

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, APRIL 21, 2015 6:00 P.M.**

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 April 21, 2015, being the third 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; Ashby Foote, Ward 1; Kenneth I. Stokes, Ward 3; Charles Tillman, Ward 5 and Tyrone Hendrix, Ward 6. Directors: Tony Yarber, Mayor; Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk; Allice Lattimore, Deputy City Clerk and Monica Joiner, City Attorney.

Absent: Council Member: Margaret Barrett-Simon, Ward 7.

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

The invocation was offered by **Pastor Anthony Ratliff** of Life Changers Community Fellowship.

There came on for consideration Agenda Items No. 2 and 3: Public Hearing:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR CHAR RESTAURANT TO RE-FACE THEIR EXISTING 96 SQ FT NON-CONFORMING GROUND SIGN WITHIN A C-3 ZONE WHICH ONLY ALLOWS ONE GROUND SIGN PER STREET FRONTAGE.

President Stamps recognized **Dave Clark**, a representative of Rainbow Signs, who spoke in favor of said Order and requested that the Council approve said variance.

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR CHAR RESTAURANT TO RE-FACE THEIR EXISTING 96 SQ FT NON-CONFORMING GROUND SIGN WITHIN A C-3 ZONE WHICH ONLY ALLOWS ONE GROUND SIGN PER STREET FRONTAGE.

There was no opposition from the Public.

President Stamps requested that Agenda Items No. 28, 27, 26 and 29 be moved forward on the agenda. Hearing no objections, the following were presented:

PROCLAMATION RECOGNIZING EARTH DAY 2015 IN THE CITY OF JACKSON. Accepting the Proclamation with appropriate remarks was **Mayor Yarber**.

PROCLAMATION HONORING THE CALLAWAY HIGH SCHOOL BASKETBALL TEAM ON WINNING THEIR 4TH CONSECUTIVE MS HIGH SCHOOL STATE CHAMPIONSHIP. Accepting the Proclamation with appropriate remarks was **Coach David Sanders**.

PRESENTATION: WARD THREE PRESENTATION: Council Member Stokes presented a 2015 President Barak Obama Award to **Mr. Bill Payne**. Accepting the Award with appropriate remarks was **Mr. Bill Payne**.

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING REVEREND CHARLES POLK AS AN OUTSTANDING CITIZEN AND CHRISTIAN LEADER OF THE CITY OF JACKSON, MISSISSIPPI. Accepting the Resolution with appropriate remarks was **Gail Lowery** on behalf of **Reverend Charles Polk**.

President Stamps recognized **Mayor Tony Yarber** who introduced and presented a Proclamation in honor of National Community Development Week to **Jerri McGruder**. Accepting the Proclamation with appropriate remarks was **Jerri McGruder**.

President Stamps recognized **Council Members Foote** and **Stokes** who introduced the following individuals:

- **Troop 18 of the Andrew Jackson Council Boy Scouts**
- **Linda Carter** of West Jackson CDC provided information to the public regarding the upcoming Annual Lynch St. Cultural Arts Festival.

President Stamps recognized the following individuals who provided public comments during the meeting:

- **Sam Tate** expressed concerns regarding the reopening of Lake Hico to the citizens of Jackson.
- **Clifton Bailey** expressed concerns regarding all the potholes within the city of Jackson that makes traveling difficult for the disabled riding in wheelchairs.
- **Stanley Wesley** requested that the City Council take action in closing a convenience store located at the corner of Northside Drive and Bailey Avenue as a nuisance to the citizens of Jackson.
- **Linda Johnson** expressed concerns regarding the pothole situation within the city and what are the funds from the sewage rate increase being used for.
- **Baba Lukata** expressed concerns regarding the closure of a convenience store located at the corner of Northside Drive and Bailey Avenue.
- **Ineva May Pittman** commented on the achievements of the Callaway High School basketball players.
- **Akil Bakari** invited citizens to attend the 1st People Assembly of 2015 at Word and Worship Church located at 6286 Hanging Moss Road on April 25, 2015 at 3:00 p.m.
- **Enoch Sanders** spoke in opposition to high speed chases occurring within the city of Jackson.

President Stamps requested that Agenda Item No. 25 be moved forward on the agenda. Hearing on objections, the following item was discussed.

