

# **MEETING OF THE MAYOR AND CITY COUNCIL CITY OF COLUMBUS, MS OCTOBER 18, 2022**

The Mayor and City Council met in Regular Session on Tuesday, October 18, 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. Also present were the COO, CFO, 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 Pastor Christopher Atkinson of the Seventh Day Adventist Church of Columbus to offer the Invocation. Mayor Gaskin also called Rev. William Vaughn, Pastor of Armstrong M. B. Church of Columbus to offer the Invocation.

## **II. CONFIRMATION OF/OR AMENDMENTS TO THE AGENDA:**

A request was made to add Item "I" – *Discuss Golden Triangle Waste Management* to the Policy Agenda. Council Member Mickens made a motion to approve the agenda with one (1) amendment. Council Member Greene seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

## **III. APPROVE MINUTES FOR MEETING OF OCTOBER 4, 2022.**

Councilwoman Diccio made a motion to approve the Minutes for the Meeting of October 4, 2022. Councilwoman Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

## **IV. CONSENT AGENDA:**

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- A. Accept letter of resignation from Public Works employee, Rhonda Bailey, effective October 20, 2022, and authorize the H R Director to begin the normal recruitment process.
- B. Approve request for CPD Officer, Christopher Ware, to attend the “9<sup>th</sup> Annual One Loud Voice Conference” to be held in Biloxi, Mississippi and approve use of City vehicle and reimbursement for meal expenses.
- C. Approve permit request submitted by Debbie Criddle, on behalf of First United Methodist Church, Annunciation Catholic Church and St. Paul’s Episcopal Church, to host a “Fall Festival” to be held on October 30, 2022 from 4:00 p.m. until 6:30 p.m. *See attached map.*
- D. Approve permit request submitted by Barbara Bigelow, on behalf of Main Street Columbus, Inc., to host the “Christmas Tree Lighting” to be held on November 28, 2022 from 5:30 p.m. until 7:00 p.m. in the grassy area by the Pedestrian Bridge.
- E. Approve permit request from Barbara Bigelow, on behalf of Main Street Columbus, Inc., to host “Wassail Fest” to be held on December 2, 2022 from 5:00 p.m. until 8:00 p.m. in Downtown Columbus. *See attached map.*
- F. Approve request for Fire and Rescue personnel, Marco Rodriguez, to attend “MS Training Officer” to be held in Gulfport, MS, and approve payment of \$345.00 for registration, travel in a City vehicle and reimbursement for meal expenses.
- G. Approve request for Fire and Rescue personnel, James Dunnam and Monterel Neal to attend “MSTAT-MS Trainee Agility Test” to be held in Starkville, MS, and approve payment of \$40.00 each for registration.
- H. Approve request for Fire and Rescue personnel, James Dunnam and Monterel Neal to attend “Haz-Mat Awareness & Operations On-line course” to be held in Gulfport, MS, and approve travel in City vehicle.
- I. Approve use of The Hitching Lot (Farmers Market) and permit request submitted by Diamonz Brown, on behalf of 50 Shades of Fall, to host a “Fall Festival” to be held on November 26, 2022, from 10:00 a.m. until 4:00 p.m.
- J. Accept letter of resignation from Public Works Laborer Edward Williams, effective October 13, 2022, and authorize the HR Director to begin the normal recruitment process.

- K. Approve request for the Municipal Court Administrator, Wendy Blunt, to attend the "*Court Administrators Fall 2022 Conference*" to be held in Biloxi, MS, at no cost to the City.
- L. Approve request for the Municipal Court Administrator, Wendy Blunt, to attend the "*Mississippi Municipal Court Clerk Association Class*" to be held in Meridian

Council Member Mickens made a motion to approve the Consent Agenda as presented. Councilwoman Diccico 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:**

Councilwoman Stewart made a motion to approve the Docket of Claims for October 18, 2022, in the amount of \$569,400.51. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion, except Council Member Diccico, who opposed.

The motion carried 5/1.

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

- A. Mayor Gaskin asked the Council Members if they had any comments/announcements.

