

MEETING OF THE MAYOR AND CITY COUNCIL CITY OF COLUMBUS, MS SEPTEMBER 20, 2022

The Mayor and City Council met in Regular Session on Tuesday, September 20, 2022 at 5:00 p.m. in the Court Chambers of the Municipal Complex. Mayor Keith Gaskin presided over the meeting, and all Council Members were present except Council Member Beard, who participated in the meeting via ZOOM. Also present were the COO, General Counsel, Interim Police Chief, H R Director and all other Department Heads.

I. CALL TO ORDER AND INVOCATION:

Mayor Gaskin called the meeting to order and called upon George Irby to offer the Invocation.

II. CONFIRMATION OF/OR AMENDMENTS TO THE AGENDA:

Council Member Greene made a motion to approve the Agenda as prepared, with one (1) amendment, add Item "H" to the Consent Agenda. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

III. APPROVE MINUTES FOR MEETING OF SEPTEMBER 6, 2022.

Council Member Diccico made a motion to approve the Minutes for the Meeting of September 6, 2022. Council Member Greene seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

IV. CONSENT AGENDA:

- A. Approve permit request submitted by Bobby Sanders, on behalf of First Baptist Church and Missionary Union Baptist Church, to host a "Trunk or Treat" to be held on October 30, 2022, from 4:00 p.m. until 8:00 p.m. at 1207 5th Avenue North, blocking 5th Avenue North at 12th Street North and 13th Street North.

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- B. Approve permit request submitted by Metyor Harris, on behalf of Shiloh Full Gospel M. B. Church, to host a “Church Fellowship” to be held on October 15, 2022, from 11:00 a.m. until 6:15 p.m. *See attached map.*
- C. Approve permit request submitted by Tiffany Jefferson, on behalf of Columbus High School, to host a “Homecoming Parade” to be held on October 20, 2022, from 12:00 p.m. until 1:15 p.m. *See attached map.*
- D. Approve permit request submitted by Sean Harrison, on behalf of Heritage Academy, to host a “2022 Homecoming Parade” to be held on September 29, 2022, from 12:00 p.m. until 1:15 p.m. *See attached map.*
- E. Approve request for Fire and Rescue personnel, Clayton Aldridge, to attend “Bus Extrication” to be held in Tuscaloosa, AL at no cost to the City.
- F. Accept letter of resignation from Public Works Department employee, Anthony Williams, effective September 15, 2022, and authorize the HR Director to begin the normal recruitment process.
- G. Approve request for Municipal Court Administrator, Wendy Blunt, to attend the Municipal Court Clerks Training course, to be held on September 21, 2022 in Oxford, MS, at no cost to the City.
- H. Approve request for General Counsel to work with George Irby to perform title work on properties in the Blight Elimination program.

Council Member Mickens made a motion to approve the Consent Agenda as presented, with the one (1) amendment, add Item “H.” 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. APPROVE DOCKET OF CLAIMS:

Council Member Mickens made a motion to approve the Docket of Claims for September 20, 2022, in the amount of \$506,370.55. Council Member Jones seconded the motion, followed by discussion of some invoices on the docket.

All Council Members voted in favor of the motion.

The motion carried 6/0.

VI. REPORTS, PROCLAMATIONS, RECOGNITIONS AGENDA:

- A. Mayor Gaskin asked the Council Members if they had any comments/announcements. Council Member Beard announced that the next State of the Ward meeting will be held Monday, September 26, 2022 at 6:00 p.m. at Sim Scott Community Center and invited the public to attend.

Mayor Gaskin offered the following observations/remarks:

- Mayor Gaskin began by reading an excerpt from the Constitution Week Proclamation:

WHEREAS: September 17, 2022 marks the two hundred and thirty-fifth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17-23 as Constitution Week.

