

MEETING OF THE MAYOR AND CITY COUNCIL CITY OF COLUMBUS, MS DECEMBER 19, 2017

The Mayor and City Council met in Regular Session on Tuesday, December 19, 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 Box, 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 E. Smith, Sr. called the meeting to order and called upon Council Member to offer the Invocation.

II. APPROVE MINUTES FOR THE MEETING OF DECEMBER 5, 2017.

Council Member Taylor made a motion to approve the Minutes for the Meeting of December 5, 2017. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

III. APPROVE DOCKET OF CLAIMS FOR DECEMBER 19, 2017.

Council Member Mickens made a motion to approve the Docket of Claims for December 19, 2017 in the amount of \$690,782.48. 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:

Change Item "D" to read: *Approve request to refund eight (8) citizens refunds for cleanup deposits.*

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Change Item "E" to read: *Accept letter of retirement from one (1) CPD Chief, Oscar Lewis, effective December 31, 2017 and approve request for him to receive his Badge, Plaque, and the purchase of his duty weapon.*

CITIZENS INPUT AGENDA:

Add Thomas Auction – Presentation of Check to City
Add Brandy Gardner – Mayor's Youth Council Presentation.

POLICY AGENDA:

Add Item "C" – *Conduct Public Hearing for CAP Loan Application.*

Add Item "D" - *Discuss/Approve 2% Sales Tax Resolution.*

EXECUTIVE SESSION:

Delete Personnel Matters (2)

Council Member Taylor made a motion to approve the Agenda as presented, with the above amendments. Council Member Gavin seconded the motion. The Mayor called for discussion, and there being none, all Council Members voted in favor of same, with a unanimous vote.

The motion carried

V. CONSENT AGENDA:

- A. Approve request to refund Kurtida Swift the sum of \$300.00 and New Beginning Church the sum of \$900.00 for cancellation of the Trotter Convention Center rental.
- B. Approve request for Fire and Rescue Chief of Training, Mike Chandler, to attend the "NAFECO Vendor Expo" to be held in Decatur, AL, and approve payment of \$50.00 for travel and reimbursement for meal expenses.
- C. Approve request for Fire and Rescue Engineer, Marco Rodriguez, to attend "R0243: Hazardous Materials Incident Management" to be held in Emmitsburg, MD, and approve payment for meal expenses.
- D. Approve request to refund eight (8) citizens refunds for cleanup deposits.
- E. Accept letter of retirement from CPD Chief Oscar Lewis, effective December 31, 2017 and approve request for him to receive his Badge, a plaque and purchase his duty weapon for \$10.00.

Council Member Jones made a motion to approve the Agenda as presented, with the above amendments. Council Member Jackson seconded the motion. The Mayor called for discussion, and there being none, all Council Members voted in favor of same, with a unanimous vote.

The motion carried

VI. REPORTS, PROCLAMATIONS, RECOGNITIONS AGENDA:

A. General Comments from the Mayor and Council Members

Council Member Gavin requested that everyone pray for Council Member Box and his wife in their time of bereavement.

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

The Monthly Report from the Columbus Fire & Rescue Department was prevented for November 2017. No action was taken.

C. Monthly Report from the Municipal Court Division for November 2017

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

D. Monthly Report from the Public Works Department for November 2017

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

E. Monthly Report from the City Planning and Community Development Department for November 2017

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

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

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

G. Monthly Report from the Columbus Recreation Department for November 2017

The Monthly Report from the Columbus Recreation Department for November 2017 was presented. No action was taken.

H. Monthly Report from the Columbus Police Department for November 2017

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

I. Monthly Report from the Building Inspection Department for November 2017

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

J. Monthly Financial Report

Milton Rawle, Jr., CFO, distributed the Monthly Financial Report and remarked that the sales taxes decreased by \$10,728.94 compared to the same time last year.

K. Board Vacancies

David Armstrong, COO, announced vacancies on various boards.

Board of Adjustments & Appeals of Development Codes

- 1 Vacancy
- 1-Year Term for Mike Gibson expired 9/20/2017.
- Appointment will be made December 19, 2017.

