

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

The Mayor and City Council met in Regular Session on Tuesday, December 20, 2022 at 5:00 p.m. in the Court Chambers of the Municipal Complex. Mayor Keith Gaskin presided over the meeting via ZOOM and Council Members Mickens, Greene, Jones and Dickeyco attended the meeting in person. Councilwoman Stewart and Councilman Beard participated in the meeting via ZOOM. 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 James White of Redeemer Church, Columbus, MS to offer the Invocation.

II. CONFIRMATION OF/OR AMENDMENTS TO THE AGENDA:

Council Member Mickens made a motion to adopt the Agenda as presented. 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 DECEMBER 6, 2022 AND MINUTES FOR THE SPECIAL MEETING OF DECEMBER 15, 2022

Councilwoman Dickeyco made a motion to approve the Minutes for the Meeting of December 6, 2022 and Minutes for the Special Meeting of December 15, 2022. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

IV. CONSENT AGENDA:

- A. Approve request to send five (5) CPD Officers/Cadets: Dustin Capps, Neosha Dozier, Roderick Clark, Benjamin Perriman and Victor Salter to the *“Mississippi Delta Community College Law Enforcement Training*

Academy” in Moorhead, MS, and approve cost of \$3,600.00 each for tuition and reimbursement of \$350.00 each for clothing allowance upon graduating from the Academy.

- B. Approve request for Mayor Gaskin to attend the Mayor’s Innovation Project to be held January 19 – 21, 2023 in Washington, D.C., and approve payment of registration, travel and reimbursement of meal expenses in a total estimated cost of \$1,650.00.
- C. Approve request for one (1) Fire and Rescue personnel, Sally Kerstetter, to attend “NFPA 1001 I-II Basic Fire Fighter Course” to be held in Pearl, MS, and approve payment of \$500.00 for registration, \$350.00 for travel and reimbursement of meal expenses estimated to be \$800.00.

Council Member Mickens made a motion to approve the Consent Agenda as presented. Council Member Greene 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 Greene made a motion to approve the Docket of Claims for December 20, 2022, in the amount of \$587,864.79. Council Member Greene seconded the motion.

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 Jones wished City employees and the public a Merry Christmas and a Happy New Year.

Council Member Beard wished City employees and the public a Merry Christmas and a Happy New Year and announced that the next State of the Ward meeting for Ward IV will be held Monday, December 26, 2022.

Mayor Gaskin proceeded with the following observations/remarks:

“On behalf of the Council and myself, we’d like to wish everyone a safe and happy holiday season. We ask you to please be mindful when celebrating that the City has an Ordinance against setting off fireworks within the City limits. We also ask our citizens to be aware of upcoming weather conditions, especially if you are traveling.”

Also, we would like to thank Interim Chief Doran Johnson for his service. Our new Police Chief, Joseph Daughtry, will be sworn in on December 27, at 2:00 p.m. at the Municipal Complex and he’s scheduled to start next year.

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

- **Kaelan Brownstein**

Mayor Gaskin swore in Fire & Rescue Firefighter Kaelan Brownstein as the Firefighter recited the Oath of Office. Members of the Fire & Rescue Command Staff were present to present Firefighter Brownstein his helmet and insignia. Chief Hughes applauded Firefighter Brownstein for having the highest academic GPA in his class.

MONTHLY REPORTS

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

Council Member Jones asked the Fire Chief questions about individuals having access to the old Fire Station on Airline Road and asked him to ensure that the building is secured.

Council Member Mickens wished Casey Bush and George Irby a happy birthday.

C. Forensic Lab Monthly Report for November 2022

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

D. Building Inspection Department Monthly Report for November 2022

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

E. Public Works Monthly Report for November 2022

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

F. Code Enforcement Monthly Report for November 2022

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

G. Columbus Fire and Rescue Monthly Report for November 2022

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

H. Trotter Convention Center/Care & Maintenance Monthly Report for November 2022

The Monthly Report from the Columbus Trotter Convention Center/Care and Maintenance Department for November 2022 was presented. No action was taken.