NOW, THEREFORE I, Keith Gaskin, by virtue of the authority vested in me as Mayor of the City of Columbus, do hereby proclaim the week of September 17 – 23 as **CONSTITUTION WEEK**

AND ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

- I'd like to thank the Pick-It-Up Possum Town committee, volunteers, and community members who helped with the 2nd PIUPT event that was held Saturday, September 17. I'd also like to thank Columbus Parks and Recreation for hosting Family Movie Night, Saturday night, September 17.
- Thanks to everyone who donated their time, resources, energy and talents to the Water Drive held earlier this month. The 18-wheeler made it safely to Jackson and we thank the community for their support.
- **DATES AND EVENTS TO REMEMBER:**

- Downtown Art Walk will be held Friday, September 23, at 5:30 p.m.
- The Seven Avenue Heritage Festival will be held September 30 – October 1, 2022.
- Burns Bottom Art Festival will be held October 1, 2022.
- Columbus Arts Council Oktoberfest Run and Fun will be held October 1, 2022.
- Prayer Concert will be held October 15, 2022 at the Soccer Complex.
- Columbus High School Homecoming parade will be Thursday, October 20, 2022 at 5:00 p.m., followed by a Community Pep Rally on the football field at 6:00 p.m.
- All Inclusive Obstacle Course sponsored by Rowdy Foundation will be held at the Soccer Complex on October 22, 2022 at 9:00 a.m.
- MUW Welty Weekend begins October 28, 2022.
- Columbus Parks and Recreation will host Fall Festival on October 29, 2022. *More details coming.*

B. Swearing in of one (1) Fire and Rescue Firefighter

- **Josh Nolt**

Mayor Gaskin swore in Fire & Rescue Firefighter Josh Nolt as the firefighter recited the Oath of Office. Members of the Fire & Rescue Command Staff were present to present Firefighter Nolt his helmet and insignia.

C. Recognition of the Columbus Braves (ages 7 and under) for winning the Grand Slam Sports Tournament in Winona, Mississippi

Greg Lewis, Director of Parks and Recreation, came forward and recognized the Columbus Braves' 5 – 7 year olds T-Ball and Coach Pitch team for winning the Grand Slam Sports Tournament, held in Winona, MS. Mr. Lewis thanked the coaches, parents and each player for their sportsmanship and presented Commendation Award Ribbons to each player. The Coaches are Orlando Smith, Trey Blunt and Leroy Wilson.

D. Recognition of Court Administrator Wendy Blunt's swearing in as Mississippi Municipal Court Clerks Association President for the 2022-2024 term

Jammie Garrett, COO, congratulated Wendy Blunt, Municipal Court Administrator, for being appointed to serve as President of the Mississippi Municipal Court Clerks Association for the 2022-2024 term.

MONTHLY REPORTS:

Mayor Gaskin asked the Council if they had any questions for the Department Heads.

Council Member Diccico requested an update on crime statistics. Interim Doran Johnson came forward and reported that during the past weekends since he has been Interim Chief, it has been a little calmer with less major crimes occurring. There are still many automobile burglaries and that is attributed to the fact that people are leaving them unlocked and contributing to easy access. No action was taken.

E. Building Inspection Monthly Report for August 2022

The Monthly Report from the Building Inspection for August 2022 was presented. No action was taken.

F. Forensic Lab Monthly Report for August 2022

The Monthly Report from the Forensic Crime Lab for August 2022 was presented. No action was taken.

G. Columbus Fire and Rescue Department Monthly Report for August 2022

The Monthly Report from the Columbus Fire and Rescue Department for August 2022 was presented. No action was taken.

H. Code Enforcement Monthly Report for August 2022

The Monthly Report from the Code Enforcement Department for August 2022 was presented. No action was taken.

I. Columbus Police Department Monthly Report for August 2022

The Monthly Report from the Columbus Police Department for August 2022 was presented. No action was taken.

J. Planning & Community Development Monthly Report for August 2022

The Monthly Report from the Planning & Community Development Department for August 2022 was presented. No action was taken.

K. Public Works Department Monthly Report for August 2022

The Monthly Report from the Public Works Department for August 2022 was presented. No action was taken.

