

REGULAR MEETING OF THE CITY COUNCIL  
TUESDAY, DECEMBER 19, 2023 10:00 A.M.

**BE IT REMEMBERED** that a Regular Meeting of the City Council of Jackson, Mississippi, was convened at City Hall at 10:00 a.m. on December 19, 2023, being the third Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Aaron Banks, Council President, Ward 6; Angelique Lee, Vice-President, Ward 2; Ashby Foote, Ward 1; Kenneth Stokes, Ward 3; Brian Grizzell, Ward 4; Vernon Hartley, Ward 5 and Virgi Lindsay, Ward 7. Directors: Chokwe Antar Lumumba, Mayor; Shanekia Jordan, Clerk of Council, Sabrina Shelby, Chief Deputy Clerk of Council and Catoria Martin, City Attorney.

Absent: None.

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

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The invocation was offered by **Pastor Dr. C.J. Rhodes of Mount Helm Baptist Church**.

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

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**Note: Vice President Lee** left the meeting.

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**President Banks** recognized **Council Member Hartley** who moved, seconded by **Council Member Lindsay**, to suspend the rules to allow for public comments. The motion prevailed by the following vote:

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

Nays – None.

Absent – Lee and Stokes.

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The following individual provided public comments during the meeting:

- **Dominic Deleo** expressed concerns regarding Agenda Item No.10.
- **Jan Hillegas** expressed concerns regarding Agenda Item No. 33.
- **Shelia O’Flaherty** expressed concerns regarding Agenda Item No. 21, 22 and 33.
- **Katie Blount** expressed concerns regarding Agenda Item No. 3.
- **Mike Espy** expressed concerns regarding Agenda Item No. 33.

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**Note: Council Member Stokes** joined the meeting and **Vice President Lee** returned to the meeting.

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**President Banks** requested that Agenda Item No. 33 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

**ORDER AUTHORIZING THE CITY OF JACKSON TO ENTER INTO A JOINT RESOLUTION WITH THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY TO TRANSFER PROPERTY LOCATED AT 300 NORTH STATE STREET TO THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY.**

It is hereby jointly resolved by and between the City of Jackson, Mississippi, a political subdivision of the State of Mississippi, acting by and through its governing authority, Mayor and City Council, hereinafter referred to as "City", and the Mississippi Department of Archives and History, an agency of the State of Mississippi, hereinafter referred to as "Agency."

**WITNESSETH**

**WHEREAS**, the City purchased the property located at 300 North State Street, Jackson, Mississippi, 39201 ("property") in 1978; and

**WHEREAS**, in 1986, the City entered into an agreement with Hinds County to create the Jackson/Hinds Library System ("JHLS"); and

**WHEREAS**, the Eudora Welty Library ("Library") opened on the property in 1986 to serve the citizens of Jackson and Hinds County and did so for many years; and

**WHEREAS**, in recent years the facility constructed on the property has suffered from many issues, including roof leaks, broken water pipes, deteriorating brick, masonry, ceiling tile and flooring, lack of an operational elevator, and a lack of heating and cooling; and

**WHEREAS**, after being closed to the public at different times over the last few years, the library property has remained continuously closed since May 2023, primarily due to damage to the facility infrastructure from a lack of heating and cooling; and

**WHEREAS**, due to the condition of the building, the JHLS has relocated all of its administrative personnel and functions from the Library to other JHLS locations in Hinds County; and

**WHEREAS**, due to the condition of the building, there are no City or JHLS employees currently working in the Library building; and

**WHEREAS**, the City and JHLS desire to establish a new Library location downtown; and

**WHEREAS**, it is in the best interest of the City, JHLS, and the citizens of Jackson and Hinds County to relocate the Eudora Welty Library to a new facility where the Library may reopen to serve the citizens of Jackson and Hinds County, and its contents, including thousands of books, be preserved; and

**WHEREAS**, the Board of Trustees of the Agency issued a grant to JHLS in the amount of \$300,000 to pay expenses related to moving the contents of the Library to a new location in Jackson; and

**WHEREAS**, the City desires to convey and Agency desires to acquire the property for the purpose of converting it to a public park; and

**WHEREAS**, Agency intends to convert the property to a public park with professional landscaping, including trees, shrubs and flowers, hardscaping, a performance stage, artwork, and a children's area; and

**WHEREAS**, the park will act as a gateway to the Two Mississippi Museums and link the museums to State Street, the former Jackson municipal library and site of the Tougaloo 9 protest, and the rest of downtown Jackson, which will increase visitation to the Museums and downtown Jackson; and

**WHEREAS**, the park will be used by the Agency for public events and City and Agency have agreed that City may use the property at no cost for City events up to five days per year, subject to reasonable availability and prior approval; and

**WHEREAS**, the City and Agency have agreed to enter into a Quitclaim Deed with Right of Possibility of Reverter to transfer the property to the Agency, subject to a reverter providing that the Agency may hold title to such property only so long as it continues to be used for the benefit of the public as a recreational park, and title shall revert back to the City in the event of the cessation of such use; and

**WHEREAS**, during the 2023 regular legislative session, the Mississippi Legislature appropriated state funds in the amount of \$2,000,000.00 to Agency to convert the property to a public park, (see H.B. 1612, Section 16, (2023 Regular Session)), and a request for additional funding for this project will be made by Agency during the 2024 regular session; and

**WHEREAS**, Agency is also committed to raising private funds for the site preparation, design and construction of the park and has raised in excess of \$1,000,000.00 to date; and

**WHEREAS**, the City has legal authority to convey the property to the State for a public park pursuant to Miss. Code Ann. Section 29-1-15, which grants cities and counties authority to convey land to the State for public purposes, (“The governing authorities of any county or municipality of the State of Mississippi are hereby authorized and empowered, in their discretion, to convey lands to the State of Mississippi for hospitals and other public purposes.”); and

**WHEREAS**, the City owns a cell tower located on or abutting the property which generates income for the City as space on the tower is leased to three cellular carriers; and

**WHEREAS**, while the parties agree that relocation of the cell tower would be preferable due to the property’s planned use as a public park, there are no sites acceptable to the parties and the cellular carriers (“carriers”) currently available so the tower and all equipment necessary to operate the tower and the carriers’ equipment will remain in its present location until an acceptable site can be located and the tower and equipment relocated at the expense of the Agency; and

**WHEREAS**, if any portion of the cell tower or the equipment necessary to operate the tower and the carriers’ equipment is located on the property, and not just abutting it, the City will convey the property to Agency, less and except that portion so that ownership of the tower remains with the City and there is no disruption in the lease agreements with the carriers; and

**WHEREAS**, if in the future the tower is relocated at the expense of the Agency then the City agrees to convey the “less and except” portion identified above, if any, within 120 days of the new tower and the carriers’ equipment on the new tower becoming operational, so that Agency may decommission and dispose of the current tower for the benefit of the public park; and

**WHEREAS**, the parties agree that if the tower is relocated, Agency will be solely responsible for relocating the tower, including any costs associated with acquiring property for a new tower, designing and building a new tower and costs, if any, the City is contractually obligated to incur to move the carriers’ equipment; and

**WHEREAS**, at the request of the City, Agency agrees to make all reasonable efforts before or during demolition of the Library building to assist the City with removing a City-owned printing press from the basement of the building, with the City responsible for all expenses related to removal of the printing press; and

**WHEREAS**, the City agrees to allow Agency access to the area at the base of the tower to remove two abandoned and unsightly water tanks which will create more room for the tower and carrier’s equipment, and to demolish the current wall surrounding the tower and equipment and build a new, aesthetically pleasing wall, all at Agency’s expense.

**IT IS THEREFORE ORDERED:**

1. That the City of Jackson will convey the property located at 300 North State Street, Jackson, Mississippi, 39201, to the State of Mississippi, for the benefit and use of the Mississippi Department of Archives and History, less and except any portion of the property containing the cell tower and equipment necessary to operate the tower and the cellular carriers’ equipment, which would remain property of the City, subject to the following condition:
  - a. That the property will revert to the City of Jackson should it cease to be used for the benefit of the public as a recreational park, and
2. That upon acceptance of said conveyance and title vesting in the State of Mississippi for the benefit and use of the Mississippi Department of Archives and History, Agency will,

in compliance with all applicable laws, rules and regulations, at its own expense, demolish the current structure on the property and perform the necessary site work, landscaping and construction to convert the property to a public park, and

3. That Agency agrees that the City of Jackson may use the park up to five days per year, subject to reasonable availability and prior approval of Agency, and

4. That Agency agrees to make all reasonable efforts before and/or during demolition of the Library building to assist the City with removing a City-owned printing press from the basement of the building with the City responsible for all expenses related to removal of the printing press, and

5. The purpose of this Agreement is to develop a park in accordance with the wishes of the Agency and in accordance with legislative mandate (see H.B. 1612, Section 16, (2023 Regular Session)), for the benefit of the citizens of not only Jackson and Hinds County but the entire State of Mississippi and to enhance the visitor experience for patrons of the Two Mississippi Museums and tourists visiting downtown Jackson from all over the United States and the world and to relieve the City from the considerable expense of demolishing the now dilapidated and closed building, clearing the site, and repurposing the property.

6. No separate legal or administrative entity will be created by this Agreement, and the parties are authorized to proceed by virtue of the actions in compliance with Mississippi Code Section 29-1-15 and House Bill 1612, Section 16 (2023 Regular Session).

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

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**President Banks** recognized **Catoria Martin, City Attorney**, who recommended an amendment to amend said Order in the 14<sup>th</sup> WHEREAS changing “five days” to “twelve days”.

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**President Banks** recognized **Vice President Lee** who moved; seconded by **Council Member Lindsay**, to amend said order to reflect the changes as stated by **Catoria Martin, City Attorney**. The motion prevailed by the following vote:

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

Nays – Stokes.

Absent – None.

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

**ORDER AUTHORIZING THE CITY OF JACKSON TO ENTER INTO A JOINT RESOLUTION WITH THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY TO TRANSFER PROPERTY LOCATED AT 300 NORTH STATE STREET TO THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY.**

It is hereby jointly resolved by and between the City of Jackson, Mississippi, a political subdivision of the State of Mississippi, acting by and through its governing authority, Mayor and City Council, hereinafter referred to as “City”, and the Mississippi Department of Archives and History, an agency of the State of Mississippi, hereinafter referred to as “Agency.”

**WITNESSETH**

**WHEREAS**, the City purchased the property located at 300 North State Street, Jackson, Mississippi, 39201 (“property”) in 1978; and

**WHEREAS**, in 1986, the City entered into an agreement with Hinds County to create the Jackson/Hinds Library System (“JHLS”); and

**WHEREAS**, the Eudora Welty Library (“Library”) opened on the property in 1986 to serve the citizens of Jackson and Hinds County and did so for many years; and



**WHEREAS**, in recent years the facility constructed on the property has suffered from many issues, including roof leaks, broken water pipes, deteriorating brick, masonry, ceiling tile and flooring, lack of an operational elevator, and a lack of heating and cooling; and

**WHEREAS**, after being closed to the public at different times over the last few years, the library property has remained continuously closed since May 2023, primarily due to damage to the facility infrastructure from a lack of heating and cooling, and

**WHEREAS**, due to the condition of the building, the JHLS has relocated all of its administrative personnel and functions from the Library to other JHLS locations in Hinds County; and

**WHEREAS**, due to the condition of the building, there are no City or JHLS employees currently working in the Library building; and

**WHEREAS**, the City and JHLS desire to establish a new Library location downtown, and

**WHEREAS**, it is in the best interest of the City, JHLS, and the citizens of Jackson and Hinds County to relocate the Eudora Welty Library to a new facility where the Library may reopen to serve the citizens of Jackson and Hinds County, and its contents, including thousands of books, be preserved, and

**WHEREAS**, the Board of Trustees of the Agency issued a grant to JHLS in the amount of \$300,000 to pay expenses related to moving the contents of the Library to a new location in Jackson; and

**WHEREAS**, the City desires to convey and Agency desires to acquire the property for the purpose of converting it to a public park; and

**WHEREAS**, Agency intends to convert the property to a public park with professional landscaping, including trees, shrubs and flowers, hardscaping, a performance stage, artwork, and a children's area, and

**WHEREAS**, the park will act as a gateway to the Two Mississippi Museums and link the museums to State Street, the former Jackson municipal library and site of the Tougaloo 9 protest, and the rest of downtown Jackson, which will increase visitation to the Museums and downtown Jackson; and

**WHEREAS**, the park will be used by the Agency for public events and City and Agency have agreed that City may use the property at no cost for City events up to twelve days per year, subject to reasonable availability and prior approval; and

**WHEREAS**, the City and Agency have agreed to enter into a Quitclaim Deed with Right of Possibility of Reverter to transfer the property to the Agency, subject to a reverter providing that the Agency may hold title to such property only so long as it continues to be used for the benefit of the public as a recreational park, and title shall revert back to the City in the event of the cessation of such use; and

**WHEREAS**, during the 2023 regular legislative session, the Mississippi Legislature appropriated state funds in the amount of \$2,000,000.00 to Agency to convert the property to a public park, (see H.B. 1612, Section 16, (2023 Regular Session)), and a request for additional funding for this project will be made by Agency during the 2024 regular session; and

**WHEREAS**, Agency is also committed to raising private funds for the site preparation, design and construction of the park and has raised in excess of \$1,000,000.00 to date; and

**WHEREAS**, the City has legal authority to convey the property to the State for a public park pursuant to Miss. Code Ann. Section 29-1-15, which grants cities and counties authority to convey land to the State for public purposes, ("The governing authorities of any county or municipality of the State of Mississippi are hereby authorized and empowered, in their discretion, to convey lands to the State of Mississippi for hospitals and other public purposes."); and

**WHEREAS**, the City owns a cell tower located on or abutting the property which generates income for the City as space on the tower is leased to three cellular carriers; and

**WHEREAS**, while the parties agree that relocation of the cell tower would be preferable due to the property's planned use as a public park, there are no sites acceptable to the parties and the cellular carriers ("carriers") currently available so the tower and all equipment necessary to operate the tower and the carriers' equipment will remain in its present location until an acceptable site can be located and the tower and equipment relocated at the expense of the Agency; and

**WHEREAS**, if any portion of the cell tower or the equipment necessary to operate the tower and the carriers' equipment is located on the property, and not just abutting it, the City will convey the property to Agency, less and except that portion so that ownership of the tower remains with the City and there is no disruption in the lease agreements with the carriers; and

**WHEREAS**, if in the future the tower is relocated at the expense of the Agency then the City agrees to convey the "less and except" portion identified above, if any, within 120 days of the new tower and the carriers' equipment on the new tower becoming operational, so that Agency may decommission and dispose of the current tower for the benefit of the public park; and

**WHEREAS**, the parties agree that if the tower is relocated, Agency will be solely responsible for relocating the tower, including any costs associated with acquiring property for a new tower, designing and building a new tower and costs, if any, the City is contractually obligated to incur to move the carriers' equipment; and

**WHEREAS**, at the request of the City, Agency agrees to make all reasonable efforts before or during demolition of the Library building to assist the City with removing a City-owned printing press from the basement of the building, with the City responsible for all expenses related to removal of the printing press; and

**WHEREAS**, the City agrees to allow Agency access to the area at the base of the tower to remove two abandoned and unsightly water tanks which will create more room for the tower and carrier's equipment, and to demolish the current wall surrounding the tower and equipment and build a new, aesthetically pleasing wall, all at Agency's expense.

