

**MINUTES**  
**CITY COUNCIL MEETING**  
**AUGUST 5, 2008**

The Jackson, Tennessee City Council met for their regular monthly meeting on Tuesday, August 5, 2008, 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 Ernest Brooks, II gave the invocation and led the audience in the pledge of allegiance to the flag.

The minutes of the July 1, 2008 meeting were approved and signed.

Mayor Gist presented a proclamation for National Night Out to Sgt. Byron Taylor of the Jackson Police Department.

Mayor Gist acknowledged the upcoming retirement of Mr. Jerry McKinney, City Hall Building Superintendent, and thanked him for his many years of service with the City. Mayor Gist also recognized and introduced the new Deputy Fire Chief, Mr. David D. Dillingham and Mr. Parker Shipp, an intern working with the Parks and Recreation Department.

Without objection from the City Council, the Mayor presented the following New Business items:

1. Consideration of a Resolution authorizing the issuance and sale of its Hospital Revenue bonds; and
2. Consideration of a Lease Agreement Addendum between Golf Links and the City of Jackson.

On the motion of Council member Hays, seconded by Council member Buchanan, unanimous approval was given to a Resolution authorizing the issuance and sale of its Hospital Revenue Bonds (Jackson-Madison County General Hospital Project) not exceeding \$78,000,000 aggregate principal amount and Hospital Revenue Refunding Bonds (Jackson-Madison County General Hospital) not exceeding \$338,000,000 and authorizing and approving all documents, instruments, actions, and matters, necessary or appropriate for, or pertaining to, the issuance, sale and delivery of said bonds. Mr. Bobby Arnold, Chief Financial Officer for the Jackson-Madison County General Hospital, was present and answered questions regarding the Resolution.

On the motion of Council member Dodd, seconded by Council member Rahm, a Lease Agreement Addendum between Golf Links and the City of Jackson was approved 7-2, with Council members Ellis and Neudecker voting nay. Mr. Jerry Lemons, Chief Manager for Golf Links Management, LLC, was present and answered questions regarding the agreement.

**PUBLIC HEARINGS:**

Council member Buchanan made a motion to approve an Ordinance to abandon Merry Street, located between Madison Street and Beasley Street, just west of South Highland Avenue, submitted by Hal Crocker, with the following stipulations:

1. A significant street in the African-American community be renamed Merry Street;
2. The Merry Family be involved in the selection process of the street; and
3. The planning process to select an appropriate street to be renamed Merry Street be completed within ninety days.

Council member Dodd seconded the motion. The motion, with the stipulations, was unanimously approved. Mrs. Gwendolyn Merry-Coleman, granddaughter of Mr. Austin Raymond Merry, for whom the street was named; Mrs. Linda Higgins, Madison County

Historian; and Mr. Tony Black, President of the Merry High School National Alumni Association, spoke in support of maintaining a street with the “Merry” name.

**SECOND READINGS:**

On the motion of Council member Wallace, seconded by Council member Neudecker, an Ordinance to amend Title 13, Chapter 2, of the City Code of Jackson, Tennessee regarding the parking and storage of vehicles was approved 8-1, with Council member Rahm voting nay.

On the motion of Council member Brooks, seconded by Council member Wallace, unanimous approval was given to an Ordinance to amend the text of the Official Zoning Ordinance of the City of Jackson, Tennessee, Article VI. Regulations Applying to a Specific, to Several, or to All Districts, Section 14. Minimum Off-Street Parking Requirements, C. Parking Standards, 8. Residential and other dwellings (b) Dormitories, fraternity and sorority houses.

On the motion of Council member Ellis, seconded by Council member Neudecker, 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 4. RS-2 (Single Family Residential) District, D. Area Regulations, 6. Maximum Lot Coverage.

On the motion of Council member Buchanan, seconded by Council member Rahm, unanimous approval was given to an Ordinance to annex and an Ordinance to zone an area referred to as “I-40 Exit 87 Interchange Annexation Area,” generally located along Interstate 40 from Exit 85 to Exit 87 and generally along the north and south sides of Ridgecrest Road Extended, comprising a total of 367 acres, more or less. The proposed zoning for this annexation area is A-O (Agriculture-Open Land) District, SC-1 (Planned Unit Commercial Development) District, and SC-1/FH (Planned Unit Commercial Development/Flood Hazard) District.

On the motion of Council member Hays, seconded by Council member Buchanan, unanimous approval was given to an Ordinance to annex and an Ordinance to zone an area referred to as "Perry Annexation Area," generally located along State Route 18, just south of Hudson Drive, comprising a total of 5.1 acres, more or less. The proposed zoning for this annexation area is RS-1 (Single Family Residential) District.