L. Parks and Recreation Department Monthly Report for August 2022

The Monthly Report for the Parks and Recreation Department for August 2022 was presented. No action was taken.

M. Human Resources Department Monthly Report for August 2022

The Monthly Report from the Human Resources Department for August 2022 was presented. No action was taken.

N. Municipal Court Monthly Report for August 2022

The Monthly Report from Municipal Court for August 2022 was presented. No action was taken.

O. City Garage Monthly Report for August 2022

The Monthly Report from the City Garage for August 2022 was presented. No action was taken.

P. Trotter Convention Center/Care & Maintenance/Friendship Cemetery Monthly Report for August 2022

The Monthly Report from the Director of the Trotter Convention Center/ City Property Manager/Friendship Cemetery for August 2022 was presented. No action was taken.

Q. Mr. Stephen Thompson, Waggoner Engineering Update

Mr. Stephen Thompson, dba Waggoner Engineering Firm, came forward and thanked the Mayor and Council for the opportunity to come and give an update on activities that we've been pursuing this year. Initially, Waggoner Engineering was granted two (2) tasks orders: The first task order was the one Needs Assessment, in which we identified the needs of the City, Crime areas and dilapidated housing. We sent two (2) proposals to Senator Wicker's office and Senator Cynde Hyde Smith's for the crime initiative project and dilapidated housing project and anticipated receiving funds for both projects, but learned that we did not receive any funding for the crime initiative. We will be appropriated funding for the dilapidated housing project. We are trying to get funding for the NRCS project, \$2 million dollars for the storm water plan. Joseph Page, Project Engineer

with Waggoner Engineering, identified the Northside Project, which spans from Hwy. 82 to College and has inadequate drainage or no drainage. This project is in the conceptual stage. We will establish areas where we can realign drainage areas and ditches, can add some curbs and gutters. The other project is near College Street, which has the same or very similar problem. Members of the Council asked questions. No action was taken. Mayor Gaskin thanked them for the update.

R. COLUMBUS-LOWNDES COUNTY LIBRARY BOARD

1 Vacancy, 5-Year Term, Clyde Hollis' Term Expires 9/30/2022.
Appointment will be made October 4, 2022.

APPLICANT:

- Jerry Fortenberry

CITY PLANNING COMMISSION

2 Vacancies, 3-Year Terms, Chuck Bigelow's and MacArthur Inge's Terms Expire on 10/04/2022.
Appointments will be made October 4, 2022.

APPLICANTS:

- Chuck Bigelow
- MacArthur Inge

VII. CITIZENS INPUT AGENDA:

A. Ms. Nicole Clinkscales, Maintenance & Upkeep Issues for Sandfield and Union Cemeteries

Ms. Nicole Clinkscales came before the Mayor and Council regarding Maintenance and Upkeep Issues for Sandfield and Union Cemeteries. Her concerns about Sandfield Cemetery (located on the east side of the street) are overgrowth and lack of maintenance. Sandfield Cemetery (located on the west side of Martin Luther King Jr. Street) is a national, historic cemetery with a national marker located in the cemetery. Ms. Clinkscales suggested that the City have a black wrought iron fence installed around this historic cemetery. Ms. Clinkscales' concern about Union Cemetery is that ingress and egress is and overgrown. General Counsel Turnage remarked that Mayor Gaskin and he have discussed Eminent Domain and he has directed us to search the title to determine who the owner of the cemetery on the east side of MLK. Sandfield Cemetery, east side, and Union Cemetery is privately owned and Friendship Cemetery is owned by the City. Ms. Penny Law, Paralegal at Mitchell, McNutt & Sams Law Firm, came forward and stated that she has

reviewed the land deeds and her findings resulted that Sandfield Cemetery west was deeded to the City in 1854, which is ten (10) acres. The east side was part of the Marks & Heard Subdivision. Then it was deeded to Mr. Irvin in 1919 and he made a plat of the cemetery that went to Dill & Norris. Later on, part of that was deeded to Prince Edwards and family. What was left is the Sandfield Cemetery. I have not found another deed, nothing showing proof that the cemetery, approximately four (4) acres, was deeded to the City of Columbus. Counsel Turnage remarked that if the City wants to condemn the cemetery and take it by Eminent Domain, when Ms. Law completes her title work, the list the legal description will be presented to the court.

