

MEETING OF THE MAYOR AND CITY COUNCIL CITY OF COLUMBUS, MS May 16, 2017

The Mayor and City Council met in Regular Session on Tuesday, May 16, 2017 at 5:00 p.m. in the Court Chambers of the Municipal Complex. Mayor Robert E. Smith, Sr. presided over the meeting, and all Council Members were present, with the exception of Council Member Gavin, who was absent. Also present were the COO, CFO, General Counsel, Police Chief and the Human Resources Director.

I. CALL TO ORDER AND INVOCATION

Mayor Robert Smith called the meeting to order and called upon Council Member Box to offer the Invocation.

II. APPROVE MINUTES FOR THE MEETING OF MAY 2, 2017.

Council Member Jones made a motion to approve the Minutes for the Meeting of May 2, 2017. Council Member Box seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

III. APPROVE DOCKET OF CLAIMS FOR MAY 16, 2017.

Council Member Mickens made a motion to approve the Docket of Claims for May 16, 2017 in the amount of \$1,135,549.37. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

IV. CONFIRMATION OF/OR AMENDMENTS TO THE AGENDA

CONSENT AGENDA:

Add Item "O" – *Approve request for one (1) Fire and Rescue Personnel to attend the "Patriot South Planning Meeting" to be held in Hattiesburg, MS, and approve payment for travel.*

BOARD VACANCIES:

Add James D. "Jimmy" Graham as an applicant to the City Utilities Commission Board.

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Add Diane Sloan as an applicant to the Municipal Election Commission.

Add Willie Byrd as an applicant to the Columbus Housing Authority Board.

POLICY AGENDA:

Add Item "E" – *Discuss/Approve Resolution and Notice of the City of Columbus of the Intent to make Special Improvement to a Portion of North Hunter's Hollow and White Oak Drive.*

Add Item "E1" – *Approve acceptance of Deed.*

Add Item "F" – *Approve request to hire one (1) Certified Police Officer, contingent on successful completion of a pre-employment medical exam and drug screen.*

Council Member Jones made a motion to approve the Agenda as presented, with the above amendments. Council Member Mickens seconded the motion. Mayor Smith called for discussion, and their being none, the Council voted unanimously in favor of same.

V. CONSENT AGENDA:

- A. Approve request for Fire and Rescue Personnel Cody Cantrell to attend the "Firefighter Intervention Rescue Survival Techniques" to be held in Jackson, MS, and approve payment of \$365.00 for registration, \$50.00 for travel and reimbursement for meal expenses.
- B. Approve request for Fire and Rescue Deputy Fire Marshall Madison Guyton to attend the "NFPA Fire Officer 1-21-III-IV and Mississippi Fire Officer Program" to be held in Jackson, MS, and approve payment of \$318.00 for lodging, \$50.00 for travel and reimbursement for meal expenses.
- C. Approve request for six (6) Fire and Rescue Personnel to attend "MS OHS Trench Rescue Refresher Training" to be held in Jackson, MS, and approve payment of \$75.00 for travel and reimbursement for meal expenses.
- D. Accept letter of retirement from Public Works Foreman, Sammy Porter, effective May 18, 2017.
- E. Approve request for the CPD to fundraise for an Officer who is battling cancer.
- F. Approve permit request submitted by Eddie C. Newman to host the "Neighborhood Unity & Reunion Picnic" to be held on May 27, 2017 from 7:00 a.m. until 10:00 p.m., and to block off 4th Avenue North between 15th Street North and 16th Street North.
- G. Approve permit request submitted by Timothy Bailey on behalf of Prepared Table Ministry to host a "Church Picnic/Fun Day" to be held on May 27, 2017 from 10:00 a.m. until 4:00 p.m., and approve request to block off the street directly in front of the church, which is 1201 College Street, to the parking lot of the church.

