

MINUTES

JACKSON CITY COUNCIL MEETING

July 7, 2020 – 9:00 A.M.

GEORGE A. SMITH MEETING ROOM

Call to Order, Invocation, Pledge of Allegiance, and Roll Call:

The Council of the City of Jackson met in regular session on **Tuesday, July 7, 2020**, at 9:00 a.m. Mayor Scott Conger called the meeting to order and asked Councilmember Ernest Brooks to lead invocation; he called on Pastor Mark Mackey Sr. from the Redeemed Christian Center to say the invocation. The mayor led the audience in the Pledge of Allegiance. The mayor then called the roll; Councilmembers Ernest Brooks II, Harvey Buchanan, David Cisco, Johnny Dodd, Russ McKelvey, Gary Pickens, Ross Priddy, Paul Taylor, and Marda Wallace were present. For the City of Jackson, Whitney Owen, Animal Care Center, Bobby Arnold, Finance, Alex Reed, Mayor's Office, Chief Wiser, Police Department, Susan White, Purchasing, Haley Coble, Recovery Court, and Kris Gordon & Scott Chandler, Engineering. Guests also in attendance were Lori Nunnery from Jackson-Madison County Convention and Visitors Bureau (VisitJacksonTN). Also present was Sandy Maxwell recorder of the minutes. (full video of the meeting can be found at <http://www.youtube.com/c/CityOfJacksonTN731>).

Approval of Minutes:

The minutes for June 16 and 23, 2020, meetings were approved and signed.

Proclamations:

None

Invitation for Public Comment:

Mayor Scott Conger reminded the audience this is a public hearing, and anyone wishing to speak in favor of or opposition to any item on first reading, please raise your hand at the appropriate time.

First Readings:

- 1. Consideration of an Ordinance to amend that Animal Control Ordinance for the City of Jackson, TN (4:00 – 11:42)**

Alex Reed and Whitney Owen explained the reason to repeal the ordinance is so we can approach animal care from a more proactive and community-friendly way. Most of the areas where these ordinances have been successful. Our areas that already had a low-cost operation

or program in place that was easily accessible and widely publicized for several years prior to the passing of the ordinance. We are penalizing people for things they cannot financially reach. We need to reapproach it from a more community assistance system based direction. Mr. Alex Reed added that Ms. Owen has already started the repeal process and is also getting a group of citizens together to advise which ordinances and policies should be implemented. Ms. Owen then added the spayed and neuter program, in cooperation with West TN Healthcare, went into effect on Friday, and they have had over 150 requests for vouchers in four days. People are willing to comply. It's just not financially feasible in a lot of situations without help.

Councilmember Paul Taylor asked how many animals have been registered under the current ordinance, and many people have paid the \$20 exemption fee? He also asked how many violations have we had of this ordinance? Ms. Owen said that the only reason they have to register is if they are filing for an exemption. We have had zero pet owners to apply for an exemption as of January 14, and zero \$20 fee paid. Ms. Owen said if we had time to enforce them, I could pass out tickets all day long, but we only have two Animal Control Officers. Councilmember Wallace asked what is the voucher (from WTHC) getting them? Ms. Owen said that voucher is a coupon basically; it's \$60 off the cost of a cat, \$75 off the cost of a dog, and of course, the out of pocket expense varies depending on the vet.

Councilmember Brooks said, in a nutshell, the ordinance was misguided and ineffective. Ms. Owen said I don't think it was misguided so much as it was just ill-timed, and it is a good idea. I think we just skipped a step, maybe after we have had an easily accessible low-cost spay and neuter program in effect. He asked Alex Reed if they would be coming back with additional language for another ordinance, or is this repeal it. Mr. Reed said yes, sir, the repeal is going to take it off the books, but there was one addition to change the Health Officer from the Director of Health and Sanitation to the Director of Animal Care Center. But our advisory group brings to us as far as ordinance or policy goes, we'll make that report to you all.

The mayor opened the discussion to the public to speak in favor of opposition to the proposed repeal.

Councilman Cisco said this ordinance was worked on over two years, and Dr. Vicky Lake was the chairman of that committee. I have been trying to get in touch with her, but she is out of town. I want everybody to get the whole story, where this ordinance came from, and what it was meant to do. I wish to table this matter, at least another month, and to allow hearing both sides. The mayor said we have a motion to table the ordinance, second by Dodd. Upon a call for a vote, Councilmembers Cisco, Dodd, and Pickens voted aye, Councilmembers Brooks, Buchanan, McKelvey, Priddy, Taylor, and Wallace voting nay, 3 to 6, the motion fails.