**IT IS THEREFORE ORDERED:**

1. That the City of Jackson will convey the property located at 300 North State Street, Jackson, Mississippi, 39201, to the State of Mississippi, for the benefit and use of the Mississippi Department of Archives and History, less and except any portion of the property containing the cell tower and equipment necessary to operate the tower and the cellular carriers' equipment, which would remain property of the City, subject to the following condition:

a. That the property will revert to the City of Jackson should it cease to be used for the benefit of the public as a recreational park, and

2. That upon acceptance of said conveyance and title vesting in the State of Mississippi for the benefit and use of the Mississippi Department of Archives and History, Agency will, in compliance with all applicable laws, rules and regulations, at its own expense, demolish the current structure on the property and perform the necessary site work, landscaping and construction to convert the property to a public park, and

3. That Agency agrees that the City of Jackson may use the park up to five days per year, subject to reasonable availability and prior approval of Agency, and

4. That Agency agrees to make all reasonable efforts before and/or during demolition of the Library building to assist the City with removing a City-owned printing press from the basement of the building with the City responsible for all expenses related to removal of the printing press, and

5. The purpose of this Agreement is to develop a park in accordance with the wishes of the Agency and in accordance with legislative mandate (see H.B. 1612, Section 16, (2023

Regular Session)), for the benefit of the citizens of not only Jackson and Hinds County but the entire State of Mississippi and to enhance the visitor experience for patrons of the Two Mississippi Museums and tourists visiting downtown Jackson from all over the United States and the world and to relieve the City from the considerable expense of demolishing the now dilapidated and closed building, clearing the site, and repurposing the property.

6. No separate legal or administrative entity will be created by this Agreement, and the parties are authorized to proceed by virtue of the actions in compliance with Mississippi Code Section 29-1-15 and House Bill 1612, Section 16 (2023 Regular Session).

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

Nays – None.

Abstentions – Hartley and Stokes.

Absent – None.

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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 ON SEPTEMBER 26, 2023 FOR THE FOLLOWING CASES:**

22-486	23-1150	23-697	23-2029	23-819	23-668	22-1336
23-930	22-1862	23-763	23-226	23-1522	23-974	21-1969
21-923	21-1402	22-1366	23-1523	21-1811	23-917	22-1369
23-1330	23-962	23-225	23-1602	22-941	23-915	23-1103
23-1066	23-955	23-972	22-217	23-989	23-871	23-1040
23-990	23-953	22-2337	23-2144	23-125	23-868	21-1198
22-1384	23-1059	23-1097	23-297	23-1526	23-875	21-1622
23-1012	23-967	23-1517	23-299	22-1592	23-874	

**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 September 26, 2023; 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 #22-486: Parcel #209-157** located at 2703 Glenn St.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 2) **Case #23-930: Parcel #208-35** located at 339 Colonial Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$750.00. Ward 5

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 3) **Case #21-923: Parcel #208-40** located at 338 Colonial Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 4) **Case #23-1330: Parcel #628-39** located at 2847 Woodside Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$1,000.00. Ward 6

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris. Remove inoperable vehicle(s).

- 5) **Case #23-1066: Parcel #631-129** located at 951 Valencia St.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 6) **Case #23-990: Parcel #839-684** located at 1926 Bienville Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Board up and/or secure structure(s). Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 7) **Case #22-1384: Parcel #839-38** located at 3007 Longwood Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Board up and/or secure structure(s). Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 8) **Case #23-1012: Parcel #618-89** located at 2935 Glen Derry St.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Board up and/or secure structure(s). Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 9) **Case #23-1150: Parcel #613-215** located at 3924 Garland Ave.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7



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Scope of Work: Board up and/or secure structure(s). Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 10) **Case #22-1862: Parcel #838-30** located at 1668 Smallwood St.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 11) **Case #21-1402: Parcel #616-418** located at 2724 Teresa Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 12) **Case #23-962: Parcel #610-194** located at 342 Savanna St.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 13) **Case #23-955: Parcel #613-48** located at 129 Savanna St.: After hearing testimony from Monica Spires, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, Monica Spires shall be afforded ninety (90) days until December 25, 2023 to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris. Remove inoperable vehicle(s).

- 14) **Case #23-953: Parcel #613-15** located at 109 Savanna St.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Board up and/or secure structure(s). Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 15) **Case #23-1059: Parcel #634-339** located at 1151 Dardanelle Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Board up and/or secure structure(s). Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 16) **Case #23-967: Parcel #855-1** located at 1403 McCluer Rd.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as

a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Board up and/or secure structure(s). Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 17) **Case #23-697: Parcel #4854-453-848** located at 0 Brookleigh Pl.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Remove trash and debris. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 18) **Case #23-763: Parcel #613-266** located at 408 Archer Ave.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Remove trash and debris.

- 19) **Case #22-1366: Parcel #633-224** located at 1142 Barbara Ann Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 20) **Case #23-225: Parcel #611-95** located at 351 Mason Blvd.: After hearing testimony from Atty. Robert Ogletree, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, Atty. Robert Ogletree shall be afforded ninety (90) days until December 25, 2023 to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Remove trash and debris.

- 21) **Case #23-972: Parcel #855-65** located at 1414 Cherrie Ave.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 22) **Case #22-2337: Parcel #628-301** located at 3005 Woodview Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 6

Scope of Work: Board up and/or secure structure(s). Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 23) **Case #23-1097: Parcel #504-742** located at 610 Briarwood Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 1

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. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 24) **Case #23-1517: Parcel #517-674** located at 791 Cedarhurst Dr.: After hearing testimony from Anthony Shaw, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, Anthony Shaw shall be afforded ninety (90) days until December 25, 2023 to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 25) **Case #23-2029: Parcel #429-493** located at 4232 El Paso Ave.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 26) **Case #23-226: Parcel #56-67-1** located at 224 Taylor St.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 27) **Case #23-1523: Parcel #408-941** located at 3660 Horton Ave.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 28) **Case #23-1602: Parcel #17-22-1** located at 1203 Linden Pl.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 29) **Case #22-217: Parcel #17-39** located at 1204 Linden Pl.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a

menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 30) **Case #23-2144: Parcel #429-354** located at 107 Pasa Robles Ave.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 31) **Case #23-297: Parcel #67-11** located at 1236 Crestview Ave.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$750.00. Ward 7

Scope of Work Remove trash and debris.

- 32) **Case #23-299: Parcel #67-12** located at 1126 Crestview Ave.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$750.00. Ward 7

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 33) **Case #23-819: Parcel #53-64** located at 3728 Northview Dr.: After hearing testimony from Hyacinth R. Nelson & Oran C. Page, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, Hyacinth R. Nelson & Oran C. Page shall be afforded thirty (30) days until October 26, 2023 to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs. Ward 7

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 34) **Case #23-1522: Parcel #738-959** located at 5822 Baxter Dr.: After hearing testimony from Walter & Parkman Lawrence, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, Walter & Parkman Lawrence shall be afforded fourteen (14) days until October 10, 2023 to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 1

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 35) **Case #21-1811: Parcel #131-219** located at 315 Magnolia St.: After hearing testimony from Lamar Randle hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, Lamar Randle shall be afforded



forty-five (45) days until November 10, 2023 to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris. Remove inoperable vehicle(s).

- 36) **Case #22-941: Parcel #306-6** located at 202 Lindsey Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 37) **Case #23-989: Parcel #629-73** located at 903 Lindsey Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Remove trash and debris.

- 38) **Case #23-125: Parcel #25-21** located at 646 N Jefferson St.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 39) **Case #23-1526: Parcel #820-21** located at 1537 Wiggins Rd.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 4

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 40) **Case #22-1592: Parcel #629-123** located at 4221 Oakmont Dr.: After hearing testimony from Carl & Lillian McGee, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, Carl & Lillian McGee shall be afforded sixty (60) days until November 25, 2023 to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 41) **Case #23-668: Parcel #629-261** located at 709 Westmont Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris. Remove inoperable vehicle(s)

- 42) **Case #23-974: Parcel #629-116** located at 4207 Oakmont Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 5

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 43) **Case #23-917: Parcel #95-78** located at 1321 Bailey Ave. Unit 23.: After hearing testimony from Maurice Martin, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, Maurice Martin shall be afforded seven (7) days to enter into repair agreement and thirty (30) days until October 26, 2023 to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00.

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 44) **Case #23-915: Parcel #95-75** located at 1351 Bailey Ave.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$750.00. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 45) **Case #23-871: Parcel #106-11-3** located at 1011 Randall St.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$750.00. Ward 3

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed. Remove trash and debris.

- 46) **Case #23-868: Parcel #106-13-11** located at 811 Randall St.: After hearing testimony from Winston J. Thompson III, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, Winston J. Thompson III shall be afforded ninety (90) days until December 25, 2023 to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 47) **Case #23-875: Parcel #106-152** located at 1031 Randall St.: After hearing testimony from John C & Rebecca Robinson, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, John c & Rebecca Robinson shall be afforded sixty (60) days until November 25, 2023 to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 3

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Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.  
Remove trash and debris.

- 48) **Case #23-874: Parcel #106-150** located at 1025 Randall St.: After hearing testimony from Rebecca & John C. Robinson, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, Rebecca & John C. Robinson shall be afforded sixty (60) days until November 25, 2023 to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.  
Remove trash and debris.

- 49) **Case #22-1336: Parcel #410-171** located at 3858 Gammill St.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.  
Remove trash and debris.

- 50) **Case #21-1969: Parcel #100-58** located at 2514 Williamson Ave.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

- 51) **Case #22-1369: Parcel #408-133** located at 3704 Sunset Dr.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.  
Remove trash and debris.

- 52) **Case #23-1103: Parcel #425-570** located at 3527 Bishop Ave.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 7

Scope of Work: Remove trash and debris.

- 53) **Case #23-1040: Parcel #101-122-18** located at 2939 Bishop St.: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to ensure property is clear and free of any and all health hazards. Cut grass, weeds, shrubbery, fence line, bushes, and saplings as needed.

54) **Case #21-1198: Parcel #97-265** located at 351 Idlewild St.: After hearing testimony from Willie M. Wilson Jr., hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, Willie M. Wilson Jr., shall be afforded sixty (60) days until November 25, 2023 to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Remove trash and debris.

55) **Case #21-1622: Parcel #97-264** located at 355 Idlewild St.: After hearing testimony from Willie Wilson, hearing officer recommends that the property be adjudicated as a menace to public health, safety, and welfare; however, Willie Wilson, shall be afforded sixty (60) days until November 25, 2023 to cure the violations by completing the scope of work. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Remove trash and debris.

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

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

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

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

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

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

Nays – Hartley.

Absent – None.

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

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND LOVE TRUCKING CO., INC. TO DEMOLISH A STRUCTURE, FOUNDATION, STEPS AND DRIVEWAY, TO CUT GRASS AND WEEDS, TO REMOVE TRASH AND DEBRIS, AND TO PERFORM OTHER WORK TO REMEDY THE CONDITIONS ON STATEOWNED PROPERTY THAT CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #CE-22-2380 LOCATED AT 1731 WOOD GLEN DRIVE – PARCEL #630-566 – \$7,498.00.**

**WHEREAS**, the State of Mississippi received 1731 Wood Glen Drive due to delinquent taxes; and

**WHEREAS**, said property must be maintained and conditions that constitute a menace to public health, safety and welfare remedied; and



**WHEREAS**, on March 15, 2023, the State of Mississippi Public Lands Division issued a Consent to Enter onto State-Owned Property to the City for the purpose of cleaning and demolishing the improvement on the property at no cost to the Office of the Mississippi Secretary of State for Case #CE-22-2380 located at 1731 Wood Glen Drive parcel #630-566 in Ward 6 of the City of Jackson; and

**WHEREAS**, the Community Improvement Division of the Department of Planning and Development has a system in which vendors performing services related to the remedying of conditions on property deemed to be a menace to public health, safety, and welfare submit bids; and

**WHEREAS**, Love Trucking Co., Inc. submitted the lowest bid and through its Member, Dennis Love, agreed to demolish the structure, foundation, steps, and driveway, to cut grass and weeds, to remove trash and debris, and to perform other work to remedy conditions constituting a menace to public health, safety, and welfare on the parcel located at 1731 Wood Glen Drive for the sum of \$7,498.00; and

**WHEREAS**, Love Trucking Co., Inc. has a principal office address of 761 Woodlake Drive Jackson, Mississippi 39206 according to the information appearing on the Mississippi Secretary of State's website.

