

MINUTES
CITY COUNCIL MEETING
MARCH 6, 2018

The Jackson, Tennessee, City Council met for their regular monthly meeting on Tuesday, March 6, 2018, at 9:00 a.m. in the George A. Smith Meeting Room at City Hall with Mayor Jerry Gist and Councilmembers Charles “Pepper” Bray; Ernest Brooks II; Harvey Buchanan; David Cisco; Johnny Dodd; Vicky Foote; Charles Rahm; and Randy Wallace present. Councilmember Ross Priddy was not present. Also present was Anita Brooks, recorder of the minutes.

Councilmember David Cisco gave the invocation and led the audience in the Pledge of Allegiance to the Flag.

Councilmember Brooks introduced Bansi Govin who is the 2017 National Ambassador for the Jackson Do the Write Thing Challenge, a youth violence prevention program that was brought to Madison County.

Councilmember Foote expressed appreciation to everyone for their acts of kindness to her and her family during her husband’s illness and at his passing on February 1, 2018.

The minutes of the February 6, 2018, meeting were approved and signed.

Mayor Gist extended an invitation for public comment to anyone present who wished to express comments related to any new business item on the meeting agenda.

Haley Geeslin, director of the City’s Recovery Court, shared information regarding the Recovery Court Program with the audience and showed a video on some of the graduates of the program. Mayor Gist acknowledged the presence of City Court Judge Blake Anderson who started the Recovery Court 14 years ago. Mayor Gist also

extended his sincere appreciation to the Recovery Court staff and counselors for all they do for the City of Jackson.

This being the time and place advertised for a public hearing to consider an Ordinance to close and abandon a street stub running northwest from Mimosa Drive to Stanfill Lane, Mayor Gist declared the public hearing open. Mayor Gist then asked if there was anyone present who wished to speak in opposition to or in support of the passage of the ordinance. There being no one present to speak in opposition to or in support of the passage of the ordinance, Mayor Gist declared the public hearing closed. On the motion of Councilmember Brooks, seconded by Councilmember Dodd, the ordinance was unanimously approved on first reading.

This being the time and place advertised for a public hearing to consider an Ordinance to amend the Official Liquor Store District Map for the City of Jackson, Tennessee, Mayor Gist called upon City Attorney Lewis Cobb to give the City Council an update on the proposed revision. A copy of the revised Liquor Store District Map which showed a new expansion configuration to Liquor Store District Zone Four was displayed for the City Council's review and consideration. There are twelve liquor stores in Jackson divided into six separate liquor store district zones with two liquor stores assigned to each of the six liquor store districts. City Attorney Lewis Cobb stated that his office was contacted by at least two attorneys who said they wanted to speak at today's meeting. Mr. Cobb further stated that the attorneys have written a letter suggesting that there are questions in their minds about whether the liquor zone restrictions have any legal validity or whether the restrictions, if valid, have been properly amended and adapted to the change in the geography, area and population of Jackson. Mr. Cobb also stated that it is his opinion that the law on the subject does

allow the City to continue to regulate through the issuance or the denial of a Certificate of Good Moral Character and that it does allow limitations on the number of liquor stores in Jackson. Mr. Cobb then stated that the issue of liquor zones and the nature of the liquor district lines is something the court or the Alcoholic Beverage Commission could review and if they feel the restrictions are arbitrary or capricious, they could overrule the City Council's decision. Stan Pilant, City Planner, stated that the only revisions that have been made to the Official Liquor Store District Map over time have been through annexation and the liquor store districts have been amended to reflect those annexations. Mr. Pilant also advised the options the Liquor District Zoning Committee considered before making their recommendation to the City Council. Mayor Gist declared the public hearing open and asked if there was anyone present who wished to speak in opposition to or in support of the passage of the ordinance. Attorney Todd Siroky and Attorney Hank Shackelford expressed opposition to the passage of the ordinance and questioned the validity of having liquor store district zones in Jackson on behalf of their clients. Michael Everett, president of the Jackson Wine & Spirits Retailers Association and the holder of a liquor license in Jackson expressed that he and nine other liquor license holders in Jackson do not want changes to the City's Liquor Store District Map. Alan Sallee, a liquor license holder in Jackson, expressed his desire to move his liquor store business to another liquor store district zone. After Mayor Gist had given everyone an opportunity to speak who wished to speak, he declared the public hearing closed. Councilmember Bray moved to approve the ordinance. Councilmember Dodd seconded the motion. The motion to approve the ordinance failed 2-5-1, with Councilmembers Bray and Dodd voting yea, Councilmembers Brooks, Buchanan, Cisco, Foote and Rahm voting nay, and Councilmember Wallace abstaining.