On the motion of Council member Brooks, seconded by Council member Buchanan, unanimous approval was given to an Ordinance to rezone property located at 1938 North Royal Street from RG-1 (General Residential) District to RG-2 (General Residential) District, comprising 0.5 acres, more or less, submitted by Stephanie Reeves.

**NEW BUSINESS:**

On the motion of Council member Rahm, seconded by Council member Dodd, a settlement agreement between the City of Jackson and Charter Communications regarding disputed cable franchise fees was approved 7-0-1, with Council member Neudecker abstaining. (Council member Bray exited the meeting during the presentation of this item.)

On the motion of Council member Buchanan, seconded by Council member Dodd, an Administrative Services Agreement between the City of Jackson and Health Partners, Inc. for run-out services for medical claims submitted after the end of the contractual period with Health Partners was approved 8-0. (Council member Bray was not present to vote on this item.)

On the motion of Council member Ellis, seconded by Council member Dodd, the sale of property located at the southwest corner of Old Humboldt Road, across from Deloach Road, to Lighthouse United Pentecostal Church for the sum of \$900 was approved 8-0. (Council member Bray was not present to vote on this item.)

Council member Rahm made a motion to approve the 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. Council member Buchanan seconded the motion. In that there were some unanswered questions about the amount of the contract for mowing and litter removal and the amount of the contract for maintaining state routes during 2008/2009, Council member Rahm withdrew his motion and made another motion to table the consideration of both contracts until next month so council members could determine if the amount of the contracts were adequate. Council member Neudecker seconded the motion and the motion to table the consideration of 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 the consideration of 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 was unanimously approved.

On the motion of Council member Brooks, seconded by Council member Bray, unanimous approval was given to the acceptance of a street in Thomsen Farms Phase 3 Section 4, "Union University Drive," as a city street.

On the motion of Council member Buchanan, seconded by Council member Wallace, unanimous approval was given to a contract in the amount of \$200,000 with Looney Ricks Kiss Architects, Inc. ("LRK") for planning and design consulting services of a Neighborhood Analysis and Redevelopment Plan. Mr. Dexter Muller, with Pinnacle Planning Advisors, and Mr. Steve Auterman, with Looney Ricks Kiss Architects, Inc., were present and answered questions regarding the Neighborhood Analysis and Redevelopment Plan.

On the motion of Council member Dodd, seconded by Council member Wallace, a contract in the amount of \$50,000 with Geo-Jobe GIS Consulting for GIS services was approved 8-0-1, with Council member Neudecker abstaining.

On the motion of Council member Rahm, seconded by Council member Neudecker, a contract for concrete with Southern Concrete was approved 8-0-1, with Council member Ellis abstaining.

On the motion of Council member Buchanan, seconded by Council member Wallace, a contract with W & W Culverts for polyethylene pipe was approved 8-0. (Council member Dodd exited the meeting during the presentation of this item.)

On the motion of Council member Rahm, seconded by Council member Brooks, a contract for sod with Tri-Turf Farms was approved 7-1, with Council member Neudecker voting nay. (Council member Dodd was not present to vote on the item.)

On the motion of Council member Ellis, seconded by Council member Buchanan, change order number one to MSB for the Livestock Pavilion was approved 8-0. (Council member Dodd was not present to vote on the item.)

On the motion of Council member Buchanan, seconded by Council member Bray, a contract with Gresham Smith and Partners for the East Chester Improvement Project was approved 8-0. (Council member Dodd was not present to vote on the item.)

On the motion of Council member Brooks, seconded by Council member Rahm, a contract with Tennessee Municipal League for crime and property insurance coverage and liability coverage was approved 7-1, with Council member Neudecker voting nay. (Council member Dodd was not present to vote on the item.)

On the motion of Council member Hays, seconded by Council member Wallace, Change Order 1 from Delta Contracting Company in the amount of \$5,010.95 on the project known as Skyline Improvements Project Phase II, for change in bid quantities as necessary to complete the project in accordance with the plans and specifications and

for installation of a parking lot light to new island constructed at the Medical Specialties' Clinic was approved 8-0. (Council member Dodd was not present to vote on the item.) All funds expended on this project are 100% reimbursable by Jackson Madison County General Hospital. (Original contract price \$896,987.20, change order I: \$5,010.95, contract price with approved change order I: \$901,998.15.)

Council member Ellis made a motion to approve the formation of a committee to research the option of the City of Jackson changing to a 4-day workweek. Council member Wallace seconded the motion and the motion failed 3-6, with Council members Ellis, Neudecker and Wallace voting yea and Council members Bray, Brooks, Buchanan, Dodd, Hays and Rahm voting nay.

On the motion of Council member Buchanan, seconded by Council member Dodd, an FY09 Budget Amendment request of \$12,700 for Neighborhood Services was approved 8-1, with Council member Neudecker voting nay.

