2,000.00
031-52140 6212	CHEM DRUGS MED & LAB SUPPLIES	\$800.00
031-52140 6213	CLEANING & SANITATION SUPPLIES	\$2,344.00
031-52140 6215	FUEL USAGE	\$78,694.00
031-52140 6216	TIRE TUBES & BATTERIES	\$1,500.00
031-52140 6217	UNIFORMS & WORK CLOTHING	\$2,000.00
031-52140 6218	OFFICE SUPPLIES	\$1,215.00
031-52140 6220	OIL & LUBE - PRIVATIZATION	\$3,000.00
031-52140 6230	HAND TOOLS	\$7,000.00
031-52140 6233	SAFETY SUPPLIES	\$6,000.00
031-52140 6240	NON-CAPITALIZED EQUIPMENT	\$21,000.00
031-52140 6299	OTHER OPERATING SUPPLIES	\$12,422.00
031-52140 6311	BUILDING MATERIALS	\$2,392.00
031-52140 6312	PAINTS OILS & GLASS	\$250.00
031-52140 6313	STRUCTURAL STEEL & RELATED MAT	\$100.00
031-52140 6314	PLUMBING FIXTURES & SUPPLIES	\$300.00
031-52140 6315	ELECTRICAL MATERIALS	\$300.00
031-52140 6316	MOTOR VEHICLE REPAIR MATERIALS	\$1,677.00
031-52140 6317	OTHER REPAIR & MAINT MATERIALS	\$18,600.00
031-52140 6319	GRAVEL	\$147,715.00
031-52140 6327	WATER METER PARTS	\$2,500.00
031-52140 6328	BRASS FITTINGS AND VALVES	\$3,000.00
031-52140 6329	WATER METER BOXES	\$2,500.00
031-52140 6330	FIRE HYDRANTS & ACCESSORIES	\$46,000.00
031-52140 6331	COPPER TUBING	\$23,376.00
031-52140 6332	PLASTIC PIPE & FITTINGS	\$39,556.00
031-52140 6333	CONCRETE	\$5,000.00

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**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JANUARY 3, 2023 10:00 A.M.**

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031-52140 6335	CONCRETE PIPE	\$1,000.00
031-52140 6336	PIPES & FITTINGS	\$110,875.00
031-52140 6337	SAND	\$10,000.00
031-52140 6338	MANHOLE & INLET CASTINGS	\$1,500.00
031-52140 6419	OTHER PROFESSIONAL SERVICES	\$5,300.00
031-52140 6421	POSTAGE P O BOX RENT ETC.	\$50.00
031-52140 6422	FREIGHT EXPRESS & TRUCKING CHG	\$100.00
031-52140 6423	AUTO LICENSE TITLES	\$20.00
031-52140 6431	OUTSIDE PRINTING SERVICES	\$750.00
031-52140 6452	WATER/SEWER - UTILITY SERVICES	\$7,000.00
031-52140 6453	GAS	\$5,850.00
031-52140 6454	TELEPHONE	\$359.00
031-52140 6455	CELLULAR PHONES	\$5,849.00
031-52140 6464	MACHINE/EQUIP MAINTENANCE	\$1,500.00
031-52140 6465	AUTO + TRUCK GARAGE + OTHER	\$5,000.00
031-52140 6481	MEDICAL DRUG TEST HOSPITAL	\$200.00
031-52140 6516	UNIFORMS RUGS ETC. RENTAL	\$15,781.00
031-52140 6865	MISC. NON-AUTO EQUIPMENT	\$25,000.00
031-52140 6898	WATER METERS	\$20,000.00
031-52150 6212	CHEM DRUGS MED & LAB SUPPLIES	\$225.00
031-52150 6213	CLEANING & SANITATION SUPPLIES	\$200.00
031-52150 6216	TIRE TUBES & BATTERIES	\$500.00
031-52150 6220	OIL & LUBE - PRIVATIZATION	\$750.00
031-52150 6230	HAND TOOLS	\$2,400.00
031-52150 6233	SAFETY SUPPLIES	\$4,300.00
031-52150 6299	OTHER OPERATING SUPPLIES	\$4,720.00
031-52150 6316	MOTOR VEHICLE REPAIR MATERIALS	\$8,000.00
031-52150 6331	COPPER TUBING	\$2,000.00
031-52150 6333	CONCRETE	\$200.00
031-52150 6419	OTHER PROFESSIONAL SERVICES	\$100.00
031-52150 6454	TELEPHONE	\$459.00
031-52150 6465	AUTO + TRUCK GARAGE + OTHER	\$1,000.00
031-52150 6481	MEDICAL DRUG TEST HOSPITAL	\$200.00
031-52150 6514	RENTAL OF EQUIPMENT	\$500.00
To:		
031-52101 6493		\$ 3,268,110.00

IT IS, THEREFORE, ORDERED that the Fiscal Year 2023 Budget of the City of Jackson be amended set forth above.

