

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JUNE 17, 2014, 6:00 P.M.**

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BE IT REMEMBERED that a Regular Meeting of the City Council of Jackson, Mississippi, was convened in the Council Chambers in City Hall at 6:00 p.m. on June 17, 2014, being the third Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Charles H. Tillman, President, Ward 5; Melvin Priester, Jr., Vice-President, Ward 2; LaRita Cooper-Stokes, Ward 3; and De'Keither Stamps, Ward 4. Directors: Tony Yarber, Mayor; Brenda Pree, City Clerk; Angela Harris, Deputy City Clerk and Monica Joiner, City Attorney.

Absent: Quentin Whitwell, Ward 1 and Margaret Barrett-Simon, Ward 7.

The meeting was called to order by **President Charles Tillman**.

The invocation was offered by **Pastor Barron Banks**, Chaplain for Jackson State University National Alumni Association.

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

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR SPRINT MART TO REFACE THEIR EXISTING GROUND SIGN AT 117 SQ. FT. IN SIGN AREA AND 31 FEET IN HEIGHT IN THE HIGH STREET OVERLAY DISTRICT WHICH ALLOWS MONUMENT SIGNS NOT TO EXCEED 25 SQ. FT. IN SIZE WITH A MAXIMUM HEIGHT OF 6 FEET.

President Tillman recognized **Harold Munn**, a representative of Munn Enterprises, Inc., who spoke in favor of said Order and requested that the Council approve said variance.

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DISAPPROVE THE SIGN VARIANCE REQUEST FOR SPRINT MART TO REFACE THEIR EXISTING GROUND SIGN AT 117 SQ. FT. IN SIGN AREA AND 31 FEET IN HEIGHT IN THE HIGH STREET OVERLAY DISTRICT WHICH ALLOWS MONUMENT SIGNS NOT TO EXCEED 25 SQ. FT. IN SIZE WITH A MAXIMUM HEIGHT OF 6 FEET.

There was no opposition from the Public.

President Tillman recognized **Council Member Cooper-Stokes** who introduced the following individual during the meeting:

- **Ian Jackson**, Ward 3 Summer Intern

President Tillman recognized the following individual who provided public comments:

- **Oliver O'Quinn, Jr.** requested assistance from the City regarding a sewer problem from his neighbor's residence located at 645 Benning Rd.
- **Mac Epps** requested an explanation from the City regarding the huge increase in his water and sewer rates.
- **Tammie Patterson** expressed concerns regarding utility rate increases, the lack of activities for the youth and the need for guidance programs for young adult women.
- **Ruby Dixon** requested assistance in notifying the property owner of 1027 Walnut Street to remove fallen tree limbs that caused damage to her fence and standing water caused by a leak on the property.
- **Ineva Mae Pittman** encouraged the Council to enforce the City's Noise Ordinance in her neighborhood.
- **Sonny Gallman** inquired about the repairs of the South Street Bridge.
- **Bishop Stanley Cavett** inquired about a partnership with the Mayor, City Council and his organization in efforts to provide Jackson with youth services and activities.

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President Tillman requested that Items No. 53, 52, 51, 49 and 41 be moved forward on the Agenda. Hearing no objections, **President Tillman** requested that the Clerk read the following:

RESOLUTION CONGRATULATING THE JACKSON STATE UNIVERSITY BASEBALL TEAM FOR WINNING THE 2014 SOUTHWESTERN ATHLETIC CONFERENCE CHAMPIONSHIP AND ACCOMPLISHING THE HISTORICAL FEAT OF WINNING ITS FIRST EVER NCAA TOURNAMENT GAME BY DEFEATING THE TOP SEED, UNIVERSITY OF LOUISIANA-LAFAYETTE, DURING THE LAFAYETTE REGIONAL. Accepting the Resolution with appropriate remarks were **Dr. Vivian Fuller** and **Coach Omar Johnson**.

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING THAT BOYS AND GIRLS CLUB AS AN OUTSTANDING CITIZEN ORGANIZATION IN THE CITY OF JACKSON. Accepting the Resolution with appropriate remarks were **Penny King, Ison B. Harris, Jr.** and **Nikylah Smith**.

President Tillman recognized **Mayor Tony Yarber** who **PRESENTED A PROCLAMATION OF HONORING AND COMMENDING THOSE WHO AIDED IN SAVING THE LIFE OF EDDIE GALLOWAY, JR.** Accepting the Proclamation with appropriate remarks were **Ms. Ollie Galloway, Eddie Galloway, Jr., Coach Otis Gaines** and **Captain James Dunaway**.

President Tillman recognized **Council Member Cooper-Stokes** who **PRESENTED A WARD THREE FINE ART AWARD TO MISS DEANNA TISDALE.** Accepting the award with appropriate remarks was **Miss DeAnna Tisdale**.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF JACKSON, MIDTOWN PARTNERS, INC., AND SKATEMS FOUNDATION TO ESTABLISH THE TERMS OF A COOPERATIVE RELATIONSHIP FOCUSED ON THE IMPLEMENTATION OF PLANS TO RENOVATE AND MAINTAIN BENJAMIN BROWN PARK.

WHEREAS, this joint venture will contribute to the missions of all three organizations by preserving, protecting and enhancing an existing public park space to meet the physical and recreational needs of Jackson residents; contributing to neighborhood revitalization projects and programs designed to improve community health in Midtown; and, encouraging kids to get outside, exercise, and enjoy the growing sport of skateboarding in a public skate park open and accessible to anyone in the community; and

WHEREAS, the MOU shall establish a detailed list of activities that must be completed—including remaining pre-construction activities, renovations of existing park features, new construction, and post-construction activities—in order to implement the park renovation plan; specific responsibilities of the City of Jackson, Midtown Partners, Inc., and the SkateMS Foundation during each phase of the park renovation project; and a joint agreement for future park maintenance and programming; and

WHEREAS, the establishment of the terms of this agreement is necessary in order to clarify roles and responsibilities of each entity involved in this project so the completion of park enhancement activities is timely, cost-efficient, and incorporates best construction project management practices.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a MOU describing specific responsibilities of the City of Jackson, Midtown Partners, Inc., and the Skate MS Foundation during each phase of the park renovation project and a joint agreement for future park maintenance and programming.

President Tillman recognized **Joshua Moore**, a representative of the National Park Service, who provided the Council with information regarding partnership with Midtown Partners, Inc. and SkateMS Foundation to convert Benjamin Brown Park into a skate park.

Council Member Priester moved adoption; **Council Member Tillman** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER ACCEPTING THE BID OF ADS, LLC FOR THE SEWERSHED EVALUATION FLOW MONITORING PROJECT, CITY PROJECT NO. 032-522903B0500902, AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH SAID COMPANY FOR SAID PROJECT.

WHEREAS, on May 6, 2014, the City of Jackson received bids for the Sewershed Evaluation Flow Monitoring Project, City Project No. 032-522903B0500902; and

WHEREAS, ADS, LLC submitted the lowest bid, in the amount of \$186,896.00; and

WHEREAS, the bid of ADS, LLC meets the specifications; and

WHEREAS, the Department of Public Works recommends that the governing authorities of the City of Jackson deem the bid of ADS, LLC in the amount of \$186,896.00, for the Sewershed Evaluation Flow Monitoring Project, City Project No. 032-522903B0500902, to be the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid ADS, LLC in the amount of \$186,896.00, for the Sewershed Evaluation Flow Monitoring Project, City Project No. 032-522903B0500902 is accepted as the lowest and best bid.

IT IS FURTHER ORDERED that the Mayor is authorized to execute and the City Clerk is authorized to attest a contract with ADS, LLC for the Sewershed Evaluation Flow Monitoring Project, City Project No. 032-522903b0500902, in accordance with the City's Invitation to Bidders, the bid accepted, and the plans and specifications for said project.

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER ACCEPTING THE BID OF SOCRATES GARRETT ENTERPRISES, INC. AND AUTHORIZING THE EXECUTION OF THE CONTRACT AND ALL RELATED DOCUMENTS FOR THE BROOKWOOD DRIVE BRIDGE REPLACEMENT, CITY PROJECT NO. 13B4500.

WHEREAS, on May 27, 2014, the City received bids for the construction of the Brookwood Drive Bridge Replacement, City Project No. 13B4500; and

WHEREAS, Socrates Garrett Enterprises, Inc. submitted the lowest bid of \$293,772.48; and

WHEREAS, the Public Works Departments recommends the governing authorities deem the bid of Socrates Garrett Enterprises, Inc. in the amount of \$293,772.48, to be the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Socrates Garrett Enterprises, Inc., in the amount of \$293,772.48, for the Brookwood Drive Bridge Replacement, City Project No. 13B500, received on Tuesday May 27, 2014, is accepted as the lowest and best bid.

IT IS FURTHER ORDERED that the Mayor is authorized to execute and the Clerk is authorized to attest a contract with Socrates Garrett Enterprises, Inc. in the amount of \$293,772.48 for the Brookwood Drive Bridge Replacement, City Project No. 13B4500, according to the City's invitation to bidders, the bid accepted, and the specifications for the project.

IT IS FURTHER ORDERED that the Mayor is authorized to execute all related documents pertaining to the Brookwood Drive Bridge Replacement, City Project No. 13B4500.

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER ACCEPTING THE BID OF DOZER, LLC AND AUTHORIZING THE EXECUTION OF THE CONTRACT AND ALL RELATED DOCUMENTS FOR THE SOUTH STREET BRIDGE REPLACEMENT, CITY PROJECT NO. 9AA4500-905.