DISCUSSION: SUNSET APARTMENTS: **President Stamps** recognized **Council Member Stokes** who invited the following individuals to speak regarding the living conditions of Sunset apartments:

- **Iisha Jones** stated that her apartment is infested with roaches; no central air and heating; mold and mildew throughout the apartment.
- **Jennifer Pate** pleaded for help with improving their living conditions.
- **Lena Moore** stated that her apartment has holes in the ceiling and constantly leaking water.
- **Adriene Jackson** stated that her ceiling has caved in three (3) times and was told by HUD that nothing could be done about it.
- **James Williams**, a resident of forty (40) years, stated that he has difficulty in trying to get things repaired around his apartment.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF JACKSON AND DONALD M. JONES D/B/A JONES LANDSCAPE AND CONTRACTOR SERVICES, P. O. BOX 2126, JACKSON, MS 39225 FOR THE CUTTING OF GRASS AND WEEDS AND REMOVING OF TRASH AND DEBRIS AND REMEDYING OF CONDITIONS ON PRIVATE PROPERTY WHICH CONSTITUTE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE ACCORDING TO THE MISSISSIPPI CODE ANNOTATED SECTION 21-19-11.

WHEREAS, on March 11, 2014 the City Council adopted the resolutions, declaring certain parcels of real property in the City of Jackson to be a menace to public health, safety and welfare pursuant to Section 21-19-11 of the Mississippi Code pursuant to Administrative Hearing held on December 17, 2013 for the following case: 2012-1717 located in Ward 3; and

WHEREAS, on June 19, 2014, the Jackson Police Department, Community Improvement Unit, solicited quotes from the qualified contractors to provide the stated services; and

WHEREAS, on July 8, 2014, quotes were received by the Office of the City Clerk; and

WHEREAS, the Chief of Police determined that Donald M. Jones d/b/a Jones Landscape and Contractor Services, submitted the lowest and best quote to provide stated services for the property located at: Inge Street/2nd Lot West of 917; and

WHEREAS, the quote submitted by Donald M. Jones d/b/a Jones Landscape and Contractor Services, for the cutting of grass and weeds and cleaning of the aforementioned parcel was \$395.00.

IT IS, THEREFORE, ORDERED, that the Mayor be authorized to execute a contract with Donald M. Jones d/b/a Jones Landscape and Contractor Services, providing the cutting of grass and weeds and removal of trash and debris on the stated property.

IT IS, FURTHER ORDERED that the payment for the said contract be made from the Community Improvement Unit's Budget.

Council Member Stokes moved adoption; Council Member Priester seconded.

Yeas- Foote, Hendrix, Priester, Stamps, Stokes and Tillman.

Nays- None.

Absent- Barrett-Simon.

There came on for consideration Agenda Item No. 5:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI PROHIBITING HIGH SPEED CHASES FROM OUTSIDE JURISDICTIONS INTO THE CITY LIMITS OF JACKSON, MISSISSIPPI. Said item was referred to the Rules Committee.

There came on for consideration Agenda Item No. 6:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI PROHIBITING THE SALE/PURCHASE OF SYNTHETIC MARIJUANA, AKA....KUSH, SPICE, K2, ETC. Said item was referred to the Rules Committee.

ORDER APPROVING CLAIMS NUMBER 7691 TO 7968, APPEARING AT PAGES 1225 TO 1268 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$1,273,446.40 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 7691 to 7968 appearing at pages 1225 to 1268, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$1,273,446.40 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

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

FROM:	TO ACCOUNTS PAYABLE FUND
08/09&/10 COPS TECHNOLOGY GRNT	961.86
AMERICORP CAPITAL CITY REBUILD	1,432.82
EARLY CHILDHOOD (DAYCARE)	2,491.34
EMERGENCY SHELTER GRANT (ESG)	16,518.35
GENERAL FUND	262,175.86
HOME PROGRAM FUND	7,966.55
HOUSING COMM DEV ACT (CDBG) FD	217,788.25
JXN CONVENTION & VISITORS BUR	307,251.64
LANDFILL/SANITATION FUND	70,433.93
PARKS & RECR FUND	45,407.78
SEIZURE & FORFEITED PROP-STATE	4,290.30
STATE TORT CLAIMS FUND	5,728.57
TECHNOLOGY FUND	10,319.32
TITLE III AGING PROGRAMS	48.35
TRANSPORTATION FUND	127,763.18
UNEMPLOYMENT COMPENSATION REVO	7,560.00
WATER/SEWER OP & MAINT FUND	165,386.00
WATER/SEWER REVENUE FUND	19,922.30