I. Office of Planning and Community Development Monthly Report for November 2022

The Monthly Report from the Office of Planning and Community Development for November 2022 was presented. No action was taken.

J. Columbus Police Department for November 2022

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

K. Human Resources Department Monthly Report for November 2022

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

L. Municipal Court Monthly Report for November 2022

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

M. Park and Recreation Monthly Report for November 2022

The Monthly Report from the Park and Recreation Department for November 2022 was presented. No action was taken.

N. Garage Monthly Report for November 2022

The Monthly Report from the City Garage for November 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.

GOLDEN TRIANGLE REGIONAL WASTE MANAGEMENT AUTHORITY

1 Vacancy, 4-Year Term, Julie Goodin's Term Expires 12/31/2022.
Appointments will be made January 3, 2023.

APPLICANTS:

NONE AT THIS TIME

BOARD OF ADJUSTMENT & APPEALS OF DEVELOPMENT CODE

1 Vacancy, 4-Year Term, Joey Henderson's Term Expires 1/15/2023.
Appointment will be made January 17, 2023
Applicant must be a registered design professional with architectural or structural experience.

APPLICANT:

NONE AT THIS TIME

VII. CITIZENS INPUT AGENDA:

VIII. POLICY AGENDA:

A. Discuss/Approve Derelict Property Docket

MARY L. CHESTON

2004 7th Avenue North

CASE NUMBER: 22-0382 DILAPIDATED BUILDING

The General Counsel called cause number **22-0382**. No one appeared. Code Enforcement Officer Sasha James stated 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**

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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 Greene seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

OCTAVIA E. DICKERSON
1301 7th Avenue North
CASE NUMBER: 22-0379 DILAPIDATED BUILDING

The General Counsel called cause number **22-0379**. No one appeared. Code Enforcement Officer Sasha James stated the property was in such a state of uncleanliness as to be a menace to the public under Section 21-19-11 of the Mississippi Code and asked the Mayor and Council to adjudicate the property as such and that an Order be entered to such effect, requested **immediate abatement** 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 Greene seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

YOLANDA K. JONES
KENNETH A. JONES
425 24th Avenue North
CASE NUMBER: 22-0377

The General Counsel called cause number **22-0377**. No one appeared. Code Enforcement Officer Sasha James stated the property was in such a state of uncleanliness as to be a menace to the public under Section 21-19-11 of the Mississippi Code and asked the Mayor and Council to adjudicate the property as such and that an Order be entered to such effect, requested **immediate**

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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 Greene seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

Code Enforcement Officer presented four (4) cases, \$250.00 or less for adjudication. Council Member Greene made a motion to accept the notices for property clean-up of properties \$250.00 and less to be adjudicated according to statute. Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

THE LIST OF PROPERTIES FOLLOWS:

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\$250 OR LESS Derelict Properties for December 20, 2022 Mayor and City Council Meeting

Case # and Violation	Ward	Name and Address	Notes
22-0384 <i>Accumulation of Rubbish and Garbage</i>	4	David and Earlene Malone 1212 Waterworks Road	
22-0385 <i>Accumulation of Rubbish and Garbage</i>	4	Eye Property Solutions LLC 216 15th Street North	
22-0394 <i>Accumulation of Rubbish and Garbage</i>	4	Lofaye Walker and Joe Tate 255 Byrnes Circle	
22-0395 <i>Accumulation of Rubbish and Garbage</i>	5	Livingston Rental Properties LLC 710 18th Street North	

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NUISANCE PROPERTY NOTICE TO OWNER - PURSUANT TO
SECTION 21-19-11(2) OF THE MISSISSIPPI CODE (Effective 7/1/2022)

MALONE DAVID/EARLENE
385 GREENLAND RD
STARKVILLE, MS 39759

RE: 1212 WATERWORKS RD
APN: 56W20-03-10400
Case No: CE-22-0384
Officer: Sasha James - Ward: 4

Date: December 1, 2022

PLEASE TAKE NOTICE that the Mayor and City Council of the City of Columbus (the "Governing Authority"), having a population over one thousand five hundred (1500), has authorized the City of Columbus Code Enforcement Director and/or her assistant to determine whether the property or parcel of land is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community when the fee or cost to clean property or a parcel of land that is one (1) acre or less does not exceed Two Hundred Fifty Dollars (\$250.00), excluding administrative costs.