WHEREAS, the City received bids for the construction of the South Street Bridge Replacement, City Project No. 9AA4500-905; and

WHEREAS, Dozer, LLC submitted the only bid of \$984,814.30; and

WHEREAS, the Public Works Departments recommends the governing authorities deem the bid of Dozer, LLC in the amount of \$984,814.30, to be the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Dozer, LLC in the amount of \$984,814.30 received on Tuesday April 29, 2014 is accepted as the lowest and best bid for the South Street Bridge Replacement, City Project No. 9AA4500-905.

IT IS FURTHER ORDERED that the Mayor is authorized to execute and the Clerk is authorized to attest a contract with Dozer, LLC in the amount of \$984,814.30 for the South Street Bridge Replacement, City Project No. 9AA4500-905 according to the City's invitation to bidders, the bid accepted, and the specifications for the project.

IT IS FURTHER ORDERED that the Mayor is authorized to execute all related documents pertaining to the South Street Bridge Replacement, City Project No. 9AA4500-905.

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER ACCEPTING THE BID OF GULBRANDSEN TECHNOLOGIES INC., FOR A TWELVE-MONTH SUPPLY OF ALUMINUM CHLORAL HYDRATE (ACH) BID - 88570-051314.

WHEREAS, sealed bids for Aluminum Chloral Hydrate (ACH) were opened May 13, 2014, wherein five (5) bids were received; and

WHEREAS, the Water/Sewer Utility Division will use said chemical in the treatment of water for the City of Jackson; and

WHEREAS, Gulbrandsen Technologies, Inc. submitted the lowest bid; and

WHEREAS, the staff of the Water/Sewer Utility Division of the Department of Public Works has reviewed all bids submitted and recommends that the governing authorities deem the bid of Gulbrandsen Technologies, Inc., 2 Main Street, Clinton, NJ 08809, received May 13, 2014, for a twelve-month supply of Aluminum Chloral Hydrate (ACH) in the amount of \$0.2379 per wet pound, to be the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Gulbrandsen Technologies, Inc., 2 Main Street, Clinton, NJ 08809, for a twelve-month supply of Aluminum Chloral Hydrate, (ACH) (beginning July 01, 2014 through June 30, 2015) in the amount of \$0.2379 per wet pound, is accepted as the lowest and best bid, it having been determined that said bid meets the City's specifications.

IT IS FURTHER ORDERED that payment for said chemical be made from the Water/Sewer Operation & Maintenance Fund.

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Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.
Nays- None.
Absent- Barrett-Simon and Whitwell.

ORDER ACCEPTING THE BID OF F2 INDUSTRIES, LLC FOR A TWELVE-MONTH SUPPLY OF POTASSIUM PERMANGANATE IN 330 POUND DRUMS AND THE BID OF CARUS CORPORATION FOR A TWELVE-MONTH SUPPLY OF POTASSIUM PERMANGANATE IN 3,300 POUND CYCLE BINS (BID NO. 88579-051314).

WHEREAS, sealed bids for Potassium Permanganate were opened May 13, 2014, wherein three (3) bids were received; and

WHEREAS, the Water/Sewer Utility Division will use said chemical in the treatment of water for the City of Jackson; and

WHEREAS, F2 Industries, LLC submitted the lowest bid for Item 1, a twelve-month supply of Potassium Permanganate in 330 pound drums; and

WHEREAS, Carus Corporation submitted the lowest bid for Item 2, a twelve-month supply of Potassium Permanganate in 3,300 pound cycle bins; and

WHEREAS, the staff of the Water/Sewer Utility Division of the Department of Public Works has reviewed all bids submitted and recommends that the governing authorities deem the bid of F2 Industries, LLC, 423 C Smyrna Square Drive, Smyrna, TN 37167, for Item 1, a twelve-month supply of Potassium Permanganate in 330 pound drums, in the amount of \$1.898 per pound, to be the lowest and best bid for Item 1; and

WHEREAS, the staff of the Water/Sewer Utility Division of the Department of Public Works has reviewed all bids submitted and recommends that the governing authorities deem the bid of Carus Corporation, 315 Fifth Street, Peru, IL 61354, received May 13, 2014, for Item 2, a twelve-month supply of Potassium Permanganate in 3,300 pound cycle bins, in the amount of \$2.18 per pound, to be the lowest and best bid for Item 2.

IT IS, THEREFORE, ORDERED that the bid of F2 Industries, LLC, 423 C Smyrna Square Drive, Smyrna, TN 37167, for Item 1, a twelve-month supply of Potassium Permanganate in the 330 pound drums, in the amount of \$1.898 per pound, and the bid Carus Corporation, 315 Fifth Street, Peru, IL 61354, for Item 2, a twelve-month supply of Potassium Permanganate in 3,300 pound cycle bins, in the amount of \$2.18 per pound (both beginning July 01, 2014 through June 30, 2015) are accepted as the lowest and best bid for each item, it having been determined that said bids meet the City's specifications.

IT IS FURTHER ORDERED that payment for said chemical be made from Water/Sewer Operation & Maintenance Fund.

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.
Nays- None.
Absent- Barrett-Simon and Whitwell.

ORDER ACCEPTING THE BID OF HARCROS CHEMICALS, INC. FOR A TWELVE-MONTH SUPPLY OF LIQUID FORM CITRIC ACID (BID NO. 19090-051314).

WHEREAS, sealed bids for Liquid Form Citric Acid were opened May 13, 2014, wherein two (2) bids were received; and

WHEREAS, the Water/Sewer Utility Division will use said chemical in the treatment of water for the City of Jackson; and

WHEREAS, Harcros Chemicals, Inc. submitted the lowest bid; and

WHEREAS, the staff of the Water/Sewer Utility Division of the Department of Public Works has reviewed all bids submitted and recommends that the governing authorities deem the bid of Harcros Chemicals, Inc., 4280 Rifle Range Road, Vicksburg, MS 39180, for a twelve-month supply of Liquid Form Citric Acid, received May 13, 2014, in the amount of \$0.6350 per pound, to be the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Harcros Chemicals, Inc., 4280 Rifle Range Road, Vicksburg, MS 39180, for a twelve-month supply of Liquid Form Citric Acid (beginning July 01, 2014 through June 30, 2015) at a cost of \$0.6350 per pound, is accepted as the lowest and best bid, it having been determined that the bid meets the City's specifications.

IT IS FURTHER ORDERED that payment for said chemical be made from the Water/Sewer Operation & Maintenance Fund.

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER ACCEPTING THE BID OF SPECIALTY MATERIALS, INC., FOR A TWELVE-MONTH SUPPLY OF HYDRATED LIME (BID NO. 88597-051314).

WHEREAS, sealed bids for Hydrated Lime were opened May 13, 2014, wherein three (3) bids were received; and

WHEREAS, the Water/Sewer Utility Division will use said chemical in the treatment of water for the City of Jackson; and

WHEREAS, Specialty Materials, Inc., submitted the lowest bid; and

WHEREAS, the staff of the Water/Sewer Utility Division of the Department of Public Works has reviewed all bids submitted and recommends that the governing authorities deem the bid of Specialty Materials, Inc., 406 Devron Drive, Birmingham, AL 35259, for a twelve-month supply of Hydrated Lime, received May 13, 2014, in the amount of \$187.71 per ton, to be the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Specialty Materials, Inc., 406 Devron Drive, Birmingham, AL 35259 for a twelve-month supply of Hydrated Lime, (beginning July 01, 2014 through June 30, 2015) in the amount of \$187.71 per ton, is accepted as the lowest and best bid, it having been determined that said bid meets the City's specifications.

IT IS FURTHER ORDERED that payment for said chemical be made from Water/Sewer Operation & Maintenance Fund.

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER ACCEPTING THE BID OF EVOQUA WATER TECHNOLOGIES, LLC FOR A TWELVE-MONTH SUPPLY OF SODIUM CHLORITE (BID NO. 88584-051314).

WHEREAS, sealed bids for Sodium Chlorite were opened May 13, 2014, wherein three (3) bids were received; and

WHEREAS, the Water/Sewer Utility Division will use said chemical in the treatment of water for the City of Jackson; and

WHEREAS, Evoqua Water Technologies, LLC submitted the lowest bid; and

WHEREAS, the staff of the Water/Sewer Utility Division of the Department of Public Works has reviewed all bids submitted and recommends that the governing authorities deem the bid of Evoqua Water Technologies, LLC, 2650 Tallevast Road, Sarasota, FL 34243, received May 13, 2014, for a twelve-month supply of Sodium Chlorite, in the amount of \$0.575 per wet pound, to be the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Evoqua Water Technologies, LLC, 2650 Tallevast Road, Sarasota, FL 34243, for a twelve-month supply of Sodium Chlorite (beginning July 01, 2014 through June 30, 2015) in the amount of \$0.575 per wet pound, is accepted as the lowest and best bid, it having been determined that said bid meets the City's specifications.

IT IS FURTHER ORDERED that payment for said chemical be made from Water/Sewer Operation & Maintenance Fund.

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER ACCEPTING THE BID OF AIRGAS SPECIALTY PRODUCTS, INC. FOR A TWELVE-MONTH SUPPLY OF ANHYDROUS AMMONIA (BID NO. 88596-051314).