On the motion of Councilmember Buchanan, seconded by Councilmember Cisco, unanimous approval was given to the sale of City-owned surplus property (vacant lot) located at 205 Iselin Street to Sonny Phillips for \$500; Map 87-F Group D Parcel 4.00.

On the motion of Councilmember Rahm, seconded by Councilmember Foote, unanimous approval was given to submit a grant application to the Federal Emergency Management Agency for the purchase of the following items for the Jackson Fire Department:

- Scotty Combination Sprinkler/Fire and Life Safety House
- BullEx Bulls Eye trainers package
- 2018 F-250 SD Crew Cab

On the motion of Councilmember Cisco, seconded by Councilmember Bray, unanimous approval was given to a Resolution to support the West Tennessee River Basin Authority in its effort to obtain additional Federal/State Funding.

On the motion of Councilmember Buchanan, seconded by Councilmember Cisco, unanimous approval was given to a contract with JD Distributors for janitorial products, based upon unit pricing, best bid received.

On the motion of Councilmember Cisco, seconded by Councilmember Foote, unanimous approval was given to a contract with Cantrell Construction Company, Inc. in the amount of \$124,275.50 for a walking trail at Liberty Garden, lowest and best bid received.

On the motion of Councilmember Buchanan, seconded by Councilmember Foote, unanimous approval was given to a contract with The Grove Primary Care Clinic

for intensive outpatient treatment and moral reconnection therapy for the Drug Treatment Court Program.

On the motion of Councilmember Buchanan, seconded by Councilmember Dodd, unanimous approval was given to a contract with Aeneas Communications for long distance services, best bid received.

On the motion of Councilmember Buchanan, seconded by Councilmember Dodd, unanimous approval was given to a contract with Delta Contracting Company in the amount of \$6,609,162.75 for the widening of F.E. Wright Drive (Phase I), lowest and best bid received.

Mayor Gist stated that due to an amendment that was filed with the General Assembly regarding proposed voting legislation that involves changing the date of when municipal elections are held in Tennessee, the City Charter Review Committee is going to wait for the results of the proposed legislation before presenting their recommendations to the City Council. Mayor Gist then called upon City Attorney Lewis Cobb to give the City Council an overview of the proposed recommendations from the committee. Mr. Cobb stated that there is legislation that has been proposed in Nashville that would mandate City elections to be held the same time as State elections putting City elections on an August or November ballot date. Mr. Cobb further stated that research on the matter indicates that the proposed legislation, if passed by the General Assembly, would not come into effect for four more years so it will not disrupt the 2019 City election. Mr. Cobb then reported the following recommendations from the City Charter Review Committee:

- Section 3. Revision to Eligibility for election for Mayor and Council regarding age and length or residency.

- Section 4. Removal of second paragraph of Section 4 regarding \$100.00 qualifying fee.
- Section 9. Rewording of language regarding fidelity Bond.
- Section 61 Regarding early payment of property taxes.