Applicant

- Mike Gibson

Council Member Gavin made a motion to reappoint Mike Gibson to the Board of Adjustments & Appeals of Development Codes Board for a one (1) year term, until 9/20/18. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

Golden Triangle Regional Waste Management Authority

- 1 Vacancy
- 4-Year Term for Robert E. Smith, Sr. will end 12/31/2017.
- Appointment will be made December 19, 2017.

Applicant

- Robert E. Smith, Sr.

Council Member Gavin made a motion to reappoint Mayor Robert E. Smith, Sr. to the Golden Triangle Regional Waste Management Authority Board for a four (4) Year term, until 12/31/2021. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

VII. CITIZENS INPUT AGENDA

THOMAS AUCTION – Presentation of Check

Patrick Thomas came before the Mayor and Council and presented a check in the amount of \$51,228.15, which are proceeds from the equipment Auction that was held December 9, 2017.

BRANDY GARDNER – Mayor’s Youth Council Presentation

Brandy Gardner, Mayor’s Youth Council Coordinator, along with the Mayor’s Youth Council, came forward and made a presentation and thanked the Mayor and Council for supporting them and allowing them to participate in all of the events in 2017.

VIII. POLICY AGENDA:

A. Discuss/Approve promotion of two (2) Public Works Crew Leaders to Assistant Foremen.

Council Member Taylor made a motion to promote Dewayne McCarter and Carl Robinson to the position of Assistant Foremen and adjust pay from \$12.92 per hour to \$13.25 per hour, effective immediately. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

B. Discuss/Approve Annual Municipal Compliance Questionnaire required for Audit.

Council Member Taylor made a motion to approve the Annual Municipal Compliance Questionnaire required for the Audit. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

THE QUESTIONNAIRES FOLLOWS:

Municipal Compliance Questionnaire

As part of the municipality's audit, the governing authorities of the municipality must make certain assertions with regard to legal compliance. The municipal compliance questionnaire was developed for this purpose.

The following questionnaire and related certification must be completed at the end of the municipality's fiscal year and entered into the official minutes of the governing authorities at their next regular meeting.

The governing authorities should take care to answer these questions accurately. Incorrect answers could reduce the auditor's reliance on the questionnaire responses, resulting in the need to perform additional audit procedures at added cost.

Information

Note: Due to the size of some municipalities, some of the questions may not be applicable. If so, mark N/A in answer blanks. Answers to other questions may require more than "yes" or "no," and, as a result, more information on this questionnaire may be required and/or separate work papers may be needed.

1. Name and address of municipality:
CITY OF COLUMBUS PO BOX 1408 COLUMBUS, MS 39702
2. List the date and population of the latest official U.S. Census or most recent official census:
2010 23,640
3. Names, addresses and telephone numbers of officials (include elected officials, chief administrative officer, and attorney).
SEE ATTACHED
4. Period of time covered by this questionnaire:
From: OCT 1, 2016 To: SEP 30, 2017
5. Expiration date of current elected officials' term: JUNE 30, 2021

MUNICIPAL COMPLIANCE QUESTIONNAIRE
Year Ended September 30, 20__

Answer All Questions: Y - YES, N - NO, N/A - NOT APPLICABLE

PART I - General

1. Have all ordinances been entered into the ordinance book and included in the minutes? (Section 21-13-13) Y
2. Do all municipal vehicles have public license plates and proper markings? (Sections 25-1-87 and 27-19-27) Y
3. Are municipal records open to the public? (Section 25-61-5) Y
4. Are meetings of the board open to the public? (Section 25-41-5) Y
5. Are notices of special or recess meetings posted? (Section 25-41-13) Y
5. Are all required personnel covered by appropriate surety bonds?
 - Board or council members (Sec. 21-17-5) Y
 - Appointed officers and those handling money, see statutes governing the form of government (i.e., Section 21-3-5 for Code Charter) Y
 - Municipal clerk (Section 21-15-38) Y
 - Deputy clerk (Section 21-15-23) Y
 - Chief of police (Section 21-21-1) Y
 - Deputy police (Section 45-5-9) (if hired under this law) Y
7. Are minutes of board meetings prepared to properly reflect the actions of the board? (Sections 21-15-17 and 21-15-19) Y
8. Are minutes of board meetings signed by the mayor or majority of the board within 30 days of the meeting? (Section 21-15-33) Y
9. Has the municipality complied with the nepotism law in its employment practices? (Section 25-1-53) Y
10. Did all officers, employees of the municipality, or their relatives avoid any personal interest in any contracts with the municipality during their term or within one year after their terms of office or employment? (Section 25-4-105) Y
11. Does the municipality contract with a Certified Public Accountant or an auditor approved by the State Auditor for its annual audit within twelve months of the end of each fiscal year? (Section 21-35-31) Y