TOTAL **\$1,273,446.40**

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

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

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

Yeas- Foote, Hendrix, Priester and Stamps.
Nays- Stokes and Tillman.
Absent- Barrett-Simon.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 7691 TO 7968 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 7691 to 7968 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$148,902.16 plus payroll, are approved for payment and necessary amounts are appropriated from various municipal funds for transfer to the payroll fund for the immediate payment thereof.

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

FROM:	TO ACCOUNTS PAYABLE FUND	TO PAYROLL FUND
GENERAL FUND		2,103,586.88
PARKS & RECR.		75,311.00
LANDFILL FUND		28,572.33
SENIOR AIDES		2,578.72
WATER/SEWER OPER. & MAINT		210,081.61
PAYROLL FUND		1,266.00
PAYROLL	148,902.16	
EARLY CHILDHOOD		35,382.03
TITLE III AGING PROGAMS		4,982.00
AMERICORP CAPITAL CITY REBUILD		10,043.16
TRANSPORTATION FUND		6,921.65
T-WARNER PA/GA FUND		6,556.83

TOTAL **\$2,491,944.83**

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH DLT SOLUTIONS, LLC, FOR THE MAINTENANCE OF SIX ORACLE SUN T3 SERVERS, TWO SUN FIRE X2270 SERVERS AND ASSOCIATED HARDWARE ITEMS.

WHEREAS, the City of Jackson owns six Oracle Sun T3 servers, two Sun Fire X2270 servers, and associated hardware items; and

WHEREAS, the maintenance agreement on the servers and the associated hardware expired on February 23, 2015; and

WHEREAS, the maintenance needs for this hardware have been analyzed and it determined that there is a continued need for maintenance support on the servers and related hardware; and

WHEREAS, DLT Solutions, LLC, has agreed to provide maintenance support on the servers and related hardware at a cost of \$16,869.17 per year.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute maintenance agreements with DLT Solutions, LLC, for the maintenance of the City's six Oracle Sun T3 servers, two Sun Fire X2270 servers, and associated hardware items, at a cost of \$16,869.17 per year, beginning on the last date of contract execution by both parties through February 22, 2016.

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

Yeas- Foote, Hendrix, Priester, Stamps, Stokes and Tillman.

Nays- None.

Absent- Barrett-Simon.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION AND ANY AND ALL DOCUMENTS RELATED TO THE SUBMISSION AND ACCEPTANCE OF THE FIREHOUSE GRANT FUNDED AND ADMINSTRATED BY THE FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION.

WHEREAS, the City of Jackson ("City") has been granted the opportunity to apply for the Firehouse Grant from the Firehouse Subs Public Safety Foundation; and

WHEREAS, the funds will be used to help the Fire Department preserve the life and history of the Jackson's Fire Museum.

WHEREAS, the Firehouse Grant requires no matching funds from the City of Jackson

IT IS HEREBY ORDERED that the Mayor is authorized to apply for the Firehouse Grant administrated by the Firehouse Subs Public Safety Foundation.

IT IS FURTHERED ORDERED that the Mayor be authorized to execute any and all necessary documents for the acceptance and administration of said grant if it is awarded.

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

Yeas- Foote, Hendrix, Priester, Stamps, Stokes and Tillman.

Nays- None.

Absent- Barrett-Simon.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION AND ANY AND ALL DOCUMENTS RELATED TO THE SUBMISSION AND ACCEPTANCE OF FY 2014 FIRE PREVENTION AND SAFETY GRANT PROGRAM BY U. S. DEPARTMENT OF HOMELAND SECURITY.

WHEREAS, the City of Jackson ("City") has been granted the opportunity to apply for FY 2014 Fire Prevention and Safety Grant Program by the US Department of Homeland Security; and

WHEREAS, the funds will be used to help the Fire Department to improve general education and awareness to citizens of Jackson and also meet the needs of people with disabilities.

