

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, AUGUST 12, 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 August 12, 2014, being the second Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: De'Keither Stamps, President, Ward 4; Melvin Priester, Jr., Vice- President, Ward 2; Quentin Whitwell, Ward 1; LaRita Cooper-Stokes, Ward 3; Charles H. Tillman, Ward 5; Tyrone Hendrix, Ward 6 and Margaret Barrett-Simon, Ward 7. Directors: Tony Yarber, Mayor; Kristi Moore, Interim City Clerk; Angela Harris, Deputy City Clerk and Monica Joiner, City Attorney.

Absent: None.

The meeting was called to order by **President De'Keither Stamps**.

The invocation was offered by **Reverend Charles Spann**, Facilitator at Greater Fairview Baptist Church.

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

ORDER FINALLY APPROVING THE MOTOR VEHICLE ASSESSMENT SCHEDULE FOR MOTOR VEHICLE AD VALOREM TAXES FOR 2014-2015.

President Stamps recognized **Council Member Barrett-Simon**, **Council Member Tillman** and **Council Member Priester** who introduced the following individuals:

- **Troop 1 of St. James Episcopal Church**
- **Wilton Jackson, II**
- **Porter Ross**

President Stamps recognized the following individuals who provided public comments:

- **Dorothy Davis** spoke in opposition of a proposed baseball field being built in the Farish Street Community.
- **Kentravis Brown** expressed concerns regarding flooding at Rainbow Co-op and requested assistance from the City of Jackson to remedy the problem.

Council Member Barrett-Simon requested that **Charles Williams**, from the City's Public Works Department, provide information regarding Agenda Item No. 29 that would help alleviate some of the flooding problems experienced at Rainbow Cooperatives and the Fondren District.

Thereafter, **President Stamps** continued with public comments:

- **Carl Marks** encouraged the City Council to continue supporting public transit and consider using alternative energy for Jatran buses.
- **Vijay Shah** encouraged the City to extend the hours of service for Jatran buses to help accommodate students, low-income workers, disabled citizens, etc.
- **Charlotte Reeves** spoke in opposition of a proposed baseball field coming into the Parish Street Historical District.
- **Maria McNeil**, a representative of the JOPPA Organization, invited the citizens of Jackson to attend a Youth, Young Adult and Young Parents' conference on Saturday, August 16, 2014 at the Regency Hotel from 11:00 a.m. until 4:00 p.m.

There came on for Introduction Agenda Item No. 3:

ORDINANCE CLOSING AND VACATING A PORTION OF AN UNNAMED ALLEY LOCATED IN BELHAVEN HEIGHTS PART 1 BLOCK 74 IN FAVOR OF THE ABUTTING LANDOWNER. Said item was referred to the Planning Committee.

There came on for Adoption Agenda Item No. 4:

ORDINANCE AMENDING SECTION 2-102 AND ESTABLISHING A NEW SECTION TITLED "GOVERNMENT OPERATIONS COMMITTEE," AND DESIGNATING SECTION 2-107 "GOVERNMENT OPERATIONS COMMITTEE" WITH THE FUNCTION OF SAID COMMITTEE DEFINED. Said item was referred back to the Rules Committee.

There came on for Adoption Agenda Item No. 5:

ORDINANCE AMENDING ARTICLE 1, CHAPTER 86, OFFENSES AND MISCELLANEOUS OFFENSES, SECTION 86-8, OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSISSIPPI. Said item was referred back to the Rules Committee.

There came on for Adoption Agenda Item No. 6:

ORDINANCE ESTABLISHING RESPONSIBLE BANKING AND COMMUNITY REINVESTMENT PRACTICES WITHIN THE CITY OF JACKSON. Said item was referred back to the Budget Committee.

ORDER APPROVING CLAIMS NUMBERED 13964 TO 14330, APPEARING AT PAGES 2177 TO 2232 INCLUSIVE THERE ON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$2,093,922.55 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 13964 to 14330, appearing at pages 2177 to 2232, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$2,093,922.55 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:

<u>FROM:</u>	<u>TO</u> <u>ACCOUNTS PAYABLE</u> <u>FUND</u>
08/09&/10 COPS TECHNOLOGY GRNT	6,676.75
2012 ED BYRNE MEMORIAL JUSTICE	399.40
2012 G.O. NOTE-CAPITAL PROJECT	81,869.41
AMERICORP CAPITAL CITY REBUILD	4,221.28
BUSINESS IMPROV FUND (LANDSCP)	11,383.19
DISABILITY RELIEF FUND	137,893.66
EARLY CHILDHOOD (DAYCARE)	384.74
EMERGENCY SHELTER GRANT (ESG)	4,468.00
FIRE PROTECTION	600.00
GENERAL FUND	483,708.09
HAIL DAMAGE MARCH 2013	26.00
HOME PROGRAM FUND	2,475.00
HOUSING COMM DEV ACT (CDBG) FD	11,621.00
LANDFILL SANITATION FUND	48,985.11
MAIDSON SEWAGE DISP OP & MAINT	18.96
PARKS & RECR. FUND	33,202.94
SEIZURE & FORFEITED PROP-STATE	34,604.00
STATE TORT CLAIMS FUND	22,413.40
TECHNOLOGY FUND	36,582.19
TITLE III AGING PROGRAMS	315.84
TRANSPORTATION FUND	675,143.09
WATER/SEWER CAPITAL IMPR FUND	212,600.63
WATER/SEWER OP & MAINT FUND	214,143.37
WATER/SEWER REVENUE FUND	70,186.50
	<u>\$2,093,922.55</u>

Council Member Barrett-Simon moved adoption; **Council Member Tillman** seconded.

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

Thereafter, **President Stamps** called for a final vote on the Claims Docket:

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

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 13964 TO 14330 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 13964 to 14330, inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$253,370.41 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.

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, AUGUST 12, 2014, 6:00 P.M.**

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:

<u>FROM</u>	<u>TO ACCOUNTS PAYABLE FUND</u>	<u>TO PAYROLL FUND</u>
GENERAL FUND		2,007,812.48
PARKS & RECR.		71,869.75
LANDFILL FUND		23,693.60
SENIOR AIDES		2,578.72
WATER/SEWER OPER. & MAINT		215,763.49
PAYROLL FUND		1,175.00
EARLY CHILDHOOD		36,153.29
HOUSING COMM DEV		6,653.29
TITLE III AGING PROGRAMS		5,377.12
AMERICORP CAPITAL CITY REBUILD		9,161.84
TRANSPORTATION FUND		8,930.22
T-WARNER PA/GA FUND		6,973.04
COPS HIRING GRANT 2011		28,926.62
PAYROLL	253,370.41	
TOTAL		\$2,425,068.46

Council Member Tillman moved adoption; **Council Member Barrett-Simon** seconded.

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

Nays- None.

Absent- None.

President Stamps requested that Item No. 22 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER AUTHORIZING THE MAYOR TO SUBMIT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT THE CITY OF JACKSON'S 2014 ONE-YEAR ACTION PLAN OF THE 2010-2015 CONSOLIDATED PLAN IN THE AMOUNT OF \$3,663,200.

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

WHEREAS, as a condition of receiving these funds the City of Jackson receives input from city departments and citizens regarding needs in their neighborhood and projects to include in the One-Year Action Plan; and

WHEREAS, input was received from City departments and public hearings were conducted in neighborhoods on May 29, 30, June 2 and June 4. The Final Public Hearing was held on June 6, 2014, at the Warren Hood Building to present the DRAFT 2014 One-Year Action Plan and obtain citizens comments; and

WHEREAS, an Application/Proposal Workshop was conducted on June 5, 2014, to explain how non-profit organizations could apply for funds to benefit the homeless, provide public services, and increase homeownership through the provision of affordable housing; and

WHEREAS, the final 2014 One-Year Action Plan of projects has been prepared.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to submit to the U.S. Department of Housing and Urban Development the 2014 One-Year Action Plan of the 2010-2015 Consolidated Plan, and execute all required forms and certifications for this program year, which includes applications for \$1,754,122 of Community Development Block Grant (CDBG) funds; \$676,317 HOME Investment Partnerships (HOME) funds; \$148,050 Emergency Solutions Grant (ESG) funds; and \$1,084,711 in Housing Opportunities for Persons with AIDS (HOPWA) funds, for a total of \$3,663,200.

