

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, JUNE 16, 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 June 16, 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 Priestler, Jr., Vice-President, Ward 2; Tyrone Hendrix, Ward 6 and Margaret Barrett-Simon, Ward 7. Directors: Gus McCoy, Chief Administrative Officer; Kristi Moore, City Clerk; Angela Harris, Deputy City Clerk; Aalice Lattimore, Deputy City Clerk and Monica Joiner, City Attorney.

Absent: Ashby Foote, Ward 1; Kenneth Stokes, Ward 3 and Charles Tillman, Ward 5.

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

The invocation was offered by **Pastor Maxine Gray** of The Exodus Assembly.

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

- **Alious McBride** expressed concerns regarding the need for Jackson to have a downtown shopping mall and entertainment district.
- **Debra Williams** expressed concerns regarding employee morale and the need for a pay increase for the City of Jackson employees.
- **Deborah Wright** of Sincere Home Care, LLC invited the Council and citizens of Jackson to come visit her two facilities within the Tougaloo Community.
- **Kenneth Bullock** expressed gratitude for the care he received at Sincere Home Care.
- **Ineva May Pittman** invited the citizens of Jackson to attend the Jackson Branch of the NAACP Banquet on Friday, June 19, 2015 at 6:00 p.m. at Cade Chapel Missionary Baptist Church.
- **Timothy Cage** expressed concerns regarding the need for a living wage increase and the repayment of State taxes.
- **Tyson Jackson**, leader organizer of MASE- CWA the City Worker's Union and State Employee's Union, stated that his organization would be active concerning the employees.
- **Tommy McAlister** expressed concerns regarding outside taxi cab drivers coming into the City of Jackson to do business.

RESOLUTION DECLARING CERTAIN PARCELS OF REAL PROPERTY IN THE CITY OF JACKSON TO BE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE AND BASED ON ADMINISTRATIVE HEARINGS HELD FEBRUARY 3, 2015 FOR THE FOLLOWING CASES:

2014-2120	2014-2536	2014-2559	2014-2801	2014-2869	2014-3050
2014-3055	2014-3337	2014-3343	2014-3344	2014-3347	2014-3388
2014-3389	2014-3390	2014-3391	2014-3415	2014-3416	2014-3439
2014-3440	2014-3441	2014-3443			

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 February 3, 2015; 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 #2014-2120: Parcel #425-66** located at 3834 Newman 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: Cut grass and weeds, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts and clean curbside.

2) **Case #2014-2536: Parcel #421-10** located at 3220 Sage 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: Board-up and secure structure. Cut grass and weeds, fence-line, bushes and remove trash, debris, tree parts and clean curbside.

3) **Case #2014-2559: Parcel #641-99-2** located at 132 Carolyn Avenue/Lot N of 132: 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, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts, fallen tree and clean curbside.

4) **Case #2014-2801: Parcel #101-119-20** located at 2974 Booker Washington Street: Arlease Williams 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 twenty-one (21) days to cure expiring February 24, 2015. 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, fence-line, bushes and remove trash, debris, building materials and clean curbside.

5) **Case #2014-2869: Parcel #405-258** located at 0 Flora Avenue/Lot @ SW Corner of Dorsey 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: Cut grass and weeds, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts and clean curbside.

6) **Case #2014-3050: Parcel #405-414** located at 0 Holmes Avenue/Lot S of 2907: 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, fence-line, bushes, saplings and remove trash, debris and clean curbside.

7) **Case #2014-3055: Parcel #401-77** located at 0 Holmes Avenue/Lot S of 3302: 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 and remove trash, debris, and clean curbside.

8) **Case #2014-3337: Parcel #635-344** located at 1427 Gibraltar Drive: Dennis Anderson appeared. After hearing testimony, hearing office recommends that the property be adjudicated as a menace to public health and safety; however, interested party shall be afforded fifteen (15) days to cure expiring February 18, 2015. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs. Ward 7

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

9) **Case #2014-3343: Parcel #72-54** located at 0 W. Cohea Street/Lot E of 128: 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 \$1,000.00. Ward 7

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

10) **Case #2014-3344: Parcel #72-53-1** located at 0 W. Cohea Street/2nd Lot E of 128: 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 parts, fallen tree, tires and clean curbside.

11) **Case #2014-3347: Parcel #425-541** located at 0 Brame Avenue/Lot N of 3532: 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 7

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

12) **Case #2014-3388: Parcel #517-96** located at 0 Lawrence Road/Lot W of 510: 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, tree limbs, tires and clean curbside.

13) **Case #2014-3389: Parcel #517-664** located at 761 Cedarhurst 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: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line and clean curbside.

14) **Case #2014-3390: Parcel #517-592** located at 4918 Cedarhurst 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 \$250.00. Ward 3

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

15) **Case #2014-3391: Parcel #738-329** located at 1901/2 Jamestown Way: 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 fence-line and remove trash, debris and clean curbside.

16) **Case #2014-3415: Parcel #309-117** located at 341 Ford 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 4

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, building materials and tires.

17) **Case #2014-3416: Parcel #309-96** located at 328 Ford 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, saplings and remove trash, debris, tree limbs and parts, fallen tree, wooden boards, building materials and tires.

18) **Case #2014-3439: Parcel #646-231** located at 510 Dartmount 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, tree limbs and parts, wooden boards, crates, building materials, tires and clean curbside.

19) **Case #2014-3440: Parcel #306-181** located at 4233 Chennault 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: Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts, wooden boards, crates, appliances, building materials, furniture and tires.

20) **Case #2014-3441: Parcel #639-228** located at 4405 Wear 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 clean curbside.

21) **Case #2014-3443: Parcel #53-14** located at *474 Downing Street*: Ambrosia Tabb, a hired contractor by the property owner, appeared. After hearing testimony, hearing officer recommends that the property be adjudicated as a menace to public health and safety; however, interested parties shall be afforded fifteen (15) days to cure expiring February 18, 2015. 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, shrubbery, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts, fallen tree and furniture.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

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 B, located in the City Clerk's Office of the City of Jackson, Mississippi.

RESOLUTION DECLARING CERTAIN PARCELS OF REAL PROPERTY IN THE CITY OF JACKSON TO BE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE AND BASED ON ADMINISTRATIVE HEARINGS HELD FEBRUARY 10, 2015 FOR THE FOLLOWING CASES:

2014-1969	2014-1970	2014-1971	2014-2684	2014-2685
2014-2686	2014-2688	2014-2795	2014-2796	2014-2797
2014-2799	2014-2800	2014-3339	2014-3392	2014-3393
2014-3445				

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 February 10, 2015; 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 #2014-1969: Parcel #210-210** located at *510 McDowell 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 7

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

2. **Case #2014-1970: Parcel #210-150** located at *0 McDowell Road/Lot W of 412*: 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 7

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

3. **Case #2014-1971: Parcel #210-211** located at *0 McDowell Road/Lot E of 510*: 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 7

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

4. **Case #2014-2684: Parcel #732-47-1** located at *4308 Sunray 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, fence-line and remove trash, debris and clean curbside.

5. **Case #2014-2685: Parcel #732-105** located at *0 Sunray Drive/2nd Lot E of 3405*: 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 \$250.00. Ward 4

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

6. **Case #2014-2686: Parcel #732-103** located at *0 Sunray Drive/Lot E of 3405*: 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 \$250.00. Ward 4

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

7. **Case #2014-2688: Parcel #97-189** located at *428-30 Glendale 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: Board-up and secure structure. Cut grass and weeds, fence-line, bushes and remove trash, debris and clean curbside.

8. **Case #2014-2795: Parcel #101-93** located at *2856 Booker Washington 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, fence-line and remove trash, debris, wooden boards, crates, appliances, building materials, bricks, tires and clean curbside.

9. **Case #2014-2796: Parcel #101-83-1** located at *2841 Booker Washington 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, fence-line and remove trash, debris, wooden boards, crates, furniture, bricks, tires and clean curbside.

10. **Case #2014-2797: Parcel #101-41-2** located at *0 Booker Washington Street/Lot S of 2905*: 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, fence-line, bushes, saplings and remove trash, debris and clean curbside.

11. **Case #2014-2799: Parcel #410-242** located at *3830 Miller Avenue/Lot E of 3824*: 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, fence-line, bushes and remove trash, debris, tree parts and clean curbside.

12. **Case #2014-2800: Parcel #101-44-1** located at *0 Booker Washington Street/Lot S of 2904*: 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, fence-line, bushes, saplings and remove trash, debris, tree limbs and parts and tires.

13. **Case #2014-3339: Parcel #210-117** located at *610 McDowell 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 5

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

14. **Case #2014-3392: Parcel #432-164-1** located at *0 Churchill Drive/Lot S of 4887*: 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 tires and clean curbside.

15. **Case #2014-3393: Parcel #517-120** located at *701 Lawrence 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: Cut grass and weeds, shrubbery, fence-line, saplings and remove trash and debris. Tree limbs and clean curbside.

16. **Case #2014-3445: Parcel #213-13** located at *1900 East Drive/Lot N of 1906*: 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, 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 Priester moved adoption; **Council Member Barrett-Simon** seconded.

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

Nays- None.

Absent- Foote, Stokes and Tillman.

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 B, located in the City Clerk's Office of the City of Jackson, Mississippi.

RESOLUTION DECLARING CERTAIN PARCELS OF REAL PROPERTY IN THE CITY OF JACKSON TO BE A MENACE TO PUBLIC HEALTH, SAFETY AND WELFARE PURSUANT TO SECTION 21-19-11 OF THE MISSISSIPPI CODE AND BASED ON ADMINISTRATIVE HEARINGS HELD FEBRUARY 24, 2015 FOR THE FOLLOWING CASES:

2013-1942	2013-2014	2013-2495	2014-1059	2014-1060	2014-1061
2014-1062	2014-1064	2014-1120	2014-1215	2014-1655	2014-1676
2014-1677	2014-1678	2014-1725	2014-1727	2014-1740	2014-1954
2014-2170	2014-2172	2014-2173	2014-2249	2014-2265	2014-2267
2014-2268	2014-2274	2014-2396	2014-2418	2014-2427	2014-2428
2014-2431	2201-2508	2014-2509	2014-2511	2014-2512	2014-2513
2014-2514	2014-2519	2014-2520	2014-2521	2014-2524	2014-2526
2014-2693	2014-2714	2014-2717	2014-2734	2014-2752	2014-2782
2014-2784	2014-2875	2014-2876	2014-2929	2014-2930	2014-2934
2014-3094	2014-3209	2014-3387	2014-3448	2014-3450	2014-3451
2015-1001	2015-1005	2015-1009	2015-1010	2015-1011	2015-1012
2015-1013	2015-1015	2015-1046			

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 February 24, 2015; 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 #2013-1942: Parcel #210-127** located at *2580 Paden 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 house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

2) **Case #2013-2014: Parcel #431-130** located at 714 E. Northside Drive: Phillip Kent appeared, however, he had to leave for work. He executed a statement indicating intent to enter into a repair contract because he purchased the property approximately a year prior to the hearing and was not aware of a case. The hearing officer was advised of the executed statement, and recommends that the interested party be afforded fourteen (14) days expiring March 10, 2015 to enter into a repair contract with the City. If there is a default and the City proceeds with cleaning, hearing officer recommends an 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.

3) **Case #2013-2495: Parcel #625-172** located at 262 Dona 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 6

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

4) **Case #2014-1059: Parcel #804-13-1** located at 0 Whitehouse Street/4th Lot N of 125: 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 remove trash, debris, building materials, furniture and clean curbside.

5) **Case #2014-1060: Parcel #804-13-18** located at 0 Whitehouse Street/3rd Lot N of 125: 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 2

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

6) **Case #2014-1061: Parcel #804-13-17** located at 0 Whitehouse Street/2nd Lot N of 125: 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 remove trash, debris, building materials, furniture and clean curbside.

