

# MEETING OF THE MAYOR AND CITY COUNCIL CITY OF COLUMBUS, MS MAY 3, 2016

The Mayor and City Council met in Regular Session on Tuesday, May 3, 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. Also present were the COO, CFO, General Counsel, the 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 Mickens to offer the Invocation.

## II. APPROVE MINUTES FOR THE MEETING OF APRIL 19, 2016.

Council Member Mickens made a motion to approve the Minutes for the Meeting of April 19, 2016. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

## III. APPROVE DOCKET OF CLAIMS FOR MAY 3, 2016.

Council Member Taylor made a motion to approve the Docket of Claims for May 3, 2016, in the amount of \$206,267.79. Council Member Box 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 the wording on Item "H" to read - *Approve request for **two (2)** CPD Entry Level Officers to attend the "MLEOTA Basic Law Enforcement Training Academy" to be held in Pearl, MS, and approve payment of \$7,200.00 to the academy for training fees, clothing and other supplies required by the academy.*

### REPORTS, PROCLAMATIONS, RECOGNITIONS AGENDA:

Add Julie Goodin as an applicant to the GTR Waste Management Authority Board.

Add Charlie Newell as an applicant to the City Utilities Commission Board.

**CITIZENS INPUT AGENDA:**

DELETE – Major Alan Phillips – Salvation Army

**POLICY AGENDA:**

Delete Item “C” – *Discuss/Approve permission to declare one (1) 1999 Silver Crown Victoria as surplus and donate it to the American Red Cross.*

Add Item “H” – *Discuss/Approve All-Way Stop at 8<sup>th</sup> Avenue North at 15<sup>th</sup> Street.*

Add Item “I” – *Discuss/Approve All-Way Stop at 11<sup>th</sup> Avenue South at 5<sup>th</sup> Street.*

Add Item “J” – *Discuss/Approve request to submit the Columbus-Lowndes County Airport (CLCA) FY2016 AIP Grant Application in June.*

Add Item “K” – *Discuss/Approve CLCA FY2016 AIP Grant Engineering Contract.*

Add Item “L” – *Discuss/Approve permission to advertise the CLCA FY2016 AIP Grant Project in May and receive bids in June.*

**EXECUTIVE SESSION AGENDA:**

Add one (1) Pending Litigation Matter.

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

The motion carried.

**V. CONSENT AGENDA:**

- A. Approve request to refund Laverne Rice the sum of \$375.00 for cancellation of Trotter Convention Center Rental.
- B. Approve request for Fire & Rescue Personnel, Steve Loden, to attend the Certified Advance Rescue Technician Training” to be held in Jackson, MS, and approve payment of \$400.00 for registration, \$75.00 for travel and \$127.50 for meal expenses.
- C. Approve request for Fire & Rescue Personnel, Brett Thompson and Madison Guyton to attend the “Understanding the Arson Immunity Act Training” to be held in Hattiesburg, MS, and approve total payment of \$178.00 lodging, \$75.00 for travel and \$178.50 for meal expenses.
- D. Approve request for one Fire & Rescue Personnel, Michael Chandler, to attend the “Peer Assessment for the Huntley Fire Protection District Training” to be held in Huntly, IL, at no cost to City.