WHEREAS, sealed bids for Anhydrous Ammonia were opened May 13, 2014, wherein two (2) bids were received; and

WHEREAS, the Water/Sewer Utility Division will use said chemical in the treatment of water for the City of Jackson; and

WHEREAS, Airgas Specialty Products, Inc. submitted the lowest bid; and

WHEREAS, the staff of the Water/Sewer Utility Division of the Department of Public Works has reviewed all bids submitted and recommends that the governing authorities deem the bid of Airgas Specialty Products, Inc., 2530 Sever Road, Suite 300, Lawrenceville, GA 30043, for a twelve-month supply of Anhydrous Ammonia, received May 13, 2014, in the amount of \$0.365 per pound, to be accepted the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Airgas Specialty Products, Inc., 2530 Sever Road, Suite 300, Lawrenceville, GA. 30043, for a twelve-month supply of Anhydrous Ammonia (beginning July 01, 2014 through June 30, 2015) in the amount of \$0.365 per pound, is accepted as the lowest and best bid, it having been determined that said bid meets the City's specifications.

IT IS FURTHER ORDERED that payment for said chemical be made from Water/Sewer Operation & Maintenance Fund.

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.
Nays- None.
Absent- Barrett-Simon and Whitwell.

ORDER ACCEPTING THE BID OF KEY CHEMICAL, INC. FOR A TWELVE-MONTH SUPPLY OF HYDROFLUROSILICIC ACID (BID NO. 88575-051314).

WHEREAS, sealed bids for Hydrofluorosilicic Acid were opened May 13, 2014, wherein three (3) bids were received; and

WHEREAS, the Water/Sewer Utility Division will use said chemical in the treatment of water for the City of Jackson; and

WHEREAS, Key Chemical, Inc. submitted the lowest bid; and

WHEREAS, the staff of the Water/Sewer Utility Division of the Department of Public Works has reviewed all bids submitted and recommends that the governing authorities deem the bid of Key Chemical, Inc., 9503 Dovewood Place, Waxhaw, NC 28173, received May 13, 2014, for a twelve-month supply of Hydrofluorosilicic Acid, in the amount of \$454.00 per ton, to be the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Key Chemical, Inc., 9503 Dovewood Place, Waxhaw, NC 28173, received for a twelve-month supply of Hydrofluorosilicic Acid (beginning July 01, 2014 through June 30, 2015) in the amount of \$454.00 per ton, is accepted as the lowest and best bid, it having been determined that said bid meets the City's specifications.

IT IS FURTHER ORDERED that payment for said chemical be made from Water/Sewer Operation & Maintenance Fund.

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.
Nays- None.
Absent- Barrett-Simon and Whitwell.

ORDER ACCEPTING THE BID OF GEO SPECIALTY CHEMICALS, INC. FOR A TWELVE-MONTH SUPPLY OF ALUM (BID NO. 88544-051314).

WHEREAS, sealed bids for Alum were opened May 13, 2014, wherein four (4) bids were received; and

WHEREAS, the Water/Sewer Utility Division will use said chemical in the treatment of water for the City of Jackson; and

WHEREAS, Geo Specialty Chemicals, Inc. submitted the lowest bid; and

WHEREAS, the staff of the Water/Sewer Utility Division of the Department of Public Works has reviewed all bids submitted and recommends that the governing authorities deem the bid of Geo Specialty Chemicals, Inc., 9213 Arch Street Pike, Little Rock, AR 72206, for a twelve-month supply of Alum, received May 13, 2014, in the amount of \$0.05191 per wet pound, to be the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Geo Specialty Chemicals, Inc., 9213 Arch Street Pike, Little Rock, AR 72206, for a twelve-month supply of Alum (beginning July 01, 2014 through June 30, 2015) in the amount of \$0.05191 per wet pound, is accepted as the lowest and best bid, it having been determined that said bid meets the City's specifications.

IT IS FURTHER ORDERED that payment for said chemical be made from the Water/Sewer Operation & Maintenance Fund.

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.
Nays- None.
Absent- Barrett-Simon and Whitwell.

ORDER ACCEPTING THE BID OF POLYDYNE, INC. FOR A TWELVE-MONTH SUPPLY OF LIQUID POLYMER (BID NO. 88536-051314).

WHEREAS, sealed bids for Liquid Polymer were opened May 13, 2014, wherein three (3) bid were received; and

WHEREAS, the Water/Sewer Utility Division will use said chemical in the treatment of water for the City of Jackson; and

WHEREAS, the lowest bid was rejected because it failed to meet the specification requirement of a sample test; and

WHEREAS, Polydyne, Inc. submitted the next lowest bid; and

WHEREAS, the staff of the Water/Sewer Utility Division of the Department of Public Works has reviewed all bids and recommends that the governing authorities deem the bid of Polydyne, Inc., 1 Chemical Plant Road, Riceboro, GA 31323, for a twelve-month supply of Liquid Polymer, received May 13, 2014, in the amount of \$0.530 per wet pound, to be the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Polydyne, Inc., 1 Chemical Plant Road, Riceboro, GA 31323, for a twelve-month supply of Liquid Polymer, (beginning July 01, 2014 to June 30, 2015), in the amount of \$.0530 per wet pound, is accepted as the lowest and best bid, it having been determined that said bid meets the City's specifications.

IT IS FURTHER ORDERED that payment for said chemical be made from Water/Sewer Operation & Maintenance Fund.

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.
Nays- None.
Absent- Barrett-Simon and Whitwell.

ORDER ACCEPTING THE BID OF HARCROS CHEMICALS INC. FOR A TWELVE-MONTH SUPPLY OF LIQUID CHLORINE IN 150 POUND CYLINDERS AND IN ONE TON CYLINDERS (BID NO. 88538-051314).

WHEREAS, sealed bids for Liquid Chlorine were opened May 13, 2014, wherein two (2) bids were received; and

WHEREAS, the Water/Sewer Utility Division will use said chemical in the treatment of water for the City of Jackson; and

WHEREAS, Harcros Chemicals, Inc. submitted the lowest bid for each of the two items; and

WHEREAS, the staff of the Water/Sewer Utility Division of the Department of Public Works has reviewed all bids and recommends that the governing authorities deem the bids submitted by Harcros Chemicals Inc., 4280 Rifle Range Road, Vicksburg, MS 39180, received May 13, 2014, for Item 1, a twelve-month supply of Liquid Chlorine in 150 pound cylinders, in the amount of \$0.3894 per pound, and Item 2, a twelve-month supply of Liquid Chlorine in one-ton cylinders, in the amount of \$0.1944 per pound, to be the lowest and best bids.

IT IS, THEREFORE, ORDERED that the bids of Harcros Chemicals Inc., 4280 Rifle Range Road, Vicksburg, MS 39180, for Item 1, a twelve-month supply of Liquid Chlorine in 150 pound cylinders, at a cost of \$0.3894 per pound and Item 2, a twelve-month supply of Liquid Chlorine in one-ton cylinders, at a cost of \$0.1944 per pound (both beginning July 01, 2014 through June 30, 2015) are accepted as the lowest and best bids received, it having been determined that said bids meet the City’s specifications.

IT IS FURTHER ORDERED that payment for said chemical be made from the Water/Sewer Operation & Maintenance Fund.

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDINANCE CLOSING AND VACATING A PORTION OF TOMBIGBEE STREET IN FAVOR OF THE ABUTTING LANDOWNERS.

WHEREAS, Entergy of Mississippi, Inc., hereinafter referred to as “Petitioner”, petitioned the City of Jackson, Mississippi to close and vacate a portion of Tombigbee Street, hereinafter referred to as “Street”, located in the City of Jackson, First Judicial District, Hinds County, Mississippi; and

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

WHEREAS, the Petitioner is the owner of all property abutting the south side of Street and the City of Jackson is the owner of all property abutting the north side of Street; and

WHEREAS, the Petitioner has, at its own expense, furnished the City of Jackson with a survey plat; and

WHEREAS, the Site Plan Review Committee of the City of Jackson reviewed the petition to close and vacate the Street on May 9, 2013, and approved the petition on February 25, 2014, after all technical objections that were raised by the committee were addressed by the petitioner; and

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

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

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

Being a parcel of land situated in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 10, Township 5 North, Range 1 East, City of Jackson, Hinds County, Mississippi and being located within the existing right-of-way of Tombigbee Street, according to the H. C. Daniels Map of the City of Jackson in the Chancery Clerk's Office of said County, and being more particularly described as follows:

COMMENCING at a 1/2" rebar found marking the Southeast corner of Lot 5, Part "B" of the Map of East Jackson, as recorded in Cabinet "A", Slot 55 of the Chancery Clerk's office of Hinds County, Mississippi and also being the intersection of the West right-of-way line of Jefferson Street and the North right-of-way line of Tombigbee Street;

THENCE run South, a distance of 65.35 feet to a point;

THENCE run East, 412.64 feet to a drilled hole on top of a concrete curb marking the Northwest corner and the **POINT OF BEGINNING** of the herein described parcel of land;

THENCE run South 81° 08' 04" East, a distance of 95.39 feet to a 1/2" rebar set;

THENCE run South 08° 08' 49" West, a distance of 60.00 feet to a 1/2" rebar set on the South right-of-way of said Tombigbee Street;

THENCE along the South right-of-way line of said Tombigbee Street, run North 81° 08' 04" West, a distance of 95.39 feet to a 1/2" rebar set;

THENCE leaving said South line, run North 08° 08' 49" East, a distance of 60.00 feet to the **POINT OF BEGINNING**, containing 0.131 acres (5,723 Square Feet), more or less.

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

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

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

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

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

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

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

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

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDINANCE CLOSING AND VACATING A PORTION OF AN UNNAMED STREET IN FAVOR OF THE ABUTTING LANDOWNER.