7) **Case #2014-1062: Parcel #804-188** located at 0 Red Oak Street/Lot S of 180: 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 2

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

8) **Case #2014-1064: Parcel #643-74** located at 1103 Noble 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 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, wooden boards, building materials, furniture, tires and clean curbside.

9) **Case #2014-1120: Parcel #67-12** located at *1126 Crestview Avenue*: Xavier Hill, the owner's Assistant Property Manager appeared. After hearing testimony, hearing officer recommends that the property be adjudicated as a menace to public health and safety; however, interested parties shall be afforded thirty (30) days to cure expiring March 26, 2015. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$250.00. Ward 1

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

10) **Case #2014-1215: Parcel #409-2-5** located at *0 Medgar Evers Boulevard/3109*: Rosie Nelson 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 ninety (90) days to cure expiring May 25, 2015. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$250.00. Ward 3

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

11) **Case #2014-1655: 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 6

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

12) **Case #2014-1676: Parcel #624-78** located at *3208 Whitten 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 6

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

13) **Case #2014-1677: Parcel #624-87** located at *0 Whitten Road/Lot S of 3304*: 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 6

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

14) **Case #2014-1678: Parcel #624-85** located at *0 Whitten Road/Lot S of 3234*: Mr. Hubbard Partridge, a cousin of the disabled owner 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 twenty-one (21) days to cure expiring March 17, 2015. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$250.00. Ward 6

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

15) **Case #2014-1725: Parcel #211-320** located at *0 Dorgan Street/961*: 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 6

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

16) **Case #2014-1727: Parcel #607-40** located at *111 Maple Ridge 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 \$250.00. Ward 7

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

17) **Case #2014-1740: Parcel #168-78** located at *1025 Willow 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 7

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

18) **Case #2014-1954: Parcel #853-198** located at *3669 Rainey Road/Lot S of 3661*: 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 6

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

19) **Case #2014-2170: Parcel #306-114** located at *212 Vandergriff 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 4

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

20) **Case #2014-2172: Parcel #697-88** located at *0 Burch Street/Lot Across from 3217*: 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 limbs and parts and fallen tree.*

21) **Case #2014-2173: Parcel #697-92** located at *0 Burch Street/Lot Across from 3217*: 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 fallen tree.*

22) **Case #2014-2249: Parcel #114-20** located at *136 N. Denver 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 house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.*

23) **Case #2014-2265: Parcel #306-241** located at *4308 Patch 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 4

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

24) **Case #2014-2267: Parcel #306-205** located at *4309 Patch 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.*

25) **Case #2014-2268: Parcel #306-242** located at 4302 Pyle 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.

26) **Case #2014-2274: Parcel #306-233** located at 607 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: Demolish and remove remains of burned house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

27) **Case #2014-2396: Parcel #306-237** located at 0 Patch Avenue/Lot @ SE Corner of Nimitz: 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 parts and tires.

28) **Case #2014-2418: Parcel #306-207** located at 0 Patch Avenue/Lot E of 4315: 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 parts and tires.

29) **Case #2014-2427: Parcel #306-209** located at 4317 Patch 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, saplings and remove trash, debris and tree parts, fallen tree, wooden boards, building materials, tires and clean curbside.

30) **Case #2014-2428: Parcel #306-255** located at 4314 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. 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, furniture and tires.

31) **Case #2014-2431: Parcel #116-127** located at 0 W. Capitol Street/3520/E of 3524: 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, saplings and remove trash, debris, tree parts, furniture and tires.

32) **Case #2014-2508: Parcel #615-25** located at 2831 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. Ward 6

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

33) **Case #2014-2509: Parcel #615-28** located at 2813 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 burned house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

34) **Case #2014-2511: Parcel #640-169** located at 621 Hillsdale Drive: Inez Wilson 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 thirty (30) days to cure expiring March 25, 2015. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$250.00. Ward 4

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

35) **Case #2014-2512: Parcel #422-32** located at 0 W. Mayes Street/Lot @ NE Corner of Redmond 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: Cut grass and weeds, fence-line, bushes and remove trash, debris and clean curbside.

36) **Case #2014-2513: Parcel #422-175-1** located at 3422 Fontaine 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, wooden boards, appliances, building materials, bricks, tires and clean curbside.

37) **Case #2014-2514: Parcel #421-248** located at 1323 W. Mayes 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: Board-up and secure structure. Cut grass and weeds, fence-line, bushes, saplings and remove trash, debris, tree parts, wooden boards and clean curbside.

38) **Case #2014-2519: Parcel #98-129-1** located at 0 Bailey Avenue/Lot Behind 1804: 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 parts and wooden boards.

39) **Case #2014-2520: Parcel #407-183** located at 2931 Perkins Street/HSE Across from 1376: 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 parts and wooden boards.

40) **Case #2014-2521: Parcel #421-215** located at 3150 Sears 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, fence-line, bushes and remove trash, debris, wooden boards, appliances and clean curbside.

41) **Case #2014-2524: Parcel #421-223** located at 0 Sears Street/Lot N of 3104: 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, fence-line, bushes and remove trash, debris, tree parts and clean curbside.

42) **Case #2014-2526: Parcel #421-285** located at 0 Sears Street/Lot N of 3211: 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, fence-line, bushes, saplings and remove trash, debris and clean curbside.

43) **Case #2014-2693: Parcel #616-414** located at 2810 Teresa 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 6

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

44) **Case #2014-2714: Parcel #732-50-2** located at 2929 Sunray Drive: Reverend Frank Adams, Pastor of Mount Elizabeth Baptist Church, 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 ninety (90) days to cure expiring April 25, 2015. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$250.00. 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.

45) **Case #2014-2717: Parcel #108-2-62** located at 1046 Woodrow Wilson 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, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

46) **Case #2014-2734: Parcel #117-3-1** located at 3706-08 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. Ward 4

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

47) **Case #2014-2752: Parcel #613-14** located at 3905 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 7

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 furniture.

48) **Case #2014-2782: Parcel #833-264** located at 2025 McDowell 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 5

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

49) **Case #2014-2784: Parcel #634-38** located at 1125 Raymond Road/Bldg. #9/Office: 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 \$1500.00. Ward 5

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

50) **Case #2014-2875: Parcel #839-663** located at 1913 Bienville 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 6

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

51) **Case #2014-2876: Parcel #220-19** located at 2649 W. Highway 80: 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 hotel, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

52) **Case #2014-2929: Parcel #405-385** located at 3011 Holmes 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: Demolish and remove remains of dilapidated house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

53) **Case #2014-2930: Parcel #405-381** located at 3021 Holmes 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, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

54) **Case #2014-2934: Parcel #409-130** located at 3364 Pocahontas 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: Demolish and remove remains of dilapidated house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

55) **Case #2014-3094: Parcel #613-268** located at 332 Archer Avenue/HSE E of 328: 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: Demolish and remove remains of burned house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

56) **Case #2014-3209: Parcel #611-247** located at 3553 Ridgcrest 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 7

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

57) **Case #2014-3387: Parcel #105-194-13** located at *514 Oak Street*: Cherry Grove MB Church did not appear, but hearing officer received testimony from the City indicating that the Church has a contract with someone to demolish. 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 thirty (30) days to cure. If there is a default and the City proceeds with cleaning, hearing officer recommends an assessment of actual costs and a penalty of \$500.00. Ward 3

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

58) **Case #2014-3448: Parcel #101-274** located at *1122 Neatum 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.

59) **Case #2014-3450: Parcel #151-21** located at *657 Ewing 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: Demolish and remove remains of burned house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

60) **Case #2014-3451: Parcel #116-59** located at *120 Louisiana 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.

61) **Case #2015-1001: Parcel #162-330-1** located at *1627 Dalton 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 house, foundation, steps and driveway. Cut grass and weeds and remove trash and debris.

62) **Case #2015-1005: Parcel #88-33** located at *0 Atwood Street/3rd Lot W of Lot @ SW Corner of Pleasant 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 7

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

63) **Case #2015-1009: Parcel #88-34** located at *0 Atwood Street/4th Lot W of Lot @ SW Corner of Pleasant 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 7

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

64) **Case #2015-1010: Parcel #88-32** located at *0 Atwood Street/2nd Lot W of Lot @ SW Corner of Pleasant 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 7

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

65) **Case #2015-1011: Parcel #88-31** located at 0 Atwood Street/Lot W of Lot @ SW Corner of Pleasant 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 7

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

66) **Case #2015-1012: Parcel #88-30** located at 305 Atwood 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 7

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

67) **Case #2015-1013: Parcel #88-35** located at 0 Atwood Street/5th Lot W of Lot @ SW Corner of Pleasant 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 7

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

68) **Case #2015-1015: Parcel #88-36** located at 325 Atwood Street/2nd Lot E of 335: 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 and remove trash, debris, tree limbs and parts and clean curbside.

69) **Case #2015-1046: Parcel #833-326** located at 2165 Hickory 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: Board-up and secure structure. Cut grass and weeds, shrubbery, fence-line, bushes, saplings and remove trash, debris and tree limbs and parts, fallen tree, appliances, furniture, tires and clean curbside.

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

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

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

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

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

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 B, located in the City Clerk's Office of the City of Jackson, Mississippi.

President Stamps requested that Agenda Items No. 34 and 33 be moved forward on the Agenda. Hearing no objections, the following were presented:

President Stamps recognized **Ethel Mangum** on behalf of **Council Member Stokes** who presented a **RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND COMMENDING MR. JAMES HORACE DUNCAN AS AN OUTSTANDING CITIZEN UPON HIS RETIREMENT FROM WLBT TELEVISION STATION**. Accepting the Resolution with appropriate remarks was **James Horace Duncan**.

President Stamps recognized **Ethel Mangum** on behalf of **Council Member Stokes** who **PRESENTED THE MARTIN LUTHER KING, JR. ALICE TISDALE AWARD TO PASTOR D. L. AND MRS. HELEN GOVAN**. Accepting the Award with appropriate remarks were **Pastor D. L. and Helen Govan**.

There came on for Introduction Agenda Item No. 6:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI REQUIRING LAW ENFORCEMENT OFFICIALS TO REPORT HATE CRIMES. Said item was held until the next Regular Council Meeting on June 30, 2015.

There came on for Introduction Agenda Item No. 7:

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI NAMING THE BASKETBALL COURT AT TOUGALOO COMMUNITY CENTER IN HONOR OF JESSE PATE. Said item was referred to the Planning Committee.

ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI AMENDING CHAPTER 126 – VEHICLES FOR HIRE, ARTICLE II, SECTION 126-31 OF THE CODE OF ORDINANCES OF JACKSON, MISSISSIPPI TO REDUCE THE NUMBER OF VEHICLES A TAXICAB COMPANY HAS TO MAINTAIN UNDER ITS COMPANY NAME FOR WHICH A CERTIFICATE OF PUBLIC NECESSITY AND CONVENIENCE CAN BE ISSUED.

WHEREAS, from time to time, the City Council of Jackson, Mississippi must review and amend ordinances to adequately reflect the needs of its citizens; and

WHEREAS, the City Council of Jackson, Mississippi has listened to the concerns and recommendations of various vehicle for hire companies in order to address ways to create a more business-friendly environment for current and future vehicle for hire companies in the City of Jackson.

BE IT ORDAINED BY THE CITY COUNCIL OF JACKSON, MISSISSIPPI that the number of vehicles taxicab companies have to maintain in its name for which a certificate of public necessity and convenience can be issued is reduced from eight vehicles to four vehicles and Section 126-31 of the Vehicles for Hire Ordinance shall be amended to read as follows:

Sec. 126-31 - Maintenance requirements for CPNC.

