

MEETING OF THE MAYOR AND CITY COUNCIL CITY OF COLUMBUS, MS AUGUST 15, 2017

The Mayor and City Council met in Regular Session on Tuesday, August 15, 2017, at 5:00 p.m. in the Court Chambers of the Municipal Complex. Mayor Robert Smith, Sr. 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 AUGUST 1, 2017.

Council Member Taylor made a motion to approve the Minutes for the Meeting of August 1, 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 AUGUST 15, 2017.

Council Member Taylor made a motion to approve the Docket of Claims for August 15, 2017, in the amount of \$777,032.62. Council Member Mickens 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:

Add Item "O" – *Approve request for the Mayor, Councilmen Jones, Jackson and Mickens to attend "National League of Cities: City Summit" to be held in Charlotte, NC, and approve payment for registration, lodging, travel and meal expenses.*

Approve Item "P" - *Accept letter of resignation from one (1) CPD Officer, effective August 11, 2017.*

Approve Item "Q" – *Approve request to hire two (2) former CPD Officers as Reserve Officers.*

Council Member Mickens 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, all Council Members voted in favor of same, with a unanimous vote.

The motion carried.

V. CONSENT AGENDA:

- A. Approve request to refund Medshna Johnson the sum of \$750.00 for cancellation of Trotter Convention Center Rental.
- B. Approve request for Fire and Rescue Personnel Derek Montanio to attend the "Minimum Standards Board Testing" to be held in Jackson, MS, and approve payment of \$91.00 for for lodging, \$50.00 for travel and reimbursement for meal expenses.
- C. Approve request for Fire and Rescue Engineer Kirk Gayle to attend a "Patriot South Planning Meeting" to be held in Jackson, MS, and approve payment of \$75.00 for travel and reimbursement for meal expenses.
- D. Approve request for four (4) Fire and Rescue Personnel, Derek Montanio, Deonate Jethroe, Baron McKee, and Corey Haynes, to attend "CPAT" to be held in Jackson, MS, and approve payment of \$160.00 for registration, \$182.00 for lodging, \$50.00 for travel and reimbursement for meal expenses.
- E. 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 of \$360.00 for lodging, \$250.00 for travel and reimbursement for meal expenses.
- F. Approve request for Municipal Court Clerk, Wendy Blunt, to attend the "Municipal Court Clerk Conference" to be held in Tunica, MS, at no cost to City.
- G. Accept resignation letter from CPD Officer, George Harris, effective August 18, 2017, and approve request for compensation of accrued unused vacation leave.
- H. Approve permit request submitted by Gloria Herriott to host the "Stella Shouting Contest" to be held on September 8, 2017 from 5:00 p.m. to 7:00 p.m., and approve to block off the corner of 5th Street South and College Street.
- I. Approve request to contract with a Driving Instructor to teach the "Instructor Drivers Course" to eight (8) CPD Officers at a cost of \$500.00 per officer.
- J. Ratify request for CPD Officer, Ron Richardson, to attend the "Drug Endangered Children Training" that was held in Choctaw, MS, and approve payment for travel and meal expenses.
- K. Approve request to send nine (9) CPD Officers to the "Mississippi Delta Community College Law Enforcement Training Academy", and approve payment of \$3600.00 each for training expenses and reimbursement for clothing expenses.

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- L. Approve request for Forensic Scientist, Claudette Gilman, to attend the "Measurement Uncertainty Class" to be held in Memphis, TN, and approve payment of \$795.00 for registration, travel and reimbursement for meal expenses.
- M. Ratify request for CFO Milton Rawle to attend a mandatory "Sub-grantee Meeting" that was held in Jackson, MS, and approve payment of \$200.00 for travel expenses.
- N. Approve request for Mayor Robert Smith, Sr. to attend "TVA 101 for North MS Mayors" to be held in Tupelo, MS, at no cost to City.
- O. Approve request for the Mayor, Councilmen Jones, Jackson and Mickens to attend "National League of Cities: City Summit" to be held in Charlotte, NC, and approve payment of \$635.00 each for registration, \$448.00 each for travel, \$75.00 for Taxi-service, and reimbursement for meal expenses.
- P. Accept letter of resignation from CPD Officer, Erica Moody, effective August 11, 2017.
- Q. Approve request to hire two (2) former CPD Officers, George Harris and Donnie Elkin, as Reserve Officers.