The particular condition(s) as determined by the authorized municipal employee existing as of the date of this notice is/are one or more of the following:

- ☐ The presence of overgrowth of weeds, grass or other vegetation
- ☒ The presence of rubbish/garbage and other debris
- ☐ The presence of abandoned building
- ☐ The presence of abandoned or dilapidated fence(s)
- ☐ The presence of burned structure
- ☐ The presence of dilapidated building(s), slabs or personal property
- ☐ The presence of property maintenance code violation
- ☐ The presence of standing water in cesspools
- ☐ The presence of cistern(s), standing water and cesspools

You are hereby advised that by this correspondence a determination has been made that the condition of property or parcel of land as described is a menace to the public health, safety and welfare of the community, and as such the governing authority of the City of Columbus, if the owner does not do so himself, on or before the 8th day of December, 2022, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds, filling cisterns, removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom.

YOU ARE ADVISED THAT A FINDING BY THE MUNICIPAL OFFICIAL THAT THE PROPERTY OR PARCEL OF LAND IS IN NEED OF CLEANING WILL AUTHORIZE THE MUNICIPALITY TO REENTER THE PROPERTY OR PARCEL OF LAND FOR A PERIOD OF TWO (2) YEARS AFTER THE MUNICIPAL OFFICIAL'S DETERMINATION WITHOUT ANY FURTHER HEARING OR ACTION IF NOTICE IS POSTED ON THE PROPERTY OR PARCEL OF LAND AND AT CITY HALL OR ANOTHER PLACE IN THE MUNICIPALITY WHERE SUCH NOTICES ARE GENERALLY POSTED AT LEAST SEVEN (7) DAYS BEFORE THE PROPERTY OR PARCEL OF LAND IS REENTERED FOR CLEANING. A COPY OF THE REQUIRED NOTICE MAILED AND POSTED AS REQUIRED BY MCA SECTION 21-19-11(2) (a)&(b) SHALL BE RECORDED IN THE MINUTES OF THE GOVERNING AUTHORITY IN CONJUNCTION WITH THE HEARING REQUIRED BY SAID SECTION.

Thereafter, the governing authority shall by resolution adjudicate the actual cost of cleaning the property under this provision, provided the same does not exceed Two Hundred Fifty Dollars (\$250.00) and may also impose a penalty not to exceed One Hundred Dollars (\$100.00) or one hundred percent (100%) of the actual cost of cleaning the property, whichever is more.

The cost and any penalty imposed may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property. The "cost assessed against the property" means either the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done, and additionally may include administrative costs of the municipality not to exceed Fifty Dollars (\$50.00). For subsequent cleaning within the one-year period, upon seven (7) days' notice posted both on the property or parcel of land adjudicated in need of cleaning and at city hall or another place in the municipality where such notices are generally posted, and consistent with the municipal official's determination as authorized, a municipality may reenter the property or parcel of land to maintain cleanliness without further notice or hearing no more than six (6) times in any twelve-month period with respect to removing abandoned or dilapidated buildings, slabs, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land, and the expense of cleaning of the property shall not exceed an aggregate amount of One Thousand Dollars (\$1,000.00) per year. The governing authority may assess the same actual costs, administrative costs, and penalty for each time the property or land is cleaned as otherwise provided. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. Upon written authority from the Secretary of State's office, for state-owned properties, a municipality may forgo the notification process that is prescribed in this subsection and proceed to clean the properties and assess costs as prescribed in this subsection, except that, penalties shall not be assessed against the State of Mississippi. A determination made by an appropriate municipal employee under this subsection (2) that the state or condition of property or a parcel of land is a menace to the public health, safety and welfare of the community shall not subsequently be used to replace a hearing if Section 21-19-11(1) is later utilized by a municipality when the prerequisites of Section 21-19-11(2) are not satisfied.