In order to maintain a CPNC, the holder must:

- (1) Possess a current valid city privilege license.
- (2) Provide proof that all ad valorem taxes due the city have been paid.
- (3) Submit a copy of a current lease or deed for the company premises, or submit an affidavit as to ownership and occupancy.
- (4) Maintain the name and home address of each driver affiliated with the company, along with the name of the CPNC holder who owns or leases the vehicle operated by the driver.
- (5) Maintain a log listing the year, make, model, vehicle identification number (serial number) and CPNC number of each vehicle for hire operating in the company fleet or animal number, if applicable.
- (6) Maintain at least one off-street parking facility capable of accommodating its vehicles for hire when not in use.
- (7) Certify that all vehicles for hire operating for the company have the insurance coverage required and that such vehicles are in compliance with the standards concerning inspection established in these articles.
- (8) CPNC holders/vehicle for hire companies must randomly test drivers for narcotic or alcohol usage and submit the results to the license and permit division of the police department.
- (9) A taxicab company shall keep its office staffed 24 hours a day with at least one person for the purpose of receiving calls and dispatching taxicabs.
- (10) Limousine, sedan, and shuttle services shall employ sufficient employees or utilize answering devices to answer the telephone after hours.
- (11) The license and permit division of the police department must be given written notification of any change in application or maintenance information within five days of such change.
- (12) If a CPNC holder replaces a vehicle for hire in service with another vehicle, such fact shall be submitted to the license and permit division of the police department and all vehicle requirements must be met prior to deployment.
- (13) Taxicab companies shall maintain at least ~~eight~~ **four** vehicles for hire under their company name for which a CPNC license has been issued. ~~or the number of vehicles operated by the company as of the effective date of these articles, if less than eight.~~

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

President Stamps recognized **Tara Dean**, a representative of Deluxe Cabs, who expressed concerns regarding appropriate representation for the taxicab industry. **Ms. Dean** stated that she would like to partake in the discussion of revising the ordinance regarding vehicles for hire.

Thereafter, **Council Member Hendrix** requested that said item be placed back into the Rules Committee for further consideration. **Council Members Priester** and **Hendrix** withdrew their motion and second.

**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI
AMENDING CHAPTER 66 – HEALTH AND SANITATION, ARTICLE III,
MOBILE FOOD VENDING, OF THE CODE OF ORDINANCES OF JACKSON,
MISSISSIPPI.**

WHEREAS, from time to time, the City Council of Jackson, Mississippi must review and amend ordinances to adequately reflect the needs of its citizens; and

WHEREAS, the City Council of Jackson, Mississippi has listened to the concerns of its citizenry in order to address ways to create a more business-friendly environment for current and future mobile food vendors in the City of Jackson, while safeguarding public health, safety, and welfare.

BE IT ORDAINED BY THE CITY COUNCIL OF JACKSON, MISSISSIPPI that Chapter 66 – Health and Sanitation, Article III, Mobile Food Vending, of the Code of Ordinances of Jackson, Mississippi shall be amended to read as follows:

ARTICLE III. - MOBILE FOOD VENDING

FOOTNOTE(S):

--- (2) ---

Editor's note—Ord. No. 2011-24(7), adopted July 26, 2011, did not specifically amend the Code. Hence, inclusion as Ch. 66, Art. III, was at the discretion of the editor.

• Sec. 66-76. - Applicability.

This article shall apply to all mobile food vendors licensed to sell food and/or beverages in the City of Jackson where permitted to do so and hereby may be referred to as the Mobile Food Vending Ordinance.

(Ord. No. 2011-24(7), § 1, 7-26-11)

• Sec. 66-77. - Definitions.

The following words and phrases, whenever used herein, shall be construed as defined in this section:

Mobile food vendor means any person who sells food and/or beverages from a mobile pushcart or motorized mobile food preparation vehicle on a consistent basis and for a period of more than 15 days each calendar year.

Mobile pushcart means any portable vending device, pushcart or other wheeled vehicle or device which may be moved without the assistance of a motor and which is not required to be licensed and registered by the Department of Transportation, used for the displaying, storing or transporting of food offered for sale by a vendor. Said cart may be up to four feet in width, six feet in length, excluding auxiliary items such as handles or fenders, or otherwise the cart shall not occupy space greater than a total of 24 square feet.

Mobile food preparation vehicle means any motorized vehicle that includes a self-contained kitchen in which food is prepared, processed or stored and used to sell and dispense food to the consumer. The unit must be on wheels (excluding boats and trailers) at all times. This definition does not include pushcarts.

(Ord. No. 2011-24(7), § 2, 7-26-11)

• Sec. 66-78. - Permits required to use public sidewalks for mobile food vending.

(a) All mobile food vendors must obtain and maintain a permit for each mobile pushcart or mobile food preparation vehicle operated. All applications for permit renewal must be filed yearly. The application shall be made with the signs and licenses division of the office of code services in the planning and development department. The application may be reviewed by any department of the city as may be necessary or convenient to determine whether the application is complete or whether the permit should be granted. Permit applications shall contain the following information:

- (1) The name, mailing address, physical address, telephone number(s), and email address of the applicant(s). If any applicant is anything other than a natural person, then all documents related to the creation and maintenance of the entity such as articles of incorporation and any similar relevant documents shall be included.
- (2) A valid City of Jackson business permit.
- (3) A food vending permit from the Mississippi Department of Health.
- (4) A scaled sketch plan or photographs showing the proposed mobile pushcart or mobile food preparation vehicle dimensions, along with the applicable license or registration and vehicle identification number of any vehicle licensed or registered with the state.
- (5) A list of products to be sold.
- (6) Proof of a valid insurance policy that provides minimum liability coverage of \$500,000.00 per mobile food preparation vehicle and \$500,000.00 per mobile pushcart, with the city named as an additional insured.
- (7) A written indemnity agreement that will hold harmless the city, its officers, and employees, for any loss or liability or damage, including costs, for bodily injury or property damage sustained by a person as a result of the negligent installation, use, or maintenance of a permitted space.
- (8) Copies of all letters and other notices from any governmental, quasi-governmental, professional, or business association or entity, related directly or indirectly to alleged or actual improper conduct in the food service business, issued to applicant or any person who will have responsibility for operations of the mobile pushcart or mobile food preparation vehicle for which a permit is requested. This shall include all related response and follow up documents showing any results, findings or actions.
- (9) The dates, jurisdiction, court, and disposition of the following:
 - a. All felony charges related to the applicant or any principal of the applicant; and
 - b. All misdemeanors and violations directly or indirectly related to food, food preparation, permit operations, and/or business operations, related to the applicant or any principal of the applicant
- (10) Such other additional information required by law, rule, or ordinance, or that any department of the city or city council, or the permit applicant reasonably deems appropriate to assist the city in determining whether the permit should be granted. The applicant shall be provided reasonable time to supplement the application.

(b) No public vending permit or public vending management contract shall convey any interest in the real property under the jurisdiction of the City of Jackson which is identified in any permit or contract and such permit shall only convey the right to use the property for the purposes allowed in this article.

(c) Permits cost \$500.00 per year which covers the administrative cost of processing the application and regulating each mobile pushcart or mobile food preparation vehicle.

(d) Permit holders may be required to remove private materials or accessories to allow street, sidewalk, or utility access for emergency and maintenance operation or both.

(e) This permit does not allow permit holders to operate within 300 feet of any public space during city appointed special events without proper notarized written authorization from the special event organizers. This notarized written authorization shall be posted while operating during the special event.

(f) The vendor shall not receive compensation for relocating.

(g) The permit must be displayed on the mobile pushcart or mobile food preparation vehicle at all times.

(h) Permits are non-transferable.

(i) A damaged or destroyed mobile pushcart or mobile food preparation vehicle may be replaced if and only if approval for its replacement is obtained from the departments planning and development. Any such replacement pushcart or vehicle must be of substantially the same type, size, and dimension and with the same general characteristics as the original. Such replacement may be disallowed if the original vendor permit would not have approved the use of the replacement pushcart or food preparation vehicle.

(j) Any permit granted pursuant to this article shall be nonexclusive. The city may grant any number of such permits as the city deems appropriate. The grant of a permit shall not limit or abridge any power or authority of the city and shall not limit the authority of the city to commence appropriate civil, criminal, or other enforcement actions. The city retains full authority to amend the ordinances, rules and regulations that apply to any permit.

(k) The city may revoke and terminate the permit in the event the vendor violates any term, condition, or provision of the permit, the Jackson Code of Ordinances and/or zoning ordinances, state and/or federal law, or if the business license issued by the city for the permitted activity is revoked. The procedures for revoking or terminating a permit shall be the same as revoking or terminating a business license. The revocation may be sought as a remedy in a civil action. The vendor may terminate or surrender the permit at will any time prior to the expiration of the permit by providing written notice to the signs and license division of the office of code services in the planning and development department. Termination of the permit shall not operate to relieve the vendor of the obligation to release, hold harmless, and indemnify the city and its officers, agents, and employees.

(Ord. No. 2011-24(7), § 3, 7-26-11)

• **Sec. 66-79. - Location and operation.**

(a) Mobile pushcarts and mobile food preparation vehicles shall only conduct business in designated areas approved by the department of planning and development. These areas include NMU1-Neighborhood Mixed Use Districts, CMU1-Community Mixed Used Districts, C4-Central Business District, UTC-Urban Town Center Mixed Use Districts, Old Capitol Green District, and SUD-Special Use Districts. All other areas must receive prior approval by the department of public works and the department of planning and development. The mobile food vendor is responsible for initiating a request to utilize such locations, the department of planning and development shall have complete discretion as to which locations to approve considering the needs of traffic, pedestrians, public safety, public works, public convenience, the general uses of adjacent private property, and any other factor that is proper and lawful for the city to consider in approving or disapproving such locations. The City of Jackson Police and Fire Departments shall have concurrent authority to oversee locations and setup of mobile pushcarts and mobile food preparation vehicles. If an applicant is denied and wishes to appeal his grievance, he may request an order approving his application to the city council at a regular scheduled meeting and said item will be considered "approved or disapproved."

(b) Mobile pushcarts and mobile food preparation vehicles shall conform to the following regulations regarding location and operation:

- (1) Mobile pushcarts and mobile food preparation vehicles must be located at least 300 feet in all directions from the entrance to any non-mobile business selling food unless the owner of the other business gives notarized written permission for the infringement of the no-vending area. Proof of said permission must be filed with the signs and licenses division.
 - (2) Mobile pushcarts and mobile food preparation vehicles must not be locked or attached to trees, garbage receptacles, or street furniture.
 - (3) Mobile pushcarts and mobile food preparation vehicles may not locate within 20 feet of any bus stop.
 - (4) Mobile pushcarts and mobile food preparation vehicles may not locate within three feet of a building or structure unless the sidewalk is not less than 11 feet wide.
 - (5) Mobile pushcarts and mobile food preparation vehicles may not locate within any area which would block the view of traffic or traffic signals or traffic signs.
 - (6) Mobile pushcarts and mobile food preparation vehicles may not locate within ten feet of any fire hydrant.
- (c) In no event shall any mobile pushcart or mobile food preparation vehicle, display device, or accessory container be located inside any public building or structure or at any place the general public is prohibited.
- (d) Mobile pushcarts and mobile food preparation vehicles may only be operated between the hours of 6:00 a.m. and 3:00 a.m. Cleanup and removal of the pushcart or vehicle must be completed by 3:30 a.m.
- (e) The operators must be present at all times.
- (f) Mobile food vendors are responsible for all waste and trash removal. The containment area must be kept clear of grease, trash, paper, cups or cans associated with the operation. No liquid waste or grease is to be disposed of in tree pits or onto sidewalks, streets, or other public places.
- (g) A new section shall read as follows: Mobile food vendors shall not vend from mobile vending units within 300 feet of elementary, middle or high school grounds from 1 hour before schools starts, during the time school is in session, or 1 hour after regular school hours ends.
- (h) The mobile food vendor shall contain all refuse, trash and litter within the mobile food service unit or within a small moveable trash can maintained by the vendor, and located adjacent to the mobile pushcart or mobile food preparation vehicle in such a manner as not to block or otherwise obstruct pedestrian or vehicular traffic. The vendor shall be responsible for the proper disposal of such refuse, trash, and litter, and shall place it in the public trash container, or in any private container with proper permission. The vendor is responsible for all litter and trash within 15 feet of the mobile pushcart or mobile food preparation vehicle at any time the vendor is selling or offering to sell any merchandise or service.
- (i) The mobile pushcart or mobile food preparation vehicle must have self-contained utilities and shall not use the city's utilities or private utilities that are not self contained and integral to the vendor unit.
- (j) No mobile food vendor shall sell or attempt to sell any item to the occupant of any motor vehicle, unless it is parked in a lawful parking space. Parking a mobile vending unit on commercially zoned, private property is permitted with written, notarized, permission from the owner and toilet facilities that are available and convenient. The mobile vending unit must be moved daily.
- (k) Every mobile food vendor shall keep records utilizing generally accepted accounting practices for the purposes of compliance with all federal, state and local tax laws.