Councilwoman Stewart announced that there will be a Breast Cancer Awareness event held at Townsend Community Center on October 27 at 10:00 a.m.

Council Member Jones announced that his wife is sponsoring a ZUMBA in PINK class on October 29 at Sim Scott. Please wear Pink.

Council Member Beard announced that the State of the Ward meeting will be held Monday, October 31, 2022 at 6:00 p.m. Snacks will be available.

Mayor Gaskin offered the following observations/remarks:

- Last week, the City of Columbus and the Convention and Visitors Bureau, along with the Community, had the pleasure of dedicating a street sign to Mr. Henry Armstrong. The street sign is located on the corner of 3<sup>rd</sup> Street

North next to the Welcome Center (Tennessee Williams' Home). The City Council voted to name the street Henry Armstrong Way, which will continue down 3<sup>rd</sup> Street North adjacent to the soccer fields in 2019, so we are happy to bring this to fruition. The Columbus native started his professional boxing career on July 28, 1931, and in 1932 he moved to Los Angeles to continue his boxing career with 22 straight victories in 1937 –the same year he was named Fighter of the Year. October 13 was dedicated as Henry Armstrong Day in Columbus, MS. Plans are being considered for more activities to celebrate the life and legacy of Mr. Armstrong in October 2023 in consultation with his family and local advocates. A special thank you to the Armstrong family and the dedicated volunteers in Columbus who have worked so hard to bring Mr. Armstrong the recognition he deserves in Columbus.

- Mayor Gaskin also reported that the manager of Golden Triangle Waste Services requested a meeting with him and General Counsel Turnage and it has been scheduled for Wednesday, October 19.

**DATES TO KEEP IN MIND:**

- The National Weather Service Statewide Tornado Drill will occur tomorrow morning at 9:15 a.m., weather permitting, as part of severe weather preparedness week in Mississippi.
- The 9<sup>th</sup> Annual Loaves & Fishes Fundraiser will be this Thursday, October 20 at Annunciation Activity Center, from 5:00 p.m. – 7:00 p.m.
- Columbus High Homecoming parade will be this Thursday, October 20 at 5:00 p.m. followed by a community pep rally on the football field at 6:00 p.m.
- Columbus High will have its Homecoming game on October 21 at 7:00 p.m.
- All Inclusive Obstacle Course sponsored by Rowdy Foundation will be Saturday, October 22 at the Soccer complex at 9:00 a.m.
- Diabetes Foundation of Mississippi, to host the “Mississippi’s Walk for Diabetes” will be held Sunday, October 23, 2022 from 10:00 a.m. until 4:00 p.m. at the Riverwalk.
- MUW Welty Weekend has been cancelled.
- The Annual Roast-N-Boast Main Event will be October 28-29 at the Columbus Fairgrounds.
- The Columbus Benefit Committee and Lowndes County Sheriff’s Department will host The Purge Fundraiser at the Fairgrounds on October 28 – 31, 2022.
- The next Keep Columbus Beautiful Litter Pick-Up event will be Saturday, October 29 from 8:00 a.m. to 11:00 a.m. This is a community-wide event in which all wards will be participating.

- Also on Saturday, October 29, there will be a Zumba in Pink event in recognition of Breast Cancer awareness. It will be held from 10:00 a.m. until noon at Sim Scott. This is a fundraising event and the registration fee is \$20. Wear Pink!
- Columbus Parks & Recreation Fall Festival will be Saturday, October 29 at Propst Park from 6:00 p.m. – 8:00 p.m. There will be a costume parade, treats and more.
- Also, many churches, organizations, schools, etc. are holding fall festivals, trunk-A-treat, events, so we encourage everyone to get out and enjoy.
- Lastly, as we move into the holiday season, we ask our community to donate to the pantry boxes, donate to United Way and other charitable organizations.

#### **B. Presentation of Commendation to Officer Justin Robinson**

Interim Chief Johnson came forward and presented a Certificate of Commendation and a Chief's Coin to Officer Justin Robinson for being proactive and offering medical assistance to an elderly citizen. Officer Robinson's dedication to duty, selfless service, training, and outstanding professional ability contributed to the survival of this citizen. This recommendation was requested by Captain Rick Jones.

