

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI
JANUARY 2, 2019

Be it remembered that a regular meeting of the Tupelo City Council was held in the Council Chambers in the City Hall Building on Tuesday, December 4, 2018 at 11:00 a.m. with the following in attendance: Markel Whittington, Lynn Bryan, Travis Beard, Nettie Y. Davis, Mike Bryan, Willie Jennings; City Attorney Ben Logan; Amanda Daniel, Clerk of the Council.

President Travis Beard gave the invocation, followed by the Pledge of Allegiance led by Councilman Lynn Bryan.

IN THE MATTER OF CALLING THE MEETING TO ORDER

President Travis Beard called the meeting to order at 11:00 a.m.

IN THE MATTER OF CONFIRMATION OR AMENDMENT TO THE AGENDA AND AGENDA ORDER

Councilwoman Davis moved, seconded by Councilman Whittington to confirm the agenda and the agenda order as submitted. Of those present, the vote was unanimous in favor.

PROCLAMATIONS, RECOGNITIONS, AND REPORT AGENDA

IN THE MATTER OF RECOGNITION OF BOY/GIRL SCOUTS

No Scouts were present for recognition.

IN THE MATTER OF RECOGNITION OF CITY EMPLOYEES

No employees were present for recognition of reaching milestones in their tenure of service.

IN THE MATTER OF PUBLIC RECOGNITIONS

Councilwoman Davis wished everyone a Happy New Year and congratulated Caleb Bedillion on his child's recent healthy arrival.

IN THE MATTER OF THE MAYOR'S REPORT

No Mayor's Report is available for this meeting.

(CLOSE THE REGULAR MEETING AND OPEN THE PUBLIC AGENDA)

PUBLIC AGENDA

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI
JANUARY 2, 2019

PUBLIC HEARINGS

**IN THE MATTER OF A PUBLIC HEARING FOR THE PLANNING COMMITTEE'S
RECOMMENDATION OF DEVELOPMENT CODE TEXT AMENDMENTS**

No one appeared to discuss this matter.

CITIZEN HEARING

No items appeared for consideration.

(CLOSE THE PUBLIC AGENDA OPEN THE REGULAR MEETING)

ACTION AGENDA

**IN THE MATTER OF REVIEW, ADOPT, REJECT AN ORDINANCE AMENDING
THE DEVELOPMENT CODE OF THE CITY OF TUPELO**

Councilman Whittington moved, seconded by Councilwoman Davis, to adopt an Ordinance Amending the Development Code of the City of Tupelo, Mississippi; of those present the vote was unanimous in favor.

The Planning Committee voted December 3, 2018 to recommend the approval of five sections of the Development Code, relating to the West Jackson, Joyner, and Belledeer Overlay districts, to commercial landscaping requirements, residential property maintenance standards, and drainage information requirements on subdivisions.

An executed copy of the Ordinance is attached to these minutes and incorporated herein as **APPENDIX A.**

REGULAR AGENDA

**IN THE MATTER OF REVIEW, APPROVE, REJECT MINUTES OF THE DECEMBER
18, 2018 REGULAR COUNCIL MEETING**

Councilman Jennings moved, seconded by Councilman Whittington, to approve the minutes as submitted. Of those present, vote was unanimous in favor.

MUNICIPAL MINUTES, CITY OF TUPELO
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IN THE MATTER OF REVIEW, APPROVE, REJECT LIST OF ADVERTISING AND PROMOTIONAL EXPENSES

No items appeared for consideration.

IN THE MATTER OF REVIEW, PAY BILLS

Bills were reviewed at 10:00 a.m. by council members and staff: Travis Beard, Willie Jennings, Markel Whittington; Missy Shelton, Deputy Clerk

Councilman Palmer moved, seconded by Councilman Jennings, to approve the payment of the checks bills, and claims. Of those present, the vote was unanimous in favor.