WHEREAS, the FY 2014 Fire Prevention and Safety Grant Program requires no matching funds from the City of Jackson

IT IS HEREBY ORDERED that the Mayor is authorized to apply for the FY 2014 Fire Prevention and Safety Grant Program by the US Department of Homeland Security.

IT IS FURTHERED ORDERED that the Mayor be authorized to execute any and all necessary documents for the acceptance and administration of said grant if it is awarded.

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

Yeas- Foote, Hendrix, Priester, Stamps, Stokes and Tillman.

Nays- None.

Absent- Barrett-Simon.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A 48 MONTH RENTAL AGREEMENT WITH ADVANTAGE BUSINESS SYSTEMS FOR DIGITAL IMAGING SYSTEMS WITH MAINTENANCE, TO BE USED BY THE WATER SEWER BUSINESS ADMINISTRATION OFFICES, A DIVISION OF PUBLIC WORKS.

WHEREAS, the Department of Public Works, Water/Sewer Business Administration desires to enter into a 48- month rental agreement for copier machines; and

WHEREAS, Advantage Business Systems, 5442 Executive Place, Jackson, MS 39206, provides through state contract 5-600-13963-13 the following:

1. **BIZHUB C364e** to replace **BIZHUB C360** for Administrative Offices – At a monthly rental of \$314.00, includes maintenance, and all supplies except paper and staples, and includes 5,000 b/w copies and overages at .0079 cents per copy all over 5,000 – includes 1,000 color copies at .06 cents per copy all over 1,000.
2. **BIZHUB C364e** to replace **BIZHUB 363** – At a monthly rental of \$156.70, includes maintenance, and all supplies except paper and staples, includes 3,000 b/w copies and overages at .0079 cents per copy all over 3,000.
3. **BIZHUB C364e** to replace **BIZHUB 363** – At a monthly rental of \$216.11, includes maintenance, and all supplies except paper and staples, includes 9,000 b/w copies and overages at .0079 cents per copy all over 9,000.
4. **BIZHUB C364e** to replace **BIZHUB 363** – At a monthly rental of \$186.87 includes maintenance, and all supplies except paper and staples, includes 5,300 b/w copies and overages at .0079 cents per copy all over 5,300.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute necessary document with Advantage Business System providing for the 48-month rental of said equipment at fees listed above to include installation and training.

IT IS FURTHER ORDERED that payment for said rental be made from the Water Enterprise Fund.

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

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

ORDER ACCEPTING THE BID OF ENNIS PAINT, INC., FOR AN EIGHTEEN-MONTH SUPPLY OF TRAFFIC PAINT (BID NO. 63066-022415).

WHEREAS, sealed term bids for an eighteen-month supply of Traffic Paint were opened February 24, 2015; and four (4) bids were received; and

WHEREAS, the Traffic Engineering Division will use said paint as pavement marking within the City of Jackson on various street projects; and

WHEREAS, the staff of the Traffic Engineering Division have reviewed all bids submitted and recommend that this governing authority deem the bid submitted by Ennis Paint, Inc., 115 Todd Court, Thomasville, NC 27360, for a eighteen-month supply of traffic paint, to be the lowest and best bid as follows:

<u>ITEM 1</u>	<u>ITEM 2</u>
Yellow, Fast-Drying Acrylic Waterborne Traffic Paint, Packaged in 55-Gallon Drums \$8.50 per gallon	White, Fast-Drying Acrylic Waterborne Traffic Paint, Packaged in 55-Gallon Drums \$8.50 per gallon

IT IS, THEREFORE, ORDERED that the bid of Ennis Paint, Inc., received February 24, 2015, for an eighteen-month supply of traffic paint (beginning from the date of approval of this order and continuing for eighteen months) be accepted as the lowest and best bids received as follows:

<u>ITEM 1</u>	<u>ITEM 2</u>
Yellow, Fast-Drying Acrylic Waterborne Traffic Paint, Packaged in 55-Gallon Drums \$8.50 per gallon	White, Fast-Drying Acrylic Waterborne Traffic Paint, Packaged in 55-Gallon Drums \$8.50 per gallon

it being determined that said bids meet the specifications.

IT IS FURTHER ORDERED that payment for said traffic paint be made from the General fund.

