

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI

APRIL 5, 2011

Be it remembered that the regular meeting of the Tupelo City Council was held in the Council Chambers at the City Hall Building on Tuesday, April 5, 2011, at 6:00 p.m. with the following in attendance: Council Members Markel Whittington, R. Fred Pitts, Jim Newell, Nettie Y. Davis, Jonny Davis, Mike Bryan and Willie Jennings; John S. Hill, City Attorney; and Glenda Muse, Clerk of the Council.

The invocation was led by President Fred Pitts, followed by the Pledge of Allegiance led by Councilman Jonny Davis.

IN THE MATTER OF CALLING THE MEETING TO ORDER

President Pitts called the City Council meeting to order at 6:00 p.m.

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

Upon a motion by Councilwoman Davis, seconded by Councilman Whittington, the council voted unanimously to confirm the agenda and agenda order, amended as follows:

ADD: #6.3 Interlocal Agreement with Lee County in Regard
To Tree Planting Project at Tupelo Regional Airport

ADD: #8.3 Agreement with Franklin Collection Agency for
Collection of Municipal Court Fees

ADD: #8.4 "Plant a Seed" Summer Youth Employment Program

4. PROCLAMATIONS, RECOGNITIONS AND REPORTS 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 city employees were present for recognition

IN THE MATTER OF PUBLIC RECOGNITIONS

The following public recognitions were made by City Council Members:

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Councilman Davis – Announced the upcoming Azalea Festival and Up, Up and Away Hot Air Balloon Festival which is scheduled for Friday and Saturday, April 8 and 9, 2011, at Veterans Park located on Veterans Boulevard. He invited the public to come out and enjoy all the festivities planned for this event.

Councilman Newell – Recognized the Historic Preservation Commission for having recently been notified that the Spain House had been placed on the National Historic Register.

Councilwoman Davis – Expressed appreciation for the large crowd in attendance at tonight’s meeting and invited everyone to come back often to the City Council meetings.

Councilman Pitts – Announced that Mississippi Economic Council President Blake Wilson and Mayor Jack Reed, Jr. had been named recipients of the 2011 “Trail Blazer Awards” for their efforts to advance diversity. The Tupelo-based Mississippi Trail Blazers, which each year recognizes leaders for professional and public service contributions to diversity, will honor Mr. Wilson as its “Mississippi Trail Blazer of the Year” and Mayor Reed as its “Tupelo Trail Blazer of the Year” on May 14, 2011, at the BancorpSouth Conference Center in Tupelo.

President Pitts next stated he wished to read a statement to the public with the consensus of the full Tupelo City Council. The statement consisted of three items:

1 – The City Council believes that there is widespread public loss of trust and confidence in the present administration of the Tupelo Public School District to solve the problems confronting the School District.

2 – The City Council believes that a necessary first step in addressing the loss of trust and confidence noted hereinabove is the termination of the present superintendent, Dr. Randy Shaver, and assistant superintendent, Dr. Fred Hill.

3 – The City Council encourages the Board of Trustees of the Tupelo Public School District to take immediate and bold action to address concerns about the direction and administrative oversight of the School District.

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IN THE MATTER OF PROCLAMATION IN RECOGNITION OF “1936 TUPELO TORNADO 75TH ANNIVERSARY

Mayor Reed announced that he had just presented a Proclamation at the Lyric Theater to survivors of the 1936 Tupelo Tornado which occurred on April 5, 1936, and is the 4th deadliest tornado in United States history. Over 220 people died; many hospitalized; 48 city blocks leveled; and countless homes either completely destroyed or badly damaged. Other widespread damage occurred including destruction of churches, schools, shops, barns, etc. Clean-up following the disaster went on for many weeks with everyone pitching in to help neighbors and friends rebuild the city and create an even greater city than the one destroyed in the tornado.

IN THE MATTER OF MAYOR’S REPORT

This week of remembering the Tupelo Tornado of April 5, 1936, is a good time to recall how, for the past 75 years, we Tupeloans have absorbed tough challenges and bounced back. From a devastating tornado that killed and injured many of our people and destroyed and damaged many of our buildings, we pulled together to come out of the Depression stronger than before.

From the social challenges of the civil rights conflicts we worked together around racial bias to have a public school system to be the envy of every other town in Mississippi.

