

**MINUTES**  
**CITY COUNCIL MEETING**  
**OCTOBER 6, 2009**

The Jackson, Tennessee, City Council met for their regular monthly meeting on Tuesday, October 6, 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 Danny Ellis gave the invocation and led the audience in the Pledge of Allegiance to the Flag.

The minutes of the September 1, 2009, meeting were approved and signed.

Mayor Gist presented proclamations for Madison Central Dixie Darlings All Stars Day, Child Health Week, National Disability Employment Awareness Month, Domestic Violence Awareness Month and Ellis Raymond Kinder Day.

Mayor Gist announced that if there were no objections from City Council members the consideration of an Ordinance establishing Redevelopment Trust Fund pursuant to Section 21 of the Community Redevelopment Act of 1998 would be taken off this month’s agenda to allow the Madison County Commission an opportunity to consider the matter before City Council members considered approving the ordinance on second reading; and, if no objections from City Council members, the consideration of a lease agreement between the Delta Enrichment Life Training Academy and the City of Jackson for the lease of the Bennett Center

located at 96 O'Neal Street would be considered first at today's meeting. There were no objections from City Council members on the announcements.

Council member Neudecker made a motion to approve a lease agreement between the Delta Enrichment Life Training Academy and the City of Jackson for the lease of the Bennett Center located at 96 O'Neal Street with the stipulation that the city replace the roof on the facility like new, if possible. Council member Buchanan seconded the motion and the motion passed unanimously.

**PUBLIC HEARINGS:**

On the motion of Council member Brooks, 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 16 I-2 (Light Industrial) District B. Uses Permitted 3, and E. Area Regulation, 5. Maximum Lot Coverage.

On the motion of Council member Buchanan, seconded by Council member Ellis, 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.

On the motion of Council member Ellis, seconded by Council member Neudecker, unanimous approval was given to accept the 2007-2009 Annexation Progress Report.

After advising that he had worked on some revision proposals to the Animal Control Ordinance, Council member Neudecker made a motion to table the consideration of an Ordinance to amend the official code of the City of Jackson

relative to Animal Control to allow him and anyone else on the City Council to meet with Dr. Vicki Lake and members of the Safe Neighborhoods Task Force Committee and the city's legal staff to work out a workable compromise on the ordinance within the month so the matter could be brought back before the City Council for consideration at the next meeting. The motion was seconded by Council member Rahm and passed 8-1, with Council member Wallace voting nay. Council members Brooks and Rahm volunteered to participate in the meeting with Dr. Lake and the Safe Neighborhoods Task Force Committee members to discuss proposed amendments to the ordinance.

**SECOND READINGS:**

On the motion of Council member Buchanan, seconded by Council member Neudecker, unanimous approval was given to an Ordinance to close and abandon an unnamed alley running north and south and then east and west from West King Street to Cedar Street.

**NEW BUSINESS:**

The Parking Garage Committee's motion to fund the Public Parking Garage Project by borrowing \$3 million dollars from Housing and Urban Development (HUD) and paying the note payments with a portion of the city's annual Community Development Block Grant (CDBG) funds and fund the balance of approximately \$1.4 million dollars from the city's General Fund account over a four year period at approximately \$350,000 per year died for lack of a second. Council member Brooks advised that he was the lone dissenter on the committee and expressed why he was against the recommendation. Council member Neudecker also expressed why he was against the recommendation.

Council member Neudecker made a motion to table the consideration of a Resolution establishing the City of Jackson's policy for debt management for one month so that corrections could be made to the Debt Management Policy before the City Council voted on the matter. Council member Rahm seconded the motion and the motion to table the matter passed unanimously.

On the motion of Council member Dodd, seconded by Council member Bray, a Resolution naming the Anderson Creek Mitigation Area the Shirlene Mercer Park was approved 8-1, with Council member Neudecker voting nay.

On the motion of Council member Neudecker, seconded by Council member Wallace, a Resolution creating a Charter Review Committee was approved 5-3-1, with Council members Bray, Ellis, Neudecker, Rahm and Wallace voting yea, Council members Brooks, Buchanan and Hays voting nay and Council member Dodd abstaining.

On the motion of Council member Dodd, seconded by Council member Buchanan, a professional services contract with Looney, Ricks & Kiss (LRK) for the preparation of a Community Redevelopment Plan for Center City Revitalization Project – District 2 was approved 8-1, with Council member Neudecker voting nay.

On the motion of Council member Buchanan, seconded by Council member Bray, unanimous approval was given to a Resolution condemning violence in the City of Jackson.

Mayor Gist recognized Leadership Jackson members who were in the audience.

On the motion of Council member Ellis, seconded by Council member Buchanan, unanimous approval was given to a Resolution requesting that the

United States Government name the property between the Federal Courthouse and the Ed Jones Federal Building the M.D. Anderson Plaza. Mr. Richard Day who was spearheading the project was present and advised that an application had been submitted to the Tennessee Historical Commission for a marker to be erected in honor of M. D. Anderson.