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

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

ORDER AUTHORIZING FINAL PAYMENT TO THE CONTRACT OF DICKERSON & BOWEN, INC., AND FURTHER AUTHORIZING PUBLICATION OF NOTICE OF COMPLETION OF THE LYNCH STREET IMPROVEMENTS FOR CITY PROJECT NUMBER 24006, FEDERAL AID PROJECT NO. DHP-7300-00(001)/104587-801.

WHEREAS, on February 11, 2014, the City of Jackson accepted the bid of Dickerson & Bowen, Inc., in the amount of \$1,848,915.85 to commence work on the Lynch Street Improvements Project; and

WHEREAS, the Surety, Hartford Accident and Indemnity Company, has authorized the release and payment of all moneys due under this contract; and

WHEREAS, the Department of Public Works along with the Mississippi Department of Transportation has inspected the project and recommends the acceptance of said project.

IT IS, THEREFORE, ORDERED that final payment in the amount of \$93,641.31 be made to Dickerson & Bowen, Inc. and further authorizing publication of the Notice of Completion of the Lynch Street Improvements, City Project Number 24006, Federal Aid Project No. DHP-7300-00(001)/104587-801.

Council Member Stokes moved adoption; Council Member Tillman seconded.

Yeas- Foote, Hendrix, Priester, Stamps, Stokes and Tillman.

Nays- None.

Absent- None.

Council Member Priester left the meeting at 8:20 p.m.

ORDER AUTHORIZING THE MAYOR TO EXECUTE CONTRACTS WITH HATHORN'S PEST CONTROL, INC. AND VECTOR DISEASE CONTROL INTERNATIONAL, LLC FOR THE CITY OF JACKSON'S MOSQUITO ABATEMENT PROGRAM.

WHEREAS, the City of Jackson conducts a Mosquito Abatement Program for the health, safety, and welfare for the citizens of Jackson and visitors; and

WHEREAS, Mississippi law requires that companies providing mosquito control services receive the proper permit from the Mississippi Department of Environmental Quality to legally provide that service; and

WHEREAS, the City of Jackson issued a request for proposals in 2012 to solicit qualified companies to provide mosquito control services for the City's Mosquito Abatement Program; and

WHEREAS, two companies, Hathorn's Pest Control, Inc. and Vector Disease Control International, LLC submitted the only two qualifying proposals to provide mosquito control services; and

WHEREAS, Hathorn's Pest Control, Inc. and Vector Disease Control International, LLC have provided effective, reliable mosquito control services to the City of Jackson for the previous three years under that 2012 request for proposals; and

WHEREAS, the Infrastructure Manager in the Department of Public Works is not aware of any other companies in this area who are properly qualified to provide mosquito control services for the City's Mosquito Abatement Program; and

WHEREAS, on February 24, 2015, the Public Works Department received quotes from Hathorn's Pest Control, Inc. and Vector Disease Control International, LLC to provide mosquito abatement services to the City of Jackson to control the number of mosquitoes in the City of Jackson starting April 1, 2015 through October 31, 2015; and

WHEREAS, the quotes received reflect an increase in price over prices for 2014 in the amount of the consumer price index; and

WHEREAS, the Public Works Department recommends accepting the quote of Hathorn's Pest Control, Inc. to conduct a mosquito abatement program during the months of April 1, 2015 through October 31, 2015 for the southern portion (556 miles) of the City as defined in the request for the quote at a total cost not to exceed \$133,582.19; and

WHEREAS, the Public Works Department recommends accepting the quote of Vector Disease Control International, LLC to conduct a mosquito abatement program during the months of April 1, 2015 through October 31, 2015 for the northern portion (647 miles) as defined in the request for the quote at a total cost not to exceed \$141,166.96.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute, and the City Clerk to attest, a contract and any other necessary documents with Hathorn's Pest Control, Inc. 2115 Bailey Avenue, Jackson, MS 39213 for a mosquito abatement program during the months of April 1, 2015 through October 31, 2015 for the southern portion of the City as defined in the request for the quote at a total cost not to exceed \$133,582.19.

IT IS FURTHER ORDERED that the Mayor is authorized to execute, and the City Clerk to attest, a contract and any other necessary documents with Vector Disease Control International, LLC, 842 Foley Street, Jackson, MS 39201 for a mosquito abatement program during the months of April 1, 2015 through October 31, 2015 for the northern portion of the City as defined in the request for quote at a total cost not to exceed \$141,166.96.

