

MEETING OF THE MAYOR AND CITY COUNCIL CITY OF COLUMBUS, MS November 21, 2023

The Mayor and City Council met in Regular Session on Tuesday, November 21, 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, except Council Member Beard, who had not arrived. Also present were the 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 called on Greg Lewis to offer the Invocation.

II. CONFIRMATION OF/OR AMENDMENTS TO THE AGENDA

Council Member Greene made a motion to adopt the Agenda as presented. Councilwoman Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 5/0.

III. APPROVE MINUTES FOR MEETING OF NOVEMBER 7, 2023

Councilwoman DiCicco made a motion to approve the Minutes for the Meeting of November 7, 2023. Council Member Greene seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 5/0.

IV. CONSENT AGENDA:

- A. Approve request for CPD Investigators: Kimberly Hayes and Darnell Madison, to attend "Computer Voice Stress Analysis Training" to be held in Gretna, Louisiana, and approve payment of \$1190 for registration, \$250.00 for travel in city vehicle, \$420.00 each for lodging and reimbursement of meal expenses in an estimated cost of \$2,648.00.

- B. Approve request to pay invoices totaling \$765.00 to the Clinic at Elm Lake for pre-employment testing.
- C. Approve request to pay Columbus Lock & Key LLC in the amount of \$200.00 for a service call to make key for automobile.

Council Member Greene made a motion to approve the Consent Agenda as presented. Councilwoman Stewart 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 November 7, 2023, in the amount of \$1,228,248.73. Council Member Mickens seconded the motion. Mayor Gaskin asked if there was any discussion. Council Member Jones requested that invoice #218056 in the amount of \$121.19, invoice #218065 in the amount of \$350.00 and invoice #218139 in the amount of \$255.00 be subtracted from the docket total and added to the policy agenda as Item "L". The docket amount changed to \$1,227,522.54

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

The motion carried 4/1.

Council Member Beard arrived for the meeting.

VI. REPORTS, PROCLAMATIONS, RECOGNITIONS AGENDA:

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

Council Member Jones offered Happy Birthday wishes to Angela Jones, James Brigham, Jackie DiCicco and Amanda Meadows.

MONTHLY REPORTS:

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

- B. Building Inspection Department October 2023 Monthly Report**

The Monthly Report from the Building Inspection Department for October 2023 was presented. Council Member Mickens asked the Building Official a question regarding storage building in the city limits. Mr. Wiegel answered the question. No action was taken.

**C. Trotter Convention Center/Care & Maintenance/Friendship Cemetery
October 2023 Monthly Report**

The Monthly Report from the Trotter Convention Center/Care & Maintenance/Friendship Cemetery for October 2023 was presented. No action was taken.

D. Community Outreach – October 2023 Monthly Report

The Monthly Report from the Community Outreach Department for October 2023 was presented. No action was taken.

E. Garage – October 2023 Monthly Report

The Monthly Report from the Garage Department for October 2023 was presented. No action was taken.

F. Municipal Court – October 2023 Monthly Report

The Monthly Report from the Municipal Court for October 2023 was presented. No action was taken.

**G. Columbus Fire and Rescue Department – October 2023 Monthly
Report**

The Monthly Report from the Columbus Fire and Rescue Department for October 2023 was presented. No action was taken.

H. Code Enforcement October 2023 Monthly Report

The Monthly Report for the Code Enforcement Department for October 2023 was presented. No action was taken.

I. Columbus Police Department – October 2023 Monthly Report

The Monthly Report for the Columbus Police Department for October 2023 was presented. No action was taken.

J. Parks & Recreation – October 2023 Monthly Report

The Monthly Report from the Parks and Recreation Department for October 2023 was presented. No action was taken.

K. Office of Planning and Community Development – October 2023 Monthly Report

The Monthly Report from the Office of Planning and Community Development for October 2023 was presented. No action was taken.

L. Public Works – October 2023 Monthly Report

The Monthly Report from the Public Works Department for October 2023 was presented. No action was taken.

M. Human Resources – October 2023 Monthly Report

The Monthly Report from the Human Resources Department for October 2023 was presented. No action was taken

N. Finance & Administration – October 2023 Monthly Report

Jim Brigham, CFO, distributed the Monthly Financial Report for October 2023, which includes the General Fund cash balance of \$7,853,529.21 and is an increase of \$2,176,231.13 compared to the same time last year. Total Sales Tax Receipts for October 2023 are \$942,441.00, which is a decrease of \$72,951.00 compared to the same time last year. The remaining balance of ARPA Funds is \$3,069,968.93. The balance in the Bridge Repair Fund is \$3,675,971.61. The CFO also distributed a Treasurer's Report.