Council Member Barrett-Simon moved adoption; **Council Member Whitwell** seconded.

Yeas- Barrett-Simon, Cooper-Stokes, Hendrix, Stamps, Tillman and Whitwell.

Nays- Priester.

Absent- None.

***Note for the record: Council Member Whitwell** stated that the City had issues with HUD in the past and the issues had been resolved.

***Note for the record: Council Member Tillman** stated that he was highly upset due to the HUD program being held up for a period of time and the people that the program was designed to help had to suffer due to the delay.

President Stamps requested that Items No. 32 and 33 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING THE JACKSON CONVENTION AND VISITORS BUREAU ON ITS 2ND ANNUAL JACKSON RHYTHM AND BLUES FESTIVAL, AUGUST 15-16, 2014. Accepting the Resolution with appropriate remarks was **Wanda Wilson**.

RESOLUTION HONORING AND COMMENDING MR. WILTON C. JACKSON, II FOR HIS SCHOLASTIC ACHIEVEMENTS AND AS AN OUTSTANDING CITIZEN OF THE CITY OF JACKSON. Accepting the Resolution with appropriate remarks was **Wilton C. Jackson II**.

Council Member Tillman left the meeting at 6:58 p.m.

President Stamps requested that Item No. 29 be moved forward on the Agenda. Hearing no objections, the Clerk read the following:

ORDER ACCEPTING THE QUOTE OF PARKMAN WOODWARD CONTRACTORS, INC. FOR EMERGENCY DRAINAGE IMPROVEMENTS ON FONDREN PLACE-CITY PROJECT NO. 14B5010.

WHEREAS, the City of Jackson has determined the drainage system on Fondren Place is inadequate to handle rain storm events creating repetitive flooding for businesses; and

WHEREAS, the Department of Public Works has requested the Mayor to declare an emergency, under Section 31-7-13(k) of the Mississippi Code of 1972, as amended, Due to repetitive flooding events caused by an inadequate drainage system located on Fondren Place; and

WHEREAS, nearby businesses have been affected by water entering their buildings causing significant interior damage and creating financial hardships resulting from lost revenue due to closure; and

WHEREAS, at least one of the businesses at this location has stated that it faces closing, if it suffers further losses from flooding; and

WHEREAS, the delay that would result from obtaining competitive bids will be detrimental to this governing authority because the continued threat from future rain events will have a severe impact on the businesses affected by flooding that may result in closure lessening the City of Jackson's tax base; and

WHEREAS, based on these circumstances, the Mayor declared an emergency on July 28, 2014; and

WHEREAS, based on the knowledge of the circumstances, the Public Works Department solicited competitive quotes for this emergency work, which could be performed without declaring an emergency in the event the lowest and best competitive quote was less than \$50,000.00; and

WHEREAS, on July 18, 2014, the Public Works Department received two written, competitive quotes and Parkman Woodward Constructors, Inc., was the lowest and best competitive quote in the amount of \$72,150.00; and

WHEREAS, the Public Works Department recommends that the governing authorities of the City of Jackson accept the quote of Parkman Woodward Constructors, Inc., in the amount of \$72,150.00 received on July 18, 2014, for Emergency Drainage Improvements on Fondren Place-City Project No. 14B5010.

IT IS THEREFORE ORDERED that the City of Jackson accepts the competitive quote of Parkman Woodward Constructors, Inc., in the amount of \$72,150.00 received on July, 18, 2014.

IT IS FURTHER ORDERED that the Mayor is authorized to execute all related documents pertaining to the drainage improvements on Fondren Place.

Council Member Barrett-Simon moved adoption; **Council Member Priester** seconded.

Yeas- Barrett-Simon, Cooper-Stokes, Hendrix, Priester, Stamps and Whitwell.

Nays- None.

Absent- Tillman.

ORDER AUTHORIZING THE MAYOR TO EXECUTE THE AUDIT AGREEMENT LETTER FROM BANKS, FINLEY, WHITE & CO. TO PROVIDE AUDITING SERVICES FOR FISCAL YEARS 2014, 2015, AND 2016.

WHEREAS, Banks, Finley, White & Co. has audited the City of Jackson for the last five (5) consecutive years with a total of seventeen (17) years auditing the City of Jackson; and

WHEREAS, the Government Finance Officers Association has awarded the City of Jackson with the Certificate of Excellence in Financial Reporting for those seventeen (17) years that the City of Jackson was audited by Banks, Finley, White & Co.; and

WHEREAS, Banks, Finley, White & Co. has agreed to audit the City of Jackson for the next three years for a fee of \$261,335.00 for Fiscal Year 2014 with a five percent incremental increase for the next two years.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute the Audit Agreement Letter for Banks, Finley, White & Co. to provide auditing services for Fiscal Years 2014, 2015, and 2016.

Council Member Barrett-Simon moved adoption; **Council Member Whitwell** seconded.

Yeas- Barrett-Simon, Cooper-Stamps, Hendrix, Priester, Stamps and Whitwell.

Nays- None.

Absent- Tillman.

ORDER FINALLY APPROVING THE MOTOR VEHICLE ASSESSMENT SCHEDULE FOR MOTOR VEHICLE AD VALOREM TAXES FOR 2014-2015.

WHEREAS, the Council finds that by order entered at its regular meeting on July 29, 2014, the motor vehicle assessment schedule submitted by the Department of Revenue was taken under consideration by the Council and at said meeting the Council proceeded to examine and approve the said motor vehicle schedule; and

WHEREAS, the Council further finds that at its regular meeting on July 29, 2014 the Council entered its order approving the said ad valorem assessment schedule, subject to the right of taxpayers to object to any of said valuations appearing on the 2014-2015 motor vehicle ad valorem tax schedule and ordered the Clerk to publish notice to the public, to the effect that the said assessment schedule for motor vehicles had been approved and subject to right of taxpayers and the public to examine and object to the same, and fixed a date therein, to wit, the 12th day of August, 2014, which said date was no more than fifteen (15) days after the date of the publication thereof, as the date for the hearing of protests and objections to the said assessment schedule and claims for adjustment thereunder; and

WHEREAS, the Council further finds that the said notice was published in the Mississippi Link, a newspaper of general circulation in the City of Jackson on August 7, 2014; and

WHEREAS, the Council of the City of Jackson, Mississippi, met in the Council Chambers at City Hall in said City on said date for the purpose of conducting a public hearing on any objection to any valuation of motor vehicles set forth and contained in said assessment schedule which has been made in writing and filed with the City Clerk, as herein above provided; and

WHEREAS, the Council finds that no protests against said schedule was filed with the Clerk of the City of Jackson on or before 6:00 p.m., August 12, 2014, as provided for in said notice, and that no claim for adjustment was filed; and

WHEREAS, the Council now finds that in all things it is right and proper for said assessment schedule to be now made final.

IT IS, THEREFORE, ORDERED that the Motor Vehicle Assessment Schedule for Motor Vehicle Ad Valorem Taxes for 2014-2015 is finally approved.

Council Member Barrett-Simon moved adoption; **Council Member Whitwell** seconded.

Yeas- Barrett-Simon, Cooper-Stokes, Hendrix, Priester, Stamps and Whitwell.

Nays- None.

Absent- Tillman.

Council Member Tillman returned to the meeting at 7:00 p.m.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ECIVIS, INC. FOR THE IMPLEMENTATION OF THE ECIVIS GRANTS MANAGEMENT NETWORK SYSTEM.