WHEREAS, the University of Mississippi Medical Center, David P. Goodwin and Jordan P. Goodwin, Patricia Jones Lamar, and Robert B. Barnes, hereinafter referred to as "Petitioners", petitioned the City of Jackson, Mississippi to close and vacate a portion of an unnamed alley, hereinafter referred to as "Street", located in the City of Jackson, First Judicial District, Hinds County, Mississippi; and

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

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

WHEREAS, the Site Plan Review Committee of the City of Jackson reviewed the petition to close and vacate the Street on March 6, 2014, and approved the petition on April 10, 2014, after all technical objections that were raised by the committee were addressed by the petitioner; and

WHEREAS, the Department of Public Works recommends that the City of Jackson retain one (1) permanent easement and subterranean rights for municipal utilities that may lie within the Street; and

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

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

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

A parcel of land situated in the Northwest 1/4 of Section 26, Township 6 North, Range 1 East, City of Jackson, First Judicial District of Hinds County, Mississippi, and being more particularly described by metes and bounds as follows, to-wit:

Commence at the southeast corner of Lot 34 of Fondren Subdivision, the map or plat of which is recorded in Plat Book 1 @ Page 22 of the Chancery Records of Hinds County at Jackson, Mississippi, said southeast corner being the **POINT OF BEGINNING** for the parcel herein described; thence run South 00° 06' 58" West for a distance of 24.00 feet along the extension of the eastern line of the said Lot 34 to the southern line of a 24.0 foot wide alley; thence North 89° 58' 33" West for a distance of 132.20 feet along the said southern line to a point; thence leave said southern line of a 24.0 foot wide alley and run North 00° 02' 25" East for a distance of 24.00 feet to a point on the southern line of the said Fondren Subdivision; thence South 89° 58' 33" East for a distance of 132.23 feet along the said southern line of Fondren Subdivision to the **POINT OF BEGINNING**, containing 0.0728 acres (3,173 square feet) more or less.

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

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

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

SECTION 5. The City of Jackson hereby reserves a permanent utility easement within the herein described right-of-way, and shall retain the right of entry for public purposes and utilities maintenance, as well as all subterranean rights to the herein described right-of-way.

SECTION 6. The herein described right-of-way and portion of the unnamed alley is hereby closed and vacated.

SECTION 7. The Director of the Department of Public Works is hereby authorized and directed to indicate the closing and vacation of the herein described portion of the Street on the official map of the City of Jackson.

SECTION 8. Any and all ordinances of the City of Jackson, or any parts of ordinances, in conflict herewith shall be, and the same are hereby, repealed.

SECTION 9. The cost of publication of this Ordinance shall be borne by the Petitioner.

SECTION 10. This Ordinance shall be effective thirty (30) days after passage and after publication.

Council Member Tillman moved adoption; **Council Member Stamps** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI
REQUIRING PARK RANGER PERSONNEL TO BE PRESENT AND ON
PATROL OF THE CITY PARKS DURING SUMMER MONTHS.**

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

WHEREAS, this Ordinance shall be entitled the “Safe Summer Ordinance” as its primary focus is to enhance the safety and security of the children of the City of Jackson as they frequent City parks during their summer vacation months; and

WHEREAS, the purpose of this Ordinance shall be to serve as a deterrent and to prevent malicious acts and acts of violence in City parks during normal hours of operation in the time period from Memorial Day to Labor Day of each year.

SECTION ONE. The presence of and patrol by park ranger personnel in City parks is hereby required as specified.

SECTION TWO. The time of presence and patrol by said park rangers shall be at least hourly and during normal operating hours of said City parks and during the summer months beginning on Memorial Day and ending on Labor Day of each year.

SECTION THREE. The qualifications for employment of said park rangers shall be determined by the office of the Mayor of the City of Jackson.

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IT IS THEREFORE ORDAINED, that it is in the best interest of the citizens of the City of Jackson that park ranger personnel be required to be present and on patrol of City parks during summer months.

Council Member Cooper-Stokes moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Stamps and Tillman.

Nays- Priester.

Absent- Barrett-Simon and Whitwell.

* * * * *

ORDER APPROVING CLAIMS NUMBER 11195 TO 11533, APPEARING AT PAGES 1795 TO 1846 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$2,139,333.49 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 11195 to 11533, appearing at pages 1795 to 1846, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$2,139,333.49 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

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

FROM:	TO ACCOUNTS PAYABLE FUND
08/09&/10 COPS TECHNOLOGY GRNT	6,599.00
09 TAX INCREMENT BD FD \$1.6M	142,658.75
09 TIF BOND FD \$375,000	69,416.10
2008 GO STREET CONST B & I FD	530,610.63
AMERICORP CAPITAL CITY REBUILD	296.63
CAPITAL CITY REVENUE FUND	492.86
CAPITOL STREET 2-WAY PROJECT	276,591.84
EARLY CHILDHOOD (DAYCARE)	345.44
EMPLOYEES GROUP INSURANCE FUND	9,793.50
G O PUB IMP CONS BD 2003 (\$20M)	3,375.00
GENERAL FUND	412,225.00
HAIL DAMAGE MARCH 2013	10,873.63
HOME PROGRAM FUND	5,049.62
HOUSING COMM DEV ACT (CDGB) FD	29,281.11
LANDFILL.SANITATION FUND	38,524.85
MADISON SEWAGE DISP OP & MAINT	38.38
NCSC SENIOR AIDES	41.40
P E G ACCESS- PROGRAMMING FUND	1,823.02
PARKS & RECR. FUND	24,934.28
SEIZURE & FORFEITED PROP – FED	26.89
STATE TORT CLAIMS FUND	11,829.67
TECHNOLOGY FUND	49,261.22
TITLE III AGING PROGRAMS	10.56
TRANSPORTATION FUND	129,066.81
WATER SEWER B&I FD 2013 \$89.9M	5,750.00
WATER/SEWER CAPITAL IMPR FUND	86,312.60
WATER/SEWER OP & MAINT FUND	278,838.70
WATER/SEWER REVENUE FUND	15,266.00
TOTAL	\$2,139,333.49

Council Member Stamps moved adoption; **Council Member Priester** seconded.

President Tillman recognized **Trivia Jones**, Deputy Director of Administration, who provided the Council with a brief overview of the Claims Docket at the request of **Council Member Tillman**.

Thereafter, **President Tillman** called for a final vote:

Yeas- Priester, Stamps and Tillman.
Nays- Cooper-Stokes.
Absent- Barrett-Simon and Whitwell.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 11195 TO 11533 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 11195 to 11533 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$128,166.82 plus payroll, are approved for payment and necessary amounts are appropriated from various municipal funds for transfer to the payroll fund for the immediate payment thereof.

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

FROM:	TO ACCOUNTS PAYABLE FUND	TO PAYROLL FUND
GENERAL FUND		2,025,056.38
PARKS & RECR.		88,407.83
LANDFILL FUND		25,092.66
SENIOR AIDES		2,578.72
WATER/SEWER OPER. & MAINT		220,236.90
PAYROLL	128,166.82	
PAYROLL FUND		1,192.50
EARLY CHILDHOOD		38,569.11
HOUSING COMM DEV		6,700.59
TITLE III AGING PROGAMS		5,377.12
AMERICORP CAPITAL CITY REBUILD		9,161.84
TRANSPORTATION FUND		7,627.01
T-WARNER PA/GA FUND		6,775.74
COPS HIRING GRANT 2011		27,071.17

TOTAL **\$2,463,847.57**

Council Member Stamps moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.
Nays- None.
Absent- Barrett-Simon and Whitwell.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A 48 MONTH RENTAL AGREEMENT WITH ADVANTAGE BUSINESS SYSTEMS FOR A KONICA MINOLTA BIZHUB C364E COPIER FOR USE BY THE TELECOMMUNICATIONS DIVISION.

WHEREAS, the Telecommunications Division's copier rental agreement expires on May 31,2014; and

WHEREAS, the Telecommunications Division desires to enter into a new 48 month copier rental agreement for a replacement color copier; and

WHEREAS, Advantage Business Systems at 5442 Executive Place, Jackson, MS provides, via state contract 5-600-13963, a Konica Minolta BIZHUB C364e Digital Copier with auxiliary equipment for a period of 48 months for \$208.00 per month plus overage charges of 0.06 per sheet for color and \$0.009 per sheet for black and white. The cost also includes certain auxiliary equipment, maintenance and supplies. Paper and staples are excluded.

IT IS, THEREFORE, ORDERED, that the Mayor be authorized to execute the necessary documents with Advantage Business Systems providing for the 48 month rental of one Konica Minolta BIZHUB C364e Copier for \$208.00 per month, plus overage charges of \$0.06 per sheet for color and \$0.009 per sheet for black and white.

Council Member Stamps moved adoption; Council Member Priester seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER AMENDING THE PLAN FOR RECOGNIZING AND HONORING CONTRIBUTORS TO THALIA MARA’S RENOVATION AND FURTHER AUTHORIZING THE NAMING OF CERTAIN SPACE WITHIN THALIA MARA HALL AFTER MAJOR DONORS FOR A TERM AND THE MAYOR’S EXECUTION OF CONTRACTS WITH THE MAJOR DONORS.