VIII. POLICY AGENDA:

A. Discuss/Approve Derelict Property Docket

RAAVI PROPERTIES LLC
1207 Hwy. 45 North
CASE NUMBER: 22-0216

RUBBISH/GARBAGE

The General Counsel called cause number **22-0216**. No one appeared.

Code Enforcement Officer Sasha James stated the property has been **remediated** by the owner, and it is her 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 uncleanness 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 Greene 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 Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

TEMPLE T. HENDERSON
c/o Leon H. MacLennan
16954 Avenida De Santa Ynez
Pacific Palisade, CA 90273
CASE NUMBER: 22-0230

OVERGROWN LOT

The General Counsel called cause number **22-0230**. No one appeared.

Code Enforcement Officer Sasha James stated the property has been **remediated** by the owner, and it is her 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 uncleanness 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 Greene 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 Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

JOAN M. ESTES

1521 Shepherd Road

CASE NUMBER: 22-0240

OVERGROWN LOT

The General Counsel called cause number **22-0240**. No one appeared. Code Enforcement Officer, Sasha James, remarked that the *property* was in such a state of uncleanness as to be a menace to the public under Section 21-19-11 of the Mississippi Code and asked the Mayor and Council to adjudicate the property as such and that an Order be entered to such effect, requested **immediate abatement** and that an Order be issued for the property. Council Member Greene 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) month period. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

**B. Discuss/Approve recommendations from the September 12, 2022
Planning Commission meeting**

Permitted Use Request P/U 22-15

On behalf of Eryn Jackson
2322 Highway 45 North, Suite 2
Tax Parcel 57W05-02-00101
C-3 Highway Commercial District

Request to establish a child daycare

The Planning Commission unanimously recommended approval of request to operate a child daycare from this location.

Council Member Jones moved that the facts and findings of the Planning Commission be adopted as the facts and findings of the Mayor and City Council, and that the recommendation of the Planning Commission to allow the operation of a child daycare be approved by Council. Council Member Mickens seconded the motion. Building Official, Kenney Wiegel, stated that there were no objections to this request. There followed discussion, consideration, and review by the Council of the issues and facts presented by this request and the action taken by the City of Columbus Planning Commission.

All Council Members voted in favor of the motion.

The motion carried 6/0.

C. Discuss/Approve entering a Standard Memorandum of Understanding between the Mississippi Bureau of Narcotics (Region and District) and the Columbus Police Department

Interim Chief Doran Johnson came forward and apprised the Mayor and Council of the purpose of this MOU, which permits MBN (Regional and District) to collaborate with the City of Columbus in times of emergencies to offer assistance. Council Member Mickens made a motion to approve the Memorandum of Understanding between the Mississippi bureau of Narcotics (Region and District) and the Columbus Police Department.

All Council Members voted in favor of the motion.

The motion carried 6/0.

THE MOU FOLLOWS:

MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY VIOLENT CRIME TASK FORCE

Standard Memorandum of Understanding

Between

THE MISSISSIPPI BUREAU OF NARCOTICS
(Region and District)

and

(the "Participating Agency")

I. PARTIES

This Memorandum of Understanding (MOU) is entered into by and between the Mississippi Bureau of Narcotics (MBN) and the (Participating Agency).

