

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.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 10:00 a.m. on December 3, 2013, being the first Tuesday of said month, when and where the following things were had and done to wit:

Present: Council Members: Charles Tillman, President, Ward 5; Melvin Priester, Jr., Vice President, Ward 2; LaRita Cooper-Stokes, Ward 3; De'Keither Stamps, Ward 4; Tony Yarber, Ward 6 and Margaret Barrett-Simon, Ward 7. Directors: Chokwe Lumumba, Mayor; Brenda Pree, City Clerk and Gail Lowery, City Attorney.

Absent: Council Member: Quentin Whitwell, Ward 1.

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

The invocation was offered by **Edgar Lewis of Nazareth Lee M B Church**.

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

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR MEGA MATTRESS OUTLET, LLC. TO REFACE THEIR TWO EXISTING GROUND SIGNS AT 150 SQ. FT. IN SIGN AREA IN A C-80/C-2 ZONE IN WHICH GROUND SIGNS SHALL NOT EXCEED 100 SQ. FT. IN SIGN AREA.

President Tillman recognized Jay Samander with Munn Enterprises, Inc. who spoke in favor of said Order and requested that the Council approve said variance.

There came on for consideration Agenda Item No. 3: Public Hearing:

ORDER REQUESTING THE CITY COUNCIL REVIEW AND VOTE TO DENY THE SIGN VARIANCE REQUEST FOR MEGA MATTRESS OUTLET, LLC. TO REFACE THEIR TWO EXISTING GROUND SIGNS AT 150 SQ. FT. IN SIGN AREA IN A C-80/C-2 ZONE IN WHICH GROUND SIGNS SHALL NOT EXCEED 100 SQ. FT. IN SIGN AREA.

It was noted for the record that no public comments were received.

President Tillman requested that **Agenda Items No. 36 and 37** be moved forward on the Agenda for consideration. Hearing no opposition, the following items were moved forward for consideration.

President Tillman recognized **Mayor Chokwe Lumumba** who **PRESENTED PROCLAMATIONS HONORING FIRST RESPONDERS ON NOVEMBER 25, 2013 "RESCUE ON MONTICELLO DRIVE."**

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

Accepting the proclamations with appropriate remarks were: Commander Tina Wallace, Officers Bobby Johnson, Zack Brown, William Huff, Kyle Camardelle, Anthony Ballard, Rodney Alexander, Julian Lonie, Sargent Randall Hendon, EMT Eva Beckleheamer and Firefighter Eric Baker.

President Tillman, recognized **Mayor Lumumba** who **PRESENTED A PROCLAMTION PROCLAIMING DECEMBER 3, 2013 AS PERYN REEVES DARBY DAY IN THE CITY OF JACKSON, MISSISSIPPI.** Accepting the proclamation with appropriate remarks was Peryn Reeves Darby.

President Tillman requested that **Agenda Item No. 35** be moved forward on the Agenda for consideration. Hearing no opposition, the following item was moved forward for consideration.

President Tillman recognized **Council Member Cooper-Stokes** who **PRESENTED WARD THREE BUSINESS ENHANCEMENT AWARD TO JACKSON MEMORIAL FUNERAL SERVICES.** Accepting the Presentation with appropriate remarks was **Damian Murriel.**

President Tillman recognized the following individuals who provided public comments:

- **Petra Kay**, the owner of a childcare business in the City of Jackson, opposed the finger scanning system being implemented by the **Mississippi Department of Human Services.**
- **Delois Suel**, the owner of **Prep Company Tutorial Schools** in Jackson, opposed the finger scanning system being implemented by the **Mississippi Department of Human Services.**
- **Gean Tucker** expressed her concerns regarding the lack of progress being made by Community Improvement in reference to complaints in her neighborhood.
- **Jean Cotton** expressed her concern with an eroding ditch and a tree that caused damage to her fence.
- **Jessica Collins** expressed her concerns with excessive dumping in a ditch, poor street lighting and a dump truck parked on her street.
- **Cassandra Welchlin** opposed the finger scanning system being implemented by the **Mississippi Department of Human Services** and urged the Council to join the opposition.
- **Cela Taylor** opposed the finger scanning system and suggested that funds that would be paid to Xerox could go towards enrolling more children into childcare programs.
- **Larry Nelson, President of Victims of Violent Crimes**, expressed concerns regarding the lack of heating in the City's Alternative School.
- **Jackie Whitsett of Victims of Violent Crimes** requested that communities hold forums on violent crimes.

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

ORDER AUTHORIZING THE MAYOR TO EXECUTE A 48-MONTH RENTAL AGREEMENT WITH ADVANTAGE BUSINESS SYSTEMS FOR A KONICA MINOLTA BIZHUB C654 DIGITAL COLOR COPIER SYSTEM TO BE USED BY THE CITY CLERK'S OFFICE.

WHEREAS, the City Clerk's Office desires to enter into a 48-Month Rental Agreement of a copier machine; and

WHEREAS, Advantage Business Systems provides a Konica Minolta Bizhub C654 Digital Color Copier System with auxiliary equipment through State of Mississippi Contract 5-600-13963; and

WHEREAS, the Advantage Business Systems Company is located in the City of Jackson; and

WHEREAS, it is the recommendation of the City Clerk's Office that this Contract be approved.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute the necessary documents with Advantage Business Systems Company, providing for the 48-month rental of a Konica Minolta Bizhub C654 Digital Color Copier System with certain auxiliary equipment required to meet those special needs of the City Clerk's Office as related to the functions of said division, at cost of \$440.00 per month, plus a copy charge of \$.0085 (Black & White) and \$.055 (Color) per copy to include: labor, parts, toner, finisher with hole punch, Super 2G Fax, and the capability to print from Ipad, Iphone, and android devices.

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

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

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

Nays- None.

Absent- Whitwell.

ORDER AUTHORIZING THE MAYOR TO EXECUTE A 36 MONTH RENTAL AGREEMENT WITH ADVANTAGE BUSINESS SYSTEMS FOR ONE BIZHUB C364e COLOR COPIER TO BE USED BY THE RISK MANAGEMENT DIVISION.

