

# **MEETING OF THE MAYOR AND CITY COUNCIL CITY OF COLUMBUS, MS NOVEMBER 7, 2017**

The Mayor and City Council met in Regular Session on Tuesday, November 7, 2017, at 5:00 p.m. in the Fant Library on Mississippi University for Women campus. 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, thanked Dr. Borsig for permitting the City to hold this meeting at MUW, and called upon Ms. Monica Williams, SGA Senator, to offer the Invocation.

## **II. APPROVE MINUTES FOR THE MEETING OF OCTOBER 17, 2017.**

Council Member Mickens made a motion to approve the Minutes for the Meeting of October 17, 2017. 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 7, 2017.**

Council Member Taylor made a motion to approve the Docket of Claims for November 7, 2017, in the amount of \$774,856.32. Council Member Jackson 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:**

Changed the wording on Item "I" to read as follows: *Accept letter of resignation from one (1) Columbus Recreation Department employee, effective November 10, 2017, and authorize the Human Resources Director to begin the normal recruitment process.*

Add Item "W" – *Approve request for the Vice-Mayor to represent the Mayor at the "North Mississippi Mayors' Meeting" to be held in Holly Springs, MS, and approve payment for travel expenses.*

Add Item "X" – *Accept letter of resignation from one (1) CPD Officer, effective November 6, 2017.*

**CITIZENS INPUT AGENDA:**

Add Mrs. Christy Short – RE: PREMIER LOUNGE

**POLICE AGENDA:**

Delete Item "A1."

Delete Item "M."

Add Item "N" – *Discuss/Approve CVB Legislation.*

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

The motion carried.

**V. CONSENT AGENDA:**

- A. Approve request to refund Marlon Andrews the sum of \$400.00 for cancellation of Trotter Convention Center rental.
- B. Approve request for Fire and Rescue Personnel: Duane Hughes, Mike Chandler, and Derek Montanio, to attend the "Minimum Standards Board Meeting to be held in Jackson, MS, and approve payment of \$50.00 for travel and reimbursement for meal expenses.
- C. Approve request for Fire and Rescue Personnel: Shannon Murphy, Marco Rodriguez, Cody Cantrell, and Josh Reynolds, to attend the "NASAR ADSAR Class" to be held in Meridian, MS, and approve payment of \$50.00 for travel and reimbursement for meal expenses.

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- D. Approve request for Fire and Rescue Administrative Assistant, Tabitha Barham, to attend the “ESAP Meeting” to be held in Meridian, MS, and approve payment of \$50.00 for travel and reimbursement for meal expenses.
- E. Approve request for Columbus Fire and Rescue Department to surplus four (4) vehicles: 1973 Mack CF-600 Fire Truck, 1977 Mack CF-600 Fire Truck, 1987 Pierce Dash Truck, and 1997 Ford F-250 Truck.
- F. Ratify request for Fire and Rescue Accreditation Manager, Alan Lewis, to attend “Meeting with Priority Ambulance” that was held in Memphis, TN, and approve reimbursement for meal expenses.
- G. Approve request for Fire and Rescue Personnel, Alan Lewis, to receive tuition reimbursement the sum of \$600.00 for successful completion of FIR 3301 – Fire Behavior and Combustion.
- H. Approve request from Greg Lewis, Director of Columbus Recreation Department, to refund seventeen (17) citizens deposits for complying to clean-up procedures after rental of a community center, four (4) refunds for soccer registrations and one (1) cancellation of rental.
- I. Accept letter of resignation from Columbus Recreation Department employee, Sam McDowell, effective November 10, 2017, and authorize the Human Resources Director to begin the normal recruitment process.
- J. Ratify permit request submitted by Stephanie Jones and Tameka Smith to host a “Trunk or Treat” that was held on October 31, 2017, from 5:00 p.m. until 7:00 p.m. with 8<sup>th</sup> Avenue North at 19<sup>th</sup> Street North to 18<sup>th</sup> Street North to 7<sup>th</sup> Avenue North to 10<sup>th</sup> Avenue North blocked off.
- K. Ratify permit request submitted by Kimberly Brown on behalf of St. Paul’s Episcopal Church to hold the “Boo Parade” that was held October 31, 2017 from 10:00 a.m. to 11:15 a.m. The parade began on College Street, traveled to 5<sup>th</sup> Street South to Main Street, back to 5<sup>th</sup> Street South and returned to College Street.
- L. Approve permit request submitted by Barbara Bigelow, Main Street Columbus Director, to host the “Wassail Fest” to be held on Friday, December 1, 2017 from 5:00 p.m. until 8:00 p.m., and approve request to block off 5<sup>th</sup> Street North between 2<sup>nd</sup> Avenue North and Main Street, 5<sup>th</sup> Street South between Main Street and College, and 5<sup>th</sup> Street South between College Street and 3<sup>rd</sup> Avenue South.

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- M. Approve permit request submitted by Barbara Bigelow, Main Street Columbus Director, to host the “Columbus Christmas Parade” to be held on Monday, December 4, 2017 from 7:00 p.m. until 9:00 p.m., and approve the attached parade route.
- N. Approve permit request submitted by Jim Richardson on behalf of the Veterans Day Parade Committee to host the “Veterans Day Parade” to be held on November 11, 2017 from 10:00 a.m. until 10:45 a.m., and approve the route, which will begin at the Columbus Municipal Complex, turn right on Main Street, turn at 6<sup>th</sup> Street North by the YMCA, and turn left at 2<sup>nd</sup> Avenue North to the Lowndes County Courthouse.
- O. Approve request for one (1) CPD Officer to attend the “Gracie Survival Tactics Training” to be held at Camp Shelby, MS, and approve payment of \$25.00 for travel.
- P. Approve request for CPD Chief Lewis, Assistant Chief Shelton, Training Director Patrick, and five (5) Police Officers to attend the “Law Enforcement Training Academy Graduation” to be held in Moorhead, MS, and approve payment for registration, lodging, and travel expenses.
- Q. Approve request for Columbus Police Investigator, Samuel Jackson, to attend the “Internal Affairs Training” to be held in Birmingham, AL, and approve payment of \$325.00 for registration, \$300.00 for lodging and reimbursement for meal expenses.
- R. Approve request for Police Assistant Chief Shelton to attend the “Recruiting and Hiring for Law Enforcement Conference” to be held in Nashville, TN, and approve payment of \$390.00 for registration, \$180.00 for lodging and reimbursement for meal expenses.
- S. Approve request to place Corey Herring Automotive on the City’s Wrecker Rotation List.
- T. Approve request for Fire and Rescue Personnel: Martin Andrews, Duane Hughes, Mike Chandler, Brett Thompson, Mike Gibson, and Tabitha Barham to attend the “2017 Winter Mississippi Fire Chiefs Conference,” and approve payment of \$450.00 for registration and reimbursement for meal expenses.
- U. Approve request for Mayor Smith, Council Members, COO David Armstrong, CFO Milton Rawle, Jr., HR Director Pat Mitchell, and City Planner to attend the “2018 MML Mid-Winter Conference” to be held in Jackson, MS, and approve payment of \$135.00 each for registration, \$120.00 each per night for lodging, travel and reimbursement for meal expenses.

- V. Approve request for Public Works Director Casey Bush to attend the “Chemical Response Training” to be held in Jackson, MS, and approve payment of \$150.00 for registration, \$174.00 for lodging, \$50.00 for travel and reimbursement for meal expenses.
- W. Approve request for Vice-Mayor, Bill Gavin, to represent the Mayor at the “North Mississippi Mayors’ Meeting” to be held in Holly Springs, MS, and approve payment for travel expenses.
- X. Accept letter of resignation from Police Officer, Isaiah Smith, effective November 6, 2017.

Council Member Taylor made a motion to approve the Consent Agenda as presented, with the above amendments. Council Member Box 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.

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

- A. Mayor Smith invited the public to attend the Annual Thanksgiving Luncheon, which will be held Wednesday, November 15, 2017, from 11:00 a.m. – 1:00 p.m. in the Convention Center, Upper Level.

Dr. Jim Borsig came before the Mayor and Council and remarked that he was grateful to hold this Council Meeting on MUW’s campus and thanked the Mayor and City Council for making this possible.

The president of MUW Student Government Association (SGA) came forward and introduced each member of their organization.

### **B. BOARD VACANCIES:**

David Armstrong, COO, announced that there are no Board appointments to be made tonight.

## **VII. CITIZENS INPUT AGENDA:**

**MRS. NELL BATEMAN** – Community Thanksgiving Service  
Mrs. Nell Bateman came before the Mayor and Council and announced that Community Thanksgiving Service will be held November 14, 2017 at the YMCA at 6:30 p.m.

**STEVEN AND CHRISTY SHORT – Premier Lounge**

Steven and Christy Short, owners of the Premier Lounge, came before the Mayor and Council to discuss the incident that occurred on November 4, 2017 involving an officer-related shooting that was fatal. Ms. Short remarked that the property has been leased out, but she and her husband ended the lease in September 2017. She also remarked that the above-mentioned incident did not occur on her property, but near her property. Mrs. Short also stated that he has surveillance and security. Mayor Smith made reference to other disturbances that occurred at the establishment in the past. Following discussion, Council Member Mickens made a motion approve a zoning ordinance with certain establishments selling beer, light wine and alcohol to close down at to 10:00 p.m. to be revisited in six (6) months. Council Member Taylor seconded the motion. After a thorough discussion, the Mayor called for a vote and recorded the votes as follows:

Council Member Taylor	Voted:	<u>Yea</u>
Council Member Mickens	Voted:	<u>Yea</u>
Council Member Box	Voted:	<u>Yea</u>
Council Member Gavin	Voted:	<u>Yea</u>
Council Member Jackson	Voted:	<u>Nay</u>
Council Member Jones	Voted:	<u>Nay</u>

The Mayor announced that the Ordinance passed.