(l) All approved mobile pushcarts and mobile food preparation vehicles must pay the two percent sales tax required by all food providers in the City of Jackson, along with all other tax and licensing fees required by the State of Mississippi.

(m) All approved mobile pushcarts and mobile food preparation vehicles must be licensed businesses within the City of Jackson with all operations pertinent to the mobile pushcart or vehicle operated within the City of Jackson.

(n) All mobile pushcarts and mobile food preparation vehicles must be issued a State tax number by the Mississippi Department of Revenue designating them as a City of Jackson business.

(Ord. No. 2011-24(7), § 4, 7-26-11)

• **Sec. 66-80. - Design standards.**

All mobile pushcarts and mobile food preparation vehicles must meet the following design standards:

(1) All mobile pushcarts and mobile food preparation vehicles must be self contained. This requires that the pushcart or food preparation vehicle is not connected or attached to any building or structure, and does not receive power from any building by means of wires, hoses, or other connections.

(2) Umbrellas or canopies must be attached to the pushcart or vehicle and must not exceed eight feet in height above grade. Maximum diameter of canopies and umbrellas shall not exceed six feet and shall not interfere with pedestrian movement. No mobile pushcart or mobile food preparation vehicle shall have more than two umbrellas.

(3) All signage on mobile pushcarts and mobile food preparation vehicles shall comply with the City of Jackson Sign Ordinance. No free standing signage is permitted.

(4) Mobile pushcarts and mobile food preparation vehicles must comply with all local, state, and federal rules regarding sanitation and protection of food from airborne contamination.

(5) Sales of goods are limited to food and beverage.

(6) Mobile food vendors may place a maximum of three coolers within their containment area so long as the coolers are neatly stacked to avoid visual clutter.

(7) No accessory container shall be more than three feet from the unit.

(8) Accessory containers must be made of hard substances such as hard plastic or a metal and may not be made by expanded polystyrene plastic, paper, paperboard, or cardboard.

(9) Mobile pushcarts and mobile food preparation vehicles may not be stored, parked or left overnight on city property.

(10) All permit applicants must operate an existing licensed restaurant within the City of Jackson or have a central kitchen approved by the Mississippi Department of Health for food service.

(Ord. No. 2011-24(7), § 5, 7-26-11)

• **Sec. 66-81. - Violations and penalties.**

(a) All mobile food vending must be performed in compliance with said ordinance. Failure to abide by said ordinance shall result in the following:

(1) A fine not exceeding \$150.00 for a first violation.

(2) A fine not exceeding \$250.00 for a second violation within one year of any prior violation.

(3) A fine not exceeding \$500.00 for a third or more violation within one year of the first.

(b) Any offense shall be considered a misdemeanor and is subject to being cited by any authorized law enforcement official in the City of Jackson or with authority to do so in the City of Jackson.

(c) Violation of this article may result in the suspension or revocation of any city permit or license issued to the owner or operator of the mobile pushcart or mobile food preparation vehicle.

(d) Each day on which an infraction of the ordinance occurs shall be considered a separate and distinct violation.

(e) All fines collected shall go to the city's general fund.

(Ord. No. 2011-24(7), § 6, 7-26-11)

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

President Stamps recognized **Council Member Hendrix** who moved to amend Section 66.79 to re-introduce the Public Works Department that was previously excluded. **Council Member Priester** seconded to amend Section 66.79 for the inclusive of the Public Works Department. The motion prevailed by the following vote:

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

Nays- None.

Absent- Foote, Stokes and Tillman.

**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI
AMENDING CHAPTER 66 – HEALTH AND SANITATION, ARTICLE III,
MOBILE FOOD VENDING, OF THE CODE OF ORDINANCES OF JACKSON,
MISSISSIPPI.**

WHEREAS, from time to time, the City Council of Jackson, Mississippi must review and amend ordinances to adequately reflect the needs of its citizens; and

WHEREAS, the City Council of Jackson, Mississippi has listened to the concerns of its citizenry in order to address ways to create a more business-friendly environment for current and future mobile food vendors in the City of Jackson, while safeguarding public health, safety, and welfare.

BE IT ORDAINED BY THE CITY COUNCIL OF JACKSON, MISSISSIPPI that Chapter 66 – Health and Sanitation, Article III, Mobile Food Vending, of the Code of Ordinances of Jackson, Mississippi shall be amended to read as follows:

ARTICLE III. - MOBILE FOOD VENDING

FOOTNOTE(S):

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Editor's note—Ord. No. 2011-24(7), adopted July 26, 2011, did not specifically amend the Code. Hence, inclusion as Ch. 66, Art. III, was at the discretion of the editor.

· **Sec. 66-76. - Applicability.**

This article shall apply to all mobile food vendors licensed to sell food and/or beverages in the City of Jackson where permitted to do so and hereby may be referred to as the Mobile Food Vending Ordinance.

(Ord. No. 2011-24(7), § 1, 7-26-11)

· **Sec. 66-77. - Definitions.**

The following words and phrases, whenever used herein, shall be construed as defined in this section:

Mobile food vendor means any person who sells food and/or beverages from a mobile pushcart or motorized mobile food preparation vehicle on a consistent basis and for a period of more than 15 days each calendar year.

Mobile pushcart means any portable vending device, pushcart or other wheeled vehicle or device which may be moved without the assistance of a motor and which is not required to be licensed and registered by the Department of Transportation, used for the displaying, storing or transporting of food offered for sale by a vendor. Said cart may be up to four feet in width, six feet in length, excluding auxiliary items such as handles or fenders, or otherwise the cart shall not occupy space greater than a total of 24 square feet.

Mobile food preparation vehicle means any motorized vehicle that includes a self-contained kitchen in which food is prepared, processed or stored and used to sell and dispense food to the consumer. The unit must be on wheels (excluding boats and trailers) at all times. This definition does not include pushcarts.

(Ord. No. 2011-24(7), § 2, 7-26-11)

· **Sec. 66-78. - Permits required to use public sidewalks for mobile food vending.**

(a) All mobile food vendors must obtain and maintain a permit for each mobile pushcart or mobile food preparation vehicle operated. All applications for permit renewal must be filed yearly. The application shall be made with the signs and licenses division of the office of code services in the planning and development department. The application may be reviewed by any department of the city as may be necessary or convenient to determine whether the application is complete or whether the permit should be granted. Permit applications shall contain the following information:

The name, mailing address, physical address, telephone number(s), and email address of the applicant(s). If any applicant is anything other than a natural person, then all documents related to the creation and maintenance of the entity such as articles of incorporation and any similar relevant documents shall be included.

- (10) A valid City of Jackson business permit.
- (11) A food vending permit from the Mississippi Department of Health.
- (12) A scaled sketch plan or photographs showing the proposed mobile pushcart or mobile food preparation vehicle dimensions, along with the applicable license or registration and vehicle identification number of any vehicle licensed or registered with the state.
- (13) A list of products to be sold.
- (14) Proof of a valid insurance policy that provides minimum liability coverage of \$500,000.00 per mobile food preparation vehicle and \$500,000.00 per mobile pushcart, with the city named as an additional insured.

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- (15) A written indemnity agreement that will hold harmless the city, its officers, and employees, for any loss or liability or damage, including costs, for bodily injury or property damage sustained by a person as a result of the negligent installation, use, or maintenance of a permitted space.
- (16) Copies of all letters and other notices from any governmental, quasi-governmental, professional, or business association or entity, related directly or indirectly to alleged or actual improper conduct in the food service business, issued to applicant or any person who will have responsibility for operations of the mobile pushcart or mobile food preparation vehicle for which a permit is requested. This shall include all related response and follow up documents showing any results, findings or actions.
- (17) The dates, jurisdiction, court, and disposition of the following:
- c. All felony charges related to the applicant or any principal of the applicant; and
 - d. All misdemeanors and violations directly or indirectly related to food, food preparation, permit operations, and/or business operations, related to the applicant or any principal of the applicant
- (10) Such other additional information required by law, rule, or ordinance, or that any department of the city or city council, or the permit applicant reasonably deems appropriate to assist the city in determining whether the permit should be granted. The applicant shall be provided reasonable time to supplement the application.
- (b) No public vending permit or public vending management contract shall convey any interest in the real property under the jurisdiction of the City of Jackson which is identified in any permit or contract and such permit shall only convey the right to use the property for the purposes allowed in this article.
- (c) Permits cost \$500.00 per year which covers the administrative cost of processing the application and regulating each mobile pushcart or mobile food preparation vehicle.
- (d) Permit holders may be required to remove private materials or accessories to allow street, sidewalk, or utility access for emergency and maintenance operation or both.
- (e) This permit does not allow permit holders to operate within 300 feet of any public space during city appointed special events without proper notarized written authorization from the special event organizers. This notarized written authorization shall be posted while operating during the special event.
- (f) The vendor shall not receive compensation for relocating.
- (g) The permit must be displayed on the mobile pushcart or mobile food preparation vehicle at all times.
- (h) Permits are non-transferable.
- (i) A damaged or destroyed mobile pushcart or mobile food preparation vehicle may be replaced if and only if approval for its replacement is obtained from the departments planning and development. Any such replacement pushcart or vehicle must be of substantially the same type, size, and dimension and with the same general characteristics as the original. Such replacement may be disallowed if the original vendor permit would not have approved the use of the replacement pushcart or food preparation vehicle.
- (j) Any permit granted pursuant to this article shall be nonexclusive. The city may grant any number of such permits as the city deems appropriate. The grant of a permit shall not limit or abridge any power or authority of the city and shall not limit the authority of the city to commence appropriate civil, criminal, or other enforcement actions. The city retains full authority to amend the ordinances, rules and regulations that apply to any permit.

(k) The city may revoke and terminate the permit in the event the vendor violates any term, condition, or provision of the permit, the Jackson Code of Ordinances and/or zoning ordinances, state and/or federal law, or if the business license issued by the city for the permitted activity is revoked. The procedures for revoking or terminating a permit shall be the same as revoking or terminating a business license. The revocation may be sought as a remedy in a civil action. The vendor may terminate or surrender the permit at will any time prior to the expiration of the permit by providing written notice to the signs and license division of the office of code services in the planning and development department. Termination of the permit shall not operate to relieve the vendor of the obligation to release, hold harmless, and indemnify the city and its officers, agents, and employees.

(Ord. No. 2011-24(7), § 3, 7-26-11)

• **Sec. 66-79. - Location and operation.**

(a) Mobile pushcarts and mobile food preparation vehicles shall only conduct business in designated areas approved by the department of public works and the department of planning and development. These areas include NMU1-Neighborhood Mixed Use Districts, CMU1-Community Mixed Used Districts, C4-Central Business District, UTC-Urban Town Center Mixed Use Districts, Old Capitol Green District, and SUD-Special Use Districts. All other areas must receive prior approval by the department of public works and the department of planning and development. The mobile food vendor is responsible for initiating a request to utilize such locations, and the department of public works and the department of planning and development shall have complete discretion as to which locations to approve considering the needs of traffic, pedestrians, public safety, public works, public convenience, the general uses of adjacent private property, and any other factor that is proper and lawful for the city to consider in approving or disapproving such locations. The City of Jackson Police and Fire Departments shall have concurrent authority to oversee locations and setup of mobile pushcarts and mobile food preparation vehicles. If an applicant is denied and wishes to appeal his grievance, he may request an order approving his application to the city council at a regular scheduled meeting and said item will be considered "approved or disapproved."