**IT IS, THEREFORE, ORDERED** that the Mayor be authorized to execute a contract with Love Trucking Co., Inc. to demolish the structure, foundation, steps, and driveway, to cut grass and weeds, to remove trash and debris, and to perform work to remedy the other conditions on the property located at 1731 Wood Glen Drive deemed to be a menace to public health, safety, and welfare.

**IT IS FURTHER HEREBY ORDERED** that a sum not to exceed \$7,498.00 shall be paid to Love Trucking Co., Inc. for the services provided from funds budgeted for the Division.

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

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

Nays – Hartley.

Absent – None.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND LOVE TRUCKING CO., INC. TO DEMOLISH A STRUCTURE, FOUNDATION, STEPS AND DRIVEWAY, TO CUT GRASS AND WEEDS, TO REMOVE TRASH AND DEBRIS, AND TO PERFORM OTHER WORK TO REMEDY THE CONDITIONS ON STATEOWNED PROPERTY THAT CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #CE-22-2430 LOCATED AT 1409 EMINENCE ROW – PARCEL #421-90 – \$6,981.00.**

**WHEREAS**, the State of Mississippi received 1409 Eminence Row due to delinquent taxes; and

**WHEREAS**, said property must be maintained and conditions that constitute a menace to public health, safety and welfare remedied; and

**WHEREAS**, on June 20, 2023, the State of Mississippi Public Lands Division issued a Consent to Enter onto State-Owned Property to the City for the purpose of cleaning and demolishing the improvement on the property at no cost to the Office of the Mississippi Secretary of State for Case #CE-22-2430 located at 1409 Eminence Row parcel #421-90 in Ward 3 of the City of Jackson; and

**WHEREAS**, the Community Improvement Division of the Department of Planning and Development has a system in which vendors performing services related to the remedying of

conditions on property deemed to be a menace to public health, safety, and welfare submit bids; and

**WHEREAS**, Love Trucking Co., Inc. submitted the lowest bid and through its Member, Dennis Love, agreed to demolish the structure, foundation, steps, and driveway, to cut grass and weeds, to remove trash and debris, and to perform other work to remedy conditions constituting a menace to public health, safety, and welfare on the parcel located at 1409 Eminence Row for the sum of \$6,981.00; and

**WHEREAS**, Love Trucking Co., Inc., has a principal office address of 761 Woodlake Drive Jackson, Mississippi 39206 according to the information appearing on the Mississippi Secretary of State's website.

**IT IS, THEREFORE, ORDERED** that the Mayor be authorized to execute a contract with Love Trucking Co., Inc. to demolish the structure, foundation, steps, and driveway, to cut grass and weeds, to remove trash and debris, and to perform work to remedy the other conditions on the property located at 1409 Eminence Row deemed to be a menace to public health, safety, and welfare.

**IT IS FURTHER HEREBY ORDERED** that a sum not to exceed \$6,981.00 shall be paid to Love Trucking Co., Inc. for the services provided from funds budgeted for the Division.

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

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

Nays – Hartley.

Absent – None.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND LOVE TRUCKING CO., INC. TO DEMOLISH A STRUCTURE, FOUNDATION, STEPS AND DRIVEWAY, TO CUT GRASS AND WEEDS, TO REMOVE TRASH AND DEBRIS, AND TO PERFORM OTHER WORK TO REMEDY THE CONDITIONS ON STATEOWNED PROPERTY THAT CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #CE-23-27 LOCATED AT 2706 BROOKWOOD DRIVE – PARCEL#615-159 – \$6,968.00.**

**WHEREAS**, the State of Mississippi received 2706 Brookwood Drive due to delinquent taxes; and

**WHEREAS**, said property must be maintained and conditions that constitute a menace to public health, safety and welfare remedied; and

**WHEREAS**, on March 15, 2023, the State of Mississippi Public Lands Division issued a Consent to Enter onto State-Owned Property to the City for the purpose of cleaning and demolishing the improvement on the property at no cost to the Office of the Mississippi Secretary of State for Case #CE-23-27 located at 2706 Brookwood Drive parcel #615-159 in Ward 6 of the City of Jackson; and

**WHEREAS**, the Community Improvement Division of the Department of Planning and Development has a system in which vendors performing services related to the remedying of conditions on property deemed to be a menace to public health, safety, and welfare submit bids; and

**WHEREAS**, Love Trucking Co., Inc. submitted the lowest bid and through its Member, Dennis Love, agreed to demolish the structure, foundation, steps, and driveway, to cut grass and weeds, to remove trash and debris, and to perform other work to remedy conditions constituting a menace to public health, safety, and welfare on the parcel located at 2706 Brookwood Drive for the sum of \$6,968.00; and

**WHEREAS**, Love Trucking Co., Inc. has a principal office address of 761 Woodlake Drive Jackson, Mississippi 39206 according to the information appearing on the Mississippi Secretary of State's website.

**IT IS, THEREFORE, ORDERED** that the Mayor be authorized to execute a contract with Love Trucking Co., Inc. to demolish the structure, foundation, steps, and driveway, to cut grass and weeds, to remove trash and debris, and to perform work to remedy the other conditions on the property located at 2706 Brookwood Drive deemed to be a menace to public health, safety, and welfare.

**IT IS FURTHER HEREBY ORDERED** that a sum not to exceed \$6,968.00 shall be paid to Love Trucking Co., Inc. for the services provided from funds budgeted for the Division.

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

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

Nays – Hartley.

Absent – None.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND TRIARC MANAGEMENT SERVICES LLC TO DEMOLISH A STRUCTURE, FOUNDATION, STEPS AND DRIVEWAY, TO CUT GRASS AND WEEDS, TO REMOVE TRASH AND DEBRIS, AND TO PERFORM OTHER WORK TO REMEDY THE CONDITIONS ON CITY-OWNED PROPERTY THAT CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY, AND WELFARE ACCORDING TO MISSISSIPPI CODE ANNOTATED SECTION 21-19-11 FOR CASE #CE21-1643 LOCATED AT 123 HOUSTON STREET – PARCEL #121-21 – \$6,500.00.**

**WHEREAS**, the City of Jackson owns the property located at 123 Houston Street; and

**WHEREAS**, said property must be maintained and conditions that constitute a menace to public health, safety and welfare remedied; and

**WHEREAS**, the Community Improvement Division of the Planning and Development Department has solicited bids from vendors to perform professional services to remedy the conditions on parcel #121-21 located at 123 Houston Street; and

**WHEREAS**, based on stated requirements, TriArc Management Services LLC has submitted the lowest bid to perform professional services for the sum of \$6,500.00; and

**WHEREAS**, TriArc Management Services LLC has a principal office address of 644 E. Rhinewalt Road Lena, Mississippi 39094; and

**WHEREAS**, it is in the best interest of the City, and the citizens of Jackson that the Property be maintained.

**IT IS, THEREFORE, ORDERED** that the Mayor is authorized to execute a contract with TriArc Management Services LLC to demolish and remove remains of dilapidated structure, trash, debris, foundation, steps, driveway, tires, and any other items to insure property is clear and free of any and all health hazards; and cut grass and weeds, for Case #CE-21-1643 located at 123 Houston Street parcel #121-21 for an amount not to exceed \$6,500.00.

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

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

Nays – Hartley.

Absent – None.

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**APPROVAL OF THE NOVEMBER 21, 2023 REGULAR COUNCIL MEETING MINUTES.**

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

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

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**APPROVAL OF THE DECEMBER 5, 2023 REGULAR COUNCIL MEETING MINUTES.**

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

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

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There came on for Introduction, Agenda Item No. 10:

**ORDINANCE AMENDING SECTIONS 122-24, -234, -235, -236, -242, -267, - 268, - 269, -270(a), -271, and -272 OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSISSIPPI.** **Council Member Banks** requested that the Council suspend the rules to adopt said item.

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

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

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Thereafter, **President Banks** requested that the Clerk read the Order:

**ORDINANCE AMENDING SECTIONS 122-24, -234, -235, -236, -242, -267, - 268, - 269, -270(a), -271, and -272 OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSISSIPPI.**

**WHEREAS**, the City of Jackson agreed to an Interim Stipulated Order in United States vs. City of Jackson, Mississippi, 3:22-cv-00686-HTW-LGI (U.S.N.D. Miss.); and

**WHEREAS**, the Interim Stipulated Order provides for the Interim Third-Party Manager to propose adjustments in the existing rate structure, as follows:

The ITPM...shall...q. [w]ithin thirty (30) Days of receipt by the City of a Financial Management Plan, and annually until the termination of this Stipulated Order, meet with the City to discuss the need to adjust the Rate structure, the Rates under the existing or a modified Rate structure, and any fees that the City charges customers for water utilities:

- i. If, in reliance on the latest Financial Management Plan and after consulting with the Mayor and the Mayor’s staff, the ITPM deems a modification of the Rate structure or a Rate or fee increase appropriate to meet the requirements of this Stipulated Order, the Mayor shall, in accordance with Title 21, Chapter 13, of the Miss. Code Ann., propose an amendment, consistent with the ITPM’s recommendation, to Sections 122-268 and/or 122-269, Code of Ordinances of Jackson, Mississippi, to be placed on the agenda of the next scheduled regular City Council meeting;
- ii. In the event the City Council does not pass an amendment proposed by the Mayor in accordance with the preceding sub-Paragraph and more than 365 Days have passed



from the date of the last Rate adjustment, the ITPM shall have the full power and authority to adjust the Rates, Rate structure, and/or fees without the necessity of any actions on the part of the City Council and with thirty (30) Days' notice to the Mayor, Director of Public Works, the City Council, and the System's customers published in accordance with Miss. Code Ann. § 21-13-11 and published on the ITPM's website...; and

**WHEREAS**, the City of Jackson agreed to a Stipulated Order on Sewer System (CWA Case) in United States, et al. vs. City of Jackson, Mississippi, 3:12-cv-790-HTW-LGI (U.S.N.D.); and

**WHEREAS**, the Stipulated Order on Sewer System (CWA Case) provides for the Interim Third-Party Manager to propose adjustments in the existing rate structure, as follows:

The ITPM...shall...w. within ninety (90) Days of the Order Effective Date, and annually until the termination this Stipulated Order, meet with the City to discuss the need to adjust the Sewer Service Charge structure, the Sewer Services Charges under the existing or a modified structure, and any fees that the City charges customers for sewer utilities:

- i. If, in reliance on the latest Financial Management Plan and after consulting with the Mayor and the Mayor's staff, the ITPM deems a modification of the Sewer Service Charge structure or a Sewer Service Charge or fee increase appropriate to meet the requirements of this Stipulated Order, the Mayor shall propose an amendment, consistent with the ITPM's recommendation, to Sections 122-234 and/or 122-235, Code of Ordinances of Jackson, Mississippi, to be placed on the agenda of the next scheduled regular City Council meeting;
- ii. In the event the City Council does not pass an amendment proposed by the Mayor in accordance with the preceding sub-Paragraph and more than three hundred sixty-five (365) Days have passed from the date of the last Sewer Service Charges adjustment, the ITPM shall have the full power and authority to adjust the Sewer Service Charges, Sewer Service Charges structure, and/or fees without the necessity of any actions on the part of the City Council and with thirty (30) Days' notice to the Mayor, Director of Public Works, the City Council, and the Sewer System's customers published in accordance with Miss. Code Ann. § 21-13-11 and published on the ITPM's website...; and

**WHEREAS**, the Interim Third-Party Manager presented proposed changes to the Rate structure, a Rate or fee increase, changes to the Sewer Service Charge structure, and a Sewer Service Charge or fee increase to the Mayor on November 20, 2023 and met with the Mayor and the Mayor's staff on December 5, 2023; and

**WHEREAS**, consistent with the requirements of both the Interim Stipulated Order and the Stipulated Order on the Sewer System (CWA Case), the amendments are being presented to the City Council at their next regular Council meeting following the meeting with the Mayor; and

**WHEREAS**, Section 122-24 should be amended as follows:

- (a) Prohibited. It shall be unlawful for any person, not an employee or representative of the city waterworks, to tamper with or remove any municipal water meter while the water meter is connected to the city water system.
- (b) Penalty for violation of section. A violation of this section shall constitute a misdemeanor and may be punished, upon conviction, according to the provisions of section 1-10.
- (c) In addition to any criminal penalty that may be imposed for violation of this section, the Director of Public Works or their designee may charge the owner of the premises where a meter is, or has been previously, installed a \$500.00 meter tampering fee.

**WHEREAS**, Section 122-234 should be amended as follows:

Sewer service charges for the use of the city sanitary sewage system shall be in accordance with the following: In addition to the combined charges for water and sewer in Sections 122-268 & -269, There shall be two classes of charges: one being a volumetric charge and the other being a surcharge for excessive strength of wastewater. These surcharges shall apply to all users of the city sanitary sewage system, as provided in section 122-232.

