

MEETING OF THE MAYOR AND CITY COUNCIL CITY OF COLUMBUS, MS APRIL 7, 2020

The Mayor and City Council met in Regular Session on Tuesday, April 7, 2020 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, Assistant Police Chief and HR Director. All other Department Heads participated via teleconference.

I. CALL TO ORDER AND INVOCATION

Mayor Smith called the meeting to order and called on Rev. Charlie Whitney, pastor of Grace Baptist Church, to offer the Invocation.

II. APPROVE MINUTES FOR THE MEETINGS OF MARCH 17 & 21, 2020.

Council Member Gavin made a motion to approve the Minutes from the Meetings of March 17 & 21, 2020. Council Member Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried

III. APPROVE DOCKET OF CLAIMS.

Council Member Jones made a motion to approve the Docket of Claims for April 7, 2020, in the amount of \$1,193,411.84. Council Member Stewart 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:

Delete Item "A" – *Approve request to refund thirteen (13) citizens for Trotter rental fees.*

POLICY AGENDA:

Add Item "A1" – *Discuss/Approve Resolution concerning Child Care and EMCC Golf Course.*

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Delete Item "E" – *Discuss/Approve hiring one (1) CPD Officer, contingent upon a successful drug screen and pre-employment physical.*

Delete Item "J" – *Discuss/Approve Derelict Docket.*

Add Item "K" – *Designate the City of Columbus as an applicant for Federal Disaster Public Assistance as part of the President's Declaration of Mississippi as a Federal Disaster regarding the Coronavirus.*

Add Item "L" – *Appoint an applicant as FEMA Disaster Coordinator for above incident and authorize same person to submit and sign documents for the City of Columbus pursuant to above.*

Add Item "M" – Consider/Approve Resolution regarding COVID-19.

Council Member Gavin made a motion to approve the 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.

V. CONSENT AGENDA:

A. DELETED

B. Ratify request for six (6) CPD Officers and one (1) City Garage Mechanic to travel to Jefferson City, Missouri to pick up four (4) patrol cars and approve travel and meal expenses.

C. Accept letter of resignation from CPD Officer, Raymond Cyr, effective March 22, 2020.

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

COO David Armstrong reported that MML has been postponed until September 1 – 3, 2020.

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B. BOARD VACANCIES:

David Armstrong, COO, announced vacancies on various boards and remarked that one (1) appointment can be made tonight.

TREE BOARD

- **1 Vacancy, 3-Year Term for Bruce Sansing Expired 4/04/2020.**
- **Appointment will be made April 7, 2020.**

APPLICANT

- **Bruce Sansing**

Council Member Jones made a motion to reappoint Bruce Sansing to the Tree Board for a three (3) Year Term, until April 4, 2023. Council Member Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

VII. CITIZENS INPUT AGENDA

/III. POLICY AGENDA:

A. Renew Proclamation and Resolution of Existence of a Local Emergency.

Council Member Jones made a motion to approve the request to renew the Proclamation and Resolution of Existence of a Local Emergency. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

THE PROCLAMATION AND RESOLUTION FOLLOWS:

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PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY
(by City Council or County Board of Supervisors)

WHEREAS, City of Columbus - the City Council / ~~or Board of Supervisors~~
does hereby find that conditions of extreme peril to the safety of persons and property have arisen
within said City / ~~County~~, caused by Coronavirus (COVID-19)
(Severe storm, tornado, damaging winds, flash flooding, river flooding

~~drought, wildland fire, structural fire, hail, hazardous material incident, epidemic, hurricane, earthquake, other)~~

commencing on or about 3:00 ~~AM~~ PM on the 14th day of March, 2020;
and

WHEREAS, the aforesaid conditions of extreme peril warrant and necessitate the
proclamation of the existence of a local emergency in order to provide for the health and safety of
the citizens and the protection of their property within the affected jurisdiction;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that in accordance with Section
33-15-17(d), Mississippi Code of 1972, as amended, a local emergency now exists throughout said
City / ~~County~~; and shall be reviewed every seven (7) days until such local emergency is no longer
in effect and proclaimed terminated by the City Council / ~~Board of Supervisors~~ of the City /
~~County~~ of Columbus, State of Mississippi.

IT IS FURTHER PROCLAIMED AND ORDERED that all City / ~~County~~ agencies and
departments shall render all possible assistance and discharge their emergency responsibilities as set
forth in the City / ~~County~~ Emergency Operations Plan.

