

MEETING OF THE MAYOR AND CITY COUNCIL CITY OF COLUMBUS, MS January 17, 2023

The Mayor and City Council met in Regular Session on Tuesday, January 17, 2023 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, Police Chief, H R Director and all other Department Heads.

I. CALL TO ORDER AND INVOCATION

Mayor Gaskin called the meeting to order and offered the Invocation. .

II. CONFIRMATION OF/OR AMENDMENTS TO THE AGENDA

Councilwoman Dickey requested to move Consent Agenda Items "A" and "D" to the Policy Agenda as Items "I" and "J." Councilwoman Dickey made a motion to adopt the Agenda with the aforementioned change. Councilwoman Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

III. APPROVE MINUTES FOR MEETING OF JANUARY 3, 2023 AND MINUTES FOR THE SPECIAL MEETING OF JANUARY 4, 2023

Councilwoman Dickey made a motion to approve the Minutes for the Meeting of January 3, 2023 and Minutes for the Special Meeting of January 4, 2023. Councilwoman Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

IV. CONSENT AGENDA:

A. MOVED TO POLICY AGENDA AS ITEM "I".

MINUTES OF THE MAYOR
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- B. Approve request for Fire and Rescue personnel, William Boyd, to attend "*NFPA 472 Hazardous Material Technician I* course" to be held in Jackson, MS, and approve payment of registration, \$50.00 for fuel for City vehicle and reimbursement of meal expenses.
- C. Approve request for one (1) Fire and Rescue personnel, Sally Kerstetter, to attend "*NFPA 472 Hazardous Material Technician II Course*" to be held in Jackson, MS, and approve payment of registration, \$50.00 for fuel for City vehicle and reimbursement of meal expenses.
- D. MOVED TO POLICY AGENDA AS ITEM "J".
- E. Approve request for the Mayor, City Council, COO, CFO, P-T Planner, Police Chief and Court Administrator to attend the "MML 92nd Annual Summer Conference" to be held in Biloxi, MS, and approve payment of registration, lodging, travel and meal expenses.
- F. Approve request for Townsend Park Blues-Southside Festival Funding in the amount of \$15,000.00 per the 2% Restaurant Tax Agreement to fund festivals in the City of Columbus.
- G. Approve request to pay Next Stage Media the sum of \$658.34 for website support for December 2022.
- H. Approve request to place food pantry box on the grounds of Fire Station 2 and name the box in honor of former Councilman Fred Stewart.
- I. Approve increase of \$141.97 in monthly electricity billings for lighting upgrades that will increase visibility, decrease pedestrian accidents and provide for the general safety of 7th Avenue North.

Councilwoman Dicicco made a motion to approve the Consent Agenda as presented. 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:

Councilwoman Stewart made a motion to approve the Docket of Claims for January 17, 2023, in the amount of \$826,577.27. Council Member Jones 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 Beard reminded the public of the next Ward IV State of the Ward meeting, which will be held Monday, January 30, 2023 at Sim Scott Community Center at 6:00 p.m.

Mayor Gaskin proceeded with the following observations/remarks:

Congratulations to Lieutenant Shantae McNair.

Special thanks to Tyson Cunningham, sponsors of the Martin Luther King, Jr. Breakfast and all who participated in this special event that was held January 16.

The Mayor's Press Conference that's normally held on Wednesday following Council Meeting has been cancelled, as I will be traveling.

B. Swearing in of one (1) Columbus Police Department Lieutenant

- **Shanta McNair**

Mayor Gaskin swore in Police Department Lieutenant. Shanta McNair. as she recited the Oath of Office. Members of the Police Department Command Staff were present and provided Mrs. McNair with a badge, insignia and the Oath of Office. It was noted that Mrs. McNair is CPD's first African American female Lieutenant.