(b) Mobile pushcarts and mobile food preparation vehicles shall conform to the following regulations regarding location and operation:

(1) Mobile pushcarts and mobile food preparation vehicles must be located at least 300 feet in all directions from the entrance to any non-mobile business selling food unless the owner of the other business gives notarized written permission for the infringement of the no-vending area. Proof of said permission must be filed with the signs and licenses division.

(2) Mobile pushcarts and mobile food preparation vehicles must not be locked or attached to trees, garbage receptacles, or street furniture.

(3) Mobile pushcarts and mobile food preparation vehicles may not locate within 20 feet of any bus stop.

(4) Mobile pushcarts and mobile food preparation vehicles may not locate within three feet of a building or structure unless the sidewalk is not less than 11 feet wide.

(5) Mobile pushcarts and mobile food preparation vehicles may not locate within any area which would block the view of traffic or traffic signals or traffic signs.

(6) Mobile pushcarts and mobile food preparation vehicles may not locate within ten feet of any fire hydrant.

(c) In no event shall any mobile pushcart or mobile food preparation vehicle, display device, or accessory container be located inside any public building or structure or at any place the general public is prohibited.

(d) Mobile pushcarts and mobile food preparation vehicles may only be operated between the hours of 6:00 a.m. and 3:00 a.m. Cleanup and removal of the pushcart or vehicle must be completed by 3:30 a.m.

(e) The operators must be present at all times.

(f) Mobile food vendors are responsible for all waste and trash removal. The containment area must be kept clear of grease, trash, paper, cups or cans associated with the operation. No liquid waste or grease is to be disposed of in tree pits or onto sidewalks, streets, or other public places.

(g) A new section shall read as follows: Mobile food vendors shall not vend from mobile vending units within 300 feet of elementary, middle or high school grounds from 1 hour before schools starts, during the time school is in session, or 1 hour after regular school hours ends.

(h) The mobile food vendor shall contain all refuse, trash and litter within the mobile food service unit or within a small moveable trash can maintained by the vendor, and located adjacent to the mobile pushcart or mobile food preparation vehicle in such a manner as not to block or otherwise obstruct pedestrian or vehicular traffic. The vendor shall be responsible for the proper disposal of such refuse, trash, and litter, and shall place it in the public trash container, or in any private container with proper permission. The vendor is responsible for all litter and trash within 15 feet of the mobile pushcart or mobile food preparation vehicle at any time the vendor is selling or offering to sell any merchandise or service.

(i) The mobile pushcart or mobile food preparation vehicle must have self-contained utilities and shall not use the city's utilities or private utilities that are not self contained and integral to the vendor unit.

(j) No mobile food vendor shall sell or attempt to sell any item to the occupant of any motor vehicle, unless it is parked in a lawful parking space. Parking a mobile vending unit on commercially zoned, private property is permitted with written, notarized, permission from the owner and toilet facilities that are available and convenient. The mobile vending unit must be moved daily.

(k) Every mobile food vendor shall keep records utilizing generally accepted accounting practices for the purposes of compliance with all federal, state and local tax laws.

(l) All approved mobile pushcarts and mobile food preparation vehicles must pay the two percent sales tax required by all food providers in the City of Jackson, along with all other tax and licensing fees required by the State of Mississippi.

(m) All approved mobile pushcarts and mobile food preparation vehicles must be licensed businesses within the City of Jackson with all operations pertinent to the mobile pushcart or vehicle operated within the City of Jackson.

(n) All mobile pushcarts and mobile food preparation vehicles must be issued a State tax number by the Mississippi Department of Revenue designating them as a City of Jackson business.

(Ord. No. 2011-24(7), § 4, 7-26-11)

• **Sec. 66-80. - Design standards.**

All mobile pushcarts and mobile food preparation vehicles must meet the following design standards:

(1) All mobile pushcarts and mobile food preparation vehicles must be self contained. This requires that the pushcart or food preparation vehicle is not connected or attached to any building or structure, and does not receive power from any building by means of wires, hoses, or other connections.

(2) Umbrellas or canopies must be attached to the pushcart or vehicle and must not exceed eight feet in height above grade. Maximum diameter of canopies and umbrellas shall not exceed six feet and shall not interfere with pedestrian movement. No mobile pushcart or mobile food preparation vehicle shall have more than two umbrellas.

(3) All signage on mobile pushcarts and mobile food preparation vehicles shall comply with the City of Jackson Sign Ordinance. No free standing signage is permitted.

- (4) Mobile pushcarts and mobile food preparation vehicles must comply with all local, state, and federal rules regarding sanitation and protection of food from airborne contamination.
- (5) Sales of goods are limited to food and beverage.
- (6) Mobile food vendors may place a maximum of three coolers within their containment area so long as the coolers are neatly stacked to avoid visual clutter.
- (7) No accessory container shall be more than three feet from the unit.
- (8) Accessory containers must be made of hard substances such as hard plastic or a metal and may not be made by expanded polystyrene plastic, paper, paperboard, or cardboard.
- (9) Mobile pushcarts and mobile food preparation vehicles may not be stored, parked or left overnight on city property.
- (10) All permit applicants must operate an existing licensed restaurant within the City of Jackson or have a central kitchen approved by the Mississippi Department of Health for food service.

(Ord. No. 2011-24(7), § 5, 7-26-11)

• **Sec. 66-81. - Violations and penalties.**

(a) All mobile food vending must be performed in compliance with said ordinance. Failure to abide by said ordinance shall result in the following:

- (4) A fine not exceeding \$150.00 for a first violation.
- (5) A fine not exceeding \$250.00 for a second violation within one year of any prior violation.
- (6) A fine not exceeding \$500.00 for a third or more violation within one year of the first.

(b) Any offense shall be considered a misdemeanor and is subject to being cited by any authorized law enforcement official in the City of Jackson or with authority to do so in the City of Jackson.

(c) Violation of this article may result in the suspension or revocation of any city permit or license issued to the owner or operator of the mobile pushcart or mobile food preparation vehicle.

(d) Each day on which an infraction of the ordinance occurs shall be considered a separate and distinct violation.

(e) All fines collected shall go to the city's general fund.

(Ord. No. 2011-24(7), § 6, 7-26-11)

Thereafter, **President Stamps** called for a final vote on item as amendment:

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDINANCE OF THE CITY OF JACKSON, MISSISSIPPI REGULATING THE SALE AND DISPLAY OF TOBACCO PARAPHERNALIA.

WHEREAS, the City of Jackson has a substantial interest in reducing the number of individuals of all ages who use cigarettes and other tobacco products. The City of Jackson has a particular interest in protecting adolescents from tobacco dependence and the illnesses and premature death associated with tobacco use; and

WHEREAS, the City Council of Jackson, Mississippi finds that the display of tobacco paraphernalia plays a crucial role in the decision of individuals, and adolescents in particular, to begin using tobacco products; and

WHEREAS, research suggests that preventing the display of tobacco products will lead to a significant decrease in the number of adolescents becoming addicted to those tobacco products and will assist individuals in their efforts to quit smoking; and

THEREFORE, BE IT ORDNAINED BY THE CITY COUNCIL OF JACKSON, MISSISSIPPI that an ordinance regulating the sale and display of tobacco paraphernalia is hereby created to read as follows:

TOBACCO PARAPHERNALIA

Findings.

The Jackson City Council finds and declares as follows:

- (1) Tobacco use is the foremost preventable cause of premature death in the United States, causing over 400,000 deaths in the United States each year;
- (2) Each day, nearly 4,000 children under 18 years of age smoke their first cigarette, and almost 1,500 children under 18 years of age begin smoking daily; more than 75% of all current smokers in 2001 began smoking before the age of 18;
- (3) Tobacco companies sell products that are addictive and inherently dangerous, causing cancer, heart disease, and other serious illnesses;
- (4) The City of Jackson has a substantial interest in reducing the number of individuals of all ages who use cigarettes and other tobacco products, and a particular interest in protecting adolescents from tobacco dependence and the illnesses and premature death associated with tobacco use;
- (5) An overwhelming majority of Americans who use tobacco products begin using such products while they are adolescents and become addicted to those products before reaching the age of 18;
- (6) Tobacco paraphernalia displays lead juveniles to develop favorable beliefs about tobacco use, overestimate the prevalence of tobacco use, and engage in illegal purchases of tobacco products or paraphernalia;
- (7) The display of tobacco paraphernalia plays a crucial role in the decision of individuals, and adolescents in particular, to begin using tobacco products;
- (8) The World Health Organization has endorsed a ban on retail tobacco product displays as an effective method of reducing tobacco use;
- (9) Research suggests that preventing the display of tobacco products will lead to a significant decrease in the number of adolescents becoming addicted to those tobacco products and will assist individuals in their efforts to quit smoking;
- (10) The Center for Disease Control recognizes that a comprehensive, multi-faceted approach is necessary to adequately address the issue of youth tobacco use;

- (11) 4,700 deaths in Mississippi were attributable to smoking-related diseases;
- (12) \$1.23 billion was estimated total annual economic impact of smoking in the Mississippi;
- (13) The 2013 Mississippi Youth Risk Behavior Survey identified 15% of all high school students smoked at least one cigarette in the previous 30 days;
- (14) It is estimated that in 2010, 18.7% of deaths in age 35+ in Mississippi are attributed to smoking.
- (15) Over 500 deaths caused by exposure to secondhand smoke occur in the state of Mississippi each year;
- (16) Preventing the display of tobacco products or paraphernalia will reduce the number of adolescents who use tobacco products, while still affording tobacco companies numerous ways to communicate product information and provide other advertising to their legal adult customers;
- (17) Jackson City Council desires to reduce adolescent smoking and the public health consequences of smoking without prohibiting the sale of tobacco paraphernalia to adult consumers;
- (18) The purpose of this legislation is to further the strong governmental interest in protecting the health of its citizens, and particularly its children, by restricting the display of tobacco paraphernalia in retail environments that are open to children; and
- (19) This measure does not restrict expressive conduct any more than necessary and will leave tobacco paraphernalia companies and tobacco paraphernalia retailers with reasonable and adequate ways to communicate non-misleading commercial information to their legal adult customers.

Definitions.

As used in this Chapter, the following terms shall have the meanings indicated:

Adults Only Establishment means a facility where the operator ensures or has a reasonable basis to believe (such as by checking the identification of any person appearing to be under the age of 25) that purchases will be made by persons 18 years of age or older is permitted entrance unless accompanied by an adult.

Clerk means any person employed to work the cash register and/or have control of the daily functions in a business.

Juvenile means any person less than eighteen (18) years of age.

Sell, Sales or Sold means to sell, offer to sell, exchange, or offer to exchange for any form of consideration.

Tobacco Paraphernalia means all equipment and materials designed for the smoking, preparation, storing or consumption of tobacco product. This includes but is not limited to hookahs, water pipes, pipes, cigarette rolling machines, and holders of smoking materials of all types.

Tobacco Product means any product made or derived from tobacco that is intended for human consumption, including any component part, or accessory of a tobacco product. This includes any substance containing tobacco leaf, including but not limited to cigarettes, cigarette tobacco, roll-your-own tobacco, smokeless tobacco, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, bidis, nicotine gels and nicotine dissolvable or any other preparation of tobacco; and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human body, but does not include any

cessation product specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence.

Tobacco Paraphernalia Retail Business means any business location where tobacco paraphernalia are sold, without regard to the quantity of tobacco paraphernalia involved.