<b>General Fund</b>		Current	Amendment	Amended
<i>Expenditures:</i>		Budget	Request	Budget
110-41711-xxx	Neighborhood Services	77,300	12,700	90,000
<i>Funding:</i>				
110-36692	Reimb: Neighborhood Services	78,800	11,200	90,000

Neighborhood Services was allowed a budget of \$90,000 from Community Development funds and the original budget presented to Council was only for \$77,300. They asked to increase this to the amount allowed by Community Development.

NEIGHBORHOOD SERVICES				
ACCT #	ACCT NAME	ORIG AMT	NEW AMT	DIFFERENCE
110-41711-310	OFFICE SUPPLIES	1000	2000	1000
110-41711-210	MOBILE COMMUNICATION	1750	3250	1500
110-41711-211	POSTAGE	1000	3000	2000
110-41711-220	PRINTING	200	1600	1400
110-41711-230	ADVERTISING		500	500
110-41711-245	TELEPHONE/CELL PHONE	1000	2000	1000
110-41711-255	COMPUTER/IS SERVICES	250	500	250
110-41711-320	OPERATING SUPPLIES	2500	4000	1500
110-41711-331	MOTOR VEHICLE FUEL	1800	2400	600
110-41711-339	MOTOR VEHICLE EXP	300	1250	950
110-41711-940	TOOLS/EQUIPMENT		2000	2000
				12700

On the motion of Council member Neudecker, seconded by Council member Rahm, unanimous approval was given to an FY09 Budget Amendment request of \$3,350.67 for the Safe Neighborhood Grant.

<b>General Fund</b>		Current	Amendment	Amended
<i>Expenditures:</i>		Budget	Request	Budget
110-41310-900	Safe Neighborhood Grant		3350.67	3350.67

Safe Neighborhood Grant had \$3,350.67 left from \$10,000 given to them from the State in FY08 and did not budget in FY09 budget. The remaining expense of \$3,350.67 needs to be budgeted for spending in FY09.

On the motion of Council member Dodd, seconded by Council member Brooks, FY09 Budget Amendment requests of \$10,000 for Fire Administration Salaries; \$20,626.30 for Fire Prevention Salaries; and \$6,000 for computer software renewal in Fire Prevention were approved 8-1, with Council member Neudecker voting nay.

<b>General Fund</b>		Current	Amendment	Amended
<i>Expenditures:</i>		Budget	Request	Budget
110-42210-111	Fire Administration Salaries	164,938	10,000	174,938
110-42230-111	Fire Prevention Salaries	159,251.30	20,626.30	179,877.60
110-42230-329	Other Operating Supplies	2,500	6,000	8,500

Fire Department had some cuts from their budget submitted to Council that they need to have replaced including the following: part-time position in Administration for \$10,000; increases and additional part-time position in Fire Prevention totaling \$20,626.30; and computer software renewal cut from operating supplies in Fire Prevention for \$6,000. Total increase for Fire Department - \$36,626.30.

On the motion of Council member Wallace, seconded by Council member Neudecker, unanimous approval was given to an FY09 Budget Amendment request of \$26,721.00 for the 2008 Edward Byrne JAG Grant.

<b>General Fund</b>		Current	Amendment	Amended
<i>Expenditures:</i>		Budget	Request	Budget
110-42198-900	2008 Edward Byrne JAG Grant		26,721.00	26,721.00
<i>Funding:</i>				
110-33198	2008 Edward Byrne Memorial JAG		26,721.00	26,721.00

Police Department has received the 2008 Edward Byrne Memorial JAG Grant for \$26,721. The money is to be split 50/50 with Madison County. The County's portion will pay for one-half of one year's salary for a deputy and the City's portion will be used for mandatory grant training and to purchase one K-9. There is no match required for this grant.

On the motion of Council member Neudecker, seconded by Council member Rahm, unanimous approval was given to an FY09 Budget Amendment request of transferring \$116,921.28 back to the city's General Fund.

<b>General Fund</b>		Current	Amendment	Amended
<i>Expenditures:</i>		Budget	Request	Budget
110-41900-190	COLA	889,562.66	(116,921.28)	772,641.38



The COLA when distributed among departments (3% increase for employees) was budgeted for more than needed and therefore \$116,921.28 can be transferred back to fund balance after distribution to all departments.

On the motion of Council member Rahm, seconded by Council member Bray, the following Board appointments were approved 8-1, with Council member Neudecker voting nay:

- Board of Zoning Appeals – Thomas Varughese to replace Rev. John Glaze, who has resigned.
- Jackson Madison County Library Board – Reappointment of Sharon Younger and appointment of Brandon McWherter to replace Dee Ann Culberth, whose term has expired.

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 adjourned.

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JERRY GIST, MAYOR