C. MONTHLY REPORTS

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

D. Garage Monthly Report for December 2022

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

E. Building Inspection Department Monthly Report for December 2022

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

F. Columbus Fire and Rescue Monthly Report for December 2022

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

G. Columbus Fire and Rescue Annual Report for 2022

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

H. Code Enforcement Monthly Report for December 2022

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

I. Columbus Police Department Monthly Report for December 2022

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

J. Forensic Lab Monthly Report for December 2022

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

K. Public Works Monthly Report for December 2022

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

L. Columbus Parks and Recreation for December 2022

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

M. Human Resources Department Monthly Report for December 2022

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

**N. Trotter Convention Center/Friendship Cemetery/Property Manager
Monthly Report for December 2022**

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

O. Municipal Court Monthly Report for December 2022

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

P. Board Vacancies

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

BOARD OF ADJUSTMENT & APPEALS OF DEVELOPMENT CODE

1 Vacancy, 4-Year Term, Joey Henderson's Term Expired 1/15/2023.
Applicant must be a registered design professional with architectural or structural experience.

APPLICANTS:

NONE AT THIS TIME

TREE BOARD

1 Vacancy, 3-Year Term, Carol Boggess' Term Expires 2/07/2023.
Appointment will be made February 7, 2023

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APPLICANT:

Carol Boggess

COLUMBUS MUNICIPAL SCHOOL DISTRICT

1 Vacancy, 5-Year Term, Yvonne Cox's Term Expires 3/02/2023.
Appointment will be made February 21, 2023.

APPLICANT:

Yvonne Cox

VII. CITIZENS INPUT AGENDA:

A. Team Starkville – Miss Columbus & Miss Columbus OT

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Ms. Angella Baker and others came before the Mayor and Council to seek financial support in the amount of \$1100.00 for their scholarship program and to include a Team Columbus or Team Friendly City in the upcoming pageant. No action was taken.

VIII. POLICY AGENDA:

A. Discuss/Approve Derelict Property Docket

Code Enforcement Officer presented two (2) cases, \$250.00 or less for adjudication. Council Member Beard 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 Greene 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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MINUTES OF THE MAYOR
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\$250 OR LESS Derelict Properties for January 17, 2023 Mayor and City Council Meeting

Case # and Violation	Ward	Name and Address	Notes
22-0398 <i>Accumulation of Rubbish and Garbage</i>	4	Willie G. Miller 412 10 th Avenue South	
23-0001 <i>Accumulation of Rubbish and Garbage</i>	4	Tommy and Diane Prude 1825 10 th Avenue 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)

MILLER WILLIE G.
412 10TH AVENUE SOUTH
COLUMBUS, MS 39701

RE: 412 10TH AVE SOUTH
APN: 61W16-02-12001
Case No: CE-22-0398
Officer: Sasha James - Ward: 1

Date: December 19, 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:

- (X) The presence of overgrowth of weeds, grass or other vegetation
- (X) The presence of rubbish/garbage and other debris
- (X) The presence of abandoned building
- (X) The presence of abandoned or dilapidated fence(s)
- (X) The presence of burned structure
- (X) The presence of dilapidated building(s), slabs or personal property
- (X) The presence of property maintenance code violation
- (X) The presence of standing water in cesspools
- (X) 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 27th 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 27, 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, 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 the 19th 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 19, 2022

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

This Notice was posted at the City Building Inspection Office on: December 19, 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 19, 2022

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

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

PRUDE TOMMY T/DIANE B
201 HOLLY HILLS ROAD
COLUMBUS, MS 39705

RE: 1825 10TH AVE N
APN: 61W06-01-08500
Case No: CB-23-0001
Officer: Sasha James - Ward: 5

Date: January 5, 2023

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 to himself, on or before the 12th day of January, 2023, 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 5th day of January, 2023.