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

Yeas- Foote, Hendrix, Stamps, Stokes and Tillman.

Nays- None.

Absent- Barrett-Simon and Priester.

Council Member Priester returned to the meeting at 8:26 p.m.

ORDER ACCEPTING COMPETITIVE QUOTE FROM LEE RUSSELL & SONS PAINTING & INTERIOR FINISHING LLC TO PREPARE, FORM-UP AND PROVIDE FINISHED CONCRETE PAD FOR THE LIVINGSTON PARK PAVILLION PROJECT, LOCATED AT 2918 WEST CAPITOL STREET, JACKSON, MISSISSIPPI 39203.

WHEREAS, the City of Jackson, Mississippi ("City") is engaged in a project to enhance the Livingston Park picnic area; and

WHEREAS, a 30'x 50' concrete pad will be installed to accommodate an open-air pavilion at Livingston Park; and

WHEREAS, the Department of Public Works solicited competitive quotes to provide said services; and

WHEREAS, Lee Russell & Sons Painting & Interior Finishing, LLC, submitted the lowest quote for the concrete work in the amount of Twenty Thousand Dollars (\$20,000.00); and

WHEREAS, the Department of Parks & Recreation recommends that the governing authorities accept the competitive quote of Lee Russell & Sons Painting & Interior Finishing, LLC in the amount of Twenty Thousand Dollars (\$20,000.00), as the lowest and best quote and authorize payment to Lee Russell & Sons Painting & Interior Finishing, LLC the amount of Twenty Thousand Dollars (\$20,000.00) when the work is completed.

IT IS, THEREFORE, ORDERED that the competitive quote of Lee Russell & Sons Painting & Interior Finishing, LLC for the installation of a 30'x 50' concrete pad to serve as a foundation for an open-air pavilion located in the Livingston Park picnic area.

IT IS FURTHER ORDERED that payment in the amount of Twenty Thousand Dollars (\$20,000.00) to Lee Russell & Sons Painting & Interior Finishing, LLC, to prepare, form-up and provide a finished concrete pad at Livingston Park is authorized upon completion of the solicited work.

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

Yeas- Foote, Hendrix, Priester, Stamps, Stokes and Tillman.

Nays- None.

Absent- Barrett-Simon.

ORDER AUTHORIZING AND RATIFYING THE MAYOR'S EXECUTION OF AN AGREEMENT WITH ANDERSON AND ASSOCIATES FOR ELECTRICAL REHABILITATION WORK THROUGH THE CITY'S HOME REHABILITATION PROGRAM.

WHEREAS, the City of Jackson, Mississippi ("City of Jackson"), through its Office of Housing and Community Development, Neighborhood Enhancement Division (NED) utilizes Community Development Block Grant (CDBG) funds for its emergency home repair program; and

WHEREAS, the City Council of the City of Jackson at its August 21, 2012 council meeting, authorized the awarding of contracts to four vendors to perform emergency housing rehabilitation services; and

WHEREAS, the Office of Housing and Urban Development (HUD) conducted a monitoring of the City's emergency rehabilitation program which resulted in the issuance of findings and the suspension of the program; and

WHEREAS, during the monitoring HUD inspected all properties and the NED began working with the contracted vendors to correct all issues noted as included in HUD's findings; and

WHEREAS, the NED worked with all vendors to correct deficiencies and close findings, however, one vendor elected to not make certain noted corrections and the City retained the agreed contractual amount from vendor's final payment and solicited quotes for a vendor to correct the required electrical deficiencies and the subject location.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Mayor is authorized to execute an Agreement with Anderson & Associates for an amount not to exceed \$500 for electrical work at 2960 Booker T. Washington Street, Jackson.

IT IS FURTHER ORDERED that the Agreement executed between the City of Jackson and Anderson & Associates for an amount not to exceed \$500 for electrical work at 2960 Booker T. Washington Street, Jackson, is hereby ratified.

Council Member Stokes moved adoption; Council Member Tillman seconded.

Yeas- Foote, Hendrix, Priester, Stamps, Stokes and Tillman.

Nays- None.

Absent- Barrett-Simon.