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- H. Approve permit request submitted by Colin Krieger to host the “Northside Charity Crawfish Boil” to be held on May 28, 2017 from 1:00 p.m. until 8:00 p.m., and to block off the 500 block of 8th Street North.
- I. Ratify permit request submitted by Johnathan West to host the “Neighborhood/Community Fellowship & Feeding” that was held on Saturday, May 6, 2017 from 3:00 p.m. until 10:00 p.m., with 14th Street North between 6th Avenue North and 7th Avenue North blocked off.
- J. Approve request for CPD Corporal Timothy Jenkins to attend the “Cell Phone Mapping/Social Media Analysis Class” to be held in Tunica, MS, and approve payment of \$156.00 for lodging, \$150.00 for travel and reimbursement for meal expenses.
- K. Approve request for CPD Captain Brent Swan to attend the “Building Better Police Reports Training” to be held in Starkville, MS, and approve payment of \$50.00 for travel expenses.
- L. Approve request for CPD Investigator Samuel Jackson to attend the “Certified Voice Stress Analysis Examiner Course” to be held in Nashville, TN, and approve payment of \$1,295.00 for registration, \$500.00 for lodging, and reimbursement of meal expenses.
- M. Approve request for the Mayor, City Council, COO, CFO, HR Director and Department Heads to attend the “86th Annual MML 2017 Summer Conference” to be held in Biloxi, MS, and approve payment for registration, lodging, travel and meal expenses.
- N. Approve request for the Advisor and Members of the Mayor’s Youth Council to attend the “MML 2017 Youth Track Conference” to be held in Biloxi, MS, and approve payment for registration, lodging, travel and meal expenses.
- O. Approve request for one (1) Fire and Rescue Personnel to attend the “Patriot South Planning Meeting” to be held in Hattiesburg, MS, and approve payment for travel.

Council Member Taylor made a motion to approve the Consent Agenda as Presented. Council Member Mickens seconded the motion. Mayor Smith called for discussion, and there being none, the Council voted unanimously in favor of same

VI. REPORTS, PROCLAMATIONS, RECOGNITIONS AGENDA:

- A. General Comments from the Mayor and Council Members**
 - Proclamation –National Click It Or Ticket

Mayor Smith presented a Proclamation to Chief Oscar Lewis in recognition of National Click It or Ticket month.

B. Monthly Report from the Columbus Fire & Rescue Department for April 2017

The Monthly Report from the Columbus Fire and Rescue Department for April 2017 was presented. No action was taken.

C. Monthly Report from the City Planning and Community Development Department for April 2017

The Monthly Report from the City Planning and Community Development Department for April 2017 was presented. No action was taken.

D. Monthly Report from the Municipal Court Division for April 2017

The Monthly Report from the Municipal Court Division for April 2017 was presented. No action was taken.

E. Monthly Report from the Public Works Department for April 2017

The Monthly Report from the Public Works Department for April 2017 was presented. No action was taken.

F. Monthly Report from the Code Enforcement Division for April 2017

The Monthly Report from the Code Enforcement Division for April 2017 was presented. No action was taken.

G. Monthly Report from the Columbus Police Department for April 2017

The Monthly Report from the Columbus Police Department for April 2017 was presented. No action was taken.

H. Monthly Report from the Building Inspection Department for April 2017

The Monthly Report from the Building Inspection Department for April 2017 was presented. No action was taken.

I. Monthly Financial Report

Milton Rawle, Jr., CFO, reported that the sales taxes increased by \$22,831.32 compared to the same time last year and remarked this is the highest since 1989.

J. Board Vacancies

David Armstrong, COO, announced vacancies on various boards and remarked that an appointment can be made tonight to the Historic Preservation Commission Board.

Historic Preservation Commission

- 2 Vacancies
- 4-Year Terms for Fred McCaleb and Keith Gaskin will end 5/16/2017.
- Appointment can be made May 16, 2017.

Applicant

- Bryan Brown

Council Member Taylor made a motion to appoint Bryan Brown to the Historic Preservation Commission for a 4-Year Term, until May 16, 2021. Council Member Box seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

Golden Triangle Regional Airport Board

- 1 Vacancy
- 5-Year Term for Johnny Fisher will end 6/19/2017.
- Appointment can be made June 20, 2017.
- No applicants at this time

City Utilities Commission

- 1 Vacancy
- 5-Year Term for James Graham will end 6/30/2017.
- Appointment can be made June 20, 2017.