**The Ordinance follows:**

**(THIS SPACE LEFT BLANK INTENTIONALLY)**

**AN ORDINANCE OF THE CITY OF COLUMBUS, MISSISSIPPI**

AN ORDINANCE REGULATING OPENING AND CLOSING TIMES OF  
CERTAIN BUSINESSES WITHIN THE C-3 BUSINESS DISTRICT.

THE MAYOR AND CITY COUNCIL OF THE CITY OF COLUMBUS,  
MISSISSIPPI ADOPT THIS ORDINANCE AS FOLLOWS:

**SECTION 1. STATEMENT OF PURPOSE**

**WHEREAS**, the CITY OF COLUMBUS, Mississippi, as a political subdivision of the State of Mississippi, in furtherance of its police powers, recognizes a compelling interest on the part of the CITY OF COLUMBUS, Mississippi, to promote the public health, morals, safety and security of its citizens, and other visitors to the City of Columbus; and

**WHEREAS**, the City finds and determines that certain illicit activities are and have been occurring with greater frequency at or near business operations located in the C-3 district, which businesses sell beer and/or light wine or wine and liquor for on-premises consumption and are located in and in close proximity to churches, single family, and multifamily neighborhoods, causing danger, anxiety and fear and interruption of peace and quiet of the residents and churches in proximity thereof; and

**WHEREAS**, such activities include gang activity, loitering, littering, loud noises, disturbance of the peace, fighting, discharge of firearms, vandalism, burglary, and other deleterious activities; and

**WHEREAS**, the City of Columbus finds and determines that the Citizens of the City of Columbus and their guests, licensees and invitees deserve to have peace and solitude on their own residential properties and in their churches, particularly at night time after certain hours and the businesses, residents and churches have made large investments in such properties zoned for such use; and

**WHEREAS**, pursuant to its police powers as specifically provided for in Section 67-3-65 of the Mississippi Code of 1972, the Mayor and City Council have the statutory authority to pass regulations, including those governing such proper rules and regulations for fixing zones and territories, prescribing hours of opening and closing of businesses that sell light wine, beer and other alcoholic beverages and such other measures to promote the public health, morals, safety and security;

**THEREFORE**, as more particularly set forth herein, the Mayor and City Council find that it would be in the best interest of the City of Columbus and in furtherance of the health, safety and welfare of those churches and residential neighborhoods located close to such businesses, that certain restrictions be placed upon them immediately;

**NOW THEREFORE** be it ordained as follows:

**SECTION 2. MAXIMUM OCCUPANCY AND OPENING AND CLOSING  
TIMES FOR CERTAIN BUSINESSES.**

(a) All businesses within the municipal boundaries of the City of Columbus which

hold a license for the sale of beer and light wine or other alcoholic beverages for on-premises consumption located in the following locations shall not: (1) remain opened for business after 10:00 p.m. and may open for business no earlier than 10:00 a.m. on any day of the week (Monday through Sunday); and (2) shall have a maximum occupancy load of 173:

- (i) Within a C-3 (Highway Commercial) Zoning District; and
- (ii) With its nearest property line within one hundred fifty feet (150') of the property line of any land Zoned R-1 (Single Family); and
- (iii) With its nearest property line within two hundred feet (200') of the property line of any land occupied by a church; and
- (iv) With its nearest property line within three hundred feet (300') of the property line of any land Zoned R-2 (Two-Family Residential);
- (v) With its nearest property line within five hundred feet (500') of the property line of any land Zoned R-3 (Multi-Family Residential); and
- (vi) Within six (6) blocks of the property line of any land occupied by a State University.

**SECTION 3. ENFORCEMENT**

The provisions of this Ordinance shall be enforced by the Police Department of the CITY OF COLUMBUS, Mississippi, or any designee thereof.

**SECTION 4. PENALTIES.**

Any person who shall be found to have violated this article shall be subject to a fine not exceeding \$1,000.00 or imprisonment not exceeding 90 days or both.

**SECTION 5. SEVERABILITY AND CAPTIONS**

This Ordinance and the various parts, sections, subsections, phrases and clauses thereof are hereby declared to be severable. If any part, section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby. The Captions included at the beginning of each Section are for convenience only and shall not be considered a part of this Ordinance.

**SECTION 6. REPEAL**

All resolutions, ordinances, orders or parts thereof in conflict in whole or in part with any of the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

**SECTION 7. EFFECTIVE DATE**

Because of the urgency of the need, based upon the seriousness of the problems

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existing in the aforesaid districts, the Mayor and City Council consider this matter to be urgent and exigent and therefore the effect date of this ordinance shall be immediate from and after its passage.

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ROBERT E. SMITH, SR., Mayor  
CITY OF COLUMBUS

ATTEST:

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MILTON RAWLE, SECRETARY/TREASURER

**VIII. POLICY AGENDA:**

**A. Discuss/Approve Public Hearing for Urban Renewal Plan.**

Mr. John Acker came before the Mayor and City Council and remarked that Steve Edds & Trey Hairston could not be present tonight.

General Counsel, Jeff Turnage, opened the Public Hearing for the Urban Renewal Plan and asked members in the audience if there were any comments or objections. No one came forward. General Counsel Turnage then closed the Public Hearing.

**A1. DELETED**

**B. Discuss/Approve Resolution Approving the Urban Renewal Plan**

Council Member Taylor moved the adoption of the following Resolution: A Resolution of the Mayor and City Council of the City of Columbus, Mississippi approving and adopting the Urban Renewal Plan (Burns Bottom Project); providing for the implementation of such plan; and for related purposes. Following the reading of the foregoing Resolution, Council Member Mickens seconded the motion. After discussion, the matter was 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 Fredrick Jackson 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 City Council present, being a quorum of said City Council, the Mayor declared the motion carried and the resolution adopted this the 7<sup>th</sup> day of November, 2017.

**THE RESOLUTION FOLLOWS:**

## RESOLUTION

The Secretary-Treasurer for the City of Columbus, Mississippi (the “City”) reported that pursuant to a resolution declaring the intention of the Mayor and City Council (the “Governing Body”) of the City calling for a public hearing to be held at 5:00 o'clock p.m. on November 7, 2017, with respect to the Urban Renewal Plan (Burns Bottom Project), did cause a notice of the public hearing to be published in *The Commercial Dispatch*, a legally qualified newspaper published in the City and having a general circulation in the City on September 28, 2017, as evidenced by the proof of publication on file in the office of the Secretary-Treasurer. The Mayor of the City then called the meeting to order, and the public hearing was duly convened. At the time, all present were given an opportunity to present oral and written comments on the Urban Renewal Plan (Burns Bottom Project), which is included herein as **EXHIBIT A**. A general description of the testimony presented is set forth in **EXHIBIT B** hereto. At the conclusion of the public hearing, Councilperson TAYLOR offered and moved the adoption of the following:

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COLUMBUS, MISSISSIPPI APPROVING AND ADOPTING THE URBAN RENEWAL PLAN (BURNS BOTTOM PROJECT); PROVIDING FOR THE IMPLEMENTATION OF SUCH PLAN; AND FOR RELATED PURPOSES.**

**WHEREAS**, under the power and authority granted by the laws of the State of Mississippi (the “State”) and particularly under Section 43-35-1 *et seq.*, Mississippi Code of 1972, as amended and/or supplemented from time to time (the “Urban Renewal Act”) the Governing Body of the City on September 19, 2017, did adopt a certain resolution (the “Public Hearing Resolution”) entitled “RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COLUMBUS, MISSISSIPPI TAKING OFFICIAL ACTION TOWARDS THE APPROVAL OF THE CITY OF COLUMBUS, MISSISSIPPI URBAN RENEWAL PLAN; SETTING A PUBLIC HEARING ON SUCH URBAN RENEWAL PLAN; AUTHORIZING AN URBAN RENEWAL PROJECT; AND FOR RELATED PURPOSES”; and

**WHEREAS**, as directed by the Public Hearing Resolution and as required by law, a Notice of Public Hearing was published in *The Commercial Dispatch*, a legally qualified newspaper published in the City and having general circulation in the City, and was so published in said newspaper on September 28, 2017; as evidenced by the publisher's proof of publication of the same heretofore presented to the Governing Body and filed with the Secretary-Treasurer all in accordance with State law and attached hereto as **EXHIBIT C**; and

**WHEREAS**, the Notice of Public Hearing generally described the Urban Renewal Plan and further called for a public hearing to be held in the regular meeting place of this Governing Body

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at the City Municipal Building at 1501 Main Street, Columbus, Mississippi, at 5:00 o'clock p.m. on November 7, 2017, in order for the general public to state and present their views on the Urban Renewal Plan; and

**WHEREAS**, prior to November 7, 2017, and pursuant to the Urban Renewal Act, the City did submit its Urban Renewal Plan to the City of Columbus, Mississippi Planning Commission (the "Planning Commission") for consideration and approval and whereas the Planning Commission has submitted its written recommendation to the City regarding the Urban Renewal Plan and its conformance with the City's general plan and/or 2013 Comprehensive Plan (the "Comprehensive Plan") for the development of the City as a whole; and

**WHEREAS**, at 5:00 o'clock p.m. on November 7, 2017, the public hearing was held and all in attendance were given the opportunity to state and present their views on the Urban Renewal Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:**

Section 1. That all the findings and facts made and set forth in the preamble to this resolution shall be and the same are hereby found, declared and adjudicated to be true and correct.