Council Member Jones made a motion to approve the Consent Agenda as presented, with the above amendments. Council Member Jackson seconded the motion. The Mayor called for discussion, and their being none, All Council Members voted in favor of the motion, with the exception of Council Member Gavin, who opposed.

The motion carried.

VI. REPORTS, PROCLAMATIONS, RECOGNITIONS AGENDA:

A. General Comments from the Mayor and Council Members

- **Proclamation – Representative Tyrone Ellis**

Mayor Smith and all Council Members honored State Representative of District 38, Tyrone Ellis, and Mayor Smith presented a Proclamation to him in recognition of 38 years of dedicated service to the State of Mississippi.

- **Opioid Town Hall Rally (Immediately after this Council meeting)**

Representative Kabir Karriem will host a Town Hall Rally regarding the Opioid epidemic. This meeting will be held in the Court Chambers following the Council Meeting.

- **Budget Hearing- Thursday, August 17, 2017 – 2:00 p.m.**

Mayor Smith announced that the next Budget Hearing will be held in the City Hall Court Room on Thursday, August 17, 2017 at 2:00 p.m.

- **MDOT Public Hearing – Thursday, August 17, 2017 – 4pm-6pm (City Hall Reception Room)**

Mayor Smith announced that a MDOT Public Hearing will be held Thursday, August 17, 2017, from 4:00 p.m. – 6:00 p.m. in the City Hall Reception Room.

B. Swearing in of three (3) CPD Officers

- Jemarco Harris
- Ra'Heem Clemons
- Jameson Holder

Mayor Smith swore in three (3) Columbus Police Department Officers and they all recited the Oath of Office. The Officers are Jemarco Harris, RaHeem Clemons, and Jameson Holder.

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

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

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

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

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

The Monthly Report from the Municipal Court Division for July 2017 was Presented. No action was taken.

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

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

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

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

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

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

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

The Monthly Report from the Building Inspection Department for July 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 \$18,117.98, compared to the same time last year.

K. Board Vacancies

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

Historic Preservation Commission

- 1 Vacancy
- 4-Year Term for Fred McCaleb ended 5/16/2017.
- Appointment can be made immediately.
- No applicants at this time

Redevelopment Authority Board

- 1 Vacancy
- 3-Year Term for Tommy Lott will end 9/1/2017.
- Appointment can be made 9/5/2017.

Applicants

- T. E. Lott, Jr.
- Russell "Rusty" Greene

Columbus-Lowndes Library Board

- 1 Vacancy
- 5-Year Term for Eulalie Hazard Davis will end 9/30/2017.
- Appointment can be made 9/19/2017.
- No applicants at this time

VII. CITIZENS INPUT AGENDA

Bishop R. J. Matthews – Community Support for Chief Lewis and CPD

Bishop R. J. Matthews, pastor of Kingdom Vision International Church, came before the Mayor and Council in support for Chief Oscar Lewis and the Columbus Police Department. Bishop Matthews began by stating that this is an important night for the Board. *"I was a bit disturbed by the evaluation conducted by Dr. K. B. Turner and a vacancy in this position is not what we need now. The problem is not in the Chief; it is in the culture. Statistics indicate that you can't change a culture in eighteen months."* Bishop Matthews asked the Mayor and Council to not make any decisions regarding the Evaluation tonight.

Mrs. Julie Parker – CPD Evaluation Data

Ms. Julie Parker came before the Mayor and Council in support of Chief Oscar Lewis and offered comments about the study/Evaluation of the CPD and Chief Lewis. *"I completely understand data and how it is reached. I have concerns from some of the data driving the report. .005% of the population does not*

constitute beliefs of most.” Ms. Parker’s comments were taken under consideration.

Mr. Moses James – Transportation Service

Moses James, owner of Legacy Taxi Service, came before the Mayor and Council with a proposal and requested financial support for Columbus Mobility Solution, an affordable transportation service for the citizens of Columbus. MDOT has agreed to partnership and Mr. James is seeking additional Partners.