#### **MONTHLY REPORTS:**

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

Councilwoman Dicicco requested an update on equipment for the Crime Lab. Mayor Gaskin reported that the Board of Supervisors agreed to purchase a GC-MS (**Gas chromatography–mass spectrometry**). The General Counsel will prepare an agreement for both entities to sign.

#### **C. Forensic Lab Monthly Report for September 2022**

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

#### **D. Building Inspection Department Monthly Report for September 2022**

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

#### **E. City Garage Monthly Report for September 2022**

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

**F. Code Enforcement Monthly Report for September 2022**

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

**G. Public Works Department Monthly Report for September 2022**

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

**H. Columbus Fire and Rescue Department Monthly Report for September 2022**

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

**I. Columbus Police Department Monthly Report for September 2022**

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

**J. Office of Planning and Community Development Monthly Report for September 2022**

The Monthly Report for the Office of Planning and Community Development for September 2022 was presented. No action was taken. Councilwoman Dickey remarked that Mr. Irby traveled to Washington D.C. and met with a congressman regarding HUD.

**K. Human Resources Department Monthly Report for September 2022**

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

**L. Trotter Convention Center Monthly Report for September 2022**

The Monthly Report from the Trotter Convention Center for September 2022 was presented. No action was taken.

**M. Parks & Recreation Department Report for September 2022**

The Monthly Report from the Parks & Recreation Department for September 2022 was presented. No action was taken.

**N. Municipal Court Department Monthly Report for September 2022**

The Monthly Report from the Municipal Court Department for September 2022 was presented. No action was taken.

**O. Board Vacancies**

Ms. Jammie Garrett announced vacancies on various boards and remarked that no appointments will be made tonight.

**BOARD OF ADJUSTMENTS & APPEALS OF DEVELOPMENT CODES**

1 Vacancy, 2-Year Term, Ralph McClain's Term Expires 11/03/2022.  
Appointment will be made November 1, 2022.  
Applicant must be an Electrical Engineer or Contractor.

**CITY PLANNING COMMISSION**

2 Vacancies, 3-Year Term, Jarvin Fenster's Term Expires 11/19/2022.  
Appointments will be made November 15, 2022.

**HISTORIC PRESERVATION COMMISSION**

1 Vacancy, The Remainder of Kenny Frye's 4-Year Term Expires 9/20/2024.  
Kenny Frye resigned September 29, 2022 due to moving outside of the city limits.  
Appointment will be made November 15, 2022.

**P. Monthly Financial Report**

Jim Bringham, CFO, distributed the Monthly Financial Report, which includes the General Fund balance of \$5,751,454.91, which is an increase of \$2,721,364.66 compared to the same time last year. Total Sales Tax Receipts for September 2022 are \$898,820.91 and YTD collections are \$10,841,050.42.

**VII. CITIZENS INPUT AGENDA:**

**A. Ms. Penny Bowen, Revitalization of Leadership Plaza**

Ms. Penny Bowen, with Main Street Columbus, came before the Mayor and City Council and requested permission from the City of Columbus (property

owner of Leadership Plaza) to apply for a grant up to \$50k for improvements. Following a lengthy discussion of the request, Council Member Jones made a motion to authorize Ms. Bowen to apply for a grant up to \$50k to revitalize Leadership Plaza. Council Member Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

**B. Carl Smith, MDA, request for use of Trotter Convention Center as a donation**

Mr. Carl Smith, Procurement Advisor from Mississippi Development Authority, and Ms. Angela Blackburn, Flight Chief at Columbus Air Force Base, came before the Mayor and Council with a request for the City of Columbus to be a sponsor and partner with them by offering the Trotter Convention Center as in-kind service for an event scheduled for February 22-23, 2023 from 8:00 a.m. 4:00 p.m. on the 22<sup>nd</sup> and 8:00 a.m. – noon on the 23<sup>rd</sup>. They anticipate 500 people to attend this event. Ms. Blackburn stated that CAFB does not have a budget for this event. Ms. Rogena Bonner came forward and remarked that these dates are not available, but February 16-17, 2023 is open at this time. The Council offered options about use of other facilities in Columbus. Council Member Greene made a motion to table this request. Councilwoman Diccico seconded the motion.