WHEREAS, the City of Jackson and the Friends of Thalia Mara executed a Memorandum of Understanding for the purpose of securing funding for Thalia Mara Hall and its renovation efforts; and

WHEREAS, pursuant to the MOU, the Friends of Thalia Mara and the City worked together to develop a plan for recognizing the contributions of private donors to Thalia Mara; and

WHEREAS, on February 11, 2014, the governing authorities for the City of Jackson approved a plan for recognizing and honoring contributions made by private donors to Thalia Mara Hall; and

WHEREAS, the plan approved by the Jackson City Council provided for placement of plaques in visible locations within the Hall based on contributions as follows:

\$1,000,000 and above – Auditorium Stage
\$750,000 and above Individual recognition on plaque in Main Lobby
\$500,000 and above Podium, Promenade, Mezzanine Lobby
\$100,000 and above Lower Lobby, East and West Ticketing Windows
\$ 50,000 and above Ground Floor Ticketing Center and Green Room
\$ 500.01-- \$49,999.99 group recognition on plaque in Main Lobby
\$ 500.00 – plaque placed on seating

and;

WHEREAS, subsequent to the development and approval of the plan on February 11, 2014, the Friends of Thalia Mara Hall advised the City that some of its major donors or contributors desire recognition in the form of identifying certain spaces in the facility with their name, likeness, and logos; and

WHEREAS, the major contributors desiring the naming of the certain spaces in the facility using their name, likeness, and logos is as follows:

Contributor	Contribution	Facility Space Designation
Entergy of Mississippi Inc.,	\$50,000.00	Will Call Window I
Trustmark Bank	\$50,000.00	Will Call Window II
Gertrude C. Ford Foundation	\$100,000.00	Orchestra Pit
McRae Foundation	\$100,000.00	Lower Lobby
Irby Construction, Inc.	\$750,000.00	Main Lobby
Bank Plus	\$100,000.00	Both Refreshment Centers
Bancorp South	\$50,000.00	Lower lobby ticketing center

WHEREAS, on October 25, 2003, in an opinion to Yvonne Brown, the Mississippi Attorney General opined that a municipal governing body could name a building after a person it wished to recognize and honor; and

WHEREAS, the governing authorities for the City of Jackson believe that their best interest would be served by amending the recognition plan it approved on February 11, 2014 to provide for the recognition of the above major contributors in the manner stated; and

WHEREAS, the Friends of Thalia Mara Hall has agreed to install and maintain appropriate signage evidencing the recognition; and

WHEREAS, the governing authorities for the City of Jackson believe that it is in the best interest of the municipality to limit and restrict the term of the recognition and authorize the Mayor to execute an agreement between the City of Jackson, the Friends of Thalia Mara, and the donor concerning the recognition.

IT IS HEREBY ORDERED that the plan adopted by the Jackson City Council on February 11, 2014 shall be amended to include the naming of the will call windows, orchestra pit, lower lobby, main lobby, refreshment centers, and lower lobby ticketing facilities located in Thalia Mara Hall after the entities in accordance with the designations proposed in this order and the contributions made or to be made.

IT IS HEREBY ORDERED that the naming of the facilities located in Thalia Mara Hall shall be for a specific term not to exceed twenty (20) years and shall be based on the contributions made.

IT IS HEREBY ORDERED that the Mayor shall be authorized to execute agreements with the Friends of Thalia Mara and the major contributors identified in this order concerning the naming, recognition, term, and contributions.

IT IS HEREBY ORDERED that all other provisions of the plan approved by the Jackson City Council on February 11, 2014 shall remain and be implemented to the extent practical.

Council Member Stamps moved adoption; **Council Member Priester** seconded.

Yeas- Priester, Stamps and Tillman.
Nays- Cooper-Stokes
Absent- Barrett-Simon and Whitwell.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH JAMBOREE CHILD DEVELOPMENT CENTER FOR THE PLACEMENT OF TWO YOUTH FROM THE MAYOR'S SUMMER YOUTH EMPLOYMENT PROGRAM DURING THE SUMMER MONTHS OF THE 2014 FISCAL YEAR.

WHEREAS, the Mayor is committed to providing employment opportunities for youths in the City of Jackson; and

WHEREAS, Entergy Mississippi, Incorporated provided a grant in the amount of Two Thousand, Five Hundred and sixty-eight Dollars (\$2,568.00) to the City of Jackson to hire two (2) youth for the Summer Youth Employment Program with the stipulation that the youth employed be placed in service with a non-profit agency; and

WHEREAS, adhering to the Entergy Mississippi stipulation is necessary for receipt of the funds and promotes good relationships between the City and Entergy Mississippi; and

WHEREAS, Jamboree Child Development Center is listed in records of the Mississippi Secretary of State as a non-profit entity and has agreed to the placement of two (2) youth from the Mayor's Summer Youth Employment Program; and

WHEREAS, Jamboree Child Development Center will pay the youth for services provided and receive reimbursement from the City of Jackson.

IT IS HEREBY ORDERED that the Mayor is authorized to execute an agreement with Jamboree Child Development Center for the placement of two (2) youth from the Mayor's Summer Youth Employment Program, for the summer months of the 2014 fiscal year.

IT IS HEREBY ORDERED that an amount not to exceed \$2,568.00 may be reimbursed Jamboree Child Development Center for wages earned and paid to the youth, and it is ordered that no third party beneficiary relationship shall arise out of the City's contract with Jamboree Child Development Center.

Council Member Stamps moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONSULTANT AGREEMENT WITH PATRICIA S. NEAL FOR SERVICES TO BE PROVIDED IN CONNECTION WITH THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION URBAN YOUTH CORP PROGRAM.

WHEREAS, the City of Jackson was awarded funds by the Mississippi Department of Transportation's Urban Youth Corp's Program to provide employment training and life skills education to disadvantaged and inner city youths; and

WHEREAS, the Mississippi Department of Transportation's Urban Youth Corp's Program requires that the participants receive life skills instruction; and

WHEREAS, twenty-five (25) disadvantaged and inner city youth will be provided employment training and will require life skills instruction; and

WHEREAS, the life skills instruction will be comprised of twelve (12) sessions covering decision-making, money management, anger management, drug, and alcohol abuse, and career opportunities; and

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WHEREAS, Patricia S. Neal is a Jackson resident and has experience in workforce development and training and is qualified to provide the life skills instruction sessions needed by the City of Jackson; and

WHEREAS, each session will be provided at a cost of \$280.66 for a total of \$3,368.00 and was budgeted and included in the funding awarded by the Mississippi Department of Transportation's Urban Youth Corp Program.

IT IS HEREBY ORDERED that the Mayor is authorized to execute a Consultant Agreement with Patricia S. Neal to provide life skills instruction session for participants in the Urban Youth Corp's Program.

IT IS HEREBY ORDERED that the compensation paid Patricia S. Neal shall not exceed the sum of \$3,368.00 and shall be paid from the funds awarded the City by the Mississippi Department of Transportation's Urban Youth Corp's Program.

Council Member Stamps moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND DONALD M. JONES D/B/A JONES LANDSCAPE AND CONTRACTOR SERVICES, FOR THE BOARD-UP AND SECURING OF STRUCTURE(S) AND/OR THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE.

WHEREAS, on May 14, 2013; June 25, 2013; December 17, 2013; July 30, 2013; and October 8, 2013; the City Council adopted the resolutions, 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 pursuant to Administrative Hearings held April 9, 2013; April 30, 2013; June 11, 2013; August 13, 2013; and October 22, 2013; for the following cases: 2012-2039; 2012-3766; 2013-1955; 2013-1954; 2012-1653; 2012-2027; and 2013-1471; and

WHEREAS, on January 21 & 22, 2014, the Department of Planning and Development, Community Improvement Division, solicited quotes from qualified contractors to provide the stated services; and

WHEREAS, on February 4, 2014, quotes were received by the Office of the City Clerk; and

WHEREAS, the Director of Planning and Development determined that Donald M. Jones d/b/a Jones Landscape & Contractor Services, submitted the lowest and best quote to provide stated services for the properties located at: (1) 4861 Cedarhurst Drive (2012-2039); (2) Pinedale Street/Lot North of 2714 (2012-3766); (3) Belvedere Drive 0/1st Lot North of 2504 (2013-1955); (4) Belvedere Drive 0/ 2nd Lot North of 2504 (2013-1954); (5) 4643 Meadow Ridge Drive (2012-1653); (6) 4855 North State Street (2012-2027); (7) 727 Dorgan Street (2013-1471); and

WHEREAS, the quotes submitted by Donald M. Jones d/b/a Jones Landscape and Contractor Services, for the board-up and cleaning of the aforementioned parcels totaled \$1569.00.

IT IS, THEREFORE, ORDERED, that the Mayor be authorized to execute a contract with Donald M. Jones d/b/a Jones Landscape and Contractor Services, providing the board-up and securing of structures and/or the cutting of grass and weeds and removal of trash and debris of the stated properties.

IT IS FURTHER ORDERED, that the payment for said contract be made from the Community Improvement Division's General Fund Account.

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND MARTHA KNIGHTEN D/B/A ALLSTARR INDUSTRIES, INC. FOR THE DEMOLITION AND REMOVAL OF DILAPIDATED STRUCTURE(S), FOUNDATION, STEPS, DRIVEWAY AND THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE.