The mayor opened it back up for public discussion. Upon a call for a vote, all voted aye, except Councilmember Buchanan and Cisco voting nay and Councilmember Dodd abstaining, the motion passed.6-2-1.

2. Proposed Budget Amendment in the amount of \$50,732 to fund the City's match for Airport Economic Development Grant (11:57 – 13:03)

Mr. Bobby Arnold stated the airport received an economic development grant for \$913,000. There is a 10% match for the city and the county to share; the city's portion of the \$50,732. This budget amendment would redirect the budgeted bonds from the Animal Care Center to the Airport line item in the budget, which would not increase.

Councilmember Cisco made a motion, seconded by Councilmember Taylor, to approve the agenda item as submitted. Upon a call for a vote, all voted aye, the motion passed 9-0.

3. Proposed Budget Amendment in the amount of \$80,000 to recognize the JPD award for JAG Grant (13:37 – 22:35)

Chief Wiser said this particular JAG grant for \$80,000 covers the gang prosecutor, and it is 100% grant, but after this year, we are not sure how long it will be funded.

Councilmember Paul Taylor asked if these jag grants are allocated for different things every year, or are they ongoing for the gang prosecutor. He also asked if we do not get the grant next year, will we need to budget for it. Chief Wiser answered by saying, the grant is for some equipment, and then the positions like the gang prosecutor, and yes, if we want to maintain that position, we will need to budget accordingly. Councilmember Buchanan asked with respect to the gang activity in Jackson, where are we. Chief Wiser said compared to last year, homicides are down, and the majority of the homicides are either drug or gang-related. JDP has been able to do some substantial criminal investigations and prosecute some of these groups in the Federal Court. So to the answer to your question is, we do have a gang presence; however, it's not where we were seven or eight years ago. I think, along with enforcement, that there has to be a prevention education component to it that we're not necessarily doing right now. Several years ago, we were teaching anti-gang curriculum in all elementary schools, but that grant money ran out.

Councilmember Brooks asked how important is community policing, not only to deter gang violence but in general. Chief Wiser said it is very important that we establish relationships. Because, where the citizens have a good line of communication, and they can feel confident that police are going to respond, and if you know, they want to remain anonymous, that they know that they can trust us. Councilmember Brooks said, in the past, you said that you were only able to do that work in the school system because of the grants. Chief Wiser Correct said, yes, we

have DARE problem, but it's only been done in one or two the elementary schools. But as far as the education and prevention component, that doesn't exist. Councilmember Brooks also asked if in this year's budget was community policing line item cut? Chief Wiser said, no, we utilize money out of the West TN Healthcare Foundation fund and the Jackson Police Department Community fund. The police department raises the money to go into those accounts, but due to COVID, we were unable to do a fundraiser.

Councilmember Buchanan added I have always made the statement and stand by it. Crime-fighting must come from the people first. If they don't report the crimes in our community, we cannot keep our communities safe. So I'm saying to the citizens, please report all suspicious activity. Crime-fighting comes from the people; the police cannot do it alone.

Councilmember Brooks made a motion, seconded by Councilmember Cisco, to approve the agenda item as submitted. Upon a call for a vote, all voted aye, the motion passed 9-0.

VIII. Second Readings:

None

IX. New Business:

1. Election of FY 20-21 Vice Mayor (22:45 – 24:25)

The current Vice Mayor David Cisco said it had been his pleasure to serve the last two years. He made the motion to elect Johnny Dodd as the next Vice Mayor, seconded by Councilmember Brooks. Upon a call for a vote, all voted aye, except Councilmember Dodd abstaining, the motion passed 8-0-1.

2. Annual Report from Budget Committee (24:35 – 31:35)

Report: Mr. Paul Taylor stated that part of the tasks passed down from the state was the Budget Committee needed to take on the responsibility of an Audit Committee. So the tasks of the Budget and Audit Committee functions that we looked at initially were budgeting and management principles. The main objectives were capital projects and the way they were budgeted. Making sure we had captured the capital costs and the ongoing costs for those projects. The Budget Committee also assisted in the bond refunds, as well as the FY20 Capital Budget. We reviewed several special capital projects that carried over from the previous year, those being the Jackson Animal Care Center, the Jackson City Court, and the Public/Private partnership for Madison Academic High School. One of the things that the Budget Committee is recommending is in future projects the hiring of a construction representative, to oversee the project and any additional capital cost and expenses, such as furniture, fixtures, and equipment. In addition to the ongoing maintenance, it is those types of expenses that need to analyze, such as cost savings and any additional expenses. An example is the new City Court building.