(1) Volumetric charges. Volumetric charges will be determined as follows:

- a. The volumetric charge will be determined by the water meter reading, or at the user's option, the user may furnish metering devices approved by the approving authority for measuring wastewater discharged into the city sewer system. This will apply to those users of the city sanitary sewer system who purchase all water from the city or other water utility. Those users having private wells or other sources of water supply shall install either water meters on the wells or other sources of water supply or approved metering devices on wastewater discharged to the city sewers. The schedule of sewer service charges, on a volumetric basis, is as follows: Each customer shall be charged \$5.36 per 100 cubic feet of meter water consumption when the monthly water consumption is greater than the minimum amounts described in section 122-235.
- b. Notwithstanding subsection (1) a. of this section, any business utilizing sewer services provided by the city shall pay a reduced volumetric charge of its sewer usage at the follow rates:
  1. If the business makes a capital investment of \$75,000,000.00 or more, and either employs at least 75 employees or uses a daily average of 133,000 cubic feet of water, it shall receive a 25 percent reduction in its water charges.
  2. If the business makes a capital investment of at least \$50,000,000.00, but less than \$75,000,000.00, and employs at least 50 employees, it shall receive a 20 percent reduction in its water charges.
  3. If the business makes a capital investment of at least \$25,000,000.00, but less than \$50,000,000.00, and employs at least 25 employees, it shall receive a 15 percent reduction in its water charges.
  4. If the business makes a capital investment of at least \$10,000,000.00, but less than \$25,000,000.00, and employs at least 25 employees, it shall receive a ten percent reduction in water charges.
- c. Nothing in this section shall be construed to allow any business to obtain the reduction in rates set forth in subsections (1)b.1. through (1)b.4. of this section for a period in excess of ten years, and such ten-year period is the maximum period during which the reduction in rates shall apply.
- d. Prior to qualifying for the rate reduction set forth in subsections (1)b.1. through (1)b.4. of this section, a business seeking such reduction shall be required to enter into an agreement with the city reciting that the business has met one of the conditions of subsections (1)b.1. through (1)b.4. of this section.

(2) Surcharge for excessive wastewater strengths. A sewer service surcharge for excessive wastewater strengths shall be assessed for wastewaters discharging to the sewer system having strengths in excess of the limits scheduled in this subsection:

Wastewater Parameter Strength Limit  
(milligrams per liter)

Biochemical oxygen demand (BOD) 240  
Suspended solids 300  
Fats, oil and grease 67

The concentrations in excess of the above limits shall be assessed a surcharge based on the following schedule of rates:

Wastewater Parameter Surcharge Rate (per pound)

Biochemical oxygen demand (BOD) \$0.28

Suspended solids \$0.28

Fats, oil and grease \$1.05

The surcharge shall be computed from the following formula:

$S = 0.00624 \times F \times (SRB \times EBOD + SRS \times Ess) + (SRG \times Efog)$  where:

S = surcharge in dollars

F = wastewater flow expressed in 100 cubic feet

SRB = surcharge rate for BOD expressed in dollars per pound BOD

SRS = surcharge rate for suspended solids expressed in dollars per pound suspended solids

SRG = surcharge rate for fats, oil and grease expressed in dollars per pound FOG

EBOD = excess BOD concentration, expressed in milligrams per liter, where BOD = BOD concentration, as discharged, less the scheduled strength limit for BOD. If EBOD results in a negative number, a value of zero shall be used for EBOD in the surcharge formula.

Ess = excess suspended solids concentration, expressed in milligrams, where Ess = suspended solids concentration, as discharged, less the scheduled strength limit for suspended solids. If Ess results in a negative number, a value of zero shall be used for Ess in the surcharge formula.

Efog = excess fats, oil and grease concentration, expressed in milligrams, where Efog = fats, oil and grease concentration, as discharged, less the scheduled strength limit for fats, oils and grease. If Efog results in a negative number, a value of zero shall be used for Efog in the surcharge formula.

All users subject to sewer service surcharge shall, at the request and with the approval of the public works department shall:

- a. Install and maintain a suitable flow measuring device.
- b. Provide and maintain an accessible sampling manhole in the user's wastewater discharge line or lines.
- c. Report average monthly flow, biochemical oxygen demand, suspended solids and any other scheduled parameter, as required. All analytical results shall be made by an approved laboratory.
- d. Provide instrumentation for and report results of any characteristics of the wastewater which are required in order to be in compliance with this article.
- e. Provide flow regulation to limit the maximum hourly flow to four times the average 24-hour flow of the individual user; and

**WHEREAS**, Section 122-235 should be deleted in its entirety as follows:

- (a) The schedule of minimum sewer service charges is as follows:
  - (1) Each customer with a five-eighths-inch meter whose water consumption is 300 cubic feet or less shall be assessed a minimum monthly charge of \$16.08.
  - (2) Each customer with a one-inch meter whose water consumption is 670 cubic feet or less shall be assessed a minimum monthly charge of \$35.91.
  - (3) Each customer with a one and one-half or two-inch meter whose water consumption is 1,510 cubic feet or less shall be assessed a minimum monthly charge of \$80.94.
  - (4) Each customer with a three-inch or larger meter whose water consumption is 2,710 cubic feet or less shall be assessed a minimum monthly charge of \$145.26.
- (b) The minimum rates charged to users of the sewer system outside the corporate limits of the city shall be the same as the rates set forth in subsection (a) of this section.; and

**WHEREAS**, Section 122-236 should be amended as follows:

- (a) Single-family residences shall be given a 15 percent summer sewer credit during the months of June through September to account for water metered but not actually entering the sewer system due to lawn watering and other uses. This credit shall apply only to those single-family residences whose sewer charges are determined solely from the volume of water recorded by their water meters. Single-family residences whose sewer charges are determined either by directly measuring that portion of the water supply which serves a lawn-sprinkling load or other load not directly connected to the sewer system or by directly

measuring wastewater discharged will not receive the automatic summer credit as stated. The credit shall apply to single-family residential users both inside and outside the corporate limits of the city.

(b) A user may, at his own expense, and with the city's approval, install a secondary meter or meters on that portion of his water supply system which serves only his lawn-sprinkling load so as to measure directly the amount of water that does not enter the public sewers, and that user will not receive a summer sewer credit.; and

**WHEREAS**, Section 122-242 should be deleted in its entirety, as follows:

Failure to pay the sewer service charge within 35 days after the due date of the utility statement shall be grounds for terminating all utility service by the serving utility.; and

**WHEREAS**, Section 122-267 should be amended as follows:

(a) In order to guarantee prompt payment of all amounts due to the city for water, sewer and sanitation services, where applicable, and by way of advance payment for services to be furnished, a deposit shall be required of each applicant for services by meter size. All accounts where payment is made directly by the U.S. government, the state, the county or the city shall be exempt from this section.

(1) A deposit of \$100.00 is required when application is made for a residential unit where the consumer customer takes water through a metered service.

(2) A deposit of \$155.00 is required when application is made for any five-eighths-inch meter for commercial purposes.

(3) A deposit of \$360.00 per inch of meter size is required when application is made for any meters for commercial units in excess of five-eighths inch.

(b) When the city acquires an existing water system, a deposit shall be required of each consumer of water by meter rate of such system as provided in subsection (a) of this section. However, at the option of the consumer, such deposit may be paid as follows:

(1) In one payment in the consumer's first bill after the city commences operation of such system; or

(2) In ten equal monthly installments in the consumer's bill after the city commences operation of such system.

(c) The city may, upon review of any account, require an increase in the deposit where it appears the current deposit is insufficient to secure payment for service. In such cases the deposit will be increased to an amount equal to at least two times the average of the customer's monthly water usage. Each consumer customer who shall fail to increase his deposit as provided in this subsection after ten days' notice so to do shall be in default, and the consumer customer's water shall be shut off and the service discontinued until such deposit shall be increased as provided in this subsection.

(d) Deposits shall not be used in automatic settlements of current water bills but shall be applied in payment of past due water bills only in cases where default has been made and the water supply is shut off by reason of such default.; and

**WHEREAS**, Section 122-268 should be amended as follows:

(a) The rates and amounts required to be paid for consumption per month, exclusive of any applicable sales tax, by customers of the city water works department of public works city water and sewer system residing within the city shall consist of the following components:

(1) For all customer classifications:

A. Volumetric rate for water and sewer combined. A flat rate per 100 cubic feet will be charged regardless of the number of feet consumed. An inclining block rate shall be charged for combined water and sewer services based on monthly meter readings as follows:



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Up to 30 CCF (22,440 gallons) \$6.00 per CCF (748 gallons)  
From 31 CCF to 100 CCF (74,800 gallons) \$12.00 per CCF  
From 101 CCF to 350 CCF (261,800 gallons) \$14.00 per CCF  
Over 350 CCF \$16.00 per CCF

B. Volumetric rate for water only or sewer only customers:

Up to 30 CCF (22,440 gallons) \$3.00 per CCF (748 gallons)  
From 31 CCF to 100 CCF (74,800 gallons) \$6.00 per CCF  
From 101 CCF to 350 CCF (261,800 gallons) \$7.00 per CCF  
Over 350 CCF \$8.00 per CCF

a. The flat rate per 100 cubic feet is \$3.85.

b. Notwithstanding subsection (1)a. of this section, any business may pay a reduced volumetric charge for its water as follows:

1. If the business makes a capital investment of \$75,000,000.00 or more, and either employs at least 75 employees or uses a daily average of 50,000 cubic feet of water, it shall receive a 25 percent reduction in its water charges.
2. If the business makes a capital investment of at least \$50,000,000.00, but less than \$75,000,000.00, and employs at least 50 employees, it shall receive a 20 percent reduction in its water charges.
3. If the business makes a capital investment of at least \$25,000,000.00, but less than \$50,000,000.00, and employs at least 25 employees, it shall receive a 15 percent reduction in its water charges.
4. If the business makes a capital investment of at least \$10,000,000.00, but less than \$25,000,000.00, and employs at least 25 employees, it shall receive a ten percent reduction in water charges.

c. Nothing in this section shall be construed to allow any business to obtain the reduction in rates set forth in subsections (1)b.1. through (1)b.4. of this section for a period in excess of ten years, and such ten-year period is the maximum period during which the reduction in rates shall apply.

d. Prior to qualifying for the rate reduction set forth in subsections (1)b.1. through (1)b.4. of this section, a business seeking such reduction shall be required to enter into an agreement with the city reciting that the business has met one of the conditions of subsections (1)b.1. through (1)b.4. of this section.

(2) Service Availability charge. Service charges are calculated as follows:

a. In addition to the volumetric rate, and meter charge, on all meters using more than 300 cubic feet per month there shall also be a monthly availability service charge of \$11.55, chargeable for each month or part of month that this section is in effect. is based on meter size as follows:

A. For customers receiving both water and sewer services:

i. Availability Fee per meter for residential and commercial customer classifications (based on meter size)

Per Month

5/8-inch meter \$40

1-inch meter \$60

1 ½ - inch meter \$200

2-inch meter \$320

4-inch meter \$640

6-inch meter \$1,280

8-inch meter \$2,560

ii. Availability fee for SNAP Customer Classification (1" or smaller meter)  
\$10 per month

B. For customers receiving either water or sewer services only:

- i. Availability Fee per meter for residential and commercial customer classifications (based on meter size)  
Per Month  
5/8-inch meter \$20  
1-inch meter \$30  
1 ½ - inch meter \$100  
2-inch meter \$160  
4-inch meter \$320  
6-inch meter \$640  
8-inch meter \$1,280
  - ii. Availability fee for SNAP Customer Classification (1" or smaller meter)  
\$5 per month
- b. In addition to the service charge in subsection (a)(2)a. of this section, for each meter serving more than one residential unit, there shall be an additional service charge of \$11.55 for each such unit in excess of one. Residential unit means a dwelling complete with normal facilities of habitation intended for long-term occupancy including, but not limited to, apartments, condominiums, trailers, separate residential houses, apartment nursing homes, and permanent retirement residences. Garage apartments are expressly excluded from the definition of residential unit.
    - (b) The rates to be charged customers residing outside the corporate limits of the city but not more than one mile outside the corporate limits, will be double the rates set forth in subsection (a) of this section.
    - (c) Consumers residing more than one mile outside of the corporate limits of the city will be charged a rate as approved by the Mississippi Public Service Commission.; and

**WHEREAS**, Section 122-269 should be amended as follows:

- (a) There shall be a monthly charge, chargeable for each month or part of month that this section is in effect, for each fire protection connection as follows:  
Item Charge  
Hydrant \$15.00  
6-inch, or less, sprinkler connection 20.00  
8-inch sprinkler connection 22.00  
10-inch sprinkler connection 24.00  
12-inch sprinkler connection 28.00  
16-inch sprinkler connection 48.00
- (b) The rates to be charged consumers residing outside the corporate limits of the city will be double the rates set forth in subsection (a) of this section.
- (c) Each connection owner subject to section 122-42 "Cross connection control shall pay a monthly administrative fee of \$3.00. This administrative fee shall be included in the connection owner's periodic city services bill.; and

**WHEREAS**, Section 122-270 (a) should be amended as follows:

- (a) Services will be discontinued to any patron of the city water works department of public works the water and sewer system who fails, neglects, or refuses to pay the amount billed within 35 days of the billing by the date due.; and in the event of nonpayment or delinquency, the commercial customer shall pay the sum of \$50.00, plus sales tax for commercial accounts. The \$50.00 late fee for residential customers shall be eliminated and a \$25.00 reconnect fee shall be instituted. Service shall not be restored until the current balance is paid in full, or the customer enters in an approved payment plan, and the customer has paid the \$100 reconnection fee.; and

**WHEREAS**, Section 122-271 should be amended as follows:

If the water meter fails to register during any month, then the bill for water shall be estimated according to the average amount correctly registered during the three previous months

or the same as the first month's reading, after meter is reset, within the discretion of the utility service manager, after ascertaining parallel conditions. volumetric usage for all customers with similar size meters; and

**WHEREAS**, Section 122-272 should be deleted in its entirety, as follows:

If the water meter fails to register during any month, then the bill for water shall be estimated according to the average amount correctly registered during the three previous months or the same as the first month's reading, after meter is reset, within the discretion of the utility service manager, after ascertaining parallel conditions.