Tobacco Paraphernalia Retail Clerk means any person employed at a tobacco paraphernalia retail business that stocks, handles, or sells tobacco paraphernalia at the tobacco paraphernalia retail business.

Juvenile employee.

It shall be unlawful for any business under this Chapter to employ a juvenile as a tobacco paraphernalia retail clerk or to allow a juvenile employee to sell or remain in close proximity to tobacco paraphernalia.

Tobacco paraphernalia sales or display.

(a) Tobacco paraphernalia shall not be sold to any juvenile.

(b) Tobacco paraphernalia that is kept, displayed, sold, or delivered, must be stored or kept in a designated part of the business premises that is not open to view by juveniles or to which juveniles do not have access. Each entrance to such part of the premises shall have a sign clearly posted in letters not less than three inches tall, which shall state: No juveniles allowed unless accompanied by a parent or legal guardian. Such designated area and signage shall be approved by the Chief of Police or his designee.

(c) No owner, manager, proprietor, clerk, or other person in charge of any place of business selling or displaying for the purpose of sale, any tobacco paraphernalia shall allow or permit any juvenile to be, remain in, enter, visit, or view the designated area used for such sale or display unless the juvenile is accompanied by his or her parent or a legal guardian.

(d) *Adults Only Establishments* are not subject to the requirements set forth in subsection (b) in this Section.

Penalties.

Any violation of any of the provisions of this Chapter shall be a misdemeanor and shall be punishable by a fine of not more than \$1,000.00 or by imprisonment for not more than 90 days, or both.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER APPROVING CLAIMS NUMBER 9854 TO 10158, APPEARING AT PAGES 1570 TO 1619 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$1,927,325.11 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 9854 to 10158 appearing at pages 1570 to 1619, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$1,927,325.11 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:

**TO
ACCOUNTS PAYABLE**

FROM:

FUND

09 TAX INCREMENT BD FD \$1.6M	146,125.00
09 TIF BOND FD \$375,000	69,320.20
2008 GO STREET CONST B & I FD	492,235.63
2012 ED BYRNE MEMORIAL JUSTICE	185.95
AMERICORP CAPITAL CITY REBUILD	327.81
CAPITAL CITY REVENUE FUND	16,164.23
EARLY CHILDHOOD (DAYCARE)	1,733.10
GENERAL FUND	688,436.64
H O P W A GRANT- DEPT. OF HUD	3,317.44
HAIL DAMAGE MARCH 2013	5,225.84
HOUSING COMM DEV ACT (CDBG) FD	770.79
LANDFILL/SANITATION FUND	1,890.24
MADISON SEWAGE DISP OP & MAINT	44.99
NCSC SENIOR AIDES	269.02
PARKS & RECR FUND	15,190.40
REPAIR & REPLACEMENT FUND	326.92
TECHNOLOGY FUND	41,303.39
TITLE III AGING PROGRAMS	135.00
TRANSPORTATION FUND	140,461.06
UNEMPLOYMENT COMPENSATION REVO	38.82
VEHICLE POOL FUND	273.00
WATER/SEWER OP & MAINT FUND	295,914.64
WATER/SEWER REVENUE FUND	7,635.00

TOTAL **\$1,927,325.11**

Council Member Priester moved adoption; **Council Member Hendrix** 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- Barrett-Simon, Hendrix, Priester and Stamps.

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 9854 TO 10158 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 9854 to 10158 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$156,751.05 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		65,905.44
PARKS & RECR.		29,881.07
LANDFILL FUND		5,637.88
SENIOR AIDES		10,636.95
WATER/SEWER OPER. & MAINT		27,991.40
PAYROLL	156,751.05	
EARLY CHILDHOOD		2,227.54
TITLE III AGING PROGAMS		3,098.23
TOTAL		<u>\$145,378.51</u>

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

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

ORDER AUTHORIZING THE PURCHASE OF ANNUAL MAINTENANCE FOR THE CITY OF JACKSON'S KRONOS TIMEKEEPING SYSTEM.

WHEREAS, the City of Jackson purchased Kronos software from Immix Technology, Inc.; and

WHEREAS, the City of Jackson uses the Kronos software for its timekeeping system; and

WHEREAS, the maintenance agreement for the Kronos software is now due for renewal; and

WHEREAS, Immix Technology, Inc., is the sole provider of maintenance agreements for the Kronos software; and

WHEREAS, the maintenance needs for this system have been analyzed and the purchase of maintenance for this system is recommended.

IT IS, THEREFORE, ORDERED that the City be authorized to purchase maintenance service with Immix Technology, Inc., at a cost of \$84,560.24 for the period beginning on the last date of execution by both parties through June 25, 2016.

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

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

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH IMMIX TECHNOLOGY, INC. FOR THE PURCHASE OF A MAINTENANCE AGREEMENT FOR THE CITY OF JACKSON'S KRONOS TIMEKEEPING SOFTWARE SYSTEM.

WHEREAS, the City of Jackson purchased Kronos software from Immix Technology, Inc.; and

WHEREAS, the City of Jackson uses the Kronos software for its timekeeping system; and

WHEREAS, the maintenance agreement for the Kronos software support renewal has expired and will need to be renewed; and

WHEREAS, the software support renewal package offers four comprehensive health checks on our Kronos system per year, provides on-going support for the Kronos software, and provides the City with added protection by ensuring our system is performing at top levels; and

WHEREAS, Immix Technology, Inc., is the sole provider of Kronos software support; and

WHEREAS, the cost of renewal is \$12,900.00; and

WHEREAS, the maintenance needs for this system have been analyzed and the purchase of support for this system is recommended.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute a maintenance agreement with Immix Technology, Inc., at a cost of \$12,900.00 for the period beginning on the last date of execution by both parties and lasting through one full year.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A SUPPLEMENT TO THE CITY OF JACKSON'S AGREEMENT WITH C SPIRE WIRELESS AND THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES.

WHEREAS, the City of Jackson purchases cell phones and other wireless devices and their related services from C Spire Wireless pursuant to State Contract #3489; and

WHEREAS, the City's current contract has expired and must be renewed; and

WHEREAS, the renewal will allow the City to continue to receive state rate plans and equipment pricing from C Spire; and

WHEREAS, the new agreement will specify certain terms and conditions which govern the City of Jackson's purchase of certain products and services from C Spire; and

WHEREAS, the new agreement will run from January 6, 2015 through June 30, 2016; and

WHEREAS, the signing of this agreement will not result in any additional costs to the City.

IT IS HEREBY ORDERED that the Mayor be authorized to execute a Supplement to the Master Cellular Voice and Data Service and Equipment Agreement with C Spire Wireless and the Mississippi Department of Information Technology Services as Contracting Agent for the Agencies and Institutions of the State of Mississippi.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES AND THE CITY OF JACKSON.

WHEREAS, the Mississippi Department of Human Services, Division of Early Childhood Care and Development and the City of Jackson, will mutually benefit from this agreement and are charged through the grant for providing child care slots to eligible, low-income working parents; and

WHEREAS, the agreement establishes the basic guidelines for the functions to be performed by the Mississippi Department of Human Services and the City of Jackson; and

WHEREAS, the Subgrantee shall provide, perform, and complete in a satisfactory manner as determined by the Mississippi Department of Human Services described in the Scope of Services; and

WHEREAS, the City of Jackson shall undertake and complete services to be rendered under this Agreement beginning October 1, 2015 or after all parties have signed, whichever is later, and end September 30, 2016; and

WHEREAS, the Subgrantee is hereby made subject to all terms and provisions included in the Subgrantee Terms and Provisions; and

WHEREAS, the Subgrantee is hereby made subject to the Terms and Conditions, Standard Policies and required Assurances, rules, regulations, policies and procedures contained in Exhibits A-I; and

WHEREAS, as full and complete compensation for the services to be provided hereunder, total reimbursement by the Mississippi Department of Human Services shall not exceed \$ 809, 380 for the term of this Subgrant; and

WHEREAS, it is recommended that the City of Jackson execute agreements and documents mandated by the Mississippi Department of Human Services for participating in the Child Care Slot Program of Services proposal process.

IT IS HEREBY ORDERED that the Mayor shall be authorized to execute agreements and documents mandated by the Mississippi Department of Human Services and required for participation in the Child Care Slot Program of Services proposal process.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER AUTHORIZING THE ACCEPTANCE OF 2015 URBAN YOUTH CORPS FUNDS FROM THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION'S 2015 TRANSPORTATION ENHANCEMENT -- URBAN YOUTH CORPS PROGRAM.

WHEREAS, the Mississippi Transportation Commission announced the solicitation of project applications for the 2015 Transportation Enhancement-Urban Youth Corps Program ("Program") from eligible municipal governments; and

WHEREAS, the Program was established to offer (1) meaningful full-time or productive summer work for individuals between the ages of 16 and 25 in transportation-related settings; (2) a mix of work experience and on-the-job training that includes a minimum of 10% of the participants' time for basic life skills, education, training, safety, etc; and (3) opportunities to develop citizenship values and skills through service to their communities and the State of Mississippi; and

WHEREAS, the Department of Human and Cultural Services for the City of Jackson, Mississippi ("City") applied for the Program to use its funds for its Youth Development Program to implement a landscaping and scenic beautification project that encompasses gateways, cornerstones and intermodal streets (hereinafter "Youth Development Project"); and

WHEREAS, on or about May 6, 2015, the Mississippi Department of Transportation offered the City the 2015 Urban Youth Corps Funds in an amount not to exceed Thirty Five Thousand Dollars (\$35,000.00) in Federal SAFETEA-LU Funds with the stipulation that the City provide a match of twenty percent (20%) for the total cost of the project; and

WHEREAS, the City recommends that it is the best interest of the City and its citizenry for the City to accept the 2015 Urban Youth Corps Funds from the Mississippi Department of Transportation.

IT IS HEREBY ORDERED that the City accepts the 2015 Urban Youth Corps Funds from the Mississippi Department of Transportation.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER AUTHORIZING THE MAYOR TO EXECUTE MEMORANDUM OF UNDERSTANDING WITH THE MISSISSIPPI TRANSPORTATION COMMISSION RELATED TO THE ACCEPTANCE OF 2015 URBAN YOUTH CORPS FUNDS FROM THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION'S 2015 TRANSPORTATION ENHANCEMENT -- URBAN YOUTH CORPS PROGRAM.

WHEREAS, the Mississippi Transportation Commission announced the solicitation of project applications for the 2015 Transportation Enhancement-Urban Youth Corps Program ("Program") from eligible municipal governments; and

WHEREAS, the Program was established to offer (1) meaningful full-time or productive summer work for individuals between the ages of 16 and 25 in transportation-related settings; (2) a mix of work experience and on-the-job training that includes a minimum of 10% of the participants' time for basic life skills, education, training, safety, etc; and (3) opportunities to develop citizenship values and skills through service to their communities and the State of Mississippi; and

WHEREAS, the Department of Human and Cultural Services for the City of Jackson, Mississippi ("City") applied for the Program to use its funds for its Youth Development Program to implement a landscaping and scenic beautification project that encompasses gateways, cornerstones and intermodal streets (hereinafter "Youth Development Project"); and

WHEREAS, on or about May 6, 2015, the Mississippi Department of Transportation offered the City the 2015 Urban Youth Corps Funds in an amount not to exceed Thirty Five Thousand Dollars (\$35,000.00) in Federal SAFETEA-LU Funds with the stipulation that they City provide a match of twenty percent (20%) for the total cost of the Youth Development Project; and

WHEREAS, the City recommends that it is the best interest of the City and its citizenry for the City to accept the 2015 Urban Youth Corps Funds from the Mississippi Department of Transportation.

IT IS HEREBY ORDERED that the Mayor is authorized to execute a Memorandum of Understanding with the Mississippi Transportation Commission related to the acceptance of 2015 Urban Youth Corps Funds from the Mississippi Department of Transportation's 2015 Transportation Enhancement -- Urban Youth Corps Program.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER REVISING THE FISCAL YEAR 2014-2015 BUDGET.