Applicant

- James D. "Jimmy" Graham

Municipal Election Commission

- 5 Vacancies
- 4-Year Terms for Penesha McDowell Harrison, Leon Speck, Diane Sloan, Roy Milton Hicks and Josie S. Shumake will end 6/30/2017.
- Appointments can be made June 20, 2017.

Applicant

- Diane Sloan

Columbus Housing Authority

- 1 Vacancy
- 5-Year Term for Willie Byrd will end 7/13/2017.
- Appointment can be made June 20, 2017.

Applicant

- Willie Byrd

VII. CITIZENS INPUT AGENDA

- **Monte' Ewing Johnson – CHS Beta Club**

Ms. Monte` Ewing Johnson, with Columbus High School Beta Club, came forward and introduced the members of the Beta Club and commended them for their academic excellence. The Beta Club will be recognized in Washington, D.C. this summer and has fundraised most of the money needed; however, they are still short of funds. Council Member Mickens moved to approve the expenditure of \$1,500.00 from 001-004-695 (Advertising City Resources) and find that said amount is a legitimate expense that will advertise and bring into favorable notice the opportunities, possibilities and resources of the City of Columbus. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

Ms. Whirlie Byrd, member in the audience, stood and sponsored the cause with \$500.00.

VIII. POLICY AGENDA:

- A. Discuss/Approve request to hire one (1) Laborer for the Public Works Department, contingent upon a successful pre-employment medical examination and drug screen.**

Council Member Taylor made a motion to hire Devin Petty as a Laborer in the Public Works Department at an hourly rate of \$10.00, contingent on successful completion of a pre-employment medical examination and drug screen.

- B. Discuss/Approve Resolution to approve the 2017 COLA Payment.**

Council Member Box made a motion to approve the Resolution to approve the 2017 COLA Payment. Council Member Turner seconded the motion. The foregoing Resolution was read, considered and voted upon section by section and as a whole, the vote of each and all the sections, and upon the Resolution as an entirety, was taken by "yea" and "nay" vote with the following results:

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| | | | |
|-------------------------------|--------|---------------|--|
| Council Member Gene Taylor | voted: | <u>YEA</u> | |
| Council Member Joseph Mickens | voted: | <u>YEA</u> | |
| Council Member Charlie Box | voted: | <u>YEA</u> | |
| Council Member Marty Turner | voted: | <u>YEA</u> | |
| Council Member Stephen Jones | voted: | <u>YEA</u> | |
| Council Member Bill Gavin | voted: | <u>ABSENT</u> | |

The motion having received the affirmative vote of all Council Members present, the Mayor declared the motion carried and the Resolution adopted.

THE RESOLUTION FOLLOWS ON THE NEXT PAGE:

**RESOLUTION OF THE CITY OF COLUMBUS, MISSISSIPPI
REQUESTING THE PUBLIC EMPLOYEES' RETIREMENT
SYSTEM OF MISSISSIPPI TO MAKE PAYMENT
OF THE 2017 COLA**

WHEREAS, the City of Columbus is required to fund the necessary payment for the City of Columbus Police and Fire Disability and Relief Fund and the 2017 payment will become due at the end of 2017 and the funds are available to make such payment;

IT IS THEREFORE, Resolved and Ordered that the City of Columbus does hereby adopt the Resolution request that the 2017 COLA payment be timely made.

