

MINUTES
CITY COUNCIL MEETING
SEPTEMBER 2, 2008

The Jackson, Tennessee City Council met for their regular monthly meeting on Tuesday, September 2, 2008, at 9:00 a.m. in the George A. Smith Meeting Room at City Hall with Mayor Jerry Gist and Council members Ernest Brooks, II; Harvey Buchanan; Johnny Dodd; Danny Ellis; Maurice Hays; Frank Neudecker; Charles Rahm; and Randy Wallace present. Council member Charles “Pepper” Bray was not present. Also present was Anita Brooks, recorder of the minutes.

Council member Harvey Buchanan gave the invocation and led the audience in the pledge of allegiance to the flag.

The minutes of the August 5, 2008 meeting were approved and signed.

Mayor Gist expressed appreciation to the American Red Cross, Emergency Management, four area churches and community volunteers for housing and helping the evacuees of Hurricane Gustav.

PUBLIC HEARINGS:

Council member Neudecker made a motion to table the consideration of a Resolution to adopt a Plan of Service, two Ordinances to annex and two Ordinances to zone an area referred to as “Lighthouse Subarea 1 & 2 Annexation Areas,” generally located on the west and south sides of Old Humboldt Road, just west of Passmore Lane, containing 2 subareas and comprising a total of 34.3 acres, more or less as submitted by Lighthouse Church, until the owner of the property could be contacted and responds to the annexation notice. The proposed zoning for this annexation area is RS-

1/FH (Single Family Residential/Flood Hazard) District. Council member Neudecker's motion died for lack of a second. On the motion of Council member Dodd, seconded by Council member Brooks, a Resolution to adopt a Plan of Service, two Ordinances to annex and two Ordinances to zone an area referred to as "Lighthouse Subarea 1 & 2 Annexation Areas," were approved 7-1, with Council member Neudecker voting nay. Mr. Dennis McCoy, Board member and Building Committee Member at Lighthouse Pentecostal Church, spoke in support of the annexation.

Council member Rahm made a motion to approve an Ordinance to barricade and close Pammara Lane to through traffic. The request was submitted by Bob Bankston on behalf of area property owners. Council member Neudecker seconded the motion. Council member Rahm made another motion to amend his previous motion by including provisions for a closure to be used by emergency personnel only. Council member Neudecker seconded the motion and the motion was approved 5-3, with Council members Buchanan, Hays, Rahm, Neudecker and Wallace voting yea and Council members Brooks, Dodd and Ellis voting nay. Mr. Bob Bankston, Mr. Richard Johnsey, Mr. John Fanning and Mr. Robert Morford spoke in support of the ordinance. Mr. Eric Barr, Ms. Jeannette Merriweather, Ms. Kathryn Avent, Mr. Kevin Marcelle and Ms. Jenet Garner spoke in opposition to the ordinance.

On the motion of Council member Brooks, seconded by Council member Dodd, an Ordinance to barricade and close Mimosa Street to through traffic, submitted by Scott Murray on behalf of area property owners, was denied 5-3, with Council members Brooks, Buchanan, Dodd, Hays and Wallace voting in favor of denying the request and Council members Ellis, Neudecker and Rahm voting against denying the request.

On the motion of Council member Dodd, seconded by Council member Hays, an Ordinance to amend Title 17 of the City Code of Jackson regarding charges for garbage collection was approved 5-3, with Council members Dodd, Ellis, Hays, Neudecker and Wallace voting yea and Council members Brooks, Buchanan and Rahm voting nay.

SECOND READINGS:

On the motion of Council member Brooks, seconded by Council member Neudecker, unanimous approval was given to an Ordinance to abandon Merry Street, located between Madison Street and Beasley Street, just west of South Highland Avenue, submitted by Hal Crocker.

NEW BUSINESS:

Mr. Lafayette McKinnie of Workforce Investment gave a report on the Summer Youth Employment.

On the motion of Council member Neudecker, seconded by Council member Ellis, the request of Council member Wallace to establish a committee to review the City Charter and make recommendations for changes (if any) back to the Mayor and City Council failed 4-4, with Council members Brooks, Ellis, Neudecker and Wallace voting yea and Council members Buchanan, Dodd, Hays and Rahm voting nay.

On the motion of Council member Dodd, seconded by Council member Wallace, a contract with Spragins, Barnett & Cobb for legal services provided to the City of Jackson was approved 7-0-1, with Council member Neudecker abstaining.

On the motion of Council member Ellis, seconded by Council member Dodd, unanimous approval was given to the following contracts with the City of Jackson:

- Contract with Tinin Contracting for rip rap for \$16.25 per ton.
- Contract with Tinin Contracting for 33C for \$13.10 per ton.

- Contract with Jackson Sand for top dressing sand for \$11.45 per ton.
- Contract in the amount of \$26,323.00 with Vulcan Signs for street name blades, based upon unit costs.
- Contract in the amount of \$7,958.00 with Orkin Pest Control for pest services.
- Contract in the amount of \$34,913.00 with Osburn Associates for signs, based upon unit costs.
- Contract in the amount of \$144,772.69 with Contech for spiral storm pipe, based upon unit costs.
- Contract in the amount of \$19,863.05 with Contech for corrugated metal pipe, based upon unit costs.

On the motion of Council member Rahm, seconded by Council member Neudecker, unanimous approval was given to a Maintenance Contract in the amount of \$35,775.00 on State Routes between the State of Tennessee Department of Transportation and the City of Jackson for Mowing and Litter Removal during 2008/2009 and to a Maintenance Contract in the amount of \$170,899.08 on State Routes between the State of Tennessee Department of Transportation and the City of Jackson during 2008/2009.

On the motion of Council member Neudecker, seconded by Council member Wallace, the request of Council member Neudecker to place on the next available ballot for decision by the voters via referendum setting term limits for the office of Mayor and to place on the next available ballot for decision by the voters via referendum setting term limits for the office of City Council failed 7-1, with Council members Brooks, Buchanan, Dodd, Ellis, Hays, Rahm and Wallace voting nay and Council member Neudecker voting yea.

On the motion of Council member Wallace, seconded by Council member Brooks, unanimous approval was given to the following FY08 budget amendment requests (retroactive to June 30, 2008):

| H & S | | Current | Amendment | Amended |
|----------------------|-----------------------------|--------------|-----------|--------------|
| <i>Expenditures:</i> | | Budget | Request | Budget |
| 131-43230-530 | Transfer to Other Funds | 596,706.60 | 350,000 | 946,706.60 |
| | | | | |
| | | | | |
| <i>Funding:</i> | | | | |
| 131-37710 | Garbage Collections Revenue | 9,457,453.8 | 189,000 | 9,646,453.80 |
| 131-37712 | Penalties for Garbage | 25,000 | 1,027.14 | 26,027.14 |
| General Fund | | | | |
| <i>Expenditures</i> | | | | |
| 110-43161-325 | Tornado Expenses 2008 | | 100,000 | 100,000 |
| | | | | |
| <i>Funding:</i> | | | | |
| 110-37900 | From Fund Balance | 3,335,381.19 | 100,000 | 3,435,381.19 |
| | | | | |
| | | | | |

Transfer \$350,000 from H&S Fund to General Fund. Amendment needed to show transfer and balance H&S fund budget. City budget exceeded allocated appropriations mainly due to tornado expenses and therefore showing an amendment for \$100,000 will help to bring budget into balance for FY08.

On the motion of Council member Rahm, seconded by Council member Dodd, the payment of invoices over \$10,000 was approved 7-1, with Council member Neudecker voting nay.

There being no further business, the meeting adjourned.

JERRY GIST, MAYOR