All Council Members voted in favor of this motion.

The motion carried 6/0.

**VIII. POLICY AGENDA:**

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

**KATIE FRANKLIN AND ANY HEIRS AT LAW**

**1215 5<sup>th</sup> Street South**

**CASE NUMBER: 22-0303      DILAPIDATED STRUCTURE**

The General Counsel called cause number **22-0303**. 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 an Order be entered to such effect, requested **immediate abatement** and an Order be issued for the property. Council Member Jones 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 Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

**L. A. NANCE AND/OR ANY HEIRS AT LAW**  
**1804 10<sup>th</sup> avenue North**  
**CASE NUMBER: 22-0297      DILAPIDATED STRUCTURE**

The General Counsel called cause number **22-0297**. 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 an Order be issued for the property. Council Member Jones 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 Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

**WILLIAM AND MINNIE PEARL LANGFORD**  
**AND ANY HEIRS AT LAW; AND BONNIE**  
**CANTRELL**  
**509 20<sup>th</sup> Street North**  
**CASE NUMBER: 22-0307      DILAPIDATED STRUCTURE**

The General Counsel called cause number **22-0307**. 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 an Order be entered to such effect, requested **immediate abatement** and that an Order be issued for the property. Council Member Jones 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 Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

**KAMAL KARRIEM JR. d/b/a ISAIAH 61 MINISTRIES**  
**804 15<sup>th</sup> Street North**  
**CASE NUMBER: 22-0315      DILAPIDATED STRUCTURE**

The General Counsel called cause number **22-0315**. No one appeared. Code Enforcement Officer, Sasha James, remarked that 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 an Order be entered to such effect, requested **immediate abatement** and an Order be issued for the property. Council Member Jones 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 Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

**LAWRENCE WILSON**  
**312 6<sup>th</sup> Avenue North**  
**CASE NUMBER: 22-0317      BURNED STRUCTURE**

The General Counsel called cause number **22-0317**. Mr. Lawrence Wilson, property owner, did not appear in person but made a request to the Code Enforcement Officer for a 45-day extension to allow him to remediate the property. Code Enforcement Officer Sasha James concurred with the request and recommended a **45-day extension**. 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. Council Member Greene made a motion give the property

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owner a **45-day extension** to remediate the property, and that an Order be issued for the property 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 remove rubbish, personal property and other debris no more than twelve (12) times in a twenty-four (24) month period. Council Member Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

**WADE J. WILSON**

**1411 Schoolhouse Avenue**

**CASE NUMBER: 22-0329**

**VEGETATION**

The General Counsel called cause number **22-0329**. This property has changed hands and the new owner requests 15 days to remediate. Code Enforcement Officer Sasha James concurred with the request and recommended a **15-day extension**. 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. Council Member Jones made a motion give the property owner a **15-day extension** to remediate the property, and that an Order be issued for the property 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 remove rubbish, personal property and other debris no more than twelve (12) times in a twenty-four (24) month period. Council Member Greene seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

General Counsel Turnage reported that the Council previously appointed Code Enforcement Officer Sasha James as Officer for the City who could, in her discretion, if cost to clean up property was \$250.00, make a finding that the property was a menace to the public, health, safety and welfare of the community and proceed to remediate the property with Public Works of by a contractor if less than \$250.00. She has noticed 21 owners of properties within the \$250.00 threshold. 21-19-11 requires that those notices be incorporated in the official minutes of the Mayor and City Council, but we

need a motion to this effect. Council Member Beard made a motion pursuant to the language above. Councilwoman Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

*These 21 notices will be added to the official minutes and placed in the minute book when received.*

**B. Discuss/Approve the revision of the Community Outreach Director job description and allow the Human Resources Director to begin the normal recruitment process.**

Council Member Mickens made a motion to approve the revised job description for the vacant position of Community Outreach Director and authorize the Human Resources Director to begin the normal recruitment process. Council Member Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