THE ABOVE RESOLUTION, having been first reduced to writing, was introduced by Council Member Box, who moved for its adoption. It was seconded by Council Member TURNER (THIS SPACE LEFT BLANK INTENTIONALLY)

The foregoing Resolution was read, considered and voted upon section by section and as a whole, the vote of each and all of the sections, and upon the Resolution as an entirety, was taken by "yea" and "nay" vote with the following results:

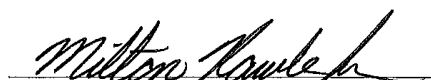
| | | |
|-------------------------------|--------|---------------|
| Council Member Gene Taylor | voted: | <u>YEA</u> |
| Council Member Joseph Mickens | voted: | <u>YEA</u> |
| Council Member Charlie Box | voted: | <u>YEA</u> |
| Council Member Marty Turner | voted: | <u>YEA</u> |
| Council Member Stephen Jones | voted: | <u>YEA</u> |
| Council Member Bill Gavin | voted: | <u>ABSENT</u> |

This motion having received the affirmative vote of all Council members present, the Mayor declared the motion carried and the Resolution adopted.

ADOPTED, APPROVED AND PASSED this the 16th day of May, 2017.


Robert E. Smith, Sr., Mayor

ATTEST:


Milton Rawle Jr, CFO/Secretary-Treasurer

C. Discuss/Approve recommendations from the May 8, 2017 Planning Commission Meeting.

PERMITTED USE REQUEST – P/U 17-05

**EDDIE SHELTON ON BEHALF OF LILLIAN TATE
1409 – 4th Avenue North**

The Planning Commission recommended approval of request to allow a child day care.

Council Member Taylor moved that the facts and findings of the Planning Commission be adopted as the facts and findings of the Mayor and City Council, and that the recommendation of the Planning Commission to allow a child day care as a Permitted Use be approved. Council Member Jones seconded the motion. The Mayor asked if anyone in the audience objected to the permitted use application. No one answered. There followed discussion, consideration, and review by the Council of the issues and facts presented by this request and the action taken by the City of Columbus Planning Commission.

All Council Members voted in favor of the motion.

The motion carried.

PERMITTED USE REQUEST – P/U 17-06

**LEIGH MALL, MANAGEMENT
On behalf of North American Midway Entertainment
1404 Old Aberdeen Road**

The Planning Commission recommended approval of request to allow a carnival at Leigh Mall Parking Lot.

Council Member Jones moved that the facts and findings of the Planning Commission be adopted as the facts and findings of the Mayor and City Council, and that the recommendation of the Planning Commission to allow a Carnival at Leigh Mall Parking Lot as a Permitted Use be approved. Council Member Turner seconded the motion. The Mayor asked if anyone in the audience objected to the permitted use application. No one answered. There followed discussion, consideration, and review by the Council of the issues and facts presented by this request and the action taken by the City of Columbus Planning Commission.

All Council Members voted in favor of the motion.

The motion carried.

PERMITTED USE REQUEST – P/U 17-07

**COMMUNITY COUNSELING SERVICES
1403 College Street and 1407 College Street**

The Planning Commission recommended approval of request to allow client housing at each location.

Council Member Jones moved that the facts and findings of the Planning Commission be adopted as the facts and findings of the Mayor and City Council, and that the recommendation of the Planning Commission to allow a Client housing at each location as a Permitted Use be approved. Council Member Turner seconded the motion. The Mayor asked if anyone in the audience objected to the permitted use application. No one answered. There followed discussion, consideration, and review by the Council of the issues and facts presented by this request and the action taken by the City of Columbus Planning Commission.

All Council Members voted in favor of the motion.

The motion carried.

PERMITTED USE REQUEST – P/U 17-08

**CHARLES COLVIN on behalf of Donald Pope
201 – 23rd Street South**

The Planning Commission recommended approval of request to allow a Bar & Grill, with live entertainment.

Council Member Taylor moved that the facts and findings of the Planning Commission be adopted as the facts and findings of the Mayor and City Council, and that the recommendation of the Planning Commission to allow a Bar & Grill, with live entertainment as a Permitted Use be approved. Council Member Jones seconded the motion. The Mayor asked if anyone in the audience objected to the permitted use application. No one answered. There followed discussion, consideration, and review by the Council of the issues and facts presented by this request and the action taken by the City of Columbus Planning Commission.

All Council Members voted in favor of the motion.

The motion carried.