II. AUTHORITIES

- A. The Mississippi Bureau of Narcotics is authorized to coordinate intelligence, investigative, and operational responses to individuals, groups and organizations involved in and proliferating drug trafficking and associated criminal activity, violent crime, homicide and drug overdose deaths, human trafficking, sex trafficking, labor trafficking and intrusions pursuant to various statutory and executive authorities, including, but not limited to Miss. Code Ann. Of 1972 section 41-29-139, 41-29-111 and 41-29-159, as amended.
- B. The Mississippi Bureau of Narcotics enters this agreement pursuant to Miss. Code Ann. of 1972, Section 41-29-159 and 41-29-112.

III. PURPOSE

- A. The MBN has long recognized the necessity for a collaborative approach aimed at protecting Mississippians, along with their communities, business, education system, churches, and transportation infrastructure from drug trafficking and violent crimes and/or threats. In furtherance of this mission, MBN establishes the Mississippi Department of Public Safety Violent Crime Task Force (MDPSVCTF), which serves as a multi-agency focal point for coordinating, integrating, investigating, and sharing

pertinent information related to drug trafficking and violent crime investigations. The MDPSVCTF operates under the authority of the Mississippi Bureau of Narcotics. The Director of the Mississippi Bureau of Narcotics is the designated official responsible for the operation of the MDPSVCTF. The MDPSVCTF enhances collaboration, resources, intelligence, investigative ingenuity and integrates operations among the represented member law enforcement partners.

- B. While state-level coordination is important to public safety, teamwork at the local level is extremely essential. The MBN has established a regional network of field office Drug Trafficking and Violent Crime Task Forces to focus on enhancing the quality of life for citizens within the State of Mississippi. This task force will promote effective collaboration and deconfliction of efforts at both local and state levels.
- C. This MOU delineates the responsibilities and commitments of the MBN and the Participating Agencies.
- D. This MOU is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law or otherwise by any third party against the parties, their parent agency, the State of Mississippi, or the officers, employees, agents, or other associated personnel thereof.

IV. MISSION

- A. The MDPSVCTF's mission-oriented focus is to augment law enforcement efforts, through an amalgamation of resources, to quail the demonstrative consequential effects of drug trafficking and violent crime occurring in Mississippi communities.
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- B. The individual MDPSVCTF groups working in concert with MBN will collectively leverage their capabilities to accomplish the mission through information and intelligence sharing, investigative operations and incident response.

V. SUPERVISION AND CONTROL

- A. Overall management of the MDPSVCTF shall be the responsibility of the Director of the Mississippi Bureau of Narcotics and/or his or her designee.
- B. All guidance on investigative matters handled by the MDPSVCTF will be issued by the MBN Legal Division and/or the designated MBN Supervisor through the agency's

chain of command. MBN will make available policies, guidelines and procedural processes for administrative functioning and investigative operations.

- C. The MBN Director shall designate the appropriate supervision for the MDPSVCTF management and operations.
- D. Governance of specified provisions set forth by by-laws of the MDPSVCTF is vested in an Executive Board comprised of the principal of each Participating Agency and MBN. Board members will each have an equal vote on all matters presented before the board. The Board has authority to take majority vote action with respect to the MDPSVCTF that is not inconsistent with this agreement and applicable law.

VI. STAFFING COMMITMENT AND RESPONSIBILITIES

- A. In addition to MBN employees, each MDPSVCTF may consist of the following types of individuals: Task Force Officers, Task Force Members. For purposes of this MOU, when referring to these individuals collectively, they will be referred to as "MDPSVCTF personnel." In brief, the MBN defines these terms as follows:
 - 1. Task Force Officer (TFO): The individual is a certified law enforcement officer, authorized to carry a firearm, has been deputized under MS Statue 41-29-112 as amended, is assigned to the supervision of the MDPSVCTF, successfully passed a background investigation by MBN, and is authorized to have access to MDPSVCTF files.
 - 2. Task Force Member (TFM): The individual is an employee of a governmental agency, is assigned to the supervision of the MDPSVCTF, has an active security clearance recognized by the MBN and is authorized to have access to MDPSVCTF files.
- B. In light of the significant cost and effort in on-boarding new MDPSVCTF personnel, and need for continuity to successfully combat violent crime, each Participating Agency agrees to provide its personnel to the MDPSVCTF for a period of at least two (2) years. This MOU imposes no maximum limit as to the time that any individual may remain on the MDPSVCTF.
- C. During periods of heightened crime and emergencies, the MDPSVCTF may need to operate for an extended period of time. To function properly, the MDPSVCTF depends

upon the unique contributions of each Participating Agency. During these periods, all MDPSVCTF personnel are expected to be available to support MDPSVCTF activities unless released to the Participating Agency.