WHEREAS, eCivis, Inc. has proposed an agreement that provides for the implementation of a suite of grant solutions that provides full grants lifecycle support through the use of technology; and

WHEREAS, the system will assist in saving time and money by centralizing the City's grant administration and management processes from pre-submission through post-award; and

WHEREAS, the system includes software to assist in tracking, reporting, and researching grant opportunities; and has a data integration feature to allow the combining of financial data from the Enterprise Resource Planning (ERP) System or Oracle; and

WHEREAS, implementation of the eCivis Grants Management Network System has been analyzed and execution of an agreement for the same is recommended.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute the agreement with eCivis, Inc. and any other necessary documents, providing for the implementation the eCivis Grants Management Network System, said implementation at a cost of \$95,340.00 for the period August 1, 2014 through July 31, 2017.

Council Member Barrett-Simon moved adoption; **Council Member Whitwell** seconded.

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

Nays- None.

Absent- None.

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ORDER AUTHORIZING THE CITY OF JACKSON TO SETTLE ALL CLAIMS INCURRED IN THAT CERTAIN MATTER STYLED, AS "SHELLIE R. JONES VS. CITY OF JACKSON, MISSISSIPPI AND CORLISS HARRIS" Hinds County Circuit Court Civil Action No: 251-04-1345 CIV.

WHEREAS, on December 22, 2004, the Plaintiffs filed a Complaint in the matter styled "SHELLIE R. JONES VS. CITY OF JACKSON, MISSISSIPPI AND CORLISS HARRIS" Hinds County Circuit Court Civil Action No: 251-04-1345 CIV; and

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

WHEREAS, the Office of the City Attorney is recommending that the City fully and finally resolve this matter with the Plaintiff and her attorney Thomas M. Bryson in return for a complete release of the City and Entry of an Agreed Order of Judgement in the amount of \$10,000; 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 \$10,000.00.

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 \$10,000.00 to SHELLIE R. JONES and her attorney Thomas M. Bryson in return for a complete release of the City from any and all liability in the matter styled "SHELLIE R. JONES VS. CITY OF JACKSON, MISSISSIPPI AND CORLISS HARRIS" Hinds County Circuit Court Civil Action N 251-04-1345 CIV.

Council Member Barrett-Simon moved adoption; Council Member Whitwell seconded.

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

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 PURSUANT TO ADMINISTRATIVE HEARINGS HELD MAY 20, 2014 FOR THE FOLLOWING CASES:

2014-1016	2014-1162	2014-1170	2014-1221	2014-1225	2014-1038
2010-4550	2012-2420	2014-1043	2014-1044	2014-1045	

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 in the above captioned cases were held before a hearing officer appointed by the Mayor on May 20, 2014; 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 #2014-1016: Parcel #635-515** located at *1758 Shady Lane Drive*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 3*

Scope of Work: Demolish and remove remains of burned house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

2) **Case #2014-1162: Parcel #631-38** located at *1871 Camellia Lane*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$750.00. *Ward 5*

Scope of Work: Demolish and remove remains of burned house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

3) **Case #2014-1170: Parcel #633-266** located at *1080 Maria Drive*: Tony and Willie Edwards appeared. . Hearing officer recommends that the property be adjudicated as a menace to public health and safety; however, interested parties shall be afforded fourteen (14) days to enter into a repair agreement with the City expiring June 3, 2014. If there is a default and the City proceeds with cleaning, hearing officer recommends with assessment of actual costs and a penalty of \$500.00. *Ward 3*

Scope of Work: Demolish and remove remains of burned house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

4) **Case #2014-1221: Parcel #843-667** located at *4137 Will-O-Run Drive*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Demolish and remove remains of burned house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

5) **Case #2014-1225: Parcel #628-375** located at *3037 Lakewood Drive*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 3*

Scope of Work: Demolish and remove remains of burned house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

6) **Case #2014-1038: Parcel #118-43** located at *125 Beach Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 3*

Scope of Work: Demolish and remove remains of dilapidated house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

7) **Case #2010-4550: Parcel #144-219** located at *518 Melba Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$1000.00. *Ward 5*

Scope of Work: Demolish and remove remains of burned house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

8) **Case #2012-2420: Parcel #39-41** located at *836-38 N. West Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$750.00. *Ward 5*

Scope of Work: Demolish and remove remains of dilapidated house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

9) **Case #2014-1043: Parcel #210-15** located at *2334 Belvedere Drive*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 5*

Scope of Work: Demolish and remove remains of dilapidated house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

10) **Case #2014-1044: Parcel #212-20** located at *2000 Belvedere Drive*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 5*

Scope of Work: Demolish and remove remains of burned house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

11) **Case #2014-1045: Parcel #613-62** located at *140 Archer Avenue*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 5*

Scope of Work: Demolish and remove remains of burned house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

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

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

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

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

Council Member Whitwell moved adoption; **Council Member Barrett-Simon** seconded.

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

Nays- None.

Absent- None.

The Notices of Hearing pursuant to Section 21-19-11 of the Mississippi Code, as it relates to each parcel of property, is incorporated herein in their entirety, and located in Public Notices Docket Book 2014 A, located in the City Clerk's Office of the City of Jackson, Mississippi.

RESOLUTION DECLARING CERTAIN PARCELS OF REAL PROPERTY IN THE CITY OF JACKSON TO BE A MENACE TO PUBLIC HEALTH SAFETY AND WELFARE PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE AND PURSUANT TO ADMINISTRATIVE HEARINGS HELD MAY 27, 2014 FOR THE FOLLOWING CASES:

2013-1347	2013-1513	2013-2675	2013-2678	2013-2680	2013-2681
2014-1283	2014-1284	2014-1287	2014-1288	2014-1289	2014-1307
2014-1308	2014-1362	2014-1436	2014-1454	2014-1455	2014-1458
2014-1459					

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 in the above captioned cases were held before a hearing officer appointed by the Mayor on May 27, 2014; 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 #2013-1347: Parcel #159-356** located at *1114 Macon Street*: Cornelius Moton appeared. He testified that James Moton is deceased and the remaining owner Lealer resides in Milwaukee. After hearing testimony, hearing officer recommends that the property be adjudicated as a menace to public health and safety; however, interested party shall be afforded seven (7) days to cure expiring June 3, 2014. 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: *Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs, wooden boards, tires and clean curbside.*

2) **Case #2013-1513: Parcel #124-63** located at *146 Lexington Avenue*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 3*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris and clean curbside.

3) **Case #2013-2675: Parcel #612-87** located at *250 Cameron Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 5*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree parts.

4) **Case #2013-2678: Parcel #613-12** located at *3913 Ilano Drive*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 5*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree parts and furniture.

5) **Case #2013-2680: Parcel #613-91** located at *3936 Ilano Drive*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 5*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris and tree parts.

6) **Case #2013-2681: Parcel #613-90** located at *3932 Ilano Drive*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 5*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris and tree parts.

7) **Case #2014-1283: Parcel #631-250** located at *235 Catalina Circle*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 5*

Scope of Work: Remove trash, debris, tires, wooden boards and furniture.

8) **Case #2014-1284: Parcel #634-230** located at *1941 Shady Lane Drive*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 5*

Scope of Work: Cut grass and weeds, shrubbery, bushes, saplings and remove trash, debris, tree limbs and parts and graffiti.

9) **Case #2014-1287: Parcel #630-542** located at *1753 Dorgan Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 3*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts.