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

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

Nays – None.

Absent – Stokes.

ORDER APPROVING CLAIMS NUMBER 28294 to 28337 APPEARING AT PAGES 177 TO 200 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$24,266,007.59 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 28294 to 28337 appearing at pages 177 to 200, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$24,266,007.59 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

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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	412,761.07
SEIZURE & FORF PORP-STATE	1,326.00
TECHNOLOGY FUND	159,514.39
PARKS & RECR. FUND	29,602.04
LANDFILL SANITATION FUND	1,619,658.45
STATE TORT CLAIMS FUND	525.00
WATER/SEWER OP & MAINT FUND	3,976,621.59
WATER/SEWER CAPITAL IMPR FUND	1,016,623.57
REPAIR & REPLACEMENT FUND	194,545.06
KELLOGG FOUNDATION PROJECT	34,817.00
PAYROLL FUND	2,610.07
1% INFRASTRUCTURE TAX	130,035.80
TRANSPORTATION FUND	29,716.18
JXN CONVENTION & VISITORS BUR	316,621.38
P E G ACCESS – PROGRAMMING FUND	3,166.08
SIEMENS SETTLEMENT ACCOUNT	665,136.68
ESG COVID CARES ACT	11,109.19
ZOOLOGICAL PARK	7,451.14
AMERICA RESCUE PLAN ACT 2021	15,149,500.00
LIBRARY FUND	171,704.16
DFA-LAKE HICO AND NORTHGATE	449.99
DFA-SB2971-PETE BROWN GOLF	4,250.00
MDOT – CMPDD PROJECTS	328,262.75
TOTAL	<u>\$24,266,007.59</u>

Vice President Lee moved adoption; Council Member Lindsay seconded.

President Foote recognized Fidelis Malembeka, Chief Financial Officer, who provided a brief overview of the larger claims at the request of President Foote.

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

Yeas – Foote, Grizzell, Lee and Lindsay.

Nays – Banks and Hartley.

Absent – Stokes.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 28294 TO 28337 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 28294 to 28337 inclusive therein, in the Municipal “Docket of Claims”, in the aggregate amount of \$99,470.78 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:

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**REGULAR MEETING OF THE CITY COUNCIL
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FROM:	TO ACCOUNTS PAYABLE FUND	TO PAYROLL FUND
GENERAL FUND		2,151,471.84
PARKS & RECR FUND		97,390.89
LANDFILL FUND		16,454.91
SENIOR AIDES		3,439.53
WATER/SEWER OPER & MAINT		249,660.90
PAYROLL	99,470.78	
HOUSING COMM DEV		9,680.09
TITLE III AGING PROGRAMS		5,937.27
TRANSPORTATION FUND		17,147.62
PEG ACCESS-PROGRAMMING FUND		5,011.35
2020 SAKI GRAND DOJ		7,433.26
ZOOLOGICAL PARK		28,054.70
AMERICAN RESCUE PLAN ACT 2021		11,505.78
TOTAL		\$2,603,188.14

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

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY FOR A COMPETITIVE ASSISTANCE TO FIREFIGHTERS GRANT FOR THE 2023 FISCAL YEAR AND FURTHER AUTHORIZING THE MAYOR TO ACCEPT A GRANT, IF AWARDED.

WHEREAS, the City of Jackson Fire Department has been granted the opportunity to apply for the Assistance to Firefighters Grant (AFG) for the fiscal year 2023 from the United States Department of Homeland Security; and

WHEREAS, the deadline for submitting an application for the grant is on or before February 11, 2023; and

WHEREAS, the Assistance to Firefighters Grant Program helps fire departments protect communities by funding replacement of aging equipment, vehicle purchases, personnel training, radios, protective gear, tools, life-saving equipment and other resources necessary for protecting public and emergency personnel from fires and fire related hazards; and

WHEREAS, since 2001 AFG has helped firefighters and other first responders obtain critically needed equipment, protective gear, and other resources necessary for protecting the public and emergency personnel from fire and related hazards; and

WHEREAS, if awarded a grant, Jackson Fire Department intends to use the funding to purchase much-needed equipment including but not limited to self-contained breathing apparatuses, carbon threaded cylinders, and Bauer compressor and also provide initial training on the use of self-contained breathing apparatuses and other training related to NFPA standards; and

WHEREAS, the Jackson Fire Department anticipates applying for funding in the amount of one million six hundred forty-eight thousand and fifty-one dollars (\$1,648,051); and

WHEREAS, matching funds constituting ten percent (10%) in the amount of \$164,805.00 will be required if the Jackson Fire Department's application is approved in its entirety; and

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WHEREAS, the Jackson Fire Department anticipates requesting that its fiscal year 2022-2023 budget be revised to transfer monies not needed in other categories to fund the match.

