

MEETING OF THE MAYOR AND CITY COUNCIL CITY OF COLUMBUS, MS FEBRUARY 16, 2016

The Mayor and City Council met in Regular Session on Tuesday, February 16, 2016 at 5:00 p.m. in the Court Chambers of the Municipal Complex. Mayor Robert Smith presided over the meeting and all Council Members were present, with the Ward 5 Council seat being vacant. Also present were the COO, CFO, General Counsel, Interim Chief Fred Shelton, and the Human Resources Director.

CALL TO ORDER AND INVOCATION

Mayor Robert Smith, Sr. called the meeting to order and called on Council Member Mickens to offer the Invocation.

APPROVE MINUTES FOR THE MEETING OF FEBRUARY 2, 2016.

Council Member Box made a motion to approve the Minutes for the Meeting of February 2, 2016. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

I. APPROVE DOCKET OF CLAIMS FOR FEBRUARY 16, 2016.

Council Member Taylor made a motion to approve the Docket of Claims for February 16, 2016 in the amount of \$338,052.33. Council Member Box seconded the motion.

All Council Members voted in favor of the motion.

The motion carried

II. CONFIRMATION OF/OR AMENDMENTS TO THE AGENDA

CONSENT AGENDA:

Add Item "N" – *Approve request for one (1) Fire & Rescue Personnel to attend the "CPM Level 5 Training" to be held in Jackson, MS, and approve payment for registration, lodging and meal expenses.*

Add Item "O" – *Accept letter of resignation from one (1) CPD Officer, effective February 29, 2016 and approve request to be paid for any unused vacation leave. He also requests to have unused sick leave transferred to PERS.*

Add Item "P" – *Accept letter of resignation from one (1) Animal Control Officer, effective February 26, 2016.*

POLICY AGENDA:

Add Item "H" – *Discuss/Approve Debt Service Agreement between the City of Columbus and Columbus Utilities Commission.*

EXECUTIVE SESSION:

Add two (2) Personnel Matters and a Pending Litigation Matter.

III. CONSENT AGENDA:

- A. Approve request for Fire & Rescue Administrative Assistant Tabitha Barham to attend the "ESAP Committee Meeting" to be held in Jackson, MS, and approve payment of \$35.00 for travel and \$23.00 for meal expenses.
- B. Approve request for Fire & Rescue Personnel Damon Estes, Eric Grant, and Madison Guyton to attend the "Fire Department Safety Officer Training" to be held in Jackson, MS, and approve payment of \$1,080.00 for registration, \$50.00 for travel and \$345.00 for meal expenses.
- C. Approve request for the Mayor's Youth Council Director and members to attend the "9th Annual MML Statewide Youth Leadership Summit" to be held in Starkville, MS, and approve payment of \$25.00 for registration, travel and meal expenses.
- D. Approve request for Victim's Advocate Coordinator, Dorothy Givens, to attend the "Domestic Violence and Sexual Assault Training" to be held in Biloxi, MS, and approve payment for mileage expenses. Registration and lodging will be at no cost to the City.
- E. Approve request for Federal Programs Assistant, George Irby, to attend the "Mississippi Affordable Housing Conference" to be held in Biloxi, MS, and approve payment of \$225.00 for registration, \$357.00 for lodging and \$126.50 for meal expenses.
- F. Approve request for clothing allowance in the amount of \$500.00 for Police Chief Oscar Lewis.
- G. Approve request for the HR Director/Deputy Clerk Pat Mitchell to attend the "2016 (I-N) Spring Session of the Certification Program for Municipal Clerks" to be held in Oxford, MS, and approve payment of \$200.00 for registration, \$417.00 for lodging, \$132.25 for travel and \$153.00 for meal expenses.
- H. Approve request for clothing allowance in the amount of \$350.00 each for Austin Shepherd, Forensic Director and Claudette Gilman, Forensic Scientist.
- I. Approve permit request from Glenn Lautzenhiser to host the "National Day of Prayer" on May 5, 2016, from 12:00 p. m. until 1:00 p. m. The event will take place in front of the Lowndes County Courthouse. He is requesting to block off 2nd Avenue North in front of the Courthouse by 7:00 a.m.

- J. Approve permit request from David Howell on behalf of Relay for Life to have the “Relay for Life” on April 30, 2016 from 8:00 p.m. until 1:00 a.m. May 1, 2016. He is requesting to block off roads around the Soccer Complex (at 3rd Avenue North & 3rd Street North., 3rd Avenue North & 2nd Street North and 3rd Avenue North and 4th Avenue North)
- K. Approve request for the City Planner to attend the ICSC Gulf South Idea Exchange” to be held in Mobile, AL, and to approve payment of \$190.00 for registration, \$129.00 for lodging, \$102.31 for travel and \$88.50 for meal expenses.
- L. Approve request to pay Poll Workers for the Special Election for Council Member – Ward 5 on February 16, 2016.
- M. Approve request for the Mayor to travel to Jackson, MS to meet with the Legislature two (2) times during the month of February 2016.
- N. Approve request for Fire & Rescue Personnel Duane Hughes to attend the “CPM Level 5 Training” to be held in Jackson, MS, and approve payment for registration, lodging and meal expenses.
- O. Accept letter of resignation from Police Officer James Hanson, effective February 29, 2016 and approve request to be paid for any unused vacation leave. He also requests to have unused sick leave transferred to PERS.
- P. Accept letter of resignation from Animal Control Officer Steve Scott, effective February 26, 2016.