CHECK NUMBERS 352345-352616
ELECTRONIC TRANSFERS AS SHOWN ON THE FACE OF THE DOCKET
INVOICES AS SHOWN ON THE FACE OF THE DOCKET

IN THE MATTER OF REVIEW, APPROVE A NORTH MS NARCOTIC 2019 F150 TRUCK LIST TO BE DECLARED SURPLUS AND RATIFY A RESOLUTION APPROVING EXPENDITURE OF FORFEITURE OF FUNDS BY THE NMNU

In accordance with the Resolution approved by the City Council, December 18, 2018, Councilman Whittington moved, seconded by Councilman L. Bryan, to ratify this Resolution and to approve the North MS Narcotics Unit's request as submitted. Of those present, the vote was unanimous in favor.

In accordance with the Resolution, the City of Tupelo purchased eight (8) F150 Ford Trucks. One (1) truck purchased for each member of the North MS Narcotics Unit. The City of Tupelo will keep one (1) truck, and the remaining seven (7) shall be declared surplus and the title shall be given to the listed Law Enforcement Agencies as follows:

2019 FORD F150 TRUCK	VIN 1FTEQ1E45KFA21643	LEE COUNTY SHERIFF DEPT.
2019 FORD F150 TRUCK	VIN 1FTEW1E41KFA21641	BOONEVILLE POLICE DEPT.
2019 FORD F150 TRUCK	VIN 1FTEW1E43KFAC1639	CHICKASAW CO. SHERIFF
2019 FORD F150 TRUCK	VIN 1FTEW1E43KFA21642	FULTON POLICE DEPT.
2019 FORD F150 TRUCK	VIN 1FTEW1E4XKFA21640	AMORY POLICE DEPT.
2019 FORD F150 TRUCK	VIN 1FTEW1E47KFA37035	ITAWAMBA CO. SHERIFF
2019 FORD F150 TRUCK	VIN 1FTEW1E47KFA21644	PRENTISS CO. SHERIFF

An executed copy of the Resolution and a truck surplus list are attached to these minutes and incorporated herein as **APPENDIX B.**

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI
JANUARY 2, 2019

IN THE MATTER OF REVIEW, APPROVE, REJECT A CONTRACT BETWEEN ESG OPERATIONS, INC. AND THE CITY OF TUPELO FRO A THREE YEAR CONTRACT TO OPERATE A WASTEWATER TREATMENT PLANT.

Per legal counsel, Councilman Whittington moved, seconded by Councilman Jennings, to table this item. Of those present, the vote is unanimous in favor.

STUDY AGENDA

No items appeared for consideration.

EXECUTIVE SESSION

No items appeared for consideration.

IN THE MATTER OF ADJOURNMENT

With no further business to come before the City Council, Councilman Jennings moved, seconded by Councilman Whittington to adjourn the meeting at 11:08 a.m.

ATTEST:

Amanda Daniel
CLERK OF THE COUNCIL

Travis Beard
PRESIDENT

J. S. Shutt
MAYOR
January 16, 2019
DATE

**ORDINANCE AMENDING THE DEVELOPMENT CODE OF THE CITY
OF TUPELO, MISSISSIPPI**

WHEREAS, the City of Tupelo adopted an ordinance known as the Development Code on October 1, 2013; and

WHEREAS, the ordinance governs all zoning and development and applies to all land, buildings, structures and uses located within the corporate limits of the City of Tupelo; and

WHEREAS, the ordinance is adopted, pursuant to authority granted to the City of Tupelo by Section 17-1-1, et seq. of the Mississippi Code Annotated (1972); and

WHEREAS, the Department of Development Services and the Planning Committee have reviewed and considered information regarding the need to revise certain provisions of the Development Code and have conducted a public hearing with notice published in the Northeast Mississippi Daily Journal, at the Planning Committee's regularly scheduled meetings on and December 3, 2018, on the proposed amendments; and,