**C. Discuss/Approve recommendations from the October 3, 2022 Columbus Historic Preservation Commission meeting.**

**CHPC CASE NO. 22-05**  
**On Behalf of Bill Strauss**  
**101 5<sup>TH</sup> Street South**  
**Columbus, MS 39701**

On October 3, 2022, with a vote of five for and two against, the Columbus Historic Preservation Commission approved the amended request to install a nine-foot-by-twenty-seven-foot uncovered balcony on the north side of the building along Main Street to be used for a private balcony. This balcony will encroach into the City's right-of-way. Council Member Greene made a motion to approve the request for the property owner to install a nine-foot-by-twenty-seven-foot uncovered balcony on the north side of the building along Main Street to be used for a private balcony. Councilwoman Dickey seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

*The Council also discussed complaints from citizens regarding garbage overflowing trash cans and on the sidewalk on 5<sup>th</sup> Street. Mr. Strauss responded by saying if he is aware of the trash and debris and knows the garbage will not be picked up; he will pick it up in his personal vehicle.*

**D. Discuss/Approve recommendations from the October 10, 2022 Planning Commission meeting.**

**P/C Docket No. 22-03**

**On behalf of Major Andrews IV**

**1123 Shady Street**

**Tax Parcel 56W20-03-01800**

*R-1 Single Family Residential District*

***Request to rezone the property from R-1 Single Family Residential District to R-3 Multi-Family Residential District***

*The Planning Commission unanimously recommended approval of request.*

Council Member Beard 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 rezone property at 1123 Shady Street from R-1 Single Family Residential District to R-3 Multi-Family Residential District be approved by Council. Council Member Mickens seconded the motion. Building Official, Kenny 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.

**Permitted Use Request P/U 22-16**

**On behalf of Zachary Senn**

**1025 2<sup>nd</sup> Avenue North**

**Tax Parcel 61W10-01-12500**

*R-1 Single Family Residential District*

***Request to use the property as a short-term rental as listed on Airbnb.***

*The Planning Commission unanimously recommended approval of request.*

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 use the property at 1025 2<sup>nd</sup> Avenue North as a short-term rental as listed on Airbnb be approved by Council. Councilwoman Stewart 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.

**E. Discuss/Approve a request to apply for a Certified Local Government Grant in the amount of \$10,000.**

George Irby, City Planner and Community Development Director, requested permission to apply for a 2022 Certified Local Grant (CLG) and authorize the Mayor to sign all pertinent documents. Council Member Beard made a motion to approve the request to give the City Planner permission to apply for a Certified Local Government Grant in the amount of \$10,000 and authorize the Mayor to sign all pertinent documents. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

**F. Discuss/Approve request to hire one (1) Laborer in the Public Works Department at \$12.50 per hour.**

Council Member Beard made a motion to approve the request to hire **LEWIS WILSON** as a Laborer in the Public Works Department at \$12.50 per hour, contingent on successful completion of a pre-employment medical exam and drug screen. Councilwoman Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

**G. Discuss/Approve grant of nonexclusive easement to buyer of hotel site.**

General Counsel Turnage apprised the Mayor and Council of a request to grant a nonexclusive easement to the buyer of a hotel site, Block 25 North of

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Main Street in Section 16, Township 18 South, Range 18 West, City of Columbus, Lowndes County, MS. For and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, cash in hand paid by SHREENATHJI, INC., and its successors and assigns, (Grantee), receipt of which is hereby acknowledged, the City of Columbus, Mississippi, a municipal corporation, acting by and through its duly authorized Mayor and Secretary-Treasurer (Grantor), does hereby grant and convey unto Grantee, a non-exclusive easement to use for a period of twenty-five (25) years from the date hereof in the document that follows. Council Member Beard made a motion to approve the request to grant a non-exclusive easement to buyer of hotel site. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

**RELATED DOCUMENTS FOLLOWS:**

(THIS SPACE LEFT BLANK INTENTIONALLY)