WHEREAS, the Risk Management Division desires to enter into a 36 Month Rental Agreement of a copier machine; and

WHEREAS, Advantage Business Systems, 5442 Executive Drive, Jackson, MS 39206, provides via State Contract 5-600-13963-13 a BIZHUB C364e Digital Copier with auxiliary equipment.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute the necessary documents with Advantage Business Systems providing for the 36 month rental of one BIZHUB C364e Copier for \$279.00 per month plus overage charges of \$0.06 per sheet for color and \$0.009 per sheet for black and white. The copier with certain auxiliary equipment will include maintenance and supplies except paper and staples.

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

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

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

ORDER ACCEPTING PAYMENT OF \$241.82 FROM STATE FARM MUTUAL INSURANCE COMPANY ON BEHALF OF ITS INSURED (JESSICA MCNAIR-HORNE) AS A PROPERTY DAMAGE SETTLEMENT.

IT IS HEREBY ORDERED by the City Council for the City of Jackson, Mississippi, that the City Attorney or designee, be authorized to execute all necessary documents and accept payment in the amount of \$241.82 as a property damage settlement for damage sustained to a City of Jackson vehicle (PT-669) on June 25, 2013.

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

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

ORDER ACCEPTING PAYMENT OF \$500.00 FROM PROGRESSIVE INSURANCE COMPANY ON BEHALF OF ITS INSURED (JEFFERY JENKINS) AS A PROPERTY DAMAGE SETTLEMENT.

IT IS HEREBY ORDERED by the City Council for the City of Jackson, Mississippi, that the City Attorney or designee, be authorized to execute all necessary documents and accept payment in the amount of \$500.00 as a property damage settlement for damage sustained to a City of Jackson vehicle (PC-1492) on August 4, 2013.

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

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

ORDER ACCEPTING PAYMENT OF \$2,910.62 FROM ACCC INSURANCE COMPANY ON BEHALF OF ITS INSURED (EARNESTINE WILLIS) AS A PROPERTY DAMAGE SETTLEMENT.

IT IS HEREBY ORDERED by the City Council for the City of Jackson, Mississippi, that the City Attorney or designee, be authorized to execute all necessary documents and accept payment in the amount of \$2,910.62 as a property damage settlement for damage sustained to a City of Jackson vehicle (PC-1212) on May 28, 2013.

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

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

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

ORDER ACCEPTING THE BIDS OF PRAIRIE FARMS DBA LUVEL DAIRY FOR SIX-MONTHS SUPPLY OF FOODS-DAIRY PRODUCTS-GROUP IV, (BID NO. 37301-100813).

WHEREAS, on October 8, 2013, sealed bids were received and two (2) for Dairy Products Group IV were received; and

WHEREAS, certain Dairy Products are needed for children enrolled in the Early Childhood Development Program; and

WHEREAS, the Department of Human and Cultural Services has received said bid and recommends the bids submitted by Prairie Farms dba Luvel Dairy received on October 10, 2013, be accepted as the lowest and best bids received for those certain items; and

WHEREAS, the cost of said dairy products - Food Group IV, is based on an estimated number of children to be served.

IT IS HEREBY ORDERED that the following bids received October 8, 2013, from Prairie Farms dba Luvel Dairy, 428 Dory Street, Jackson, MS 39201 be accepted.

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

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

Nays- None.

Absent- Whitwell.

ORDER ACCEPTING THE BIDS OF MERCHANTS FOOD SERVICE FOR SIX MONTHS SUPPLY OF FOODS – FRESH PRODUCE, GROUP V (BID NO. 37888-090313).

WHEREAS, on August 08 and 15, 2013, sealed bids were received and two (2) for Fresh Produce Group V were received; and

WHEREAS, certain fresh produce are needed for children enrolled in the Early Childhood Development Program; and

WHEREAS, the Department of Human and Cultural Services has reviewed said bid and recommends the bids submitted by Merchants Food Service, received on August 08 and 15, 2013, be accepted as the best bid received for those certain items; and

WHEREAS, the cost of said Fresh Produce - Food Group V, is based on an estimated number of children to be served.

IT IS HEREBY ORDERED that the following bids received August 08, 2013, from Merchants Foodservice, 870 Boling Street, Jackson, MS 39209 for a six-month supply, of Fresh Produce - Group V, (starting November 01, 2013 – April 30, 2014), be accepted as the best bid received for each of the specified items as listed below, it being determined that said bids met the City specifications.

COMPANY NAME
Merchants Foodservice
870 Boling Street
Jackson, MS 39209

ITEMS
1-3 & 5-12

IT IS FURTHER ORDERED that payment for said Fresh Produce Group V be made from Various Funds.

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

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

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

ORDER ACCEPTING THE BIDS OF MERCHANTS FOOD SERVICE AND SYSCO JACKSON LLC, FOR SIX MONTHS SUPPLY OF FOODS – FROZEN AND/OR CHILLED PRODUCTS, GROUP 1B (BID NO. 38602-090313).

WHEREAS, on August 08, 2013, sealed bids were received and two (2) bids for Frozen and/or Chilled Group 1B were received; and

WHEREAS, certain Frozen and/or Chilled are needed for children enrolled in the Early Childhood Development Program; and

WHEREAS, the Department of Human and Cultural Services has reviewed said bid and recommends the bids submitted by Merchants Food Service and Sysco Jackson, LLC. received on August 08 and 15, 2013, be accepted as the lowest and best bids received for those certain items; and

WHEREAS, Merchant Food Service submitted a bid for Item #33, Soup, Broccoli Cheese at \$47.50 for 4 count 8 lb. container or \$47.50 / (4 x 8) which comes to \$1.95 per lb and Sysco Jackson, LLC bid was \$35.65 for a 3 count 4 lb. container or \$35.65 / (4 x 3) which is \$2.97 per lb.; and

WHEREAS, the bid of Merchant Food Service for Item #33 has been deemed to be the lowest and best bid received because the City will pay \$1.95 per lb. compared to \$2.97 per lb. for the Sysco Jackson, LLC product; and

WHEREAS, Merchant Food Service submitted a bid for Item #35, Soup, Vegetables at \$41.90 for 4 count 8 lb. container or \$41.90 / (4 x 8) which comes to \$1.31 per lb. and Sysco Jackson, LLC bid was \$35.65 for 3 count 4 lb. container or \$35.65 / (3 x 4) which comes to \$2.97 per lb.; and

WHEREAS, the bid of Merchants Food Service for Item #35 has been deemed to be the lowest and best bid received because the City will pay \$1.31 per lb. compared to \$2.97 per lb. for the Sysco Jackson, LLC product; and

WHEREAS, the cost of said Frozen and/or Chilled - Food Group 1B, is based on an estimated number of children to be served.