IT IS, HEREBY, ORDERED that the Mayor is authorized to submit an application for the fiscal year 2023 Assistance to Firefighters (AFG) Grant.

IT IS HEREBY ORDERED that action related to the revision of the Jackson Fire Department's budget to transfer monies to fund any match required shall be addressed when and if the City receives an award from the Assistance to Firefighters Grant program and details of the transfer are known.

IT IS FURTHERED ORDERED that the Mayor is authorized to accept a grant from the Assistance to Firefighters Grant program if awarded.

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

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

Nays – None.

Absent – Stokes.

ORDER AWARDING A MATCHING GRANT TO STEWPOT COMMUNITY SERVICES, INC. FOR THE PROVISION OF EMERGENCY SHELTER SERVICES DURING SEVERE WEATHER AND AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH STEWPOT COMMUNITY SERVICES, INC. FOR THE PROVISION OF THE SAME.

WHEREAS, Section 21-19-65 of the Mississippi Code Annotated (1972), as amended, grants the governing authorities of a municipality to expend monies from the municipal general funds to match any other funds for the purpose of supporting social and community service programs including child and adult emergency shelters; and

WHEREAS, consistent with the provisions of Section 21-19-65 of the Mississippi Code of 1972, as amended, the governing authorities for the City of Jackson, Mississippi ("City") allocated monies in its budget for the 2022-2023 fiscal year to be expended in the municipality for the development and the support of social and community service programs; and

WHEREAS, Stewpot Communities Services, Inc. is a public, nonprofit organization that has qualified for an exemption pursuant to 26 USCS Section 501 (c) (3) and is eligible to receive matching funds from the City of Jackson; and

WHEREAS, the City of is committed to ensuring that homeless persons are housed during severe weather periods; and

WHEREAS, during severe weather periods existing emergency shelters become filled to capacity and there is an overflow; and

WHEREAS, the City of Jackson desires to award a matching grant on a reimbursement basis, to Stewpot Community Services, Inc. for staffing the emergency shelter during severe weather periods; and

WHEREAS, the cost of such services will be dependent on the number of severe weather days that occur during the winter months, the cost should not exceed Fifteen Thousand Dollars (\$15,000); and

WHEREAS, upon award of the matching grant, the City of Jackson shall enter into a Memorandum of Understanding ("MOU") with Stewpot Community Services, Inc. to open the Opportunity Center Day Shelter when temperatures reach 40 degrees or lower; and

WHEREAS, the Department of Human and Cultural Services proposes that the Mayor execute a Memorandum of Understanding containing the following provisions:

1. The Agency shall provide oversight and management of the Emergency Shelter at the Opportunity Center Day Shelter, 845 West Amite Street, Jackson, Mississippi, 39203, during severe weather periods, i.e., when temperatures reach 40 degrees or lower.
2. The Agency shall provide the City written documentation evidencing the matching funds required by law. Any final request for reimbursement must be submitted by the Agency on or before September 5, 2023. Any allocated funds not requested on or before September 5, 2023 will not be approved for payment. The receipt of Stewpot written documentation evidencing the matching funds is a condition precedent to receiving the matching or reimbursement funds allocated.
3. The Agency agrees to match funds contributed by the City with at least 50% from other funding sources consistent with the requirement of Section 39-15-1 of the Mississippi Code to cover operating costs at the Opportunity Center Day shelter when temperature reach 40 degrees or lower.
4. The City shall provide funds up to Fifteen Thousand Dollars (\$15,000.00), to the Agency, on a reimbursement and matching funds basis, for the performance of the services set forth and specified herein. Reimbursement requests shall be submitted on a monthly basis, and payment by the City shall be made within forty-five (45) days after receiving from the Agency written documentation evidencing the matching funds required by law.
5. This MOU shall be effective as of the date of the Jackson City Council's action awarding the funds and end on or before September 30, 2023.
6. The Agency shall maintain all financial and programmatic records, documents and other evidence related to the expenditure of funds for a minimum of three (3) years. Records that must be maintained include, but shall not be limited to: bank statements showing the disbursement of the funds contributed by the City of Jackson; related invoice, and expense records. The form of such records and reports shall conform to generally accepted accounting practices and shall sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this MOU shall be utilized.
7. The Agency must maintain a written inventory of any and all property purchased or leased with the City's funds. Title to any and all property purchased by the Agency, including equitable title or residual interest to leased or rental property, the cost of which is reimbursed by the City, shall at the time of reimbursement pass to and vest in the City. The Agency shall relinquish to the City any and all such property upon termination or expiration of this MOU or upon thirty (30) days' notice from the City.
8. The City or its authorized representative shall have the right, at any reasonable time, to examine the books and records of the Agency pertaining to the funds related to this MOU. Further, the Agency shall allow the City at any time, and from time to time, during reasonable business hours, to audit the books of the Agency and secure such other records and documents as may be necessary and appropriate under the rules and regulations of the City.
9. This MOU shall be effective as of the date of the Jackson City Council's action.
9. The Agency will not discriminate on the basis of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, and genetic information (including family medical history).
10. The parties agree that the City's contribution under this agreement are subject to the continued availability of funding and in contingent upon the City receiving sufficient revenues during the budget year to provide the monies allocated.