D. Discuss/Approve Derelict Property Docket.

**DUTCH OIL COMPANY
310 Lehmberg Road**

Case Number 17-0038 Vegetation

The General Counsel called cause number **17-0338**. No one appeared. Code Enforcement Officer Tomarris Jones stated the property has been **remediated** by the owner, and it is his recommendation to enter the proposed Order under Section 21-19-11 of the Mississippi Code, finding that this property was in such a state of uncleanliness as to be a menace to the public health and safety of the community. This Order should provide for such re-entry as the Statute allows. Council Member Taylor made a motion in accordance with Section 21-19-11, and for an Order stating the City may remediate the property with respect to cutting grass and weeds and removing rubbish, personal property and other debris no more than twelve (12) times in a twenty-four (24) month period immediately following the Order, with further notice to the owner as required by law. Costs are to be assessed as allowed under Section 21-19-11 of the Mississippi Code. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

STEPHEN JOHNSTON
1216 / 1218 – 11th Avenue South
Case Number 17-0040 Structure

The General Counsel called cause number **17-0040**. No one appeared. Code Enforcement Officer Tomarris Jones stated the property was in such a state of uncleanliness as to be a menace to the public under Section 21-19-11 of the Mississippi Code and asked the Mayor and Council to adjudicate the property as such and that an Order be entered to such effect, requested **immediate abatement** and that an Order be issued for the property. Council Member Taylor made a motion in accordance with Section 21-19-11 of the Mississippi Code, and for an Order stating the City may remove dilapidated buildings or dilapidated fences up to six (6) more times in the twelve (12) month period immediately following the Order and cutting grass and weeds and removing rubbish, personal property and other debris no more than twelve (12) times in a twenty-four (24) month period immediately following the Order, with further notice to the owner as required by law. Costs are to be assessed as allowed under Section 21-19-11 of the Mississippi Code. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

CROSS REGIONAL FUNDING, LP
133 Maple Street
Case Number 17-0041 Structure

The General Counsel called cause number **17-0041**. No one appeared. Code Enforcement Officer Tomarris Jones stated the property was in such a state of uncleanliness as to be a menace to the public under Section 21-19-11 of the Mississippi Code and asked the Mayor and Council to adjudicate the property as such and that an Order be entered to such effect, requested **immediate abatement** and that an Order be issued for the property. Council Member Mickens made a motion in accordance with Section 21-19-11 of the Mississippi Code, and for an Order stating the City may remove dilapidated buildings or dilapidated fences up to six (6) more times in the twelve (12) month period immediately following the Order and cutting grass and weeds and removing rubbish, personal property and other debris no more than twelve (12) times in a twenty-four (24) month period immediately following the Order, with further notice to the owner as required by law. Costs are to be assessed as allowed under Section 21-19-11 of the Mississippi Code. Council Member Turner seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

BELL PROPERTIES AND DESIGN GROUP, LLC
1104 – 9th Avenue North
Case Number 17-0044 Structure

The General Counsel called cause number **17-0044**. No one appeared. Code Enforcement Officer Tomarris Jones stated the property was in such a state of uncleanliness as to be a menace to the public under Section 21-19-11 of the Mississippi Code and asked the Mayor and Council to adjudicate the property as such and that an Order be entered to such effect, requested **immediate abatement** and that an Order be issued for the property. Council Member Jones made a motion in accordance with Section 21-19-11 of the Mississippi Code, and for an Order stating the City may remove dilapidated buildings or dilapidated fences up to six (6) more times in the twelve (12) month period immediately following the Order and cutting grass and weeds and removing rubbish, personal property and other debris no more than twelve (12) times in a twenty-four (24) month period immediately following the Order, with further notice to the owner as required by law. Costs are to be assessed as allowed under Section 21-19-11 of the Mississippi Code. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

BELL PROPERTIES AND DESIGN GROUP, LLC
1916 – 3rd Avenue North
Case Number 17-0046 Structure/Vegetation

The General Counsel called cause number **17-0046**. No one appeared. Code Enforcement Officer Tomarris Jones stated the property was in such a state of uncleanliness as to be a menace to the public under Section 21-19-11 of the

