

MINUTES
CITY COUNCIL MEETING
MAY 7, 2019

The Jackson, Tennessee, City Council met for their regular monthly meeting on Tuesday, May 7, 2019, 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; Ross Priddy; Charles Rahm; and Randy Wallace present. Also present was Anita Brooks, recorder of the minutes.

Councilmember Harvey Buchanan gave the invocation and led the audience in the Pledge of Allegiance to the Flag.

The minutes of the April 2, 2019, 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.

An Ordinance to amend the text of the official Animal Control Ordinance for the City of Jackson, Tennessee, was presented for consideration by Dr. Vicki Lake and Kathleen Huneycutt, director of the City of Jackson Health and Sanitation Department and Animal Control Division. Dr. Lake stated that a committee of rescue organizations and other individuals drafted the proposed amendments to the Animal Control Ordinance and the City’s legal counsel reviewed them. Dr. Lake described the proposed amendments to the ordinance which includes amending Title 10, ANIMAL CONTROL, Chapter 1. IN GENERAL, Section 10-101. Definitions. – adding definitions for “Owner” and “Spay/Neuter” and adding the following sections to the existing Animal Control Ordinance:

- 10-105. Unaltered animals.
- 10-106. Proof of Compliance.
- 10-107. Enforcement.
- 10-108. Use of fees collected.

Dr. Lake also described the procedures that will be used for enforcement of the ordinance. Ms. Huneycutt explained how fees will be collected by the City of Jackson Animal Care Center and how

the City will enforce the ordinance. Ms. Huneycutt also stated that half of the revenue collected from tickets and citations will go towards the Animal Control Officer's budget and the other half will go to the West Tennessee Healthcare Foundation for the low cost spay/neuter program. Mayor Gist asked if there was anyone present in the audience who wished to speak in opposition to or in support of the passage of the ordinance. Karen Byers, director of West Tennessee Spay and Neuter, expressed opposition to the passage of the ordinance. Judy McClellan Foster expressed a need for more aggressive spay and neuter laws and options in Jackson-Madison County. Kathy Burleson expressed support for the passage of the ordinance. On the motion of Councilmember Dodd, seconded by Councilmember Cisco, the ordinance was approved 7-2 on first reading, with Councilmembers Bray, Buchanan, Cisco, Dodd, Foote, Priddy and Wallace voting yea and Councilmembers Brooks and Rahm voting nay.

This being the time and place advertised for a public hearing to consider an Ordinance to rezone property located at 2391 Christmasville Cove from RS-1 (Single Family Residential) District to SC-1 (Planned Commercial Development) District, comprising 11.8± acres, submitted by Bruce Patel, 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 Buchanan, seconded by Councilmember Dodd, the ordinance was unanimously approved on first reading.

On the motion of Councilmember Buchanan, seconded by Councilmember Cisco, unanimous approval was given to an Ordinance to rezone property located at 2192 Hollywood Drive from B-5 (Highway Business) District to A-O (Agriculture and Open Land) District, comprising .427± acres, submitted by David Bailey on behalf of Leroy Johnson Trust, on second reading.

On the motion of Councilmember Brooks, seconded by Councilmember Priddy, unanimous approval was given to the following revisions to the City of Jackson, Tennessee, Refuse and Trash Disposal Ordinance on second reading:

17-101(12). “Trash and bulky waste.” Loose brush, loose limbs, furniture, appliances, large machines, construction material and similar items. Professional tree trimmers, landlords, and contractors will be required by city ordinance to pick up their own trash and bulky waste and dispose of same in accordance with city ordinance.” *Jackson, Tennessee Municipal Code, §17-101 (12).*

17-103. Collection – to be made by city; exception. All garbage and/or refuse, trash and bulky waste shall be collected, conveyed and disposed of by the city. The city may contract for the collection of such garbage and/or refuse and trash and bulky waste or any part thereof. No person shall convey over any of the streets or alleys of the city, or dispose of any refuse accumulated in the city, except as noted hereafter:

(1) Exception for actual producers. This chapter shall not prohibit the actual producer of garbage, refuse, trash or bulky waste, the employees of the actual producer, or the owners or legal occupants of the premises upon which the garbage, refuse, trash, or bulky waste has accumulated, from personally collecting, conveying and disposing of same. The actual producer of the waste, the employees of the actual producer, and the owners or legal occupants of the premises may personally transfer such garbage, refuse, trash or bulky waste and dispose of same in the city landfill. *Jackson, Tennessee Municipal Code, §17-103.*