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: January 5, 2023

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

This Notice was posted at the City Building Inspection Office on: January 5, 2023

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: January 5, 2023

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

B. Discuss/Approve Change Order No. 1 in the amount of \$5,470.54 for the CLCA Jet-A Fuel Tank Replacement project.

Council Member Beard made a motion to approve Change Order No. 1 for the Columbus Lowndes County Airport, with the itemized cost of \$1,899.25 for Jet-A Hose Reel Motor & Switch Installation; \$1,374.09 for Jet-A Water Detection System Switch/Electrical Replacement and \$2,197.20 for Jet-A and AV-Gas Overfill Alarm Replacement. Council Member Greene seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

C. Discuss/Approve request to hire a Part-Time Maintenance Technician, pending preliminary testing.

Council Member Jones made a motion to approve the request to hire **Torincule F. Smith** as a part-time Maintenance Technician for the Convention Center at \$12.50 per hour, pending preliminary testing. Council Member Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

D. Discuss/Approve Amendment to the City's No Smoking Policy.

Pat Mitchell, H R Director presented the revised No Smoking Policy for consideration and approval. This Smoke Free Policy amends the current Smoke Free Policy and broaden the list of smokeless devices, to include the use of electronic nicotine delivery systems – known as e-cigarettes, e-cigars, e-hookahs, e-pipes, etc. Council Member Greene seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

THE POLICY FOLLOWS:

City of Columbus, Mississippi

NON-SMOKING & TOBACCO USE POLICY

Smoking Prohibitions

The City of Columbus recognizes the right and need of those who wish to breathe smoke-free air and finds and declares that the smoke of tobacco, tobacco related products and tobacco substitutes, fillers and other plants or weeds is a hazard to the health of the general public. Accordingly, it has been determined that the health, safety, and welfare of the residents of the City would be furthered by the regulation of using tobacco products in certain places owned by the City of Columbus. The goal of a Tobacco-Free environment is to improve the health of its employees by promoting tobacco use cessation. The use of smokeless tobacco, cigars, pipes, cigarettes, and other tobacco products lead to diseases and health problems. Therefore, this policy is designed to include all tobacco products.

Effective February 4, 2009, all smoking, including the use of tobacco products, shall be prohibited and no person shall smoke or use tobacco products in any of the following places within the City of Columbus:

- a) In all interior spaces and buildings owned by the City of Columbus
- b) All public access areas of departmental buildings
- c) All City vehicles

Work Area:

Each Department Head must provide a tobacco-free work area in every Department. The following regulations shall apply in every City Department:

- a) The No-Smoking areas shall be kept clear of smoke and tobacco products.
- b) The smoking areas shall not include any part of the establishment to which the public routinely has access.
- c) The smoking areas are only of sufficient size in the Department.
- d) No person shall be forced to breathe smoke-polluted air as a condition of employment or as a prerequisite to obtaining any service or thing.

Smoking Permitted Areas:

Smoking and the use of smokeless tobacco is only permitted in designated areas by the Department Head. The Department Head may change the designated smoking area

from time to time provided this Policy is strictly followed. The use of cans and bottles for spitting is prohibited in City buildings and in City-owned, leased or rented vehicles, and can only be used on City property where specifically designated. Tobacco products shall not be discarded on City property (ground, floor, etc.), in City vehicles, or in City buildings.

Posting of Signs:

“Smoking Permitted” or “Tobacco Free” signs with letters of not less than one inch in height shall be conspicuously posted wherever appropriate to comply with this Policy. Such signs may have additional or different wording to explain the applicable rule in a particular room or area.

It is each employee’s responsibility to insert this policy in his/her handbook.