We reviewed several policies and procedures, like our debt management policy, stormwater responsibility policy, budget amendment, and transfer compliance. In addition to budgets, ordinances, processes, and timelines, we are hoping for auditing oversight a significant way as we add an Internal Auditor to the Revenue office. That role will meet with management after the annual audit and go over the findings by giving recommendations for corrective actions. Another area we need to look at is the effectiveness of our internal controls, which the Internal Auditor will

do an internal control review throughout the city to make sure that we comply with those from the state.

Some of our future goals for the coming year is a citizen's legible budget. It would help us to communicate the budgeting process and give citizens the ability to communicate back to us. By simply entering in some variables into the software, a property owner could see precisely where each of their tax dollars was spent within the budget. Another goal that we are recommending is the implementation of a fraud policy; the state also urges us to have this policy in place. We will have a strategy for reporting fraudulent activity. Councilman Brooks and Councilman Priddy have been working on that project and have sent the recommendation to the mayor's office. And once we have the Internal Auditor hired, the committee will help to set up an audit plan that would continue to address our five-year capital plans and budget gaps, as well as maintain a budget calendar.

3. Budget Report from the Community Economic Development Commission (31:48 – 38:10)

Report: Ms. Lori Nunnery from the Jackson Madison County Convention and Visitors Bureau, otherwise known as Visit Jackson Tennessee, said she appreciated the invitation to share information on her budget. She said that they were operating on a continuation budget of FY 20 because we are still waiting for grant money. One grant is from the Tennessee Tourism Department for marketing dollars, and another possible grant is currently before Congress, which would make our office because we are quasi-government agency eligible for PPP funds.

We are operating on a \$198,000 budget. Our revenue from the hotel-motel tax is down by about 50%. Our income divides, 65% to marketing, 25% goes towards staffing, and 10% is for operational needs. We had to let an employee go, so now we are an office of two. Since we don't have the advertising dollars, the personnel needed to help generate the content on social media or keeping things updated; we have to change how we do business. **Councilmember Paul Taylor had to leave the council meeting** Before our focus was on a four to a six-hour visitor coming to Jackson. Now, we're focusing on in-state visitors coming. We have created a resource for the hospitality industry; we are getting information out as it happens. For example, the mass coordinates, we push out not only our hospitality partners here in Jackson-Madison County but to the region. Because we are one of the few tourism offices outside of Shelby County, we have a more significant role to play to make sure that folks are getting the information they need. I have operated on a \$193,000 budget for several years, while it's not exactly where we want to be, but we will continue to work hard. I am hopeful to have a finalized budget next month.

Councilmember Brooks asked does all of the funding comes through hotel/motel tax, and what is break –down of the percentage? Ms. Nunnery said yes, but we did receive a \$25,000 grant from Madison County this year; previously has been \$50,000. We usually get a \$20,000 to \$33,000 marketing grant from the state each year. The hotel-motel tax is that 5% fee added to your hotel stay here; 40% goes to the city, 40% goes to the county, and we operate off of 20%.

4. HB/SB 2926 item – Great Wolf Lodge (38:30 – 39:53)

City Attorney Lewis Cobb stated that is the act that was passed by the House, which will alter the structure of the hotel-motel tax to allow us to attract the business Great Wolf Lodge. The

process of a private act, the city, and the county each requested that the legislature adopted it; the approval process is that goes back to each body must be approved by two thirds. And by the passing of this ordinance, you will be authorizing Mayor Conger to certify to the Secretary of State that you have adopted the ordinance.

Councilmember Pickens made a motion, seconded by Councilmember Wallace, to approve the agenda item as submitted. Upon a call for a vote, all voted aye, motion passed unanimously 8-0.

5. Revision to Debt Management Policy (40:16 – 41:26)

Mr. Bobby Arnold stated that the existing Debt Management Policy limits our annual Debt Service payments to be no more than 26% of our total property tax revenue including PILOT payments, and IBB revenues. With a budget that the council approved recently, it is calculated to be 26.4% for the next year. We are asking to revise our Debt Management Policy and move from 26% to 28% so that we will be in compliance with our policy.

Councilmember Buchanan made a motion, seconded by Councilmember Dodd, to approve the agenda item as submitted. Upon a call for a vote, all voted aye, motion passed unanimously 8-0.

6. Consideration of the revisions to the OJI Policy & Procedures (41:57 – 43:12)

Councilmember Dodd made a motion, seconded by Councilmember Cisco, to approve the agenda item as submitted. Upon a call for a vote, all voted aye, motion passed unanimously 8-0.