From the economic tsunami of losing thousands of furniture manufacturing overseas we, through the far-sighted vision of our Community Development Foundation, courted and won the world’s number one economic development prize, Toyota’s newest state-of-the-art automobile assembly plant, and the thousands of jobs that are coming with it.

Today, we face the two challenges of zero population growth with slumping sales tax revenues and public discontent with our public school system as it responds to issues –some is response to a changing community which it reflects, and some brought on by its own actions as it tries to implement the challenges it sees.

While the past few weeks have been more contentious than most would prefer, I think they can..and should..result in a renewed dedication by all citizens of goodwill to reaffirm that (1) we are all in this together and (2) we have the power to once again bounce back and reclaim both our City and our school system as a place of excellence—to live in and to learn in.

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The best way to predict the future, someone has said, is to invent it. That is the goal of the Tupelo Neighborhood Reinvestment Act. Its goal is to reinvigorate and grow our human

capital by investing some of our public financial capital to inspire and leverage our citizens' private capital.

It is an innovative, smart, practical package of plans developed by private citizen experts in their fields, led by our great CDF. The Board of Directors of CDF unanimously adopted recommending it to our Tupelo City Council in their meeting last week.

Our Tupelo Public School District Board is composed of five good, compassionate, bright, local men and women who care deeply about our school children and whose only mission is to do what is best for them. Dr. Shaver's term here was filled with days of change. He was charged, among other things, with improving our students test scores and with improving our 40% dropout record. In retrospect, it has been the way he tried to implement his strategies that failed to enlist the support of many teachers, parents, and members of the community.

Randy Shaver has spent his entire adult lifetime in public education—as a teacher for 18 years, as a principal, as a superintendent. He has devoted himself to educating children. I am sorry that his time here with us in Tupelo turned out this way. Sorry for him. Sorry for us. I wish he and Carolyn godspeed.

But our town is bigger than one man or one woman. Our task now is to rebuild—just as our ancestors 75 years ago tonight absorbed a devastating tornado and immediately began to rebuild.

How do we do it? By recommitting to pitch in ourselves—each in our own way. By supporting each other. By trusting each other.

Leadership changes generally generate both heat and light, whether they are in a church, a business, a school district, a city, a county, a state, or a country.

What is fundamentally important, though, is our personal commitment to our church, or our business, or school district, or city, county, state, or country.

This is our time to stand up and show what we are made of. I'm not willing to give up on our city. I'm not willing to give up on our school system. I'm going to keep trying to work as hard as I can, every day, to do what I can to be a positive force to strengthen both. The citizens of Tupelo, whether in the 1930, the 1960's, or the 1990's have bounced back before. Now it's up to us. Now it's our turn.

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(President Pitts then closed the regular meeting and opened the Public Agenda.)

5. PUBLIC AGENDA

5.1 CITIZENS' HEARINGS

**5.1.A ITEM APPROVED BY PLANNING COMMITTEE
AND TRAFFIC ISSUES IN TUPELO**

Mr. Tom Hewitt, 383 S. Thomas Street, appeared before the City Council in regard to two issues. First, he stated he was in favor of the opening of a dog grooming business which a citizen had made application for in a residential neighborhood. Secondly, he addressed serious traffic issues in Tupelo.

**5.1.B ISSUES REGARDING TUPELO PUBLIC
SCHOOL DISTRICT**

Three citizens had requested permission to speak before the City Council in regard to the concerns surrounding the Tupelo Public School District and its future. Also, addressed was the issue regarding the recent announcement that Principal Lee Stratton would be reassigned from his present position as Principal of Tupelo High School. All were very passionate in their presentations with back-up materials being furnished to the Council.

The three individuals who spoke included:

Donna Daniels, 1331 Morning Glory Circle
John Mack Weeden, 4633 White Chapel Lane
Glenn Ross, 109 Songbird Lane.

(President Pitts then closed the Public Agenda and the City Council returned to regular session.)