Section 2. Pursuant to the certified copy of the resolution of the City's Planning Commission, a copy of which is attached hereto as **EXHIBIT D**, the Columbus Planning Commission has reviewed the Urban Renewal Plan and has found that the Urban Renewal Plan is necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives and is consistent with the City's 2013 Comprehensive Plan and the City's Zoning.

Section 3. That the Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the rehabilitation or redevelopment of the urban renewal area.

Section 4. That the Governing Body is now fully authorized and empowered under the provisions of the Urban Renewal Act, to adopt and implement the Urban Renewal Plan and does hereby adopt and approve such plan as the Urban Renewal Plan of the City to be implemented for the development and redevelopment of the City.

Section 5. This resolution shall become effective immediately and all resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, repealed.

Following the reading of the foregoing resolution, Council Member MICKENS seconded the motion. After discussion, the matter was put to a roll call vote. The result was as follows:

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Councilman Gene Taylor voted:	<u>YEA</u>
Councilman Joseph W. Mickens, Sr. voted:	<u>YEA</u>
Councilman Charlie Box voted:	<u>YEA</u>
Councilman Fred Jackson voted:	<u>YEA</u>
Councilman Stephen Jones voted:	<u>YEA</u>
Councilman Bill Gavin voted:	<u>YEA</u>

The motion having received the affirmative vote of a majority of the members of the City Council present, being a quorum of said City Council, the Mayor declared the motion carried and the resolution adopted this 7th day of November, 2017.

By \_\_\_\_\_  
Robert E. Smith, Sr., Mayor

**ATTEST:**

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

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**EXHIBIT A**

**URBAN RENEWAL PLAN**

**URBAN RENEWAL PLAN  
(BURNS BOTTOM PROJECT)**

**I. Existence of Urban Renewal Plan**

This Urban Renewal Plan shall constitute an urban renewal plan of the City of Columbus, Mississippi (the “City”), pursuant to Sections 43-35-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the “Urban Renewal Act”), and as particularly defined in Section 43-35-13 of the Urban Renewal Act.

**II. Designation of Urban Renewal Area**

The Mayor and City Council of the City (the “Governing Body”) did by resolution dated November 7, 2017 declare certain property located in the City, as more particularly described in **EXHIBIT I** attached hereto, to be a "blighted area" within the meaning of Section 43-35-3(i) of the Urban Renewal Act and did designate such area as appropriate for an urban renewal project. The property described in **EXHIBIT I** shall constitute the "Urban Renewal Area" for purposes of this Urban Renewal Plan.

**III. The Urban Renewal Project**

A. The Urban Renewal Project shall be developed for residential and nonresidential use through land acquisition, public road and public infrastructure improvements, (the “Improvements”) to be located on a five block area within the Urban Renewal Area within the City known as Burns Bottom (the “Project Site” and collectively, with the Improvements, the “Urban Renewal Project”).

B. The Governing Body of the City and/or the Columbus Redevelopment Authority, a public body corporate and politic and the urban renewal agency of the City formed on August 5, 2015, (the “Issuer”) may acquire property within the Project Site for residential and non-residential use by requesting proposals for purchase, lease purchase, ground lease and lease-back agreements with developers and property owners within the urban renewal area, and other interested parties, such proposals shall provide for the acquisition, construction, and lease for such purposes.

C. To the extent allowed by law, if necessary to implement this Urban Renewal Project, the Governing Body of the City shall have the right to exercise the rights provided for by Section 43-35-17 of the Urban Renewal Act.

**IV. Relationship to Local Objective**

The Urban Renewal Project shall be accomplished in accordance with the City’s zoning ordinance and building code, unless exceptions are made in accordance with law. The Urban Renewal Project will constitute an appropriate land use. The Urban Renewal Project will

provide residential, non-residential, and community facilities for use by the residents of the City, the acquisition of which is an integral part of and essential to the City's plan for development and will alleviate conditions which retard development within the Urban Renewal Area.

**V. Ownership of Urban Renewal Project**

The City and/or Issuer may sell, lease or otherwise transfer real property constituting the Urban Renewal Project for residential, non-residential or other uses, or may retain such property for public use.

**VI. Financing**

(a) Upon approval of the Urban Renewal Plan, the Governing Body authorizes the City pursuant to Sections 43-35-15 and 43-35-27 of the Urban Renewal Act to enter into a Contribution Agreement (the "Contribution Agreement") by and between the City and the Issuer in connection with the issuance of its taxable urban renewal revenue bonds in aggregate amount of not to exceed \$3,200,000 (the "Bonds") to finance the Urban Renewal Project;

(b) Upon approval of the Urban Renewal Plan, the Issuer may proceed with the sale and issuance of its Bonds to finance the Urban Renewal Project, pursuant to Section 43-35-21 of the Urban Renewal Act, and said Bonds shall further be payable from any revenues derived from the grants, contributions and funds to be received by the Issuer from the City pursuant to the Contribution Agreement between the City and the Issuer whereby the City has agreed to provide such reasonable assurances as are necessary to fulfill its obligations under this paragraph to grant and contribute to the Issuer those certain Revenues (as defined in the Contribution Resolution) derived by the City from the following: (i) pledge of monies which shall be appropriated from the General Fund of the City; (ii) such other legally available revenues or collateral, if any, as may be specified by the City; (iii) Revenues and income derived by the City from the operation of the Urban Renewal Project; and (iv) such other collateral, if any, as may be specified in a private placement agreement and as allowed by the Urban Renewal Act.

**VII. Ad Valorem Taxes**

The Urban Renewal Project shall be fully subject to ad valorem taxation, unless exempted by further action of the Governing Body of the City, or unless otherwise exempt under Mississippi law.

**VIII. Conformity to General Plan**

The Urban Renewal Plan conforms to the 2013 Comprehensive Plan of the City as a whole.

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**EXHIBIT I**

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### **PROJECT SITE DESCRIPTION**

A five block area in the City of Columbus, Mississippi with numerous private properties, both residential and commercial, bounded to the north by 7<sup>th</sup> Avenue North, to the east by 5<sup>th</sup> Street North, to the South by 2<sup>nd</sup> Avenue North, and to the west by 3<sup>rd</sup> Street

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**EXHIBIT B**

**PUBLIC HEARING TESTIMONY**

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**EXHIBIT C**  
**COPY OF PROOF OF PUBLICATION**

**EXHIBIT D**

**PLANNING COMMISSION RESOLUTION**

**C. Discuss/Approve Resolution Approving the Form of the Contributions Agreement**

Council Member Box moved to adopt the Resolution of the Mayor and City Council of the City of Columbus, Mississippi (1) Authorizing and Approving The form of a Contribution Agreement (The "Contribution Agreement") between the City of Columbus, Mississippi (The "City") and the Columbus Redevelopment Authority (The "Issuer"): (II) Authorizing the Mayor and Secretary-Treasurer of the City or designee to execute the Contribution Agreement in connection with the issuance of Taxable Urban Renewal Revenue Bonds (Burns Bottom Project), series 2017 of the Issuer in the principal amount not to exceed three million two hundred thousand dollars (\$3,200,000) (The "Bonds") to raise money for the Urban Renewal Project which shall be developed for residential and non-residential land acquisition, public road and infrastructure improvements to be located on a five block area within the Urban Renewal area within the City of Columbus, Mississippi known as Burns Bottom as authorized under Sections 45-25-1 *ET SEQ.*, Mississippi Code of 1972, as amended; and for related purposes under the Urban Renewal Act. Council Member Gavin 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 Fredrick Jackson 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 City Council present, being a quorum of said City Council, the Mayor declared the motion carried and the resolution adopted this the 7<sup>th</sup> day of November, 2017.

**THE RESOLUTION FOLLOWS:**

**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COLUMBUS, MISSISSIPPI (I) AUTHORIZING AND APPROVING THE FORM OF A CONTRIBUTION AGREEMENT (THE "CONTRIBUTION AGREEMENT") BETWEEN THE CITY OF COLUMBUS, MISSISSIPPI (THE "CITY") AND THE COLUMBUS REDEVELOPMENT AUTHORITY (THE "ISSUER"); (II) AUTHORIZING THE MAYOR AND SECRETARY-TREASURER OF THE CITY OR DESIGNEE TO EXECUTE THE CONTRIBUTION AGREEMENT IN CONNECTION WITH THE ISSUANCE OF TAXABLE URBAN RENEWAL REVENUE BONDS (BURNS BOTTOM PROJECT), SERIES 2017 OF THE ISSUER IN THE PRINCIPAL AMOUNT NOT TO EXCEED THREE MILLION TWO HUNDRED THOUSAND DOLLARS (\$3,200,000) (THE "BONDS") TO RAISE MONEY FOR THE URBAN RENEWAL PROJECT WHICH SHALL BE DEVELOPED FOR RESIDENTIAL AND NON RESIDENTIAL LAND ACQUISITION, PUBLIC ROAD AND INFRASTRUCTURE IMPROVEMENTS TO BE LOCATED ON A FIVE BLOCK AREA WITHIN THE URBAN RENEWAL AREA WITHIN THE CITY OF COLUMBUS, MISSISSIPPI KNOWN AS BURNS BOTTOM AS AUTHORIZED UNDER SECTIONS 45-35-1 *ET SEQ.*, MISSISSIPPI CODE OF 1972, AS AMENDED; AND FOR RELATED PURPOSES UNDER THE URBAN RENEWAL ACT.**

**WHEREAS**, Mayor and City Council (the "Governing Body") of the City of Columbus, Mississippi (the "City"), hereby finds, determines, adjudicates and declares as follows:

The City, is authorized by Sections 43-35-1, *et seq.*, Mississippi Code of 1972, as amended, (the "Urban Renewal Act") and in particular Sections 43-35-15 and 43-35-27 of the Urban Renewal Act to aid in the planning, undertaking and carrying out of the Urban Renewal Project (as defined below), upon such terms, with or without consideration, as it may determine, to grant or contribute funds to the Columbus Redevelopment Authority (the "Issuer") and to enter into agreements with the Issuer to furnish funds or other assistance in connection with such Urban Renewal Project; and

The Governing Body adopted a resolution on November 7, 2017 approving the Urban Renewal Plan in connection with the Issuer's Taxable Urban Renewal Revenue Bonds (Burns Bottom Project), Series 2017, in the principal amount of not to exceed Three Million Two Hundred Thousand Dollars (\$3,200,000) (the "Bonds") to raise money for the purpose of providing funds for the project which shall be developed for residential and nonresidential use through land acquisition, public road and public infrastructure improvements, to be located on a five block area within the urban renewal area within the City known as Burns Bottom, as described in the Urban Renewal Plan of the City; paying the cost of issuance for the Bonds; and for related purposes under the Urban Renewal Act (the "Urban Renewal Project"); and

Pursuant to that certain contribution agreement by and between the City and the Issuer (the "Contribution Agreement"), whereby the City agrees to digrant and contribute to the Issuer those certain Revenues (as defined in the Contribution Agreement) derived by the City from the

following: (i) monies which shall be appropriated from the General Fund of the City and (ii) such other legally available revenues or collateral, if any, as may be specified by the City; (iii) Revenues and income derived by the City from the operation of the Urban Renewal Project; and (iv) such other collateral, if any, as allowed by the Urban Renewal Act, sums sufficient to pay the principal and interest on the Bonds as the same shall mature and become due and payable and in addition thereto all bond registrar, paying agent and transfer agent fees relating to the Bonds; and

The Governing Body authorizes and approves the form of and execution of the attached Contribution Agreement by the Mayor and Secretary-Treasurer of the Governing Body or designee.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:**

The Governing does hereby approve the form of the Contribution Agreement attached hereto as **EXHIBIT A**, and does hereby authorize the Mayor and Secretary-Treasurer of the Governing Body, or their designee, to execute the Contribution Agreement for and on behalf of the City with such completions, changes, insertions and modifications as shall be approved by the Mayor and Secretary-Treasurer, the execution thereof evidence of such approval of same.

All orders, resolutions or proceedings of this Governing Body in conflict with the provisions of this resolution shall be and are hereby appealed, rescinded and set aside, but only to the extent of such conflict, if any.

This Resolution shall become effective immediately upon the adoption hereof.

Councilperson **BOX** moved and Councilperson **GAVIN** seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Councilman Gene Taylor voted:	<u>YEA</u>
Councilman Joseph W. Mickens, Sr. voted:	<u>YEA</u>
Councilman Charlie Box voted:	<u>YEA</u>
Councilman Fred Jackson voted:	<u>YEA</u>
Councilman Stephen Jones voted:	<u>YEA</u>
Councilman Bill Gavin voted:	<u>YEA</u>

The motion having received the affirmative vote of a majority of the members of the City Council present, being a quorum of said City Council, the Mayor declared the motion carried and the resolution adopted this 7th day of November, 2017.

MINUTES  
NOVEMBER 7, 2017

By \_\_\_\_\_  
Robert E. Smith, Sr., Mayor

**ATTEST:**

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

MINUTES  
NOVEMBER 7, 2017

**EXHIBIT A**  
**CONTRIBUTION AGREEMENT**

## CONTRIBUTION AGREEMENT

This **CONTRIBUTION AGREEMENT** (the "Agreement") is entered into by and between the City of Columbus, Mississippi (the "City"), a municipality as defined in Section 43-35-3 Mississippi Code of 1972, as amended, and the Columbus Redevelopment Authority (the "Issuer"), an urban renewal agency as defined in Sections 43-35-3(a) and 43-35-33, Mississippi Code of 1972, as amended. The City and the Issuer are referred to herein collectively as the "Parties".

### WITNESSETH

**WHEREAS**, the City is authorized by Sections 43-35-1, *et seq*, Mississippi Code of 1972, as amended, (the "Urban Renewal Act") and in particular Sections 43-35-15 and 43-35-27 to aid in the planning, undertaking and carrying out of the Urban Renewal Project (as defined below), upon such terms, with or without consideration, as it may determine, to grant or contribute funds to the Issuer and to enter into agreements with the Issuer respecting action to be taken by the City, including the furnishing of funds or other assistance in connection with such Urban Renewal Project; and

**WHEREAS**, the City is authorized to enter into this Agreement and other related agreements pursuant to Section 43-35-15(i) of the Urban Renewal Act, which provides that such "agreements may extend over any period, notwithstanding any provision or rule of law to the contrary"; and

**WHEREAS**, the City has, by resolution, determined that the five block area within the City known as Burns Bottom is a slum area or a blighted area or a combination thereof and designated such area as an urban renewal area (the "Urban Renewal Area") and therefore appropriate for an urban renewal project pursuant to Section 43-35-13 of the Urban Renewal Act; and

**WHEREAS**, the Issuer proposes to issue its taxable urban renewal revenue bonds designated Taxable Urban Renewal Revenue Bonds (Burns Bottom Project), Series 2017 (the "Bonds") in aggregate principal amount not to exceed \$3,200,000, in connection with said urban renewal project of the City designated (the "Urban Renewal Project"), to provide funds for the Urban Renewal project which shall be developed for residential and nonresidential use through land acquisition, public road and public infrastructure improvements, to be located within the Urban Renewal Area;

**WHEREAS**, the City agrees that pursuant to Section 43-35-13 of the Urban Renewal Act, the Urban Renewal Project is necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local communitive objectives.

**NOW, THEREFORE**, in consideration of the mutual undertakings and the performance thereof by the Parties and in order to induce prospective purchasers of the Bonds to purchase the Bonds, the City and the Issuer agree as follows:

MINUTES  
NOVEMBER 7, 2017

The City hereby agrees to grant and contribute to the Issuer those certain revenues derived by the City from the following: (i) monies which shall be appropriated from the General Fund of the City, (ii) such other legally available revenues or collateral, if any, as may be specified by the City; (iii) revenues and income derived by the City from the operation of the Urban Renewal Project; and (iv) such other collateral, if any, as allowed by the Urban Renewal Act (the "Revenues"), semiannually during each of the calendar years between and including \_\_\_\_ and \_\_\_\_\_, sums sufficient to pay the principal and interest on the Bonds as the same shall mature and become due and payable and in addition thereto all bond registrar, paying agent and transfer agent fees relating to the Bonds; provided that the Bonds shall mature serially in the years as set forth below (or in such shorter period of time as shall be approved by the Board of Commissioners of the Issuer) and in principal amounts not exceeding the amounts set forth below, to-wit:

YEARS	MAXIMUM PRINCIPAL AMOUNTS
2018	\${000,000}
2019	\${000,000}
2020	\${000,000}
2021	\${000,000}
2022	\${000,000}
2023	\${000,000}
2024	\${000,000}
2025	\${000,000}
2026	\${000,000}
2027	\${000,000}
2028	S[000,000]
2029	\${000,000}
2030	\${000,000}

Such obligations of the City will not constitute a debt, liability or general obligation of the City, the State of Mississippi or any political subdivision thereof or a pledge of the full faith and credit of the Issuer, the State of Mississippi or any political subdivision thereof but shall be payable solely as hereinabove provided and will not directly, indirectly or contingently obligate the City or the State of Mississippi to levy or to pledge any form of taxation whatever for the payment thereof.

The City acknowledges and agrees that its commitment to contribute the funds described in Section 1 of this Agreement are necessary and material to induce a prospective purchaser of the Bonds and as such has committed that its contribution shall be provided from the Revenues described in Section 1 of this Agreement.

The City recognizes and agrees that the covenants and agreements herein set forth to be performed on behalf of the City shall be for the benefit, protection and security of the holders of the Bonds, and the City does covenant and agree to take such reasonable assurances to have the Issuer unconditionally and irrevocably pledge all grants and contributions to be received pursuant to this Contribution Agreement to the payment of the principal and interest on the

Bonds. So long as any of the Bonds or any principal and interest thereon shall be outstanding or unpaid, the City agrees to take such reasonable assurances as are necessary to fulfill its obligations under Section 1 of this Agreement, and such obligation shall not be subject to any counterclaim, setoff, deduction, release, recoupment or defense (other than payment or performance) and shall remain in full force and effect until the principal of and interest on the Bonds shall have been paid in full.

The amount to be contributed by the City from its general fund in each year shall be sufficient to pay the principal and interest on the Bonds that will be due and payable during that year and all bond registrar, paying agent and transfer agent fees due and payable during such year. Semiannually, at least 5 days prior to each date when interest shall be due on the Bonds (a "Bond Payment Date"), the City shall make a payment hereunder in an amount equal to the interest due and payable on such date plus all bond registrar, paying agent and transfer agent fees then due and payable, by direct deposit to the bond and interest sinking fund established by the Issuer and as defined in the bond resolution adopted by the Issuer on November 15, 2017 (the "Bond Resolution") for payment of the principal of and interest on the Bonds (the "Bond Fund").

Any other provisions of this Contribution Agreement to the contrary notwithstanding, the obligation of the City to make payments hereunder shall be abated to the extent that, on the tenth (10th) day preceding any Bond Payment Date, there shall be funds in the Bond Fund available to be used to make payments of interest and or principal on the Bonds due and payable on such Bond Payment Date.