IT IS HEREBY ORDERED that the following bids received August 08, 2013, from Merchants Food Service, 870 Boling Street, Jackson, MS 39209 and Sysco Jackson, LLC., 4400 Milwaukee Street, Jackson, MS 39209, for a six-month supply of Frozen and/or Chilled - Group 1B, (starting November 01, 2013 – April 30, 2014), be accepted as the lowest and best bids received for each of the specified items as listed below, it being determined that said bids met the City specifications.

<u>COMPANY NAME</u>	<u>ITEMS</u>
Merchants Food Service 870 Boling Street Jackson, MS 39209	1-10, 12, 16-19, 23-24 & 26-33, 35
Sysco Jackson, LLC 4400 Milwaukee Street Jackson, MS 39209	8, 11, 13, 14-15, 20-22, 25, 34 & 36

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

IT IS FURTHER ORDERED that payment for said Frozen and/or Chilled Group 1B, be made from Various Funds.

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

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

ORDER ACCEPTING THE BIDS OF MERCHANTS FOOD SERVICE AND SYSCO JACKSON, LLC, FOR SIX MONTHS SUPPLY OF FOODS - CANNED AND/OR DRY, GROUP IIA, (BID NO. 38701-090313).

WHEREAS, on August 08 and 15, 2013, sealed bids were received and two (2) bids for Canned and/or Dry Group IIA were received; and

WHEREAS, certain canned and/or dry foods are needed for children enrolled in the Early Childhood Development Program; and

WHEREAS, the Department of Human and Cultural Services has received said bid and recommends the bids submitted by Merchants Food Service and Sysco Jackson, LLC, received on August 08 and 15, 2013, be accepted as the lowest and best bids received for those certain items; and

WHEREAS, Sysco Jackson, LLC submitted a bid for Item #25, which is Peanut Butter Crackers for \$39.30 per 216 count packages or .18 per package and Merchants Foodservice bid was \$19.90 per 96 count package or .21 per package; and

WHEREAS, the bid of Sysco Jackson, LLC for Item #25, has been deemed to be the lowest and best bid received because the City will pay \$.18 per package instead of 0.21 per package for the Merchants Foodservice Product; and

WHEREAS, Merchants Food Service submitted a quote for Item #26, Goldfish, Plain, for \$22.99 per 72 count 1.5 oz packages or .21 per package and Merchants Food Service bid was \$16.10 per 60 count 1 oz. package or .27 per package; and

WHEREAS, the bid of Merchant Food Service for Item #26, has been deemed to be the lowest and best bid received because the City will pay 0.21 per package instead of 0.27 per package for the Sysco Jackson, LLC; and

WHEREAS, the cost of said Canned and/or Dry-food Group II-A is based on an estimated number of children to be served.

IT IS HEREBY ORDERED that the following bids received August 08 and 15, 2013, from Merchants Food Service, 870 Boling Street, Jackson, MS 39209 and Sysco Jackson, LLC., 4400 Milwaukee Street, Jackson, MS 39209, for a six-month supply, of Canned and /or Dry-Group IIA, (starting November 01, 2013 - April 30, 2014), be accepted as the lowest and best bids received for each of the specified items as listed below, it being determined that said bids met the City specifications.

<u>COMPANY NAME</u>	<u>ITEMS</u>
Merchants Food Service 870 Boling Street Jackson, MS 39209	1-3, 5-7, 9, 11-12, 17-19, 21, 23, 26 & 31-34
Sysco Jackson, LLC 4400 Milwaukee Street Jackson, MS 39209	4, 8, 10, 13-16, 20, 22, 24-25, 27-30 & 35

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

IT IS FURTHER ORDERED that payment for said Canned and/or Dry Group IIA be made from Various Funds.

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

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

ORDER ACCEPTING THE BID OF MERCHANTS FOOD SERVICE AND SYSCO JACKSON, LLC FOR SIX (6) MONTH SUPPLY OF FOODS -CONDIMENTS -GROUP III, (BID NO. 38801-090313).

WHEREAS, on August 08 and 15, 2013, sealed bids were received and two (2) bids for Condiments-Group III was received; and

WHEREAS, certain Condiments are needed for children enrolled in the Early Childhood Development Program; and

WHEREAS, the Department of Human and Cultural Services has reviewed said bids and recommends the bid submitted by Merchants Food Service and Sysco Jackson, LLC, received on August 08 and 15, 2013, be accepted as the lowest and best bid for those items; and

WHEREAS, Merchant Food Service submitted a bid for Item #15, which is Black Pepper for \$26.50 per 5 lb. container or \$5.30 per pound and Sysco Jackson, LLC bid was \$24.44 per 3.5 lb. container of \$6.98 per lb.; and

WHEREAS, the bid of Merchants Food Service for Item #15 has been deemed to be the lowest and best bid received because the City will pay \$5.30 per lb. for the Merchants Food Service product verses \$6.98 per lb. for the Sysco Jackson, LLC product; and

WHEREAS, Merchant Food Service submitted a bid for Item #22, Sloppy Joe Seasoning Mix or Comparable at \$23.69 per 15 oz size or \$1.58 per oz and Sysco Jackson, LLC bid was \$18.30 per 11.44 oz or \$1.60 per oz.; and

WHEREAS, the bid of Merchants Food Service for Item #22 has been deemed to be the lowest and best bid received because the City will pay \$1.58 per oz. compared to \$1.60 per oz. for the Sysco Jackson, LLC product; and

WHEREAS, the cost of said Condiments-Food Group III, is based on an estimated number of children to be served.