O. Information Technology – October 2023 Monthly Report

The Monthly Report from the Information Technology Department for October 2023 was presented. No action was taken.

VII. CITIZENS INPUT AGENDA:

RICHARD & CREOLA YOUNG – 2024 College Street

**RICHARD YOUNG &
CREOLA DUFF YOUNG
2024 College Street**

CASE NUMBER: 23-0385

Property Maintenance Code Violation

Richard Young and Creola Duff Young, Case Number 23-0385, appeared before the Mayor and Council and requested additional time to remediate the property. Code Enforcement Officer Sasha James recommended an extension of **45 Days to renew permit and remediate the property**. 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. Councilwoman Stewart made a motion give the property 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, 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.

VIII. POLICY AGENDA:

A. Discuss/Approve Derelict Property Docket

HELEN O'NEAL ESTATE

c/o Willie O'Neal Jr.

618 8th Street South

CASE NUMBER: 23-0603

Overgrown Lot

The General Counsel called cause number **23-0603**. 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. Councilwoman Stewart 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.

SAMMIE L. ROLAND
402 19th Street South
CASE NUMBER: 23-0613

Overgrown Lot

The General Counsel called cause number **23-0613**. 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. Councilwoman Stewart 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.

JOSEPH BECKWITH
829 6th Street North
CASE NUMBER: 23-0604

Overgrown Lot

The General Counsel called cause number **23-0604**. No one appeared. Code Enforcement Officer Sasha James stated the property has been **remediated** by the owner, and it is her recommendation to enter the proposed Order under Section 21-19-11 of the Mississippi Code, finding that this property was in such a state of uncleanliness as to be a menace to the public health and safety of the community. This Order should provide for such re-entry as the Statute allows. Councilwoman Stewart made a motion in accordance with Section 21-19-11, and for an Order stating the City may remediate the property with respect to cutting grass and weeds and removing rubbish, personal property and other debris no more than twelve (12) times in a twenty-four (24) month period immediately following the Order, with further notice to the owner as required by law. Costs are to be assessed as allowed under Section 21-19-11 of the Mississippi Code. Council Member Greene seconded the motion.

All Council Members voted in favor of the motion.

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The motion carried 6/0.

\$250.00 OR LESS CASES:

Code Enforcement Officer, Sasha James, presented eight (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 Stewart 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
AND CITY COUNCIL MEETING
NOVEMBER 21, 2023

\$250 OR LESS Derelict Properties for November 21, 2023 Mayor and City Council Meeting

Case # and Violation	Ward	Name and Address	Notes
23-0599 <i>Accumulation of Rubbish & Garbage</i>	2	JIMMY STAPLES 322 Wynhurst Court	
23-0597 <i>Accumulation of Rubbish & Garbage</i>	5	CHARLEY'S PAWN SHOP LLC 1301 20 th Street North	
23-0615 <i>Accumulation of Rubbish & Garbage</i>	5	HENRY WILL SIMON II & EBONY SIMON 1500 12 th Avenue North	
23-0617 <i>Accumulation of Rubbish & Garbage</i>	5	413 PROPERTIES LLC 1520 12 th Avenue North	

MINUTES OF THE MAYOR AND CITY COUNCIL MEETING NOVEMBER 21, 2023



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

STAPLES JIMMY
322 WYNHURST CT
COLUMBUS, MS 39702

RE: 322 WYNHURST CT
APN: 62W14-02-02900
Case No: CE-23-0599
Officer: Sasha James - Ward: 2

Date: November 1, 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 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 November, 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.

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.	November 8, 2023

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 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) (AND) 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 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 (\$1,000.00) per year. The governing authority may request for reimbursement under Section 29-1-145, nor 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 November, 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 in 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: November 1, 2023

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

This Notice was posted at the City Building Inspection Office on: November 1, 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: November 1, 2023

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

MINUTES OF THE MAYOR
AND CITY COUNCIL MEETING
NOVEMBER 21, 2023



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

CHARLEY'S PAWN SHOP LLC
198 WILLIAM HUFFMAN RD
WEST POINT, MS 39773

RE: 1301 20TH ST N
APN: 56W19-02-03100
Case No: CE-23-0597
Officer: Sasha James - Ward: 5

Date: November 1, 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 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 November, 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.