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**PREPARED BY/ RETURN TO:**

**Mitchell, McNutt & Sams**

**Attn: Jeffrey J. Turnage**

**P. O. Box 1366**

**Columbus, MS 39703**

**662-328-2316**

**MSB # 9447**

**INDEXING INSTRUCTIONS:**

**Block 25 North of Main Street in Section 16, Township 18 South, Range 18 West, City of  
Columbus, Lowndes County, MS**

STATE OF MISSISSIPPI  
COUNTY OF LOWNDES

NON-EXCLUSIVE EASEMENT

For and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, cash in hand paid by SHREENATHJI, INC., and its successors and assigns, (Grantee), receipt of which is hereby acknowledged, the City of Columbus, Mississippi, a municipal corporation, acting by and through its duly authorized Mayor and Secretary-Treasurer (Grantor), does hereby grant and convey unto Grantee, a non-exclusive easement to use for a period of twenty-five (25) years from the date hereof, the following described property lying, being and situated in the City of Columbus, Lowndes County, State of Mississippi, to wit:

That part of Fifth Street North in the City of Columbus, Mississippi lying immediately West of and adjoining Square No. 25 North of Main Street, and East of and adjoining the right-of-way of U.S. Highway No. 45, and South of an extension of the South boundary line of Sixth Avenue North from the Northwest corner of said Square No. 25 North of Main Street to the East boundary line of said U.S. Highway No. 45, and North of an extension of the North boundary line of Fifth Avenue North from the Southwest corner of said Square No. 25 North of Main Street, to the East boundary line of said U.S. Highway No. 45.

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Said Grantee shall have the non-exclusive right to use said above described property as a means of ingress and egress from said U. S. Highway No. 45 to said Square No. 25 North of Main Street and for the purpose of providing parking space and facilities for the customers of any business enterprise constructed by said grantee or his predecessors and assigns upon said Square No. 25 North of Main Street; together with the right to open, grade, drain and surface the premises covered hereby.

Nothing herein contained shall alter, restrict or limit the right of the City of Columbus, Mississippi to grant any other easements, permits or franchises in said property not inconsistent with the rights granted hereby.

This instrument is executed pursuant to authority of an order adopted by said Mayor and City Council of the City of Columbus, Mississippi at its regular meeting of October 18, 2022.

IN WITNESS WHEREOF said City of Columbus, Mississippi has caused this instrument to be executed by its duly authorized officers and its corporate seal affixed hereto, on this the 18<sup>th</sup> day of October, A. D., 2022.

CITY OF COLUMBUS, MISSISSIPPI

BY: \_\_\_\_\_  
Keith Gaskin, Mayor

Attest:

\_\_\_\_\_  
Secretary-Treasurer

(CORPORATE SEAL)

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STATE OF MISSISSIPPI  
LOWNDES COUNTY

Personally appeared before me, the undersigned authority of law in and for said County and State, Keith Gaskin and James Brigham, Mayor and Secretary-Treasurer respectively of the City of Columbus, Mississippi, a municipal corporation, who acknowledged that they signed, sealed and delivered the foregoing instrument on the day and year therein mentioned for the purpose therein expressed as and for the act and deed of said municipal corporation being duly authorized to do so.

Given under my hand and seal, this the 18<sup>th</sup> day of October, A.D., 2022.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_

**H. Approve request for Mayor, select Council Members, select employees to attend the national League of Cities Conference, November 17 – 19, 2022, in Kansas City, MO and approve payment of registration, travel and meal expenses in the estimated amount of \$18,797.50. *This estimate is based on seven (7) people attending.***

Council Member Jones remarked that this is a networking opportunity and requested the Mayor and some (not all) Council Members attend. Council Member Mickens made a motion to approve the request for four (4) individuals to attend the National League of Cities Conference, November 17-19, 2022, in Kansas City, MO and approve payment of registration, travel and meal expenses. Council member Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

**I. Discuss Golden Triangle Waste Management**

All Council Members have to deal with garbage pick-up. The City is paying Golden Triangle Waste Management for two (2) pick-ups per week. Columbus Light and Water only bills for the service, but they could possibly help by adding notices in utility bills. The Mayor and Council engaged in a discussion of options to rectify this situation. No action was taken.