IT IS HEREBY ORDERED that the following bid received August 08 and 15, 2013 from Merchants Food Service, 870 Boling Street, Jackson, MS 39209, and Sysco Jackson, LLC, 4400 Milwaukee Street, Jackson, MS 39209, for six-month supply of Condiments-Group III, (starting November 01, 2013 - April 30, 2014), be accepted as the lowest and best bids received for specified items listed below, it being determined that said bids met the City specifications.

<u>COMPANY NAME</u>	<u>ITEMS</u>
Merchants Food Service 870 Boling Street Jackson, MS 39209	1-7, 14-15, 17-22, 23-27, 29-31, 33-38 & 40-41
Sysco Jackson, LLC 4400 Milwaukee Street Jackson, MS 39209	8-13, 16, 28, 32, 39 & 32

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

IT IS FURTHER ORDERED that payment for said Condiments-Group III, be made from various funds.

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

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

Nays- None.

Absent- Whitwell.

There came on for Adoption Agenda Item No. 14:

ORDINANCE OF THE CITY OF JACKSON, MISSISSIPPI AMENDING JACKSON CODE OF ORDINANCES CHAPTER 86, ARTICLE I, SECTION 86-9 GOVERNING THE CARRYING OF FIREARMS IN CERTAIN PLACES. President Tillman recognized Mayor Lumumba who suggested that said item be referred back to the Rules Committee.

ORDER APPROVING CLAIMS NUMBERED 2282 TO 2568, APPEARING AT PAGES 365 TO 410, INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$6,039,906.57 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 2282 to 2568, appearing at pages 365 to 410, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$6,039,906.57 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

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

<u>FROM:</u>	<u>TO:</u> <u>ACCOUNTS PAYABLE FUND</u>
2012 G.O. NOTE-CAPITAL PROJECT	\$ 2,800.00
EARLY CHILDHOOD (DAYCARE)	309.13
FIRE PROTECTION	4,276.17
GENERAL FUND	270,380.39
HOUSING COMM DEV ACT (CDBG) FD	502.18
JXN CONVENTION & VISITORS BUR	245,154.59
LANDFILL/SANITATION FUND	54,288.37
MEMA-DOMESTIC PREPARDNSS EQUIP	390.00
MUSEUM TO MARKET PROJECT	63,464.23
NCSC SENIOR AIDES	327.25
P E G ACCESS- PROGRAMMING FUND	18,046.94
PARKS & RECR. FUND	32,911.84
POLICE PROP EVIDENCE CASH FUND	7,765.00
TECHNOLOGY FUND	4,010.33
TITLE III AGING PROGRAMS	6.55
TRANSPORTATION FUND	210,543.76
VEHICLE POOL FUND	660.00

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

WATER/SEWER CAPITAL IMPR FUND	\$326,253.75
WATER/SEWER CON FD 2013-\$89.9M	4,425,855.00
WATER/SEWER CONST FD 1999-\$35M	6,929.50
WATER/SEWER CONST FD 2002-\$50M	14,645.46
WATER/SEWER OP & MAINT FUND	335,257.15
WATER/SEWER REVENUE FUND	15,128.98
	6,039,906.57

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

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

ORDER APPROVING GROSS PAYROLL INCLUDING PAYROLL DEDUCTION CLAIMS NUMBERED 2282 TO 2568 AND MAKING APPROPRIATION FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that payroll deduction claims numbered 2282 to 2568 inclusive therein, in the Municipal "Docket of Claims", in the aggregate amount of \$129,467.51, 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:

<u>FROM</u>	<u>TO ACCOUNTS PAYABLE FUND</u>	<u>TO PAYROLL FUND</u>
GENERAL FUND		\$ 2,116,597.92
PARKS & RECR.		72,045.76
LANDFILL FUND		24,083.40
SENIOR AIDES		2,578.72
WATER/SEWER OPER. & MAINT.		219,050.58
PAYROLL FUND		867.00
EARLY CHILDHOOD		35,482.48
HOUSING COMM DEV.		7,612.89
TITLE III AGING PROGRAMS		6,173.92
AMERICORP CAPITAL CITY REBUILD		10,557.92
TRANSPORTATION FUND		7,618.38
T-WARNER PA/GA FUND		7,016.56
COPS HIRING GRANT 2011		35,069.19
	TOTAL	2,544,754.72

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

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

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GLOBAL SOFTWARE FOR COMPUTER SOFTWARE SUPPORT SERVICES.

WHEREAS, GLOBAL SOFTWARE has proposed a Maintenance Contract that covers all software and support for the existing GLOBAL SOFTWARE, which comprises the Emergency Services System for the Jackson Police Department, Jackson Fire Department, Municipal Court, Impound Lot; and

WHEREAS, the need for maintenance for all GLOBAL SOFTWARE has been analyzed by the Information System Division of the Department of Administration, and execution of the proposed Maintenance Agreement with GLOBAL SOFTWARE is recommended.

IT IS, THEREFORE, ORDERED that the Mayor be authorized to execute an Agreement with GLOBAL SOFTWARE, Inc. to provide maintenance of software for the City of Jackson's Emergency Services System, with said maintenance being provided at a cost of \$56,612.00, from November 1, 2013 through October 31, 2014.

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

Yeas- Barrett-Simon, Cooper-Stokes, Stamps, Tillman and Yarber.

Nays- Priester.

Absent- Whitwell.

ORDER AUTHORIZING SUBMISSION OF AN APPLICATION TO KABOOM FOR A GRANT TO PROVIDE SAFE PLAYGROUND EQUIPMENT AT THE CITY OF JACKSON'S EARLY CHILDHOOD DEVELOPMENT CENTERS AND ALSO JACKSON PUBLIC SCHOOLS.

WHEREAS, KaBoom is a national non-profit organization dedicated to helping communities provide safe playgrounds for children; and

WHEREAS, the Department of Human and Cultural Services was contacted by representatives from KaBoom concerning its programming; and

WHEREAS, the City of Jackson was encouraged to apply for funding in the amount of \$30,000.00 which may be used for the purchase and installation of playground equipment at the City of Jackson's Early Childhood Development Centers and also schools within the Jackson Public School District; and

WHEREAS, matching funds equivalent to fifty percent (50%) of the funds awarded is required; and

WHEREAS, in kind services and contributions are sufficient to satisfy the match requirement; and

WHEREAS, the best interest of the City of Jackson would be served by submitting an application to KaBoom for funding to secure playground equipment for installation at the City's Early Childhood Development Centers and Schools within the Jackson Public School District.