An appeal of this decision may be made to the Governing Authority of the City of Columbus and such appeal shall be in writing, state the basis for the appeal and be filed with the city clerk no later than seven (7) days from the latest date of notice required under MCA 21-19-11(2).

For any questions, please call Sasha James, the Code Enforcement Director for the City of Columbus at 662-245-5063 or 662-245-5070.

This 1st day of December, 2022,
Sasha James,
City of Columbus Director of Code Enforcement

A copy of this notice shall be recorded in the minutes of the governing authority in conjunction with MCA Section 21-19-11 (2).

At least seven (7) days before the date of cleaning, this notice is required to be posted on the property or parcel of land identified herein AND at city hall or such other place in the municipality where such notices are posted AND is required to be mailed, via United States Mail, postage prepaid, to the address of the property or parcel of land identified herein except where the land or structure(s) is apparently vacant, AND to the address where the ad valorem tax notice for the property or parcel of land identified herein is sent by the office charged with collecting ad valorem taxes for the subject property or parcel of land identified herein.

This Notice was posted on the subject property on: December 1, 2022

By: Sasha James, City of Columbus Director of Code Enforcement

This Notice was posted at the City Building Inspection Office on: December 1, 2022

By: Sasha James, City of Columbus Director of Code Enforcement

This Notice was mailed via United States Mail, postage prepaid, to each address identified above on: December 1, 2022

By: Sasha James, City of Columbus Director of Code Enforcement

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NUISANCE PROPERTY NOTICE TO OWNER - PURSUANT TO
SECTION 21-19-11(2) OF THE MISSISSIPPI CODE (Effective 7/1/2022)

EYE PROPERTY SOLUTIONS LLC
50005 SARTOR ROAD
GREENWOOD SPRINGS, MS 38848

RE: 216 15TH ST N
APN: 61W10-01-00800
Case No: CE-22-0385
Officer: Sasha James - Ward: 4

Date: December 6, 2022

PLEASE TAKE NOTICE that the Mayor and City Council of the City of Columbus (the "Governing Authority"), having a population over one thousand five hundred (1500), has authorized the City of Columbus Code Enforcement Director and/or her assistant to determine whether the property or parcel of land is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community when the fee or cost to clean property or a parcel of land that is one (1) acre or less does not exceed Two Hundred Fifty Dollars (\$250.00), excluding administrative costs.

The particular condition(s) as determined by the authorized municipal employee existing as of the date of this notice is/are one or more of the following:

- ☒ The presence of overgrowth of weeds, grass or other vegetation
- ☒ The presence of rubbish/garbage and other debris
- ☒ The presence of abandoned building
- ☒ The presence of abandoned or dilapidated fence(s)
- ☒ The presence of burned structure
- ☒ The presence of dilapidated building(s), slabs or personal property
- ☒ The presence of property maintenance code violation
- ☒ The presence of standing water in cesspools
- ☒ The presence of cistern(s), standing water and cesspools

You are hereby advised that by this correspondence a determination has been made that the condition of property or parcel of land as described is a menace to the public health, safety and welfare of the community, and as such the governing authority of the City of Columbus, if the owner does not do so himself, on or before the 13th day of December, 2022, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds, filling cisterns, removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris, and draining cesspools and standing water therefrom.