DATE: 3/16/2020

Robert E. D... ..
Mayor / ~~President of Board of Supervisors~~

ATTEST:

~~Clerk of City / Chancery
Clerk for Board of Supervisors~~

[Signature]
Councilperson / ~~Supervisor~~

Columbus
City / ~~or County~~, State of MS

[Signature]

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RESOLUTION REQUESTING GOVERNOR TO PROCLAIM

A STATE OF EMERGENCY

WHEREAS, on March 17, 2020 the ~~Board of Supervisors~~ (City Council) of the ~~County~~ of City Columbus found that due to the impact (or imminent threat) of Coronavirus (COVID-19) a condition of extreme peril (earthquake, flood, hazmat, hurricane, severe storm, other) to life and property did exist in Columbus County; and

WHEREAS, on March 17, 2020, in accordance with State Law 33-15-17(d) the ~~Board of Supervisors~~ City Council declared that an emergency does exist throughout said ~~county~~ city and

WHEREAS, it has now been found that local resources are unable to cope with the effects of said emergency;

NOW, THEREFORE, IT IS HEREBY DECLARED AND ORDERED that a copy of this declaration be forwarded to the Governor of Mississippi with the request that he proclaim the ~~County~~ (City) of Columbus to be in a State of Emergency; and

IT IS FURTHER RESOLVED that Joe Dillon, PSO (Person) (Title) is thereby designated as the authorized representative of the ~~County~~ (City) of

Columbus for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available State and Federal assistance.

DATE: 3/17/2020 [Signature]
Mayor (Board President)

ATTEST:
[Signature] Clerk of the Board of Supervisors (or City),
City of Columbus
State of Mississippi

[Signature] Council Board Member
[Signature] Council Board Member
[Signature] Council Board Member
[Signature] Council Board Member

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A1. Discuss Resolution concerning Child Care & EMCC Golf Course

Mayor Smith discussed the recent Executive Order from the Governor, which covers “essential” and “non-essential” businesses and includes daycare facilities as “essential.” Therefore, the City’s governing body does not have the authority to close daycare centers, but can impose restrictions on those that choose to remain open. The Mayor and Council also discussed EMCC (East Mississippi Community College) Golf Course. Action was taken following the discussion of Item “M” on the Policy Agenda.

B. Discuss FEMA and Good News Columbus Update.

Joe Dillon, the City’s FEMA Coordinator, came forward and updated the Mayor and Council on specific projects. He began by stating that the City has received approval on FEMA applications for the February 23, 2019 Tornado. He will apply for COVID-19 assistance/coverage to include overtime, personnel that are on Administrative Leave with pay, equipment, cleaning and supplies, legal fees, Engineering fees and loss of revenue. He asked all Department Heads to keep records of spending. The Tornado Shelters are temporarily on hold.

C. Consider/Approve Budget Amendment for the Fire Department

Deliah Vaughn, CFO, requested approval of Budget Amendment for the Fire Department in the amount of \$3,461.59. This amount includes back pay for two (2) Fire Department K-9 handlers that were not compensated for handling their Fire Department dogs. Council Member Box made a motion to approve a Budget Amendment for the Fire Department, in the amount of \$3,461.59 for back pay for K-9 Handlers. Council member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

D. Discuss/Approve hiring four (4) CPD Reserve Officers, contingent upon a successful pre-employment medical exam and drug screen.

Council Member Jones made a motion to hire four (4) Reserve Police Officers for the Police Department: **ZACHARY O’CALLAGHAN, TYREKE PRUDE, DEVIN STRONG AND DEBORAH YOUNG**, contingent on successful completion of a pre-employment medical exam and drug screen. Council Member Gavin seconded the motion.

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All Council Members voted in favor of the motion.

The motion carried.

E. DELETED

F. Accept letter of Retirement from Garage Superintendent and approve request to compensate him for 240 hours of accrued vacation leave and submit the remaining unused vacation and sick leave to PERS, and authorize the HR Director to begin the normal recruitment procedures.

Council Member Jones made a motion to accept letter of Retirement from Garage Superintendent and approve request to compensate him for 240 hours of accrued vacation leave and submit the remaining unused vacation and sick leave to PERS, and authorize the HR Director to begin the normal recruitment procedures. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

G. Discuss/Approve request to award Bid for Advertising Legals and Proceedings.

Council Member Gavin made a motion to approve the request to award the Bid for Advertising Legals and Proceedings to the Columbus Packet based on the following results:

The Commercial Dispatch:

1st Insertion	.08 cents per word
2nd Insertion	.04 cents per word

The Columbus Packet:

1st Run	.03 cents per word
2nd Run	.02 cents per word

Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

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H. Discuss/Approve permission request to award the Base Bid, Additive Alternate No. 2, and Additive Alternate No. 4 to the lowest, responsive bidder, Cobb Environmental & Technical Services, Inc.,

Zac Foster, engineer with Neel-Schaffer, Inc., participated in the meeting via teleconference and recommend that the Mayor and Council award the bid for the Fuel Farm Tank replacement, MDOT Multi-Modal Project No. MM-0019-0620 for Columbus-Lowndes County Airport, in the amount of \$171,453.00 to **Cobb Environmental & Technical Services, Inc.** as the lowest responsive bidder, contingent upon the CLCA Board's approval.