IT IS HEREBY ORDERED that the submission of the application to KaBoom be authorized.

IT IS FURTHER HEREBY ORDERED that the Mayor shall be authorized to execute documents necessary for receipt and expenditure of any funds awarded.

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

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

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

ORDER AUTHORIZING PAYMENT OF \$14,573.03 TO PHH VEHICLE MANAGEMENT SERVICES, LLC, AS A FULL AND COMPLETE SETTLEMENT OF A PROPERTY DAMAGE CLAIM.

IT IS HEREBY ORDERED that payment in the amount of \$14,573.03 be made to PHH Vehicle Management Services, LLC, as full and complete settlement for any and all claims resulting from a vehicle accident that occurred on June 4, 2013.

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

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

ORDER AUTHORIZING THE CITY OF JACKSON TO SETTLE ALL CLAIMS INCURRED IN THAT CERTAIN MATTER STYLED AS CONEISHA HOLIDAY, ET AL VS. CITY OF JACKSON, ET AL UNITED STATES DISTRICT COURT CAUSE NO. 3:11CV202 CWR-FKB.

WHEREAS, on April 7, 2011, the family of Cornell Lindsey sued both the City of Jackson and Officer Harris individually and filed a Complaint in the matter of Coneisha Holiday, Individually and as Administrator of the Estate and on behalf of the wrongful death beneficiaries of Cornell Lindsey, deceased vs. City of Jackson, Mississippi, et. al, seeking not less than \$500,000.00 in damages; and

WHEREAS, Cornell Lindsey was in a verbal altercation with a convenience store clerk; Wherein Lindsey had a blade style box cutter and the clerk had a baseball bat and Officer Harris arrived in the midst of the altercation and fatally shot Cornell Lindsey; and

WHEREAS, after routine discovery (depositions, designation of experts, etc.), the City and Officer Harris each filed motions to dismiss the case, with the City prevailing but Officer Harris losing his motion because there were conflicting facts regarding the circumstances of the shooting; and

WHEREAS, at the request of Officer Harris, the Office of the City Attorney filed a pre-trial appeal with the Fifth Circuit Court of Appeals and thereafter, the Fifth Circuit recommended that the parties participate in the Court's mediation program; and

WHEREAS, should this matter proceed to trial, Officer Harris has stated that he will seek personal counsel and expect the City to pay for said representation in which he is entitled to attorney fees should he prevail; and

WHEREAS, to promote judicial economy and without admitting any liability, the Office of the City Attorney recommends that to fully and finally settle this matter with Plaintiff and her attorney for an amount not to exceed \$130,000 and it is in the best interest of the City.

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

NOW, THEREFORE, IT IS HEREBY ORDERED, by the City Council for the City of Jackson, Mississippi that the Mayor and the City Attorney are authorized to settle all claims involving Coneisha Holiday, et al against the City of Jackson, et al and dismiss said claims and pay the sum of \$130,000.00 to Coneisha Holiday, et al and her attorney, Precious Martin, as full and final settlement of this matter.

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

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

ORDER AUTHORIZING THE CITY OF JACKSON TO SETTLE ALL CLAIMS INCURRED IN THAT CERTAIN MATTER STYLED, AS "SHERRICK WILLIAMS VS. CITY OF JACKSON, MISSISSIPPI" HINDS COUNTY CIRCUIT COURT CIVIL ACTION N 251-10-874 CIV.

WHEREAS, on October 13, 2010, the Plaintiffs filed a Complaint in the matter styled "SHERRICK WILLIAMS VS. CITY OF JACKSON, MISSISSIPPI", Hinds Circuit Court Cause No. 251-10-874 CIV; and

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

WHEREAS, the Office of the City Attorney is recommending that the City fully and finally resolve this matter with the Plaintiff and his attorney Gerald L. Kucia in return for a complete release of the City and Entry of an Agreed Order of Dismissal; and

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

WHEREAS, it is in the best interest of the City of Jackson, Mississippi that the City of Jackson resolve this matter in an amount not to exceed \$5,000.00.

NOW, THEREFORE, IT IS HEREBY ORDERED, by the City Council of the City of Jackson, Mississippi, that City of Jackson, Mississippi pay a total sum not to exceed \$5,000 to SHERRICK WILLIAMS and his attorney Gerald L. Kucia in return for a complete release of the City from any and all liability.

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

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

ORDER DECLARING PARCEL 186-23 SURPLUS PROPERTY AND AUTHORIZING DISPOSAL OF SAME ACCORDING TO APPLICABLE STATE LAW.

WHEREAS, parcel 186-23 is no longer needed for municipal or related purposes and will not be used in the operation of the municipality in the foreseeable future; and

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

WHEREAS, the Surplus Property Committee has considered this property, and after having made it known that the property was available for use, found that no City department expressed an interest in utilizing the property for any municipal purpose; and

WHEREAS, the Surplus Property Committee recommends that the Council declare the property to be surplus and authorize its disposal according to applicable state law.

IT IS HEREBY ORDERED that the property in question, bearing the following legal description:

Lot Four (4), LESS five (5) feet taken evenly off the Northern side, of SQUARE 8-D, SOUTH JACKSON, according to the official map of the City of Jackson make by H.C. Daniels in 1875, said property being further described as bounded on the South by Court Street and on the East by South Congress Street, as said streets are now laid out and improved, and on the North and West by property owned by J. & L., Inc. (parcel 186-23)

is no longer necessary or needed for municipal purposes, and the property is, hereby, declared to be surplus property.

IT IS FURTHER ORDERED that pursuant to the terms of Section 21-17-1(2)(b)(i) of the Mississippi Code Annotated of 1972, as amended, the City may dispose of the subject property by the appraisal method to Capital Hotel Associates, Inc.

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

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

ORDER DECLARING PARCEL 114-85 SURPLUS PROPERTY AND AUTHORIZING DISPOSAL OF SAME ACCORDING TO APPLICABLE STATE LAW.