Code Section:	Corrective Action:	Compliance Date:
107.1 - 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.	November 8, 2023

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 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 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 (\$1,000.00) per year. The governing authority may 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 notification 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 is the 1st day of November, 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: November 1, 2023

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

This Notice was posted at the City Building Inspection Office on: November 1, 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: November 1, 2023

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



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

SIMON WILL HENRY II / EBONY C
501 12TH AVE N
COLUMBUS, MS 39701

RE: 1500 12TH AVE N
APN: 56W18-02-11700
Case No: CE-23-0615
Officer: Sasha James - Ward: 5

Date: November 2, 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 so himself, on or before the 9th day of November, 2023, shall proceed to clean the land, by the use of municipal machinery or contract, by cutting grass and weeds, filling sections, 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.	November 9, 2023

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 WITHOUT THE NECESSITY OF FURTHER NOTICE OR FURTHER ACTION. HEARING OR ACTION IF NOTICE IS POSTED ON THE PROPERTY OR PARCEL OF LAND AND AT THE CITY HALL OR ANOTHER PLACE IN THE MUNICIPALITY. IF 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)(i) SHALL BE FURNISHED TO THE HEARING 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 if it contracts with another entity to perform the work. If the cost exceeds 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 provisions of Section 29-1-11(2), the municipality may elect to remove debris from the property without further notice or hearing no more than six (6) times in any twelve-month period with respect to removing abandoned or dilapidated buildings, substantially damaged structures, abandoned vehicles, abandoned boats, and other debris on the land. The expense of maintaining 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 penalties for each time the property or land is cleaned as would be assessed by private contractors, and the governing authority may require 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 request of the Secretary of State's office, for state-owned properties, a municipality may charge the state with the cost of removal of debris. It is recommended that municipalities follow the standard notification process that is prescribed in the existing regulations regarding the cleanup of hazardous waste sites. It is important to accept 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 and safety pursuant to Subsection 19-119(1)(1) is later utilized by a municipality to enforce the prerequisites of Section 21-219-11(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 2nd day of November, 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: November 2, 2023

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

This Notice was posted at the City Building Inspection Office on: November 2, 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 November 2, 2023.

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

MINUTES OF THE MAYOR
AND CITY COUNCIL MEETING
NOVEMBER 21, 2023



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

413 PROPERTIES LLC
413 N MONTGOMERY ST
STARKVILLE, MS 39759

RE: 1520 12TH AVE N
APN: 56W18-02-12500
Case No: CE-23-0617
Officer: Sasha James - Ward: 5

Date: November 6, 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 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:

- 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 13th day of November, 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.

Code Section:	Corrective Action:	Compliance Date:
107.1 - 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.	November 13, 2023

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 21-19-1(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 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 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 21-19-1(1) is later utilized by a municipality when the prerequisites of Section 21-19-1(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 21-19-1(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 6th day of November, 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 21-19-1(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: November 6, 2023

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

This Notice was posted at the City Building Inspection Office on: November 6, 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: November 6, 2023

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

B. Discuss/Approve request to advertise for Qualified Depository Bid Accounts

Council Member Mickens made a motion to approve the advertising for Qualified Depository Bid Accounts. Council Member Greene seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

C. Discuss/Approve Recommendation from the Planning Commission meeting held November 13, 2023.

Street Dedication Request 23-02

On behalf of Jimmy Jackson
500 Block of 4th Street North
Area of a Planned Unit Development

This request is to dedicate the portion of 4th Street North between 5th and 7th Avenues in the name of Pastor Jimmy L. Rice of 4th Street Missionary Baptist Church

The Planning Commission unanimously recommended approval of the request.

The Planning Commission also recommends that all street dedication signs be placed below the official street sign to avoid confusion.

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 dedicate the portion 4th Street North between 5th and 7th Avenues in the name of Pastor Jimmy L. Rice of 4th Street Missionary Baptist Church be approved. The Planning Commission also recommends that all street dedication signs be placed below the official street sign to avoid confusion. Councilwoman DiCicco 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.

Rezoning Docket 23-02

**On Behalf of William D. Ferguson
2700 block of Military Road
Tax Parcel Numbers 55W09-00-00900 & 55W09-00-01000**

The request is to rezone the rear portion of these parcels from C-3 Highway Commercial to R-1 Single Family Residential.

The Planning Commission recommended approval. The Commission based their decision on a change in the character of the neighborhood and a public need.