7. Consideration of reappointment of Greg Jordan and appointment of Dr. Susan Francisco to the JMCL Board

Councilmember Brooks made a motion, seconded by Councilmember Cisco, to approve the agenda item as submitted. Upon a call for a vote, all voted aye, motion passed unanimously 8-0.

8. Consideration of the appointment Mandy White to Planning Commission

Councilmember Wallace made a motion, seconded by Councilmember Buchanan, to approve the agenda item as submitted. Upon a call for a vote, all voted aye, motion passed unanimously 8-0.

9. Consideration of reappointment of Wayne Arnold to the Jackson Municipal Planning Commission

Councilmember Dodd made a motion, seconded by Councilmember Brooks, to approve the agenda item as submitted. Upon a call for a vote, all voted aye, motion passed unanimously 8-0.

10. Consideration of appointment of Jimmie Trice-Baylor to the Jackson Community Redevelopment Agency

Councilmember Buchanan made a motion, seconded by Councilmember Dodd, to approve the agenda item as submitted. Upon a call for a vote, all voted aye, motion passed unanimously 8-0.

11. Consideration of appointment to the Ned Advisory Board:

- a. **Billie Duke**
- b. **Darren Lykes**
- c. **Daniel Morgan**

Councilmember Cisco made a motion, seconded by Councilmember Wallace, to approve the agenda item as submitted. Upon a call for a vote, all voted aye, motion passed unanimously 8-0.

12. Consideration of a contract with Hope Restored Counseling for intensive outpatient treatment and moral reconnection therapy (45:07 – 47:54)

Ms. Susan White began by explaining that a few months ago, we received bids for this special project, but they were rejected because our requirements were not met, or the price was too high. So a second bid request was sent out to Cumberland Heights, Health Connect America, Pathways, Quinco, The Positive Living Group, Hope Restored Counseling, Aspell Manor, and BHG Jackson Treatment Center. We only received one bid from Hope Restored Counseling for \$3,720 per month.

Haley Coble explained reconnection therapy is a type of behavioral therapy that is aimed at decreasing the likelihood that someone will return to substances or alcohol. The program addresses their moral reasoning, criminal thinking, and behavior, and then intensive outpatient treatment addresses those cravings, triggers, and some coping skills that they need. This request would help to increase treatment services to our clients.

Councilmember Buchanan made a motion, seconded by Councilmember Dodd, to approve the agenda item as submitted. Upon a call for a vote, all voted aye, motion passed unanimously 8-0.

13. Consideration of change order #2 for Dr. F. E Wright Drive Phase 1 road-widening project (48:12 0 52:15)

Kris Gordon from Engineering said this is a change order for an undersized pipe. An 18-inch pipe was initially installed, then there were some drainage issues. As the project closed, we realize it's a bigger issue and needed to replace the 24-Inch. In that process, the property owner had also requested smoothing up some banks to allow him to maintain the slope.

The other item is for an electrical connection. The survey showed that there was a connection to be made, and it looks like everything was there from a planning standpoint. When our subcontractor showed up in the field realize there was some additional work needs to be done. \$4,900 for that is what would take to have the box that was initially thought to be there to be in place for them to continue their work. The mayor asked, what is the reimbursement with TDOT. Kris said, 80-20. Councilmember Brooks asked if the project was towards completion. Kris said Yes, sir, the final surface is done on the southbound lanes, and hopefully have the northbound lanes completed soon.

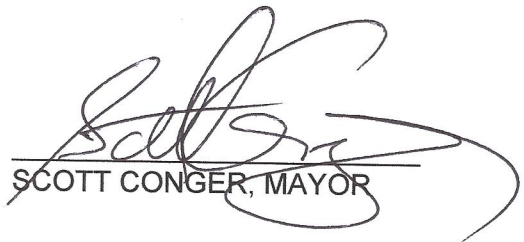
Councilmember Brooks made a motion, seconded by Councilmember Pickens, to approve the agenda item as submitted. Upon a call for a vote, all voted aye, motion passed unanimously 8-0.

14. Consideration of invoices over \$10,000 (10:14 – 52:15)

Councilmember Buchanan asked about the invoice from Ford Construction, the company doing the resurfacing projects. Scott Chandler explained the milling and resurfacing process and gave a timeline of completion.

Councilmember Dodd made a motion, seconded by Councilmember Pickens, to approve the agenda item as submitted. Upon a call for a vote, all voted aye, motion passed unanimously 8-0.

X. ADJOURN.



SCOTT CONGER, MAYOR