WHEREAS, parcel 114-85 is no longer needed for municipal or related purposes and will not be used in the operation of the municipality in the foreseeable future; and

WHEREAS, the Surplus Property Committee has considered this property, and after having made it known that the property was available for use, found that no City department expressed an interest in utilizing the property for any municipal purpose; and

WHEREAS, the Surplus Property Committee recommends that the Council declare the property to be surplus and authorize its disposal according to applicable state law.

IT IS HEREBY ORDERED that the property in question, bearing the following legal description:

LOT 6 & 6 FT S/S LOT 7 BLK 12 SLIGO HIGHLAND Parcel 114-85 **235
AB Clairmont St**

is no longer necessary or needed for municipal purposes, and the property is, hereby, declared to be surplus property.

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

IT IS FURTHER ORDERED that pursuant to the terms of Section 21-17-1(2)(a) of the Mississippi Code Annotated of 1972, as amended, the City may dispose of the subject property by advertising for and accepting competitive sealed bids starting at \$500.

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

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

Nays- None.

Absent- Whitwell.

**ORDER AUTHORIZING THE CITY OF JACKSON OFFICE OF THE
CITY ATTORNEY TO FILE A MOTION SEEKING TO INTERVENE IN
CAUSE G2012-1747 IN THE FIRST JUDICIAL DISTRICT OF HINDS
COUNTY, MISSISSIPPI AND FURTHER REQUESTING
DECLARATORY RELIEF.**

WHEREAS, the City of Jackson has an Early Childhood Development Program which has previously received federal subsidies from the Mississippi Department of Human Services (MDHS); and

WHEREAS, the City's relationship with the Mississippi Department of Human Services was based on an Agreement or Contract as a slot provider; and

WHEREAS, the Mississippi Department of Human Services advised the City of Jackson that as a condition of receiving the federal subsidies, it must agree to contractual provisions requiring it to participate in the Mississippi E-Childcare Program that encompasses finger scanning to track a child's attendance; and

WHEREAS, on August 28, 2013, an order was entered in the Hinds County Chancery Court by Chancellor Denise Owens which granted relief to licensed and unlicensed in home provider; and

WHEREAS, the relief granted indicated that MDHS was enjoined from implementing the finger scanning program until it complied with Section 25-43-3.105(2) of the Mississippi Code; and

WHEREAS, the order does not specifically reference providers like the City of Jackson, which is not an in-home provider; and

WHEREAS, the governing authorities for the City of Jackson are opposed to the finger scanning system and previously authorized the Mayor to execute an Agreement with MDHS to participate in the Mississippi E-childcare Program so that its Early Childhood Development Program remained viable; and

WHEREAS, the governing authorities for the City of Jackson simultaneously indicated that it wanted the Administration to continue pursuit of measures which would provide relief from the finger scanning requirement; and

WHEREAS, the best interest of the City of Jackson would be served by moving to intervene in Cause G2012-1747 which is pending in the Hinds County Chancery Court and asking for declaratory relief as to whether MDHS may require the City to agree contractually to participate in the Mississippi E-Childcare Program as a condition precedent to receiving the federal subsidies.

IT IS HEREBY ORDERED that the Office of the City Attorney shall be authorized to take appropriate action to intervene in Cause G2012-1747 pending in the Chancery Court of the First Judicial District of Hinds County and also to seek declaratory relief.

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

IT IS FURTHER ORDERED that the Office of the City Attorney shall be authorized to incur expenses and to take those legal steps which are consistent with the intent and tenor of this Order.

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

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

RESOLUTION ADOPTING THE 2014 REGULAR COUNCIL MEETING SCHEDULE AND 2014 SPECIAL COUNCIL MEETING SCHEDULE OF THE JACKSON CITY COUNCIL.

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

WHEREAS, Jackson Code of Ordinances, Section 2-62(b), states that “regular meetings of the council shall be held on every other Tuesday at 10:00 a.m. except that on the second meeting of the month, the meeting shall be held at 6:00 p.m.; and

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

WHEREAS, Section 2-62(d) of the Jackson Code of Ordinances states that “special meetings of the council may be called at any time by the mayor or a majority of the members of the council”; and

WHEREAS, the Office of the City Clerk has determined the 2014 Regular Council Meeting Schedule and the 2014 Special Council Meeting Schedule of the Jackson City Council, pursuant to the above referenced statute and ordinances, as follows:

2014 Regular City Council Meeting Schedule

City Council Regular Meeting Dates	Time
January 14, 2014	10:00 a.m.
January 28, 2014	6:00 p.m.
February 11, 2014	10:00 a.m.
February 25, 2014	6:00 p.m.
March 11, 2014	10:00 a.m.
March 25, 2014	6:00 p.m.
April 08, 2014	10:00 a.m.
April 22, 2014	6:00 p.m.
May 06, 2014	10:00 a.m.
May 20, 2014	6 :00 p.m.
June 03, 2014	10:00 a.m.
June 17, 2014	6:00 p.m.
July 01, 2014	10:00 a.m.
July 15, 2014	6:00 p.m.

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

July 29, 2014	10:00 a.m.
August 12, 2014	6:00 p.m.
August 26, 2014	10:00 a.m.
September 09, 2014	10:00 a.m.
September 23, 2014	6:00 p.m.
October 07, 2014	10:00 a.m.
October 21, 2014	6:00 p.m.
November 04, 2014	10:00 a.m.
November 18, 2014	6:00 p.m.
December 02, 2014	10:00 a.m.
December 16, 2014	6:00 p.m.
December 30, 2014	10:00 a.m.

2014 Special City Council Meeting Schedule

City Council Special Meeting Dates	Time
January 06, 2014	4:00 p.m.
January 21, 2014 (due to Holiday)	4:00 p.m.
February 03, 2014	4:00 p.m.
February 18, 2014 (due to Holiday)	4:00 p.m.
March 03, 2014	4:00 p.m.
March 17, 2014	4:00 p.m.
March 31, 2014	4:00 p.m.
April 14, 2014	4:00 p.m.
April 28, 2014	4:00 p.m.
May 12, 2014	4:00 p.m.
May 27, 2014 (due to Holiday)	4:00 p.m.
June 9, 2014	4:00 p.m.
June 23, 2014	4:00 p.m.
July 7, 2014	4:00 p.m.
July 21, 2014	4:00 p.m.
August 4, 2014	4:00 p.m.
August 18, 2014	4:00 p.m.
September 2, 2014 (due to Holiday)	4:00 p.m.
September 15, 2014	4:00 p.m.
September 29, 2014	4:00 p.m.
October 13, 2014	4:00 p.m.
October 27, 2014	4:00 p.m.
November 10, 2014	4:00 p.m.
November 24, 2014	4:00 p.m.
December 8, 2014	4:00 p.m.
December 22, 2014	4:00 p.m.

