

MEETING OF THE MAYOR AND CITY COUNCIL CITY OF COLUMBUS, MS APRIL 18, 2017

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 APRIL 4, 2017.

Council Member Mickens made a motion to approve the Minutes for the Meeting of April 4, 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 APRIL 18, 2017.

Council Member Taylor made a motion to approve the Docket of Claims for April 18, 2017 in the amount of \$1,192,867.16. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

IV. CONFIRMATION OF/OR AMENDMENTS TO THE AGENDA

CONSENT:

Add Item "P" – *Ratify request for the CPD Training Director to attend the "Career Fair" that was held in Memphis, TN on April 12-13, 2017, and approve payment for lodging, travel, and meal expenses.*

REPORTS, PROCLAMATIONS, RECOGNITIONS AGENDA:

Change Swearing in of seven (7) CPD Officers to eight (8) CPD Officers.

POLICY AGENDA:

Discuss/Approve request to transfer \$250,000.00 from the Reserve Account to the Payroll Account to replenish funding for the Health Insurance Reserve.

Council Member Taylor made a motion to approve the Agenda as presented. 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 Fire and Rescue Engineer Michael Miller to attend the "SAR TECH II Evaluations" to be held in Meridian, MS, and approve payment of \$50.00 for travel and reimbursement for meal expenses.
- B. Approve request for Fire and Rescue Assistant Chief Duane Hughes to attend "CPM Training" to be held in Jackson, MS, and approve payment of \$50.00 for travel and reimbursement of meal expenses.
- C. Approve request for Fire and Rescue Personnel Kirk Gayle and Chris Carter to attend "SAR TECH Evaluations" to be held in Meridian, MS, and approve payment of \$75.00 for travel and reimbursement for meal expenses.
- D. Approve request for Fire and Rescue Engineer Kirk Gayle to attend "Site Protection/Observational Techniques (Train the Trainer)" to be held in Jackson, MS, and approve payment of \$50.00 for travel expenses.
- E. Approve request for Fire and Rescue Personnel Duane Hughes, Mike Chandler, and Scott Swain to attend "MSFA 1001-I-II Graduation" to be held in Pearl, MS, and approve payment of \$50.00 for travel expenses.
- F. Ratify request for Fire and Rescue Chief Andrews to attend a meeting with the Greenwood Fire Department, Sunbelt Fire and Globe, to be held in Greenwood, MS, and approve payment of \$50.00 for travel expenses.
- G. Ratify request for Fire & Rescue Administrative Assistant Tabitha Barham to attend the "ESAP Committee Meeting" to be held in Carthage, MS, at no cost to the City.
- H. Approve request for Fire & Rescue Battalion Chief Scott Swain and Fire & Rescue Personnel Chip Kain and Josh Boyer to attend the "Task Force Swift Water Class" to be held in Picayune, MS, and approve payment of \$150.00 for travel and reimbursement for meal expenses.
- I. Approve request for CPD Investigator Andy Hood to attend the "Investigating Social Networking Sites Techniques" to be held in Byram, MS, and approve payment of \$182.00 for lodging, \$50.00 for travel, and reimbursement of meal expenses.
- J. Approve request for CPD Officers David Hunt and Samuel Jackson to attend the "Criminal Investigation Techniques" to be held in Tupelo, MS, and approve payment of \$200.00 each for registration and reimbursement for meal expenses.
- K. Approve request for CPD Officer Christian Benton to attend the "Basic Gang Training" to be held in Tupelo, MS, and approve payment of \$150.00 for registration, \$30.00 for travel, and reimbursement of meal expenses.

MINUTES
APRIL 18, 2017

- L. Approve request for CPD Investigator Samuel Jackson to attend the “Interview and Interrogation Training” to be held in Brandon, MS, and approve payment of \$575.00 for registration, \$400.00 for lodging, travel, and reimbursement of meal expenses.
- M. Approve request for CPD Corporal Don Richardson to attend the “Command Leadership Training” to be held in Southaven, MS, and approve payment of \$650.00 for registration, \$500.00 for lodging, travel, and reimbursement for meal expenses.
- N. Approve request for CPD Chief Oscar Lewis to attend the “2017 Summer Educational Conference” to be held in Biloxi, MS, and approve payment of \$325.00 for registration, \$472.00 for lodging, \$50.00 for travel, and reimbursement of meal expenses.
- O. Approve permit request submitted by Sheniynah Richardson to host the “Bike the Block (Celebrate National Fitness through Biking, Walking/Running)” to be held on May 27, 2017, from 10:00 a.m. until 12:00 p. m., and approve to block off College Street at South MLK Drive, Bell Avenue & 15th Street South.
- P. Ratify request for CPD Training Director Liz Patrick to attend the “Career Fair” that was held in Memphis, TN on April 12-13, 2017, and approve payment of for lodging, travel, and meal expenses.