17-105 (4). Construction garbage and refuse. Quantities of garbage and refuse materials resulting from the repair, excavation, construction or destruction of buildings, such as, but not limited to, broken concrete, dirt, sand, gravel, trees, tree limbs, woolen wastes or any other non-putrescible materials, shall be removed and disposed of by the licensed contractor who has a permit to perform the construction work, the employees of the licensed contractor, or the property owner or legal occupant of the property by a method allowable under this Ordinance. *Jackson, Tennessee Municipal Code, §17-105(4).*

On the motion of Councilmember Dodd, seconded by Councilmember Foote, unanimous approval was given to a contract with Maxxguard for guard services, lowest and best bid received.

On the motion of Councilmember Cisco, seconded by Councilmember Foote, unanimous approval was given to a contract with A-Z Office Resource for office supplies, based upon unit pricing, lowest and best bid received.

On the motion of Councilmember Dodd, seconded by Councilmember Foote, unanimous approval was given to a contract amendment in the amount of \$4,696,330 with Gresham Smith for Preliminary and Right of Way Design Services for the U.S. 45 Bypass Southern Extension Project, pending Tennessee Department of Transportation's approval of the project. The cost of the project is reimbursable by the State of Tennessee.

On the motion of Councilmember Brooks, seconded by Councilmember Dodd, the relocation of Party Mart Liquors and Wines from 2841 Highway 45 Bypass to 429 Walker Road was approved 8-0-1, with Councilmember Wallace abstaining. The subject relocation is in their current liquor district and meets all of the City's Title 8, Chapter 1 Municipal Code requirements.

On the motion of Councilmember Buchanan, seconded by Councilmember Rahm, unanimous approval was given to adopt By-Laws for the Amphitheater Advisory Board.

On the motion of Councilmember Cisco, seconded by Councilmember Dodd, the re-appointment of Dennis Henderson to the Jackson Energy Authority Board was approved 8-0-1, with Councilmember Wallace abstaining.

On the motion of Councilmember Cisco, seconded by Councilmember Dodd, unanimous approval was given to the appointments of James Exum, Frank McMeen, Lori Nunnery, John Carson, Chris Allison and Jerry Gay to the Amphitheater Advisory Board.

On the motion of Councilmember Foote, seconded by Councilmember Rahm, unanimous approval was given to the appointment of Bob Baudo to the Keep Jackson Beautiful Commission.

On the motion of Councilmember Brooks, seconded by Councilmember Dodd, unanimous approval was given to the following General Fund write-offs:

a) 2007 Property Base Tax, Penalty and Interest – as required by 10-year Statute of Limitations:

BASE TAX: \$59,513.06

PENALTY: \$ 6,539.00

INTEREST: \$ 6,350.22

TOTAL TAX: \$72,402.48

Information from Al Laffoon:

2007 Property Taxes Billed - \$25,001,000

Write-off: \$72,402

Write-off %: .3%

Personal Property Write-offs \$55,026 or 76% delinquent personal property tax cannot be included in default judgments and tax sales.

On the motion of Councilmember Buchanan, seconded by Councilmember Wallace, unanimous approval was given to the following General Fund write-offs:

b) Returned Checks and Unreconciled Checks:

RETURNED CHECKS - \$1245.13

UNRECONCILED CHECKS – PAYROLL - \$519.14

UNRECONCILED CHECKS – ACCOUNTS PAYABLE - \$7,376.45

On the motion of Councilmember Rahm, seconded by Councilmember Wallace, unanimous approval was given to the following Solid Waste Fund write-offs:

c) Delinquent Garbage Write-offs:

HEALTH AND SANITATION:

GARBAGE ACCOUNTS - \$13,890.62

TEMPORARY CONTAINERS - \$13,045.86

On the motion of Councilmember Wallace, seconded by Councilmember Foote, unanimous approval was given to the following General Fund write-offs:

d) Delinquent City Court Fines:

CITY COURT FINES:

FY17 – 7/1/16 – 6/30-17 - \$276,971.73

CITY COURT RESTITUTION – UNDELIVERED CITY CHECKS - \$1,362.67

On the motion of Councilmember Brooks, seconded by Councilmember Priddy, the following General Fund write-offs were approved: (Councilmember Cisco was not present to vote on this item and was absent for the remainder of the meeting.)

