

# MEETING OF THE MAYOR AND CITY COUNCIL CITY OF COLUMBUS, MS NOVEMBER 1, 2016

The Mayor and City Council met in Regular Session on Tuesday, November 1, 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, Police Chief, and the Human Resources Director.

## **I. CALL TO ORDER AND INVOCATION**

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

## **II. APPROVE MINUTES FOR THE MEETING OF OCTOBER 18, 2016.**

Council Member Taylor made a motion to approve the Minutes for the Meeting of October 18, 2016. Council member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

## **III. APPROVE DOCKET OF CLAIMS FOR NOVEMBER 1, 2016.**

Council Member Taylor made a motion to approve the Docket of Claims for November 1, 2016, in the amount of \$935,284.59. 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 wording on Item "M" – Approve request for the Mayor, City Council, COO, CFO, and Interim Planner to attend the 2017 Mid-Winter Legislative Conference to be held in Jackson, MS, and approve payment for registration, lodging, travel and meal expenses.*

**POLICY:**

Change wording on Item "D" – *Discuss/Approve Partnership with Lowndes County Board of Supervisors and the CVB in support of the MLK Breakfast and Day of Appreciation on Monday, January 16, 2016 at 8:00 a.m.*

Add Item "G" – *Discuss/Approve City's Per Diem Policy.*

**EXECUTIVE SESSION:**

Add one (1) Personnel Matter to make a total of two (2) Personnel Matters.

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

**V. CONSENT AGENDA:**

- A. Approve request for three (3) Fire and Rescue personnel: Chief Andrews, Asst. Chief Hughes, and Chief of Training, Chandler, to attend the "MS State Rating Bureau and MS State Fire Academy Graduation" to be held in Jackson, MS, and approve payment of \$75.00 for travel and \$114.75 for meal expenses.
- B. Approve request for Fire and Rescue personnel Tabitha Barham to attend the "ESAP Meeting" to be held in Jackson, MS, and approve payment of \$40.00 for travel and \$38.25 for meal expenses.
- C. Approve request for Fire and Rescue personnel Kirk Gayle to attend the "Task Force Leaders Meeting" to be held in Gulfport, MS, and approve payment of \$75.00 for travel expenses.
- D. Approve request for three (3) Fire and Rescue personnel: Michael Miller, Marco Rodriguez, and Taylor Mitchell, to attend the "SAR Tech II Evaluation" to be held in Meridian, MS, and approve payment of \$50.00 for travel expenses.
- E. Approve request for three (3) Fire and Rescue personnel: Kirk Gayle, Alan Walker, and Marco Rodriguez, to attend the "Homeland Security Open House" to be held in Jackson, MS, and approve payment of \$294.00 for lodging, \$74.00 for travel and \$153.00 for meal expenses.
- F. Approve request to authorize HR Director, Pat Mitchell, to begin the normal the recruitment process to fill one (1) Information Technology Help Desk Tech for 30 hours per week with benefits and one (1) Part-Time Information Technology Help Desk Tech on an "As-Needed" Basis.
- G. Approve request from Main Street Columbus to host the "Wassail Fest" on Friday, December 2, 2016 from 5:00 p.m. until 8:00 p.m. in Downtown Columbus. See attached map.

MINUTES  
NOVEMBER 1, 2016

- H. Approve request from Main Street Columbus to host the “Columbus Christmas Parade” on Monday, December 5, 2016 from 7:00 p.m. until 9:00 a.m., and approve streets to be blocked off. See attached map.
- I. Accept letter of resignation from the City Planner and Community Development Director, Christina Berry, effective October 31, 2016, and approve request to be compensated for any unused vacation leave and transfer unused sick leave to PERS.
- J. Approve request for CPD Lieutenant Anthony Nelson to attend the “Basic Narcotics Investigations Training” to be held in Hattiesburg, MS, and approve payment of \$500.00 for lodging, travel and \$280.00 for meal expenses.
- K. Ratify permit request submitted by St. Paul’s Episcopal School’s “Boo Parade” that was held in the Downtown Columbus on Friday, October 28, 2016 from 10:00 a.m. until 11:00 a.m. The parade started on College Street, to 5<sup>th</sup> Street, to Main Street, to 5<sup>th</sup> Street and to College Street.
- L. Approve request to authorize Human Resources Director, Pat Mitchell, to begin the recruitment process to fill the position of Public Defender.
- M. Approve request for the Mayor, City Council, COO, CFO and Interim City Planner to attend the 2017 Mid-Winter Legislative Conference to be held in Jackson, MS, and approve payment for registration, lodging, travel and meal expenses.

