

MINUTES
CITY COUNCIL MEETING
SEPTEMBER 5, 2006

The Jackson, Tennessee City Council met for their regular monthly meeting on Tuesday, September 5, 2006, at 9:00 a.m. in the George A. Smith Meeting Room at City Hall with Mayor Charles Farmer and Council members John Bannister; Charles “Pepper” Bray; Ernest Brooks, II; Harvey Buchanan; David Cisco; Johnny Dodd; Maurice Hays; Frank Neudecker; and Charles Rahm present. Also present was Toni Ross, recorder of the minutes.

City Court Judge Blake Anderson administered the oath of office to newly elected Council member Frank Neudecker.

Council member Charles “Pepper” Bray gave the invocation and led the audience in the pledge of allegiance to the flag.

The minutes of the August 1, 2006 meeting were approved and signed.

Mayor Farmer presented a proclamation for National Payroll Week to Karen Bell, Director of Finance, Audit and Budget for the City of Jackson. Ms. Bell recognized Lynn Henning, Glenda Flagg, Jennifer Hicks and Lonnie Shivers for their diligence in ensuring that city employees and City Council members are paid.

Carol Dix, an employee of the Jackson Sun, was present and expressed concern for the sale of the property on W. Lafayette Street. Ms. Dix asked the City to table the sale of the property and determine the impact and importance that the property has to the value and plans for the adjacent city owned parking lot.

Carol Carter-Estes was present and advised that she was wanting to purchase the property on W. Lafayette Street since it is adjacent to her business and is in the process of renovating and expanding her building. Ms. Carter-Estes advised that if the Jackson Sun had an interest in the property, they have had ample opportunity to make an offer to purchase the property.

SECOND READINGS:

On the motion of Council member Cisco, seconded by Council member Bannister, unanimous approval was given to an Ordinance to rezone property located on the south side of Oil Well Road, just west of Exeter Road from a RG-2/PRD (General

Residential/Planned Residential Development) District and a RG-3 (General Residential) District to a SC-1 (Planned Unit Commercial Development) District, comprising 10.52 acres, submitted by TLM Associates, Inc. on behalf of Vern Thomsen for Thomsen Farms planned commercial development.

On the motion of Council member Rahm, seconded by Council member Dodd, unanimous approval was given to an Ordinance to rezone property located on the west side of Dr. F. E. Wright Drive, just south of Interstate 40, from an A-O (Agriculture Open Land) District and RS-1 (Single Family Residential) District to a SC-1 (Planned Unit Commercial Development) District comprising 48.4 acres, more or less, submitted by Gary Taylor for West Park Place planned commercial development.

Council member Neudecker made a motion to table the Ordinance to rezone property located on the west side of Linda Vista Drive, just north of Wilshire Drive from a RG-1 (General Residential) District and RS-1 (Single Family Residential) District to a B-1 (Medical and Related Services) District comprising 1.77 acres, more or less, along with a staff recommended larger area comprising a total of 4.88 acres, more or less, submitted by West Tennessee Healthcare, to allow him time to investigate the matter. The motion to table died due to lack of a second. Council member Rahm made a motion to approve the Ordinance. The motion to approve was seconded by Council member Brooks and passed 7-2, with Council members Bannister and Neudecker voting nay.

FIRST READINGS:

On the motion of Council member Bannister, seconded by Council member Neudecker, the Ordinance to rezone property located on the west side of Walker Road, just south of Union University Drive, from an O (Office) District to an O-C (Office-Center) District, comprising 1.312 acres more or less, submitted by Kay Long, was approved 7-2, with Council members Buchanan and Hays voting nay.

On the motion of Council member Hays, seconded by Council member Neudecker, unanimous approval was given to an Ordinance to rezone property located on the east side of U.S. Highway 45 South, just south of Overton Avenue from a B-5 (Highway Business) District and an RS-1 (Single Family Residential) District to an SC-1 (Planned Unit Development) District and comprising 4.7 acres more or less, submitted by Allan Rose.

On the motion of Council member Rahm, seconded by Council member Neudecker, unanimous approval was given to an Ordinance for partial closure and abandonment of an unnamed east-west alley located between Fairground Street and Lambuth Blvd., as petitioned by the adjoining property owner.

NEW BUSINESS:

Council member Neudecker made a motion to table the request from Carol Carter-Estes to purchase city owned property adjacent to 239 W. Lafayette Street. Council member Bray seconded the motion. Council member Bray added that a request had been made for information regarding the fair market value of the property and the additional thirty days would allow time to obtain this information. The motion to table passed 8-0-1, with Council member Brooks abstaining.

Council member Hays made a motion to approve the request of Bemis Historical Society for a one-time donation of \$110,000 as matching funds for a Save America Treasures Grant. The motion was seconded by Council member Bray and passed 7-2, with Council members Brooks and Neudecker voting nay.

On the motion of Council member Cisco, seconded by Council member Bray, the Resolution to allow the City Recorder to round property taxes, interest and penalties was approved 8-1, with Council member Neudecker voting nay.

On the motion of Council member Rahm, seconded by Council member Brooks, adoption of Code of Ethics was approved 8-1, with Council member Neudecker voting nay.

On the motion of Council member Brooks, seconded by Council member Cisco, unanimous approval was given to the 2006-2007 Catering & Concession Agreement.