WHEREAS, certain needs and allocations in the amount of \$ 4,908.00 have arisen since the adoption of Fiscal Year 2014-2015 budget: and

WHEREAS, the Fiscal Year 2014-2015 budget needs to be revised to provide funding for these needs: and

WHEREAS, the following funds are being revised:

12-0508106419	\$ 408.00
12-0508106421	\$1,200.00
12-0508106472	\$1,300.00
12-0508106481	\$2,000.00
TOTAL	\$4,908.00

IT IS, THEREFORE ORDERED that the Fiscal Year 2014-2015 budget be revised in the amount of \$ 4,908.00 as follows:

To/From	Fund/Account	Number	Amount
From	12-0508106419	\$	408.00
To	12-0508106218	\$	408.00
From	12-0508106421	\$	1,200.00
To	12-0508106218	\$	1,200.00
From	12-0508106472	\$	1,300.00
To	12-0508106218	\$	1,300.00
From	12-0508106481	\$	2,000.00
To	12-0508106218	\$	2,000.00

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

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

ORDER ACCEPTING THE COMPETITIVE QUOTE OF AIRLOCK INSULATION, LLC FOR INSTALLATION OF SILICONE ROOFING SYSTEM FOR FIRE STATION NO. 25 AND AUTHORIZING PAYMENT.

WHEREAS, the roof of Fire Station No. 25 is leaking due to degradation from hailstorm damage; and

WHEREAS, the Department of Public Works solicited competitive quotes to provide a warrantied watertight coating for said roof; and

WHEREAS, Airlock Insulation, LLC submitted the lowest quote for the installation of roof repair and silicone roofing system work in the amount of \$8,087.00; and

WHEREAS, Airlock Insulation, LLC has agreed to complete the work proposed in the competitive quote; and

WHEREAS, the Department of Public Works recommends that the governing authorities accept the competitive quote of Airlock Insulation, LLC in the amount of \$8,087.00 as the lowest and best quote and authorize full and final payment to Airlock Insulation, LLC in that amount when the work is completed.

IT IS, THEREFORE, ORDERED that the competitive quote of Airlock Insulation, LLC for the installation of silicone roofing system for Fire Station No. 25 in the amount of \$8,087.00 is accepted as the lowest and best quote.

IT IS FURTHER ORDERED that payment to Airlock Insulation, LLC for the installation of silicone roofing system for Fire Station No. 25 in the amount of \$8,087.00 is authorized upon completion of the work.

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

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

ORDER ACCEPTING THE COMPETITIVE QUOTE OF AIRLOCK INSULATION, LLC FOR INSTALLATION OF SILICONE ROOFING SYSTEM FOR JACKSON FIRE DEPARTMENT HEADQUARTERS/FIRE STATION NO. 1 AND AUTHORIZING PAYMENT.

WHEREAS, the roof of Jackson Fire Department Headquarters/Fire Station No. 1 is leaking due to degradation from hailstorm damage; and

WHEREAS, the Department of Public Works solicited competitive quotes to provide a warrantied watertight coating for said roof; and

WHEREAS, Airlock Insulation, LLC submitted the lowest quote for the installation of roof repair and silicone roofing system work in the amount of \$37,657.00; and

WHEREAS, Airlock Insulation, LLC has agreed to complete the work proposed in the competitive quote; and

WHEREAS, the Department of Public Works recommends that the governing authorities accept the competitive quote of Airlock Insulation, LLC in the amount of \$37,657.00 as the lowest and best quote and authorize full and final payment to Airlock Insulation, LLC. in that amount when the work is completed.

IT IS, THEREFORE, ORDERED that the competitive quote of Airlock Insulation, LLC for the installation of silicone roofing system for Jackson Fire Department Headquarters/Fire Station No. 1 in the amount of \$37,657.00 is accepted as the lowest and best quote.

IT IS FURTHER ORDERED that payment to Airlock Insulation, LLC for the installation of silicone roofing system for Jackson Fire Department Headquarters/Fire Station No. 1 in the amount of \$37,657.00 is authorized upon completion of the work.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER ACCEPTING THE COMPETITIVE QUOTE OF AIRLOCK INSULATION, LLC FOR REPAIR OF ROOF FOR FIRE STATION NO. 15 AND AUTHORIZING PAYMENT.

WHEREAS, the roof of Fire Station No. 15 is leaking due to degradation from hailstorm damage; and

WHEREAS, the Department of Public Works solicited competitive quotes to provide a repair for said roof; and

WHEREAS, Airlock Insulation, LLC submitted the lowest quote for the installation of roof repair work in the amount of \$20,724.00; and

WHEREAS, Airlock Insulation, LLC has agreed to complete the work proposed in the competitive quote; and

WHEREAS, the Department of Public Works recommends that the governing authorities accept the competitive quote of Airlock Insulation, LLC in the amount of \$20,724.00 as the lowest and best quote and authorize full and final payment to Airlock Insulation, LLC in that amount when the work is completed.

IT IS, THEREFORE, ORDERED that the competitive quote of Airlock Insulation, LLC for the installation of roof repair work for Fire Station No. 15 in the amount of \$20,724.00 is accepted as the lowest and best quote.

IT IS FURTHER ORDERED that payment to Airlock Insulation, LLC for the installation of roof repair work for Fire Station No. 15 in the amount of \$20,724.00 is authorized upon completion of the work.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER ACCEPTING THE COMPETITIVE QUOTE OF TCM COMPANIES, LLC FOR REPAIR OF ROOF FOR FIRE STATION NO. 23 AND AUTHORIZING PAYMENT.

WHEREAS, the roof of Fire Station No. 23 is leaking due to degradation from hailstorm damage; and

WHEREAS, the Department of Public Works solicited competitive quotes to provide repair for said roof; and

WHEREAS, TCM Companies, LLC submitted the lowest quote for the installation of roof repair work in the amount of \$24,951.05; and

WHEREAS, TCM Companies, LLC has agreed to complete the work proposed in the competitive quote; and

WHEREAS, the Department of Public Works recommends that the governing authorities accept the competitive quote of TCM Companies, LLC in the amount of \$24,951.05 as the lowest and best quote and authorize full and final payment to TCM Companies, LLC in that amount when the work is completed.

IT IS, THEREFORE, ORDERED that the competitive quote of TCM Companies, LLC for the installation of roof repair work for Fire Station No. 6 in the amount of \$24,951.05 is accepted as the lowest and best quote.

IT IS FURTHER ORDERED that payment to TCM Companies, LLC for the installation of roof repair work for Fire Station No. 6 in the amount of \$24,951.05 is authorized upon completion of the work.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER ACCEPTING THE COMPETITIVE QUOTE OF TCM COMPANIES, LLC FOR REPAIR OF ROOF FOR FIRE STATION NO. 6 AND AUTHORIZING PAYMENT.

WHEREAS, the roof of Fire Station No. 6 is leaking due to degradation from hailstorm damage; and

WHEREAS, the Department of Public Works solicited competitive quotes to provide repair for said roof; and

WHEREAS, TCM Companies, LLC submitted the lowest quote for the installation of roof repair work in the amount of \$5,594.68; and

WHEREAS, TCM Companies, LLC has agreed to complete the work proposed in the competitive quote; and

WHEREAS, the Department of Public Works recommends that the governing authorities accept the competitive quote of TCM Companies, LLC in the amount of \$5,594.68 as the lowest and best quote and authorize full and final payment to TCM Companies, LLC in that amount when the work is completed.

IT IS, THEREFORE, ORDERED that the competitive quote of TCM Companies, LLC for the installation of roof repair work for Fire Station No. 6 in the amount of \$5,594.68 is accepted as the lowest and best quote.

IT IS FURTHER ORDERED that payment to TCM Companies, LLC for the installation of roof repair work for Fire Station No. 6 in the amount of \$5,594.68 is authorized upon completion of the work.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER ACCEPTING THE COMPETITIVE QUOTE OF AIRLOCK INSULATION, LLC FOR REPAIR OF ROOF FOR MYNELLE GARDENS WESTBROOK HOUSE AND AUTHORIZING PAYMENT.

WHEREAS, the roof of Mynelle Gardens Westbrook House is leaking due to degradation from hailstorm damage; and

WHEREAS, the Department of Public Works solicited competitive quotes to provide a repair for said roof; and

WHEREAS, Airlock Insulation, LLC submitted the lowest quote for the installation of roof repair work in the amount of \$13,908.00; and

WHEREAS, Airlock Insulation, LLC has agreed to complete the work proposed in the competitive quote; and

WHEREAS, the Department of Public Works recommends that the governing authorities accept the competitive quote of Airlock Insulation, LLC in the amount of \$13,908.00 as the lowest and best quote and authorize full and final payment to Airlock Insulation, LLC in that amount when the work is completed.

IT IS, THEREFORE, ORDERED that the competitive quote of Airlock Insulation, LLC for the Installation of Roof Repair work for Mynelle Gardens Westbrook House in the amount of \$13,908.00 is accepted as the lowest and best quote.

IT IS FURTHER ORDERED that payment to Airlock Insulation, LLC for the installation of roof repair work for Mynelle Gardens Westbrook House in the amount of \$13,908.00 is authorized upon completion of the work.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER ACCEPTING THE COMPETITIVE QUOTE OF AIRLOCK INSULATION, LLC FOR INSTALLATION OF SILICONE ROOFING SYSTEM FOR FIRE STATION NO. 20 AND AUTHORIZING PAYMENT.

WHEREAS, the roof of Fire Station No. 20 is leaking severely due to degradation from hailstorm damage; and

WHEREAS, the Department of Public Works solicited competitive quotes to provide a warrantied watertight coating for said roof; and

WHEREAS, Airlock Insulation, LLC submitted the lowest quote for the installation of roof repair and silicone roofing system work in the amount of \$34,270.00; and

WHEREAS, Airlock Insulation, LLC has agreed to complete the work proposed in the competitive quote; and

WHEREAS, the Department of Public Works recommends that the governing authorities accept the competitive quote of Airlock Insulation, LLC in the amount of \$34,270.00 as the lowest and best quote and authorize full and final payment to Airlock Insulation, LLC in that amount when the work is completed.

IT IS, THEREFORE, ORDERED that the competitive quote of Airlock Insulation, LLC for the installation of silicone roofing system for Fire Station No. 20 in the amount of \$34,270.00 is accepted as the lowest and best quote.

IT IS FURTHER ORDERED that payment to Airlock Insulation, LLC for the installation of silicone roofing system for Fire Station No. 20 in the amount of \$34,270.00 is authorized upon completion of the work.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

There came on for consideration Agenda Item No. 27:

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICE CONTRACT WITH ICE MILLER LEGAL COUNSEL, LLP FOR THE CITY OF JACKSON, MISSISSIPPI. Said item was pulled at the request of **Mayor Yarber**.

There came on for consideration Agenda Item No. 28:

ORDER AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICE CONTRACT WITH WT CONSULTING FOR LOBBYIST SERVICES FOR THE CITY OF JACKSON, MISSISSIPPI. Said item was pulled at the request of **Mayor Yarber**.

ORDER AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AND ADMINISTER THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S LEAD-BASED PAINT HAZARD CONTROL GRANT THAT WILL SUPPORT EXISTING HOUSING REHABILITATION PROGRAMS.