Mississippi Code and asked the Mayor and Council to adjudicate the property as such and that an Order be entered to such effect, requested **immediate abatement** and that an Order be issued for the property. Council Member Jones made a motion in accordance with Section 21-19-11 of the Mississippi Code, and for an Order stating the City may remove dilapidated buildings or dilapidated fences up to six (6) more times in the twelve (12) month period immediately following the Order and cutting grass and weeds and removing rubbish, personal property and other debris no more than twelve (12) times in a twenty-four (24) month period immediately following the Order, with further notice to the owner as required by law. Costs are to be assessed as allowed under Section 21-19-11 of the Mississippi Code. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

BELL PROPERTIES AND DESIGN GROUP, LLC
217 – 20th Street North
Case Number 17-0047 Structure/Vegetation

The General Counsel called cause number **17-0047**. No one appeared. Code Enforcement Officer Tomarris Jones stated the property was in such a state of uncleanness as to be a menace to the public under Section 21-19-11 of the Mississippi Code and asked the Mayor and Council to adjudicate the property as such and that an Order be entered to such effect, requested **immediate abatement** and that an Order be issued for the property. Council Member Jones made a motion in accordance with Section 21-19-11 of the Mississippi Code, and for an Order stating the City may remove dilapidated buildings or dilapidated fences up to six (6) more times in the twelve (12) month period immediately following the Order and cutting grass and weeds and removing rubbish, personal property and other debris no more than twelve (12) times in a twenty-four (24) month period immediately following the Order, with further notice to the owner as required by law. Costs are to be assessed as allowed under Section 21-19-11 of the Mississippi Code. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

E. Discuss/Approve Resolution and Notice of the City of Columbus of Its Intent to make Special Improvements to a portion of North Hunters Hollow and White Oak Drive.

Kevin Stafford, with Neel-Schaffer, Inc. came forward and remarked that North Hunters Hollow and White Oak Drive are not public roads in Ward 6. The General Counsel remarked that the City will pay for paving these roads, residents living on these roads will pay 2/3 of the cost of \$77,000.00 for the next ten (10) years through a Special Assessment and Council Member Gavin will pay the

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City's 1/3 out of Ward 6 Bond money. Council Member Jones made a motion to approve the Resolution and Notice of the City of Columbus of its Intent to make Special Improvements to a portion of North Hunters Hollow and White Oak Drive over a ten (10) year period. Council Member Box seconded the motion. The foregoing Resolution was read, considered and voted upon and was taken by "yea" and "nay" vote with the following results:

| | | |
|-------------------------------|--------|---------------|
| Council Member Gene Taylor | voted: | <u>YEA</u> |
| Council Member Joseph Mickens | voted: | <u>YEA</u> |
| Council Member Charlie Box | voted: | <u>YEA</u> |
| Council Member Marty Turner | voted: | <u>YEA</u> |
| Council Member Stephen Jones | voted: | <u>YEA</u> |
| Council Member Bill Gavin | voted: | <u>ABSENT</u> |

The motion having received the affirmative vote of all Council Members present, the Mayor declared the motion carried and the Resolution adopted.

Council Member Taylor made a motion to accept the deed, contingent on the Residents' approval. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

F. Approve request to hire one (1) Certified Police Officer, contingent on successful completion of a pre-employment medical exam and drug screen.

Council Member Taylor made a motion to hire Edgar Lemus as a Certified Police Officer, contingent on successful completion of a pre-employment medical examination and drug screen. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

IX. EXECUTIVE SESSION:

There are no Executive Session matters to come before the Mayor and Council.

ADJOURNMENT:

The Mayor then asked if there was any other business to come before the Mayor and City Council. There being none, Council Member Turner moved that the meeting be adjourned. Upon second by Council Member Mickens and unanimous vote, the Mayor announced that the meeting was ADJOURNED.

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Approved by: _____
Robert E. Smith, Sr., Mayor

Milton Rawle, Jr.,
CFO- Secretary-Treasurer

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