On the motion of Council member Cisco, seconded by Council member Buchanan, unanimous approval was given to a contract with GT Distributors for leather gear for \$118.07 per police officer.

On the motion of Council member Bannister, seconded by Council member Rahm, unanimous approval was given to a contract with Jackson Sand for top dressing sand at \$10.25 per ton.

On the motion of Council member Cisco, seconded by Council member Dodd, unanimous approval was given to Change Order #1 in the amount of \$5,100 with ProTec to run additional fiber at the Sportsplex.

On the motion of Council member Rahm, seconded by Council member Neudecker, unanimous approval was given to a contract in the amount of \$62,241 with Dell Computers for a 36 month lease on 75 computers.

On the motion of Council member Hays, seconded by Council member Cisco, unanimous approval was given to the acceptance of the following subdivisions:

- McIntosh Place Section XI and St. Andrews Drive, Acornridge Cove, Cliffwood Cove and Broad Meadow Drive constructed within as city streets.
- Walnut Trace North Section XII and Fawn Ridge Drive and Amber Oaks Cove constructed within as city streets.
- Walnut Trace North Section XIII and Gatewick Drive, Barksdale Cove, Fawn Ridge Drive and Bentley Drive constructed within as city streets.
- Walnut Trace North Section XIV and Gatewick Drive and Greenwich Cove constructed within as city streets.
- BancorpSouth Parkway constructed within the Jackson Sportsplex as a city street.
- Columns II Partners Section I and Vann Drive located within as a city street.

On the motion of Council member Dodd, seconded by Council member Buchanan, the grant application for the after school snack program was approved 8-1, with Council member Neudecker voting nay.

On the motion of Council member Buchanan, seconded by Council member Neudecker, unanimous approval was given to the sale of the following surplus property:

Address	Map, Group, Parcel	Name	Amount
107 Royal Alley	78G Q 26.00	Crystal Johnson	\$500.00
113 Royal Alley	78G Q 27.00	Crystal Johnson	\$600.00
131 Royal Alley	78G Q 27.01	Crystal Johnson	\$600.00

On the motion of Council member Hays, seconded by Council member Bannister, unanimous approval was given to the following budget amendments:

General Fund		Current Budget	Amendment Request	Amended Budget
Expenditures:				
315-41510-900	Revenue Office		24,999	24,999

Funding:				
315-37900	From Fund Balance	4,746,015	24,999	4,771,014

It has been requested that some form of security measures be placed in Revenue Office since this is where all of city funds are transacted on a daily basis. Glass will be placed around the counters very similar to that of bank tellers to protect staff and city funds. Two bids were received on this project with Tull Brothers being the low bid of \$24,999 for this project to be completed. Funds were not allocated for this project, as this was determined after robbery that took place in AmSouth Bank located in City Hall during budget hearings. Fund Balance draw would increase by \$24,999.

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

- Planning Commission – Appointment of Linda Sparks to replace Pam Fleming, who has resigned.
- Jackson Tree Board - Reappointment of Kevin Andrews and David Middlebrooks.
- Keep Jackson Beautiful Commission – Reappointment of Norma Bundy and Terry Wright and appointment of Wayne Fesmire to replace David Sams and Fred Cunningham to replace Yolanda Harris.
- Health, Education & Facilities Board – Appointment of David Camp to replace Brad Hancock, deceased.

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.

Council member Cisco made a motion to appoint Public Services Director Johnny Williams as the City’s representative to enter into conditional option agreement for land which, if ultimately purchased, would be used for future municipal services. The motion was seconded by Council member Dodd and was unanimously approved.

ADDITIONAL FIRST READING:

John Williams, President and CEO of Jackson Energy Authority; Chief Rick Staples of the Jackson Police Department; and Chief Mike Morgan of the Jackson Fire Department were present and gave summaries of the additional services and estimated costs required for the proposed annexed area.

Chip Edwards, Paul Higgs, Gerry Neese, Evelyn Alexander, Dorothy Yarbrough, Robbie Frazier, Mark Smith, Eric Bell, Susan Blankenship, Larry Workman and another unknown gentleman were present and spoke in opposition to the proposed annexation.

Council member Neudecker made a motion to table the Resolutions to adopt the Plans of Service, Ordinances to Annex and Ordinances to zone an area referred to as "Northwest Annexation Area," generally described as being located on the east side of Old Bells Road and John Pope Road from Old Humboldt Road to U.S. Highway 412 West, containing 49 sub areas and comprising a total of 11.96 square miles, more or less. The proposed zoning for this annexation area is RS (Single Family Residential) District, RS/FH (Single Family Residential/Flood Hazard) District, RS/H (Single Family Residential/Historic) District, B-5 (Highway Business) District and B-5/FH (Highway Business/Special Flood Hazard) District. The motion to table died for lack of a second.

Council member Cisco made a motion to approve the 49 Resolutions to adopt the Plans of Service, 49 Ordinances to annex and 49 Ordinances to zone the areas referred to as "Northwest Annexation Area" Subareas 1 thru 49. The motion to approve was seconded by Council member Rahm and passed 6-3, with Council members Buchanan, Brooks, Cisco, Dodd, Hays and Rahm voting yea and Council members Bannister, Bray and Neudecker voting nay.

There being no further business, the meeting adjourned.

CHARLES H. FARMER, MAYOR