The City acknowledges that the Mayor and Secretary-Treasurer of the City will execute certain certificates required in connection with the sale and delivery of the Bonds, setting forth reasonable expectations of the City and covenants, stipulations and certifications with respect to the investment, use and expenditures of the proceeds of the Bonds and amounts treated as proceeds of the Bonds, and the City agrees to comply with all certifications, stipulations and covenants set forth in such certificates.

The City agrees that it shall take no action to dissolve the Urban Renewal Agency as long as the Bonds remain outstanding. The City and the Issuer further acknowledge and agree that any bondholder, trustee or any other obligee is an intended third party beneficiary under this Agreement and shall have standing to pursue any remedies for enforcement of the obligations under this Agreement and the Urban Renewal Act as it relates to this Agreement.

Executed in the City of Columbus, Mississippi, as of the \_\_\_ day of December, 2017, although actually signed on the dates indicated below.

**COLUMBUS REDEVELOPMENT AUTHORITY**

**CITY OF COLUMBUS, MISSISSIPPI**

BY: \_\_\_\_\_  
**CHAIRMAN**  
**Board of Commissioners**

BY: \_\_\_\_\_  
**MAYOR**

MINUTES  
NOVEMBER 7, 2017

ATTEST:

ATTEST

---

SECRETARY

---

SECRETARY-TREASURER

(SEAL)

(SEAL)

---

Date

---

Date

**THIS SPACE LEFT BLANK INTENTIONALLY**

**D. Discuss/Approve Advertising City Resources.**

Council Member Jones moved to approve the expenditure of \$ 325.28 from 001-004-703 (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 Taylor seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

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

Council Member Box made a motion to adjudicate property previously heard by Council and for which remediation has been completed. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**THE ADJUDICATED LIST FOLLOWS:**

**(THIS SPACE LEFT BLANK INTENTIONALLY)**



**City of Columbus**  
POST OFFICE BOX 1408  
COLUMBUS, MISSISSIPPI 39703

### Invoice

DORIAN WYLLIE  
5012 TAYLOR AVE APT 3  
RACINE, WI 53406

Address:	2316 COLLEGE ST
APN:	61W12-00-06800
Case No:	CE-15-0508
Violation:	Property Maintenance

Invoice #: 15-0508-1031  
Date: October 31, 2017

IN ACCORDANCE WITH THE ORDINANCE OF THE CITY OF COLUMBUS, THE CITY HAS INCURRED THE EXPENSES NOTED BELOW IN REMEDIATING THE UNACCEPTABLE CONDITION OF YOUR PROPERTY. A LIEN HAS BEEN FILED AGAINST THE PROPERTY IN THE OFFICE OF THE LOWNDES COUNTY CIRCUIT CLERK.

PAYMENT IS DUE UPON RECEIPT AND IF NOT PAID IN FULL BEFORE 07/31/2018 IT WILL BE ADDED TO YOUR PROPERTY TAX BILL AS A SPECIAL ASSESSMENT. SUBSEQUENTLY, IF PAYMENT TO THE TAX COLLECTOR BECOMES DELINQUENT, YOUR PROPERTY WILL BE SOLD IN THE ANNUAL TAX SALE TO SATISFY THE CITY'S LIEN.

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
	Public Works		179.00
	Admin Fee		12.50
	Public Works		119.00
	Public Works		212.00
<b>DATE HEARD BY CITY COUNCIL</b>		11/17/2015	
<b>SUBTOTAL</b>			522.50
<b>TAX RATE</b>			
<b>SALES TAX</b>			
<b>SHIPPING &amp; HANDLING</b>			
<b>TOTAL</b>			522.50

TERMS: Due on receipt

Make all checks payable to **City of Columbus**

If you have any questions concerning this invoice, contact the Code Enforcement Dept. (662) 244-3500, ext 4005.



**City of Columbus**  
POST OFFICE BOX 1408  
COLUMBUS, MISSISSIPPI 39703

## Invoice

EVANS ESSIE  
2204 S 3RD AVE  
COLUMBUS, MS 39701

Address:	2204 3RD AVE S
APN:	61W12-00-09600
Case No:	CE-16-0033
Violation:	Property Maintenance

Invoice #: 16-0033-1031

Date: October 31, 2017

IN ACCORDANCE WITH THE ORDINANCE OF THE CITY OF COLUMBUS, THE CITY HAS INCURRED THE EXPENSES NOTED BELOW IN REMEDIATING THE UNACCEPTABLE CONDITION OF YOUR PROPERTY. A LIEN HAS BEEN FILED AGAINST THE PROPERTY IN THE OFFICE OF THE LOWNDES COUNTY CIRCUIT CLERK.

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QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
	Public Works		119.00
	Admin Fee		12.50
	Public Works		119.00
	Public Works		45.00
<b>DATE HEARD BY CITY COUNCIL</b>		<b>05/03/2016</b>	
<b>SUBTOTAL</b>			<b>295.50</b>
<b>TAX RATE</b>			
<b>SALES TAX</b>			
<b>SHIPPING &amp; HANDLING</b>			
<b>TOTAL</b>			<b>295.50</b>

TERMS: Due on receipt

Make all checks payable to **City of Columbus**

If you have any questions concerning this invoice, contact the Code Enforcement Dept. (662) 244-3500, ext 4005.



**City of Columbus**  
POST OFFICE BOX 1408  
COLUMBUS, MISSISSIPPI 39703

**Invoice**

HAIRSTON ROBERT-EST  
2208 S 3RD AVE  
COLUMBUS, MS 39701

Address:	2208 3RD AVE S
APN:	61W12-00-09700
Case No:	CE-16-0034
Violation:	Property Maintenance

Invoice #: 16-0034-1031

Date: October 31, 2017

IN ACCORDANCE WITH THE ORDINANCE OF THE CITY OF COLUMBUS, THE CITY HAS INCURRED THE EXPENSES NOTED BELOW IN REMEDIATING THE UNACCEPTABLE CONDITION OF YOUR PROPERTY. A LIEN HAS BEEN FILED AGAINST THE PROPERTY IN THE OFFICE OF THE LOWNDES COUNTY CIRCUIT CLERK.

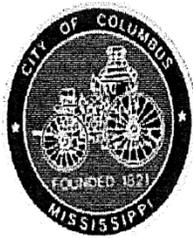
PAYMENT IS DUE UPON RECEIPT AND IF NOT PAID IN FULL BEFORE 07/31/2018 IT WILL BE ADDED TO YOUR PROPERTY TAX BILL AS A SPECIAL ASSESSMENT. SUBSEQUENTLY, IF PAYMENT TO THE TAX COLLECTOR BECOMES DELINQUENT, YOUR PROPERTY WILL BE SOLD IN THE ANNUAL TAX SALE TO SATISFY THE CITY'S LIEN.

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
	Public Works		119.00
	Admin Fee		12.50
	Public Works		119.00
	Public Works		45.00
<b>DATE HEARD BY CITY COUNCIL</b>		<b>05/03/2016</b>	

	<b>SUBTOTAL</b>	<b>295.50</b>
<b>TERMS: Due on receipt</b>	<b>TAX RATE</b>	
	<b>SALES TAX</b>	
	<b>SHIPPING &amp; HANDLING</b>	
	<b>TOTAL</b>	<b>295.50</b>

Make all checks payable to **City of Columbus**

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**City of Columbus**  
POST OFFICE BOX 1408  
COLUMBUS, MISSISSIPPI 39703

## Invoice

SELENE FINANCE LP  
9990 RICHMOND AVE, SUITE 400 S  
HOUSTON, TX 77042

Address:	1203 7TH ST N
APN:	56W17-00-09400
Case No:	CE-17-0228
Violation:	Property Maintenance

Invoice #: 17-0228-1031

Date: October 31, 2017

IN ACCORDANCE WITH THE ORDINANCE OF THE CITY OF COLUMBUS, THE CITY HAS INCURRED THE EXPENSES NOTED BELOW IN REMEDIATING THE UNACCEPTABLE CONDITION OF YOUR PROPERTY. A LIEN HAS BEEN FILED AGAINST THE PROPERTY IN THE OFFICE OF THE LOWNDES COUNTY CIRCUIT CLERK.

PAYMENT IS DUE UPON RECEIPT AND IF NOT PAID IN FULL BEFORE 07/31/2018 IT WILL BE ADDED TO YOUR PROPERTY TAX BILL AS A SPECIAL ASSESSMENT. SUBSEQUENTLY, IF PAYMENT TO THE TAX COLLECTOR BECOMES DELINQUENT, YOUR PROPERTY WILL BE SOLD IN THE ANNUAL TAX SALE TO SATISFY THE CITY'S LIEN.

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
	Attorney Fees		59.00
	Public Works		703.00
	Admin Fee		12.50
<b>DATE HEARD BY CITY COUNCIL</b>		10/17/2017	

**TERMS:** Due on receipt

SUBTOTAL	774.50
TAX RATE	
SALES TAX	
SHIPPING & HANDLING	
<b>TOTAL</b>	<b>774.50</b>

Make all checks payable to **City of Columbus**

If you have any questions concerning this invoice, contact the Code Enforcement Dept. (662) 244-3500, ext 4005.



**City of Columbus**  
POST OFFICE BOX 1408  
COLUMBUS, MISSISSIPPI 39703

## Invoice

HOLT FLISHA  
P O BOX 605  
NORTHPORT, AL 35476

Address:	3RD AVE S
APN:	61W12-00-10000
Case No:	CE-17-0061
Violation:	Property Maintenance

Invoice #: 17-0061-1031  
Date: October 31, 2017

IN ACCORDANCE WITH THE ORDINANCE OF THE CITY OF COLUMBUS, THE CITY HAS INCURRED THE EXPENSES NOTED BELOW IN REMEDIATING THE UNACCEPTABLE CONDITION OF YOUR PROPERTY. A LIEN HAS BEEN FILED AGAINST THE PROPERTY IN THE OFFICE OF THE LOWNDES COUNTY CIRCUIT CLERK.