Code Section:	Corrective Action:	Compliance Date:
307.1 - Accumulation of Rubbish and Garbage	Remove all trash and debris from the property. All equipment, appliance, and/or material must be stored away from public view and/or stored in an enclosed structure. Generally, any equipment, materials or furnishings that would ordinarily not be used outdoors may not be stored outdoors.	December 13, 2022

YOU ARE ADVISED THAT A FINDING BY THE MUNICIPAL OFFICIAL THAT THE PROPERTY OR PARCEL OF LAND IS IN NEED OF CLEANING WILL AUTHORIZE THE MUNICIPALITY TO REENTER THE PROPERTY OR PARCEL OF LAND FOR A PERIOD OF TWO (2) YEARS AFTER THE MUNICIPAL OFFICIAL'S DETERMINATION WITHOUT ANY FURTHER HEARING OR ACTION IF NOTICE IS POSTED ON THE PROPERTY OR PARCEL OF LAND AND AT CITY HALL OR ANOTHER PLACE IN THE MUNICIPALITY WHERE SUCH NOTICES ARE GENERALLY POSTED AT LEAST SEVEN (7) DAYS BEFORE THE PROPERTY OR PARCEL OF LAND IS REENTERED FOR CLEANING. A COPY OF THE REQUIRED NOTICE MAILED AND POSTED AS REQUIRED BY MCA SECTION 21-19-11(2) (a)&(b) SHALL BE RECORDED IN THE MINUTES OF THE GOVERNING AUTHORITY IN CONJUNCTION WITH THE HEARING REQUIRED BY SAID SECTION.

Thereafter, the governing authority shall by resolution adjudicate the actual cost of cleaning the property under this provision, provided the same does not exceed Two Hundred Fifty Dollars (\$250.00) and may also impose a penalty not to exceed One Hundred Dollars (\$100.00) or one hundred percent (100%) of the actual cost of cleaning the property, whichever is more.

The cost and any penalty imposed may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property. The "cost assessed against the property" means either the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done, and additionally may include administrative costs of the municipality not to exceed Fifty Dollars (\$50.00). For subsequent cleaning within the one-year period, upon seven (7) days' notice posted both on the property or parcel of land adjudicated in need of cleaning and at city hall or another place in the municipality where such notices are generally posted, and consistent with the municipal official's determination at authorized, a municipality may reenter the property or parcel of land to maintain cleanliness without further notice or hearing no more than six (6) times in any twelve-month period with respect to removing abandoned or dilapidated buildings, slabs, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land, and the expense of cleaning of the property shall not exceed an aggregate amount of One Thousand Dollars (\$1,000.00) per year. The governing authority may assess the same actual costs, administrative costs, and penalty for each time the property or land is cleaned as otherwise provided. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. Upon written authority from the Secretary of State's office, for state-owned properties, a municipality may forego the notification process that is prescribed in this subsection and proceed to clean the properties and assess costs as prescribed in this subsection, except that, penalties shall not be assessed against the State of Mississippi. A determination made by an appropriate municipal employee under this subsection (2) that the state or condition of property or a parcel of land is a menace to the public health, safety and welfare of the community shall not subsequently be used to replace a hearing if Section 21-19-11(1) is later utilized by a municipality when the prerequisites of Section 21-19-11(2) are not satisfied.

An appeal of this decision may be made to the Governing Authority of the City of Columbus and such appeal shall be in writing, state the basis for the appeal and be filed with the city clerk no later than seven (7) days from the latest date of notice required under MCA 21-19-11(2).

For any questions, please call Sasha James, the Code Enforcement Director for the City of Columbus at 662-245-5063 or 662-245-5070.

This the 6th day of December, 2022.
Sasha James,
City of Columbus Director of Code Enforcement

A copy of this notice shall be recorded in the minutes of the governing authority in conjunction with MCA Section 21-19-11 (2).

At least seven (7) days before the date of cleaning, this notice is required to be posted on the property or parcel of land identified herein AND at city hall or such other place in the municipality where such notices are posted AND is required to be mailed, via United States Mail, postage prepaid, to the address of the property or parcel of land identified herein except where the land or structure(s) is apparently vacant, AND to the address where the ad valorem tax notice for the property or parcel of land identified herein is sent by the office charged with collecting ad valorem taxes for the subject property or parcel of land identified herein.