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- E. Approve request for Fire & Rescue Personnel, Dale Ballard, to attend the "Fire Officer 1021-I-II Training" to be held in Jackson, MS, and approve payment for of \$615.00 for registration, \$75.00 for travel and \$255.00 for meal expenses.
- F. Approve request for Municipal Court Judges, Rhonda Ellis and Gary Goodwin to attend the "Municipal Court Judges Seminar" to be held in Biloxi, MS, at no cost to City.
- G. Approve request for the CPD to participate in the Columbus Krispy Kreme Special Olympics Fundraiser on Saturday, May 14, 2016 from 6:00 a.m. until 6:00 p.m.
- H. Approve request for CPD Entry Level Officers, Cole Britt and Christian Garcia, to attend the "MLEOTA Basic Law Enforcement Training Academy" to be held in Pearl, MS, and approve payment of \$7,200.00 to the academy for training fees, clothing and other supplies required by the academy.
- I. Approve permit request for Mr. Carl Jones to host a "Block Party" on July 23, 2016 from 4:00 p.m. until 9:00 p.m. and approve request to block off streets at 711 15<sup>th</sup> St. North from 7<sup>th</sup> Avenue North to 8<sup>th</sup> Avenue North to 15<sup>th</sup> Street North.
- J. Accept letter of retirement from CPD Lieutenant, James Grant, effective June 19, 2016 and approve request to be paid for 240 days of unused vacation. He also requests permission to purchase his duty weapon for the sum of \$10.00.
- K. Approve request for CPD Officer, Mark Whitaker, to attend the "Clandestine Laboratory Investigations Training" to be held in Meridian, MS at no cost to City.
- L. Approve request for CPD Training Director, Elizabeth Patrick, to attend the "Taser Master Instructor School" to be held in Baton Rouge, LA, and to approve payment for \$899.00 for registration, \$476.00 for lodging, \$620.17 for travel and meal expenses.
- M. Approve permit request from Carter's Funeral Services to host a "Memorial Celebration" to be held on May 7, 2016 from 3:00 p.m. until 11:00 p.m. and to block off 14<sup>th</sup> Street North between the blocks of 6<sup>th</sup> Avenue North and 7<sup>th</sup> Avenue North.
- N. Approve request for Mayor Smith to attend the 2016 Annual MAPDD Conference to be held in Biloxi, MS, and approve payment of \$325.00 for registration, lodging, travel and meal expenses.
- O. Approve request for the Mayor to attend the promotion ceremony of Colonel James R. Sears, Jr. to be held in San Antonio, TX, and approve payment for lodging, travel and meal expenses.

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

The motion carried.

## **VI. REPORTS, PROCLAMATIONS, RECOGNITIONS AGENDA:**

### A. General Comments from the Mayor and Council Members

- **Proclamation – 6<sup>th</sup> Annual Kids to Parks Day**

Mayor Smith presented a Proclamation in honor of the 6<sup>th</sup> Annual Kids to Parks Day.

### B. Board Vacancies:

#### **GTR Waste Management Authority**

- One (1) Vacancy
- Ralph McLain resigned January 5, 2016.
- This 4-Year Term will expire December 31, 2018.
- Appointment can be made immediately.

#### **APPLICANT**

- **Julie Goodin**

Council Member Taylor made a motion to appoint Julie Goodin to the Golden Triangle Waste Management Authority Board to fill Ralph McLain's unexpired term, until December 31, 2018. Council Member Box seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

#### **Historic Preservation Board**

- One (1) Vacancy
- Carol Burns Kaye's 4-Year Term will expire 5/16/2016.
- No Applicants at this time
- Appointment can be made 5/17/2016.

#### **Columbus/Lowndes Recreation Authority**

- One (1) Vacancy
- Jimmy Reese's 5-Year Term will expire 5/25/2016.
- No Applicants at this time
- Appointment can be made 5/17/2016.

#### **Board of Adjustment & Appeals of Development Codes**

- One (1) Vacancy
- Mickey Brislin's 3-Year Term will expire 6/6/2016.
- Appointed as Mechanical & Plumbing Engineer or Contractor

- Appointment can be made 5/17/2016.

**APPLICANT**

- Mickey Brislin

**City Utilities Commission**

- One (1) Vacancy
- Charlie Newell's 5-Year Term will expire 6/30/2016.
- No Applicants at this time
- Appointment can be made 6/21/2016.

**APPLICANT**

- Charlie Newell

**VII. CITIZENS INPUT AGENDA**

- **DELETE** - Major Alan Phillips – Salvation Army -
- **Christian Community in Prayer Committee – 2016 National Day of Prayer**

A committee member of the Christian Community in Prayer announced that the 2016 National Day of Prayer will be held on Thursday, May 5, 2016 in front of the Lowndes County Courthouse

- **Ms. Dia Woods – Cable TV Service**

Ms. Dia Woods approached the podium with a complaint to the Mayor and Council regarding Cable T. V. Service. No action was taken.