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ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR CHAR RESTAURANT TO RE-FACE THEIR EXISTING 96 SQ FT NON-CONFORMING GROUND SIGN WITHIN A C-3 ZONE WHICH ONLY ALLOWS ONE GROUND SIGN PER STREET FRONTAGE.

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

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

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

WHEREAS, said variance application shall also demonstrate that:

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

WHEREAS, Char Restaurant, the applicant herein, has requested a variance from the Sign Ordinance regulations to reface their existing 96 sq. ft. non-conforming ground sign within a C-3 zone which only allows one ground sign per street frontage.

IT IS THEREFORE, ORDERED that Char Restaurant is hereby (approved) a variance from the Sign Ordinance regulations to reface their existing 96 sq. ft. non-conforming ground sign within a C-3 zone which only allows one ground sign per street frontage, it being determined that the parties in interest and the general citizenry first had their opportunity to be heard and that the applicant (has) met the necessary criteria for the requested variance.

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

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

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

ORDER REVISING THE FISCAL YEAR 2014-2015 BUDGET FOR THE OFFICE OF THE CITY CLERK.

WHEREAS, certain unanticipated needs and allocations in the amount of \$18,605 have arisen since the adoption of Fiscal 2014 – 2015 budget within the Office of the City Clerk; and

WHEREAS, Fiscal Year 2014 – 2015 budget needs to be revised to provide funding for these unanticipated needs; and

WHEREAS, the following line items are being revised:

416006846		\$2,605	
	TOTAL		<u>\$2,605</u>
402006240		\$16,000	
	TOTAL		<u>\$16,000</u>

IT IS, THEREFORE, ORDERED that the Fiscal Year 2014 – 2015 budget be revised in the amount of \$2,605 as follows:

<u>FROM/TO</u>	<u>ACCOUNT NUMBER</u>	<u>AMOUNT</u>
From	416006846	\$2,605
To	416006240	\$2,605
From	402006240	\$16,000
To	402006419	\$16,000

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

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

There came on for consideration Agenda Item No. 21:

ORDER OF THE CITY OF JACKSON, MISSISSIPPI TO STOP SPENDING FROM THE BOND PROCEEDS REGARDING THE SIEMENS CONTRACT WHILE THE CITY COUNCIL INVESTIGATION IS PENDING. Said item was held by **Council Member Stokes** until the next Regular Council meeting to be held on May 5, 2015.

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There came on for consideration Agenda Item No. 22:

RESOLUTION AMENDING THE 2015 SPECIAL COUNCIL MEETING SCHEDULE OF THE JACKSON CITY COUNCIL TO ELIMINATE ALL SPECIAL MEETING DATES OCCURRING AFTER MAY 26, 2015. Said item was held by **President Stamps** until the next Regular Council meeting to be held on May 5, 2015.

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PROCLAMATION OF THE CITY OF JACKSON, MISSISSIPPI DECLARING A CIVIL EMERGENCY.

WHEREAS, Section 45-17-1, *et seq.*, and Section 33-15-1, *et seq.*, of the Mississippi Code of 1972, as amended, authorizes the Mayor and/or governing authorities of a municipality to proclaim the existence of a civil emergency; and

WHEREAS, the City of Jackson, Mississippi, is authorized to declare a State of Emergency and to promulgate such rules, regulations, and orders as he deems necessary to protect life and property; and

WHEREAS, the City of Jackson's infrastructure has been eroding over the last twenty (20) years or more; and

WHEREAS, said decline has occurred most recently at an alarming rate; and

WHEREAS, the decline in the City's infrastructure has and could potentially continue to cause damage to homes, businesses, public property, personal property and threatens the safety of the citizens and property of the City of Jackson, Mississippi; and

WHEREAS, on March 26, 2015, Mayor Tony T. Yarber proclaimed a State of Emergency in the City of Jackson, Mississippi, for the above stated reasons; and

WHEREAS, the governing authorities, in consideration of the health, safety, and welfare of the City's residents and the protection of both their real and personal property within the corporate limits of the City of Jackson, Mississippi and in the public interest, have determined that all efforts should be taken to protect life and property.