Council Member Jones made a motion to approve the request as stated Above. Council Member Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

I. Discuss/Approve 16th Section Estoppel Agreement

General Counsel Turnage apprised the Mayor and Council of 16th Section Estoppel Agreement from an attorney who is representing a buyer for the 16th Section property, 13th Street Apartments. Council Member Mickens made a motion to approve the Agreement. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

J. DELETED.

K. Designate the City of Columbus as an applicant for Federal Disaster Public Assistance as part of the President's Declaration of Mississippi as a Federal Disaster regarding the Coronavirus.

Council Member Jones made a motion to approve the request to designate the City of Columbus as an applicant for Federal Disaster Public Assistance as part of the President's Declaration of Mississippi as a Federal Disaster regarding the Coronavirus. Council Member Gavin seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

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L. Appoint an applicant as FEMA Disaster Coordinator for above incident and authorize same person to sign and submit documents for the City of Columbus pursuant to above.

Council Member Jones made a motion to appoint Joe Dillon as FEMA Disaster Coordinator for the Federal Disaster Public Assistance as a result of COVID-19 and compensate him at a rate of \$92.00 per hour and not to exceed \$10,000.00. Council Member Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried.

M. Discuss/Approve Resolution of the Mayor and City Council of the City of Columbus, Mississippi, declaring additional measures for the control of contagious and infectious diseases and for the protection of Public Health and Welfare and for related purposes.

The Mayor, Council members and the General Counsel discussed in detail a Resolution of the Mayor and City Council of the City of Columbus, Mississippi, Declaring Additional Measures for the Control of Contagious and Infectious Diseases and for the Protection of Public Health and Welfare and for related purposes. Council Members asked questions and offered comments on each section. Council Member Gavin moved for adoption of the Resolution, which motion was seconded by Council Member Jones, said Resolution having been introduced in writing at a regular meeting of the Mayor and City Council of the City of Columbus, Mississippi, held on April 7, 2020, which was read, considered, debated and ultimately adopted, paragraph by paragraph, section by section, then as a whole, and the question being put to a vote, the Mayor recorded the votes as follows:

<u>COUNCIL MEMBER:</u>	<u>VOTED</u>	<u>YES</u>	<u>NO</u>
Council Member Taylor-Stewart	voted	<u> ✓ </u>	<u> </u>
Council Member Mickens	voted	<u> </u>	<u> ✓ </u>
Council Member Box	voted	<u> ✓ </u>	<u> </u>
Council Member Beard	voted	<u> ✓ </u>	<u> </u>
Council Member Jones	voted	<u> ✓ </u>	<u> </u>
Council Member Gavin	voted	<u> ✓ </u>	<u> </u>

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The motion carried with a 5/1 vote.

APPROVED, this the 7th day of April, 2020.

THE RESOLUTION FOLLOWS:

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**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF
COLUMBUS, MISSISSIPPI, DECLARING ADDITIONAL MEASURES FOR THE
CONTROL OF CONTAGIOUS AND INFECTIOUS DISEASES AND FOR THE
PROTECTION OF PUBLIC HEALTH AND WELFARE
AND FOR RELATED PURPOSES**

WHEREAS, on January 31, 2020, United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19 beginning on January 27, 2020; and

WHEREAS, on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a nationwide state of emergency due to the coronavirus COVID-19 pandemic; and

WHEREAS, on March 14, 2020, pursuant to the Constitution of the State of Mississippi and Miss. Code Ann. §33-15-11(b)(17), Governor Tate Reeves declared a State of Emergency existed in the State of Mississippi as a result of the outbreak of COVID-19; and

WHEREAS, on March 11, 2020, the Mississippi State Department of Health confirmed the first presumptive case of COVID-19 in Mississippi, and as of March 30, 2020, there were at least 847 cases in Mississippi of individuals who have tested positive for COVID-19; and

WHEREAS, on March 16, 2020, the President issued federal guidelines for social distancing urging Americans, among other things, to work from home when possible, avoid gatherings of more than ten people, avoid eating inside dining establishments, avoid discretionary travel, shopping trips, and social visits, and listen to and follow the directions of state and local authorities; and