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

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

Nays- None.

Absent- Whitwell.

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

ORDER AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY IN THE AMOUNT OF \$60,000.00 TO IMPLEMENT A COMMUNITY STORMWATER MANAGEMENT PROJECT THROUGH THE URBAN WATERS SMALL GRANTS PROGRAM.

WHEREAS, the United States Environmental Protection Agency is soliciting agencies to submit for a Grant that will contribute to improve water quality in urban water; and

WHEREAS, the Urban Waters Small Grants program is to fund research, investigations, experiments, training, surveys, studies, and demonstrations that will advance the restoration of urban waters by improving water quality in urban areas through activities that also support community realization and other local priorities; and

WHEREAS, the City desires to submit an application in the amount of \$60,000.00 to implement a Community Stormwater Management Demonstration Project; and

WHEREAS, the deadline for submission of the electronic application is December 16, 2013 as a requirement to apply for funding.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to submit an Application to the U. S. Environmental Protection Agency, Office of Water in the amount of \$60,000.00.

IT IS FURTHER ORDERED that the Mayor is authorized to execute any and all other documents necessary for the acceptance and administration of the said Grant.

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

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

ORDER AUTHORIZING THE MAYOR TO APPLY FOR A GRANT IN THE AMOUNT OF \$400,000.00 FROM THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY TO ASSIST IN THE DEVELOPMENT OF THE CAPITAL CITY ENVIRONMENTAL CENTER (CCEC), A PERMANENT RECYCLING AND HOUSEHOLD HAZARDOUS WASTE COLLECTION SITE.

WHEREAS, the Mississippi Department of Environmental Quality offers Recycling Cooperative Grants to encourage the development of recycling programs by local governments; and

WHEREAS, the City is requesting a Grant in the maximum amount of \$400,000 to assist with the development of the Capital City Environmental Center (CCEC) and a comprehensive recycling system that would serve the City of Jackson and be available to other surrounding communities wishing to participate in recycling; and

WHEREAS, the City would help local municipalities provide and support recycling services to residents in the tri-county area for the purpose of cooperatively participating in the collection, processing, and marketing of recyclables.

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

IT IS, THEREFORE, ORDERED that the Mayor is authorized to apply for a Recycling Cooperative Grant of \$400,000 from the Mississippi Department of Environmental Quality to assist in funding the development of the Capital City Environmental Center (CCEC), a permanent recycling and household hazardous waste collection site.

IT IS FURTHER ORDERED that the Mayor is authorized to execute all documents necessary to administer the Recycling Cooperative Grant.

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

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

ORDER RATIFYING THE SUBMITTAL TO SCREEN AND COLLECT SAMPLES ANNUALLY FROM THE 16 OUTFALLS IN HANGING MOSS CREEK AND ONE-FIFTH OF THE 120 MAPPED OUTFALLS FOR THE CITY'S EFFORTS TO CONTINUE TO COMPLY WITH FEDERAL REGULATIONS AND IMPLEMENT MEASURES TO IMPROVE OUR WATER QUALITY.

WHEREAS, the Municipal Separate Storm Water System Permit (MS4 Permit) requires that the City of Jackson to conduct dry weather screening of all sixteen storm water outfalls into Hanging Moss Creek and one-fifth of the 120 mapped storm water outfalls; and

WHEREAS, these dry weather outfall screenings require; and

WHEREAS, Neel-Schaffer, Inc. has provided a quote in an amount not to exceed \$14,675.00 to conduct the required screen procedure of 16 outfalls in Hanging Moss Creek and one-fifth of the 120 outfalls from the storm sewer system map; and

WHEREAS, previously, Neel-Schaffer, Inc. has satisfactorily completed this scope of work on behalf of the City; and

WHEREAS, the Public Works Department recommends that the governing authorities accept the quote from Neel-Schaffer, Inc. in the amount of \$14,675.00 to perform the outfall screening procedures required by the City of Jackson MS4 Permit.

IT IS, THEREFORE, ORDERED that the Mayor is authorized to execute an Agreement with Neel-Schaffer, Inc. for professional services to provide dry weather screening of sixteen (16) storm water outfalls on Hanging Moss Creek and one-fifth of the 120 mapped storm water outfalls in an amount not to exceed \$14,675.00.

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

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

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

**ORDER REQUESTING THE CITY COUNCIL REVIEW AND
VOTE TO APPROVE THE SIGN VARIANCE REQUEST FOR
MEGA MATTRESS OUTLET, LLC TO REFACE THEIR TWO
EXISTING GROUND SIGNS AT 150 SQ. FT. IN SIGN AREA IN A
C-80/C-2 ZONE IN WHICH GROUND SIGNS SHALL NOT
EXCEED 100 SQ. FT. IN SIGN AREA.**

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

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

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

WHEREAS, said variance application shall also demonstrate that:

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

WHEREAS, Mega Mattress Outlet, LLC, the applicant herein, has requested a variance from the Sign Ordinance regulations to reface their two existing ground signs at 150 sq. ft. in sign area in a C-80/C-2 zone in which ground signs shall not exceed 100 sq. ft. in sign area.

IT IS, THEREFORE, ORDERED that Mega Mattress Outlet, LLC is hereby approved a variance from the Sign Ordinance regulations to reface their two existing ground signs at 150 sq. ft. in sign area in a C-80/C-2 zone in which ground signs shall not exceed 100 sq. ft. in sign area, it being determined that the parties in interest and the general citizenry first had their opportunity to be heard and that the applicant has met the necessary criteria for the requested variance.

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

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

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

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

Nays- None.

Absent- Whitwell.