Council Member Greene 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 the rear portion of these parcels from C-3 Highway Commercial to R-1 Single Family Residential be approved. The Commission based their decision on a change in the character of the neighborhood and a public need. Council Member Greene 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.

Rezoning Docket 23-03

**On Behalf of T. Dale Taylor
900 block of Lehmberg Road
Tax Parcel Numbers 54W17-00-01600 & 54W17-00-01701**

The request is to rezone the front portion of these parcels from A-1 General Agricultural to C-3 Highway Commercial.

The Planning Commission recommended approval. The Commission based their decision on a change in the character of the neighborhood and a public need.

Council Member Mickens 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 the front portion of these parcels from A-1 General Agricultural to C-3 Highway Commercial be approved. The Commission based their decision on a change in the character of the neighborhood and a public need. Council Member Greene 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.

Other Business:

The Planning Commission recommends the Chart of Uses Permitted be amended to allow mini self-storage facilities in the C-1 Neighborhood Commercial District after Planning Commission review and recommendation and approval by City Council. Councilwoman DiCicco made a motion to accept the Planning Commission's recommendation to amend the Chart of Uses Permitted to allow mini self-storage facilities in the C-1 Neighborhood Commercial District after Planning Commission review and recommendation. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

D. Discuss/Approve replacement of the gas piping for the Trotter Convention Center in the amount of \$33,650.00.

Council Member Jones made a motion to approve the request to replace the gas piping for the Trotter Convention Center in the amount of \$33,650.00. Council Member Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

E. Discuss/Approve Engineering Contract for ERBR funding to replace the Waterworks Bridge over the Luxapalila Creek.

Council Member Beard made a motion to approve Engineering Contract for ERBR funding to replace the Waterworks Bridge over the Luxapalila Creek, which is a grant. Council Member Mickens seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

F. Discuss/Approve a contract to trap beavers in drainage areas around 5th Street (Bluecutt Estates), behind and around Ashley Furniture Store, along Wilkins-Wise Road, and several areas down Highway 69 (Changler Rd., Gregory Rd., and off Union Drive) in the amount of \$7,493.42.

Council Member Mickens made a motion to approve a contract to trap beavers in drainage areas around 5th Street (Bluecutt Estates), behind and around Ashley Furniture Store, along Wilkins-Wise Road, and several areas down Highway 69 (Changler Rd., Gregory Rd., and off Union Drive) in the amount of \$7,493.42. Councilwoman Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

G. Discuss/Approve Promotion of one (1) Columbus Fire and Rescue personnel from Engineer to Fire/Life Safety Educator, effective November 27, 2023.

Council Member Beard made a motion to approve the request to promote one (1) Columbus Fire and Rescue personnel: Jaquay Sherrod, from Engineer to Fire/Life Safety Educator, effective November 27, 2023. Councilwoman DiCicco seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

H. Discuss/Approve Hiring of three (3) Entry Level Firefighters, pending successful completion of all preliminary testing.

Council Member made a motion to approve the request to hire three (3) Entry Level Firefighters: SETH M. KYLE, VICTORIA CULPEPPER, AND MICHAEL PERRYMAN, pending successful completion of all preliminary testing. Councilwoman Stewart seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

**I. Discuss/Approve an Agreement between the City of Columbus,
Mississippi and Foray, LLC dba Foray Technologies**

Council Member Beard made a motion to approve an Agreement between the City of Columbus, Mississippi and Foray, LLC dba Foray Technologies.
Council Member Jones seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

THE AGREEMENT FOLLOWS:

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**Foray Cloud Solution
Service Level Agreement**

1. Agreement Overview

This Agreement represents a Service Level Agreement ("SLA" or "Agreement") between Foray, LLC d/b/a Foray Technologies, 3911 5th Avenue, Suite 300, San Diego, CA 92103 ("Foray") and the City of Columbus, Mississippi, P.O. Box 1408, Columbus, MS 39703-1408 ("Agency") for providing a Cloud Solution the terms of which are specified in the Itemized Quote # CPD_SaaS_3076 attached hereto and are fully incorporated into this Agreement by reference including the consideration stated therein, which the parties agree, together with the covenants and promises set forth therein constitute fair and sufficient consideration to support this Agreement.

2. Service Level Commitment

Foray will use commercially reasonable efforts to provide Agency a Monthly Uptime Percentage of at least 99.9%.