**VIII. POLICY AGENDA:**

- A. Discuss/Approve request to promote internally to the position of Assistant Fire Chief.**

Council Member Taylor made a motion to promote Duane Hughes to the position of Assistant Fire Chief at an annual salary of \$58,701.76 (\$28.22 per hour), effective May 9, 2016, and approve the request to begin the recruitment process to fill the vacated position created by this promotion. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

- B. Discuss/Approve hiring of two (2) Entry Level Police Officers contingent upon a successful drug screen and physical.**

Council Member Mickens made a motion to approve the request to hire Cole Britt and Christian Garcia as Entry Level Police Officers, contingent on successful completion of the pre-employment medical examination and drug screen.

**C. DELETE**

**D. Discuss/Approve Derelict Property Docket.**

**Builders for Saved America, Et Al  
437 Forest Glen Road  
Case Number 16-0022 Burned Structure**

The General Counsel called cause number **16-0022**. Attorney William Ashley appeared and remarked that the fire occurred February 4, 2016, the property is in litigation and requested a **45-day extension** to remediate the property. Code Enforcement Officer Tomarris Jones concurred with this request and recommended the 45-day extension to remediate the property and recommends entering an Order under Section 21-19-11 of the Mississippi Code, finding that this property is in such a state of uncleanliness as to be a menace to the public health and safety of the community. This Order should give the owner seven (7) days on remediation of vegetation and forty-five (45) days to remediate the exterior property and provide for such re-entry as the Statute allows. Council Member Box made a motion to grant the extension 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 and remove dilapidated buildings or dilapidated fences up to six (6) more times in the twelve (12) 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.

**ESSIE EVANS  
2204 – 3<sup>rd</sup> Avenue South  
Case Number 16-0033 Vegetation**

The General Counsel called cause number **16-0033**. 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 Box seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**ROBERT HAIRSTON – Est.**  
**2208 – 3<sup>rd</sup> Avenue South**  
**Case Number 16-0034 Vegetation**

The General Counsel called cause number **16-0034**. 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 Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**RICHARD BURDINE – Est.**  
**700 Block of 9<sup>th</sup> Avenue South**  
**Case Number 16-0035 Vegetation**

The General Counsel called cause number **16-0035**. No one appeared. Code Enforcement Officer Tomarris Jones stated the property has been **remediated** and recommends that enter into the proposed Order. Council Member Taylor made a motion in accordance with Section 21-19-11 of the Mississippi Code, and for an Order finding that this property was in such a state of uncleanliness as to be a menace to the public and health and safety of the community. This Order should provide for such re-entry as the statute allows. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**LAXMI KUMA LLC**  
**C/O Bruce Patel**  
**Military Road**  
**Case Number 16-0040 Vegetation**

The General Counsel called cause number **16-0040**. No one appeared. Code Enforcement Officer Tomarris Jones stated the property has been **remediated** and recommends that enter into the proposed Order. Council Member Taylor made a motion in accordance with Section 21-19-11 of the Mississippi Code, and for an Order finding that this property was in such a state of uncleanliness as to be a menace to the public and health and safety of the community. This Order should provide for such re-entry as the statute allows. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**DISMUKE DEVELOPMENT LLC**  
**1911 Bell Avenue**  
**Case Number 16-0048 Vegetation**

The General Counsel called cause number **16-0048**. No one appeared. Code Enforcement Officer Tomarris Jones stated the property has been **remediated** and recommends that enter into the proposed Order. Council Member Taylor made a motion in accordance with Section 21-19-11 of the Mississippi Code, and for an Order finding that this property was in such a state of uncleanliness as to be a menace to the public and health and safety of the community. This Order should provide for such re-entry as the statute allows. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**DISMUKE DEVELOPMENT LLC**  
**c/o Claudine Palmore**  
**1915 Bell Avenue**  
**Case Number 16-0049 Vegetation**