12. Has the municipality published a synopsis or notice of the annual audit within 30 days of acceptance?
(Section 21-35-31 or 21-17-19)

Y

PART II - Cash and Related Records

1. Where required, is a claims docket maintained? *FINANCE OFFICE*
(Section 21-39-7)

Y

2. Are all claims paid in the order of their entry in the claims docket? (Section 21-39-9)

Y

3. Does the claims docket identify the claimant, claim number, amount and fund from which each warrant will be issued?
(Section 21-39-7)

Y

4. Are all warrants approved by the board, signed by the mayor or majority of the board, attested to by the clerk, and bearing the municipal seal? (Section 21-39-13)

Y

5. Are warrants for approved claims held until sufficient cash is available in the fund from which it is drawn?
(Section 21-39-13)

Y

6. Has the municipality adopted and entered on its minutes a budget in the format prescribed by the Office of the State Auditor? (Sections 21-35-5, 21-35-7 and 21-35-9)

Y

7. Does the municipality operate on a cash basis budget, except for expenditures paid within 30 days of fiscal year end or for construction in progress? (Section 21-35-23)

Y

8. Has the municipality held a public hearing and published its adopted budget? (Sections 21-35-5, 27-39-203, & 27-39-205)

Y

9. Has the municipality complied with legal publication requirements when budgetary changes of 10% or more are made to a department's budget? (Section 21-35-25)

Y

10. If revenues are less than estimated and a deficit is anticipated, did the board revise the budget by its regular July meeting? (Section 21-35-25)

N/A

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11. Have financial records been maintained in accordance with the chart of accounts prescribed by the State Auditor? (Section 21-35-11) Y
12. Does the municipal clerk submit to the board a monthly report of expenditures against each budget item for the preceding month and fiscal year to date and the unexpended balances of each budget item? (Section 21-35-13) Y
13. Does the board avoid approving claims and the city clerk not issue any warrants which would be in excess of budgeted amounts, except for court-ordered or emergency expenditures? (Section 21-35-17) Y
14. Has the municipality commissioned municipal depositories? (Sections 27-105-353 and 27-105-363) Y
15. Have investments of funds been restricted to those instruments authorized by law? (Section 21-33-323) Y
16. Are donations restricted to those specifically authorized by law? [Section 21-17-5 (Section 66, Miss. Constitution) -- Sections 21-19-45 through 21-19-59, etc.] Y
17. Are fixed assets properly tagged and accounted for? (Section II - Municipal Audit and Accounting Guide) N
18. Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41? Y
19. Are all travel advances made in accordance with the State Auditor's regulations? (Section 25-3-41) Y

PART III - Purchasing and Receiving

1. Are bids solicited for purchases, when required by law (written bids and advertising)? [Section 31-7-13(b) and (c)] Y
2. Are all lowest and best bid decisions properly documented? [Section 31-7-13(d)] Y
3. Are all one-source item and emergency purchases documented on the board's minutes? [Section 31-7-13(m) and (k)] Y
4. Do all officers and employees understand and refrain from accepting gifts or kickbacks from suppliers? (Section 31-7-23) Y

PART IV - Bonds and Other Debt

1. Has the municipality complied with the percentage of taxable property limitation on bonds and other debt issued during the year? (Section 21-33-303) Y
2. Has the municipality levied and collected taxes, in a sufficient amount for the retirement of general obligation debt principal and interest? (Section 21-33-87) Y
3. Have the required trust funds been established for utility revenue bonds? (Section 21-27-65) N/A
4. Have expenditures of bond proceeds been strictly limited to the purposes for which the bonds were issued? (Section 21-33-317) Y
5. Has the municipality refrained from borrowing, except where it had specific authority? (Section 21-17-5) Y