WHEREAS, the Tupelo City Council conducted a public hearing, with notice published in the Northeast Mississippi Daily Journal, at its regularly scheduled meeting on January 2, 2019, to review and consider recommendations proposed by the Tupelo Department of Planning and Community Development and the Tupelo Planning Committee concerning amendments to the Development Code, and

WHEREAS, the City Council finds and determines that pursuant to the authority granted under Miss. Code Anno. Sec. 17-1-3 (1972 as amended), it is necessary to protect the public health, safety, morals and general welfare to amend the current Development Code, and the provisions below are text amendments only and do not change or expand the uses of properties within the pertinent zoning classifications, are consistent with the Comprehensive Plan of the

5.11.4. Review Procedures

- (1) A design review committee shall be established consisting of five members. Three members shall be residents of the Belledeer Neighborhood, designated by vote of the Belledeer Neighborhood Association. One member shall be designated by the Mayor. One member shall be designated by the City Council representative(s) for the Belledeer Neighborhood. Associate members may be nominated by either the Belledeer Neighborhood, the Mayor, or the City Council representative to serve in the absence of a member. The members shall be confirmed by the City Council. The committee positions will be for a period of twelve months from the date of confirmation.
- (2) No permit for new construction or external renovation shall be issued for any residential property within the Belledeer Neighborhood Conservation Overlay District without approval of the design review committee. Commercial construction and renovation are exempt from this review requirement.
- (3) Applications for construction or renovation within the Belledeer Neighborhood Conservation Overlay District shall be accompanied by complete drawings of the proposed work, including a site plan, floor plan, full elevation drawings, and exterior materials list.
- (4) The design review committee shall meet to consider permit applications no later than thirty (30) days after the complete application is received by the Development Services Department.

INSERT: Amended Figure 5.5.1, Joyner Neighborhood Overlay District, and Figure 5.11.1, Belledeer Neighborhood Overlay District.

After Section 9.4.2, INSERT:

9.4.3 Exemptions for Security Plan

Government facilities, parks, public safety facilities or other uses that may have site visibility concerns may submit to the Development Services Department a Site Security Plan requesting landscaping that deviates from the standards of this section. The Director of Development Services may approve the Site Security Plan, with or without conditions, on finding that the deviation from the standards are necessary for protection of the public and will not have a significant adverse effect on neighboring lands.

In Section 11.6.2 (2) (b), after "Chapter 2 of this Ordinance." DELETE: The shrubs may be planted a minimum of three (3) feet apart, on center, along the front side of the building. INSERT: A minimum of one shrub per four (4) feet of length of the front side of the building is required.

In Section 12.10.10 (4), DELETE: 'two (2)' and INSERT: 'one (1)'; DELETE: 'six thousand (6,000)' and INSERT: 'twenty thousand (20,000); after 'stream buffers' ADD: No residential lot may include a slope greater than 4:1. A permanent elevation benchmark shall be provided and shown on the subdivision plat and construction plans.'

CITY OF TUPELO, MISSISSIPPI

BY: Travis Beard
Travis Beard, President

ATTEST:

Amanda Daniel
AMANDA DANIEL,
Clerk of the Council

APPROVED:

Jason L. Shelton
Jason L. Shelton, Mayor

January 2, 2019

DATE

North Mississippi Narcotics

PHONE: (662) 844-4261
OR (662) 841-6583
FAX: (662) 841-6409

504 Air Park Road
Tupelo, MS 38801

Approved
1-2-19
(AD)



12/21/18

In accordance with the attached resolution, The City of Tupelo has purchased 8 trucks, one truck for each member of the North MS Narcotics Unit. The City of Tupelo will keep one truck, and the remaining seven shall be declared surplus and the title shall be given to the Law Enforcement Agency named.