10) **Case #2014-1288: Parcel #630-564** located at *1754 Dorgan Street*: John Robinson appeared and testified that he is renting from his brother. After hearing testimony, hearing officer recommends that the property be adjudicated as a menace to public health and safety; however, interested party shall be afforded fourteen (14) days to cure expiring June 10, 2014. 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 and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts, crates, tires and building materials.*

11) **Case #2014-1289: Parcel #630-627** located at *1539 Dorgan Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 3*

Scope of Work: *Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts and furniture.*

12) **Case #2014-1307: Parcel #634-225** located at *1891 Shady Lane Drive*: Ben Wiggins appeared. After hearing testimony, hearing officer recommends that the property be adjudicated as a menace to public health and safety; however, interested party shall be afforded time to cure expiring June 26, 2014. 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 and weeds, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts and graffiti.*

13) **Case #2014-1308: Parcel #634-229** located at *1925 Shady Lane Drive*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 5*

Scope of Work: *Cut grass and weeds, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts and wooden boards.*

14) **Case #2014-1362: Parcel #631-117** located at *1910 Catalina Drive*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 5*

Scope of Work: *Cut grass and weeds, fence-line, bushes, saplings and remove trash, debris, tree parts, tires, wooden boards and mattresses.*

15) **Case #2014-1436: Parcel #405-420** located at *0 Brown Street/3rd Lot N of 2923*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 3*

Scope of Work: *Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris and clean curbside.*

16) **Case #2014-1454: Parcel #105-181** located at *0 W. Ash Street/3rd Lot E of 515*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 5*

Scope of Work: *Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts*

17) **Case #2014-1455: Parcel #105-167** located at *522 W. Ash Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$750.00. *Ward 3*

Scope of Work: *Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts and appliances.*

18) **Case #2014-1458: Parcel #709-64** located at *221 White Oak/Lot W of 229*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 5*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts and leaves.

19) **Case #2014-1459: Parcel #500-800** located at *341 Francis Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 1*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts.

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

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

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

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

Council Member Barrett-Simon moved adoption; **Council Member Whitwell** seconded.

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

Nays- None.

Absent- None.

The Notices of Hearing pursuant to Section 21-19-11 of the Mississippi Code, as it relates to each parcel of property, is incorporated herein in their entirety, and located in Public Notices Docket Book 2014 A, located in the City Clerk’s Office of the City of Jackson, Mississippi.

RESOLUTION DECLARING CERTAIN PARCELS OF REAL PROPERTY IN THE CITY OF JACKSON TO BE A MENACE TO PUBLIC HEALTH SAFETY AND WELFARE PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE AND PURSUANT TO ADMINISTRATIVE HEARINGS HELD JUNE 3, 2014 FOR THE FOLLOWING CASES:

2012-3399	2012-3778	2013-1418	2013-2453	2013-1637	2013-2017
2014-1196	2014-1483	2014-1486	2014-1488	2014-1489	2014-1495
2014-1496	2014-1498	2014-1502	2014-1505	2014-1506	2014-1507
2014-1508	2014-1509	2014-1514	2014-1515	2014-1516	

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 uncleanliness 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 in the above captioned cases were held before a hearing officer appointed by the Mayor on June 3, 2014; 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 #2012-3399: Parcel #123-26** located at *0 Jayne Avenue/Lot E of 3017*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 5*

Scope of Work: Cut grass and weeds, fence-line, bushes, saplings and remove trash, debris, tree limbs and clean curbside.

2) **Case #2012-3778: Parcel #802-398** located at *120 William McKinley Circle*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 5*

Scope of Work: Cut grass and weeds, fence-line, shrubbery, bushes, saplings and remove trash and debris.

3) **Case #2013-1418: Parcel #163-24** located at *1420 Booker Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 5*

Scope of Work: Board-up and secure structure. Cut grass and weeds, fence-line, bushes, saplings and remove trash, debris, tree limbs, furniture, tires and clean curbside.

4) **Case #2013-2453: Parcel #25-60** located at *758 Lorraine*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 7*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and clean curbside.

5) **Case #2013-1637: Parcel #429-107** located at *4265 Oaklawn Drive*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 3*

Scope of Work: Cut grass and weeds, fence-line, bushes, saplings and remove trash, debris, tree limbs, tires, wooden boards, bricks and clean curbside.

6) **Case #2013-2017: Parcel #804-578** located at *3705 Thomas Jefferson Road*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 3*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, saplings and remove tires and clean curbside.

7) **Case #2014-1196: Parcel #804-210** located at *0 Pin Oak Drive/Lot W of 150*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 2*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and clean curbside.

8) **Case #2014-1483: Parcel #639-174** located at *356 Maryland Drive*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts, tires and clean carport.

9) **Case #2014-1486: Parcel #573-432** located at 1733 Sheffield Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 1*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts.

10) **Case #2014-1488: Parcel #639-223** located at 4418 Joel Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts and tires.

11) **Case #2014-1489: Parcel #639-200** located at 310 Joel Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts.

12) **Case #2014-1495: Parcel #304-115** located at 2931 Shelia Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts.

13) **Case #2014-1496: Parcel #306-273** located at 4305 McCain Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris and clean carport.

14) **Case #2014-1498: Parcel #119-418** located at 3829 W. Capitol Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Board-up and secure structure. Cut grass and weeds, fence-line, bushes, saplings and remove trash, debris, tree limbs, fallen tree and clean curbside.

15) **Case #2014-1502: Parcel #128-166** located at 884 Brandon Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 5*

Scope of Work: Remove trash and debris.

16) **Case #2014-1505: Parcel #629-70** located at 4201Meadowmont Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 5*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash and debris.

17) **Case #2014-1506: Parcel #119-517** located at 337 Sewanee Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, bushes, saplings and remove trash, debris and tree limbs.

18) **Case #2014-1507: Parcel #120-145-3** located at 3025 Officer Thomas Catchings: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$750.00. *Ward 7*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris and tires.

19) **Case #2014-1508: Parcel #119-518** located at 339 Sewanee Drive: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Cut grass and weeds, shrubbery, fence-line and remove trash, debris, wooden boards, appliances, building materials, furniture and paint buckets.

20) **Case #2014-1509: Parcel #698-324** located at 0 Mclean Street/Lot @ NE Corner of Burch Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$1000.00. *Ward 5*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash and debris.

21) **Case #2014-1514: Parcel #422-125** located at 3419 Redmond Avenue: Ms. Harris appeared. After hearing testimony, hearing officer recommends that the property be adjudicated as a menace to public health and safety; however, interested party shall be afforded seven (7) days to cure, expiring June 10, 2014. 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 and weeds and fence-line, remove trash, debris, tires, car parts, garbage and clean curbside.

22) **Case #2014-1515: Parcel #169-35** located at 723 Chestnut Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 7*

Scope of Work: Board-up and secure structure. Cut grass and weeds, fence-line and clean curbside.

23) **Case #2014-1516: Parcel #126-16-41** located at 0 S. Denver Street/Lot N of 302: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 5*

Scope of Work: Cut grass and weeds, fence-line, bushes and remove trash, debris and clean curbside.

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

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

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

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

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

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

Nays- None.

Absent- None.

The Notices of Hearing pursuant to Section 21-19-11 of the Mississippi Code, as it relates to each parcel of property, is incorporated herein in their entirety, and located in Public Notices Docket Book 2014 A, located in the City Clerk's Office of the City of Jackson, Mississippi.

RESOLUTION DECLARING CERTAIN PARCELS OF REAL PROPERTY IN THE CITY OF JACKSON TO BE A MENACE TO PUBLIC HEALTH SAFETY AND WELFARE PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE AND PURSUANT TO ADMINISTRATIVE HEARINGS HELD JUNE 10, 2014 FOR THE FOLLOWING CASES:

2014-1521	2014-1529	2014-1530	2014-1531
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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 uncleanliness 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 in the above captioned cases were held before a hearing officer appointed by the Mayor on June 10, 2014; 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 #2014-1521: Parcel #517-640** located at 775 *Launcelot Road*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 3*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line and remove tree parts, fallen tree and clean curbside. .