11. In the event the Agency fails to comply with any provision of this MOU, the City may terminate the MOU upon giving thirty (30) days written notice to the Agency.
12. The Agency agrees to indemnify and hold harmless the City, its officers, and its employees from any act of or omission of the Agency, its employees, agency or servants, that results in the bodily injury, property damage, death of any party, or any other claims for damages growing out the performance of this MOU.
13. The parties agree that the provisions of this MOU shall be construed according to the laws of the State of Mississippi.
14. The parties agree that the provisions of this MOU constitute their entire agreement, and no prior oral or written representations shall be effective and operate to amend, alter, or vary the terms of this MOU.
15. The parties agree that this MOU may not be modified except upon prior written consent and agreement of the parties.
16. The parties agree that any and all remedies available at law and equity may be asserted by the City in the event of default or breach and shall not be waived.

IT IS, THEREFORE, ORDERED that a matching grant, on a reimbursement basis, in an amount not to exceed Fifteen Thousand Dollars (\$15,000.00) is hereby awarded to Stewpot Community Services, Inc., for the operation of an Emergency Shelter at the Opportunity Center Day Shelter during FY 2022-2023.

IT IS FURTHER ORDERED that the Mayor is hereby authorized to execute a MOU between the City of Jackson and Stewpot Community Services, Inc. for the operation of the Emergency Shelter at Opportunity Center Day Shelter, as well as any and all documents related thereto, during the winter months of FY 2022-2023.

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

President Foote recognized **Adriane Dorsey-Kidd, Director of Human and Cultural Services**, who provided a brief overview of said item.

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

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE CONTRIBUTION OF MATCHING FUNDS TO STEWPOT COMMUNITY SERVICES FOR THE PURPOSE OF SUPPORTING SOCIAL AND COMMUNITY SERVICE PROGRAMS AND AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH STEWPOT COMMUNITY SERVICES, INC.

WHEREAS, Section 21-19-65 of the Mississippi Code of 1972, as amended, authorizes municipal governing authorities to expend monies from the general fund to match other funds for the purpose of supporting social and community service programs including child and adult emergency shelters; and

WHEREAS, consistent with the provisions of Section 21-19-65 of the Mississippi Code of 1972, as amended, the governing authorities for the City of Jackson, Mississippi ("City") allocated monies in its budget for the 2022-2023 fiscal year to be expended in the municipality for the development and the support of social and community service programs; and

WHEREAS, Stewpot Communities Services, Inc. is a public, nonprofit organization that has qualified for an exemption pursuant to 26 USCS Section 501 (c) (3) and is eligible to receive matching funds from the City of Jackson; and

WHEREAS, the best interest of the City of Jackson and its residents would be served by contributing matching funds to Stewpot Community Services to assist in its provision of providing shelter & other provisions for the homeless; and

WHEREAS, the Department of Human and Cultural Services recommends that the Jackson City Council authorize the sum of Thirty-Five Thousand Dollars (\$35,000.00) to be contributed to match other funds and resources to Stewpot Community Services, Inc. to assist in providing shelter & other provisions for the homeless; and

WHEREAS, the Department of Human and Cultural Services proposes that the Mayor execute a Memorandum of Understanding containing the following provisions:

1. The Agency shall provide direct services to the homeless population in the City through the operation of the Opportunity House Day Shelter. The Agency may use funds to pay for support services directly related to the shelter's operation
2. The Agency shall provide the City with written documentation evidencing the matching funds when the request for reimbursement is submitted. Any final request for reimbursement must be submitted by the Agency on or before September 5, 2023. Any allocated funds not requested on or before September 5, 2023, will not be approved for payment. The receipt of the written documentation evidencing the matching funds is a condition precedent to receiving the matching or reimbursement funds allocated.
3. The Agency agrees to match funds contributed by the City with at least 50% from other funding sources consistent with the requirement of Section 39-15-1 of the Mississippi Code.
4. The City shall remit Thirty-Five Thousand Dollars (\$35,000.00), to the Agency, on a reimbursement and matching funds basis, for performance of the services set forth and specified herein. Said funds shall not be released until the City receives documentation of matching funds received by the Agency in the amount of \$35,000 or greater.
5. This MOU shall be effective as of the date of the Jackson City Council's action awarding the funds and end on or before September 30, 2023.
6. The Agency shall maintain all financial and programmatic records, documents and other evidence related to the expenditure of funds for a minimum of three (3) years. Records that must be maintained include, but shall not be limited to: monthly bank statements showing all disbursement of the funds contributed by the City of Jackson, related invoices, and expense records. The form of such records and reports shall conform to generally accepted accounting practices, and shall sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Contract shall be utilized.
7. The City or its authorized representatives shall have the right, at any reasonable time, to examine the books and records of the Agency pertaining to funds related to this Contract. Further, the Agency shall allow the City at any time, and from time to time, during reasonable business hours, to audit the books of the Agency and secure such other records and documents as may be necessary and appropriate under the rules and regulations of the City.
8. The Agency must maintain a written inventory of any and all property purchased or leased with the City's funds. Title to any and all property purchased by the Agency, including equitable title or residual interest to leased or rental property, the cost of which is reimbursed by the City, shall at the time of reimbursement pass to and vest in the City. The Agency shall relinquish to the City any and all

such property upon termination or expiration of this Contract or upon thirty (30) days' notice from the City.

9. The Agency will not discriminate on the basis of race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, and genetic information (including family medical history).
10. The parties agree that the City's contributions under this agreement is subject to the continued availability of funding and is contingent upon the City receiving sufficient revenues during the budget year to provide the monies allocated.
11. In the event the Agency fails to comply with any provision of this Contract, the City may terminate the Contract upon giving thirty (30) days written notice to the Agency.
12. The Agency agrees to indemnify and save harmless the City, its officers, and employees from any act of or omission of the Agency, its employees, agency or servants, that results in the bodily injury, property damage, death of any party, or any other claims for damages growing out of the performance of this MOU.
13. The parties agree that the provisions of this Contract shall be construed according to the laws of the State of Mississippi.
14. The parties agree that the provisions of this Contract constitute their entire agreement, and no prior oral or written representations shall be effective and operate to amend, alter, or vary the terms of this Contract.
15. The parties agree that this Contract may not be modified except upon prior written consent and agreement of the parties.
16. The parties agree that any and all remedies available at law and or in equity may be asserted by the City in the event of default or breach and shall not be waived.

IT IS, THEREFORE, ORDERED that an award not to exceed Thirty-Five Thousand Dollars (\$35,000.00) is authorized to Stewpot Community Services to provide social and community services programs under Section 21-19-65 of the Mississippi Code Annotated (1972), as amended.

IT IS FURTHER HEREBY ORDERED that the Mayor is authorized to execute a Memorandum of Understanding with Stewpot Community Services to govern the award and receipt of the matching funds contributed.

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

President Foote recognized **Adriane Dorsey-Kidd, Director of Human and Cultural Services**, who provided a brief overview of said item.

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

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

ORDER AUTHORIZING THE REVISION OF THE 2022-2023 FISCAL YEAR BUDGET FOR THE DEPARTMENT OF PARKS AND RECREATION TO TRANSFER FUNDS FROM THE OTHER PROFESSIONAL SERVICES CATEGORY TO THE HEAVY EQUIPMENT CATEGORY AND THE TRUCK AND AUTO CATEGORY IN THE AMOUNT OF \$134,244.00 FOR THE PURCHASE OF TWO (2) SERVICE TRUCKS AND ONE (1) ROLLER MOWER.

WHEREAS, Section 21-35-27 of the Mississippi Code authorizes the governing authorities of a municipality to transfer at any time during the fiscal year sums remaining and not needed in any fund or account to funds or accounts where needed by order to such effect entered upon their minutes; and

WHEREAS, the Department of Parks and Recreation has identified in the Other Professional Services Account 005-501.10-6419 the sum of \$134,244.00, which will not be needed for the 2022-2023 budget year; and

WHEREAS, the funds not needed in the Other Professional Services Account are needed in the Heavy Equipment Account # 005-504.10-6415 and the Truck and Auto Account # 005-504.10-6916; and

WHEREAS, the funds are needed in the stated Heavy Equipment Account and the Truck and Auto Accounts for the purchase of two (2) service trucks and one (1) roller mower; and