WHEREAS, the overarching purpose of the Lead-Based Paint Hazard Control Grant Program is to assist states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately owned rental or owner-occupied housing; and

WHEREAS, more than half of the housing units in the City of Jackson were built prior to 1978 when Lead-Based Paint was abolished. Therefore, Lead-Based Paint programs are essential for existing and future housing rehabilitation programs; and

WHEREAS, the City of Jackson's Department of Planning and Development's Office of Housing and Community Development is requesting approximately \$3,325,000 million from the U.S. Department of Housing and Urban Development under the Fiscal Year (FY) 2015 Lead-Based Paint Hazard Control Grant Program; and

WHEREAS, matching CDBG funds of approximately \$300,000, will support healthy homes intervention activities, including a healthy homes assessment, Healthy Homes interventions, workforce training, and program evaluation. Additional leveraging funds will be provided by the Green & Healthy Homes Initiative through support of an Outcome Broker. The Outcome Broker will aid in program implementation, assessment training, best practices around integrating lead hazard reduction with other interventions, and data administration and support.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute any and all documents and agreements necessary to apply for, accept and administer the U. S. Department of Housing and Urban Development's Lead-Based Paint Hazard Control Grant.

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

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

ORDER ACCEPTING THE BID OF FLEET SAFETY EQUIPMENT, INC., FOR AN TWENTY-FOUR-MONTH SUPPLY OF BAR LIGHTS, ELECTRONIC SIRENS, SWITCH BOXES, SPEAKERS, COMMUNICATION ORGANIZERS, AND SECURITY SCREENS, (BID NO. 05554-050515).

WHEREAS, sealed bids for bar lights, electronic sirens, switch boxes speakers, communication organizers, and security screens were opened May 05, 2015, wherein one (1) bid was received; and

WHEREAS, the Jackson Police Department will use said bar lights, electronic sirens, switch boxes, speakers, communication organics and security screens to equip emergency vehicles and equipment; and

WHEREAS, the staff at the Jackson Police Department has reviewed all bids and recommends that this governing authority deem the bid submitted by Fleet Safety Equipment, Inc., 5090 Wilfong Lane, Memphis, TN 38134, for an twenty-four-month supply of bar lights, electronic sirens, switch boxes, speakers, communication organizers and security screens, at the price of \$5,675.00 to outfit each Police Interceptor Sedan; and \$5,932.50 to outfit each Ford Police Interceptor Utility vehicle and installation as stated, be accepted as the lowest and best bid.

IT IS HEREBY ORDERED that the bid of Fleet Safety Equipment, Inc., 5090 Wilfong Lane, Memphis, TN 38134, received May 05, 2015, for an twenty-four- month supply of bar lights, electronic sirens, switch boxes, speakers, communication organizers and security screens, (starting June 01, 2015 through June 30, 2017), at the price bid of \$5,675.00 to outfit each Police Interceptor Sedan; and \$5,932.50 to outfit each Ford Police Interceptor Utility Vehicle and installation as stated be accepted as the lowest and best bid received, it being determined that said bid met the specifications.

IT IS FURTHER ORDERED that payment for said police equipment be made from the General Fund.

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

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

ORDER AUTHORIZING THE MAYOR TO APPLY FOR THE 2015 UNITED STATES DEPARTMENT OF JUSTICE COPS COMMUNITY POLICING DEVELOPMENT GRANT.

WHEREAS, the City of Jackson has been granted the opportunity to apply for the 2015 United States Department of Justice Community Policing Development Grant; and

WHEREAS, if awarded the grant, the City of Jackson will receive allocation from the United States Department of Justice, Office of Community Oriented Policing Services (COPS); and

WHEREAS, the 2015 Community Policing Development Grant requires no matching funds; and

WHEREAS, the funds, if awarded, will be used for training and technical assistance associated with advancing community policing and with coordinating a minority youth violence prevention program.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to submit an application for the COPS Office FY 2015 Application for Community Policing Development

IT IS FURTHERED ORDERED that the Mayor or his designee be authorized to execute any and all documents necessary for the acceptance and administration of said grant.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER AUTHORIZING THE MAYOR TO APPLY FOR THE 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FUNDING PROGRAM ADMINSTRATED BY THE UNITED STATES DEPARTMENT OF JUSTICE.

WHEREAS, the City of Jackson has been granted the opportunity to apply for the 2015 Edward Byrne Memorial Justice Assistance Grant administered by the United States Department of Justice; and

WHEREAS, the City of Jackson and Hinds County, Mississippi will receive a joint allocation from the United States Department of Justice, Office of Justice Programs if awarded the grant; and

WHEREAS, grant funds will be used, by the City of Jackson, for the purpose of providing officers with protective equipment necessary for safe and efficient operations of the Jackson Police Department; and

WHEREAS, the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program requires no matching funds.

IT IS, HEREBY, ORDERED that the Mayor is authorized to submit an application for the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program for the amount of \$266,315 and that the Mayor is further authorized to accept said grant award and enter into an Interlocal Cooperative Agreement between the City of Jackson, Mississippi and Hinds County, Mississippi.

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

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER AUTHORIZING THE TRANSFER OF GENERAL FUNDS FROM SALARIES TO CONTRACT LABOR.

WHEREAS, the City of Jackson Police Department employs security guards to provide services to the City of Jackson on a contractual basis; and

WHEREAS, the City of Jackson is in need of funds in the amount of \$46,500.00 to cover the labor costs of the contracted security guard employees; and

WHEREAS, the City of Jackson Police Department has identified funds in the General Fund Account number 442-20-611 to cover the cost of these services.

IT IS, THEREFORE, ORDERED that funds in the amount of \$46,500.00 be transferred from General Fund account number 442-20-6111 Salaries to account number 001-442-20-6489 Contract Labor.

IT IS FURTHERED ORDERED that the transfer of funds be used to pay security guards.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A MASTER SERVICES AGREEMENT BETWEEN OPENGOV AND THE CITY OF JACKSON, MISSISSIPPI, FOR THE PROCUREMENT AND IMPLEMENTATION OF OPENGOV APPLICATIONS SOFTWARE.

WHEREAS, the City of Jackson, Mississippi intends to provide up to date financial and budgetary information to the public; and

WHEREAS, to provide transparency in the budgetary and financial reporting process, the Office of the City Clerk has recommended the purchase and implementation of OPENGOV software; and

WHEREAS, OPENGOV has submitted a proposal to provide OPENGOV Applications software for an amount not to exceed \$22,000 annually, as well as a one-time implementation fee of \$3,000; and

WHEREAS, the term period for the provision of these services will be for a period of one year from implementation.

IT IS THEREFORE ORDERED that the Mayor is authorized to execute a Master Services Agreement between OPENGOV and the City of Jackson, Mississippi, for the procurement and implementation of OPENGOV Applications software in an amount not to exceed \$22,000 for the one year period from implementation.

IT IS FURTHER ORDERED that a one-time implementation fee of \$3,000 is hereby authorized.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A FORTY-EIGHT MONTH RENTAL AGREEMENT WITH ADVANTAGE BUSINESS SYSTEMS TO BE USED BY THE OFFICE OF THE CITY CLERK.

WHEREAS, the City of Jackson, Mississippi, desires to enter into a 48-month rental agreement for a copier to be used by the Office of the City Clerk; and

WHEREAS, Advantage Business Systems has agreed to provide a Minolta Bizhub C364e Digital Color System.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute the necessary documents for a contract with Advantage Business Systems, 5442 Executive Place, Jackson, MS 39206, to provide a 48-month rental of a Minolta Bizhub C364e Digital Color Imaging System, at cost of \$208.00 per month which includes all labor, parts, toner, drums, service calls, preventative maintenance and unlimited on-site customer training billed at .009 per copy for black and white and .06 for color based on single sided, letter sized image for the Minolta Bizhub.

IT IS FURTHER ORDERED that payment for said copy rental be made from the general fund.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

There came on for consideration Agenda Item No. 36:

ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI REQUESTING A DECLARATION OF PUBLIC NUISANCE FOR THE DUMPING BUSINESS LOCATED ON PALMYRA STREET NEAR MONUMENT STEET. Said item was held until the next Regular Council meeting to be held on June 30, 2015 at the request of **Council Member Stokes**.

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI HONORING AND SUPPORTING THE ANNUAL JUNETEENTH FREEDOM AND UNITY CULTURAL CELEBRATION.

WHEREAS, June 19th is a day recognized in the United States of America and across the world as JUNETEENTH; and

WHEREAS, Juneteenth has evolved into an African American cultural celebration that originated in the State of Texas because of the confusion and turmoil following the end of the Civil War. Those in Texas affected by the Emancipation Proclamation of 1863 did not learn of the 1865 surrender of Robert E. Lee to Ulysses Grant in Virginia; and

WHEREAS, Major General Gordon Granger of the Union Army landed in Galveston, Texas with 1,800 soldiers to take command of the military District of Texas. His first action after landing on June 19, 1865 was to go from his headquarters in the Osterman Building at the corner of Strand and 22nd to read General Order #3 to the people of Galveston: "The people of Texas are informed ... all slaves are free. This involves an absolute equality of personal rights of property between former master and slaves..." and

WHEREAS, the stunning news of that day began the day as a holiday of celebration and in 1980, the Texas State Legislature declared JUNETEENTH, June 19th, a state holiday. The tradition of prayer services, games, rodeos, dances, special food preparations and history lessons have resulted in a celebration much like the Fourth of July; and

WHEREAS, the City of Jackson and the State of Mississippi, join the world in honoring the African American cultural celebration of unity and freedom known throughout the land as JUNETEENTH, celebrated June 19th of each year.

IT IS HEREBY RESOLVED that the City Council of the City of Jackson, Mississippi, hereby honors and recognizes the annual Juneteenth Freedom and Unity Cultural Celebration.

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

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

Nays- None.

Absent- Foote, Stokes and Tillman.

There came on for consideration Agenda Item No. 38:

RESOLUTION OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI ESTABLISHING THE HONORARY NAMING OF RITA COURT AS DERRICK TRIMBLE COURT IN HONOR OF THE LIFE AND LEGACY OF MR. DERRICK TRIMBLE. Said item was referred to the Planning Committee.

There came on for Discussion Agenda Item No. 39:

DISCUSSION: DOWNTOWN SHOPPING MALL: **President Stamps** held said item at the request of **Council Member Stokes** until the next Regular Council meeting to be held on June 30, 2015.

There came on for Discussion Agenda Item No. 40:

DISCUSSION: ROOMING HOUSES: **President Stamps** held said item at the request of **Council Member Stokes** until the next Regular Council meeting to be held on June 30, 2015.

There came on for Discussion Agenda Item No. 41:

DISCUSSION: INVESTIGATION/LITIGATION: **President Stamps** announced that said item would be discussed during Executive Session.

There came on for Discussion Agenda Item No. 42:

DISCUSSION: PERSONNEL MATTER: President Stamps announced that said item would be discussed during Executive Session.

President Stamps moved, seconded by **Council Member Priester** to consider going into Executive Session to discuss Investigation/Litigation and Personnel Matters. The motion prevailed by the following vote:

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

President Stamps moved and **Council Member Priester** seconded to go into Executive Session to discuss Investigation/Litigation and Personnel Matters. The motion prevailed by the following vote:

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

President Stamps announced to the public that the Council was in Executive Session to discuss Investigation/Litigation and Personnel Matters.

Council Member Priester moved, seconded by **Council Member Barrett-Simon** to come out of Executive Session.

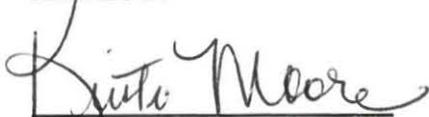
President Stamps announced that the Council voted to come out of Executive Session and no action was taken.

The following reports/announcements were provided during the meeting:

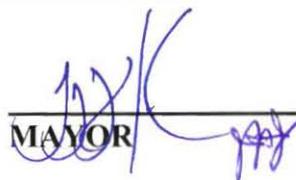
- **President Stamps** announced that "Dump the Pump Day" would be held on Thursday, June 18, 2015. This would allow the citizens of Jackson to ride Jatran bus service all day free of charge.

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 Thursday, June 18, 2015; at 8:20 p.m., the Council stood adjourned.

ATTEST:


CITY CLERK

APPROVED:


MAYOR 6.8.15
DATE