There came on for consideration Agenda Item No. 31:

DISCUSSION: VETTING OF APPOINTEES TO BOARDS & COMMISSIONS: Said item was thoroughly discussed by **Council Member Stamps** during the Work Session held on December 2, 2013.

There came on for consideration Agenda Item No. 32:

DISCUSSION: JPS SECURITY: Said item was held by **President Tillman**.

There came on for consideration Agenda Item No. 33:

DISCUSSION: WARNER AVE: **President Tillman** recognized **Council Member Cooper-Stokes** who expressed several concerns about burned out houses and drug activity on surrounding streets.

DISCUSSION: LANIER HIGH SCHOOL: **President Tillman** recognized **Council Member Cooper-Stokes** who expressed concerns about the future of Lanier High School and provided information regarding Charter Schools.

The following reports from Members, Mayor and Department Directors were provided during the meeting:

- **Council Member Barrett-Simon** read a letter commending the Water Department's promptness in repairing a broken water line.

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

The following announcements were provided during the meeting:

- **Council Member Yarber** announced that Alignment Jackson would hold a Town Hall meeting on December 5, 2013 at 6:00 p.m. at Blackburn Middle School in Ward 5.
- **Council Member Yarber** announced that the Camille Chinn Fashion Show to benefit Lanier High School student Morgan Catchings was a great success.
- **Council Member Yarber** announced that a meeting of all Faith-based churches would be held December 14, 2013 at New Horizon Church from 10 a.m. to 12 p.m.
- **Council Member Cooper-Stokes** announced that December 1, 2013 was World Aids Day and encouraged everyone to get tested.
- **Council Member Priester** recognized the Callaway High School Football Team for their accomplishments and stated that Mid-Partners was having a fundraiser drive to raise \$25,000.00.
- **Mayor Lumumba** announced the following:
 1. The final week for Toys For Tots registration would be held Tuesday and Thursday from 9:00 a.m. to 3:00 p.m. at the Metrocenter Mall.
 2. A Town Hall meeting would be held on Tuesday, December 10th at 9:00 a.m. at JSU E-Center 1230 Raymond Rd. to discuss the 1% sales tax referendum.
 3. A Town Hall meeting would be held on December 19th at 6:00 p.m. at Word and Worship Church located at 6236 Hanging Moss Rd.
 4. On December 1st there was a Town Hall meeting held at Pearl St. AME church and Public Works along with Neel-Schaffer made presentations.
 5. On December 2nd there was a neighborhood association meeting at Anderson South AME Church to discuss the 1% sales tax.
 6. The Mayor's office was still transitioning and the following changes have been made:
 - Harold Lathon, Interim Director of Planning and Economic Development
 - Bennie Hopkins, Deputy Director of the Office of Planning
 - Jerry Woods, Deputy Director of Code Services
 - Patty Stewart, Manager of Community Improvement
 - Mike Davis, Minority Business Manager
 - Debra Johnson, Interim Director of Personnel
 - Deborah Ellis, Deputy Director of Personnel
 - Denise McKay, Deputy Director of Personnel
 - Alisha Crudup, Recycling Coordinator of Public Works

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 3, 2013, 10:00 A.M.**

7. Christmas Tree lighting would be held on Friday, December 6th at 6:00 p.m. at City Hall.

The meeting was closed in memory of the following individuals:

- Thelma Franklin
- Claude Smith Jr.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Special Meeting to be held at 4:00 p.m. on Monday, December 9, 2013; at 12:55 p.m., the Council stood adjourned.

ATTEST:

Bertha Greer
CITY CLERK

APPROVED:

[Signature], 12-16-13
MAYOR DATE

**SPECIAL MEETING OF THE CITY COUNCIL
MONDAY, DECEMBER 9, 2013 4:00 P.M.**

BE IT REMEMBERED that a Special Council Meeting of the City Council of Jackson, Mississippi, was convened in the Council Chambers in City Hall at 4:00 p.m. on December 9, 2013, being the second Monday of said month, when and where the following things were had and done to wit:

Present: Council Members: Charles Tillman, President, Ward 5; Melvin Priester Jr., Vice-President, Ward 2; Quentin Whitwell, Ward 1; Tony Yarber, Ward 6 and Margaret Barrett-Simon, Ward 7.
Directors: Chokwe Lumumba, Mayor; Brenda Pree, City Clerk; and Gail Lowery, City Attorney.

Absent: Council Member: LaRita Cooper-Stokes, Ward 3 and De'Keither Stamps, Ward 4.

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

ORDER APPROVING CLAIMS NUMBERED 2569 TO 2727, APPEARING AT PAGES 411 TO 438 INCLUSIVE THEREON, ON MUNICIPAL "DOCKET OF CLAIMS", IN THE AMOUNT OF \$1,575,263.66 AND MAKING APPROPRIATIONS FOR THE PAYMENT THEREOF.

IT IS HEREBY ORDERED that claims numbered 2569 to 2727, appearing at pages 411 to 438, inclusive thereon, in the Municipal "Docket of Claims", in the aggregate amount of \$1,575,263.66 are hereby approved for payment and said amount is expressly appropriated for the immediate payment thereof.

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

FROM:	TO ACCOUNTS PAYABLE FUND
AMERICORP CAPITAL CITY REBUILD	\$ 162.00
CAPITAL CITY REVENUE FUND	105.00
CAPITOL STREET 2-WAY PROJECT	376,507.62
DISABILITY RELIEF FUND	56,223.97
EARLY CHILDHOOD (DAYCARE)	9,864.24
EMPLOYEES GROUP INSURANCE FUND	148,650.81
G O PUB IMP CONS BD 2003 (\$20M)	1,770.51
GENERAL FUND	723,156.67
LANDFILL/SANITATION FUND	80,530.71
PARKS & RECR. FUND	5,109.38
RESURFACING – REPAIR & REPL. FD	6,379.97
STATE TORT CLAIMS FUND	5,000.00
TECHNOLOGY FUND	1,540.15
TRANSPORTATION FUND	94,914.20
WATER/SEWER CONST FD 1999-\$35M	101.05
WATER/SEWER CONST FD 2002- \$50M	31,200.00
WATER/SEWER OP & MAINT FUND	29,861.38
WATER/SEWER REVENUE FUND	4,186.00
TOTAL	1,575,263.66

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