

**MEETING OF  
THE MAYOR AND CITY COUNCIL  
CITY OF COLUMBUS, MS  
JUNE 4, 2019**

The Mayor and City Council met in Regular Session on Tuesday, June 4, 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 the Human Resources Director.

**I. CALL TO ORDER AND INVOCATION**

Mayor Smith called the meeting to order and called upon Pastor Willie Jones, with Grateful Faith Ministries to offer the Invocation.

**II. APPROVE MINUTES FOR THE MEETINGS OF MAY 21 & 31, 2019**

Council Member Gavin made a motion to approve the Minutes for the Meetings of May 21 & 31, 2019. Council Member Box seconded the motion.

All Council Members seconded the motion.

The motion carried.

**III. APPROVE DOCKET OF CLAIMS FOR JUNE 4, 2019.**

Council Member Taylor made a motion to approve the Docket of Claims for June 4, 2019 in the amount of \$436,106.94. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**IV. CONFIRMATION OF/OR AMENDMENTS TO THE AGENDA**

**CONSENT AGENDA:**

Add Item "L" – *Approve request to refund citizens for eight (8) clean-up deposits, two (2) summer camp registrations and one (1) sports registration.*

**POLICY AGENDA:**

Add Item "D" – *Discuss/Approve Cemetery Grounds Maintenance Contract.*

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Council Member Taylor made a motion to approve the Agenda as presented with the above amendments. Council Member Mickens 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 for Chief Fred Shelton, Officer Kevin McCrary and Training Director Elizabeth Patrick to attend the Southern Regional Public Safety Institute Graduation on June 20, 2019.
- B. Accept letter of resignation from Police Officer, Mecca Shabazz, effective May 20, 2019 and Officer Raymond Hackler, effective May 29, 2019.
- C. Approve permit request submitted by John Brown on behalf of JB's House of Blues to host a "July Jam" to be held on July 13, 2019 from 4:00 p.m. – 10:00 p.m. outside of JB's House of Blues located at 120<sup>th</sup> – 122<sup>nd</sup> Street South.
- D. Ratify permit request received on May 20, 2019 from Churna Miller to host a "Block Party" that was held on May 25, 2019 from 4:00 p.m. – 9:00 p.m., blocking off Constance Lane and Rebecca Lane.
- E. Approve permit request submitted by Steven C. Wallace on behalf of Cars and Coffee to host a "Car Show" to be held June 22, 2019, July 20, 2019, August 17, 2019, September 21, 2019 and October 19, 2019 from 7:30 a.m. until 10:00 a.m. each date blocking off Second Street North between Second Avenue North and Third Avenue North.
- F. Accept letter of resignation from Gregory Kaiser, Animal Control Officer, effective June 7, 2019.
- G. Ratify request for one (1) Fire and rescue Engineer, Chris Carter, to attend "Ardent Sentry" to be held in Hattiesburg, MS, and approve payment of \$150.00 for travel and reimbursement for meal expenses.
- H. Approve request for one (1) Fire and Rescue Engineer, Chris Carter, to attend "Fire Officer NFPA1021 – I-II" to be held in Jackson, MS, and approve payment of \$615.00 for registration, \$75.00 for travel and reimbursement for meal expenses.
- I. Approve request to donate a surplus cage to fit a Ford Explorer to the Town of Caledonia Marshal's Department.

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- J. Ratify request for Fire & Rescue Chief and Administrative Assistant, Tabitha Barham, to attend "Homeland Security Grant Review" to be held in Jackson, MS, and approve payment of \$50.00 for travel.
- K. Approve request to the Victim's Advocate to attend the mandatory "Stop Grant Meeting" to be held in Jackson, MS, and approve payment \$168.51 for travel and reimbursement for meal expenses.
- L. Approve request to refund citizens for eight (8) clean-up deposits: Knrobe Wilson, Amanda Williams, Reginald Willis, Kalesha Sherrod, Claudia McDavis, Glendoria O'Neal, Gretta Gardner, Marsha Walker, and Cecilia Wicks, all \$150.00 each, two (2) summer camps: Kalesha Sherrod, \$75.00 and Frankie Colom \$150.00 and one (1) sports registration: Sandreika Mitchell \$50.00.