2) **Case #2014-1529: Parcel #517-140** located at 811 *Lawrence Road/Lot W of*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 3*

Scope of Work: Cut grass and weeds, fence-line, bushes, saplings and clean curbside.

3) **Case #2014-1530: Parcel #574-16** located at 1612 *Brecon Drive*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 1*

Scope of Work: Cut grass and weeds, shrubbery, fence-line and remove trash, debris and clean curbside.

4) **Case #2014-1531: Parcel #574-274** located at 1761 Brecon Drive No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 1*

Scope of Work: Cut grass and weeds, shrubbery, fence-line and clean curbside.

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

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

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

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

Council Member Tillman moved adoption; **Council Member Barrett-Simon** seconded.

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

Nays- None.

Absent- None.

The Notices of Hearing pursuant to Section 21-19-11 of the Mississippi Code, as it relates to each parcel of property, is incorporated herein in their entirety, and located in Public Notices Docket Book 2014 A, located in the City Clerk's Office of the City of Jackson, Mississippi.

RESOLUTION DECLARING CERTAIN PARCELS OF REAL PROPERTY IN THE CITY OF JACKSON TO BE A MENACE TO PUBLIC HEALTH SAFETY AND WELFARE PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE AND PURSUANT TO ADMINISTRATIVE HEARINGS HELD JUNE 17, 2014 FOR THE FOLLOWING CASES:

2011-2368	2011-5440	2013-1014	2013-1016	2014-1443	2014-1450
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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 in the above captioned cases were held before a hearing officer appointed by the Mayor on June 17, 2014; 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 #2011-2368: Parcel #123-75** located at 243 Marcus L. Butler Drive: John Selvage appeared. Hearing officer recommends that the property be adjudicated as a menace to public health and safety; however, interested party shall be afforded time to cure expiring July 17, 2014. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs. *Ward 5*

Scope of Work: Cut grass and weeds, fence-line, bushes and remove trash, debris, tree limbs, crates, appliances, building materials, furniture, tanks, auto parts and clean curbside.

2) **Case #2011-5440: Parcel #162-310** located at 1434 Hill Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 5*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts, furniture, tires and clean front porch and curbside.

3) **Case #2013-1014: Parcel #168-135** located at 803 Evergreen Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 3*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and clean curbside.

4) **Case #2013-1016: Parcel #168-152** located at 770 Evergreen Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 3*

Scope of Work: Board-up and secure structure. Cut grass and weeds, fence-line, bushes, saplings and remove trash, debris, tree limbs, tires and clean curbside.

5) **Case #2014-1443: Parcel #405-380** located at 4935 Brown Street/2nd Lot N of 2923: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 3*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris and clean curbside.

6) **Case #2014-1450: Parcel #405-375** located at 3026 Brown Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$1250.00. *Ward 3*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris and clean curbside.

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

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

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

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

Council Member Tillman moved adoption; Council Member Barrett-Simon seconded.

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

The Notices of Hearing pursuant to Section 21-19-11 of the Mississippi Code, as it relates to each parcel of property, is incorporated herein in their entirety, and located in Public Notices Docket Book 2014 A, located in the City Clerk's Office of the City of Jackson, Mississippi.

RESOLUTION DECLARING CERTAIN PARCELS OF REAL PROPERTY IN THE CITY OF JACKSON TO BE A MENACE TO PUBLIC HEALTH SAFETY AND WELFARE PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE AND PURSUANT TO ADMINISTRATIVE HEARINGS HELD JULY 1, 2014 FOR THE FOLLOWING CASES:

2011-1719	2012-2879	2012-2880	2012-2881	2012-3390	2014-1103
2014-1297	2014-1353	2014-1473	2014-1479	2014-1607	2014-1609
2014-1623	2014-1624	2014-1625	2014-1626		

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 uncleanliness 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 in the above captioned cases were held before a hearing officer appointed by the Mayor on July 1, 2014; 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 #2011-1719: Parcel #163-253** located at *1646 Cox Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 5*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree parts, tires and storage building in rear.

2) **Case #2012-2879: Parcel #116-52** located at *129 Texas Avenue*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 5*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, bushes and remove trash, debris and tree parts.

3) **Case #2012-2880: Parcel #116-51** located at *0 Texas Avenue/Lot S of 133*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 5*

Scope of Work: Cut grass and weeds, shrubbery, fence-line and remove trash, debris and tree parts.

4) **Case #2012-2881: Parcel #116-49** located at *139 Texas Avenue*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 5*

Scope of Work: Cut grass and weeds, shrubbery, fence-line and remove trash and debris.

5) **Case #2012-3390: Parcel #127-49** located at *0 Lexington Avenue/Lot @ SW Corner of Clinton Avenue*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 5*

Scope of Work: Cut grass and weeds, fence-line, bushes, saplings and remove trash, debris, tree limbs, tires and clean curbside.

6) **Case #2014-1103: Parcel #615-6** located at *2824 Woodbine Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 6*

Scope of Work: Demolish and remove remains of dilapidated house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

7) **Case #2014-1297: Parcel #119-493** located at *3439 1/2 W. Capitol Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Demolish and remove remains of dilapidated house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

8) **Case #2014-1353: Parcel #629-173** located at *744 Nimitz Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Cut grass and weeds, fence-line and remove trash, debris, tires, building materials, commode, gas tank, buckets, cyl tanks, cement blocks, trailer and clean curbside.

9) **Case #2014-1473: Parcel #410-279** located at *2708 Miller Avenue*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$750.00. *Ward 3*

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

10) **Case #2014-1479: Parcel #108-4-81** located at *2404 Powers Avenue*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 3*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts.

11) **Case #2014-1607: Parcel #119-168** located at *125 Redwood Avenue*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 4*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and clean curbside.

12) **Case #2014-1609: Parcel #821-512** located at 0 Gault Street/Lot @ SW Corner of Plum Boulevard: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Cut grass and weeds, fence-line, bushes, saplings and remove trash, debris, tree limbs and clean curbside.

13) **Case #2014-1623: Parcel #159-122** located at 2527 J.R. Lynch Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$750.00. *Ward 5*

Scope of Work: Demolish and remove remains of burned house, foundation, steps and driveway. Cut grass and weeds and remove trash, debris and furniture.

14) **Case #2014-1624: Parcel #159-122-1** located at 2529 J. R. Lynch Street: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 5*

Scope of Work: Demolish and remove remains of dilapidated building, steps, foundation and driveway. Cut grass and weeds and remove trash and debris.

15) **Case #2014-1625: Parcel #117-25-1** located at 120 Marion Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Demolish and remove remains of dilapidated house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

16) **Case #2014-1626: Parcel #407-107** located at 2921 Overstreet Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 3*

Scope of Work: Demolish and remove remains of dilapidated house and shed, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

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

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

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

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

Council Member Tillman moved adoption; **Council Member Barrett-Simon** seconded.

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

Nays- None.

Absent- None.

The Notices of Hearing pursuant to Section 21-19-11 of the Mississippi Code, as it relates to each parcel of property, is incorporated herein in their entirety, and located in Public Notices Docket Book 2014 A, located in the City Clerk's Office of the City of Jackson, Mississippi.

RESOLUTION DECLARING CERTAIN PARCELS OF REAL PROPERTY IN THE CITY OF JACKSON TO BE A MENACE TO PUBLIC HEALTH SAFETY AND WELFARE PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE AND PURSUANT TO ADMINISTRATIVE HEARINGS HELD JULY 8, 2014 FOR THE FOLLOWING CASES:

2012-2883	2012-2966	2012-2986	2012-3430	2012-3640	2014-1610
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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 uncleanliness 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 in the above captioned cases were held before a hearing officer appointed by the Mayor on July 8, 2014; 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 #2012-2883: Parcel #116-46** located at *171 Texas Avenue*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 5*

Scope of Work: Cut grass and weeds and fence-line and remove trash and debris.