NOW, THEREFORE, the governing authorities of the City of Jackson, Mississippi, pursuant to the authority vested in me under Section 45-17-1, *et seq.*, and Section 33-15-1, *et seq.*, of the Mississippi Code of 1972, as amended, and in the public interest and for the general welfare of the City of Jackson, do hereby proclaim a **STATE OF EMERGENCY** for the City of Jackson, and said emergency shall be reviewed every thirty (30) days until such local emergency is no longer in effect and proclaimed terminated by the Mayor of the City of Jackson, State of Mississippi.

IT IS FURTHER ORDERED that all agencies and departments of the City of Jackson, Mississippi, shall render all possible assistance and discharge their emergency responsibilities and provide full cooperation with this Proclamation.

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

Yeas- Stokes.

Nays- Foote, Hendrix, Priester and Stamps.

Abstention- Tillman.

Absent- Barrett-Simon.

DISCUSSION: 2015 ELECTIONS: President Stamps recognized **Council Member Stokes** who expressed concerns regarding the merging of Hinds County voting precincts within the City of Jackson prior to the upcoming August 2015 elections that would make it difficult for citizens.

The following reports/announcements were provided during the meeting:

- **Mayor Yarber** made the following announcements:
 - The City of Jackson's Jobs for Jacksonians program will hold a recruiting session on Tuesday, April 28, 2015 at 10:00 a.m. in the conference room of the Department of Human and Cultural Services at the Metrocenter Mall.
 - The City of Jackson will join Keep Jackson Beautiful, Waste Management of Jackson and Disposal Services, LLC, to plant a tranquil reading garden at Poindexter Elementary School in celebration of Earth Day.
 - A Healthy Homes Forum would be held on April 25, 2015 at the Jackson Police Training Academy from 9:00 a.m. until 12:00 p.m.
 - A Fair Housing Workshop (for City of Jackson employees) would be held on April 27th in the Andrew Conference Room on the 1st Floor in the Hood building.
 - A Day in the Park Community Exposition would be held on April 28th at Smith Park from 10:00 a.m. until 1:00 p.m.
 - Ascertainment Hearings regarding the Comcast negotiations will be held in following wards:
 - Ward 1: Bellwether Church located at 4624 Old Canton Road on Tuesday, May 12th at 12:00 p.m.
 - Ward 2: New Hope Baptist Church located at 5202 Watkins Drive on Thursday, May 14th at 6:00 p.m.
 - Ward 3: Cornerstone MB Church located at 418 Martin Luther King Drive on Monday, May 18th at 6:00 p.m.
 - Ward 4: Rosemont MB Church located at 3930 Officer Thomas Catchings Drive on Tuesday, May 19th at 6:00 p.m.
 - Ward 5: Rising Sun Baptist Church located at 3001 Saint Charles Street on Thursday, May 21st at 6:00 p.m.
 - Ward 6: Christ Tabernacle Church located at 1201 Cooper Road on Tuesday, May 26th at 6:00 p.m.
 - Ward 7: Emmanuel Apostolic Church located at 608 W. Porter Street on Thursday, May 28th at 6:00 p.m.
- **Nathan Coe**, from the Office of the City Clerk, provided a brief update on the GovQA (Open Records system). **Nathan** stated that Administrative training will begin the last week of April. Freedom of Information Act liasons will be chosen from departments will be trained during the month of May.
- **Council Member Stokes** made the following announcements:
 - **Mr. Tommie Mabry** would have a book signing on Saturday, April 25th at Pam's Store located at the corner of Martin Luther King Dr. and Crawford Street at 3:00 p.m.
 - Ward 3 community meeting would be held at Cornerstone Baptist Church located at 1118 MLK, Jr. Drive on April 28, 2015 at 6:00 p.m.

REGULAR MEETING OF THE CITY COUNCIL
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- **Council Member Hendrix** announced that a community improvement project would be held on Saturday, April 25th from 8:00 a.m. until 2:00 p.m. at the Boys and Girls Club on Sykes Road.
- **Council Member Priester** announced that the Tougaloo community would host a "Clean-up Day" on Saturday, April 25th at 8:00 a.m.
- **Council Member Stamps** announced that the Willowood Homeowners Association would have a community meeting on Monday, April 27th at 6:00 p.m.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Special Meeting to be held at 4:00 p.m. on Monday, April 27, 2015 and at 9:55 p.m., the Council stood adjourned.

ATTEST:

Kristi Moore
CITY CLERK

APPROVED:

[Signature], 5.19.15
MAYOR DATE