NMNU 2019 FORD F150 TRUCK SURPLUS LIST

1. 2019 Ford F150 Truck VIN 1FTEW1E45KFA21643 (Lee Co SO)
2. 2019 Ford F150 Truck, VIN 1FTEW1E41KFA21641 (Booneville PD)
3. 2019 Ford F150 Truck, VIN 1FTEW1E43KFA21639 (Chickasaw Co SO)
4. 2019 Ford F150 Truck, VIN 1FTEW1E43KFA21642 (Fulton PD)
5. 2019 Ford F150 Truck, VIN 1FTEW1E4XKFA21640 (Amory PD)
6. 2019 Ford F150 Truck, VIIN 1FTEW1E47KFA37035 (Itawamba Co SO)
7. 2019 Ford F150 Truck, VIN 1FTEW1E47KFA21644 (Prentiss Co SO)

Lt. Bruce Dodson, Tupelo Police Department
Commander, North Ms Narcotics Unit

A handwritten signature in black ink, appearing to be 'JD' or similar, located at the bottom right of the page.

**RESOLUTION APPROVING EXPENDITURE OF FORFEITURE FUNDS BY THE
NORTH MISSISSIPPI NARCOTICS UNIT**

WHEREAS, the governing authorities of cities and counties in the area annually enter in to an inter-local agreement establishing a joint, cooperative effort to enforce the criminal laws of Mississippi regarding controlled substances; and

WHEREAS, this inter-local agreement is carried out by the North Mississippi Narcotics Unit, (NMNU); and

WHEREAS, the City of Tupelo Police Department is the Host Agency for this organization; and

WHEREAS, the participating police chiefs and sheriffs as agency heads of the member agencies of NMNU constitute the Advisory Group, which in turn elects the five (5) member Control Board; and

WHEREAS, the Control Board appoints the Unit Commander, who must be an employee of the Host Agency; and

WHEREAS, the Control Board has recommended, and the Unit Commander has requested the expenditure of funds derived from forfeited property seized in connection to drug-related and other criminal cases prosecuted by NMNU; and

WHEREAS, MNMU requests expenditure of funds to a new vehicle for each member agency to aid the organization's enforcement activities;

THEREFORE, LET IT BE RESOLVED:

SECTION 1

The NMNU is authorized to purchase from its forfeiture funds a like vehicle for each member agency to be used by the member agency's assigned personnel for enforcement activities of NMNU.

SECTION 2

Each participating agency shall maintain ownership and title to its vehicle until such time the vehicle is deemed unsuitable for official use, and at such time, the vehicle title and ownership will be returned to the Host Agency for disposition in accordance with the laws of the State of Mississippi.

SECTION 3

The vehicles purchased by NMNU will be at state contract price, and before transfer to the member agencies, a list of the vehicles will be presented for ratification to the governing body of the Host Agency, the City of Tupelo.

After a full discussion of this matter, Council Member Buddy Palmer moved that the foregoing Resolution be adopted and said motion was seconded by Council Member Mike Bryan and upon the question being put to a vote, the results were as follows:

Councilmember L. Bryan voted	<u>AYE</u>
Councilmember M. Bryan voted	<u>AYE</u>
Councilmember Davis voted	<u>AYE</u>
Councilmember Jennings voted	<u>ABSENT</u>
Councilmember Beard voted	<u>AYE</u>
Councilmember Palmer voted	<u>AYE</u>
Councilmember Whittington voted	<u>AYE</u>

The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the resolution adopted.

WHEREUPON, the foregoing Resolution was declared, passed and adopted at a regular meeting of the Council on this the 17TH day of JULY, 2018.

CITY OF TUPELO, MISSISSIPPI



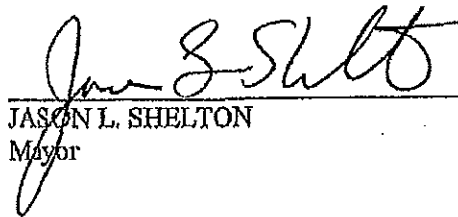
TRAVIS BEARD
City Council President

ATTEST:



AMANDA DANIEL
Clerk of the Council

APPROVED:



JASON L. SHELTON
Mayor

JULY 18, 2016
DATE

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