2) **Case #2012-2966: Parcel #819-238** located at *0 Norman Street/4th Lot N of Lot @ NW Corner of Montgomery*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree parts, wooden boards, furniture, tires, building materials and remove remains of house/structure.

3) **Case #2012-2986: Parcel #116-179** located at *230 Georgia Avenue*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Board-up and secure structure. Cut grass and weeds, fence-line, bushes and remove trash, debris, building materials, furniture, tires and clean curbside.

4) **Case #2012-3430: Parcel #306-248** located at *504 Nimitz Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree parts, tires, illegal dumping and clean curbside.

5) **Case #2012-3640: Parcel #116-100** located at *120 N. Alabama Avenue*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 4*

Scope of Work: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, bushes and remove trash, debris and tree parts.

6) **Case #2014-1610: Parcel #154-5** located at *0 Deer Park Street/Lot E of 1322*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 5*

Scope of Work: Cut grass and weeds, fence-line, bushes and remove trash, debris and tree limbs and parts, fallen tree and clean curbside.

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

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

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

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

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

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

Nays- None.

Absent- None.

The Notices of Hearing pursuant to Section 21-19-11 of the Mississippi Code, as it relates to each parcel of property, is incorporated herein in their entirety, and located in Public Notices Docket Book 2014 A, located in the City Clerk's Office of the City of Jackson, Mississippi.

RESOLUTION DECLARING CERTAIN PARCELS OF REAL PROPERTY IN THE CITY OF JACKSON TO BE A MENACE TO PUBLIC HEALTH SAFETY AND WELFARE PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE AND PURSUANT TO ADMINISTRATIVE HEARINGS HELD JULY 15, 2014 FOR THE FOLLOWING CASES:

2012-2961	2012-2963	2012-3539	2012-3540	2012-3641	2014-1448
2014-1456	2014-1478	2014-1638			

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 uncleanliness 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 in the above captioned cases were held before a hearing officer appointed by the Mayor on July 15, 2014; 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 #2012-2961: Parcel #819-275** located at *1518 Norman Street/2nd Lot N of Lot @ NE Corner of Montgomery*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 4*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts, fallen tree, wooden boards, building materials, bricks, tires and remove remains of house.

2) **Case #2012-2963: Parcel #819-232** located at *0 Norman Street/Lot N of Lot @ NW Corner of Montgomery*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris and tree parts.

3) **Case #2012-3539: Parcel #629-173** located at *744 Nimitz Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$750.00. *Ward 4*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes and remove trash, debris and remove trailer loaded with trash and clean carport.

4) **Case #2012-3540: Parcel #629-174** located at *746 Nimitz Street*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. *Ward 4*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes and remove trash, debris and clean backyard.

5) **Case #2012-3641: Parcel #116-104** located at *140 N. Alabama Avenue*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 4*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes and remove trash, debris and clean backyard.

6) **Case #2014-1448: Parcel #405-386** located at *0 Brown Street/Lot N of 3004*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 3*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris and clean curbside.

7) **Case #2014-1456: Parcel #105-180** located at *0 W. Ash Street/2nd Lot E of 515*: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. *Ward 3*

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris and tree limbs and parts.

8) **Case #2014-1478: Parcel #410-298-2** located at 3939 Stover Avenue: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs and a penalty of \$500.00. Ward 3

Scope of Work: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris and tree limbs and parts.

9) **Case #2014-1638: Parcel #698-204** located at 0 Dewey Street/Lot N of 1159: No appearance by owner or an interested party. Hearing officer recommends that the property be adjudicated as a menace to public health and safety with assessment of actual costs. Ward 5

Scope of Work: Cut grass and weeds, fence-line, bushes, saplings and remove trash, debris, tree limbs and clean curbside.

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

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

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

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

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

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

The Notices of Hearing pursuant to Section 21-19-11 of the Mississippi Code, as it relates to each parcel of property, is incorporated herein in their entirety, and located in Public Notices Docket Book 2014 A, located in the City Clerk's Office of the City of Jackson, Mississippi.

RESOLUTION AMENDING COSTS ADJUDICATED ON JUNE 3, 2014 FOR THE CLEANING OF PARCEL 170-71 IN CASE 2012-2109 CONCERNING BUILDING A LOCATED AT 530 HIAWATHA STREET IN THE CITY OF JACKSON.

WHEREAS, on February 19, 2013, the governing authorities for the City of Jackson passed a resolution which declared the property located at 530 Hiawatha Street, Building A to be a menace to public health, safety, and welfare; and

WHEREAS, subsequent to the governing authorities adjudicating the parcel to be a menace to public health, safety, and welfare, contract labor was used to clean the property was \$15,999.00; and

WHEREAS, the cost of the contract labor used to clean the property was \$15,999.00; and

WHEREAS, on June 3, 2014, a resolution was submitted to the Jackson City Council recommending that it adjudicate costs in the amount of \$15,999.00, administrative fees in the amount of \$1,599.90; and a penalty of \$1,500.00 for a total of \$19,098.90 regarding parcel 170-71; and

WHEREAS, there was an error in the resolution regarding the total of the actual costs, administrative fees, and penalties which were recommended for adjudication; and

WHEREAS, the recommended actual costs 15,999.00, administrative fees in the amount of \$1,599.90, and the recommended penalty of \$1,500.00 totals \$19,098.90; and

WHEREAS, the best interest of the City of Jackson would be served by amending the costs adjudicated on June 3, 2014 for the cleaning of Parcel 170-71 Building A to \$19,098.90.

IT IS HEREBY ORDERED the costs and penalties previously adjudicated for Parcel 170-71 Building A regarding case 2012-2109 shall be amended to \$19,098.90 to correct the error.

IT IS FURTHER ORDERED that the costs and penalties as amended shall be a lien against the property in accordance with Section 21-19-11 of the Mississippi Code as amended and shall enrolled with the Hinds County Clerk as other judgments are enrolled.

IT IS FURTHER ORDERED that the assessments contained herein shall be included with municipal ad valorem taxes and enforced in the same manner as payment for municipal taxes, and all laws regulating the collection and enforcement of taxes shall be applicable consistent with the provisions of Section 21-19-11 of the Mississippi Code.

Council Member Barrett- Simon moved adoption; **Council Member Whitwell** seconded.

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

ORDER AUTHORIZING FINAL PAYMENT OF THE ENERGY SERVICES CONTRACT WITH JOHNSON CONTROLS, INC. FOR ENERGY SERVICES RELATING TO THE HVAC AND LIFE SAFETY IMPROVEMENTS PROJECT FOR THALIA MARA HALL.

WHEREAS, the City entered into a contract with Johnson Controls, Inc., in the amount of \$2,887,472.00, as authorized by the City Council on December 17, 2013; and

WHEREAS, the Mayor executed this contract on January 6, 2014; and

WHEREAS, the City Council authorized a change order on May 27, 2014 in the amount of \$151,000.00, using proceeds from the remaining funding from the State of Mississippi dedicated to the Thalia Mara Hall renovation project bringing the project total to \$3,038,472.00; and

WHEREAS, all work under this contract has been completed; and

WHEREAS, the Department of Public Works has reviewed the project and recommends acceptance of the project.

IT IS, THEREFORE, ORDERED that final payment in the amount of \$151,000.00 is hereby authorized to be made to Johnson Controls, Inc.

Council Member Whitwell moved adoption; **Council Member Barrett-Simon** seconded.

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

**ORDER AUTHORIZING THE PAYMENT TO STRIBLING EQUIPMENT, LLC
FOR THE LEASE OF A 300D ARTICULATING DUMP TRUCK.**

WHEREAS, the Solid Waste Division rented a 300D Articulating Dump Truck from Stribling Equipment, LLC for a monthly amount of \$9,900.00; and

WHEREAS, the rental of the equipment was necessary to maintain the City Rubbish Facility and comply with the City's MDEQ Solid Waste Disposal permit until the equipment could be purchased; and

WHEREAS, Stribling Equipment, LLC has submitted outstanding invoices to the City for the rental of the Articulating Dump Truck for a one-month period totaling \$9,900.00.