This Notice was posted on the subject property on: December 6, 2022

By: Sasha James, City of Columbus Director of Code Enforcement

This Notice was posted at the City Building Inspection Office on: December 6, 2022

By: Sasha James, City of Columbus Director of Code Enforcement

This Notice was mailed via United States Mail, postage prepaid, to each address identified above on: December 6, 2022

By: Sasha James, City of Columbus Director of Code Enforcement

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NUISANCE PROPERTY NOTICE TO OWNER - PURSUANT TO
SECTION 21-19-11(2) OF THE MISSISSIPPI CODE (Effective 7/1/2022)

WALKER LOFAVE AND JOE TATE
1103 SHADY STREET
COLUMBUS, MS 39701

RE: 255 BYRNES CIR
APN: 61W05-01-02000
Case No: CE-22-0394
Officer: Sasha James - Ward: 4

Date: December 8, 2022

PLEASE TAKE NOTICE that the Mayor and City Council of the City of Columbus (the "Governing Authority"), having a population over one thousand five hundred (1500), has authorized the City of Columbus Code Enforcement Director and/or her assistant to determine whether the property or parcel of land is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community when the fee or cost to clean property or a parcel of land that is one (1) acre or less does not exceed Two Hundred Fifty Dollars (\$250.00), excluding administrative costs.

The particular condition(s) as determined by the authorized municipal employee existing as of the date of this notice is/are one or more of the following:

- ☒ The presence of overgrowth of weeds, grass or other vegetation
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- ☐ The presence of abandoned building
- ☐ The presence of abandoned or dilapidated fence(s)
- ☐ The presence of burned structure
- ☐ The presence of dilapidated building(s), slabs or personal property
- ☐ The presence of property maintenance code violation
- ☐ The presence of standing water in cesspools
- ☐ The presence of cistern(s), standing water and cesspools

You are hereby advised that by this correspondence a determination has been made that the condition of property or parcel of land as described is a menace to the public health, safety and welfare of the community, and as such the governing authority of the City of Columbus, if the owner does not do so himself, on or before the 15th day of December, 2022, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds, filling cisterns, removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris, and draining cesspools and standing water therefrom.

Code Section:	Corrective Action:	Compliance Date:
CHAPTER 14, GARBAGE AND TRASH - Accumulation prohibited	Occupants or owners responsible. All occupants or owners of any premises within the city shall be responsible for picking up and placing in garbage containers any garbage, rubbish, trash, litter, and all other waste material which may accumulate on such premises. Persons placing such materials in containers shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk, or other public place or upon private property.	December 15, 2022

YOU ARE ADVISED THAT A FINDING BY THE MUNICIPAL OFFICIAL THAT THE PROPERTY OR PARCEL OF LAND IS IN NEED OF CLEANING WILL AUTHORIZE THE MUNICIPALITY TO REENTER THE PROPERTY OR PARCEL OF LAND FOR A PERIOD OF TWO (2) YEARS AFTER THE MUNICIPAL OFFICIAL'S DETERMINATION WITHOUT ANY FURTHER HEARING OR ACTION IF NOTICE IS POSTED ON THE PROPERTY OR PARCEL OF LAND AND AT CITY HALL OR ANOTHER PLACE IN THE MUNICIPALITY WHERE SUCH NOTICES ARE GENERALLY POSTED AT LEAST SEVEN (7) DAYS BEFORE THE PROPERTY OR PARCEL OF LAND IS REENTERED FOR CLEANING. A COPY OF THE REQUIRED NOTICE MAILED AND POSTED AS REQUIRED BY MCA SECTION 21-19-11(2) (a)&(b) SHALL BE RECORDED IN THE MINUTES OF THE GOVERNING AUTHORITY IN CONJUNCTION WITH THE HEARING REQUIRED BY SAID SECTION.

Thereafter, the governing authority shall by resolution adjudicate the actual cost of cleaning the property under this provision, provided the same does not exceed Two Hundred Fifty Dollars (\$250.00) and may also impose a penalty not to exceed One Hundred Dollars (\$100.00) or one hundred percent (100%) of the actual cost of cleaning the property, whichever is more.