3. Service Credit

If Foray fails to meet a Service Level Commitment in a given calendar month the Agency may request, and Foray promises to give, a credit within 15 days after the end of the month. Service credits are awarded as a percent of 1/12 of the annual fees and are applied as a credit toward payment for the following term. If Agency has paid the annual fee in full, then Agency may elect to apply the credit to any future renewal fees or alternatively to receive its credit in cash at the sole discretion of the Agency. If Agency elects to receive the credit in cash, Foray shall remit any such credit within 15 days after Agency's written request.

Monthly Uptime Percentage	Service Credit
< 99.9%	10%
< 99.0%	25%

To receive a credit, Agency must submit a ticket to support@foray.com with details of the incident including a description, time and duration, and any other relevant details.

4. Exclusions

The Service Level Commitment does not include Downtime due to: (a) Agency's use of the cloud solution in

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3911 5th Ave, Ste 300 • San Diego, CA 92103 (619) 858-1360 • (fax) (619) 858-1366 • www.foray.com
a manner not authorized in the Terms or not in accordance with documentation; (b) force majeure events or other factors outside of our reasonable control, including, without limitation, Internet access or related problems, cyber-attack, or malware; (c) the Agency's equipment, software, network connections or other infrastructure; (d) the Agency's data; (e) third-party equipment, apps, add-ons, software or technology (other than our agents and subcontractors); (f) routine scheduled maintenance or reasonable emergency maintenance.
5. Definitions

"Monthly Uptime Percentage" means 100% minus Downtime minutes in the relevant calendar month.

"Downtime" when the cloud solution is unavailable exclusive of Scheduled Maintenance.

"Scheduled Maintenance" when the cloud solution is unavailable during a period that has been communicated ahead of time to the agency. This includes a standing schedule and scheduled events.
Agreed to on this the 18th day of October, 2023.

Foray, LLC d/b/a Foray Technologies

Sign: Anna Disney

Written Name: Anna Disney

Title: Western Region Sales Representative

and

City of Columbus, Mississippi

Sign: Keith Gaskin

Written Name: Keith Gaskin

Title: Mayor



Itemized Quote # CPD_Saas_3076¹

Quote For:	Prepared By:	Date Prepared:	Shipping Method:	Reference (P O Number):
Claudette Gilman Columbus Police Department 1501 Main Street Columbus, MS 39701 cgilman@columbusms.org	Anna Disney Foray Technologies 3911 5 th Ave, Ste 300 San Diego, CA 92103 (619)858-1360 Ext 529 (619)858-1366 (Fax) adisney@foray.com	10/18/23		

Item	Item Description	Per Year Cost
1	Foray ADAMS Hosted Saas (Per Year Subscription) for Digital & Physical Evidence Management, which includes: • 6 Total Standard Users • 1 Total Advanced Users • 7 TB of storage • Standard Support (M-F, 7am-4pm PST) • Remote Configuration & Implementation of Saas -includes 3 days of remote "train the trainer" training (First Year Only) • Migration of existing Foray data (First Year Only)	\$ 23,775.00
TOTAL		\$23,775.00

¹ The prices contained on this price sheet are valid for a period of 90 days. Thereafter, all prices are subject to change without notice.

Terms and Conditions of Proposal

- Purchase order number or credit card information must be included on order notification.
- Prices quoted are U.S. Dollars.
- Proposal valid for a term of 90 days from initial date of proposal. Thereafter, all prices are subject to change without notice.

The term "Equipment" includes the items listed on the client's signed accepted proposal together with all software, software licenses, supplies and materials incorporated into or added to any of the Equipment by Foray Technologies, Inc. (Foray Technologies) or its vendors, employees, agents or contractors.

GENERAL TERMS AND CONDITIONS

1. Payment Terms: Payment of the purchase price is due as follows:
 - A. 50% due upon receipt of client purchase order
 - B. 50% due when system is available to clientPurchaser is responsible for all applicable state and local taxes, including state and use tax if applicable.
2. Purchaser's Authority: Purchaser has full power and authority to enter into and perform this Agreement.
3. Sales Contract: This is a sales contract. Purchaser accepts the goods and materials herein described. This is not a sale on approval or trial. Acceptance is binding on Purchaser, its heirs, successors and assigns.
4. Optional Services: Services outside the scope of work quoted in this proposal are not included or covered as part of this Sales Contract. Services outside the scope of work of this proposal (unless otherwise quoted) may include:
 - A. Operating System Upgrades
 - B. Adams Software Migration (from an existing workstation to a new workstation)
 - C. Server Migration (from an existing server to a new server)
 - D. Server Consolidation of multiple repositoriesThese services can be purchased separately under an additional contract if not quoted in the services of this proposal
5. Installation Date: The "Installation Date" is defined as the date Foray Technologies determines the Equipment to be operating satisfactorily which will occur on the last day of training.
6. Title and Risk: Title to products passes from Foray Technologies, Inc to Purchaser upon complete payment of invoice amount. Loss or damage that occurs during shipping by a carrier selected by Foray Technologies is Foray Technologies' responsibility. Loss or damage that occurs during shipping by a carrier selected by Purchaser is Purchaser's responsibility.
7. Prepayment: You may at any time prepay the total remaining unpaid installment principal balance at any time, thereby eliminating the obligation to pay future interest or finance charges.