PART V - Taxes and Other Receipts

1. Has the municipality adopted the county ad valorem tax rolls? (Section 27-35-167) Y
2. Are interest and penalties being collected on delinquent ad valorem taxes? (Section 21-33-53) Y
3. Has the municipality conducted an annual land sale for delinquent ad valorem taxes? (Section 21-33-63) Y
4. Have the various ad valorem tax collections been deposited into the appropriate funds? (Separate Funds for Each Tax Levy) (Section 21-33-53) Y
5. Has the increase in ad valorem taxes, if any, been limited to amounts allowed by law? (Sections 27-39-320 and 27-39-321) Y
6. Are local privilege taxes collected from all businesses located within the municipality, except those exempted? (Section 27-17-5) Y
7. Are transient vendor taxes collected from all transient vendors within the municipality, except those exempted? (Section 75-85-1) Y
8. Is money received from the state's "Municipal Fire Protection Fund" spent only to improve municipal fire departments? (Section 83-1-37) Y
9. Has the municipality levied or appropriated not less than 1/4

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mill for fire protection and certified to the county it provides its own fire protection or allowed the county to levy such tax? (Sections 83-1-37 and 83-1-39)

N

10. Are state-imposed court assessments collected and settled monthly? (Section 99-19-73, 83-39-31, etc.)

Y

11. Are all fines and forfeitures collected when due and settled immediately to the municipal treasury? (Section 21-15-21)

Y

12. Are bids solicited by advertisement or, under special circumstances, three appraisals obtained when real property is sold? (Section 21-17-1)

Y

13. Has the municipality determined the full and complete cost for solid waste for the previous fiscal year? (Section 17-17-347)

Y

14. Has the municipality published an itemized report of all revenues, costs and expenses incurred by the municipality during the immediately preceding fiscal year in operating the garbage or rubbish collection or disposal system? (Section 17-17-348)

Y

15. Has the municipality conducted an annual inventory of its assets in accordance with guidelines established by the Office of the State Auditor? (MMAAG)

Y

(MUNICIPAL NAME)

Certification to Municipal Compliance Questionnaire

Year Ended September 30, 2017

We have reviewed all questions and responses as contained in this Municipal Compliance Questionnaire for the Municipality of COLUMBUS, MS, and, to the best of our knowledge and belief, all responses are accurate.

Milton Rawls
(City Clerk's Signature)

12/19/17
(Date)

Robert A. Marshall
(Mayor's Signature)

December 19, 2017
(Date)

Minute Book References:

Book Number _____

Page _____

(Clerk is to enter minute book references when questionnaire is accepted by board.)

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MAYOR, COUNCIL, CHIEF OPERATIONS OFFICER, CFO						
EMAIL ADDRESSES 2017						
NAME	WARD	ADDRESS	EMAIL	Phone		
Mayor	Smith	39 Burgandy Drive, Columbus MS 39702	rsmith@columbusms.org	662-364-0433		
Gene	Taylor	918 9th Ave S, Columbus MS 39701	gtaylor@columbusms.org	662-425-1833		
Joseph	Mickens	146 Maple Street, Columbus MS 39702	floorspecialist146@gmail.com	662-251-0724		
Charlie	Box	200 Lakewood Rd, Columbus MS 39705	boxcharles2002@yahoo.com	662-889-2165 or 662-327-1270		
Fredrick	Jackson	210 Rebecca Lane, Columbus MS 39702	ward4@columbusms.org	662-418-7329		
Stephen	Jones	1804 8th Ave N, Columbus MS 39701	ward5@columbusms.org	662-386-5022		
Bill	Gavin	203 Jones Circle, Columbus MS 39702	bgavin@cableone.net	662-574-0295 or 662-327-3323		
David	Armstrong	714 3rd Ave S, Columbus MS 39701	darmstrong@columbusms.org	662-329-5119 or 662-251-5119		
Milton	Rawle	74 Crenshaw Dr, Columbus MS 39702	milton.rawle@columbusms.org	662-329-5120		
Jeff	Turnage	215 Fifth Street N, Columbus MS 39703		662-328-2316		

C. Conduct Public Hearing for CAP Loan Application.

George Irby, Interim Planner and Director of Community Development, came forward and announced that the Council will hold a Public Hearing for the CAP Loan Application. The Public Hearing began for public input for the CAP Loan Application. There were no objections.