WHEREAS, on March 21, 2020, the Mayor and City Council adopted an ordinance amending Chapter 1 Code of Ordinances of the City of Columbus, Mississippi – General Provisions, which specified penalties for violation of a resolution adopted that same day; and

WHEREAS, on March 23, 2020, Governor Reeves signed Executive Order 1463 which, among other things, imposed certain restrictions on non-essential gatherings and dining establishments and provided for certain essential businesses and operations to remain open; and

WHEREAS, on March 26, 2020, Governor Reeves signed a Supplement to Executive Order 1463 clarifying that emergency measures enacted by political subdivisions in response to the COVID-19 pandemic may continue to be in effect if they are not less restrictive than the measures outlined in the Executive Order and they do not impose restrictions that would prevent any essential business identified in the Executive Order from operating at such a level necessary to provide essential services and functions during the State of Emergency; and

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WHEREAS, the City of Columbus has reviewed the restrictions imposed by its resolutions adopted March 21, 2020, as well as the restrictions imposed by this Resolution, and has found those restrictions do not conflict with the terms of Executive Order 1463, except as they relate to the operation of child day-care facilities; and

WHEREAS, on March 30, 2020, the President extended the federal social distancing guidelines through April 30, 2020; and

WHEREAS, on April 1, 2020, Governor Reeves signed Executive Order 1466 implementing a statewide “shelter in place” order, requiring non-essential businesses to cease operations, suspending residential evictions, closing public and private recreational facilities, and empowering local authorities to enforce the terms of the Order; and

WHEREAS, the emergence and risk of the spread of COVID-19 within Mississippi continue to constitute a public emergency that has resulted in substantial injury or harm to life, health, and property within Mississippi, and in the City of Columbus, and COVID-19 has already been detected in numerous individuals in multiple counties throughout the State, and in several individuals within Lowndes County, Mississippi; and

WHEREAS, the State of Mississippi and the City of Columbus continue to be adversely affected by the outbreak of COVID-19, and there exists a continued threat to the public’s safety, private property and the social and economic welfare of this City, County, and State; and

WHEREAS, the Centers for Disease Control (CDC) and the Mississippi Department of Health guidelines for responding to COVID-19 recommend avoiding crowds or gatherings of more than ten people; and

WHEREAS, the governing authorities of the City of Columbus have reviewed and accept the findings and recommendations of the CDC and the Mississippi Department of Health, and have further received the same findings and recommendations from health professionals within the City of Columbus and Lowndes County and accept those findings and recommendations; and

WHEREAS, the population of the City of Columbus is comprised of college students, substantial numbers of nurses, aides and support staff for physicians, employees and staff of a regional hospital and several long term care facilities, and contains significant populations of both older, at-risk individuals and individuals who travel broadly and frequently, including active duty military personnel, and the City of Columbus is a location frequently visited by individuals from surrounding counties, towns, and cities; and

WHEREAS, Section 45-17-3 of the Mississippi Code allows the City to proclaim a civil emergency if it determines that a natural disaster which has caused death or injury has occurred, which the City has done; and

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WHEREAS, the Mayor and City Council continue to find that COVID-19 is a natural disaster which has caused and will continue to cause injury, illness and/or death to persons to such an extent that additional extraordinary measures must be taken to protect the public health, safety, and welfare of citizens and visitors to the City of Columbus; and

WHEREAS, Section 45-17-7 of the Mississippi Code allows the Mayor and City Council of the City of Columbus, after declaration of a civil emergency and in the interest of the public safety and welfare, to issue such orders as are necessary for the protection of life of citizens and visitors to the City; and

WHEREAS, Section 21-19-29 of the Mississippi Code allows the Mayor and City Council to regulate the entrances to public halls and buildings, and the way of ingress and egress to and from the same; and

WHEREAS, the Mayor and Board of Aldermen re-adopt and incorporate the findings made in their resolutions of March 21, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR CITY COUNCIL of the City of Columbus, that the City hereby adopts the following additional emergency measures that shall take effect and expire at the times provided in Executive Order 1466 unless further action is taken by the governmental authority of the City of Columbus, to protect the public health, safety, and welfare of the community from the spread of a contagious or infectious disease and to eliminate or limit injuries or deaths that may occur in the absence of such measures:

Section 1: The City of Columbus hereby adopts the findings and regulations set forth in Executive Order 1466, signed by Governor Tate Reeves on April 1, 2020, to the extent that Order creates requirements as stringent or more stringent than those previously adopted by the City of Columbus. The City fully adopts the broad intent of that Order requiring all citizens to shelter in place pursuant to the terms of the Order. The City further adopts the definitions of “essential” and “non-essential” businesses and functions as incorporated by reference in Executive Order 1466.