PAYMENT IS DUE UPON RECEIPT AND IF NOT PAID IN FULL BEFORE 07/31/2018 IT WILL BE ADDED TO YOUR PROPERTY TAX BILL AS A SPECIAL ASSESSMENT. SUBSEQUENTLY, IF PAYMENT TO THE TAX COLLECTOR BECOMES DELINQUENT, YOUR PROPERTY WILL BE SOLD IN THE ANNUAL TAX SALE TO SATISFY THE CITY'S LIEN.

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
	Public Works		49.00
	Admin Fee		12.50
	<b>DATE HEARD BY CITY COUNCIL</b>	<b>06/20/2017</b>	
		<b>SUBTOTAL</b>	<b>61.50</b>
		TAX RATE	
		SALES TAX	
		SHIPPING & HANDLING	
		<b>TOTAL</b>	<b>61.50</b>

TERMS: Due on receipt

Make all checks payable to **City of Columbus**

If you have any questions concerning this invoice, contact the Code Enforcement Dept. (662) 244-3500, ext 4005.



**City of Columbus**  
POST OFFICE BOX 1408  
COLUMBUS, MISSISSIPPI 39703

## Invoice

BELL PROP DESIGN GROUP LLC  
251 DICKERSON LANE  
COLUMBUS, MS 39705

Address:	1916 3RD AVE N
APN:	61W11-01-19200
Case No:	CE-17-0046
Violation:	Property Maintenance

Invoice #: 17-0046-1101

Date: November 1, 2017

IN ACCORDANCE WITH THE ORDINANCE OF THE CITY OF COLUMBUS, THE CITY HAS INCURRED THE EXPENSES NOTED BELOW IN REMEDIATING THE UNACCEPTABLE CONDITION OF YOUR PROPERTY. A LIEN HAS BEEN FILED AGAINST THE PROPERTY IN THE OFFICE OF THE LOWNDES COUNTY CIRCUIT CLERK.

PAYMENT IS DUE UPON RECEIPT AND IF NOT PAID IN FULL BEFORE 07/31/2018 IT WILL BE ADDED TO YOUR PROPERTY TAX BILL AS A SPECIAL ASSESSMENT. SUBSEQUENTLY, IF PAYMENT TO THE TAX COLLECTOR BECOMES DELINQUENT, YOUR PROPERTY WILL BE SOLD IN THE ANNUAL TAX SALE TO SATISFY THE CITY'S LIEN.

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
	Public Works		147.00
	Admin Fee		12.50
	<b>DATE HEARD BY CITY COUNCIL</b>	05/16/2017	
		SUBTOTAL	159.50
		TAX RATE	
		SALES TAX	
		SHIPPING & HANDLING	
		<b>TOTAL</b>	159.50

**TERMS:** Due on receipt

Make all checks payable to **City of Columbus**

If you have any questions concerning this invoice, contact the Code Enforcement Dept. (662) 244-3500, ext 4005.



**City of Columbus**  
POST OFFICE BOX 1408  
COLUMBUS, MISSISSIPPI 39703

## Invoice

WILLIAMSON FRED C/O HENRY WILLIAMSON  
2424 COUNTY ROAD 30  
ETHELSTVILLE, AL 35461

Address:	COURT ST
APN:	62W14-03-02400
Case No:	CE-17-0260
Violation:	Property Maintenance

Invoice #: 17-0260-1031

Date: October 31, 2017

IN ACCORDANCE WITH THE ORDINANCE OF THE CITY OF COLUMBUS, THE CITY HAS INCURRED THE EXPENSES NOTED BELOW IN REMEDIATING THE UNACCEPTABLE CONDITION OF YOUR PROPERTY. A LIEN HAS BEEN FILED AGAINST THE PROPERTY IN THE OFFICE OF THE LOWNDES COUNTY CIRCUIT CLERK.

PAYMENT IS DUE UPON RECEIPT AND IF NOT PAID IN FULL BEFORE 07/31/2018 IT WILL BE ADDED TO YOUR PROPERTY TAX BILL AS A SPECIAL ASSESSMENT. SUBSEQUENTLY, IF PAYMENT TO THE TAX COLLECTOR BECOMES DELINQUENT, YOUR PROPERTY WILL BE SOLD IN THE ANNUAL TAX SALE TO SATISFY THE CITY'S LIEN.

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
	Attorney Fees		59.00
	Public Works		160.00
	Admin Fee		12.50
<b>DATE HEARD BY CITY COUNCIL</b>		10/17/2017	
SUBTOTAL			231.50
TAX RATE			
SALES TAX			
SHIPPING & HANDLING			
<b>TOTAL</b>			<b>231.50</b>

TERMS: Due on receipt

Make all checks payable to **City of Columbus**

If you have any questions concerning this invoice, contact the Code Enforcement Dept. (662) 244-3500, ext 4005.



*City of Columbus*  
POST OFFICE BOX 1408  
COLUMBUS, MISSISSIPPI 39703

## Invoice

PANNEL NINA KING  
707 19TH AVENUE NORTH  
COLUMBUS, MS 39701

Invoice #: 17-0231-1101

Date: November 1, 2017

Address:	1922 15TH AVENUE NORTH- B&C
APN:	56W19-01-15302
Case No:	CE-17-0231
Violation:	Property Maintenance

IN ACCORDANCE WITH THE ORDINANCE OF THE CITY OF COLUMBUS, THE CITY HAS INCURRED THE EXPENSES NOTED BELOW IN REMEDIATING THE UNACCEPTABLE CONDITION OF YOUR PROPERTY. A LIEN HAS BEEN FILED AGAINST THE PROPERTY IN THE OFFICE OF THE LOWNDES COUNTY CIRCUIT CLERK.

PAYMENT IS DUE UPON RECEIPT AND IF NOT PAID IN FULL BEFORE 07/31/2018 IT WILL BE ADDED TO YOUR PROPERTY TAX BILL AS A SPECIAL ASSESSMENT. SUBSEQUENTLY, IF PAYMENT TO THE TAX COLLECTOR BECOMES DELINQUENT, YOUR PROPERTY WILL BE SOLD IN THE ANNUAL TAX SALE TO SATISFY THE CITY'S LIEN.

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
	Attorney Fees		77.00
	Public Works		156.00
	Admin Fee		12.50
<b>DATE HEARD BY CITY COUNCIL</b>		10/17/2017	
<b>SUBTOTAL</b>			245.50
<b>TAX RATE</b>			
<b>SALES TAX</b>			
<b>SHIPPING &amp; HANDLING</b>			
<b>TOTAL</b>			245.50

TERMS: Due on receipt

Make all checks payable to **City of Columbus**

If you have any questions concerning this invoice, contact the Code Enforcement Dept. (662) 244-3500, ext 4005.

**F. Discuss/Approve request to apply for a CAP Loan for completion of the new Fire Station**

Council Member Taylor made a motion to approve request to apply for a CAP Loan for completion of the new Fire Station in the amount of \$700,000.00 and advertise four (4) consecutive weeks. Council Member Jackson seconded the motion, 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 Fredrick Jackson 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 City Council present, being a quorum of said City Council, the Mayor declared the motion carried this the 7<sup>th</sup> day of November , 2017.

**G. Discuss/Approve Columbus Recreation Labor Contracts**

Council Member Mickens made a motion to approve Columbus Recreation Labor Contracts for Estella Murray, Linda Morgan, Larry Williams, and Quiveta Williams. Council Member Jackson seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**H. Discuss/Approve Columbus Recreation Rental Contract**

Council Member Taylor made a motion to approve the Columbus Recreation Facility Rental Contract for Sandfield Community Center, Sim Scott Community Center, Propst Park Activity Building and Townsend Community Center. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**I. Discuss/Approve Hiring a Supervisor for the Townsend Community Center**

Council Member Taylor made a motion to hire Willie A. Saffore as part-time Supervisor at Townsend Community Center at \$10.00 per hour with no benefits. Council Member Jackson seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**J. Discuss/Approve Soccer Complex Use Agreement**

Council Member Mickens made a motion to approve the Soccer Complex Use Agreement between Columbus Recreation Department and the County of Lowndes Recreation Department. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**K. Consider/Approve lease of 306 Forest Blvd., Unit 10, for a Police Substation**

Council Member Box made a motion to approve the Lease Agreement between Robinson Real Estate, Inc. and the Columbus Police Department to lease Unit 10 at 306 Forest Blvd. for a Police Substation. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**L. MUW SGA Presentation to the Mayor and City Council**

MUW SGA sponsor came forth and thanked the Mayor and Council for meeting on the "W" campus and presented each of them with a shirt.

**M. DELETED - Discussed earlier in the meeting.**

**N. Discuss/Approve CVB Legislation**

General Counsel Turnage discussed the proposed CVB Legislation and presented the amendment for the 2018 Regular Session. This amendment will reduce the floor on restaurant taxes, which will drop to zero to generate more taxes. Council Member Mickens made a motion to approve

the CVB Legislation. Council Member Taylor seconded the motion, and after 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 Fredrick Jackson 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 City Council present, being a quorum of said City Council, the Mayor declared the motion carried this the 7<sup>th</sup> day of November, 2017.