Councilmember Foote stated that she did not think the proposed ninety-days requirement of residing in a council district before a person can be a candidate for City Council will be sufficient since the cut-off date for a qualifying candidate is approximately 90 days before the election. Councilmember Buchanan stated that a better threshold for electability to fill a council vacancy would be to have a vote of two-thirds of the members of the council who are present on the day the vacancy is filled instead of the threshold of having a vote of seventy-five percent of the council. Mr. Cobb made a note of the suggestions from Councilmembers Foote and Buchanan and asked the City Council to let him know if anyone else wants to make amendments to a proposed City Charter change.

On the motion of Councilmember Rahm, seconded by Councilmember Foote, unanimous approval was given to apply for a TVA Invest Prep Grant to provide infrastructure support for the Highway 223 Industrial Park. This will be a 50/50 grant with the City's match being \$250,000 (total grant \$500,000). Mandy White, Jackson Chamber of Commerce Senior Vice President of Economic Development, was present and answered questions regarding the Highway 223 Industrial Park.

On the motion of Councilmember Brooks, seconded by Councilmember Dodd, the re-appointment of Terry Wallace to the Ned McWherter West Tennessee Cultural Arts Center was approved 7-0. (Councilmember Cisco was not present to vote on this matter and was absent for the remainder of the meeting.)

On the motion of Councilmember Rahm, seconded by Councilmember Wallace, the appointment of Ross Priddy to the Municipal Solid Waste Planning Commission to fill the unexpired term of Scott Conger was approved 7-0.

On the motion of Councilmember Brooks, seconded by Councilmember Rahm, the appointment of Ross Priddy to the City Taxi Board to fill the unexpired term of Scott Conger was approved 7-0.

On the motion of Councilmember Buchanan, seconded by Councilmember Dodd, the appointment of Mike Singleton to the City Board of Zoning Appeals to fill the unexpired term of Pattie Lewis was approved 7-0.

On the motion of Councilmember Rahm, seconded by Councilmember Dodd, the re-appointment of Kimberly Lewis to the Vicious Dog Committee was approved 7-0.

On the motion of Councilmember Foote, seconded by Councilmember Brooks, the appointment of Diedre Nichols and the re-appointments of Abbie Hinton, Ron Adams, Mary Jo Bell, Karen Davenport, Georgia Ann Wright, Pat Hamlett and Jo Ann Harville to the Keep Jackson Beautiful Commission were approved 7-0.

On the motion of Councilmember Buchanan, seconded by Councilmember Wallace, the following budget amendment requests were approved 7-0:

CAPITAL		Current	Amendment	Amended
FUND:		Budget	Request	Budget
<i>Expenses:</i>				
315-41903-900	Animal Care Center	220,000	25,000	245,000
<i>Revenue:</i>				
315-36961	Transfer from General Fund		25,000	25,000
GENERAL FUND:				
<i>Expenses:</i>				
110-41900-767	Approp Other Agencies	289,649	(25,000)	264,649
110-41900-761	Transfer to Other Funds		25,000	25,000

Budget amendment to transfer \$25,000 originally budgeted in Appropriation to Other Agencies to capital fund for the building of the new Animal Care Center as the appropriation will no longer be given to the Humane Society since as of October 1, 2017, the Center became the responsibility of the City of Jackson.

On the motion of Councilmember Dodd, seconded by Councilmember Foote, the following budget amendment requests were approved 7-0:

DEBT SERVICE		Current	Amendment	Amended
FUND:		Budget	Request	Budget
<i>Expenses:</i>				
211-49117-611	2018 Bond Issue		9,000,000	9,000,000
<i>Revenue:</i>				
211-36935	Proceeds from 2018 Bond Issue		9,000,000	9,000,000

This budget amendment is to put the 2018 Bond Issue on the general ledger books in the amount of \$9,000,000 for the amount to be used for A & E costs for the new City Court Building to be incurred in the FY18 budget.

On the motion of Councilmember Bray, seconded by Councilmember Dodd, the payment of invoices over \$10,000 was approved 7-0.

There being no further business, the meeting was adjourned.

JERRY GIST, MAYOR