The cost and any penalty imposed may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property. The "cost assessed against the property" means either the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done, and additionally may include administrative costs of the municipality not to exceed Fifty Dollars (\$50.00). For subsequent cleaning within the one-year period, upon seven (7) days' notice posted both on the property or parcel of land adjudicated in need of cleaning and at city hall or another place in the municipality where such notices are generally posted, and consistent with the municipal official's determination as authorized, a municipality may reenter the property or parcel of land to maintain cleanliness without further notice or hearing no more than six (6) times in any twelve-month period with respect to removing abandoned or dilapidated buildings, slabs, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land, and the expense of cleaning of the property shall not exceed an aggregate amount of One Thousand Dollars (\$1,000.00) per year. The governing authority may assess the same actual costs, administrative costs, and penalty for each time the property or land is cleaned as otherwise provided. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, not shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. Upon written authority from the Secretary of State's office, for state-owned properties, a municipality may forgo the notification process that is prescribed in this subsection and proceed to clean the properties and assess costs as prescribed in this subsection, except that, penalties shall not be assessed against the State of Mississippi. A determination made by an appropriate municipal employee under this subsection (2) that the state or condition of property or a parcel of land is a menace to the public health, safety and welfare of the community shall not subsequently be used to replace a hearing if Section 21-19-11(1) is later utilized by a municipality when the prerequisites of Section 21-19-11(2) are not satisfied.

An appeal of this decision may be made to the Governing Authority of the City of Columbus and such appeal shall be in writing, state the basis for the appeal and be filed with the city clerk no later than seven (7) days from the latest date of notice required under MCA 21-19-11(2).

For any questions, please call Sasha James, the Code Enforcement Director for the City of Columbus at 662-245-5063 or 662-245-5070.

This the 8th day of December, 2022.
Sasha James,
City of Columbus Director of Code Enforcement

A copy of this notice shall be recorded in the minutes of the governing authority in conjunction with MCA Section 21-19-11 (2).

At least seven (7) days before the date of cleaning, this notice is required to be posted on the property or parcel of land identified herein AND at city hall or such other place in the municipality where such notices are posted AND is required to be mailed, via United States Mail, postage prepaid, to the address of the property or parcel of land identified herein except where the land or structure(s) is apparently vacant, AND to the address where the ad valorem tax notice for the property or parcel of land identified herein is sent by the office charged with collecting ad valorem taxes for the subject property or parcel of land identified herein.

This Notice was posted on the subject property on: December 8, 2022

By: Sasha James, City of Columbus Director of Code Enforcement

This Notice was posted at the City Building Inspection Office on: December 8, 2022

By: Sasha James, City of Columbus Director of Code Enforcement

This Notice was mailed via United States Mail, postage prepaid, to each address identified above on: December 8, 2022

By: Sasha James, City of Columbus Director of Code Enforcement

MINUTES OF THE
MAYOR AND CITY COUNCIL
DECEMBER 20, 2022



NUISANCE PROPERTY NOTICE TO OWNER - PURSUANT TO
SECTION 21-19-11(2) OF THE MISSISSIPPI CODE (Effective 7/1/2022)

LIVINGSTON RENTAL PROP LLC
1618 SEMINOLE RD
COLUMBUS, MS 39701

RE: 710 18TH ST N (710-720)
APN: 61W06-01-12000
Case No: CE-22-0395
Officer: Sasha James - Ward: 5

Date: December 8, 2022

PLEASE TAKE NOTICE that the Mayor and City Council of the City of Columbus (the "Governing Authority"), having a population over one thousand five hundred (1500), has authorized the City of Columbus Code Enforcement Director and/or her assistant to determine whether the property or parcel of land is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community when the fee or cost to clean property or a parcel of land that is one (1) acre or less does not exceed Two Hundred Fifty Dollars (\$250.00), excluding administrative costs.