WHEREAS, on October 8, 2013; October 22, 2013; and November 5, 2013; the City Council adopted the resolutions, 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 pursuant to Administrative Hearings held August 20, 2013; August 27, 2013; and September 24, 2013; for the following cases: 2011-4923; 2012-2608; 2013-1213; and 2013-1938; and

WHEREAS, on December 17, 2013, the Department of Planning and Development, Community Improvement Division, solicited quotes from qualified contractors to provide the stated services; and

WHEREAS, on January 7, 2014, quotes were received by the Office of the City Clerk; and

WHEREAS, the Manager of the Community Improvement Division determined that Martha Knighten d/b/a Allstarr Industries, Inc., submitted the lowest and best quote to provide stated services for the property located at: (1) 2328 Fairhill Street; (2) Evergreen Avenue/House West of 707; (3) 6010 Montgomery Drive; (4) 119 AB Ethelmoore Avenue; and

WHEREAS, the quote submitted by Martha Knighten d/b/a Allstarr Industries, Inc. for the demolition and cleaning of the aforementioned parcel(s) totaled \$8100.00.

IT IS, THEREFORE, ORDERED, that the Mayor be authorized to execute a contract with Martha Knighten d/b/a Allstarr Industries, Inc., providing the demolition of structures and the cutting of grass and weeds and removal of trash and debris of the stated properties.

IT IS FURTHER ORDERED, that the payment for said contract be made from the Community Improvement Division's General Fund Account.

Council Member Stamps moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND MARTHA KNIGHTEN D/B/A ALLSTARR INDUSTRIES, INC. FOR THE DEMOLITION AND REMOVAL OF DILAPIDATED STRUCTURE(S), FOUNDATION, STEPS, DRIVEWAY AND THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE.

WHEREAS, on July 30, 2013; October 8, 2013; and October 22, 2013; the City Council adopted the resolutions, 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 pursuant to Administrative Hearings held June 11, 2013; August 20, 2013; and August 27, 2013; for the following cases: 2013-1550; 2013-1868; 2013-1898; 2013-1899; and

WHEREAS, on December 17, 2013, the Department of Planning and Development, Community Improvement Division, solicited quotes from qualified contractors to provide the stated services; and

WHEREAS, on January 7, 2014, quotes were received by the Office of the City Clerk; and

WHEREAS, the Manager of the Community Improvement Division determined that Martha Knighten d/b/a Allstarr Industries, Inc., submitted the lowest and best quote to provide stated services for the property located at: (1) 1407 Collier Avenue; (2) 2609 Latimer Avenue; (3) 1007 Woodrow Wilson Avenue; and (4) 2102 Morton Avenue; and

WHEREAS, the quote submitted by Martha Knighten d/b/a Allstarr Industries, Inc., for the demolition and cleaning of the aforementioned parcel totaled \$ 7270.99.

IT IS, THEREFORE, ORDERED, that the Mayor be authorized to execute a contract with Martha Knighten d/b/a Allstarr Industries, Inc., providing the demolition and removal of structures, foundation, steps and driveway and the cutting of grass and weeds and removal of trash and debris of the stated properties.

IT IS FURTHER ORDERED, that the payment for said contract be made from the Community Improvement Division's Community Development Block Grant Account.

Council Member Stamps moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND MARTHA KNIGHTEN D/B/A ALLSTARR INDUSTRIES, INC. FOR THE DEMOLITION AND REMOVAL OF DILAPIDATED STRUCTURE(S), FOUNDATION, STEPS, DRIVEWAY AND THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE.

WHEREAS, on September 24, 2013; October 8, 2013; and November 5, 2013; the City Council adopted the resolutions, 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 pursuant to Administrative Hearings held August 6, 2013; and August 20, 2013; and September 17, 2013; for the following cases: 2012-3772; 2012-4093; 2013-1004; 2013-1007; and

WHEREAS, on December 17, 2013, the Department of Planning and Development, Community Improvement Division, solicited quotes from qualified contractors to provide the stated services; and

WHEREAS, on January 7, 2014, quotes were received by the Office of the City Clerk; and

WHEREAS, the Manager of the Community Improvement Division determined that Martha Knighten d/b/a Allstarr Industries, Inc., submitted the lowest and best quote to provide stated services for the property located at: (1) 937-39 Arbor Vista Blvd (2012-3772); (2) 430 Marcus L. Butler Drive (2013-1007); (3) 525 Claiborne Avenue (2012-4093); and (4) 510-14 Marcus L. Butler Drive (2013-1004); and

WHEREAS, the quote submitted by Martha Knighten d/b/a Allstarr Industries, Inc., for the demolition and cleaning of the aforementioned parcel totaled \$9539.00.

IT IS, THEREFORE, ORDERED, that the Mayor be authorized to execute a contract with Martha Knighten d/b/a Allstarr Industries, Inc., providing the demolition and removal of structures, foundation, steps and driveway and the cutting of grass and weeds and removal of trash and debris of the stated properties.

IT IS FURTHER ORDERED, that the payment for said contract be made from the Community Improvement Division's Community Development Block Grant Account.

Council Member Stamps moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

* * * * *

ORDER AUTHORIZING THE DONATION OF A TEMPORARY EASEMENT FROM THE CITY OF JACKSON TO THE WETLANDS COMPANY.

WHEREAS, Aramark Uniform Services, owner of the former Aratex laundry site at 421 West Woodrow Wilson Avenue, legally described as Lots 4, 5, 6, 7, 8, 9, 10, and 11 Block L North Sunnyside Addition less to street, has contracted with The Wetlands Company to develop a plan to remove contaminated materials that have leached into the soil beneath the building; and

WHEREAS, the site remediation plan, which has been approved by the Mississippi Department of Environmental Quality, requires The Wetlands Company to drill four horizontal wells across and beneath Vardaman Street from the Aratex property south to a well access point at 445 Vardaman Street, legally described as Lot 8 Block K North Sunnyside Addition, to remove the contaminated materials from the soil; and

WHEREAS, is in the best interest of the residents of the City of Jackson to grant a temporary easement to The Wetlands Company to bore four horizontal wells approximately 45 feet beneath Vardaman Street, and to permit the encroachment of said wells during the environmental remediation of the Aratex property.

IT IS, THEREFORE, ORDERED that City of Jackson hereby grants, conveys, and donates to The Wetlands Company for the benefit of the Property and lawful users thereof, a temporary easement across the public right-of-way of Vardaman Street between the north property line of Lots 8 and 9 Block K North Sunnyside Addition and the south property line of Lots 6 and 7 Block L North Sunnyside Addition.

IT IS FURTHER ORDERED that such temporary easement shall expire upon the completion of site remediation work and acceptance thereof by the Mississippi Department of Environmental Quality.

Council Member Stamps moved adoption; Council Member Priester seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER RATIFYING THE EMERGENCY CONTRACT WITH DELTA CONSTRUCTORS, INC. TO PROVIDE CONSTRUCTION SERVICES FOR THE SAVANNA STREET INTERCHANGE 24 INCH WATER LINE REPAIR PROJECT.

WHEREAS, a leak on the 24 inch pre-stressed concrete water line near the Interstate 55 Savanna Street interchange was destabilizing the East Frontage Road and delaying reconstruction of the Savanna Street interchange, which was already under contract and under construction by the Mississippi Department of Transportation; and

WHEREAS, on May 22, 2014, the Mayor of the City of Jackson determined that the repair of the 24 inch pre-stressed water line was an emergency, and it was determined that delays incident to the letting of competitive bids would not be in the best interest of the City of Jackson; and

WHEREAS, a copy of the Emergency Declaration is attached as Exhibit A; and

WHEREAS, the Mayor executed a declaration which authorized the letting of contracts pursuant to Section 31-7-13(k) of the Mississippi Code for the repair of the Savanna Street Interchange 24 Inch Water Line Repair Project; and

WHEREAS, the Public Works Department, which will provide the replacement sections of water line and the special adapters, solicited quotes from multiple construction vendors to provide the labor and remaining materials necessary to repair the water line; and

WHEREAS, the Department of Public Works recommended to the Mayor that Delta Constructors, Inc., ("Contractor") be authorized to perform the work for its base quote of \$67,735.00; and

WHEREAS, the sum of \$67,735.00 for the construction services is commercially reasonable and the procurement of the construction services was not made for the purpose of circumventing the state's purchasing laws concerning public construction projects.

IT IS, THEREFORE, ORDERED that the emergency contract between the City of Jackson and Delta Constructors, Inc., for construction services provided for the Savanna Street Interchange 24 Inch Water Line Repair Project is hereby ratified in the amount of \$67,735.00, and payment to the Contractor, for the emergency services shall be issued upon the completion of all services as specified in the contract.

EXHIBIT A

**DECLARATION OF EMERGENCY
TO INVOKE EMERGENCY CONTRACT PROCEDURE**

I. REQUEST

The Public Works Department was advised approximately three weeks ago by the Mississippi Department of Transportation (MDOT) that the 24 inch precast concrete water line adjacent to an MDOT project on Interstate 55 South north of Savanna Street was leaking. The leak is destabilizing the subgrade beneath the East Frontage Road, which is currently being reconstructed, along with the Savanna Street interchange as part of the MDOT project to make improvements to Interstate 55 South in Jackson. MDOT has requested that the City repair the

leak as quickly as possible to avoid delaying the contractor from finishing the reconstruction work on the East Frontage Road and the Savanna Street interchange.

The Public Works Department investigated, confirmed the leaking water line, and began contacting general contractors to solicit competitive quotes to repair the leak. However, once the Department received the competitive quotes, all exceed \$50,000 which is the state purchasing law limit for non-emergency procurement of construction without advertisement for bids.