Amendment to the Non-Smoking & Tobacco Use Policy

This Smoke Free Policy amends the current Smoke Free Policy to include the use of electronic nicotine delivery systems – known as e-cigarettes, e-cigars, e-hookahs and e-pipes. To protect and enhance indoor air quality and contribute to the health and well-being of all employees and citizens, the City of Columbus shall be entirely smoke free and vape free. This policy is effective immediately. Smoking and vaping are prohibited in all enclosed areas within this worksite without exception. This includes common work areas, auditoriums, conference and meeting rooms, private offices, elevators, hallways, employee/guest lounges, stairs, restrooms, employer-owned or leased vehicles and all other enclosed facilities. Definitions: Smoking refers to the use of traditional tobacco products. Vaping refers to the use of electronic nicotine delivery systems or electronic smoking devices. These are commonly called e-cigarettes, e-pipes, e-hookahs and e-cigars. Background: To date, e-cigarettes and similar devices are not regulated by the U.S. Food and Drug Administration (FDA) and are not approved as cessation aids. The FDA has, however, concluded that e-cigarette pose health risks and contains detectable levels of carcinogens and toxic chemicals. At this time, e-cigarettes are not considered a safe alternative to smoking, and no scientific evidence has shown that they help smokers quit.

The City of Columbus is committed to providing a safe and healthy workplace and to promote the health and well-being of its employees. As such, the following policy has been adopted and applies to all employees, contractors and visitors of the City of Columbus.

Adopted February 3, 2009

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PRESENTED FOR AMENDMENT
January 17, 2023

E. Discuss/Approve entering a Municipal Lease Purchase Agreement (Tax-Exempt) between Motorola Solutions, Inc. and Columbus Police Department.

Council Member Jones made a motion to approve the request to enter into a Municipal Lease Purchase Agreement (Tax-Exempt) between Motorola Solutions, Inc. and the City of Columbus Police Department in the amount of \$264,904.52 under the terms of Option 2. Council Member Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

THE AGREEMENT FOLLOWS:

(THIS SPACE LEFT BLANK INTENTIONALLY)

MINUTES OF THE MAYOR
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JANUARY 17, 2023

1/12/23, 4:33 PM

Columbus revised Motorola Lease Purchase.htm



Date: January 11, 2023

To: City of Columbus MS Police Dept.
Attn: Chief Joseph Daughtry
1501 Main Street
Columbus, MS 39701

Re: Communications System Financing Proposal

Motorola Solutions, Inc. is pleased to submit the following proposal for the financing of your Motorola communications equipment in accordance with the terms and conditions outlined below:

Transaction Type: Municipal Lease Purchase Agreement (Tax-exempt)

Lessor: Motorola Solutions, Inc. (or its Assignee)

Lessee: City of Columbus MS Police Dept.

Total Transaction Value: \$ 264,904.53

Down Payment: \$ 0.00

Balance to Finance: \$ 264,904.53

Equipment: Motorola APX radios per State Contract MSWIN 3429. (As per the Motorola Solutions equipment proposal.)

Title: Title to the equipment will vest with the Lessee.

Insurance: Lessee will be responsible to insure the equipment as outlined in the lease contract.

Taxes: Personal property, sales, leasing, use, stamp, or other taxes are for the account of the Lessee.

	Option 1	Option 2	Option 3
<i>Lease Term</i>	4 Years	5 Years	7 Years
<i>Payment Type</i>	Annually Arrears	Annually Arrears	Annually Arrears
<i>Lease Rate</i>	5.82%	5.65%	5.46%

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1/12/23, 4:33 PM

Columbus revised Motorola Lease Purchase.htm

	Option 1	Option 2	Option 3
Lease Factor	0.288445	0.236097	0.176588
Payment	\$76,410.39	\$62,543.16	\$46,778.96
Payment Commencement	First payment due one year after contract execution	First payment due one year after contract execution	First payment due one year after contract execution

Expiration: The above lease rates and factors are valid for all leases commenced by 2/10/2023. After this date the rate will be reset to reflect current market conditions.

Program Highlights: Terms up to seven years can be structured for Municipal Lease Purchase Agreement (Tax-exempt).

One hundred percent (100%) of a project's acquisition cost can be financed.

Payment frequency can be matched to meet your cash flow and budget requirements.

No pre-payment penalties.

Future equipment upgrades can easily be accommodated via add-on lease schedules, restructuring already existing deals, etc.

Qualifications: Receipt of a properly executed documentation package.