**THEREFORE, BE IT ORDAINED** as follows:

SECTION 1. Section 122-24 is hereby amended as follows:

- (a) Prohibited. It shall be unlawful for any person, not an employee or representative of the city waterworks, to tamper with or remove any municipal water meter while the water meter is connected to the city water system.
- (b) Penalty for violation of section. A violation of this section shall constitute a misdemeanor and may be punished, upon conviction, according to the provisions of section 1-10.
- (c) In addition to any criminal penalty that may be imposed for violation of this section, the Director of Public Works or their designee may charge the owner of the premises where a meter is, or has been previously, installed a \$500 meter tampering fee.

SECTION 2. Section 122-234 is hereby amended as follows:

In addition to the combined charges for water and sewer in Sections 122-268 & -269, there shall be a surcharge for excessive strength of wastewater. This surcharge shall apply to all users of the city sanitary sewage system, as provided in section 122-232.

Surcharge for excessive wastewater strengths. A sewer service surcharge for excessive wastewater strengths shall be assessed for wastewaters discharging to the sewer system having strengths in excess of the limits scheduled in this subsection:

Wastewater Parameter Strength Limit (milligrams per liter) Biochemical oxygen demand (BOD)  
240

Suspended solids 300

Fats, oil and grease 67

The concentrations in excess of the above limits shall be assessed a surcharge based on the following schedule of rates:

Wastewater Parameter Surcharge Rate (per pound)

Biochemical oxygen demand (BOD) \$0.28

Suspended solids \$0.28

Fats, oil and grease \$1.05

The surcharge shall be computed from the following formula:

$S = 0.00624 \times F \times (SRB \times EBOD + SRS \times Ess) + (SRG \times Efog)$  where:

S = surcharge in dollars

F = wastewater flow expressed in 100 cubic feet

SRB = surcharge rate for BOD expressed in dollars per pound BOD

SRS = surcharge rate for suspended solids expressed in dollars per pound suspended solids

SRG = surcharge rate for fats, oil and grease expressed in dollars per pound FOG

EBOD = excess BOD concentration, expressed in milligrams per liter, where BOD = BOD concentration, as discharged, less the scheduled strength limit for BOD.

If EBOD results in a negative number, a value of zero shall be used for EBOD in the surcharge formula.

Ess = excess suspended solids concentration, expressed in milligrams, where Ess = suspended solids concentration, as discharged, less the scheduled strength limit for suspended solids.

If Ess results in a negative number, a value of zero shall be used for Ess in the surcharge formula.

Efog = excess fats, oil and grease concentration, expressed in milligrams, where Efog = fats, oil and grease concentration, as discharged, less the scheduled strength limit for fats, oils and grease.

If Efog results in a negative number, a value of zero shall be used for Efog in the surcharge formula.

All users subject to sewer service surcharge shall, at the request and with the approval of the public works department shall:

- a. Install and maintain a suitable flow measuring device.
- b. Provide and maintain an accessible sampling manhole in the user's wastewater discharge line or lines.
- c. Report average monthly flow, biochemical oxygen demand, suspended solids and any other scheduled parameter, as required. All analytical results shall be made by an approved laboratory.
- d. Provide instrumentation for and report results of any characteristics of the wastewater which are required in order to be in compliance with this article.
- e. Provide flow regulation to limit the maximum hourly flow to four times the average 24-hour flow of the individual user.

SECTION 3. Section 122-235 is hereby deleted in its entirety.

SECTION 4. Section 122-236 is hereby amended as follows:

A user may, at his own expense, and with the city's approval, install a secondary meter or meters on that portion of his water supply system which serves only his lawn-sprinkling load so as to measure directly the amount of water that does not enter the public sewers.

SECTION 5. Section 122-242 is hereby deleted in its entirety.

SECTION 6. Section 122-267 is hereby amended as follows:

- (a) In order to guarantee prompt payment of all amounts due to the city for water, sewer and sanitation services, where applicable, and by way of advance payment for services to be furnished, a deposit shall be required of each applicant for services. All accounts where payment is made directly by the U.S. government, the state, the county or the city shall be exempt from this section. A deposit of \$100.00 is required when application is made for service.
- (b) The city may, upon review of any account, require an increase in the deposit where it appears the current deposit is insufficient to secure payment for service. In such cases the deposit will be increased to an amount equal to at least two times the average of the customer's monthly water usage. Each customer who shall fail to increase his deposit as provided in this subsection after ten days' notice so to do shall be in default, and the customer's water shall be shut off and the service discontinued until such deposit shall be increased as provided in this subsection.



SECTION 7. Section 122-268 is hereby amended as follows:

(a) The rates and amounts required to be paid for consumption per month, exclusive of any applicable sales tax, by customers of the city water and sewer system shall consist of the following components:

(1) For all customer classifications:

A. Volumetric rate for water and sewer combined. An inclining block rate shall be charged for combined water and sewer services based on monthly meter readings as follows:

Up to 30 CCF (22,440 gallons) \$6.00 per CCF (748 gallons)  
From 31 CCF to 100 CCF (74,800 gallons) \$12.00 per CCF  
From 101 CCF to 350 CCF (261,800 gallons) \$14.00 per CCF  
Over 350 CCF \$16.00 per CCF

B. Volumetric rate for water only or sewer only customers:

Up to 30 CCF (22,440 gallons) \$3.00 per CCF (748 gallons)  
From 31 CCF to 100 CCF (74,800 gallons) \$6.00 per CCF  
From 101 CCF to 350 CCF (261,800 gallons) \$7.00 per CCF  
Over 350 CCF \$8.00 per CCF

(2) Availability charge.

In addition to the volumetric rate, there shall also be a monthly availability charge, chargeable for each month or part of month that is based on meter size as follows:

A. For customers receiving both water and sewer services:

- i. Availability Fee per meter for residential and commercial customer classifications (based on meter size)  
Per Month  
5/8-inch meter \$40  
1-inch meter \$60  
1 ½ - inch meter \$200  
2-inch meter \$320  
4-inch meter \$640  
6-inch meter \$1,280  
8-inch meter \$2,560
- ii. Availability fee for SNAP Customer Classification (1" or smaller meter)  
\$10 per month

B. For customers receiving either water or sewer services only:

- i. Availability Fee per meter for residential and commercial customer classifications (based on meter size)  
  
Per Month  
5/8-inch meter \$20  
1-inch meter \$30  
1 ½ - inch meter \$100  
2-inch meter \$160  
4-inch meter \$320  
6-inch meter \$640  
8-inch meter \$1,280
- ii. Availability fee for SNAP Customer Classification (1" or smaller meter)  
\$5 per month

SECTION 8. Section 122-269 is hereby amended as follows:

(a) There shall be a monthly charge, chargeable for each month or part of month that this section is in effect, for each fire protection connection as follows:

Item Charge	
Hydrant	\$15.00
6-inch, or less, sprinkler connection	20.00
8-inch sprinkler connection	22.00
10-inch sprinkler connection	24.00
12-inch sprinkler connection	28.00
16-inch sprinkler connection	48.00

SECTION 9. Section 122-270 (a) is hereby amended as follows:

(a) Services will be discontinued to any patron of the city water and sewer system who fails, neglects, or refuses to pay the amount billed by the date due. Service shall not be restored until the current balance is paid in full, or the customer enters in an approved payment plan, and the customer has paid the \$100 reconnection fee.

SECTION 10. Section 122-271 is hereby amended as follows:

If the water meter fails to register during any month, then the bill for water shall be estimated according to the average volumetric usage for all customers with similar size meters.

SECTION 11. Section 122-272 is hereby deleted in its entirety.

SECTION 12. The Municipal Clerk shall cause this ordinance to be publish.

SECTION 13. This ordinance shall be effective one month after passage and upon publication.

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

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**President Banks** recognized **Catoria Martin, City Attorney and Ted Henifin, JXN Water**, who provided a brief overview of said item.

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

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

**Note:** Item failed due to a lack of a majority vote.

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There came on for Introduction, Agenda Item No. 11:

**ORDINANCE AMENDING CHAPTER 2, ARTICLE 2, DIVISION 2 OF THE JACKSON CODE OF ORDINANCES.** **President Banks** stated said item would be taken up for adoption during the January 3, 2024 meeting.

\*\*\*\*\*

There came on for Introduction, Agenda Item No. 12:

**ORDINANCE AMENDING SECTION 2-71 OF THE CITY OF JACKSON CODE OF ORDINANCES.** **President Banks** stated said item would be taken up for adoption during the January 3, 2024 meeting.

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

**ORDINANCE AMENDING SECTION 2-62 OF THE CITY OF JACKSON CODE OF ORDINANCES.** **President Banks** stated said item would be taken up for adoption during the January 3, 2024 meeting.

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There came on for Introduction, Agenda Item No. 14:

**ORDINANCE AMENDING SECTION 2-64 OF THE CITY OF JACKSON CODE OF ORDINANCES FOR THE PURPOSE OF RECONCILING THE ORDER OF BUSINESS OF THE COUNCIL WITH SECTION 2-71(b) AND SECTION 2-71(c) OF THE CITY OF JACKSON CODE OF ORDINANCES.** **President Banks** stated said item would be taken up for adoption during the January 3, 2024 meeting.

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There came on for Introduction, Agenda Item No. 15:

**ORDINANCE OF THE CITY OF JACKSON, MISSISSIPPI RE-ENACTING JACKSON, MISSISSIPPI CODE OF ORDINANCES, ARTICLE II SECTIONS 86-51 THROUGH 86-62.** **President Banks** stated said item would be taken up for adoption during the January 3, 2024 meeting.

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**President Banks** requested that Agenda Items No. 18, 19, 20, 21 and 22 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

**ORDER RE-APPOINTING STEVE DAVIS TO THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF JACKSON.**

**WHEREAS,** the Historic Preservation Commission is comprised of not less than nine (9) members who shall each serve a three (3) year term; and

**WHEREAS,** on June 23, 2020 the City Council confirmed the Mayor’s appointment of Steve Davis to fill the board vacancy for Ward 1 on the Historic Preservation Commission of the City of Jackson with a term that expired on June 23, 2023; and

**WHEREAS,** the Mayor, after evaluation and review of his qualifications, has re-appointed Steve Davis to fill the commissioner vacancy with a term to begin on December 5, 2023.

**IT IS, THEREFORE, ORDERED** that the Mayor’s appointment of Steve Davis to the Historic Preservation Commission of the City of Jackson be confirmed with the term to begin on December 5, 2023 and to expire on December 5, 2026.

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

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**President Banks** recognized **Mayor Chokwe A. Lumumba**, who provided a brief overview of said item.

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

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

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**ORDER RE-APPOINTING JOYCE DIXON LAWSON TO THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF JACKSON.**

**WHEREAS**, the Historic Preservation Commission is comprised of not less than nine (9) members who shall each serve a (3) year term; and

**WHEREAS**, on February 15, 2022, the City Council confirmed the Mayor’s appointment of Joyce Dixon Lawson to fill the board vacancy for Ward 5 on the Historic Preservation Commission of the City of Jackson with a term that expired on October 31, 2023; and

**WHEREAS**, the Mayor, after evaluation and review of her qualifications, has re-appointed Joyce Dixon Lawson to fill the commissioner vacancy with a term to begin on December 5, 2023.

**IT IS, THEREFORE, ORDERED**, that the Mayor’s appointment of Joyce Dixon Lawson to the Historic Preservation Commission of the City of Jackson be confirmed with the term to begin on December 5, 2023 and to expire on December 5, 2026.

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

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

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**ORDER RE-APPOINTING JEFFREY S. SEABOLD TO THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF JACKSON.**

**WHEREAS**, the Historic Preservation Commission of the City of Jackson is comprised of not less than nine (9) members who shall each serve a (3) year term; and

**WHEREAS**, on October 13, 2020 the City Council confirmed the Mayor’s appointment of Jeffery S. Seabold to fill the board vacancy for Ward 1 on the Historic Preservation Commission of the City of Jackson with a term that expired on October 31, 2023; and

**WHEREAS**, the Mayor, after evaluation and review of his qualifications, has re-appointed Jeffrey S. Seabold to fill the commissioner vacancy with a term to begin on December 5, 2023.

**IT IS, THEREFORE, ORDERED** that the Mayor’s appointment of Jeffrey Seabold to the Historic Preservation Commission of the City of Jackson be confirmed with the term to begin on December 5, 2023 and to expire on December 5, 2026.

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

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

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**ORDER CONFIRMING THE MAYOR’S NOMINATION OF SYLVIA WALKER TO THE JACKSON-HINDS LIBRARY BOARD.**

**WHEREAS**, the Library Board consist of seven (7) members, for a term of five (5) years; and

**WHEREAS**, currently there is a Ward 6 vacancy; and

**WHEREAS**, Sylvia Walker, resident of Ward 6, after evaluation of her qualifications, has been nominated by the Mayor to fill said vacancy.

**IT IS, THEREFORE, ORDERED** that the Mayor’s appointment of Sylvia Walker to the Jackson-Hinds Library Board be confirmed with said term to expire December 19, 2028.

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

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**President Banks** recognized **Mayor Chokwe A. Lumumba**, who provided a brief overview of said item.

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

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

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**Note: Council Member Grizzell** left the meeting.