WHEREAS, transferring the sum of \$134,244.00 to the accounts in the manner specified below serves the best interest of the City;

FUNDS TRANSFER FROM:		FUNDS TRANSFER TO:	
Other Professional Services Category Account: 005-501.10-6419		Heavy Equipment Category Account: 005-504.10-6415	\$45,272.00
AND AUTO CATEGORY IN THE PURCHASE OF TWO (2) SERVICE TRUCKS AND ONE (1) ROLLER MOWER		Truck and Auto Category Account: 005-504.10-6916	\$88,972.00
		Total Funds Transfer Request	\$134,244.00

WHEREAS, the Department of Finance and Administration represented to the Department of Parks and Recreation and the Office of the City Attorney that the proposed amendment results in a transfer among categories within Fund 5 and do not exceed 10 percent; and

WHEREAS, the proposed amendment does not require publication because it does not exceed 10 percent of the funds within Fund 5 for the Department of Parks and Recreation; and

WHEREAS, the best interest of the City of Jackson would be served by revising the municipal budget and authorizing the transfer of the sum of \$134,244.00 from the Other Professional Services Account to the Heavy Equipment and Truck and Auto accounts as indicated;

IT IS, THEREFORE, ORDERED that the sum of \$45,272.00 may be transferred from the Other Professional Services Account 005-501.10-6419 to the Heavy Equipment Account 005-504.10-6415.

IT IS, THEREFORE, ORDERED that the sum of \$88,972.00 may be transferred from the Other Professional Services Account 005-501.10-6419 to the Truck and Auto Account 005-504.10-6916.

IT IS, THEREFORE, ORDERED that the budget transfers authorized in this Order shall not be construed as authorizing the procurement of any equipment or vehicles without adhering to purchasing laws.

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JANUARY 3, 2023 10:00 A.M.

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Council Member Lindsay moved adoption; Vice President Lee seconded.

President Foote recognized Ison Harris, Director of Parks and Recreation, who provided a brief overview of said item.

Thereafter, President Foote, called for a vote of said item:

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ALL ABOUT ANIMALS, INC., TO PROVIDE VETERINARY CARE AND MEDICINE TO ALL ANIMALS LOCATED AT THE JACKSON ZOOLOGICAL PARK, FOR THE SUM OF TWO THOUSAND AND SEVEN HUNDRED DOLLARS (\$2,700.00) PER MONTH FOR APERIOD OF ONE (1) YEAR COMMENCING FROM THE DATE OF EXECUTION BY THE MAYOR.

WHEREAS, the City of Jackson, on behalf of the Jackson Zoological Park with the Department of Parks and Recreation desires to retain All About Animals, Inc., to ensure veterinary care and medicine services for animals located at the Jackson Zoological Park; and

WHEREAS, All About Animals, Inc., is a veterinary clinic owned and operated by licensed veterinarians Dr. Michael and Rebecca Holifield, who practice veterinarian care and medicine in the State of Mississippi; and

WHEREAS, All About Animals, Inc., will provide veterinary care and medicine weekly and/or when necessary, to animals at the Jackson Zoological Park located at 2918 West Capitol Street Jackson, Mississippi 39213; and

WHEREAS, All About Animals, Inc. will provide veterinary care to the City of Jackson Zoological Park for a sum of Two-Thousand and Seven Hundred (\$2,700.00) Dollars a month; and

WHEREAS, All About Animals, Inc. will provide said drugs that (cannot be ordered by Jackson Zoological personnel within a certain timeframe) are needed for animals at the wholesale price, which will be ordered and invoiced to the City of Jackson, Mississippi; and

WHEREAS, The City of Jackson will afford All About Animals, Inc. the use of any facilities at the Jackson Zoological Park for various medical treatments and/or any surgical operations needed for any of the animals, in the said Jackson Zoological Park. In addition, All About Animals, Inc. agrees to furnish any and all extra help for the said purpose, with no additional cost to the City of Jackson, Mississippi; and

WHEREAS, The City of Jackson, Mississippi agrees to allow employees to assist with veterinary care provided by All About Animals, Inc. with animals housed at the Jackson Zoological Park. Through this agreement, it is understood that the City of Jackson, Mississippi Jackson Zoological Park employees are under the veterinarian's direction for the purpose of those duties; and

WHEREAS, if/ when the Jackson Zoological Park does not have sufficient and/or adequate space or facilities for a particular procedure, All About Animals, Inc. will take said animal(s) to their clinic and perform the necessary services, at no additional cost to the City of Jackson, Mississippi; and

WHEREAS, All About Animals, Inc. agrees to furnish the best professional services in the treatment of the animals in the Jackson Zoological Park, all for the consideration herein set forth; and