Lessee qualifies as a political subdivision or agency of the State as defined in the Internal Revenue Code of 1986. The interest portion of the Lease Payments shall be excludable from the Lessor's gross income pursuant to Section 103 of the Internal Revenue Code.

Receipt of a copy of the last 2 year's audited financial statements and current year's budget from the Lessee.

This proposal should not be construed as a commitment to finance. It is subject to final credit approval.

Documentation: Municipal Equipment Lease Purchase Agreement
Opinion of Counsel
Schedule A/Equipment List
Schedule B/Amortization Schedule
8038G
UCC-1
Certificate of Incumbency
Statement of Essential Use/Source of Funds
Evidence of Insurance or Statement of Self Insurance
Resolution from governing body authorizing the execution of the Lease
Delivery & Acceptance Certificate

Please feel free to contact me if there are any questions, or if an alternate structuring is required.

Regards,
Bill Roberts

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A B C D E

MOTOROLA SOLUTIONS

Bill Roberts
Owner

Prepared for: Chief Joseph Daugherty
Company:

broberts@tackson.com

MSWIN 3429 Contract Pricing

Qty	Model	Description	Main Price	
50	H98UCF9PW6N	APX6000 7/800 MODEL 2 PORTABLE	\$3,148.91	\$ 188,934.60
50	Q806	DIGITAL CAI OPERAION		
50	H38	SMARTZONE OPERATION		
50	Q361	P25 9600 BAUD TRUNKING		
50	H43	RADIO TRACE/REMOTE MONITOR		
50	Q947	RADIO PACKET DATA		
50	G596	PROGRAMMING OVER P25 OTAP		
50	QA01648	ADVANCED SYSTEM KEY		
50	Q884	1 YEAR EXTENDED WARRANTY		
50	Q629AK	AES ENCRYPTION	\$ 444.55	\$ 26,673.00
50	PMLN7904	LEATHER SWIVEL HOLSTER	\$ 72.52	\$ 4,361.20
50	PMMN4062	REMOTE SPEAKER MIC (COIL CORD)	\$ 122.09	\$ 7,325.40
50	QA00580	TDMA Phone II (extra required)		
50	NNTN8860A	APX6000 SINGLE UNIT CHARGER	\$ 144.13	\$ 8,647.80
50	SVC03SVC0115D	PROGRAMMING AND SET UP	\$ 39.00	\$ 2,340.00
				\$ -
			SUB TOTAL	\$ 238,272.00

Qty	Model	Description	Main Price	
6	M36UR50PW1N	APX1500 7/800 MOBILE	\$2,900.00	\$ 17,400.00
6	QA01399	SW P25 TRUNKING		
6	QA01648	ADVANCED SYSTEM KEY		
6	QA00580	TDMA		
6	QA00804	APX 02 CONTROL HEAD (GREY)		
6	Q444	CONTROL HEAD SOFTWARE		
6	G66	DASH MOUNT		
6	G174	ANT 3DB LOW PROFILE		
6	W382	CONTROL STATION DESK GCAI MIC		
6	G91	CONTROL STATION POWER SUPPLY		
6	W665	BASE STATION		
6	G142	NO EXTERNAL SPEAKER NEEDED		
6	G42	3 Year Service From the Start Lite		
6		AES ENCRYPTION	\$ 444.55	\$ 2,667.30

apx900

apx900

MOTOROLA SOLUTIONS		Brandon Ghose Account Executive bghee@jacksoncom.com	Prepared for: COLUMBUS POLICE DEPT Company: MS 3744 Contract Pricing
Qty	Model	Description	Uppin Price
MS CONTRACT 3744			
1	H35UCT9PW8A	APX N70 SERIES HANDHELD	\$ 6,389.16
1	PMPN4604	DESKTOP SINGLE CHARGER	\$ 176.07
			\$ 6,565.23

apx900 ▾

F. Discuss/Approve applying for the USDA Rural Development Business Grant for the scope approach to the Parks & Recreation master planning/feasibility process in the amount of \$4,625.00.