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**ORDER CONFIRMING THE MAYOR’S NOMINATION OF DIONNE NICOLE BURKS TO THE JACKSON-HINDS LIBRARY BOARD.**

**WHEREAS**, the Library Board consist of seven (7) members, for a term of five (5) years; and

**WHEREAS**, currently there is a Ward 2 vacancy; and

**WHEREAS**, Dionne Nicole Burks, resident of Ward 2, after evaluation of her qualifications, has been nominated by the Mayor to fill said vacancy.

**IT IS, THEREFORE, ORDERED** that the Mayor’s appointment of Dionne Nicole Burks to the Jackson-Hinds Library Board be confirmed with said term to expire December 19, 2028.

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

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**President Banks** recognized **Mayor Chokwe Antar Lumumba**, who provided a brief overview of said item.

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**President Banks** recognized **Dionne Burks**, who gave her personal statement and answered questions posed to her by Council Members.

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

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

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**ORDER APPROVING CLAIMS NUMBER 29666 to 29709 APPEARING AT PAGES 124 TO 144 INCLUSIVE THEREON, ON MUNICIPAL “DOCKET OF CLAIMS”, IN THE AMOUNT OF \$2,131,631.83 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.**

**IT IS HEREBY ORDERED** that claims numbered 29666 to 29709 appearing at pages 124 to 144, inclusive thereon in the Municipal “Docket of Claims”, in the aggregate amount of \$2,131,631.83 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

**IT IS FURTHER ORDERED** that there is appropriated from the various funds the sums necessary to be transferred to other funds for the purpose of paying the claims as follows:

<b>FROM:</b>	<b>TO ACCOUNTS PAYABLE FUND</b>
GENERAL FUND	696,707.22
SEIZURE & FORF PORP-STATE	468,203.29
TECHNOLOGY FUND	7,969.40
PARKS & RECR. FUND	44,448.00
BUSINESS IMPROV FUND (LANDSCP)	54,743.55
LANDFILL/SANITATION FUND	183,975.55
WATER/SEWER REVENUE FUND	2,265.20
DISABILITY RELIEF FUND	236,366.00
EMPLOYEES GROUP INSURANCE FUND	74,769.91
HOUSING COMM DEV ACT (CDBG) FD	3,409.87
1% INFRASTRUCTURE TAX	131,556.46
MADISON SEWAGE DISP OP & MAINT	31,235.54
TRANSPORTATION FUND	16,125.42
CDBG COVID CARES	4,231.50
ZOOLOGICAL PARK	12,394.55
LIBRARY FUND	9,453.50
2022 GO PLANETARIUM BOND \$7.5M	78,785.71
2022 CRIME GUN INTEL GRANT	74,991.13
<b>TOTAL</b>	<b><u>\$2,131,631.83</u></b>

Vice President Lee moved adoption; Council Member Lindsay seconded.

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

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

Yeas – Banks, Foote, Lee and Lindsay.

Nays – Hartley and Stokes.

Absent – Grizzell.

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**ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 29666 TO 29709 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.**

**IT IS HEREBY ORDERED** that payroll deduction claims numbered 29666 to 29709 inclusive therein, in the Municipal “Docket of Claims”, in the aggregate amount of \$108,875.04 plus payroll, are approved for payment and necessary amounts are appropriated from various municipal funds for transfer to the payroll fund for the immediate payment thereof.

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

<b>FROM:</b>	<b>TO ACCOUNTS PAYABLE FUND</b>	<b>TO PAYROLL FUND</b>
GENERAL FUND		2,708,364.56
PARKS & RECR FUND		86,802.44
LANDFILL FUND		22,534.24
SENIOR AIDES		3,144.73

**REGULAR MEETING OF THE CITY COUNCIL  
TUESDAY, DECEMBER 19, 2023 10:00 A.M.**

628

WATER/SEWER OPER & MAINT		60,536.93
PAYROLL	\$108,875.04	
HOUSING COMM DEV		6,956.01
TITLE III AGING PROGRAMS		5,823.92
TRANSPORTATION FUND		15,975.85
PEG ACCESS-PROGRAMMING FUND		5,471.53
2020 SAKI GRAND DOJ		7,405.71
ZOOLOGICAL PARK		32,709.93
NLC-MUNICIPAL REIMAGINING COMM		7,400.70
<b>TOTAL</b>		<b>\$2,963,126.55</b>

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

Yeas – Banks, Foote, Lee and Lindsay.

Nays – Hartley and Stokes.

Absent – Grizzell.

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE A RENEWAL AGREEMENT AND THE REQUIRED DOCUMENTS WITH DELTA DENTAL CONCERNING THE PROVISION OF A FULLY FUNDED DENTAL INSURANCE PLAN FOR MUNICIPAL EMPLOYEES AND RETIREES FOR THE PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2025.**

**WHEREAS**, Section 25-15-101 of the Mississippi Code provides that the governing board of a municipality may negotiate and secure for all or specified groups of employees and their dependents a policy or policies of group insurance covering health and group contract or contracts covering hospital and/or medical services or benefits of its employees and their dependents as may desire such insurance and other coverage; and

**WHEREAS**, pursuant to the authority provided in Section 25-15-101, the governing authorities for the City of Jackson has previously offered dental insurance coverage to municipal employees and also retirees of the municipality through Delta Dental; and

**WHEREAS**, the City’s agreement with Delta Dental for the current plan year will expire on December 31, 2023; and

**WHEREAS**, employees and their dependents, and retirees participating in the group dental plans of the City have the option of choosing from among three types of plans; and

**WHEREAS**, the Gold Plan offers the following benefits and coverages at the rates specified; and

**WHEREAS**, the Platinum Plan offers the following benefits and coverages at the rates specified; and



**Gold Plans and Rates**

City of Jackson – MS

Delta Dental PPO		Program B -(Gold)			
Basis for Member Cost Sharing		Delta Dental PPO Dentist PPO Contracted Fees	Delta Dental Premier Dentist Premier Contracted Fees	Non-Delta Dental Dentist 80th Percentile	
<b>Benefits</b>					
Diagnostic & Preventive		100%	100%	100%	
Sealants		100%	100%	100%	
Space Maintainers		100%	100%	100%	
Basic Restorative		80%	80%	80%	
Oral Surgery		80%	80%	80%	
Simple Extractions		80%	80%	25%	
Endodontics		80%	80%	80%	
Surgical Periodontics		50%	25%	25%	
Non-Surgical Periodontics		50%	25%	25%	
Major Restorative		50%	50%	50%	
Prosthodontics-Fixed & removable		50%	50%	50%	
Denture Repair, Reline, Rebase		25%	25%	25%	
Implants		25%	25%	25%	
Orthodontics – Child		1000 lifetime max	1000 lifetime max	1000 lifetime max	
Orthodontics – Adult		Not Covered	Not Covered	Not Covered	
TMJ		Not Covered	Not Covered	Not Covered	
<b>Contract Type</b>		<b>Non-Retention (Non-Participating)</b>			
<b>Contract Term</b>		<b>01/01/2024 to 12/31/2025</b>			
<b>Rate Effective Dates</b>	<b>From</b>	<b>Guaranteed</b>			
	<b>To</b>	01/01/2024			
		12/31/2025			
Enrollee only		\$21.00			
Enrollee + Spouse		\$46.00			
Enrollee + 1 Child		\$46.00			
Enrollee + Children		\$66.00			
Family (EE, Spouse, & Child(ren))		\$66.00			

WHEREAS, the Platinum Plan offers the following benefits and coverages at the rates specified; and

**Platinum Plans and Rates**

City of Jackson – MS

Delta Dental PPO		Program B - (Platinum)			
Basis for Member Cost Sharing		Delta Dental PPO Dentist PPO Contracted Fees	Delta Dental Premier Dentist Premier Contracted Fees	Non-Delta Dental Dentist 80th Percentile	
<b>Benefits</b>					
Diagnostic & Preventive		100%	100%	100%	
Sealants		100%	100%	100%	
Space Maintainers		100%	100%	100%	
Basic Restorative		80%	80%	80%	
Oral Surgery		80%	80%	80%	
Simple Extractions		80%	80%	80%	
Endodontics		80%	80%	80%	
Surgical Periodontics		80%	80%	80%	
Non-Surgical Periodontics		80%	80%	80%	
Major Restorative		80%	80%	80%	
Prosthodontics-Fixed & removable		80%	80%	80%	
Denture Repair, Reline, Rebase		80%	80%	80%	
Implants		80%	80%	80%	
Orthodontics – Child		50%	50%	50%	
Orthodontics – Adult		Not Covered	Not Covered	Not Covered	
TMJ		Not Covered	Not Covered	Not Covered	
<b>Contract Type</b>		<b>Non-Retention (Non-Participating)</b>			
<b>Contract Term</b>		<b>01/01/2024 to 12/31/2025</b>			
<b>Rate Effective Dates</b>	<b>From</b>	<b>Guaranteed</b>			
	<b>To</b>	01/01/2024			
		12/31/2025			
Enrollee only		\$25.88			
Enrollee + Spouse		\$56.51			
Enrollee + 1 Child		\$56.51			
Enrollee + Children		\$81.01			
Family (EE, Spouse, & Child(ren))		\$81.01			

WHEREAS, the Silver Plan offers the following benefits and coverages at the rates specified; and



**Silver Plans and Rates**

City of Jackson – MS

<b>Delta Dental PPO</b>		<b>Program B - (Silver)</b>			
	<b>Delta Dental PPO Dentist</b>	<b>Delta Dental Premier Dentist</b>	<b>Non-Delta Dental Dentist</b>		
<b>Basis for Member Cost Sharing</b>	<b>PPO Contracted Fees</b>	<b>Premier Contracted Fees</b>	<b>80th Percentile</b>		
<b>Benefits</b>					
Diagnostic & Preventive	100%	100%	100%		
Sealants	100%	100%	100%		
Space Maintainers	100%	100%	100%		
Basic Restorative	80%	80%	80%		
Oral Surgery	25%	25%	25%		
Simple Extractions	50%	50%	50%		
Endodontics	25%	25%	25%		
Surgical Periodontics	25%	25%	25%		
Non-Surgical Periodontics	25%	25%	25%		
Major Restorative	25%	25%	25%		
Prosthodontics-Fixed & removable	25%	25%	25%		
Denture Repair, Reline, Rebase	25%	25%	25%		
Implants	25%	25%	25%		
Orthodontics – Child	Not Covered	Not Covered	Not Covered		
Orthodontics – Adult	Not Covered	Not Covered	Not Covered		
TMJ	Not Covered	Not Covered	Not Covered		
<b>Contract Type Non-Retention (Non-Participating)</b>					
<b>Contract Term 01/01/2024 to 12/31/2025</b>					
		<b>Guaranteed</b>			
<b>Rate Effective Dates</b>	<b>From</b>	01/01/2024			
	<b>To</b>	12/31/2025			
Enrollee only		\$18.22			
Enrollee + Spouse		\$39.72			
Enrollee + 1 Child		\$39.72			
Enrollee + Children		\$56.92			
Family (EE, Spouse, & Child(ren))		\$56.92			

WHEREAS, Delta Dental has informed the Department of Human Resources that it is amenable to renewing its agreement with the City of Jackson and offering the same plans to municipal employees without a change in the benefits, coverage, and rates; and

WHEREAS, considering the uncertainties in the economic sector and insurance trends, the best interest of the City of Jackson, the employees, dependents, and retirees would be served by renewing the agreement with Delta Dental for the Plan Year commencing January 1, 2024 and ending December 31, 2025.

IT IS HEREBY ORDERED that the Mayor may execute an agreement with Delta Dental renewing the plan offerings, coverages, and benefits at the rates currently in effect.

IT IS HEREBY ORDERED that the cost of the coverage shall be fully paid by the employees and retirees electing to participate in the plans offered.

IT IS FINALLY ORDERED that the cost of the coverage may be deducted from the wages paid to the employee by the City of Jackson upon written consent of the employee.

Vice President Lee moved adoption; Council Member Lindsay seconded.

President Banks recognized Toya Martin, Director of Human Resources and Rod Oliver, Benefits Administrator, who provided a brief overview of said item.

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

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

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ORDER ACCEPTING THE BID FROM THE MISSISSIPPI LINK TO PUBLISH LEGAL NOTICES FROM TWELVE MONTHS FOR THE CITY OF JACKSON.

**WHEREAS**, on December 5, 2023, the city received a sealed bid from the Northside Sun, the Jackson Advocate, and the Mississippi Link to publish legal notices for the city of Jackson as required by Miss. Code Ann. §21-39-3, as amended; and

**WHEREAS**, The Mississippi Link submitted the lowest and best bid for legal publications with the first publication (per word) at \$0.03, the second publication (per word) at \$0.06, the third publication (per word) at \$0.00, and the proof of publication at 0.00 for the period of January 1, 2024, through December 31, 2024; and

**WHEREAS**, the Department of the Municipal Clerk represents The Mississippi Link satisfies the statutory publication requirements outlined in Miss. Code Ann § 13-3-31, as amended.

**IT IS, THEREFORE, ORDERED** that the governing authorities for the city of Jackson accept the bid of The Mississippi Link to provide the first publication (per word) at \$0.03, the second publication (per word) at \$0.06, the third publication (per word) at \$0.00, and the proof of publication at 0.00 for the period of January 1, 2024, through December 31, 2024.

**IT IS FURTHER ORDERED** that the Municipal Clerk is authorized to publish legal notices as required § 21-39-1 from January 1, 2024, through December 31, 2024, in said newspaper on an item-by-item basis as best suits the needs and convenience of the city.

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

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

Nays – Stokes.

Absent – Grizzell.