Council Member Box made a motion to table this matter until the Council can review the proposal and discuss it at their next budget meeting. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

VIII. POLICY AGENDA:

- A. Consider/Approve adoption of the following International Codes of 2015: Building Code #7-4, Fire Code #12-41, Residential Code #7-3, Existing Building Code #7-5, Mechanical Code #7-6, Plumbing Code #24-16, Fuel Gas Code #15-93, Property Maintenance Code #17-16, and the National Electrical Code of 2014.**

Council Member Box made a motion to adopt the following International Codes of 2015: Building Code, Ordinance No. 7 – 4, The International Fire Code, Ordinance No. 12 – 41; Residential Code, Ordinance No. 7 – 3; Existing International Building Code, Ordinance No. 7 – 5; International Mechanical Code, Ordinance No. 7 – 6; International Plumbing Code, Ordinance No. 24 – 16; International Fuel Gas Code, Ordinance No. 15 – 93; International Property Maintenance Code, Ordinance No. 17 – 16; and the National Electrical Code, NFPA 70 2014. Council Member Jones seconded the motion, and the Mayor called for a roll call vote:

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 FREDRICK JACKSON	voted: <u>YEA</u>
COUNCIL MEMBER STEPHEN JONES	voted: <u>YEA</u>
COUNCIL MEMBER BILL GAVIN	voted: <u>YEA</u>

- B. Consider/Approve resolution seeking reconsideration of AG Op to Nowak, suggesting HB 1109 applies to local governmental units.**

Legal Counsel, Jeff Turnage requested approval of a Resolution seeking Reconciliation of AG Op to Nowak, suggesting H.B. 1106 and H.B. 1109, 2017 Regular Session. The foregoing Resolution was proposed in a motion by Council Member TAYLOR , seconded by Council Member MICKENS , and was brought to a vote 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 Fredrick Jackson	voted: <u>YEA</u>
Council Member Stephen Jones	voted: <u>YEA</u>
Council Member Bill Gavin	voted: <u>YES</u>

Having received a majority vote, the Mayor declared that the Resolution passed as set forth above.

C. Consider/Approve repeal of ordinance prohibiting advertising of beer and light wine because such advertising is protected First Amendment commercial speech.

General Counsel Turnage requested approval to repeal the Ordinance Prohibiting Advertising of Beer and Light Wine because such advertising is protected by First Amendment commercial speech. Council Member Taylor made a motion to approve the request to repeal the Ordinance Prohibiting Advertising of Beer and Light Wine because such advertising is protected by First Amendment commercial speech and substitute it with an Ordinance of the City of Columbus, Mississippi Regulating Outdoor Advertising of Adult Products in Certain areas. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

THE ORDINANCE FOLLOWS:

D. Discuss/Approve Holloman Drive ROW Acceptance.

Kevin Stafford, with Neel-Schaffer, Inc., came before the Mayor and Council with a request for the City of Columbus to accept the Right-of-Way at Holloman Drive, NW ¼ of SE ¼ of Section 3, Township 18 South, Range 18 West, Lowndes County, Mississippi. Council Member Box made a motion to accept Right-of-Way at Holloman Drive. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

E. Discuss/Approve Derelict Property Docket.

ELOISE B. RUSH AND EMMA F. SMITH
1605 Bell Avenue
Case Number: 17-0180 Vegetation

The General Counsel called cause number **17-0180**. 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 cut grass and weeds and remove 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 Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

KENNETH E. AND LISA B. WESTER
505 – 7th Street South
Case Number: 17-0171 Vegetation

The General Counsel called cause number **17-0171**. No one appeared. Code Enforcement Officer Tomarris Jones stated the property has been remediated by the Owner, and it is his recommendation to enter the proposed Order under Section 21-19-11 of the Mississippi Code, finding that the property was in such a state of uncleanliness as to be a menace to the public health and safety of the community. This Order should provide for such re-entry as the Statute allows. Council Member Taylor made a motion 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 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 Jackson seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

F. Approve/Discuss recommendation from the August 14, 2017 Planning Commission meeting.

PLANNING COMMISSION CASE – P/C 17-01

On behalf of Johnston-Tombigbee Furniture Manufacturing Co.

A request to name a Road as “JT B Drive” (*Letter of request attached*).

The Planning Commission recommended approval of request to name a Road as “JT B Drive.”

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Council Member Taylor moved that the facts and findings of the Planning Commission be adopted as the facts and findings of the Mayor and City Council, and that the recommendation of the Planning Commission to name a Road as "JTB Drive" as a Planning Commission Request be approved. Council Member Mickens seconded the motion. The Mayor asked if anyone in the audience objected to the Planning Commission request. No one answered. There followed discussion, consideration, and review by the Council of the issues and facts presented by this request and the action taken by the City of Columbus Planning Commission.

All Council Members voted in favor of the motion.

The motion carried.

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