IT IS, THEREFORE ORDERED that the sum of \$9,900.00 be paid to Stribling Equipment, LLC for the one-month rental of a 300D Articulating Dump Truck.

Council Member Barrett-Simon moved adoption; **Council Member Whitwell** seconded.

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

Nays- None.

Absent- None.

**ORDER AUTHORIZING FINAL PAYMENT TO HEMPHILL CONSTRUCTION
COMPANY, INC. FOR THE EMERGENCY REPAIR OF THE RAW WATER
SCREENS AT THE O. B. CURTIS WATER TREATMENT PLANT, CITY PROJECT
NUMBER 13B0101, AND AUTHORIZING PUBLICATION OF NOTICE OF
COMPLETION.**

WHEREAS, on April 30, 2013 the City of Jackson declared an emergency at the O.B. Curtis Water Treatment Plant because of the impending failure of the raw water screens; and

WHEREAS, the City of Jackson entered into emergency repair contract with Hemphill Construction Company, Inc. on June 11, 2013 to perform the work necessary to alleviate the emergency situation in the amount of \$127,664.00; and

WHEREAS, during repair of the raw water screens additional damaged parts were discovered that were below the water surface at the time of the initial inspection; and

WHEREAS, the Council approved Change Order Number 1 to the emergency repair contract with Hemphill Construction Company, Inc. on January 14, 2014 in that amount of \$157,990.00, resulting in a final contract amount of \$285,654.00; and

WHEREAS, the raw water screen parts manufacturer and Public Works personnel have determined that the work performed under the contract has been satisfactorily completed; and

WHEREAS, the bonding company, Federal Insurance Company, by Mary A. Goodin, attorney-in-fact, surety on the performance and payment bonds, has authorized the release of retainage and payment of all remaining amounts due under the contract.

WHEREAS, the final payment amount is \$41,403.00.

IT IS, THEREFORE, ORDERED that final payment in the amount of \$41,403.00 is authorized and the City Clerk is authorized to publish Notice of Completion for the Emergency Repair of the Raw Water Screens at the O. B. Curtis Treatment Plant, City Project Number 13B0101.

Council Member Barrett-Simon moved adoption; Council Member Whitwell seconded.

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 1, FINAL, AUTHORIZING FINAL PAYMENT, AND AUTHORIZING THE CITY CLERK TO PUBLISH A NOTICE OF COMPLETION FOR THE WEST BANK INTERCEPTOR SEWER REHABILITATION, PHASE 3 CONTRACT I, SRF PROJECT C280886-02, CITY PROJECT NO. 20505-702.

WHEREAS, on March 19, 2013, the City accepted bids for the West Bank Interceptor Sewer Rehabilitation, Phase 3 Contract I, City Project No. 20505-702 with the bid of Layne Inliner, LLC for \$5,753,379.66 being the lowest and best bid; and

WHEREAS, during the construction of Contract I of the project, the City experienced an emergency with the influent pump station at the Savanna Street Waste Water Treatment Facility; and

WHEREAS, the emergency required the City to install bypass pumping around the influent pump station at the Savanna Street Facility; and

WHEREAS, due to the requirements of the bypass pumping, levels of sewage in the West Bank Interceptor remained at heights in the interceptor pipe that prevented the contractor for Contract 1, Layne Inliner, LLC, from performing the work on the construction project; and

WHEREAS, the City issued a stop work order to Layne Inliner, LLC because the contractor could not perform the work due to the conditions created by the emergency at the Savanna Street Facility; and

WHEREAS, because the emergency at the Savanna Street Facility caused the contract to be stopped for longer than 90 days, the contractor, Layne Inliner, LLC, has chosen to exercise its option to end the contract with the work in place at the point of the stop work order; and

WHEREAS, the consulting engineer for the project Southern Consultants, Inc. and the Department of Public Works has determined that all work on the project prior to the stop work order has been completed and properly installed; and

WHEREAS, the amount remaining under the contract for the work not performed is \$885,877.88; and

WHEREAS, the consulting engineer and the Department of Public Works recommends that the governing authorities accept Change Order No. 1, which decreases the contract amount of by \$885,877.88 is a result of work not completed under this contract by Layne Inliner, LLC; and

WHEREAS, the surety, Travelers Casualty and Surety Company of America, has authorized release and payment of all remaining money due under this contract.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute Change Order No. 1, Final, to the contract with Layne Inliner, Inc. for the West Bank Interceptor Sewer Rehabilitation, Phase 3 Contract I, City Project No. 20505-702, decreasing the contract by \$885,877.88 to a final amount of \$4,867,501.78.

IT IS FURTHER ORDERED that final payment in the amount of \$171,842.46 be made and all securities or retainage held be released to Layne Inliner, Inc. for all work done and material furnished under said contract, and that the City Clerk is directed to publish Notice of Completion for the West Bank Interceptor Sewer Rehabilitation, Phase 3 Contract I, City Project No. 20505-702.

Council Member Barrett-Simon moved adoption; **Council Member Whitwell** seconded.

Yeas- Barrett-Simon, Hendrix, Priester, Stamps, Tillman and Whitwell.

Nays- Cooper-Stokes.

Absent- None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 1 TO THE CONTRACT OF S. J. LOUIS CONSTRUCTION OF TEXAS, LTD FOR CONSTRUCTION OF THE WEST BANK INTERCEPTOR SEWER REHABILITATION, PHASE 3 CONTRACT II, CITY PROJECT NO. 20505-702.

WHEREAS, on March 19, 2013, the City accepted bids for the West Bank Interceptor Sewer Rehabilitation, Phase 3 Contract II, City Project No. 20505-702 with the bid of S.J. Louis Construction of Texas, Ltd ("S.J. Louis") for \$4,577,536.00 being the lowest and best bid; and

WHEREAS, the contract work, which involved lining the interceptor sewer and manholes from near Interstate 55 south of the J.H. Fewell Water Treatment Plant to near the Lakeland Drive baseball fields, is similar to Contract I awarded to Layne Inliner, LLC along the same sewer line south of J.H. Fewell Water Treatment Plant; and

WHEREAS, work under Contract I was stopped and ultimately terminated due to the emergency situation at the Savanna Street Waste Water Treatment Facility; and

WHEREAS, the City requested that S.J. Louis provide a cost to finish the remaining work under Contract I; and

WHEREAS, S.J. Louis has agreed to complete the remaining work under Contract I for an amount of \$715,496.11, which is less that the contract amount remaining under the contract of Layne Inliner, LLC; and

WHEREAS, by having S.J. Louis complete Contract I, the City will save on the cost of mobilization and other expenses that the City would incur if it were to bid the remaining work under Contract I; and

WHEREAS, such change in the original contract of S.J. Louis is being made in a commercially reasonable manner because of the savings available to the City and is not being made to circumvent the public purchasing statutes, but rather to complete the project within the required time period at the most economically advantageous cost to the City; and

WHEREAS, the consulting engineer, Southern Consultants, Inc., and the Department of Public Works recommend that the governing authorities accept Change Order No. 1 to the contract of S.J. Louis in the amount of \$715,496.11, which will complete the work remaining under Contract I.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute Change Order No. 1 to the contract of S.J. Louis Construction of Texas, Ltd for the West Bank Interceptor Sewer Rehabilitation, Phase 3 Contract II, City Project No. 20505-702, increasing the contract by \$715,496.11, which will complete the work remaining under Contract I.

Council Member Barrett-Simon moved adoption; **Council Member Whitwell** seconded.

Yeas- Barrett-Simon, Hendrix, Priester, Stamps, Tillman and Whitwell.

Nays- Cooper-Stokes.

Absent- None.