- D. Due to the operational needs of the MDPSVCTF, assignment to special details or duties outside of the MDPSVCTF by the Participating Agency must be coordinated with the MDPSVCTF Supervisor.
- E. Although MDPSVCTF personnel will report to their participating agency for non-investigative administrative matters, leave requests will be coordinated with the MDPSVCTF supervisor to ensure staffing availability.
- F. Non-MBN MDPSVCTF personnel remain subject to the rules, regulations, laws, and policies applicable to employees of the participant's respective agency and will also adhere to the MBN's ethical standards. Where there is a conflict between the standards or requirements of the Participating Agency and the MBN, the standard or requirement that provides the greatest organizational protection or benefit will apply, unless the MBN and the Participating Agency jointly resolve the conflict otherwise.
- G. MDPSVCTF personnel must adhere to the same rules and regulations as MBN employees regarding all policies of conduct and activities.
- H. Continued assignment to the MDPSVCTF will be based on performance and at the discretion of each MDPSVCTF member's Participating Agency. The MBN Director will also retain discretion to remove any member from the MDPSVCTF.

VII. DEPUTATION/SECURITY CLEARANCE/DEADLY FORCE POLICY

- A. Non-state personnel, who may be assigned to the MDPSVCTF as a TFO will be deputized as a non-compensated contract agent with MBN. The MBN will secure the required authorization for their deputation. This will ensure that TFOs' can sufficiently assist within statutory authority.
- B. MDPSVCTF personnel may be required to handle sensitive and classified information, have access to classified systems, and/or have access to secure office space. Therefore, participants must be eligible to obtain and maintain an appropriate security clearance, and access to Sensitive Compartmented Information (SCI). MDPSVCTF personnel being granted access to SCI must successfully complete an extensive background and polygraph examination. All MDPSVCTF personnel will execute non-disclosure

agreements deemed necessary by the MBN for the protection of classified and sensitive information.

- C. The use of deadly force will be adhered to by each MDPSVCTF participant's employing agency.

VIII. COORDINATION

- A. The Participating Agency will not act unilaterally on any matter affecting the MDPSVCTF. However, all law enforcement and intelligence and demand reduction actions will be coordinated through group synergy and participation. The parties agree that matters designated to be handled by the MDPSVCTF shall not knowingly be subject to non-MDPSVCTF unless authorized by the designated supervisor.
 - B. It will be permissible with coordination and approval by the MDPSVCTF Supervisor, that a MDPSVCTF TFO may initiate or be assigned an investigation solely under the Participating Agency's authorities. In such cases, the investigation will be supervised by the Participating Agency and conducted under the authority of the Participating Agency.
 - C. MDPSVCTF criminal investigative procedures will conform to the requirements for state and federal prosecution. It is expected that the appropriate District and United States Attorney, in consultation with the MBN and affected MDPSVCTF partners, will determine on a case-by-case basis whether the prosecution of cases will be at the city, county, state or federal judicial entity advancing the interest of justice.
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- D. All media releases shall be mutually agreed upon, jointly handled by the Participating Agencies and coordinated and approved through the MBN Public relations Director or designee prior to release.

IX. INFORMATION SHARING/REPORTS AND RECORDS

- A. Reports of investigation, intelligence, complaints, and memos will be prepared and disseminated in compliance with MBN policy, unless authorized otherwise by the approving authority. All documents shall be maintained in accordance with MBN records management policy unless otherwise authorized by the approving authority. Additionally, all documents will be maintained under the expressed authority of MBN and shall be released only upon approval by the designated supervisor and/or MBN Legal Division.

