

MEETING OF THE MAYOR AND CITY COUNCIL CITY OF COLUMBUS, MS JANUARY 2, 2019

The Mayor and City Council met in Regular Session on Wednesday, January 2, 2019 at 5:00 p.m. in the Court Chambers of the Municipal Complex. Mayor Robert E. Smith, Sr. presided over the meeting, and all Council members were present. Also present were the COO, CFO, General Counsel, Police Chief, and all other Department Heads.

I. CALL TO ORDER AND INVOCATION

Mayor Robert E. Smith, Sr. called the meeting to order and called upon Rev. Shawn Parker, Pastor of First Baptist Church, to offer the Invocation.

II. APPROVE MINUTES FOR THE MEETING OF DECEMBER 18, 2018.

Council Member Box made a motion to approve the Minutes for the Meeting of December 18, 2018. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

III. APPROVE DOCKET OF CLAIMS FOR JANUARY 2, 2019.

Council Member Gavin made a motion to approve the Docket of Claims for January 2, 2019, in the amount of \$295,268.66. Council Member Taylor seconded the motion.

All Council Members voted in favor of the motion, with the exception of Council Member Mickens, who opposed.

The motion carried 5/1.

IV. CONFIRMATION OF/OR AMENDMENTS TO THE AGENDA.

CITIZENS INPUT AGENDA:

DELETE – *Bobby Harper – Smithsonian Waterways Exhibit Information*

POLICY AGENDA:

Add Item "A" – *Consider/Approve Resolution in support of local and private legislation collecting an additional 1% tax on food and beverage sold within the city to be used for infrastructure repairs and upgrades, and operation and maintenance of the Senator Terry Brown Amphitheater.*

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Add Item "B" - *Discuss/Approve Engagement Letter for Financial Consulting Services.*

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

V. CONSENT AGENDA:

- A. Accept letter of retirement from Director of Trotter Convention Center, effective March 1, 2019, and authorize the HR Director to begin the normal recruitment process.
- B. Approve request to refund Gabby Thomas the sum of \$375.00 for cancellation of Trotter Convention Center rental.
- C. Approve request for Fire and Rescue Personnel: Harrison Branch, Onterrio Lowery, and David Tousley to attend the "National Registry of Emergency Medical Technicians Testing" to be held in Tuscaloosa, AL, and approve payment of \$66.00 for travel and reimbursement for meal expenses.
- D. Approve request to refund two (2) refunds of \$275.00 to Flora Bardley and \$300.00 to Madonna Williams; and ten (10) clean-up deposits of \$150.00 each to Jessie Mae Harris, Sophia J. Thomas, Latoya Gavin, Gene Taylor, Roosevelt Dismuke, Rose Turner, Ashanti Pippins, Rhonda Wallace, Erica Selvie, and Ashley Hayden.
- E. Accept letter of resignation from Police Officer Kenneth Davis, effective January 7, 2019.
- F. Approve request to send four (4) CPD Officers: Lorenzo Burns, Robin Conner, Rachel McCord and Rodreiuz Porter to the "Mississippi Delta Community College Law Enforcement Training Academy" in Moorhead, MS, and approve cost of \$3600.00 each for tuition and clothing required by the academy. The clothing allowance is not to exceed \$350.00 per officer and will be reimbursed upon completion of the academy.

Council Member Taylor 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 there being none, all Council Members voted in favor of same, with a unanimous vote.

VI. REPORTS, PROCLAMATIONS, RECOGNITIONS AGENDA:

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

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Council Member Gavin wished the Citizens of Columbus a Happy New Year.

B. Board Vacancies

David Armstrong, COO, announced vacancies on various boards and remarked that some appointments can be made tonight.

BOARD OF ADJUSTMENT & APPEALS OF DEVELOPMENT CODES

- 1 Vacancy, Joey Henderson's 4-Year Term Expires 12/16/2018 (Registered Design Professional w/Architectural or Structural Experience).
- 1 Vacancy, 5-Year Unexpired Term Expires 4/7/2020 (Registered Architect or Builder). Major Andrews IV resigned due to change of address.
- 1 Vacancy, Mike Gibson's 1-Year Term Expires 12/19/2018 (Fire Protection Engineer or Contractor).
- Appointments can be made December 18, 2018.

APPLICANTS:

- Mike Gibson
- Bryan Brown

Council Member Taylor made a motion to appoint Bryan Brown to the Board of Adjustment & Appeals of Development Codes to fill the unexpired term of Major Andrews IV, until April 7, 2020 (5-Year Term) and reappoint Mike Gibson for a 1-Year Term, until 12/19/2019. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

TREE BOARD

- 2 Vacancies
- Kerry Pittman's and Barbara Bigelow's 3-Year Terms Expire 12/15/2018.
- Appointments will be made December 18, 2018.

APPLICANT

- Kerry Pittman

Council Member Gavin made a motion to reappoint Kerry Pittman to the Tree Board for a 3-Year term, until December 15, 2021. Council Member Taylor seconded the motion.

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All Council Members voted in favor of the motion.

The motion carried.