Council Member Beard made a motion to approve the request to apply for the USDA Rural Development Business Grant for the scope approach to the Parks & Recreation master planning/feasibility process in the amount of \$4,625.00, which is 50% of the cost. Councilwoman Stewart seconded the motion. Kevin Stafford, dba Neel-Schaffer, Inc., came forward and elaborated on this grant, stating that Lowndes County Supervisors has expressed interest participating in the grant and has approved to pay 50%, which is \$4,625.00. The maximum amount of the grant is \$500,000.00 and requires no match.

All Council Members voted in favor of the motion.

The motion carried 6/0.

G. Discuss/Approve Waggoner Engineering Inc. Task Order No. 3 for the drainage maintenance of Northside and Brickyard, in the amount of \$122,000.00.

Engineers with Waggoner Engineering Inc., C. Grant and Joseph Paige, came forward to discuss this request. Task Order No. 3 is for Drainage Infrastructure Cleaning and Clearing on Northside and at the Brickyard. Councilwoman Stewart made a motion to deny the request to approve Task Order 3 and end the contract with Waggoner Engineering Inc. Council Member Mickens seconded the motion.

SUBSTITUTE MOTION:

Council Member made a substitute motion to not approve Task Order No. 3 and to terminate Waggoner Engineering Inc. from any ARPA related activities based on the things they continue to do that they've already been paid for and get with CFO Brigham and General Counsel Turnage to see what all they have been paid for and we can come back to the table and go from there. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion, except Councilwoman Diccio, who opposed.

The motion passed 5/1.

H. Discuss/Approve advertisement of Request for Proposals for residential solid waste collection.

CFO Jim Brigham remarked that the City is considering contracting with a new provider for residential solid waste collection to include two (2) pick-ups per week and to provide trash containers to approximately 9600 residential customers. RFPs have been prepared for advertising for residential solid waste collection. Council Member Jones made a motion to approve the advertisement of Request for Proposals for residential solid waste collection. Council Member Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

Items “I” and “J” were moved from the Consent Agenda.

- I. Approve request for Code Enforcement Director to attend the Mississippi Association for Code Enforcement Educational Conference to be held in Tupelo, MS and payment for registration, lodging, travel and meal expenses in the amount of \$347.50.**

Code Enforcement Director, Sasha James, came forth and answered questions regarding this request. She stated that the request for lodging is and oversight; she will not need hotel expenses. She was also asked about the request for travel and her response is that her vehicle is not reliable to drive out of town. The COO responded that she works on Fridays and was not sure if the city-issued vehicle she drives would be available the date of this conference. Council Member Jones made a motion to approve the request for the Code Enforcement Director, Sasha James, to attend the Mississippi Association for Code Enforcement Educational Conference to be held in Tupelo, MS and approve payment of \$50.00 for registration, \$82.50 for travel and reimbursement of meal expenses. Councilwoman Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

- J. Approve request for Public Works Office Manager to attend the Administrative Professionals Day Conference to be held in Athens, GA, and approve payment for registration, lodging, travel, and meal expenses in the amount of \$1,161.75.**

Public Works Director, Casey Bush, was asked about this conference, stating that it's offered online. Mr. Bush responded by stating that the in-person

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conference works better when the participant can network with others in the class and further stated that it's in his training budget.

Councilwoman Stewart made a motion to approve the request for the Public Works Officer Manager, Tabitha Price, to attend the Administrative Professionals Day Conference to be held in Athens, GA, and approve payment of \$219.00 for registration, \$342.00 for lodging, \$423.75 for travel and reimbursement of meal expenses. Council Member Mickens 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 three (3) personnel matters involving job performance and remarked that these matters warrant being heard in Executive Session.

Councilwoman Stewart made a motion to go in Executive Session to discuss three (3) personnel matters. Council Member Beard 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.

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ADJOURNMENT:

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

Approved by: _____
Keith Gaskin, Mayor

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

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