Council Member Taylor made a motion to approve the Consent Agenda, according to the amendments. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

REPORTS, PROCLAMATIONS, RECOGNITIONS AGENDA:

A. General Comments from the Mayor and Council Members

There were no comments from the Mayor and Council Members.

B. Swearing In of Police Chief Oscar Lewis III

Mayor Robert E. Smith swore in Chief Oscar James Lewis, III and read the Oath of office.

C. Monthly Report from the Columbus Police Department for January 2016

The Monthly Report from the Columbus Police Department for the Month of January 2016 was presented. Interim Chief Shelton remarked that he has not received an update on the Ricky Ball shooting from MBN. No action was taken.

D. Monthly Report from the Columbus Fire & Rescue Department for January 2016

The Monthly Report from the Columbus Fire & Rescue Department for January 2016 was presented. No action was taken.

E. Monthly Report from the Municipal Court Division for January 2016

The Monthly Report from the Municipal Court Division for January 2016 was presented. No action was taken.

F. Monthly Report from the Public Works Department for January 2016

The Monthly Report from the Public Works Department for January 2016 was presented. No action was taken.

G. Monthly Report from the City Planning and Community Development Department for January 2016

The Monthly Report from the City Planning and Community Development Department for January 2016 was presented. No action was taken.

H. Monthly Report from the Building Inspection Department for January 2016

The Monthly Report from the Building Inspection Department for January 2016 was presented. No action was taken.

I. Monthly Report from the Code Enforcement Division for January 2016

The Monthly Report from the Code Enforcement Division for January 2016 was presented. No action was taken.

J. Monthly Financial Report

Milton Rawle, Jr., CFO, reported that the sales taxes increased by \$123,642.47 compared to the same time last year. The sales taxes increased by \$1,800,522.18 for the year, which is the highest it has been in the history of Columbus.

K. Board Vacancies:

David Armstrong, COO, announced vacancies on various boards and remarked that no appointments can be made tonight.

GTR Waste Management Authority

- One (1) Vacancy
- Ralph McLain resigned January 5, 2016.
- This 4-Year Term will expire December 31, 2018.
- No Applicants at this time
- Appointment can be made immediately.

Columbus/Lowndes Convention & Visitors Bureau

- One (1) Vacancy
- Dewitt Hicks' 3-Year Term will expire March 1, 2016.
- He serves as the Historic Home Owner Member.
- Appointment can be made March 1, 2016.

Applicant

- Dewitt Hicks

Columbus Municipal School District

- One (1) Vacancy
- Glenn Lautzenhisers' 5-Year Term will expire March 7, 2016.
- Appointment can be made March 1, 2016.

Applicant

- Josie S. Shumake
- Willie J. Petty, Sr.

Tree Board

- One (1) Vacancy
- Jeffrey C. Wilson's 3-Year Term will expire 4/6/2016.
- He serves as the MSU Extension Service Member.
- No Applicants at this time
- Appointment can be made April 5, 2016.

City Utilities Commission

- One (1) Vacancy
- Andrew Colom resigned January 21, 2016.
- The remainder of this 5-Year Term will expire 06/30/2018.
- Appointment can be made March 1, 2016.

Applicants

- Tiffany Sturdivant
- Hilbert Williams

Board of Adjustment & Appeals of Development Codes

- One (1) Vacancy
- Kevin Stafford's 1-Year Term will expire 04/07/2016.
- Appointment can be made March 15, 2016.

Applicant

- Kevin Stafford

CITIZENS INPUT AGENDA:

Carlos Rosales and Officer Rhonda Sanders– CS Digital Productions Video Presentation

Carlos Rosales and Officer Rhonda Sanders came forth and presented a film created to provide exposure, as well as an employment tool for the Columbus Police Department. They were applauded for their efforts.

POLICY AGENDA:

A. Discuss/Approve request to apply for the Mississippi Wildlife, Fisheries & Parks Grant.

Council Member Turner made a motion to approve the request to apply for the Mississippi Wildlife, Fisheries & Parks Grant. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

B. Discuss/Approve to declaring three (3) rifles as surplus and donate them to the Lowndes County Sheriff's Department for use as Force Protection for Task Force II.

Council Member Taylor made a motion to declare three (3) rifles as surplus and donate them to Lowndes County Sheriff Department for use as Force Protection for the Task Force II. Council Member Box seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

C. Discuss/Approve promotion of one (1) Fire & Rescue Captain to Battalion Chief.

Council Member Box made a motion to promote Michael S. Swain to the position of Battalion Chief at an hourly rate of \$16.33. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

D. Discuss/Approve combining the positions of the Fire & Rescue Public Relations Officer and Fire & Life Safety Educator.