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, the Council voted unanimously in favor of same.

VI. REPORTS, PROCLAMATIONS, RECOGNITIONS AGENDA:

A. General Comments from the Mayor and Council Members

- Proclamation – Honoring Mr. Al Hatcher

Mayor Smith presented a Proclamation to Mr. Al Hatcher, recognizing and honoring his service as a dedicated member on the Civil Service Commission for fifteen (15) years.

B. Swearing in of eight (8) CPD Officers

- Eugene D. Betts
- Aaron D. Conley
- Alvin Ellis
- Emily Konoir
- Haley Lucas
- Emily N. Moody
- Judias Neal
- Zachary O’Callaghan

C. Monthly Report from the Columbus Fire & Rescue Department for March 2017

The Monthly Report for the Columbus Fire & Rescue Department for March 2017 was presented. No action was taken.

D. Monthly Report from the City Planning and Community Development Department for March 2017

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

E. Monthly Report from the Municipal Court Division for March 2017

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

F. Monthly Report from the Public Works Department for March 2017

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

G. Monthly Report from the Code Enforcement Division for March 2017

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

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

The Monthly Report from the Columbus Police Department for March 2017 was presented. Chief Lewis added four (4) DUI Arrests and four (4) Custodial Arrests to the report. No action was taken.

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

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

J. Monthly Financial Report

Milton Rawle, Jr. reported that sales taxes decreased by \$372,442.18, compared to the same time last year. The Council briefly discussed possible reasons for the decrease.

K. Board Vacancies

Civil Service Commission

- 1 Vacancy due to resignation of Al Hatcher
- Unexpired 4-Year Term ending 8/5/2018
- Appointment can be made May 2, 2017.

Applicants

- Rita Felton
- Michael Sykes, Jr.

VII. CITIZENS INPUT AGENDA

• **Mark Jackson – Columbus Fairgrounds/Princess Theater**

Attorney Mark Jackson came forward to update the Mayor and Council on the Princess Theater. He began by stating that he met with Mayor Smith and the owner, Mr. Lawrence. Mr. Lawrence has complied with the following requests:

- The hours will be pushed back to midnight for an eight (8) –week period
- Owner has no plan to reopen the theater.

Attorney Jackson asked the Council to accept this proposal and allow him to come back in three months with another plan. He asked the Council to take no further action at this time.

FAIRGROUNDS:

Attorney Jackson reported that his proposal exceeds the requirements of the Ordinance. The moratorium has lapsed. Cameras have been installed as requested. The occupancy capacity is 549. For ten (10) or more at an event, at least two (2) security officers are required. One (1) additional security officer is needed for every fifty (50) occupants. Council Member Taylor made a motion to lift the moratorium based on the terms of Attorney Mark Jackson's letter. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

Council Member Jones reported that the owner of OK Foods has purchased and installed cameras inside and outside and requests that the hours of operation be extended until 8:00 p.m. immediately.

• **Lillian Murray – Columbus Beautification Program – DID NOT SHOW UP.**

• **Frederick Tate - Sandfield Community Park**

Mr. Frederick Tate came forward and discussed a proposal for the City Council to designate the city-owned land acquired from Glenn Machine Works, located on Bell Avenue as a Public Park. Mr. Tate also suggested options for utilization of the Sandfield Community Park. Mayor Smith advised that the suggestions will be taken under consideration.

VIII. POLICY AGENDA:

A. DISCUSS/APPROVE FINAL ADOPTION OF NEW WRECKER ORDINANCE

David Armstrong, COO, requested the Council to approve the final Adoption of the New Wrecker Ordinance, which will go into effect April 20, 2017. Council Member Taylor made a motion to adopt the New Wrecker Ordinance. Council Member Mickens seconded the motion. All Council Members voted in favor of the motion.

The motion carried.

THE WRECKER ORDINANCE FOLLOWS:

Sec. 33-6. Rates and charges.

(1) **Rates to be Reasonable.** The rates and charges which may be charged and collected by the owner or operator of any wrecker within the city shall be reasonable, in accordance with generally accepted local rates, and if any such rates or charges should be found excessive or unreasonable by the Mayor and City Council upon appeal to it, the City Council may permanently revoke the permit of such owner or operator.

(2) **Backup and Hookup.** After the effective date of this Chapter, the maximum allowable rate for backup and hookup shall be \$195.00.

(3) **Storage.** The storage fees charged for storing towed vehicles shall be \$40.00 per day.