Council Member Jones 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, the Council voted unanimously in favor of the same.

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

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

Mayor Smith offered thanks and appreciation to Officer Rhonda Sanders, Assistant Fire Chief Duane Hughes, Columbus Police Department, Columbus Fire and Rescue Department, Public Works Department, and the I.T. Department for their participation and assistance in the Fall Festival/Haunted House event.

Council Member Gavin echoed words of appreciations for the same individuals that the Mayor mentioned above, and also thanked area churches that held Trunk-A-Treat for area youth.

Council Member Turner thanked everyone that supported the 6<sup>th</sup> Annual Fall Festival held at Memphis Town.

**B. No Board Vacancies.**

David Armstrong, COO, remarked that no Board appointments can be made tonight.

**VII. CITIZENS INPUT AGENDA**

- Melody Laury – Property at 1316 7<sup>th</sup> Avenue North

Ms. Melody Laury, daughter of Charlie Johnson, came before the Mayor and Council on behalf of her father to request an extension to remediate a dilapidated building located at 1316 – 7<sup>th</sup> Avenue North. Code Enforcement Officer, Tomarris Jones, reported that the property has been adjudicated and notices were sent to Mr. Johnson. Mr. Jones recommended immediate abatement. Mayor Smith asked if there was anyone in the audience that objected to the request. Ms. Shirley Porter came forth and stated that she lives behind the dilapidated property at 619 – 14<sup>th</sup> Street North. She stated that she has grandchildren and is tired of seeing raccoons and other rodents coming from the property. Another neighbor, Mr. Willie Harris, who lives at 1314 – 7<sup>th</sup> Avenue North stated that he had the same complaints as Ms. Porter and objected to granting an extension.

Council Member Jones made a motion to proceed with the remediation of the property located at 1316 – 7<sup>th</sup> Avenue North. Council Member Turner seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**VIII. POLICY AGENDA:**

**A. Discuss/Approve cost of property clean up on cases previously heard by Council and for which remediation has been completed.**

Council Member Mickens made a motion to approve the cost of property clean-up on cases previously adjudicated by Council and for which remediation has been completed. Council Member Turner seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**THE ADJUDICATED LIST FOLLOWS:**

**B. Discuss/Approve Small Business Expo and Fashion Show Benefit.**

Council Member Turner made a motion to approve a Small Business Expo and Fashion Show Benefit. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**C. Discuss/Approve Small Business Expo and Fashion Show Professional Services Agreements.**

Council Member Turner made a motion to approve the Small Business Expo and Fashion Show Professional Services Agreements. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**D. Discuss/Approve Partnership with Lowndes County Board of Supervisors and the CVB in support of the MLK Breakfast and Day of Appreciation on Monday, January 16, 2017 at 8:00 a.m.**

Council Member Jones moved to approve the expenditure of \$ 2,000.00 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 Mickens seconded the motion. This expenditure will be used for the Martin Luther King Breakfast and Day of Appreciation that will be held Monday, January 16, 2017 at 8:00 a.m.

All Council Members voted in favor of the motion.

The motion carried.

**E. Discuss/Approve request to hire a temporary City Prosecutor due to sick leave taken by the current Prosecutor from October 31, 2016 to November 17, 2016. The salary would be \$250 per session.**

Council Member Box made a motion to hire Amanda Meadows as City Prosecutor at \$250.00 on a temporary basis while the current Prosecutor is absent due to illness. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

- F. Consider/Approve Resolution Authorizing the Issuance of a General Obligation Bond for Sale to the Mississippi Development Bank, not to exceed \$6M, for the Purposes of (A) Establishing, Repairing and Improving Storm and Drainage Systems, (B) Constructing, Improving or Paving Streets, including Milling, Striping, Curbs and Gutters and Base Repairs of same and Constructing and improving Sidewalks (C) Constructing Bridges and Culverts, and (D) Currently Refunding Certain Prior Indebtedness; Providing Certain Covenants and Directing the Preparation, Execution and Delivery of Other Documents in Connection therewith and other Purposes related thereto.**