VII. CITIZENS INPUT AGENDA:

BOBBY HARPER – DELETED

VIII. POLICY AGENDA:

- A. Consider/Approve Resolution in support of local and private legislation collecting an additional 1% tax on food and beverage sold within the City to be used for infrastructure repairs and upgrades, and operation and maintenance of the Senator Terry Brown Amphitheater.**

Council Member Gavin made a motion to approve the Resolution to Levy an additional 1% Tourism and Convention Tax for the Purpose of Improving the City of Columbus, Mississippi's Infrastructure Facilities and for Use in the Operation and Maintenance of the Senator Terry Brown Amphitheater in Columbus, Mississippi. Council Member Taylor seconded the motion, and after a thorough discussion about the merits of the Resolution, the Mayor then put the question to a vote, and the result was as follows:

Council Member Taylor	voted: <u>Yes</u>
Council Member Mickens	voted: <u>Yes</u>
Council Member Box	voted: <u>Yes</u>
Council Member Jackson	voted: <u>Yes</u>
Council Member Jones	voted: <u>Yes</u>
Council Member Gavin	voted: <u>Yes</u>

Whereupon, the Resolution having the affirmative vote of the majority of the Council Members present, the Mayor declared that the Motion had carried and that the foregoing Resolution was passed and adopted in a lawfully called meeting of the Mayor and City Council of the City of Columbus, Mississippi on the 2nd day of January, 2019.

THE RESOLUTION FOLLOWS:

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**RESOLUTION TO LEVY AN ADDITIONAL 1% TOURISM AND CONVENTION TAX FOR
THE PURPOSE OF IMPROVING THE CITY OF COLUMBUS,
MISSISSIPPI'S INFRASTRUCTURE FACILITIES AND FOR
USE IN THE OPERATION AND MAINTENANCE OF THE
SENATOR TERRY BROWN AMPHITHEATER IN COLUMBUS, MISSISSIPPI**

WHEREAS, the Mayor and City Council of Columbus, Mississippi (the "Mayor and Council"), acting for and on behalf of the City of Columbus, Mississippi (the "City" or "Columbus"), do hereby find, determine and adjudicate as follows:

1. The City and the Lowndes County Board of Supervisors have a pending bill seeking passage by the Mississippi Legislature of a Local and Private Bill approving a two percent tax upon food and beverages sold within the City, with the proceeds being divided between the City, Lowndes County, the Golden Triangle Development Link and the Columbus Lowndes Convention and Visitors Bureau.
2. An additional one percent (1%) tax is needed by the City to improve infrastructure, including, roads, curb and gutters and sidewalks and operation and maintenance of the Senator Terry Brown Amphitheater. Such improvements will enhance tourism and economic development in Columbus and the surrounding area.
3. In order to meet the growing needs of the community and surrounding area, to continue to lead in the areas of recreation, and to attract tourists in that area, the City must have funds to operate and maintain the Senator Terry Brown Amphitheater and improve the infrastructure within the City.
4. The additional 1% tax would be a tax on the gross income of restaurants derived from retail sales of prepared food, alcoholic beverages, and nonalcoholic beverages in Columbus for businesses that sell more than one hundred thousand dollars (\$100,000.00) annually.
5. The additional 1% tax would be allocated to the City for the sole and exclusive purposes of improving the City's infrastructure, including milling, grubbing, paving, repaving, curbs, gutters and sidewalks and for the operation and maintenance of the Senator Terry Brown Amphitheater.
6. The City proposes that the Local and Private Legislation provide that, before the tax authorized by this act may be imposed, the governing authority of the City shall adopt a resolution declaring its 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 the city. 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 authority of the City 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 two thousand (2000), whichever is less, of the qualified electors of the City 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 the City voting at an election to be called and held for that purpose. Prior to

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the effective date of the tax levy approved as herein provided, the governing authority of the City shall furnish to the Department of Revenue a certified copy of the resolution evidencing such tax levy, and should a majority of the qualified electors of the City vote in favor of the tax, it shall take effect on July 1, 2019.

7. Columbus requests authorization of said 1% percent tax for a ten (10) year term to coincide with any potential bonding that is necessary to support the infrastructure improvements and the operation and maintenance of the Senator Terry Brown Amphitheater in Columbus.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Mayor and Council seeks the addition of a one percent (1%) tax to be placed on food and beverage sales within the City of Columbus for a ten (10) year term, through and including June 30, 2029, for the purposes above stated within the municipal corporate boundaries of the City of Columbus.

After discussion, Council Member GAVIN moved that the foregoing Resolution be adopted, and said Motion was seconded by Council Member TAYLOR. After a thorough discussion about the merits of the Resolution, the Mayor then put the question to a vote, and the result was as follows:

Council Member Taylor	<u>YEA</u>
Council Member Mickens	<u>YEA</u>
Council Member Box	<u>YEA</u>
Council Member Jackson	<u>YEA</u>
Council Member Jones	<u>YEA</u>
Council Member Gavin	<u>YEA</u>

Whereupon, the Resolution having received the affirmative vote of the majority of the Council members present, the Mayor declared that the Motion had carried and that the foregoing Resolution was passed and adopted in a lawfully called meeting of the Mayor and City Council of the City of Columbus, Mississippi on the 2nd day of January, **2019**.

Robert E. Smith, Sr.
Mayor

ATTEST:

Milton Rawle, Jr., Secretary/Treasurer
Columbus, Mississippi

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B. Discuss/Approve Engagement Letter for Financial Consulting Services

Council Member Gavin made a motion to approve the request to enter into an agreement with Mike Crowder for Financial Consulting Services at a rate of \$100.00 per hour during the suspension of the CFO. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

*Council Member Mickens offered a suggestion to hire a part-time person with Accounting experience to continue the work in the event this occurs again.
No action was taken.*

IX. EXECUTIVE SESSION

There are no Executive Session matters to come before the Mayor and 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 Taylor and unanimous vote, the Mayor announced that the meeting was ADJOURNED.

Approved by: _____
Robert E. Smith, Sr., Mayor

Milton Rawle, Jr.,
CFO- Secretary-Treasurer