**The Resolution Follows:**

**A RESOLUTION MEMORIALIZING THE SUPPORT OF THE CITY COUNCIL OF THE CITY OF COLUMBUS, MISSISSIPPI, FOR THE ENACTMENT BY THE MISSISSIPPI LEGISLATURE OF A LOCAL AND PRIVATE ACT TO AMEND CERTAIN EXISTING LOCAL AND PRIVATE LAWS RELATING TO THE COLUMBUS-LOWNDES CONVENTION AND VISITOR'S BUREAU AND AN EXTENSION OF THE REPEAL DATE OF THE TWO PERCENT (2%) TAX ON THE GROSS-RECEIPTS OF CERTAIN RESTAURANTS LOCATED WITHIN THE CITY AND LOWNDES COUNTY, MISSISSIPPI.**

**WHEREAS**, the Mayor and City Council of the City of Columbus,, Mississippi (the "Governing Body" of the "City"), acting for and on behalf of the City, hereby finds, determines, adjudicates and declares as follows:

1. Chapter 870, Local and Private Laws of 1986, as amended by Chapter 958, Local and Private Laws of 1997, as amended by Chapter 968, Local and Private Laws of 2000, as amended by Chapter 949, Local and Private Laws of 2004, as amended by Chapter 948, Local and Private Laws of 2008 (collectively, the "Tax Authorization Bill"), authorized, among other things, the imposition of a two percent (2%) tax on the gross receipts of certain restaurants (i.e., those restaurants with annual sales in excess of Three Hundred Twenty-Five Thousand Dollars (\$325,000.00)) (the "Existing Tax"), the proceeds of which are distributed to the Columbus-Lowndes Convention and Visitor's Bureau (the "CVB");
2. Unless amended, the Existing Tax will be repealed on July 1, 2018, in accordance with Section 3 thereof;

3. The CVB plays an important and critical role for the City, Lowndes County, Mississippi (the "County") and the citizens thereof by, among other things, establishing, promoting and developing tourism, conventions, special events and recreation with the City and the County, and the funding of the CVB using the proceeds of the Existing Tax is necessary for the continued operation and success of the CVB;

4. The Governing Body has determined that the continued operation of the CVB is in the best interests of the City, the County and the citizens thereof, and an amendment to Section 3 of the Tax Authorization Bill to extend the repeal date of the Existing Tax set forth therein is necessary for such continued operation of the CVB and is in the best interests of the City, the County and the citizens thereof;

5. Chapter 953, Local and Private Laws of 2011 (the "CVB Authorization Bill"), authorized, among other things, the CVB to disburse up to fifteen (15%) of the Existing Tax proceeds received thereby each year to the Golden Triangle Development LINK, a 501(c)(6) non-profit corporation organized in the State of Mississippi for the purpose of, among other things, promoting community and economic development in the City and the County (the "LINK");

6. The Governing Body of the City has determined that, because most of the sales of food and beverage within Lowndes County are made within the City of Columbus, and because the Governing Authority of the City has definite, specific and recurring needs for recreation and entertainment within the City, that the CVB Authorization Bill should be amended by the Mississippi Legislature as follows:

(a) that the "floor" of the Restaurant tax be reduced to zero, so that the tax applies fairly to all retailers and consumers of retail food and beverage;

(b) that the makeup of the CVB Board should be appointed with five members being appointed by the Governing Body of the City and two being appointed by the County Supervisors;

(c) that 20% of the proceeds be appropriated to the City of Columbus for improvements to recreation facilities within the City of Columbus; and

(d) that \$100,000 of the proceeds be appropriated to the City of Columbus for improvements to the Senator Terry Brown Amphitheater.

7. The Governing Body has determined that it will be in the best interests of the City, the County and the citizens thereof that the CVB Authorization Bill be amended by the Mississippi Legislature to provide that, from the Existing Tax proceeds received by the CVB each year, the CVB provide to the LINK a fixed sum equal to Two Hundred Fifty Thousand Dollars (\$250,000.00) in lieu of the fifteen (15%) of total Existing Tax proceeds currently authorized by

the CVB Authorization Bill; provided that the LINK shall use such funds received from the CVB to promote community and economic development in the City and the County;

**8.** The Governing Body has prepared a proposed Local and Private Act (a copy of which is attached hereto as Exhibit "A"), which

(a) amended Section 1 of the Tax Authorization Bill to lower the floor on retail sales of food and beverage to zero;

(b) amended Section 2 so that the CVB Board be reduced to seven members, with 5 being appointed by the Mayor and City Council of Columbus and 2 being appointed by the County Supervisors; amended Section 3 of the Tax Authorization Bill to extend the repeal date of the Existing Tax from July 1, 2018 until July 1, 2028; and

(c) amended subsection (2) of Section 2 of the CVB Authorization Bill to authorize and direct the CVB to provide to the LINK from the Existing Tax proceeds received by the CVB a fixed annual sum equal to Two Hundred Fifty Thousand Dollars (\$250,000.00) in lieu of the fifteen (15%) of total Existing Tax proceeds currently authorized by the CVB Authorization Bill;

(d) amended Section 2 of the CVB Authorization Bill to authorize and direct the CVB to provide to the City of Columbus from the Existing Tax proceeds received by the CVB an annual sum equaling twenty percent (20%) of the total; and

(e) amended Section 2 of the CVB Authorization Bill to authorize and direct the CVB to provide to the City of Columbus from the Existing Tax proceeds received by the CVB a fixed annual sum equal to \$100,000.00 to the City of Columbus for the Senator Terry Brown Amphitheater.

**9.** The Governing Body has determined that it is in the best interests of the City, the County and the citizens thereof that such proposed Local and Private Act, in substantially the same form as that attached hereto as Exhibit "A," be submitted in bill form to the Mississippi Legislature for consideration thereby during the 2018 Regular Session, and that the Mississippi Legislature act as expeditiously as possible to enact such Local and Private Act during the 2018 Regular Session or in any event prior to July 1, 2018.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL that the City, acting by and through its Mayor and City Council hereby expresses its full support for the proposed Local and Private Act, in substantially the same form as that attached hereto as Exhibit "A," and requests that such proposed Local and Private Act be submitted in bill form to the Mississippi Legislature, in substantially the same form as that attached hereto as Exhibit "A," for consideration thereby during the 2018 Regular Session, and that the Mississippi Legislature act as expeditiously as possible to enact such Local and Private Act during the 2018 Regular Session or in any event prior to July 1, 2018.

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After discussion, Councilmember MICKENS moved and Councilmember TAYLOR seconded the motion to adopt the foregoing resolution and, the question being put to a roll call vote, the result was as follows:

Councilmember Gene A. Taylor	voted: [YEA]
Councilmember Joseph W. Mickens, Sr.	voted: [ YEA]
Councilmember Charlie Box	voted: [ YEA]
Councilmember Frederick Jackson	voted: [YEA]
Councilmember Stephen Jones	voted: [ YEA]
Councilmember Bill Gavin	voted: [YEA]

The motion having received the affirmative vote of a majority of the Councilmembers present, the motion was declared passed by the Mayor on this the 7<sup>th</sup> day of November, 2017.

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Robert E. Smith, Sr.,  
Mayor, City of Columbus, Mississippi

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ATTEST:

Milton Rawle, Jr.,  
CFO/Secretary / Treasurer,  
City of Columbus, Mississippi

(SEAL)

**Exhibit "A"**  
**Proposed Local and Private Legislation**

By: \_\_\_\_\_

To: \_\_\_\_\_

\_\_\_\_\_ Bill \_\_\_\_\_

AN ACT TO AMEND CHAPTER 870, LOCAL AND PRIVATE LAWS OF 1986, AS AMENDED BY CHAPTER 958, LOCAL AND PRIVATE LAWS OF 1997, AS AMENDED BY CHAPTER 968, LOCAL AND PRIVATE LAWS OF 2000, AS AMENDED BY CHAPTER 949, LOCAL AND PRIVATE LAWS OF 2004, AS AMENDED BY CHAPTER 948, LOCAL AND PRIVATE LAWS OF 2008 TO EXTEND UNTIL JULY 1, 2028, THE REPEAL DATE ON THE PROVISIONS OF LAW THAT AUTHORIZE THE MAYOR AND CITY COUNCIL OF THE CITY OF COLUMBUS, MISSISSIPPI, AND THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO LEVY A TAX ON RETAIL SALES OF BEER, ALCOHOLIC BEVERAGES AND PREPARED FOOD SOLD BY RESTAURANTS; TO AMEND CHAPTER 953, LOCAL AND PRIVATE LAWS OF 2011, TO AUTHORIZE THE BUREAU TO CONTRIBUTE CERTAIN AMOUNTS TO THE GOLDEN TRIANGLE DEVELOPMENT LINK TO FUND THE PROMOTION OF COMMUNITY AND ECONOMIC DEVELOPMENT IN THE CITY AND THE COUNTY; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** Chapter 870, Local and Private Laws of 1986, as amended by Chapter 958, Local and Private Laws of 1997, as amended by Chapter 968, Local and Private Laws of 2000, as amended by Chapter 949, Local and Private Laws of 2004, as amended by Chapter 948, Local and Private Laws of 2008, is amended as follows:

Section 1. Whenever used in this act, unless a different meaning clearly appears in the context, the following terms shall have the following meanings:

(a) "City" means the City of Columbus, Mississippi.

(b) "County" means Lowndes County, Mississippi.

(c) "Governing authorities" means the Mayor and City Council of the City of Columbus, Mississippi, and the Board of Supervisors of Lowndes County, Mississippi.

(d) "Prepared food" means food prepared on the premises of a restaurant.

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(e) "Restaurant" means any place where prepared food is sold whether for consumption upon the premises or not, regardless of its annual sales.