The General Counsel called cause number **16-0049**. No one appeared. Code Enforcement Officer Tomarris Jones stated the property has been **remediated** and recommends that enter into the proposed Order. Council Member Taylor made a motion in accordance with Section 21-19-11 of the Mississippi Code, and for an Order finding that this property was in such a state of uncleanliness as to be a menace to the public and health and safety of the community. This Order

should provide for such re-entry as the statute allows. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**E. Discuss/Approve Auditor Engagement Letter.**

Council Member Box made a motion to approve the Auditor Engagement Letter from Ms. Wanda Holley, dba Watkins, Ward and Stafford, PLLC. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**F. Discuss/Approve the resolution request to make the 2016 COLA payment at the end of 2016.**

Council Member Taylor made a motion to approve the Resolution to make the 2016 COLA payment at the end of 2016. Council Member Mickens 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 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>yea</u>

**THE RESOLUTION FOLLOWS:**

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**G. Discuss/Approve lowest and best bid on financing Caterpillar dozier.**

Milton Rawle, Jr., COO, presented bid tabulations for financing of a Caterpillar dozier in the amount of \$369,680.64 and recommends the bid be awarded to Trustmark Bank at 1.62% interest rate. Council Member Taylor made a motion to approve the request to award the bid for financing Caterpillar dozier to Trustmark Bank at 1.62% interest rate. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**H. Discuss/Approve All-Way Stop at 8<sup>th</sup> Ave. North at 15<sup>th</sup> Street.**

Council Member Gavin made a motion to approve the request from Kevin Stafford, with Neel-Schaffer, to install STOP signs on 15<sup>th</sup> Street North with "ALL-WAY" plaques and stop bars and placing "ALL-WAY" plaques on the 8<sup>th</sup> Avenue stop signs. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**I. Discuss/Approve All-Way Stop at 11<sup>th</sup> Ave. South at 5<sup>th</sup> Street.**

Council Member Taylor made a motion to approve the request from Kevin Stafford, with Neel-Schaffer, to install STOP signs on 5<sup>th</sup> Street North with "ALL-WAY" plaques and stop bars and placing "ALL-WAY" plaques on the 11<sup>th</sup> Avenue stop signs. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**J. Discuss/Approve request to submit the Columbus-Lowndes County Airport (CLCA) FY2016 AIP Grant Application in June.**

**Council Member Taylor and Gavin recused themselves from voting on Items "J", "K", and "L".** Council Member Box made a motion to approve the request to submit the Columbus-Lowndes County Airport (CLCA) FY 2016-AIP Grant Application. Council Member Mickens seconded the motion.

Council Members Mickens, Box, Turner and Jones voted in favor of the motion.

The motion carried.

**K. Discuss/Approve CLCA FY2016 AIP Grant Engineering Contract.**

Kevin Stafford requested approval for Neel-Schaffer to offer Engineering services for the CLCA FY2016 AIP Grant Funding Contract for the Terminal Apron Rehabilitation at the Columbus-Lowndes County Airport for Obstruction removal in the amount of \$41,792.00. Council Member Box made a motion to contract with Neel-Schaffer for engineering services for the CLCA FY2016 AIP Grant Funding Contract for the Terminal Apron Rehabilitation at the Columbus-Lowndes County Airport for Obstruction removal in the amount of \$41,792.00. Council Member Mickens seconded the motion.

Council Members Mickens, Box, Turner and Jones voted in favor of the motion.

The motion carried.

**L. Discuss/Approve permission to advertise the CLCA FY2016 AIP Grant Project in May and receive bids in June.**

Council Member Mickens made a motion to approve the request to advertise The CLCA FY2016 AIP Grant Project in May and receive bids in June, 2016. Council Member Jones seconded the motion.

Council Members Mickens, Box, Turner and Jones voted in favor of the motion.

The motion carried.

**Council Members Taylor and Gavin returned to the meeting.**

**ADJOURNMENT:**

The Mayor then asked if there was any other business to come before the Mayor and City Council. There being none, Council Member Gavin 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