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6. ACTION AGENDA

IN THE MATTER OF REVIEW/APPROVE RESOLUTION CALLING AND PROVIDING FOR THE HOLDING OF A SPECIAL ELECTION REGARDING THE TUPELO MAJOR THOROUGHFARE PROGRAM, PHASE V

Upon a motion by Councilman Bryan and a second by Councilman Whittington, the council voted unanimously to approve a RESOLUTION CALLING AND PROVIDING FOR THE HOLDING OF A SPECIAL ELECTION WITHIN THE CITY OF TUPELO, MISSISSIPPI, TO DETERMINE IF THE CITY OF TUPELO SHALL INCREASE THE LIMITATION PRESCRIBED IN SECTION 27-39-321, MISSISSIPPI CODE OF 1972, AS AMENDED, TO AUTHORIZE CONTINUING THE SPECIAL LEVY OF TEN (10) MILLS OF AD VALOREM TAXES UPON ALL TAXABLE PROPERTY WITHIN THE CITY OF TUPELO FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011, AND FOR EACH OF THE NEXT FOUR (4) SUCCEEDING FISCAL YEARS THEREAFTER, THE TOTAL RECEIPTS FROM WHICH SPECIAL LEVY TO BE USED FOR THE PURPOSE OF STREET IMPROVEMENTS, INCLUDING CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR. An executed copy of this Resolution is attached to these minutes and incorporated herein as **APPENDIX A.**

A special election is scheduled for Tuesday, May 3, 2011, with notice of same to be published once a week for three consecutive weeks on April 12, 2011, April 20, 2011, April 26, 2011, and May 2, 2011. In addition, the notice shall be posted at three public places in the City of Tupelo.

IN THE MATTER OF REVIEW/APPROVE REVISED POLICIES AND PROCEDURES FOR 2010 HOME GRANT

On February 2, 2011, the Tupelo City Council had approved policies and procedures for the 2010 HOME Grant from the Mississippi Development Authority (MDA) in the amount of \$250,000 to the City of Tupelo. According to a memorandum from B. J. Teal, Director of the Department of Development Services, dated March 28, 2011, several changes were made during the past month and these revisions need to be adopted. These funds will be used to provide twenty grants of \$11,500 each to twenty qualified low-to-moderate income first-time homebuyers.

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Upon a motion by Councilman Jennings and a second by Councilman Whittington, the council voted unanimously to approve the revised Policies, Procedures, and Guidelines for the HOME Program, City of Tupelo. A copy of this executed document is attached to these minutes and incorporated herein as **APPENDIX B.**

IN THE MATTER OF REVIEW/APPROVE INTERLOCAL AGREEMENT WITH LEE COUNTY IN REGARD TO TREE PLANTING PROJECT AT TUPELO REGIONAL AIRPORT

Upon a motion by Councilwoman Davis, seconded by Councilman Jennings, the council voted unanimously to approve an Interlocal Agreement between the City of Tupelo, Mississippi, and Lee County, Mississippi, said agreement providing for the funding for a tree planting project on the property of the Tupelo Regional Airport near the former Army Aviation Support Facility for the Mississippi Army National Guard. These trees will create a landscape buffer between the public roads and the property on which the former Army Aviation Support Facility is located and will preserve and improve the general aesthetics of the surrounding area. Necessary funding for the project will be divided equally by the City and the County with each providing \$25,000, for a total project cost of \$50,000. An executed copy of this document is attached to these minutes and included herein as **APPENDIX C.**

7. ROUTINE AGENDA

IN THE MATTER OF REVIEW/APPROVE MINUTES OF REGULAR CITY COUNCIL MEETING

Upon a motion by Councilman Whittington, seconded by Councilman Newell, the council voted unanimously to approve the minutes of the regular City Council meeting of Tuesday, March 22, 2011.

IN THE MATTER OF REVIEW/PAY BILLS

Upon a motion by Councilman Davis, seconded by Councilman Newell, the council voted unanimously to approve payment of the following checks, bills having been reviewed at 4:30 p.m. by Council Members Whittington, Pitts, Newell, N. Davis, J. Davis, and Jennings:

Check Nos. 90252 through 90679 (Pool Cash Fund)
Electronic transfers as shown on the face of the docket.
Invoices as shown on the face of the docket.

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Requests made by AFLAC to reimburse employees under Flex-One Plan as shown on the face of the docket.