WHEREAS, it has been generally held through Mississippi Case Law and Attorney General Opinions that governing authorities are not "required", but "recommended" to follow competitive bid requirements in the procurement of personal or professional service contracts and pursuant to Miss. Code Ann. § 31-7-57(2), no governing authority shall let contracts or purchase commodities or equipment except in the manner provided by law; nor shall any governing authority ratify any such contract or purchase...or pay for the same out of public funds unless such contract or purchase was made in the manner provided by law; provided, however, that any vendor who, in good faith, delivers commodities or printing or performs any services under a contract to or for the governing authority, shall be entitled to recover the fair market value of such commodities, printing or services, notwithstanding some error or failure by the governing authority to follow the law, if the contract was for an object authorized by law and the vendor had no control of, participation in, or actual knowledge of the error or failure by the governing authority; and

WHEREAS, All About Animals, Inc. agrees to provide weekly veterinary visits to the Jackson Zoological Park in a professional capacity. All About Animals, Inc. agrees to review the animals and determine any treatment measures, if needed for the animals with the Animal Curator and/ or the Veterinarian Technician of the Jackson Zoological Park; and

WHEREAS, All About Animals, Inc. agrees to provide professional support from a veterinarian. Examples of support needed includes: husbandry needs, exhibit needs, keeper training, consultation with senior staff on animal management issues, zoonotic disease prevention, etc.; and

WHEREAS, All About Animals, Inc., agrees to have a veterinarian on call 24 hours a day to provide any needed medical assistance for the animals located in the Jackson Zoological Park, included but not limited to various medical and/or surgical services.

IT IS, THEREFORE, ORDERED veterinary services are authorized to be provided by All About Animals, Inc. for a period of one (1) year commencing from the date of execution by the Mayor of the City of Jackson, for the continuous care of animals at the Jackson Zoological Park.

IT IS FURTHER ORDERED that the City is hereby authorized to make payments to All About Animals, Inc., in the amount of Two Thousand and Seven Hundred Dollars (\$2,700.00) per month for licensed veterinary care of animals located at the Jackson Zoological Park.

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

President Foote recognized **Ison Harris, Director of Parks and Recreation**, who provided a brief overview of said item.

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

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO ENTER INTO A GRANT AGREEMENT EXPENDING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG-CV) CORONAVIRUS CARES ACT FUNDING TO PREPARE, PREVENT, AND RESPOND TO THE COVID-19 PANDEMIC FOR SMALL BUSINESS ENTERPRISES IN THE CITY OF JACKSON.

WHEREAS, the City of Jackson receives federal funds, on an annual basis, from the U.S. Department of Housing and Urban Development for several federal programs to benefit principally low and moderate-income individuals and families for the purposes of providing a suitable living environment, decent housing, and expanded economic opportunities; and

WHEREAS, the Community Development Block Grant (CDBG), Public Law 116-94, was enacted on December 20, 2019, providing assistance for low moderate-income persons and special needs populations across the country; and

WHEREAS, the U. S. Department of Housing and Urban Development allocated CDBG funding for housing, community, and economic development activities; and

WHEREAS, on February 18, 2020, the Office of Housing and Community Development was notified of CDBG funding in the amount of one million eight hundred seventy-one thousand nine hundred eighty-two dollars (\$1,871,982.00); and

WHEREAS, the Coronavirus Aid Relief and Economic Security Act ("CARES Act") (Public Law 116-136) was enacted on March 27, 2020, in response to the Coronavirus (COVID-19) Pandemic; and

WHEREAS, the U. S. Department of Housing and Urban Development allocated supplemental funding to the City of Jackson to be used to prevent, prepare for, and respond to COVID-19; and

WHEREAS, on April 2, 2020, the Office of Housing and Community Development was notified of supplemental funding in the amount of one million one hundred one thousand two hundred twenty-five dollars (\$1,101,225.00) and on September 11, 2020, was awarded supplemental funding in the amount of one million four hundred sixty-seven thousand two hundred eighty-three dollars (\$1,467,283.00); and

WHEREAS, the Department of Planning and Development, through its Office of Housing and Community Development Division (OHCD) and Office of Economic Development (OED), recommends that the Mayor be authorized to use CDBG-CV CARES ACT funds to provide grants to small business enterprises in the City of Jackson, expending CARES ACT funds in an amount not to exceed six hundred thousand dollars (\$600,000.00), in the City of Jackson, beginning December 1, 2022, through July 31, 2023; and

IT IS, THEREFORE, ORDERED that the Mayor is authorized to expend CDBG-CV CARES Act funds in amounts not to exceed six hundred thousand dollars (\$600,000.00), beginning December 5, 2022, through July 31, 2023, to provide grants to small business enterprises in the City of Jackson.