e) Civic Center Rentals: \$3,467.27

On the motion of Councilmember Rahm, seconded by Councilmember Wallace, the following General Fund write-offs were approved:

f) Police Department Accounts Receivable Bar Duty – Elite Grill - \$3,195.72

On the motion of Councilmember Buchanan, seconded by Councilmember Dodd, the following General Fund write-offs were approved:

g) Jackson Housing Authority Community Development Loans (to be written off the city's books per Latonya Fason) - \$197,837.84

On the motion of Councilmember Brooks, seconded by Councilmember Foote, the following budget amendment requests were approved:

CAPITAL FUND		Current	Amendment	Amended
<i>Revenue:</i>		Budget	Request	Budget
315-33492	Reimb: US 45 Bypass Southern Ext.		4,696,330	4,696,330
CAPITAL FUND				
<i>Expenses:</i>				
315-43190-932	US 45 Bypass Southern Ext.		4,696,330	4,696,330

A professional services contract is being awarded for the US 45 Bypass Southern Extension from TDOT and the City Engineer, Scott Chandler, has requested accounts be set up for the 100% offsetting of this expense in the amount of \$4,696,330.

On the motion of Councilmember Dodd, seconded by Councilmember Rahm, the following budget amendment requests were approved:

GENERAL		Current	Amendment	Amended
FUND		Budget	Request	Budget
<i>Expenses:</i>				
110-41111-280	City Council Travel/Training	7,500	6,500	14,000
110-41111-255	City Council Computers/IS Services	2,500	1,000	3,500
110-41300-250	Legal Professional Services	175,000	35,000	210,000
110-41680-130	Risk Mgmt Employee Benefits	52,588.82	10,000	62,588.82
110-41815-111	City Court Bldg Salaries	31,200	9,000	40,200
110-41815-130	City Court Bldg Emp Benefits	12,354.95	6,400	18,754.95
110-41815-530	City Court Bldg Rent	112,570.80	6,000	118,570.80
110-42254-240	Fire Dept Bldgs Utility & Sanitation	125,000	75,000	200,000
110-42254-266	Fire Dept Bldgs Repair & Maint	40,000	21,000	61,000
110-42254-267	Fire Dept Bldgs Repairs	9,000	4,000	13,000
110-42254-324	Fire Dept Bldg Janitorial Supplies	10,000	7,000	17,000
110-42254-940	Fire Dept Bldg Furniture	0	6,000	6,000
110-41903-130	Animal Care Empl Benefits	66,473.32	30,000	96,473.32

110-43911-290	Stormwater Contract Services	46,000	314,000	360,000
110-43197-400	ADA Expenses	255,000	245,000	500,000
110-44420-111	Oman Salaries	11,664	15,000	26,664
110-44420-240	Oman Utilities	118,000	18,000	136,000
110-44420-291	Oman Stagehands	5,000	6,000	11,000
110-44420-330	Oman Repairs & Maint	5,193.25	10,000	15,193.25
110-44720-240	Parks Maint Utilities & Sanit	150,000	40,000	190,000
110-44730-331	Groundskeeping Motor Fuel	31,000	12,000	43,000
110-44730-339	Groundskeeping Motor Veh Exp	26,000	38,000	64,000
<i>Revenue:</i>				
110-37900	Fund Balance	197,725.95	914,900.00	1,112,625.95
CAPITAL				
FUND				
<i>Expenses:</i>				
315-42220-900	Fire Operations Capital	84,189	2,000	86,189
315-43310-900	City Garage Capital	64,454	3,064	67,518
315-44420-900	Oman Arena Capital	3,600	1,500	5,100
<i>Revenue:</i>				
315-37900	Fund Balance	2,581,107.84	6,564	2,587,671.84

To amend budget for increased expenditures for FY19 in the General Fund budget by \$914,900. To amend budget for increased expenditures for FY19 in the Capital Budget by \$6,564.

On the motion of Councilmember Foote, seconded by Councilmember Wallace, the following budget amendment requests were approved:

GENERAL		Current	Amendment	Amended
FUND		Budget	Request	Budget
<i>Expenses:</i>				
110-44460-260	Carnegie/Music Museum	24,950	38,000	62,950
<i>Revenue:</i>				
110-37900	Fund Balance	1,112,625.95	38,000	1,150,625.95

To amend budget for increased expenditures for the Carnegie/Music Museum for FY19 in the General Fund budget by \$38,000. This will make the FY19 draw on fund balance at this time be \$1,150,625.95.

On the motion of Councilmember Rahm, seconded by Councilmember Foote, the payment of invoices over \$10,000 was approved.

There being no further business, the meeting was adjourned.

JERRY GIST, MAYOR