IN THE MATTER OF REVIEW/APPROVE FY 2011 BUDGET REVISION #5

Councilwoman Davis moved to approve FY 2011 Budget Revision #5; the motion was seconded by Councilman Bryan and unanimously approved by a vote of the City Council. An executed copy is attached to these minutes and incorporated herein as **APPENDIX D.**

IN THE MATTER OF REVIEW/AWARD/REJECT BID FOR TUPELO HIGHWAY 45 SOUTH SEWER REHABILITATION PROJECT

Upon a motion by Councilman Newell, seconded by Councilman Jennings, the council voted unanimously to award the bid for the Tupelo Highway 45 South Sewer Rehabilitation Project to the low qualified bid submitted by Delta Constructors of Jackson, Mississippi, in the amount of \$218,332.50, as recommended by Cook Coggin Engineers, as well as Johnny Timmons, Manager, Tupelo Water and Light Department. A copy of the bid package is attached to these minutes and incorporated herein as **APPENDIX E.**

IN THE MATTER OF REVIEW/APPROVE CONTRACTS FOR TWO PROJECTS FOR TUPELO WATER AND LIGHT DEPARTMENT

Upon a motion by Councilman Bryan, seconded by Councilman Jennings, the council voted unanimously to approve contracts for the following two projects for the Tupelo Water and Light Department:

Tupelo Primary Substation Testing and Reconditioning – The bid for this project was awarded by the City Council at the February 15, 2011, meeting to ABB Power T&D Transformer Division in the amount of \$398,098.00.

Tupelo Haven Acres Sewer Rehabilitation – The bid for this project was awarded by the City Council at the March 22, 2011, meeting to Buz Plaxico Dozier Services, Inc. in the amount of \$245,677.16.

Executed copies of these contracts are attached to these minutes and incorporated herein as **APPENDICES F AND G,** respectively.

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IN THE MATTER OF REVIEW/APPROVE TRANSFER OF WATER & LIGHT COLLECTIONS TO BAD DEBT FILE

Upon a motion by Councilman Whittington, seconded by Councilman Jennings, the council voted unanimously to approve the write-off of a listing of Tupelo Water & Light Collections accounts to the bad debt file. The total amount of the bad debt is \$65,344.06, representing a percentage of loss of .00192% for the period of July 2009 through December 2009. According to Johnny Timmons, Manager of the Tupelo Water & Light Department, efforts will continue to be made to collect these accounts even though they have been transferred.

IN THE MATTER OF REVIEW/ACCEPT MINUTES OF PLANNING COMMITTEE MEETING

Upon a motion by Councilman Davis, seconded by Councilman Bryan, the council voted as follows to accept the minutes of the Planning Committee of Monday, March 14, 2011. A copy of these minutes is attached hereto and made a part of these minutes as **APPENDIX H.**

Councilman Newell objected to the Committee's action in regard to Old Business, Item 1, in which a major conditional use had been granted to open a dog grooming business in a residential area. The City Council had previously sent this item back to the Planning Committee for further consideration, but that Committee had not changed its position on the matter. Vote taken by the City Council was as follows:

VOTING AYE: Whittington, Pitts, N. Davis, J. Davis, Bryan
VOTING NAY: Newell, Jennings

IN THE MATTER OF REVIEW/AWARD/REJECT BIDS FOR POLICE DEPARTMENT

Upon a motion by Councilman Davis, seconded by Councilman Newell, the council voted unanimously to award a bid for Police Department Uniforms and Boots to Barney's Police Supplies, 522-C West Main Street, Tupelo, Mississippi 38804. Bid Number for these items is 1199PD and a copy of the bid tabulations is attached hereto and made a part of these minutes as **APPENDIX I.**

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8. STUDY AGENDA

IN THE MATTER OF REVIEW/DISCUSS TAX ABATEMENT APPLICATIONS

At the request of Council Members Whittington and N. Davis, this item will be moved to the next agenda.

IN THE MATTER OF REVIEW/DISCUSS 2011 TUPELO NEIGHBORHOOD REINVESTMENT PLAN

This item will remain on the Study Agenda for further consideration.

IN THE MATTER OF REVIEW/DISCUSS AGREEMENT WITH FRANKLIN COLLECTION AGENCY FOR COLLECTION OF MUNICIPAL COURT FEES

At the request of Council Members Newell and Bryan, this item will be moved to the next agenda.

IN THE MATTER OF REVIEW/DISCUSS "PLANT A SEED" SUMMER YOUTH EMPLOYMENT PROGRAM

At the request of Council Members Whittington and Newell, this item will be moved to the next agenda.

IN THE MATTER OF ADJOURNMENT

There being no further business to come before the City Council, upon a motion by Councilman Jennings, seconded by Councilman Newell, the council voted unanimously to adjourn the regular meeting at 7:00 p.m.

ATTEST;

CLERK OF THE COUNCIL

PRESIDENT

APPROVED:

MAYOR