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**ORDER AUTHORIZING THE MAYOR OF THE CITY OF JACKSON TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH HOMEWOOD SUITES TO PROVIDE TEMPORARY LODGING FOR LENA TYLER.**

**WHEREAS**, the Department of Planning and Development through the Office of Housing and Community Development is preparing to begin repair activities to Lena Tyler’s home located at 109 Calhoun Street in Jackson, MS 39211; and

**WHEREAS**, such repairs are to satisfy the City’s Voluntary Compliance Agreement related to the Bon Air Subdivision; and

**WHEREAS**, the Department of Planning and Development received a quote from Homewood Suites to provide temporary lodging to Lena Tyler during the renovation of her home; and

**WHEREAS**, Homewood Suites submitted a quote in the amount of \$836.64 a week to provide temporary lodging at Homewood Suites located at 2815 N. State Street in Jackson, MS 39216; and

**WHEREAS**, Lena Tyler will require temporary lodging at Homewood Suites for up to eight (8) weeks; and

**WHEREAS**, the Department of Planning and Development recommends that the governing authorities accept the quote in the amount of \$836.64 a week submitted by Homewood Suites to provide temporary lodging for up to eight (8) weeks during the renovation of Lena Tyler’s home located at 109 Calhoun Street in Jackson, MS 39211.

**IT IS, THEREFORE, ORDERED** that the Mayor is authorized to enter into a professional services agreement with Homewood Suites to provide temporary lodging to Lena Tyler during the renovation of her home pursuant to the Bon Air Subdivision Voluntary Compliance Agreement.

**IT IS FURTHER HEREBY ORDERED** that an amount not to exceed \$836.64 a week for up to eight (8) weeks shall be paid to Homewood Suites.



Vice President Lee moved adoption; Council Member Lindsay seconded.

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

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

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

Nays – None.

Absent – Grizzell.

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Note: Council Member Grizzell returned to the meeting.

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**ORDER ACCEPTING THE BID OF PITRES' ENVIRONMENTAL SERVICES, INC. AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AND RELATED DOCUMENTS WITH PITRES' ENVIRONMENTAL SERVICES, INC TO PROVIDE DISPOSAL OF NON-HAZARDOUS LIQUID WASTE MATERIAL AT JTRAN ADMINISTRATIVE AND MAINTENANCE FACILITY (JAMF).**

WHEREAS, the City of Jackson ("City") has determined that it is in the City's best interest to seek a qualified company for the disposal of non-hazardous liquid waste material at JTRAN Administrative and Maintenance Facility (JAMF) located at 1785 Highway 80W; and

WHEREAS, on October 25, 2023, the Department of Planning and Development, through its Transit Division, issued a Request for Proposal seeking a qualified contractor to provide the disposal of non-hazardous liquid waste material; and

WHEREAS, in response to the Request for Proposals, the Transit Division received a response from one (1) company qualified to provide the disposal of non-hazardous liquid waste material; and

WHEREAS, the City shall pay Pitres' Environmental Services, Inc. an estimated amount in FY2024 of one hundred one thousand and seventy-five dollars (\$101,075.00), in FY2025, one hundred and two thousand six hundred and forty dollars (\$102,640.00), in FY2026 one hundred eight thousand one hundred and seventy-five dollars (\$108,175.00), in FY2027 one hundred ten thousand and fifteen dollars (\$110,015.00) and in FY2028 one hundred thirteen thousands eight hundred and sixty-five dollars (\$113,865.00); and

WHEREAS, the Transit Division is recommending that the governing authorities authorize the Mayor to execute a contract and related documents with Pitres' Environmental Services, Inc. to provide disposal of non-hazardous liquid waste material; and

WHEREAS, the Federal Transit Administration will pay eighty percent (80%) of the cost and the remaining twenty percent (20%) to be paid from the Transit Division's FY2024-2028 budgets.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a contract and related documents with Pitres' Environmental Services, Inc., to provide the disposal of non-hazardous liquid waste material at JTRAN Administrative and Maintenance Facility at a cost not to exceed FY2024 of one hundred one thousand and seventy-five dollars (\$101,075.00), in FY2025, one hundred and two thousand six hundred and forty dollars (\$102,640.00), in FY2026 one hundred eight thousands one hundred and seventy-five dollars (\$108,175.00), in FY2027 one hundred ten thousand and fifteen dollars (\$110,015.00) and in FY2028 one hundred thirteen thousands eight hundred and sixty-five dollars (\$113,865.00) to be paid by the Federal Transit Administration at eighty percent (80%) and the remaining twenty percent (20%) to be paid from the Transit Services' FY2024-2028 Budgets.

Council Member Stokes moved adoption; Council Member Hartley seconded.

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

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

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

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**ORDER AMENDING THE FISCAL YEAR 2024 BUDGET OF THE CITY OF JACKSON DEPARTMENT OF PUBLIC WORKS.**

WHEREAS, certain unanticipated needs and allocations have arisen since the adoption of the Fiscal Year 2024 City of Jackson budget for the Department of Public Works; and

WHEREAS, the Fiscal Year 2024 City of Jackson budget should be amended to provide funding for these unanticipated needs, namely the purchase of traffic signs for Bobby Rush Boulevard and James Meredith Drive, the installation of those signs, payment of MDOT Right-of-Way Permit Bonds required for several completed projects, and the purchase of a replacement personal computer; and

WHEREAS, the following accounts should be amended as follows:

From Account	To Account	Amount
001 45010 6111	00144820 6299	\$13,000.00
001 46110 6111	00144820 6299	\$2,000.00
001 45010 6131	00144820 6419	\$6,000.00
001 45010 6132	00145110 6242	\$2,000.00
001 46110 6132	00145010 6541	\$1,600.00

NOW, IT IS, THEREFORE ORDERED that the Fiscal Year 2023-2024 budget be revised for the Department of Public Works:

From Account	To Account	Amount
001 45010 6111	00144820 6299	\$13,000.00
001 46110 6111	00144820 6299	\$2,000.00
001 45010 6131	00144820 6419	\$6,000.00
001 45010 6132	00145110 6242	\$2,000.00
001 46110 6132	00145010 6541	\$1,600.00

Council Member Lindsay moved adoption; Council Member Hartley seconded.

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

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE AN ADDENDUM TO THE PRELIMINARY ENGINEERING SERVICES CONTRACT WITH STANTEC CONSULTING SERVICES, INC. FOR THE WOODROW WILSON AVENUE SIGNAL PROJECT, FEDERAL AID PROJECT NO. STP-0250- 00(052) LPA/108072.**

WHEREAS, the City of Jackson selected Stantec Consulting Services, Inc. to perform necessary preliminary engineering services for traffic operational improvements at four traffic signals on Woodrow Wilson Avenue; and



**WHEREAS**, the City of Jackson desires to extend the contract end date to December 31, 2024 at 11:59 pm with no additional cost to allow for the bid phase services in the original agreement to be completed.

**IT IS, THEREFORE, ORDERED** that the Mayor is authorized to execute an addendum to the preliminary engineering services contract with Stantec Consulting Services, Inc., for the Woodrow Wilson Avenue Signal Project, Federal Aid Project No. STP-0250-00(052) LPA/108072.

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

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

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**ORDER AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH JONES WALKER LLP, THE COCHRAN FIRM-JACKSON, & HAWKINS LAW, PLLC TO REPRESENT THE CITY IN CIVIL ACTION NO. 21-CV-663, 21-CV-667, 22-CV-171, AND 22-CV-531 MATTERS.**

**WHEREAS**, on September 22, 2021, the City of Jackson began receiving Notices of Claims pursuant to Miss. Code Ann. § 11-46-11 asserting various claims for damages arising from allegations of lead poisoning; and

**WHEREAS**, the City of Jackson seeks legal representation from experienced attorneys with expertise and training to sufficiently protect the interest of the City of Jackson in the following lawsuits: J.W. v. The City of Jackson, et al., Cause No. 3:21-cv-663-CWR-LGI, P.R., et al. v. The City of Jackson, et al., Cause No. 3:21-cv-667-CWR-LGI, and C.A., et al. v. The City of Jackson, et al., Cause No. 3:22-cv-171-CWR-LGI, and purported class-action litigation, captioned Priscilla Sterling, et al. v. The City of Jackson, et al., Cause No. 3:22-cv-531-KHJ-MTP; and

**WHEREAS**, Jones Walker LLP, specifically Clarence Webster III, and Kaytie M. Pickett, The Cochran Firm-Jackson, specifically Terris C. Harris, and Hawkins Law, PLLC, specifically John F. Hawkins, all have the expertise and training to protect the best interest of the City of Jackson in these lawsuits and any other matters concerning lead poisoning allegations; and

**WHEREAS**, it would be in the best interests of the City to enter into legal services agreements with Jones Walker LLP in an amount not to exceed \$330,000.00, The Cochran Firm-Jackson in an amount not to exceed \$100,000.00, and Hawkins Law, PLLC in an amount not to exceed \$100,000.00 to perform all duties associated with representation of the City in these matters, for a term of December 21, 2023 to December 20, 2025.

**IT IS, THEREFORE, ORDERED**, that the Mayor be authorized to execute an agreement with Jones Walker LLP in an amount not to exceed \$330,000.00, The Cochran Firm-Jackson in an amount not to exceed \$100,000.00, and Hawkins Law, PLLC in an amount not to exceed \$100,000.00 to represent the City in the above referenced lawsuits.

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

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**President Banks** recognized **Catoria Martin, City Attorney**, who provided a brief overview of said item.

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

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

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**ORDER AUTHORIZING THE PAYMENT OF ATTORNEY’S FEES ON BEHALF OF JACKSON POLICE OFFICER ALBERT TAYLOR, IN THE MATTER OF THE ESTATE OF CRYSTALLINE BARNES, DECEASED VS. THE CITY OF JACKSON, ALBERT TAYLOR, IN HIS INDIVIDUAL AND OFFICIAL CAPACITY, RAKASHA ADAMS, IN HER INDIVIDUAL CAPACITY; IN THE UNITED STATES FEDERAL DISTRICT COURT, SOUTHERN DISTRICT OF MISSISSIPPI; CIVIL ACTION NO.: 3:18-cv-644- CWR-LGI.**

**WHEREAS**, on September 17, 2018, the Estate of Crystalline Barnes filed a federal civil rights lawsuit against the City of Jackson, Mississippi, Albert Taylor, in his individual capacity, and Rakasha Adams, in her individual capacity from an alleged incident that occurred on or about January 27, 2018; and

**WHEREAS**, Officers Albert Taylor was sued in his individual capacity; and

**WHEREAS**, the Office of the City Attorney determined that there was a high risk of a conflict of interest in the representation of Officer Taylor in both his official and individual capacity inasmuch as the statutory and legal requirements of immunity for the City and an individual police officer differ greatly under current legal precedent in such civil rights litigation; and

**WHEREAS**, the City has a statutory obligation to provide defense counsel for its officers and other employees; and

**WHEREAS**, Officer Taylor desired to be represented by Counsel, Attorney Francis Springer; and

**WHEREAS**, Attorney Springer successfully defended Officer Taylor in the litigation of this matter, resulting in a defense verdict by a federal jury; and

**WHEREAS**, Attorney Springer’s hourly rate is \$150 per hour, and he incurred attorney’s fees in the amount of \$23,985.00 during the entire litigation of this matter.

**IT IS, THEREFORE, ORDERED** that the City is hereby authorized to pay Attorney Francis Springer for the representation of Officer Taylor in the matter of the Estate of Crystalline Barnes vs. City of Jackson, et al. in the amount of \$23,985.00.

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

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**President Banks** recognized **Catoria Martin, City Attorney**, who provided a brief overview of said item.

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

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

**Note: Council Member Grizzell** recused himself and left the room.

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**Note: Council Member Grizzell** returned to the meeting.

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**ORDER AUTHORIZING THE PAYMENT OF ATTORNEY'S FEES ON BEHALF OF MAYOR CHOKWE ANTAR LUMUMBA, IN THE MATTER OF WALLACE V. CITYOF JACKSON, ET AL.; IN THE UNITED STATES FEDERAL DISTRICT**

**COURT, SOUTHERN DISTRICT OF MISSISSIPPI, NORTHERN DIVISION;  
CIVIL ACTION NO.: 3:21-cv-326-KHJ-MTP.**

**WHEREAS**, on May 12, 2021, Tina Wallace, former Jackson Police Department employee, filed a federal equal protection lawsuit against the City of Jackson, Mississippi, Chokwe Antar Lumumba, in his individual capacity, and James Davis, in his individual capacity from alleged actions which took place over the course of her employment, including a demotion in 2020; and

**WHEREAS**, the Office of the City Attorney determined that there was a high risk of a conflict of interest in the representation of Mayor, Chokwe Antar Lumumba, in both his official and individual capacity inasmuch as the statutory and legal requirements of immunity for the City and an individual elected official differ greatly under current legal precedent when allegations of sex discrimination, retaliation, tortious interference, and constructive discharge exist; and

**WHEREAS**, the City has a statutory obligation to provide defense counsel for employees acting in the course and scope of their employment; and

**WHEREAS**, Attorney Thomas Bellinder successfully defended Mayor Lumumba in the litigation of this matter, resulting in a settlement approved by the City of Jackson on September 26, 2023.

**WHEREAS**, Attorney Bellinder's hourly rate is \$200.00 per hour, and he incurred attorney's fees in the amount of \$10,580.00 during the entire litigation of this matter.

**IT IS, THEREFORE, ORDERED** that the City is hereby authorized to pay Attorney Thomas Bellinder for the representation of Mayor Chokwe Antar Lumumba in the matter of Wallace vs. City of Jackson, et al. in the amount of \$10,580.00.

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

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

Nays – Stokes.

Abstention – Hartley.