**CLOSED DETERMINATION:**

Council Member Beard made a motion to go into closed session to determine whether it is necessary to go into Executive Session. Councilwoman Stewart 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 four (3) Personnel matters involving the job performance of certain City employees and remarked that these matters warrants being heard in Executive Session

Council Member Jones made a motion to go in Executive Session to discuss three (3) Personnel matters. 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 three (3) Personnel matters.

## **IX. EXECUTIVE SESSION**

### **PERSONNEL MATTER (1)**

The first matter of personnel to come before the Mayor and City Council involves the rehire of an employee that previously worked in the Police Department, who resigned in June 2022. Interim Chief Johnson remarked that Employee, I.D. Number 962 had some disciplinary issues, but believes he understands the importance of following protocol. Council Member Beard made a motion to rehire Employee, I.D. Number 962 as a certified Police Officer at \$17.44 per hour, contingent on successful completion of a pre-employment medical exam and drug screen. Councilwoman Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

### **PERSONNEL MATTER (2)**

The second matter of personnel involves the job performance of an employee in Municipal Court, Employee, I. D. Number 244. Mayor Gaskin apprised the Council of this employee's performance while in City Court. This employee has experienced health issues in the past, which may be contributing to ineffective and inefficient job performance. Mayor Gaskin then suggested an Attorney that could perform serve in this capacity on an interim basis. There were questions about whether it would be a conflict for the suggested temporary replacement. Mayor Gaskin then stated that he would schedule a meeting with the employee and talk to him about the matter. General Counsel Turnage stated that we could not bring him to this meeting because the Employee handbook requires us to give him a three (3) day notice and that has not been done. Council Member Jones made a motion to authorize the Mayor to schedule a meeting with Employee I. D. Number 244 and ask for his resignation. If he does not resign, then, we give him a notice of intent to terminate his service and bring him before

the Mayor and Council. If the Council votes to terminate, then advertise to fill the position. Councilwoman Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

**PERSONNEL MATTER (3)**

Mr. Brigham, CFO, reported that the Accounts Payable Clerk, Employee I. D. Number 850 was the Payroll Clerk for the Police Department and performed other tasks as requested. She transferred to Finance and Administration in December 2021 and pay was adjusted to the hourly rate of AP Clerk, but she continued to be the Police Department's Payroll Clerk. Mr. Brigham requested to give her \$100.00 adjustment per pay period to continue handling the PD's payroll. The full-time Payroll Clerk position pays \$26,000 annually. By giving this employee a pay adjustment, the City is saving \$23,400.00 annually. The Council engaged in a lengthy discussion of this matter. Following the discussion, Councilwoman Diccio made a motion to pay Employee I.D. 850 \$100.00 per pay period for handling payroll for the Police Department and give her a City-owned laptop/iPad for the period of time she is performing this work. Council Member Greene seconded the motion.

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

The motion passed 5/1.

*Council Member Mickens exited the meeting.*

**PROSPECTIVE LITIGATION:**

General Counsel Turnage apprised the Mayor and Council of a Lawsuit involving Michael Guyse, explained what occurred and asked the Council if they wanted him to try to negotiate a settlement. The City's Law Enforcement deductible is \$75,000.00. The insurance company will appoint an attorney from another law firm, Phelps Dunbar. Council Member Greene made a motion to authorize the General Counsel to negotiate a settlement. Councilwoman Diccio seconded the motion.

All Council Members present voted in favor of the motion.

The motion carried 5/1.

**OPEN SESSION:**

MINUTES OF THE  
MAYOR AND CITY COUNCIL  
OCTOBER 18, 2022

Council Member Beard 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 three (3) personnel matters, one involving the rehire of a police officer that resigned June 2022 and voted to rehire the former employee; one involving the job performance of an employee in Municipal Court and voted to meet with the employee, and an employee in Finance and Administration and voted to adjust the employee's pay for continuing to perform work from another department. The Council then authorized the General Counsel to negotiate terms in a prospective litigation matter.

**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 Councilwoman 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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