Council Member Mickens made a motion to approve the request to combine the positions of Fire & Rescue Public Relations Officer and Fire & Life Safety Educator and promote Anthony Colom to the position at a rate of \$42,000 annually.

Council Member Turner seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

E. Discuss/Approve and Award Legal Advertising Bid.

Pat Mitchell reported that she advertised for the Legal Advertising, which include Publication of Legal Notices and Proceedings and recommended that the Bid be awarded to The Commercial Dispatch. Council Member Taylor made a motion to award the Legal Advertising Bid to The Commercial Dispatch based on the following terms listed below. Council Member Gavin seconded the motion.

**COMMERCIAL DISPATCH: 1st Run - .015 or 1.5 cents per word
2nd Run - .014 or 1.4 cents per word**

**COLUMBUS PACKET: 1st Run – 2.2 cents per word
2nd Run – 2.1 cents per word**

All Council Members voted in favor of the motion.

The motion carried.

F. Ratify Gilmer Inn Asbestos Report.

Robyn Eastman with J-5 came forward and requested the Mayor and Council to ratify his decision to advertise for bids for Asbestos Removal at the Gilmer Inn. Council Member Taylor made a motion to ratify the advertising for sealed bids for Asbestos Removal from the Gilmer Inn. Council Member Turner seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

G. Discuss/Approve Independent Contract for Public Relations Specialist.

Council Member Taylor made a motion to approve the Independent Contract for the Public Relation Specialist that was drawn up by the General Counsel. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

H. Discuss/Approve Debt Service Agreement between City of Columbus and Columbus Utilities Commission.

Council Member Box made a motion to approve the Debt Service Agreement between the City of Columbus and the Columbus Utilities Commission. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

THE AGREEMENT FOLLOWS:

CLOSED DETERMINATION:

Council Member Taylor made a motion to go into closed session to determine whether it is necessary to go into Executive Session. Council Member Turner 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 Vice-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 Transaction of business and discussions or negotiations regarding the location, relocation or expansion of a business or an industry, two (2) personnel matters, and a pending litigation matter.

Council Member Gavin made a motion to go into Executive Session. Council Member Taylor 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 several matters warranting being heard in Executive Session.

EXECUTIVE SESSION:

MATTER #1:

Transaction of business and discussions or negotiations regarding the location, relocation or expansion of a business or an industry (1).

The Council invited the City's Insurance Agents, Tim Cox and Russell Brown in the Council Chambers to discuss a matter concerning the transaction of Business and discussions or negotiations regarding the location, relocation or expansion of a business or an industry, specifically a joint partnership among the City of Columbus, the Columbus Light & Water Department and Lowndes County in a proposal to open up a private medical clinic. Following the discussion of this matter, the Council took no action.

PERSONNEL MATTER (1):

The first personnel matter involves employee I. D. number 1040, who was invited in the Council Chambers along with Casey Bush, Public Works Director. Mr. Bush reported that this employee has been counseled and written up several times for tardiness and recommends suspension of thirty (30) work days without pay beginning Monday, February 22, 2016 and return to work on April 13, 2016. This employee remarked that his car stopped working and his grandmother had to bring him to work from Caledonia. It was suggested that he find a reliable source of transportation or live closer to the worksite to prevent tardiness. Council Member Mickens made a motion to approve the request to suspend employee I. D. number 1040 for thirty (30) days without pay. Council Member Taylor seconded the motion.

Council Members Taylor, Mickens, Box and Gavin voted in favor of the motion. Council Member Turner opposed.

The motion carried with a 4/1 vote.

PERSONNEL MATTER (2):

The second personnel matter involves employee I. D. number 1060. Casey Bush reported that this employee has been absent from work without an excuse and without prior notification. He has counseled the employee and now recommends termination of employment, effective immediately. Employee I. D. number 1060 remarked that he only missed work once without calling it and the other time he was sick. This employee exited the Council Chambers for deliberation. Council Member Turner made a motion to accept the Public Works Director's recommendation to terminate this employee. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

PENDING LITIGATION MATTER:

The General Counsel reported that he was previously authorized to sue the Jones Family in an Eminent Domain case and after doing so, the family agreed to accept the amount of \$2,600 that was offered for the property. Council Member Taylor made a motion to ratify the payment of \$2,600.00 to Connie Brooks for the purchase of property in Catfish Alley. Council Member Turner Seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

OPEN SESSION:

Council Member Mickens made a motion to return to Open Session. Council Member Gavin 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 back in Open Session.

The General Counsel announced that the Council a voted to go in Executive Session and considered one (1) item of Transaction of business and discussions or negotiations regarding the location, relocation or expansion of a business or an industry, two (2) Personnel Matters and voted to suspend one employee for thirty (30) days without pay and voted to terminate the other employee, and considered a pending litigation matter concerning the purchase of some real property and voted to ratify the payment for the purchase of that property.

ADJOURNMENT:

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

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

**Milton Rawle, Jr.,
CFO- Secretary-Treasurer**