Section 2: All essential businesses, agencies and units of government located within the City of Columbus shall take all reasonable measures to ensure that such businesses comply with the CDC and the Mississippi Department of Health recommendations and guidance, and shall implement appropriate safeguards to prevent the spread of infectious disease, including but not limited to: mandating social distancing, sending home sick employees and actively encouraging sick employees to stay home, separating and sending home employees who appear to have respiratory illness symptoms, emphasizing work-from-home policies where possible, mandating respiratory etiquette and proper hand hygiene, maintaining clean and sanitary workplaces, cautioning employees regarding travel, and taking all such additional measures to prohibit and/or reduce the spread of infectious disease, and especially COVID-19. To the extent any other business is an “essential business or operation” under Executive Order 1463, such business may remain open to the public to the extent necessary to allow them to operate at such a level necessary to provide essential services and functions.

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Section 3: To the extent any essential business remains open to serve customers inside the business' facilities, such business must take appropriate actions to minimize close person-to-person contact and enforce appropriate social distancing, to include the following where applicable:

- a) Prominent signs at every entrance informing customers they must stay 6 feet away from other customers who did not accompany them to the store;
- b) For businesses with existing public-address systems, regular announcements instructing customers to stay six feet away from each other;
- c) Markers on floors and signage measuring six-foot intervals and instructing people where to stand in checkout lanes and other lines;
- d) Employees specifically tasked to enforce social distancing among customers, and employees specifically dedicated to that task in the case of large retail establishments such as grocery stores whose publicly-accessible areas cannot be viewed at once;
- e) For businesses that utilize such technology, signage encouraging cashless purchases, online ordering and pickup, and use of self-service checkout stations.

Section 4: All child-care facilities are permitted to be open, provided that they:

- a) have all licenses required by the State of Mississippi;
- b) Wash childrens' hands with soap and water regularly;
- c) Take all reasonable measures to prevent children from touching their eyes, noses or mouths;
- d) Limit children from coming within six feet of one another and stopping any person-to-person contact between children;
- e) Limit the occupancy of any space to a maximum of ten people, including support staff;
- f) Ensure that children who cough or sneeze cover their mouths with tissues or sleeves and segregate such children from the rest until they may be removed by the parents or legal guardians;
- g) Check temperature daily of all support staff to ensure that no staff personnel are actively infected;

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- h) Require parents to acknowledge in writing that they will not drop off a sick child and that they will report to the facility any positive tests for Covid-19 in the households to which their child lives;
- i) Follow other regulations and guidance from the Mississippi Department of Health and the CDC about safe-distancing and operations of child day care operations; and
- j) Require employees to wear, at a minimum, cloth face masks and if possible to attain, face shields and gloves when employees are reasonably expected to be within six feet of a child
- k) If keeping children in multiple spaces at any one facility, not allow children or employees to migrate from one space to another space where other children are cared for. Further, children shall be kept in the same groups and same spaces day to day until the expiration of this order.

Section 5: The Mayor may issue such other orders as are necessary for the protection of life and liberty. The Mayor is also empowered and authorized to interpret the terms of this Resolution and any executive order incorporated and referenced herein to the extent necessary to enforce this resolution or any such order.

Section 6: The penalties for violation of this adopted resolution shall be the same as those listed in the ordinance amending Chapter 1, Code of Ordinances of the City of Columbus, Mississippi – General Provisions, which the City of Columbus adopted on or about March 21, 2020.

Council Member Gavin moved for adoption of the Resolution, which motion was seconded by Council Member Jones, said Resolution having been introduced in writing, which was read, considered, debated and ultimately adopted, paragraph by paragraph, section by section, then as a whole, and the question being put to a vote, the Mayor recorded the votes as follows:

	Yes or No
Council Member Taylor-Stewart:	Yes —
Council Member Mickens:	✓
Council Member Box	Yes —
Council Member Beard:	Yes —
Council Member Jones:	Yes —

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Council Member Gavin:

Yes —

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

Attest: Deliah Vaughn
Municipal Clerk,

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ADJOURNMENT:

The Mayor then asked if there was any other business to come before the Mayor and City Council. There being none, Council Member Gavin moved that the meeting be adjourned. Upon second by Council Member Jones and unanimous vote, the Mayor announced that the meeting was ADJOURNED.

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

**Deliah T. Vaughn
CFO- Secretary-Treasurer**

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