Council Member Mickens made a motion to approve the CAP Loan Application. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

D. Discuss/Approve 2% Sales Tax Resolution

The Mayor and Council discussed the 2% Sales Tax Resolution of the City of Columbus requesting the Mississippi Legislature to authorize the Governing Authority of the City of Columbus, Mississippi to levy a tax upon the Gross Sales of Items sold as prepared Food and Beverages within the Corporate Limits of the City of Columbus and Utilize the Revenue from the Tax to Promote Recreation, Tourism, Special Events and Projects, Parks and Economic Development within the City, and for the General Well-Being and Health of its Citizens and the related purposes. The only stipulation to the proceeds is to und \$200,000 to the LINK. Council Member Taylor made a motion to approve the 2% Sales Tax Resolution.

All Council Members voted in favor of the motion, with the exception of Council Member Gavin, who opposed. *(Council Member Box was absent).*

The motion carried.

THE RESOLUTION FOLLOWS:

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RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COLUMBUS REQUESTING THE MISSISSIPPI LEGISLATURE TO AUTHORIZE THE GOVERNING AUTHORITY OF THE CITY OF COLUMBUS, MISSISSIPPI TO LEVY A TAX UPON THE GROSS SALES OF ITEMS SOLD AS PREPARED FOOD AND BEVERAGES WITHIN THE CORPORATE LIMITS OF THE CITY OF COLUMBUS AND UTILIZE THE REVENUE FROM THE TAX TO PROMOTE RECREATION, TOURISM, SPECIAL EVENTS AND PROJECTS, PARKS AND ECONOMIC DEVELOPMENT WITHIN THE CITY, AND FOR THE GENERAL WELL-BEING AND HEALTH OF ITS CITIZENS AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and City Council of the City of Columbus believe that it is in the best interests of the citizens of the City to provide necessary funds to enhance recreation, tourism, special events and projects, parks and economic development within the City and for the general well-being and health of its citizens; and,

WHEREAS, the Mayor and City Council, have determined that to further the above stated goals it is the intention of the Governing Authority of the City of Columbus to levy a 2% (two per cent) sales tax upon every person, firm, corporation, or other entity or business within the City of Columbus from the gross proceeds of every sale of prepared food and/or beverages sold within the corporate limits of the City of Columbus.

NOW, THEREFORE, be it resolved that the above and foregoing preamble is adopted herein, and this Resolution shall be submitted to the Legislature of the State of Mississippi requesting authorization to impose and collect a 2% (two per cent) sales tax on the gross proceeds from the sales of prepared foods and beverages within the corporate limits of the City of Columbus, Mississippi for the purposes of promoting, sustaining and enhancing recreation, tourism, special events and projects, parks and economic development within the City and for the general health and well-being of its citizens and related purposes, as more particularly described in the proposed bill attached hereto as Exhibit "A" to this Resolution.

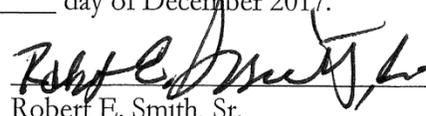
Upon Motion of Council Member TAYLOR,
duly seconded by Council Member MICKENS the
matter came on for a vote, with the resolution being adopted and the vote thereon being as follows:

Council Member Taylor	<u>YEA</u>
Council Member Mickens	<u>YEA</u>
Council Member Box	<u>ABSENT</u>
Council Member Jones	<u>YEA</u>
Council Member Jackson	<u>YEA</u>

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Council Member Gavin Nay

So ordered and resolved, this the 19th day of December 2017.



Robert E. Smith, Sr.
Mayor of Columbus, Mississippi



ATTEST: Milton Rawls, Jr.
Secretary/Treasurer

CLOSED DETERMINATION:

Council Member Mickens made a motion to go into closed session to determine whether it is necessary to go into Executive Session. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

All members of the public, with the exception of the Mayor, the Council, the General Counsel, the COO, the CFO, the Police Chief, and the HR Director, exited the Council Chambers.

Mayor Smith apprised the Council of a Prospective Litigation matter and remarked that this matter warrants being heard in Executive Session.

Council Member Jackson made a motion to go into Executive Session to discuss a Prospective Litigation matter. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

The Chief Operations Officer then announced to the general public outside the Council Chambers that the Council was going into Executive Session to discuss a Prospective Litigation matter.

ADJOURNMENT:

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

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

Milton Rawle, Jr.,
CFO- Secretary-Treasurer

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