The particular condition(s) as determined by the authorized municipal employee existing as of the date of this notice is/are one or more of the following:

- ☒ The presence of overgrowth of weeds, grass or other vegetation
- ☒ The presence of rubbish/garbage and other debris
- ☒ The presence of abandoned building
- ☒ The presence of abandoned or dilapidated fence(s)
- ☒ The presence of burned structure
- ☒ The presence of dilapidated building(s), slabs or personal property
- ☒ The presence of property maintenance code violation
- ☒ The presence of standing water in cesspools
- ☒ The presence of cistern(s), standing water and cesspools

You are hereby advised that by this correspondence a determination has been made that the condition of property or parcel of land as described is a menace to the public health, safety and welfare of the community, and as such the governing authority of the City of Columbus, if the owner does not do so himself, on or before the 15th day of December, 2022, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds, filling cisterns, removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom.

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An appeal of this decision may be made to the Governing Authority of the City of Columbus and such appeal shall be in writing, state the basis for the appeal and be filed with the city clerk no later than seven (7) days from the latest date of notice required under MCA 21-19-11(2).

For any questions, please call Sasha James, the Code Enforcement Director for the City of Columbus at 662-245-5063 or 662-245-5070.

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City of Columbus Director of Code Enforcement

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By: Sasha James, City of Columbus Director of Code Enforcement

B. Discuss/Approve the promotion of one (1) Columbus Fire and Rescue personnel from Engineer to Captain, effective December 20, 2022 following approval.

Council Member Jones made a motion to approve the request to promote Engineer Joe Denton to the position of Captain, with the approved pay increase, effective December 20, 2022. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

C. Discuss/Approve the promotion of three (3) Columbus Fire and Rescue personnel from Firefighter to Engineer, effective December 20, 2022 following approval.

Council Member Jones made a motion to approve the request to promote Firefighters Joshua Connors, David Tousley and Brandon Wade to position of Engineer, with the approved pay increase, effective December 20, 2022. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

D. Discuss/Approve City's Property, Casualty and Liability Insurance Renewal for 2023.

Pat Mitchell, H R Director presented the renewal of the City's Property, Casualty and Liability Insurance (Employers Mutual/MMSC Proposal for 12/31/2022 – 12/31/2023) with Galloway, Chandler, McKinney Insurance and Mississippi Municipal Service Company in the amount of \$458,649.00. Council Member Jones made a motion to approve the renewal of the City's Property, Casualty and Liability Insurance (Employers Mutual/MMSC Proposal for 12/31/2022 – 12/31/2023) with Galloway, Chandler, McKinney Insurance and Mississippi Municipal Service Company in the amount of \$458,649.00. Council Member Greene seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

THE LIST OF COVERAGE W/COSTS FOLLOWS:

Disclosure: This outline is a synopsis of coverage and implies no terms and conditions of the actual Contract. No coverage can be construed by the synopsis. Please refer to the actual contract. Cancellations after binding are subject to eleven percent retainage plus cancellation provisions of the Insurance contract. Quote is valid until 12/31/2022. Actual premium may change based upon Confirmation of schedules. All commissions and fees are fully earned.

E. Discuss/Approve the payment of \$94,236.05 to Waggoner Engineering, Inc. for professional services from ARPA funds.

COO Jammie Garrett reported that this invoice was removed from the December 6, 2022 Docket of Claims for clarification of what fund it would be paid from. Council Member Mickens made a motion to approve the payment of \$94,236.05 to Waggoner Engineering, Inc. for professional services from ARPA funds. Councilwoman Diccio 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 Mickens 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 CFO, and the HR Director, exited the meeting.

Mayor Gaskin apprised the Council of one (1) matter involving Negotiation/Prospective Litigation 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) Negotiation/Prospective Litigation matter. Councilwoman Diccio 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) Negotiation/Prospective Litigation matter.

IX. EXECUTIVE SESSION

MINUTES OF THE
MAYOR AND CITY COUNCIL
DECEMBER 20, 2022

ADJOURNMENT:

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

Approved by: _____
Keith Gaskin, Mayor

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