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

President Foote recognized **Chloe Dotson, Director of Planning and Development**, who provided a brief overview of said item.

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

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

Nays – None.

Absent – Stokes.

ORDER AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND RELATED DOCUMENTS WITH KEEP JACKSON BEAUTIFUL, INC., TO REIMBURSE IT FOR DEVELOPMENT AND PROMOTION OF A LITTER PREVENTION PROGRAM AND ACTIVITIES IN THE CITY OF JACKSON FOR CALENDAR YEAR 2022.

WHEREAS, in 1984, Keep Jackson Beautiful, Inc., the local sponsor for the Keep America Beautiful System, partnered with the City of Jackson to develop and promote litter prevention programs and activities; and

WHEREAS, on April 14, 2008, Governor Barbour approved House Bill 1545 which amended Chapter 966, Local and Private Laws of 1999, as amended by Chapter 922, Local and

Private Laws of 2004, as amended by Chapter 902, Local and Private Laws of 2008, as amended by Chapter 908, Local and Private Laws of 2012, as amended by Chapter 904, Local and Private Laws of 2016, which was reenacted and amended during the 2022 Regular Session of the Mississippi Legislature and signed by the Governor, authorizing the City of Jackson to contract with Keep Jackson Beautiful, Inc., for litter prevention services and to expend an amount not to exceed \$60,000.00 annually, through calendar year 2026, for said services; and

WHEREAS, the City Council budgeted \$40,000.00 for payment during Fiscal Year 2023 to be paid as the City's authorization during calendar year 2022; and

WHEREAS, the staff recommends that the City of Jackson enter into an agreement with Keep Jackson Beautiful, Inc., to develop and promote the litter prevention and beautification program for calendar year 2022.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the agreement and related documents with Keep Jackson Beautiful, Inc., reimbursing Keep Jackson Beautiful, Inc. for its 2022 calendar year program in the City of Jackson.

IT IS FURTHER ORDERED that payments in the amounts of \$40,000.00 be made to Keep Jackson Beautiful, Inc., for said services for calendar year 2022.

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

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

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

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

Nays – None.

Absent – Stokes.

**ORDER RATIFYING A CONTRACT WITH DELTA CONSTRUCTORS, INC.
FOR SANITARY SEWER REPAIR WORK ON GREYMONT STREET AND
AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER #1/FINAL AND
AUTHORIZING FINAL PAYMENT AND PUBLICATION OF THE NOTICE OF
COMPLETION.**

WHEREAS, a sanitary sewer line that runs under Greymont Street collapsed resulting in sewer backing up into businesses on High Street; and

WHEREAS, due to the severity of the failures, the City of Jackson needed to hire a contractor to replace the failed segment of sewer line; and

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

WHEREAS, pursuant to the emergency procurement process, a contract was executed with Delta Constructors, Inc. for an amount not to exceed \$269,398.00, a copy of which is attached to this Order and made a part of these minutes.

IT IS, THEREFORE, ORDERED that the contract with Delta Constructors, Inc. for an amount not to exceed \$269,398.00 for sanitary sewer repair work on Greymont Street is ratified.

IT IS, FURTHER, ORDERED that the Mayor is authorized to execute Change Order #1/Final to the contract of Delta Constructors, Inc. for emergency sanitary sewer repair work at

Greymont Street and authorize final payment in the amount of \$268,939.95 to Delta Constructors, Inc.

IT IS, FURTHER, ORDERED that the Municipal Clerk publish the Notice of Completion for the emergency sanitary sewer repair work on Greymont Street.

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

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

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

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

President Foote recognized **Council Member Grizzell** who moved, seconded by **Vice President Lee** to go into Closed Session to discuss pending litigation. The motion prevailed by the following vote:

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

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

During Closed Session, **Council Member Banks** moved and **Council Member Lindsay** seconded to go into Executive Session to discuss pending litigation, Agenda Item No. 21. The motion prevailed by the following vote:

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

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

Council Member Banks 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 and Lindsay.
Nays – None.
Absent – Stokes.

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

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JANUARY 3, 2023 10:00 A.M.

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There being no further business to come before the City Council, it was unanimously voted to adjourn until the Regular Council Meeting at 10:00 a.m. on January 17, 2022. At 12:54 p.m., the Council stood adjourned.

PREPARED BY:

Shanekia Mosley-Jordan
CLERK OF COUNCIL

APPROVED:

[Signature], 1/17/2023
COUNCIL PRESIDENT DATE
[Signature]

MAYOR

ATTEST:

Angela Harris
CITY CLERK