Until the leak is repaired, the Savanna Street interchange and Frontage Road work cannot proceed. Unless the repairs are begun as soon as possible, the MDOT project will be delayed, which will increase the cost of the MDOT project and cause additional delays in the completion of the Savanna Street interchange that will affect businesses along Frontage Road. The City is also concerned about the integrity of the existing line because another segment of this same water line began leaking in 2012. Before the City could complete the necessary repairs, the line ruptured, disrupting water service to the Greater Jackson Industrial Park.

Accordingly, I request that you declare this situation an "emergency" as that term is defined in Section 31-7-1 of the Mississippi Code Annotated of 1972, as amended, and authorize the City to contract for repairs to a 24" water transmission line adjacent to I-55 Frontage Road adjacent to the Savanna Street exit, pursuant to Section 31-7-13 (k) of the Mississippi Code Annotated of 1972, as amended.

As background information to assist in your determination that an emergency exists, I have attached a memorandum from Bill Miley, Utilities Manager for the City. I have also obtained the review and approval of the Office of the City Attorney, Administration Department, and the Public Works Department as evidenced by the signatures below.

_____/s/_____
CHARLES WILLIAMS, P.E.
Interim Director of Public Works
5/16/14
DATE

II. REVIEWED AND APPROVED

_____/s/_____
LEE UNGER
Director of Administration
5/19/14
DATE

_____/s/_____
MONICA JOINER
City Attorney
5/21/14
DATE

_____/s/_____
GUS McCOY
Chief Administrative Officer
5/23//14
DATE

III. DECLARATION OF EMERGENCY

I hereby determine that the failure of the water heater at the Police Training Academy constitutes an emergency as that term is defined under Section 31-7-1 of the Mississippi Code Annotated of 1972, as amended, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the City of Jackson, Mississippi and its citizens, and that the City is authorized to contract for repairs to a 24" water transmission line adjacent to I-55 Frontage Road adjacent to the Savanna Street exit, pursuant to Section 31-7-13 (k) of the Mississippi Code Annotated of 1972, as amended.

Accordingly, this request is approved.

_____/s/_____
TONY YARBER
Mayor
5/22/14
DATE

Council Member Priester moved adoption; **Council Member Tillman** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE HINDS COUNTY BOARD OF SUPERVISORS FOR THE RESURFACING OF CERTAIN CITY STREETS.

WHEREAS, the Hinds County Board of Supervisors intends to resurface several streets as part of a project partially funded through federal surface transportation program funds:

- Forest Hill Road from Raymond Road to Cooper Road
- Lynch Street from Robinson Road to Wiggins Road
- McCluer Road from Henderson Road to Siwell Road
- Watkins Drive from Forest Avenue to Northside Drive

all within the corporate limits of the City of Jackson; and

WHEREAS, in accordance with the Interlocal Cooperation Act of 1974, Section 17-13-1, et seq. of the Mississippi Code of 1972, as amended, it is necessary to enter into an Interlocal Agreement with the Hinds County Board of Supervisors to authorize the Hinds County Board of Supervisors to complete the proposed work within the City of Jackson.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an Interlocal Agreement with the Hinds County Board of Supervisors for the resurfacing of Forest Hill Road, Lynch Street, McClell Road, and Watkins Drive.

IT IS FURTHER ORDERED that the Mayor is authorized to execute any other documents necessary for the administration and construction of this project.

Council Member Stamps moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

There came on for consideration Agenda Item No. 33:

ORDER ACCEPTING THE DONATION FROM THE DISTRICT LAND DEVELOPMENT COMPANY, LLC OF A PERMANENT WATER LINE EASEMENT. Said item was pulled by **Mayor Tony Yarber**.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING AND OTHER DOCUMENTS NECESSARY TO ACTIVATE THE TERRY ROAD RESURFACING PROJECT FROM THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION.

WHEREAS, the Moving Ahead for Progress in the 21st Century Act (MAP-21) provides funding to regional metropolitan planning organizations for pavement preservation projects; and

WHEREAS, the Jackson Metropolitan Planning Organization submitted applications for local projects to fund under the MAP-21 Pavement Preservation Projects with projects awarded on a competitive basis based on pre-determined criteria; and

WHEREAS, the City of Jackson made application for a number of streets for reconstruction and resurfacing; and

WHEREAS, on November 13, 2013, the Jackson MPO Policy Committee approved the application and award of \$650,000.00 to the City of Jackson for the resurfacing of Terry Road from Stokes Robertson Road to Cooper Road, which requires a minimum 50% match; and

WHEREAS, during the life of this project it will be necessary for the Mayor to execute a Memorandum of Understanding and other documents related to the administration and construction of the project and to submit those documents to MDOT, which administers projects that utilize federal transportation funds.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute a Memorandum of Understanding and other documents necessary for the administration of Terry Road Resurfacing Project.

IT IS FURTHER ORDERED that the documents executed by the Mayor may not include the appropriation of funds not previously authorized.

Council Member Stamps moved adoption; Council Member Priester seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED PERMIT APPLICATION TO EXPAND THE CITY OF JACKSON CLASS I RUBBISH FACILITY, PERMIT NO. SW0250020471, AND TO EXECUTE ALL OTHER DOCUMENTS NECESSARY FOR THE EXPANSION.

WHEREAS, the City of Jackson operates a Class I Rubbish Facility under permit from the Mississippi Department of Environmental Quality; and

WHEREAS, the Rubbish Facility is needed to dispose of vegetative waste, construction debris, and other discarded materials suitable for disposal in a rubbish facility and is also needed for land application of sludge, which is a byproduct of the City's wastewater treatment facilities; and

WHEREAS, to comply with its permit obligations, the City submitted an application to renew the existing permit for the City's Class I Rubbish Facility on May 30, 2014; and

WHEREAS, the current useable area permitted is insufficient for the City's continuing rubbish disposal needs; and

WHEREAS, the location of the current operations will accommodate an expansion of 16.60 acres; and

WHEREAS, in conjunction with the amended rubbish facility permit application, the City must also submit an application to the Corps of Engineer for a Section 404 Permit; and

WHEREAS, the Public Works Department recommends that the City authorize the Mayor to submit an amended application to the Mississippi Department of Environmental Quality for the expansion of the City of Jackson Class I Rubbish Facility and land application site permit, Permit No. SW0250020471.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an amended application for the expansion of the permit for the City of Jackson Class I Rubbish Facility, Permit No. SW0250020471.

IT IS FURTHER ORDERED that the Mayor is authorized to execute an application for a Section 404 permit for the expansion of the City of Jackson Class I Rubbish Facility.

IT IS FURTHER ORDERED that the Mayor is authorized to execute any documents necessary for and in aid of the amended permit application and the Section 404 permit.

Council Member Priester moved adoption; **Council Member Tillman** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER ACCEPTING THE BID OF SOCRATES GARRETT ENTERPRISES, INC. FOR CONSTRUCTION SERVICES FOR THE JACKSON ZOO DRAINAGE IMPROVEMENTS, PROJECT NUMBER 1B7002, AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH SAID COMPANY.

WHEREAS, the Jackson Zoo Drainage Improvements advertised for bids on April 24 and May 1, 2014; and

WHEREAS, three (3) bids were received in response to the City's advertisement for bids and opened on May 28, 2014; and

WHEREAS, the bid of Socrates Garrett Enterprises, Inc. in the amount of \$98,242.62, is the lowest bid received and meets specifications; and

WHEREAS, the Department of Public Works recommends that the governing authorities deem the bid of Socrates Garrett Enterprises, Inc., in the amount of \$98,242.62, to be the lowest and best bid.

IT IS, THEREFORE, ORDERED that the bid of Socrates Garrett Enterprises, Inc., in the total amount of \$98,242.62, for the Jackson Zoo Drainage Improvements, Project Number 1B7002, being the lowest and best bid, is accepted.

IT IS FURTHER ORDERED that the Mayor is authorized to execute and the City Clerk is authorized to attest a contract with Socrates Garrett Enterprises, Inc. in accordance with the City's Advertisement For Bidders, the bid, and the specifications on file with the Public Works Department, Engineering Division, Room 424 at 200 S. President Street and the City Clerk, Jackson, Mississippi.

Council Member Stamps moved adoption; **Council Member Priester** seconded.

Yeas- Priester, Stamps and Tillman.

Nays- Cooper-Stokes.

Absent- Barrett-Simon and Whitwell.

ORDER AUTHORIZING FINAL PAYMENT TO NEW ENGLAND CONTRACTORS LLC FOR THE NORTHGATE PARK PROJECT AND AUTHORIZING PUBLICATION OF NOTICE OF COMPLETION.

WHEREAS, on September 24, 2013, the City Council authorized the Mayor to execute a contract of \$57,000.00 with New England Contractors LLC for the Northgate Park Project; and

WHEREAS, the Mayor executed this contract on October 28, 2013; and

WHEREAS, the City of Jackson Engineering Division conducted a Final Inspection of the project on May 29, 2014; and

WHEREAS, the surety, Scott E. Stoltzner, Attorney-in-Fact, has authorized release and payment of all money due under this contract; and

WHEREAS, the Director of the Department of Public Works recommends that the City accept this project and make Final Payment to New England Contractors LLC.

IT IS, THEREFORE, ORDERED that the City is authorized to make Final Payment of \$6,887.50 to New England Contractors LLC and that the City Clerk is directed to publish Notice of Completion of the Northgate Park Project.

Council Member Priester moved adoption; Council Member Stamps seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER AUTHORIZING THE CITY OF JACKSON TO SETTLE ALL CLAIMS INCURRED IN THAT CERTAIN MATTER STYLED, AS "LESTER BARNES, JR. VS. CITY OF JACKSON" HINDS COUNTY CIRCUIT COURT CIVIL ACTION N 251-04-281 CIV.