Absent – None.

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**ORDER AUTHORIZING PAYMENT OF FULL AND FINAL SETTLEMENT OF ALL CLAIMS IN TIMOTHY JACKSON vs. CITY OF JACKSON, CAUSE NO. 22-cv-00022, IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI, FIRST JUDICIAL DISTRICT.**

**WHEREAS**, on January 14, 2022, a Complaint was filed naming the City of Jackson, Mississippi, as Defendant, in the Circuit Court of Hinds County, Mississippi, First Judicial District, Cause No. 22-22; and

**WHEREAS**, the parties, through counsel, participated in settlement negotiations and reached a proposed agreement to settle the aforementioned lawsuit; and

**WHEREAS**, such settlement shall not constitute an admission of liability on the part of the City of Jackson, Mississippi; and

**WHEREAS**, the Office of the City attorney advises that Plaintiff and its counsel are willing to accept settlement in a reasonable amount to fully release all claims against the City of Jackson; and

**WHEREAS**, the City Council has determined that it is in the best interest of the City of Jackson to resolve all issues and claims against all parties and pay said settlement.

**NOW THEREFORE IT IS HEREBY ORDERED** by the City Council of the City of Jackson, Mississippi, that the City should and is hereby authorized to settle all claims in the lawsuit styled Timothy Jackson vs. City of Jackson, Cause No. 22-cv-00022; execute all documents necessary to settle and dismiss said claim; and pay the settlement amount, to the Plaintiff and his Counsel, as full and final settlement of this matter.

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

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**President Banks** recognized **Catoria Martin, City Attorney**, who provided a brief overview of said item.

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

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

Nays – None.

Abstention – Stokes.

Absent – None.

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**ORDER REVIEWING AND CONTINUING AUGUST 29, 2022 STATE OF EMERGENCY.**

**WHEREAS**, on August 29, 2022, the Mayor issued a proclamation of emergency as a result of (1) excessive rainfall and extreme flooding, (2) the March 7, 2020 Safe Drinking Water Act (SDWA) Emergency Administrative Order (EAO); (3) the February 2021 system-wide failure due to extreme water conditions that caused pipes to freeze and lose pressure; (4) the July 1, 2021 SDWA Administrative Order of Consent (AOC); (5) the July 29, 2022 Boil Water Notice which existed for more than thirty (30) days; and (6) the August 25, 2022 flooding of the Pearl River, which lead to problems with treating water at the O.B. Curtis Water Plant; and

**WHEREAS**, Section 33-15-17(d) of the Mississippi Code allows the mayor of a municipality to proclaim a local emergency and authorizes the governing body of a municipality to review and approve or disapprove the need for continuing the local emergency at its first regular meeting following such proclamation or at a special meeting; and

**WHEREAS**, Section 33-15-5 (h) of the Mississippi Code defines an emergency as “any occurrence, or threat thereof, whether natural, technological, or man-made, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to loss of property;” and

**WHEREAS**, Section 33-15-5 (g) of the Mississippi Code defines a local emergency as “the duly proclaimed existence of conditions of disaster or extreme peril to the safety of person and property within the territorial limits of a...municipality caused by such conditions as...water pollution...or other natural or man-made conditions, which conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of the political subdivision and require the combined forces of other subdivisions or of the state to combat;” and

**WHEREAS**, pursuant to Section 33-15-17 (b) of the Mississippi Code, the City “is authorized to exercise the powers vested under [Section 33-15-1, et seq.,] in light of the exigencies of the extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering into contracts, the incurring of obligations...and the expenditure of public funds.

**NOW, THEREFORE, IT IS ORDERED THAT** we the governing body of the City of Jackson, Mississippi, pursuant to the authority vested in the body by Section 33-15-17 (d) of the Mississippi Code of 1972, as amended, and in the public interest and for the general welfare of the City of Jackson, do hereby approve of the continued need for a civil emergency for the entire City of Jackson for the reasons set forth in this Order.

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

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

Nays – None.

Absent – None.

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**ORDER REVIEWING AND CONTINUING STATE OF EMERGENCY.**

**WHEREAS**, on February 18, 2020, the Jackson City Council, pursuant to Section 33-15-17(8)(d) of the Mississippi Code of 1972, as amended, passed an Order Declaring the Need to Continue the State of Emergency that was issued on February 13, 2020 by Chokwe A. Lumumba, Mayor of the City of Jackson, Mississippi; and

**WHEREAS**, the Jackson City Council, in the February 18, 2020 Order, found that flood waters and wide spread drainage system issues had affected several Jackson creeks, including, but not limited to: Belhaven Creek; Bogue Chitto Creek; Canney Creek; Eubanks Creek; Hanging Moss Creek; Lynch Creek; Purple Creek; Three Mile Creek; Town Creek; Travon Creek; and White Oak Creek; and

**WHEREAS**, the Jackson City Council, in the February 18, 2020 Order, found that the flood waters and wide spread drainage system issues caused extensive damages to homes, business, public property, and threatened the safety of the citizens and property of the City of Jackson, Mississippi, requiring the exercise of extraordinary measures; and

**WHEREAS**, the Jackson City Council, in the February 18, 2020 Order, found that all efforts should be taken to protect people and property in consideration of the health, safety, and welfare of the City's residents and the protection of their property within the affected areas; and

**WHEREAS**, the Jackson City Council, on March 17, 2020; April 14, 2020; May 12, 2020, June 9, 2020, July 7, 2020, August 4, 2020, September 1, 2020, September 29, 2020, October 27, 2020, November 24, 2020, December 22, 2020, January 19, 2021, February 17, 2021, March 30, 2021, April 27, 2021, May 25, 2021, June 22, 2021, July 20, 2021, August 31, 2021, September 28, 2021, October 26, 2021, November 23, 2021, December 21, 2021, January 25, 2022, February 15, 2022, March 29, 2022, April 26, 2022, May 24, 2022, June 21, 2022, July 19, 2022, August 30, 2022, September 27, 2022, October 25, 2022, November 22, 2022, December 20, 2022, January 31, 2023, February 28, 2023, March 21, 2023, April 25, 2023 and May 23, 2023, June 22, 2023, July 18, 2023, August 29, 2023, September 26, 2023, October 24, 2023 and November 21, 2023 pursuant to Section 33-15-17(8)(d) of the Mississippi Code of 1972, reviewed the need for and continued the local emergency; and

**WHEREAS**, pursuant to Section 33-15-17(8)(d) of the Mississippi Code of 1972, as amended, the Jackson City Council has again reviewed the need for continuing the local emergency and determined that the emergency should be continued.

**IT IS THEREFORE HEREBY ORDERED** that said Order Declaring the Need to Continue the Declared State of Emergency as delineated by the Jackson City Council, remains in full force and effect and shall be reviewed again in thirty (30) days in accordance with Section 33-15-17(8)(d) of the Mississippi Code of 1972, as amended.

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

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

Nays – None.

Absent – None.

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**RESOLUTION ADOPTING THE 2024 REGULAR COUNCIL MEETING SCHEDULE OF THE JACKSON CITY COUNCIL.**

**WHEREAS**, Section 21-8-11(2) of the Mississippi Code Annotated (1972), as amended, specifies that, under the mayor-council form of government, that "regular public meetings of the council shall be held on the first Tuesday after the first day of July after the election of the members of the council that is not on a weekend and at least monthly thereafter on the first Tuesday after the first Monday in each month, or at such other times as the council by order may set; and

**WHEREAS**, Jackson Code of Ordinances, Section 2-62(b), states that "regular meetings of the council shall be held on every other Tuesday at 10:00 a.m.; and

**WHEREAS**, Section 2-62(b) further states that at 4:00 p.m. on each Monday preceding a regular Tuesday council meeting the council will also hold a planning session to discuss the business to be considered at the following regular Tuesday council meeting; and

**WHEREAS**, the Office of the Clerk of the Council has determined the 2024 Regular Council Meeting Schedule of the Jackson City Council, pursuant to the above-referenced statute and ordinances, as follows:

**2024  
Regular City Council Meeting Schedule**

<b>City Council Regular Meeting Dates</b>	<b>Time of Meeting</b>
January 3, 2024	10:00 a.m.
January 16, 2024	10:00 a.m.
January 30, 2024	10:00 a.m.
February 13, 2024	10:00 a.m.
February 27, 2024	10:00 a.m.
March 12, 2024	10:00 a.m.
March 26, 2024	10:00 a.m.
April 9, 2024	10:00 a.m.
April 23, 2024	10:00 a.m.
May 7, 2024	10:00 a.m.
May 21, 2024	10:00 a.m.
June 4, 2024	10:00 a.m.
June 18, 2024	10:00 a.m.
July 2, 2024	10:00 a.m.
July 16, 2024	10:00 a.m.
July 30, 2024	10:00 a.m.
August 13, 2024	10:00 a.m.
August 27, 2024	10:00 a.m.
September 10, 2024	10:00 a.m.
September 24, 2024	10:00 a.m.
October 8, 2024	10:00 a.m.
October 22, 2024	10:00 a.m.
November 5, 2024	10:00 a.m.
November 19, 2024	10:00 a.m.
December 3, 2024	10:00 a.m.
December 17, 2024	10:00 a.m.
December 30, 2024	10:00 a.m.

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

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

Nays – None.

Absent – None.

\* \* \* \* \*

**ORDER AMENDING ORDER APPOINTING JERMEAIA CARR DEPUTY CLERK OF COUNCIL ON A PART-TIME BASIS.**

**WHEREAS**, on July 2, 2023, the Jackson City Council approved an Order appointing Jermeaia Carr as a Deputy Clerk of Council on a part time basis; and

**WHEREAS**, the governing authorities for the City of Jackson passed an ordinance on December 20, 2019, which is recorded in Minute Book 6Q on pages 319-322; and

**WHEREAS**, the position of Deputy Clerk of the Council was inherently established by the passage of the ordinance passed by the governing authorities on December 20, 2019; and

**WHEREAS**, after evaluating her qualifications and experience, the governing authorities for the City of Jackson have determined that Jermeaia Carr is a suitable person to serve as Deputy Clerk of the Council on a full-time basis.

**IT IS HEREBY ORDERED** that Jermeaia Carr shall be appointed to serve as Deputy Clerk of the Council.

**IT IS HEREBY ORDERED** that Jermeaia Carr upon commencement of her service as Deputy Clerk of the Council shall be \$31,676.24 excluding any applicable fringe benefits.

**IT IS HEREBY ORDERED** that Jermeaia Carr’s tenure as Deputy Clerk of Council shall continue and be at the will and pleasure of the Jackson City Council.

**IT IS HEREBY ORDERED** that no contract shall be construed as resulting from the appointment of Jermeaia Carr as Deputy Clerk of the Council.

**IT IS HEREBY ORDERED** that Mississippi’s law concerning at will employment shall remain unchanged by the appointment of Jermeaia Carr as Deputy Clerk of the Council.

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

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

Nays – None.

Absent – None.

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

**ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HIRING LEGAL COUNSEL TO REPRESENT THE CITY OF JACKSON ON ALL LEGAL MATTERS.** **President Banks** stated said item would be taken up in Executive Session.

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**Note:** **Council Member Grizzell** left the meeting.

\*\*\*\*\*

**DISCUSSION: GARBAGE RFP AND STATUS OF RICHARDS DISPOSAL LEGAL ACTIONS AGAINST THE CITY OF JACKSON:** **President Banks** recognized **Council Member Foote** who requested an update on the status of a garbage RFP and expressed concerns regarding the status of Richard’s Disposal legal actions against the City of Jackson. Foote also expressed concerns regarding the Administration’s lack of action in dealing with law suits filed against the City by Richard’s Disposal.

\*\*\*\*\*

**DISCUSSION: MS. SHIRLEY:** **President Banks** recognized **Council Member Stokes** who asked **Shirley Hamilton**, to speak to her situation. **Ms. Hamilton**, expressed concerns regarding damages her vehicle sustained from a pothole and the deteriorating conditions of some Jackson streets.

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**DISCUSSION: WATER BILLS:** **President Banks** stated said discussion would be held at the request of **Council Member Stokes**.

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**DISCUSSION: REVIEW AND CONTINUATION OF COVID-19 LOCAL EMERGENCY:** **President Banks** and the City Council members discussed to continue the emergency.

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**MONTHLY FINANCIAL REPORTS AS REQUIRED ACCORDING TO SECTION 21-35-13 OF THE MISSISSIPPI CODE ANNOTATED OF 1972.** President Banks stated that all City Council members had received the monthly financial report for review.

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**President Banks** recognized **Council Member Stokes** who moved, seconded by **Council Member Hartley** to go into Closed Session regarding Agenda Item No. 38 - Personnel Matters. The motion prevailed by the following vote:

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

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**President Banks** announced to the public that the Council voted to go into Closed Session to discuss going into Executive Session regarding Agenda Item No. 38 - Personnel Matters.

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During Closed Session, **Council Member Foote** moved, seconded by **Council Member Hartley** to go into Council Only Executive Session regarding **Agenda Item No. 38 - Personnel Matters**. The motion prevailed by the following vote:

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

\*\*\*\*\*

**Note: Vice President Lee** left the meeting.

\*\*\*\*\*

**President Banks** announced that the Council would go into Council Only Executive Session regarding Agenda Item No. 38 - Personnel Matters.

\*\*\*\*\*

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

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

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

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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 3, 2024. At 1:55 p.m., the Council stood adjourned.

**PREPARED BY:**

Shanekia M. Blakey-Jordan  
CLERK OF COUNCIL

**APPROVED:**

[Signature], 1/18/2024  
COUNCIL PRESIDENT DATE





MAYOR

ATTEST:



CITY CLERK

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