- B. All information gleaned resulting from MDPSVCTF investigations will be subject to the policies regarding documents as it relates to sharing and dissemination. However, participating agency heads will be routinely briefed on MDPSVCTF matters by the MBN Director, Enforcement Commander, or MDPSVCTF Supervisor.
- C. The MDPSVCTF personnel are strictly prohibited from disclosing any classified information to individuals, who do not possess the appropriate security clearance and where there is no necessitating reason to divulge or disclose such information. This action makes binding by prepublication review to protect against the unauthorized disclosure of such information by all participants of the MDPSVCTF.
- D. The MBN and participating agencies will function in full immediate disclosure if an instance arises involving data exchanged being utilized, disclosed, or accessed in an unauthorized manner (including any data losses or breaches).
- E. The MDPSVCTF will function fully and expressly in accordance with the United States and Mississippi Constitutions.

X. SALARY/OVERTIME COMPENSATION/FUNDING

- A. The MBN and participating agencies agree to assume all personnel costs for their respective assigned representatives to include salaries, overtime payments and fringe benefits.
- B. Contingent upon approved funding, the MBN agrees to reimburse the participating agency's cost of overtime worked by personnel assigned full-time to the MDPSVCTF. The overtime expenses reimbursed shall be associated and related to an ongoing investigative inquiry or matter authorized by the MDPSVCTF supervisor before being reimbursed. A separate Cost Reimbursement Agreement (CRA) must be executed between the MBN and participating agencies. Otherwise, overtime shall be compensated in accordance with the applicable participating agency's overtime provisions and shall be subject to the prior approval of appropriate personnel.
- C. Except as stated in Section X.B., this MOU is not an obligation or commitment of funds, nor a basis for transfer of funds. Even where one of the parties to this MOU has agreed (or later does agree) to assume a particular financial responsibility, such party's express written approval must be obtained before incurring any expense expected to be assumed by the other party. All obligations of and expenditures by the parties to this MOU will be subject to each party's respective budgetary and fiscal processes and

availability of funds pursuant to all applicable laws, regulations, and policies. The parties to this MOU acknowledge that there is not intimation, promise, or guarantee that funds will be available in current or future years.

- D. The reimbursement of all overtime or authorized expenses is subject to the availability of appropriated funding. In addition, a specific of overtime reimbursement will be decided for agency participant representatives ubiquitously and shall not exceed the established amount unless approved by the board. Therefore, the MDPSVCTF supervisor shall have the responsibility of managing hours worked by all agency participants.

XI. TRAVEL

All MDPSVCTF-related travel of non-MBN personnel requires the approval of the MDPSVCTF Supervisor and Participating Agency's authorization prior to travel. To avoid delay in operational travel, the participating agency will provide general travel authority to their assigned employee(s) to the MDPSVCTF. It shall be the responsibility of the assigned participant to ensure the appropriate notifications within his or her participating agency, as well as standard MBN travel approvals are made.

XII. LIABILITY

Each Participating Agency is responsible for its own actions, including that of its personnel assigned to the MDPSVCTF. Any liability arising from the actions of a participating agency shall be borne solely by the agency that performed the action creating liability. Any individual requesting indemnification for activity performed in connection with the MDPSVCTF may seek such indemnification only for the participating agency for whom that individual is an employee according to those agencies policies and procedures. Pursuant to Miss Code Ann. 11-46-9 (1) (c) MBN Agents as well as all State and Local police officers are protected by the Mississippi Tort Claims Act. TFOs and TFM's shall not be considered employees of MBN for any purpose.

XIV. DURATION

- A. The term of this MOU is for the duration of the MDPSVCTF's operation, contingent upon approval of necessary funding, but may be terminated at any time upon written mutual consent of the participating agencies involved.
- B. Any participating agency may withdraw from the MDPSVCTF at any time by written notification to the MBN Director and Executive Board at least 30 days prior to

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withdrawal. The MBN Director will also retain discretion to remove an agency and/or its representative from the MDPSVCTF with written notice.

