

MINUTES
CITY COUNCIL MEETING
NOVEMBER 3, 2009

The Jackson, Tennessee, City Council met for their regular monthly meeting on Tuesday, November 3, 2009, at 9:00 a.m. in the George A. Smith Meeting Room at City Hall with Mayor Jerry Gist and Council members Charles "Pepper" Bray; Ernest Brooks, II; Harvey Buchanan; Johnny Dodd; Danny Ellis; Maurice Hays; Frank Neudecker; Charles Rahm; and Randy Wallace present. Also present was Anita Brooks, recorder of the minutes.

Council member Maurice Hays gave the invocation and led the audience in the Pledge of Allegiance to the Flag.

The minutes of the October 6, 2009, meeting were approved and signed.

Mayor Gist presented proclamations for Aspell Recovery Center Day, National Collection Week for Gift-Packed Shoeboxes for Operation Christmas Child and introduced Gill Kendrick, the newly selected Police Chief, to the City Council and to the audience.

Mayor Gist announced that the consideration of an Ordinance to require all establishments that sell alcohol to close by 2:15 a.m. would be taken off the agenda.

PUBLIC HEARINGS:

Council member Ellis made a motion to approve an Ordinance to amend Title 10 and Title 2 of the Official Code of the City of Jackson relative to Animal Control and Boards and Commission, Etc. The motion to approve the ordinance was seconded by Council member Wallace and failed 5-4 with Council members Brooks, Buchanan, Hays, Neudecker and Rahm voting nay and Council members Bray, Dodd, Ellis and

Wallace voting yea. Dr. Vicki Lake, Chairperson of the Safe Neighborhoods Task Force Committee, was present and advised that the original recommendation by the Safe Neighborhoods Task Force Committee was to revise the Animal Control Ordinance to develop an ordinance that would include the following:

- Require fences on property for outside dogs;
- Prohibit the use of chains and stakes for dogs;
- Prohibit Pit Bulls in the City of Jackson; and
- Require all cats and dogs in the city to be spayed or neutered.

Dr. Lake also answered questions from the City Council members about the proposed ordinance. Judy Chromizky, Linda Dinger, Robin Cannon, William Hill, James Odle and Elisa Campbell were present and expressed opposition to the ordinance. Jason Smith, James Elder, Susan Brockmeyer, Jennifer McBride, Emily Strobe, Danielle Hardee, Shania Garcia and Joan Williams were present and expressed support for the ordinance.

SECOND READINGS:

On the motion of Council member Neudecker, seconded by Council member Buchanan, unanimous approval was given to an Ordinance to amend the text of the Official Zoning Ordinance of the City of Jackson, Tennessee, Article V, Specific District Regulations, Section 16 I-2 (Light Industrial) District B. Uses Permitted 3, and E. Area Regulation, 5. Maximum Lot Coverage.

On the motion of Council member Brooks, seconded by Council member Buchanan, unanimous approval was given to an Ordinance to rezone property located at 1382 North Royal Street from A-O (Agriculture and Open Land) District and RS-1

(Single Family Residential) District to RG-2 (General Residential) District, comprising 18.24 acres, more or less, submitted by Dennis Thomas.

The meeting was recessed at 10:25 a.m. and was reconvened at 10:35 a.m. All Council members were present at the time the meeting reconvened except Council member Dodd.

On the motion of Council member Buchanan, seconded by Council member Bray, a request to approve a payment of \$15,000, which represented full and complete settlement in the case of Marla Taylor vs. Jackson Police Department, based on the recommendation of the attorney hired by the Tennessee Municipal League to defend the case, was approved 7-0-1, with Council member Ellis abstaining. (Council member Dodd was not present to vote on the matter.)

Council member Ellis made a motion to table the consideration of a Resolution that pertained to the construction of a parking garage in downtown Jackson to allow for the formation of a committee, made up of Council members, to explore the option of a lease purchase arrangement with John Allen for the property located at the 100 block of North Highland Avenue to negotiate the price of constructing a parking deck with retail space and without retail space and to enter into an agreement that was agreeable on the price, term and duration of the lease. Council member Buchanan seconded the motion. After Council members called for clarity on the motion as to whether all the options given by John Allen would be explored, Council member Ellis moved to amend his prior motion by allowing all the options submitted by John Allen to be explored by the committee. Council member Buchanan seconded the motion. The amended motion to table the consideration of a Resolution that pertained to the construction of a parking garage in downtown Jackson with the recommendation of having three council

members to serve on the committee to explore all the options from John Allen failed 5-3-1, with Council members Bray, Hays, Neudecker, Rahm and Wallace voting nay, Council members Brooks, Buchanan and Ellis voting yea, and Council member Dodd abstaining. The amended motion to table the consideration of a Resolution that pertained to the construction of a parking garage in downtown Jackson with the recommendation of having five council members to serve on the committee to explore all the options from John Allen passed 7-2, with Council members Brooks and Rahm voting nay.

On the motion of Council member Neudecker, seconded by Council member Rahm, unanimous approval was given to a supplemental contract with Master Development Partner, Healthy Community LLC, to perform certain specified activities related to Center City Revitalization Project – District 1, Public Infrastructure Improvements.

On the motion of Council member Rahm, seconded by Council member Neudecker, unanimous approval was given to a Resolution establishing the City of Jackson’s policy for Debt Management.

On the motion of Council member Brooks, seconded by Council member Bray, unanimous approval was given to the following FY10 budget amendment requests:

GENERAL FUND		Current	Amendment	Amended
<i>Expenditures:</i>		Budget	Request	Budget
110-41900-595	Unanticipated Expenses	252,966.76	(40,000)	212,966.76
110-41900-761	Transfer to Capital Fund		40,000	40,000
H & S FUND				
<i>Funding:</i>				
131-33176	Recycling Grant		8,778.00	8,778.00
<i>Expenditures:</i>				
131-43230-800	Recycling Expense		8,778.00	8,778.00
CAPITAL FUND:				
<i>Expenditures:</i>				
315-41310-900	Office of Mayor Capital		40,000	40,000
<i>Funding:</i>				
315-36961	Transfer from General Fund		40,000	40,000

City was requested to move \$40,000 from general fund unanticipated expenses as discussed at last month's City Council meeting to Capital Fund to cover cost of roof for Bennett Center in the amount of \$37,000 and an additional capital purchase for Mayor's office of \$3,000.

City received the Recycling Grant from State of Tennessee to cover cost of additional recycling bins to be used at locations around Jackson. This grant will be managed by the Health and Sanitation Department.

On the motion of Council member Dodd, seconded by Council member Brooks, unanimous approval was given to the following board appointments:

- Planning Commission – Appointment of Chris Edwards to replace Bill Pflaum.
- Jackson Madison County Library Board – Appointment of Herb Slack to replace Greg Milam.
- Small Business Loan Review Board – Reappointment of Horace Chase, Nell Huntspon and Brandon McWherter.

On the motion of Council member Bray, seconded by Council member Dodd, the payment of invoices over \$10,000 was approved 8-1, with Council member Neudecker voting nay.

There being no further business, the meeting was adjourned.

JERRY GIST, MAYOR