Ms. Sue Fairbanks, with Butler Snow, came forward and apprised the Mayor and Council of a Resolution authorizing the Issuance of a General Obligation Bond for Sale to the Mississippi Development Bank, not to exceed \$6,000,000.00, for infrastructure improvements and for the purpose of restructuring the City's Debt. Council Member **Taylor** made a motion to approve the Resolution authorizing the Issuance of a General obligation Bond for Sale to the Mississippi Development Bank, not to exceed \$6M, for the purposes of (A) Establishing, Repairing and Improving Storm and Drainage Systems, (B) Constructing, Improving or Paving Streets, including Milling, Striping, Curbs and Gutters and Base Repairs of same and Constructing and improving Sidewalks (C) Constructing Bridges and Culverts, and (D) Currently Refunding Certain Prior Indebtedness; providing certain Covenants and Directing the Preparation, Execution and Delivery of Other Documents in Connection therewith and other purposes related thereto. Council Member **Turner** seconded the motion to adopt the foregoing Resolution, and the question being put to a roll call vote, the result was as follows:

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 motion having received the affirmative vote of a majority of the members of the Governing Body present, being a quorum of said Governing Body, the Mayor declared the motion carried and the Resolution adopted this the 1<sup>st</sup> day of November, 2016.

**THE RESOLUTION FOLLOWS:**

**G. Discuss/Approve City's Per Diem Policy.**

Mayor Smith commented that he asked the General Counsel to prepare an updated version of the City's Travel/Per Diem Policy for adoption. General Counsel Turnage read the changes to the policy, which requires City Officials, Officers, and Employees to submit a request for reimbursement form following the attendance of out-of-town training and conferences. Council Member Box made a motion to adopt this policy, effective immediately. Council Member Gavin seconded the motion.

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

The motion carried with a 4/2 vote.

**THE TRAVEL/PER DIEM POLICY FOLLOWS:**

**(THIS SPACE LEFT BLANK INTENTIONALLY)**

**CLOSED DETERMINATION:**

Council Member Box made a motion to go into closed session to determine whether it is necessary to go into Executive Session. Council Member Taylor 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 Police Chief, and the HR Director, exited the Council Chambers.

Mayor Smith apprised the Council of a personnel matter dealing with the health of an employee that works in the Planning and Community Development Department and the job performance of part-time employee that works in the Planning and Community Development Department and remarked that these matters warrant being heard in Executive Session.

Council Member Jones made a motion to go into Executive Session to discuss two (2) personnel matters. Council Member Gavin seconded the motion.

Council Members Taylor, Box, Turner, Jones and Gavin voted in favor of the motion. Council Member Mickens abstained from voting. The abstention is recorded with the prevailing vote, and therefore, 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 two (2) personnel matters.

**IX. EXECUTIVE SESSION:**

**PERSONNEL MATTER (1):**

Patricia Mitchell, Human Resources Director, requested approval of up to six (6) weeks of Family Medical Leave for employee, I. D. Number 341. This employee exhausted 12 (twelve) weeks of Family Medical Leave earlier this year, underwent another surgical procedure and requested six (6) weeks of extended FMLA. The extended six (6) weeks has been exhausted and the employee has not been released to return to work. This employee is now requesting up to the remaining six (6) weeks of FML. Council Member Taylor made a motion to grant up to six (6) weeks of FML to employee, I. D. Number 341. Council Member Turner seconded the motion.

All Council Members voted in favor of the motion.  
The motion carried.

**PERSONNEL MATTER (2):**

Mayor Smith commented that the City Planner and Community Development Director's position is vacant due to a recent resignation, and remarked that he has spoken with employee, I. D. Number 301, about assuming the duties until it is decided if and when the position will be filled. Council Member Jones made a motion to appoint employee



MINUTES  
NOVEMBER 1, 2016

I. D. Number 301, as Interim Director of Planning and Community Development with no increase in pay, due to retirement and income constraints mandated by PERS. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**OPEN SESSION:**

Council Member Jones 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 reported that the Mayor and Council considered two (2) matters of personnel in Executive Session: one request to extend Family Medical Leave for an employee in the City Planning and Community Development Office and approved to appoint employee I. D. Number 301, as Interim Director of Planning and Community Development.

**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 Jones and unanimous vote, the Mayor announced that the meeting was ADJOURNED.

Approved by: \_\_\_\_\_  
Robert E. Smith, Sr., Mayor

\_\_\_\_\_  
Milton Rawle, Jr.,  
CFO- Secretary-Treasurer