- C. Upon termination of this MOU, all equipment provided to the MDPSVCTF will be returned to the supplying participating agencies. In addition, when a Participating Agency withdraws from the MOU, the participating agency will return equipment to the supplying Participating Agencies. Similarly, any remaining Participating Agency will return to a withdrawing Participating Agency any unexpended equipment supplied by the withdrawing Participating Agency.

XIII. MODIFICATIONS

This agreement in no manner affects any existing agreements with the MBN or any other agency. This agreement may be amended only by mutual written consent of the parties. The modifications shall have no force or effect unless such modifications are reduced to writing and signed by an authorized representative of the MBN and the participating agency.

XIV. SIGNATORIES

Name:	Date
Title:	
Organization:	

Name:	Date
Title: Executive Director	
Organization: Mississippi Bureau of Narcotics	

D. Discuss/Approve rejection of the sole Bid in the amount of \$3,550,694.00 and readvertisement for Bids for Propst Park Youth Baseball Field Improvements.

Kevin Stafford, dba Neel-Schaffer, Inc., came forward and recommended rejecting the sole Bid in the amount of \$3,550,694.00 for Propst Park Youth Baseball Field Improvements. He has a meeting 9/28/2022 with CL&W and will consider some other options to curtail cost, such as lighting, different phases, etc. NSI only received one bid. Two (2) potential bidders are busy with other projects and could not devote time to this project. If the City waits until spring 2023, we may receive additional bids and potential competitive costs. Council Member Beard made a motion to reject the bid for Propst Park Youth Baseball Field Improvements at a bid price of \$3,550,694.00. Council Member Greene seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

CLOSED DETERMINATION:

Council Member Jones made a motion to go into closed session to determine whether it is necessary to go into Executive Session. Council Member Greene seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

All members of the public, with the exception of the Mayor, the Council, the General Counsel, the COO, the Police Chief, and the HR Director, exited the meeting.

Mayor Gaskin apprised the Council of one (1) Personnel matter involving the job performance of an employee in the Public Works Department and remarked that this matter warrants being heard in Executive Session

Council Member Jones made a motion to go in Executive Session to discuss one (1) Personnel matter. Council Member Greene seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

The COO announced to the general public outside the Council Chambers that the Council was going into Executive Session to discuss one (1) Personnel matter.

IX. EXECUTIVE SESSION

PERSONNEL MATTER (1)

The matter of personnel to come before the Mayor and City Council involves the job performance of an employee in the Public Works Department. Public Works Director, Casey Bush, reported that Employee I. D. Number 1499 failed to report to work on Monday, September 12, 2022 and did not call his immediate supervisor. Later that evening, his immediate supervisor was informed that Mr. Williams would not be coming back and had found employment elsewhere. Mr. Bush recommended that his employment with the City of Columbus be terminated. Council Member Jones made a motion to accept the Public Works Director's recommendation to terminate Employee I. D. Number 1499 for failure to show up for work. Council Member Stewart seconded the motion.

All Council Members voted in favor of the motion, with the exception of Council Member Beard, who had signed off ZOOM.

The motion carried 5/1.

OPEN SESSION:

Council Member Mickens made a motion to end the discussion of these matters and return to Open Session. Council Member Greene seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 5/1.

The COO announced to the general public outside the meeting room that the Council was back in Open Session.

The General Counsel announced that the Mayor and Council went in Executive Session to discuss one (1) personnel matter involving the job performance of an employee in the Public Works Department and voted to terminate his employment with the City of Columbus for failure to report for work.

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 Stewart and unanimous vote, the Mayor announced that the meeting was ADJOURNED.

Approved by: _____
Keith Gaskin, Mayor

James "Jim" Brigham
CFO/Secretary-Treasurer/City Clerk

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