WHEREAS, on April 1, 2004, the Plaintiffs filed a Complaint in the matter styled "LESTER BARNES, JR. VS. CITY OF JACKSON" Hinds County Circuit Court Civil Action N251-04-281 CIV; and

WHEREAS, on May 6, 2013, the Hinds County Circuit Court granted a judgment in favor of Plaintiff Lester Barnes in the amount of \$350,000 as a result of a bench trial held on January 9, 2012; and

WHEREAS, the Plaintiff and the City have reached a post judgment settlement; and

WHEREAS, the Office of the City Attorney is recommending that the City fully and finally resolve this matter with the Plaintiff and his attorney Felecia Perkins in return for a complete release of the City and Entry of an Agreed Order of Judgment in the amount of \$60,000; and

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

WHEREAS, it is in the best interest of the City of Jackson, Mississippi that the City of Jackson resolve this matter in an amount not to exceed \$60,000.00.

NOW, THEREFORE, IT IS HEREBY ORDERED, by the City Council of the City of Jackson, Mississippi, that City of Jackson, Mississippi pay a total sum not to exceed \$60,000 to LESTER BARNES, JR. and his attorney Felecia Perkins in return for a complete release of the City from any and all liability.

Council Member Priester moved adoption; Council Member Stamps seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER AUTHORIZING THE DONATION OF A PERMANENT EASEMENT FROM THE CITY OF JACKSON TO ENTERGY MISSISSIPPI, INC. FOR THE EXPANSION OF ITS EAST JACKSON ELECTRICAL SUBSTATION.

WHEREAS, the City of Jackson has passed an ordinance vacating a portion of the right-of-way for Tombigee Street; and

WHEREAS, by operation of law the vacated right-of-way is vested in the abutting property owners; and

WHEREAS, the abutting land owners in whom the vacated right-of-way will vest upon the passage of thirty (30) day and publication of the ordinance are the City of Jackson, Mississippi and Entergy Mississippi, Inc.; and

WHEREAS, the purpose of vacating the right-of-way is to allow Entergy Mississippi, Inc. to expand the power house and make other improvements to its East Jackson Substation, which provides electricity to the Downtown area of Jackson; and

WHEREAS, Entergy Mississippi, Inc. is in need of a portion of the right-of-way that will vest in the City of Jackson by operation of the ordinance; and

WHEREAS, the upgraded East Jackson Substation is necessary to ensure reliable electricity to the Downtown area; and

WHEREAS, it is in the best interest of the City of Jackson to grant Entergy Mississippi, Inc. a permanent easement over a portion of the current right-of-way of Tombigbee Street, east of Jefferson Street, which will become vested the City of Jackson upon the effective date of the Ordinance.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an Easement granting to Entergy Mississippi, Inc. a permanent easement for the purpose of allowing upgrades to the East Jackson Substation, which permanent easement will continue so long as Entergy Mississippi, Inc. and its assigns continue to use the permanent easement for its East Jackson Substation.

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER AUTHORIZING THE MAYOR' S SUBMISSION OF THE UNITED STATES DEPARTMENT OF JUSTICE COPS OFFICE FY14 APPLICATION FOR COMMUNITY POLICING DEVELOPMENT.

WHEREAS, the City of Jackson has been granted the opportunity to apply for the 2014 United States Department of Justice Community Policing Development; and

WHEREAS, the City of Jackson will receive allocation from the United States Department of Justice, Office of Community Oriented Policing Services; and

WHEREAS, the 2014 Community Policing Development Grant requires no matching funds; and

WHEREAS, funds through this award will be used to advance the practice of community policing in law enforcement through training and technical assistance as well as try to coordinate a minority youth violence prevention program.

IT IS HEREBY ORDERED that the Mayor is authorized to submit an application for the COPS Office FY14 Application for Community Policing Development.

IT IS FURTHER ORDERED that the Mayor may execute any and all documents and agreements necessary to accomplish and affect the purposes and intent of this order.

Council Member Stamps moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR SPRINT MART TO REFACE THEIR EXISTING GROUND SIGN AT 117 SQ. FT. IN SIGN AREA AND 31 FEET IN HEIGHT IN THE HIGH STREET OVERLAY DISTRICT WHICH ALLOWS MONUMENT SIGNS NOT TO EXCEED 25 SQ. FT. IN SIZE WITH A MAXIMUM HEIGHT OF 6 FEET.

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

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

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

WHEREAS, said variance application shall also demonstrate that:

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

WHEREAS, Sprint Mart, the applicant herein, has requested a variance from the Sign Ordinance regulations to reface their existing ground sign at 117 sq. ft. in sign area and 31 feet in height in the High Street Overlay District which allows monument signs not to exceed 25 sq. ft. in size with a maximum height of 6 feet.

IT IS THEREFORE, ORDERED that Sprint Mart is hereby approved a variance from the Sign Ordinance regulations to reface their existing ground sign at 117 sq. ft. in sign area and 31 feet in height in the High Street Overlay District which allows monument signs not to exceed 25 sq. ft. in size with a maximum height of 6 feet, it being determined that the parties in interest and the general citizenry first had their opportunity to be heard and that the applicant has met the necessary criteria for the requested variance.

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

Council Member Tillman moved adoption; **Council Member Priester** seconded.

Yeas- Cooper-Stokes, Priester and Tillman.

Nays- Stamps.

Absent- Barrett-Simon and Whitwell.

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DISCUSSION: TREES: **President Tillman** recognized **Council Member Cooper-Stokes** who informed Council that the City's current ordinances does not reference trees or fallen trees. **Council Member Cooper-Stokes** suggested that the City Attorney and Policy Analyst assist in adding provisions to the ordinances regarding trees and fallen trees in an effort to help the citizens of Jackson.

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DISCUSSION: FIRE HYDRANTS: **President Tillman** recognized **Council Member Cooper-Stokes** who expressed concerns from citizens regarding low water pressure due to open hydrants and requested an update from the Fire Department. **Robert Ricks**, Assistant Fire Chief, provided Council with an update on the inspection of fire hydrants and low water pressure.

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DISCUSSION: VIOLENCE AND INFRASTRUCTURE ISSUES IN THE QUEENS NEIGHBORHOOD: **President Tillman** recognized **Council Member Priester** who expressed concerns from the citizens of the Queens neighborhood regarding crime and infrastructure issues. **President Tillman** recognized **Lindsey Horton**, the City's Police Chief and **Lee Vance**, Assistant Police Chief who explained the procedures followed when calls are received to report crimes and encouraged citizens to come forth to report crimes.

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There came on for consideration Agenda Item No. 47:

DISCUSSION: PERSONNEL-GRIEVANCE: Said item would be held for discussion in Executive Session.

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There came on for consideration Agenda Item No. 48:

DISCUSSION: LITIGATION: Said item was pulled by **City Attorney Monica Joiner**.

There came on for consideration Agenda Item No. 50:

PRESENTATION: UNITED STATES SHIP JACKSON: Said item was pulled by **Mayor Yarber**.

The following announcements/reports were provided during the meeting:

- **Brenda Pree**, City Clerk, provided Council with an update on the Ward 6 Special Election that was held on June 17, 2014. Ms. Pree reported unofficially that the July 1, 2014 run-off election would be between Tyrone Hendricks and Dennis Sweet, IV.
- **Council Member Cooper-Stokes** extended condolences to the families of Dorothy Jean Bostic and James Head Jack.

There came on for consideration Agenda Item No. 27 for Executive Session:

DISCUSSION: PERSONNEL-GRIEVANCE: **Council Member Stamps** moved and **Council Member Priester** seconded to consider going into Executive Session to discuss personnel grievance. The motion prevailed by the following vote:

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

Council Member Stamps moved, seconded by **Council Member Priester** to go into Executive Session to discuss personnel grievance. The motion prevailed by the following vote:

Yeas- Cooper-Stokes, Priester, Stamps and Tillman.

Nays- None.

Absent- Barrett-Simon and Whitwell.

President Tillman made an announcement to the public that the Council voted to go into Executive Session to discuss personnel matters.

The Council held a discussion with City personnel regarding the City Clerk's Office. **Council Member Stamps** moved, seconded by **Council Member Cooper-Stokes**, to terminate **Brenda Pree** as City Clerk effective immediately, and to advertise the position of City Clerk. **President Tillman** called for a vote. **President Tillman**, **Council Member Stamps**, and **Council Member Cooper-Stokes** raised their hands in favor of the motion. Simultaneously, while the vote was being taken, **Council Member Priester** gathered his belongings and swiftly began to leave the Council Chambers. **Council Member Priester** was physically present in Council Chambers when the vote was taken, but did not vote in favor or against the motion. Therefore, the motion prevailed by a majority vote prior to the quorum being lost.

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JUNE 17, 2014, 6:00 P.M.

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Note: For the record, during Executive Session, **Council Member Priester** left the meeting and the quorum was lost. Therefore, the remaining Council Members were unable obtain a vote to come out of Executive Session and the meeting was not officially adjourned. However, due to the quorum being lost, the meeting ended and an announcement regarding the action that took place in Executive Session was not made. Further, no one from the public was still present in City Hall at the time the quorum was lost. The remaining Council Members left the meeting at 10:30 p.m.

ATTEST:

APPROVED:

Kiuti Moore
INTERIM CITY CLERK

[Signature], *7.11.14*
MAYOR DATE