Section 2. (1) The governing authorities are hereby authorized to impose upon persons doing business within the city and county a tax at the rate of two percent (2%) on the gross receipts of restaurants derived from retail sales of prepared food, beer and alcoholic beverages and on the gross proceeds of sales of other businesses derived from retail sales of beer and alcoholic beverages, excluding sales of alcoholic beverages upon premises covered by a package retailer's permit and sales of beer not for consumption on the premises. The governing authorities shall distribute the avails of the tax in the manner provided in this subsection (1). Except as specified herein, the proceeds of the tax shall be distributed to the Columbus-Lowndes Convention and Visitor's Bureau.

(2) Before the tax authorized by this act may be imposed, the governing authorities shall adopt resolutions declaring their intention to levy the tax and establishing the amount of the tax levy and the date on which this tax initially shall be levied and collected. This date shall be the first day of a month. Notice of the proposed tax levy shall be published once each week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in such city and county. The first publication of such notice shall be made not less than twenty-one (21) days prior to the date fixed in the resolution at which the governing authorities propose to levy such tax and the last publication shall be made not more than seven (7) days prior to such date. If, within the time of giving notice, twenty percent (20%) or fifteen hundred (1500), whichever is less, of the qualified electors of the county shall file a written petition against the levy of such tax then such tax shall not be levied unless authorized by a majority of the qualified electors of such county voting at an election to be called and held for that purpose. Prior to the effective date of the tax levy approved as herein provided, the governing authorities shall furnish to the Chairman of the State Tax Commission a certified copy of the resolutions evidencing such tax levy. The provisions of this section shall not be construed to authorize a levy by the governing authorities of the county upon sales by persons within the city.

(3) Persons, firms or corporations liable for the tax imposed herein shall add the amount of tax to the sales price of

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goods described in subsection (1) of this section and, in addition thereto, shall collect, insofar as practicable, the amount of the tax due by them from the person receiving the goods at the time of payment therefor.

(4) The tax shall be collected by and paid to the State Tax Commission on a form prescribed by the State Tax Commission, in the same manner that state sales taxes are computed, collected and paid; and the full enforcement provisions and all other provisions of Chapter 65, Title 27, Mississippi Code of 1972, shall apply as necessary to the implementation and administration of this act.

(5) The proceeds of the tax, less three percent (3%) to be retained by the State Tax Commission to defray the costs of collections, shall be paid to the governing authorities, to be placed into a special fund hereby created separate and apart from any other city or county fund, on or before the fifteenth day of the month following the month in which collected.

Section 3. The provisions of Sections 1 and 2 of this act shall be repealed on July 1, \* \* \* ~~2018~~ 2028.

**SECTION 2.** Chapter 953, Local and Private Laws of 2011, is amended as follows:

Section 1. (1) There is hereby created the Columbus-Lowndes Convention and Visitors Bureau, hereinafter referred to as the "bureau." The bureau shall be composed of seven (7) members who shall be known as directors.

(2) The composition of the bureau and appointments shall be as follows:

(a) The following members shall be appointed by the Mayor and City Council of the City of Columbus:

(i) One member who shall serve an initial term of one (1) year. This member and his or her successors shall be selected from applicants whose names appear on the municipal voter rolls.

(ii) One (1) member who shall serve an initial term of two (2) years. This member and his or her successors shall be selected from applicants whose names appear on the municipal voter rolls.

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(iii) Two (2) members who shall serve an initial term of three (3) years. These members shall be selected from applicants whose names appear on the municipal voter rolls.

(iv) One (1) member who shall serve an initial term of four (4) years. This member shall be selected from applicants whose names appear on the municipal voter rolls.

(b) The following members shall be appointed by the Lowndes County Board of Supervisors:

(iii) Two (2) at-large members who shall serve an initial term of three (3) years.

(d) All succeeding appointments shall be made for a term of three (3) years from the date of expiration of the initial appointment.

(e) All succeeding appointments of the member appointed in paragraph 2(a)(iv) of this subsection shall be made for a term of four (4) years from the date of expiration of the initial appointment.

(f) Any vacancy which may occur shall be filled in the same manner as the original appointment and shall be made for the unexpired term. Each member of the bureau shall serve until a successor is appointed.

(3) Any member may be disqualified and removed from office for any one (1) of the following reasons:

(a) Conviction of a felony;

(b) Failure to attend three (3) consecutive meetings without just cause; or

(c) Removal at any time of the appointee made by the city council and the county board of supervisors with or without cause.

If a member of the bureau is removed for one (1) of the above reasons in this subsection (3), the vacancy shall be filled in the manner prescribed in this section.

(4) Before entering in the duties of office, each director shall take an oath of office and enter into and give bond to be

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approved by the Secretary of State in the sum of Ten Thousand Dollars (\$10,000.00), conditioned on the satisfactory performance of his or her duties. This bond premium shall be paid from the bureau's funds. Such bond shall be payable to the city and county and in the event of a breach thereof, suit may be brought by the city and/or county for the benefit of the bureau.

(5) When the directors of the bureau have been appointed and qualified, they shall meet in the City of Columbus after giving not less than five (5) days' notice of the time and place of such meeting, by regular mail, e-mail or other electronic form, directed to each member of the bureau at his regular address at the time of his qualification and posting bond. Such notice shall be given by the Executive Director of the Columbus-Lowndes Convention and Visitors Bureau. The notice of the meeting may be waived if directors sign a written waiver of such notice. Any such waiver shall be attached to the minutes of such meeting.

(6) The directors shall elect from among themselves a chairman. The chairman of the bureau shall serve a term of not more than one (1) year, with the first election to be held at the first scheduled meeting after the members are appointed and subsequent elections shall be held annually thereafter. The person elected as chairman may serve consecutive terms. The bureau shall elect from its members a vice chairman, secretary and treasurer. The offices of secretary and treasurer may be combined, if the bureau so decides. The bureau shall promulgate and adopt bylaws governing its operations and procedures. Five (5) directors shall constitute a quorum for the transaction of any business of the bureau.

Section 2. (1) The bureau shall be domiciled in the City of Columbus, Mississippi, and shall have the following powers:

(a) To exercise authority over matters related to establishing, promoting and developing tourism, conventions, special events and recreation within the City of Columbus and Lowndes County;

(b) To acquire, own, lease, furnish, equip, staff and operate any and all facilities and equipment necessary or useful in the promotion of tourism, conventions, special events and recreation within the city and county;

(c) To receive and expend revenues from any sources;

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(d) To own, lease or contract for any equipment or office space useful and necessary in the promotion of tourism, conventions, special events and recreation;

(e) To sell, convey or otherwise dispose of all or any part of its property and assets in accordance with the general laws of the State of Mississippi providing for such disposal;

(f) To contribute funds for the operation of any visitor information center in the designated area for the repair, restoration, and maintenance of buildings and grounds owned by governmental entities and nonprofit corporations which would tend to promote tourism, conventions and special events in the city and county; and

(g) To have and to exercise all powers necessary or convenient to effect any and all of the purposes for which the bureau is organized and created.

(2) \* \* \* ~~Upon certification from the Columbus-Lowndes Development Link of the amount that it has committed to expend on promotion of tourism, parks and recreation, and associated overhead, within the city and the county in a fiscal year, the~~ bureau \* \* \* ~~may~~ shall contribute \* \* \* ~~funds~~ to the \* \* \* Columbus-Lowndes Golden Triangle Development Link \* \* \* an amount not to exceed the amount so certified; however, the annual amount contributed under this subsection shall not exceed fifteen percent (15%) Two Hundred Fifty Thousand Dollars (\$250,000.00) of the proceeds of the tax levied under Chapter 870, Local and Private Laws of 1986, as amended, that are distributed to the bureau in a fiscal year, which amount shall be utilized by the Golden Triangle Development Link to fund the promotion of community and economic development in the city and the county, and overhead costs associated therewith.

(3) The bureau shall contribute to the City of Columbus an amount equal to twenty percent (20%) of the proceeds of the tax levied under Chapter 870, Local and Private Laws of 1986, as amended, that are distributed to the Bureau each fiscal year to be used for improvements to recreation facilities within the City of Columbus.

(4) The bureau shall contribute to the City of Columbus One Hundred Thousand (\$100,000.00) of the proceeds of the tax levied under Chapter 870, Local and Private Laws of 1986, as

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amended, that are distributed to the bureau each fiscal year, which amount shall be utilized by the City of Columbus to fund the completion of the facilities at the Senator Terry Brown Amphitheater in Columbus.

Section 3. (1) The bureau shall annually adopt a budget of receipts and expenditures. The first budget of receipts and expenditures shall be prepared and adopted by the bureau within thirty (30) days after the election of its first chairman and such budget shall constitute the budget for the remainder of the current fiscal year. Thereafter, the budget shall be on the same fiscal year basis as that of the city or the county.

(2) The bureau may borrow money to pay its operating obligations that cannot be paid at maturity out of current revenues from the revenues that it receives through the restaurant/tourism tax or other revenues, but the amount so borrowed shall in no case exceed the estimated income of the bureau as shown by the budget adopted prior to that time, and the income of the bureau, as shown by the budget, shall be dedicated and set aside to the payment of the indebtedness.

(3) The books of the bureau shall be audited annually by an independent certified public accountant who shall make a written report of his or her audit to the bureau and submit a copy of the report to the governing authorities and the State Department of Audit. The audit shall be made and completed as soon as practicable after the close of the fiscal year and copies of the report delivered as required by this section within fifteen (15) days after the receipt thereof by the bureau.

**SECTION 3.** This act shall take effect and be in force from and after its passage.

## **IX. EXECUTIVE SESSION**

There were no Executive Session matters to come before the Council tonight.

### **ADJOURNMENT:**

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

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