(4) **Removal and Delivery.** The charges to the vehicle owner for hooking up and pulling out of a vehicle from storage when delivering the vehicle back to the owner or the owner's agent, employee, insurer, or contractor shall be as follows:

(a) During the hours of 8:00 o'clock AM to 5:00 o'clock PM:

(i) For a vehicle that is drivable, \$10.00; and

(ii) For a vehicle that is not drivable, \$25.00; and

(b) During all hours other than as stated in subparagraph (a) of this Section, \$35.00, whether such vehicle is drivable or not.

(5) **Additional Charges.** Additional charges for expenses shall be reasonable and are subject to review, upon complaint, by the Wrecker Service Administrative Committee. Such additional charges may include reasonable costs of cleanup of the wreckage, winching, extra vehicles that might be required, and the

necessary labor, supplies, materials and equipment to accomplish same as well as reasonable administrative fees.

(6) **Rates not Applicable to Heavy Wreckers.** Heavy Wreckers, when heavy wrecker use is required, shall not be subject to this wrecker ordinance.

(7) **Annual Meetings.** The Wrecker Service Administrative Committee shall meet annually and determine the maximum allowable rates, charges and fees. Said meeting shall be held at least one week in advance of the second meeting of the Mayor and City Council in June, so that the Mayor and Council can consider whether to approve changes to the maximum allowable backup and hookup rates and maximum storage rates for the next year upcoming, beginning July 1 of each year. In the event the Committee fails to meet or modify the rates described in this Section 33-6, then said rates shall remain the same as the year prior.

***Editor's note** - An ordinance enacted Sept. 14, 1982, did not specifically amend this Code; hence, codification of §§ 1–19 of said ordinance as Ch. 33 is at the discretion of the editor.

Cross references - Streets and sidewalks, Ch. 28; taxicabs, Ch. 30; traffic, Ch. 31.
Supp. No. 18

B. Discuss/Approve College and 6th Street South Parking Lot Change Order.

Robyn Eastman, with J5 Broaddus, came forward and requested approval of a Change Order for excess work required on the parking lot at College and 6th Street South, to include bumper removal and reinstallation, excavations, sweeping, debris hauling, etc., in the amount of \$5,100.00. Council Member Taylor made a motion to approve the Change Order for the reasons mentioned above in the amount of \$5,100.00. Council Member Turner seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

C. Discuss/Approve to hire one (1) Certified CPD Officer and two (2) Entry-Level Officers, contingent upon a successful pre-medical examination and drug screen.

Council Member Jones made a motion to hire Thomas Houston as a Certified Police Officer, Walter Jones and Raymond Cyr as Entry-Level Police Officers, contingent on successful completion of a pre-employment medical examination and drug screen.

All Council Members voted in favor of the motion.

The motion carried.

D. Discuss/Approve promoting a Lieutenant to Captain in the CPD Patrol Division.

Council Member Turner made a motion to promote Lieutenant Ric Higgins to the vacant position of Captain over Patrol, effective April 24, 2017, at an annual salary of \$59,037.45/ \$28.38 per hour and classifying him as EXEMPT, not subject to overtime. Council Member Jones seconded the motion,

All Council Members voted in favor of the motion.'

The motion carried.

(Chief Oscar Lewis reported that promotional exams for Corporal, Sergeant and Lieutenant will be administered later this year).

E. Discuss/Approve Acceptance of Hospital Drive Extended (by Longhorn's) as a City Street.

Kevin Stafford, with Neel-Schaffer, Inc., came forth and requested acceptance of Hospital Drive Extended, located adjacent to the Longhorn Steakhouse property on Highway 45 North, as a City Street. J. Nutie Dowdle, property owner, requests that the City of Columbus accept a conveyance of the tract for public road purposes. Council Member Taylor made a motion to accept Hospital Drive Extended for public road purposes as outlined above. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

F. Discuss/Approve request to transfer \$250,000 from the Reserve Account to the Payroll Account to replenish funding for the Health Insurance Reserve.

Milton Rawle, Jr., CFO requested approval to transfer \$250,000 from the Reserve Account to replenish funding for the Health Insurance Reserve. The Health Insurance Reserve account has been decreased due to the payment of unexpected claims. Council Member Turner made a motion to approve the transfer of \$250,000 from the Reserve Account to replenish funding from the Health Insurance Reserve. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

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 Pending Litigation matter and remarked that this matter warrants being heard in Executive Session.

Council Member Taylor made a motion to go into Executive Session to discuss a Pending 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 one (1) Pending Litigation matter.

IX. EXECUTIVE SESSION:

Jeff Turnage, Legal Counsel, discussed the schedule for upcoming depositions involving the Boykin lawsuit .

OPEN SESSION:

Council Member Mickens made a motion to end the discussion of this matter and return to Open Session. 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 back in Open Session.

The General Counsel reported that the Mayor and Council considered one (1) Pending Litigation matter and took no action.

ADJOURNMENT:

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

(THIS SPACE WAS LEFT BLANK INTENTIONALLY)