8. Security Interest. Foray Technologies shall have a purchase money security interest in the Equipment in order to secure payments due under this Agreement, and you will promptly execute any documents Foray Technologies deems reasonably necessary to file and perfect its security interest. If you fail to do so, Foray Technologies may execute the documents on your behalf. Foray Technologies may conspicuously mark the Equipment to identify its security interest and you may not place any conflicting mark on the Equipment or permit the Foray Technologies mark to be removed. For so long as Foray Technologies shall have a security interest in the Equipment, you shall not remove the Equipment from the address of delivery or sell Equipment or any part thereof without Foray Technologies written consent. There will be no security interest on City owned hardware.
9. Breach and Attorneys' Fees. If either party fails to cure a material breach within ten (10) days following a written notice of breach by the other party, the other party may upon written notice either (a) terminate this agreement, or (b) suspend its performance under this Agreement and/or under any related agreement. Additionally, if you breach any of your obligations under this Agreement, Foray Technologies may require immediate payment of the entire unpaid principal balance, plus all other amounts due under this Agreement.
10. Construction; Exclusive Venue. This Agreement shall be construed and enforced in accordance with the laws of the State of Mississippi and the United States of America, except that body of law concerning conflicts of law. The parties agree that all disputes or other matters pertaining to the enforcement or interpretation of any provision of this Agreement or arising from any other aspect of the vendor/ Distributor relationship created hereby shall be submitted for resolution to the Court of competent jurisdiction in Lowndes County, Mississippi, which court and the Mississippi State appellate venues thereof shall be the exclusive venues for such matters and the parties hereto consent to the jurisdiction of such courts.
11. Entire Agreement. This Agreement, including the terms and conditions contained on any applicable price list, constitutes the entire agreement as to its subject matter, and supersedes all prior and contemporaneous oral and written agreements as to such subject matter. Furthermore, you hereby understand and acknowledge that Foray Technologies has not made and is not bound by any oral or written representation made by its salespeople, which do not appear in this Agreement. In the event of any inconsistency between the terms and conditions specified in a price list and those otherwise contained in this Agreement, the former shall control. Any terms and conditions on any ordering documents or purchase orders you may issue shall have no force or effect.

J. Discuss/Approve changing the Job Title of Forensic Scientist Trainee to “Forensic Lab Technician” with no wage adjustment, and update job description.

Council Member Jones made a motion to approve the request to change the Job Title of Forensic Scientist Trainee to “Forensic Lab Technician” with no wage adjustment, and update job description. Council Member Beard seconded the motion.

All Council Members voted in favor of the motion.

The motion carried 6/0.

K. Discuss/Approve the purchase of tactical vests and helmets in the amount of \$40,348.28, with \$29,000 reimbursable by the FY23 Mississippi Homeland Security Grant Program.

Council Member Jones made a motion to approve the purchase of tactical vests and helmets in the amount of \$40,348.28, with \$29,000 reimbursable by the FY23 Mississippi Homeland Security Grant Program. Councilwoman Stewart seconded the motion. George Irby, Interim Planner and Director of Community Development, came forward and remarked that the grant has been approved; the City will be required to pay for items and be reimbursed.

All Council Members voted in favor of the motion.

The motion carried 6/0.

The next item includes invoices that were taken from the docket of claims for separate approval.

L. The next item includes invoices that were taken from the docket of claims for separate approval.

Councilwoman Stewart I move to approve the expenditure of \$726.19 from 001-004-695 (Advertising Municipal Resources) and find that said amount is a legitimate expense that will advertise and bring into favorable notice the opportunities, possibilities and resources of the City of Columbus. Council Member Mickens seconded the motion. (These purchases were for the Turkey Pardon event that was held on November 16, 2023).

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

The motion carried 5/1.

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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, There Council Member Greene 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/Clerk

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