ORDER AUTHORIZING THE MAYOR TO EXECUTE SUPPLEMENTAL AGREEMENT NUMBER 4 TO THE CONTRACT WITH SOUTHERN CONSULTANTS, INC. FOR THE DESIGN, BIDDING, AND CONSTRUCTION PHASE ENGINEERING FOR THE WEST BANK INTERCEPTOR REHABILITATION PROJECT, PHASES 4 AND 5, CITY PROJECT NO. 20505-704

WHEREAS, The City of Jackson entered into a contract with Southern Consultants for Sanitary Sewer facilities planning and rehabilitation for the Hardy Creek Watershed, Three Mile Creek Watershed and West Bank Sewer Interceptor (Fairgrounds) on May 7, 2002; and

WHEREAS, Contract Amendment Number 1 was approved by the City on May 17, 2007 to provide for additional professional engineering services not included in the original scope of work for the Three Mile and Hardy Creek projects; and

WHEREAS, Contract Amendment Number 2 was approved by the City on May 13, 2009 for additional professional engineering services not included in the original scope of work of the Contract and Contract Amendment No. 1 to prepare a Sanitary Sewer Facilities Plan for the West Bank Interceptor (Savannah Street WWTP Plant to Mule Jail Road), and to provide design and construction phase services for Phase 1, WWTP to Lynch Creek of the interceptor sewer; and

WHEREAS, Contract Amendment Number 3 was approved by the City on April 3, 2012 for additional professional engineering services not included in the original scope of work for the Contract and Contract Amendment Nos. 1 and 2 for certain areas of the interceptor sewer and manholes in the area designated by the approved Facilities Plan as Phase 3, High Street to Eubanks Creek; and

WHEREAS, certain areas of the interceptor sewer and manholes have been determined to be deteriorated, which could result in collapse, impeded or partially blocked sewage flows, and excessive inflow and infiltration in the area designated in the approved facilities plan as Phase 4 and 5, Eubanks Creek to the Meadowbrook Road area, thereby requiring immediate rehabilitation; and

WHEREAS, the rehabilitation of the sanitary sewer interceptor and various manholes are required in order to comply with the United States Environmental Protection Agency regulations and the City of Jackson Consent Decree; and

WHEREAS, the project is tentatively designated as the rehabilitation/replacement/or relocation of the main interceptor sanitary sewer lines and manholes from Eubanks Creek to Meadowbrook Road; and

WHEREAS, the design of the rehabilitation and replacement of this portion of the West Bank Interceptor was not included in the scope of the previous Contract; and

WHEREAS, the City is in need of professional engineering services to design, assist in bidding, and to inspect and administer construction of the project; and

WHEREAS, the Department of Public Works has determined that Southern Consultants, Inc. has satisfactorily performed the contracted services to date; and

WHEREAS, the Department of Public Works recommends a supplement agreement to the contract of Southern Consultants, Inc. in an additional amount not to exceed \$1,842,095.00, for the design, bidding, and construction phase engineering services for Phases 4 and 5 of the West Bank Interceptor Rehabilitation Project, City Project Number 20505-704.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute Supplemental Agreement No. 4 to the contract of Southern Consultants, Inc., for an amount not to exceed \$1,842,095.00, for the design, bidding, and construction phase engineering services for Phases 4 and 5 of the West Bank Interceptor Rehabilitation Project, City Project Number 20505-704.

Council Member Barrett-Simon moved adoption; Council Member Whitwell seconded.

President Stamps recognized Council Member Tillman who requested Charles Williams, from the City's Public Work Department to provide a brief explanation of Agenda Items 26-28 regarding the Consent Decree and the amount of money spent toward fulfilling the consent decree.

Thereafter, President Stamps called for a vote:

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

President Stamps recognized Mayor Tony Yarber who requested that the Council consider an Agenda Item that had not been submitted to the City Clerk by the agenda deadline of 3:00 P.M., Wednesday, August 6, 2014.

Council Member Cooper-Stokes moved, seconded by Council Member Tillman to allow the item to be added to the Agenda. The motion prevailed by the following vote:

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

After receiving the required unanimous vote, the item was added as Agenda Item # 29A. President Stamps requested that the Clerk read the Order:

ORDER ACCEPTING PROPOSAL OF FISHER BROWN BOTTRELL INSURANCE, INC., TO PROVIDE COMMERCIAL PROPERTY AND BOILER & MACHINERY INSURANCE COVERAGE BEGINNING AUGUST 15, 2014, AND ENDING AUGUST 15, 2015.

WHEREAS, on June 5, 2014, the City of Jackson submitted an RFP in a newspaper ad in order to procure commercial property & boiler machinery insurance coverage; and

WHEREAS, in response to said newspaper ad on July 8, 2014, the City of Jackson accepted proposals from local insurance firms to obtain commercial property and boiler & machinery insurance coverage; and

WHEREAS, the proposal from Fisher Brown Bottrell Insurance, Inc., has been determined to be the best proposal to provide said coverage

WHEREAS, Fisher Brown Bottrell Insurance, Inc., proposed to provide said coverage at an annual cost of \$883,907.

IT IS, THEREFORE, ORDERED that the proposal of Fisher Brown Bottrell Insurance, Inc., to provide commercial property and boiler & machinery insurance coverage to the City of Jackson at an annual cost of \$883,907 be accepted. The policy period will be from August 15, 2014, to August 15, 2015.

IT IS FURTHER ORDERED that the Mayor or his designee be authorized to execute the necessary documents to effectuate said insurance coverage.

Council Member Tillman moved adoption; **Council Member Barrett-Simon** seconded.

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

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There came on for consideration Agenda Item No. 30:

DISCUSSION: NEATUM AND JENNINGS STREETS: **Council Member Cooper-Stokes** stated that said item had been previously discussed during the Public Comments section of the meeting.

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DISCUSSION: ENHANCED PENALTIES FOR CRIMES AGAINST SENIOR CITIZENS: **President Stamps** recognized **Council Member Cooper-Stokes** who inquired from the City's Legal Department whether there were ordinances in place that municipal judges could use regarding circumstances involving senior citizens. She also stated the importance of making senior citizens feel safe and receive support from the City.

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The following reports/announcements were provided during the meeting:

- **Council Member Cooper-Stokes** announced that a Planning Committee Meeting would be held on Thursday, August 14, 2014 at 1:00 p.m.
- **Council Member Tillman** requested a report from **Charles Williams**, from the City's Public Works Department, regarding the Lynch Street Creek Drainage Project. **Mr. Williams** stated that he met with representatives of Stantec to discuss options that would help alleviate the flooding issues that were experienced in the Casa Grande subdivision.
- **Mayor Tony Yarber** announced that Cops meetings are held every Thursday at 6:00 p.m. in the perspective precincts.
- **Mayor Yarber** announced a stakeholder's meeting for Capitol Street business owners would be held Thursday, August 14, 2014 at 5:00 p.m. in the Andrew Jackson room.
- **Mayor Yarber** announced that he would bring several vacant Board and Commission appointments before the Council. The nominees for the 1% Sales Tax Commission will be presented at the Monday, August 18, 2014 Special Council Meeting.
- **Mayor Yarber** announced that he would host three open forums to introduce the candidates for the City of Jackson Police Chief as follows:
 - Monday, August 18, 2014 at Smith Robertson Museum at 12:00 p.m.
 - Monday, August 18, 2014 at Westside Community Center at 6:30 p.m.
 - Tuesday, August 19, 2014 at New Hope Baptist Church Community Life Center at 6:30 p.m.

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REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, AUGUST 12, 2014, 6:00 P.M.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Zoning Meeting to be held at 2:30 p.m. Monday, August 18, 2014; at 7:42 p.m., the Council stood adjourned.

ATTEST:

APPROVED:

Kristi Moore
INTERIM CITY CLERK

[Signature] 6.3.14
MAYOR DATE