Council Member Taylor made a motion to approve the Consent Agenda as presented with the above amendments. Council Member Jones 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. General Comments from the Mayor and Council Members**

There were no comments from the Mayor and Council Members.

### **B. Board Vacancies**

David Armstrong, COO, announced vacancies on various boards and remarked that no appointments can be made tonight.

### **BOARD OF ADJUSTMENT & APPEALS OF DEVELOPMENT CODES**

- 1 Vacancy, Mickey Brislin's 3-Year Term Expired 5/17/19
- Mr. Brislin is not seeking reappointment.
- Appointment can be made immediately.
- No applicants at this time.

### **HISTORIC PRESERVATION COMMISSION**

- 1 Vacancy, Mark Ward's 4-Year Term Expired 5/19/19.
- Mr. Ward is not seeking reappointment.
- Appointment can be made immediately.
- No applicants at this time.

### **HISTORIC PRESERVATION COMMISSION**

- 2 Vacancies, Kelsey Rickenbaker-Bigelow's and Albert "Chance" Laws' terms expire 6/2/19.
- Appointment can be made immediately.

#### **APPLICANT:**

- Albert "Chance" Laws

Council Member Taylor made a motion to reappoint Albert "Chance" Laws to the Historic Preservation Commission Board for a 4-Year Term, until 6/2/2023. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

#### **City Utilities Commission**

- 1 Vacancy, Micheal Tate's 5-Year Term Expires 6/30/19.
- Appointment will be made June 18, 2019.

#### **Applicants**

- Micheal Tate

## **VII. CITIZENS INPUT AGENDA**

### **NICOLE CLINKSCALES – Community Recovery of Lowndes County**

Ms. Nicole Clinkscales and Mr. Joey Barnes came before the Mayor and City Council to apprise them and the public about Community Recovery of Lowndes County, which is in place to help those in need on a long term basis. All funds will flow through United Way of Lowndes County. The two (2) of them discussed a need to help those who had no insurance or can't get help. Council Member Jones made a motion requesting Mayor Smith to submit a letter of support. Individuals can donate at the United Way website. Council Member Jackson seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**VIII. POLICY AGENDA:**

- A. Discuss/Approve to hire one (1) Entry Level Firefighter, contingent upon successful completion of a pre-employment medical exam and drug screen.**

Council Member Taylor made a motion to approve the hire of as an Entry-Level Firefighter, contingent on successful completion of a pre-employment medical exam and drug screen. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

- B. Discuss/Approve Abandoning Unopened ROW of 6<sup>th</sup> Street South**

Kevin Stafford, with Neel-Schaffer, Inc., came forward and remarked the owner of property adjacent to this on both sides of the property, T. J. Tate, is interested in the property and plans to develop it. Council Member Taylor made a motion to close, vacate and abandon portion of Sixth Street South City Right-of-Way and remove the official City map. Council Member Gavin seconded the motion, and after due consideration and discussion, the Mayor Called for a vote on the motion which the Council Members voted, individually, and as a group, 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>

The Mayor then announced that the foregoing Order had passed on a Vote of 6 to 0 and that said Order was thereby adopted.

**THE ORDER FOLLOWS:**

BEFORE THE MAYOR AND CITY COUNCIL OF THE  
CITY OF COLUMBUS, MISSISSIPPI

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ORDER OF MAYOR AND CITY COUNCIL  
CLOSING, VACATING AND ABANDONING CITY RIGHT-OF-WAY

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The Mayor and City Council at a regular meeting of the Mayor and City Council on June 4, 2019, a petition *in rem* by T.J. Tate, Jr., said Petitioner seeking to close a portion of Sixth Street South Right-of-Way as follows: All road right-of-way on Sixth Street South beginning at the Southern Right-of-Way of 10<sup>th</sup> Avenue South and thence Southerly approximately 360 feet to the Northern Right-of-Way of 11<sup>th</sup> Avenue South, which is a platted street but which has never been opened, paved or otherwise maintained by the City of Columbus and, the Mayor and City Council having reviewed the same, hereby find and determine as follows:

1. Petitioner is the owner of tracts on both sides of the right-of-way to be abandoned.
2. The section of right-of-way described above has not been paved or maintained by the City of Columbus as a usable portion of the City's system of streets, roads and alleyways, but has merely been shown as platted on the City map. The Mayor and City Council find and determine, as a matter of fact, that these particular sections of platted City right-of-way are not needed for municipal purposes for use by the traveling public, the citizens of the City of Columbus or of the City of Columbus. As such, the Mayor and City Council of the City of Columbus hereby ORDER that the City right-of-way described hereinabove shall be closed, vacated and abandoned.
3. The Mayor and City Council hereby find, declare and adjudicate that, pursuant to §21-19-63 of the *Mississippi Code* of 1972, as amended, in the regular session of the 2009 Mississippi

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Legislature, that the ownership of the leasehold estate, or fee, as the case may be, underlying the right-of-way shall revert to the owner of the right-of-way to be closed, vacated and abandoned at the time of the abandonment and that the ownership of that particular section of right-of way to be closed herein shall extend to the centerline of said abandoned right-of-way to each owner on each side of the street described herein and this abandonment shall not affect any private easements or utility easements which might exist otherwise.

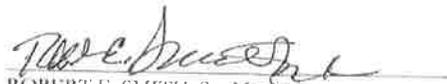
4. Council Member Taylor moved for adoption for the aforementioned and above-described Order and that the said section of right-of-way to be abandoned be removed from the official City map and that a copy of this Order be forwarded to the City's Tax Assessor so as to be included as taxable private property. The motion was seconded by Council Member Garin and, after due consideration and discussion, the Mayor called for a vote on the motion which the Council Members voted, individually, and as a group, as follows:

	Voted Yea:	Voted Nay:
Council Member Taylor	<u>yes</u>	_____
Council Member Mickens	<u>yes</u>	_____
Council Member Box	<u>yes</u>	_____
Council Member Jackson	<u>yes</u>	_____
Council Member Jones	<u>yes</u>	_____
Council Member Garin	<u>yes</u>	_____

The Mayor then announced that the foregoing Order had passed on a vote of 6 to 0 and that said Order was thereby adopted.

SO ORDERED this the 4<sup>th</sup> day of June, 2019.

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ROBERT E. SMITH, Sr., Mayor

ATTEST:

  
DELIAH VAUGHN, Financial Secretary

**C. Discuss/Approve Derelict Property Docket.**

**RUSSELL LEE TATE**

**503 - 23<sup>rd</sup> Street South**

**Case Number 18-0391 Structure, property maintenance code violation**

The General Counsel called cause number **18-0391**. No one appeared. Code Enforcement Officer Tomarris Jones stated the property was in such a state of uncleanliness as to be a menace to the public under Section 21-19-11 of the Mississippi Code and asked the Mayor and Council to adjudicate the property as such and that an Order be entered to such effect, requested **immediate abatement** on the structure and give the property owner a **45-day extension** on the vegetative portion, and that an Order be issued for the property. Council Member Taylor made a motion in accordance with Section 21-19-11 of the Mississippi Code, and for an Order stating the City may remove dilapidated buildings or dilapidated fences up to six (6) more times in the twelve (12) month period immediately following the Order and cutting grass and weeds and removing rubbish, personal property and other debris no more than twelve (12) times in a twenty-four (24) Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

**JANICE H. JERNIGAN ET AL C/O**

**Julia Gail Legere TST**

**408 Forest Court**

**Case Number 19-0061 Vegetation**

The General Counsel called cause number **19-0061**. No one appeared. Code Enforcement Officer Tomarris Jones stated the property has been **remediated** by the owner, and it is his recommendation to enter the proposed Order under Section 21-19-11 of the Mississippi Code, finding that this property was in such a state of uncleanliness as to be a menace to the public health and safety of the community. This Order should provide for such re-entry as the Statute allows. Council Member Taylor made a motion in accordance with Section 21-19-11, and for an Order stating the City may remediate the property with respect to cutting grass and weeds and removing rubbish, personal property and other debris no more than twelve (12) times in a twenty-four (24) month period immediately following the Order, with further notice to the owner as required by law. Costs are to be assessed as allowed under Section 21-19-11 of the Mississippi Code. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.