On the motion of Council member Ellis, seconded by Council member Buchanan, unanimous approval was given for: (1) incorporating the Southern Legends Museum of Music as a "public benefit," non-profit corporation chartered under the laws of the State of Tennessee; (2) the City of Jackson being the sole member of the non-profit corporation and for (3) approving the Articles of Incorporation of the nonprofit corporation.

Dave Ralston, with the Jackson Housing Authority Community Development Agency, gave a summary review of the Comprehensive Annual Performance and Evaluation Report (CAPERS) for FY 2008-2009 and answered questions.

The meeting was recessed at 11:00 a.m. and was reconvened at 11:10 a.m. All Council members were present.

On the motion of Council member Brooks, seconded by Council member Neudecker, unanimous approval was given to proposed revisions to the Employee Handbook.

On the motion of Council member Buchanan, seconded by Council member Bray, unanimous approval was given to a contract with Gresham Smith and Partners for the environmental assessment and preliminary design of the U.S. 45 Bypass Southern Extension Project.

On the motion of Council member Hays, seconded by Council member Buchanan, unanimous approval was given to a contract with Delta Contracting Company, LLC for the Street Resurfacing Project 2009-09-03.

On the motion of Council member Buchanan, seconded by Council member Rahm, unanimous approval was given to a contract with F C Cox Construction Company for the North Hays Avenue Sidewalk Improvement Project.

On the motion of Council member Rahm, seconded by Council member Brooks, unanimous approval was given to an amendment to the Agreement approved on July 7, 2009, between the City of Jackson and ARCADIS, Inc., for professional services as it relates to Phase II, Final Construction Implementation and oversight administration of the Brownsfield Program Remediation at the former Citizens Gas and Light Company facility site.

On the motion of Council member Bray, seconded by Council member Brooks, unanimous approval was given to an application for participation in after school care snack component (area eligible) Tennessee Child and Adult Care Food Program (CACFP).

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

<b>GENERAL FUND</b>		Current	Amendment	Amended
<i>Expenditures:</i>		Budget	Request	Budget
110-42199-112	Overtime Salaries		41,856	41,856
110-42199-280	Travel & Training		4,040	4,040
110-42199-290	Sheriff's Department Reimbursement		51,506.50	51,506.50
110-42199-900	Equipment		5610.50	5610.50
<i>Funding:</i>				
110-33139	09 JAG Grant		103,013	103,013

This is a 100% grant that is split 50/50 with the Sheriff's Department. This grant will cover street level overtime and grant training for the department. **(A Public Hearing was held on this matter.)**

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

<b>GENERAL FUND</b>		Current	Amendment	Amended
<i>Expenditures:</i>		Budget	Request	Budget
110-42137-111	Salaries		1,066,500	1,066,500
110-42137-130	Benefits		501,500	501,500
<b>GENERAL FUND</b>				
<i>Funding:</i>				
110-33137	COPS Hiring Grant		1,568,000	1,568,000

This is a 100% grant that allows the city to hire 10 officers above the hiring freeze. Their salary is covered for three years by this grant. **(A Public Hearing was held on this matter.)**

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

<b>GENERAL FUND</b>		Current	Amendment	Amended
<i>Expenditures:</i>		Budget	Request	Budget
110-43804-321	Building Supplies		143,900	143,900
110-43804-322	Energy Retrofit Supplies		233,210	233,210
110-43804-290	Building Contractual Services		245,280	245,280
110-43804-291	Energy Retrofit Contractual Services		48,310	48,310
<i>Funding:</i>				
110-33154	Energy Efficiency & Conservation Block Grant		670,700	670,700

This grant is to be used for energy reduction project at the Carl Perkins Civic Center and also for retrofitting approximately 53 existing traffic signals, which are installed.

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

<b>GENERAL FUND</b>		Current	Amendment	Amended
<i>Expenditures:</i>		Budget	Request	Budget
110-41312-111	Salaries		235,040	235,040
110-41312-130	Benefits		96,196	96,196
110-41312-280	Travel		21,651	21,651
110-41312-290	Contractual Services		266,678	266,678
110-41312-320	Operating Supplies		28,114	28,114
110-41312-900	Equipment and Other		107,321	107,321
<i>Funding:</i>				
110-33153	Reentry Grant Revenue		755,000	755,000

The City has received a \$755,000 grant from the Department of Justice known as the Reentry Grant to be used over a three-year period (7/1/09 – 6/30/12) for the Second Chance Program. There is no match required for this grant. **(A Public Hearing was held on this matter.)**

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

- Jackson Recreation and Parks Advisory Board – Reappointment of Jim Freeman.
- Jackson Housing Authority Commission – Reappointment of Jo Alred.
- Keep Jackson Beautiful Commission – Reappointment of Dr. David Mathis.

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.

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JERRY GIST, MAYOR