

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI

JULY 5, 2011

(President Pitts then closed the regular meeting and opened the public agenda.)

5. PUBLIC AGENDA

5.1 CITIZENS' HEARINGS

Councilman Newell moved to suspend the rules to allow Mr. Jim Newman to speak; the motion was seconded by Councilman Bryan and unanimously passed by a vote of the council.

5.1.A SUBJECT: THE TUPELO PROMISE PROPOSAL

Mr. Ed Neelly, III, had submitted a request to appear before the council to address the issue of the Tupelo Neighborhood Reinvestment Plan. Before his remarks, Mr. Neelly requested additional time to speak. Councilman Whittington moved to allow an additional five minutes to Mr. Neelly; the motion was seconded by Councilman Bryan, with vote being as follows:

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

Mr. Neelly presented a petition with several hundred names demanding a public vote before monies are expended on the Plan.

Mr. Jim Newman, 701 Highland Circle, next appeared and addressed the City Council regarding this issue.

Councilman Bryan moved to suspend the rules to allow Mrs. Louise Harris, 1319 Pinecrest Drive, to speak. The motion was seconded by Councilman Newell; unanimously approved by the council, and Mrs. Harris spoke concerning the matter.

Councilman Bryan moved to suspend the rules to allow Ed Neelly, 2014 Strain Street, to speak. The motion was seconded by Councilman Whittington; unanimously approved by the council, and Mr. Neelly addressed the council.

Councilman Whittington moved to suspend the rules to allow Stacey Gregory, South Church Street, to speak. The motion was seconded by Councilman Newell; unanimously approved by the council, and Mr. Gregory spoke concerning the same issue.

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Councilman Newell moved to suspend the rules to allow Bill Hammons, 1903 Skylark Circle, to address the council. The motion was seconded by Councilman Whittington; unanimously approved by the council, and Mr. Hammons addressed the council.

Councilwoman Davis moved to suspend the rules to allow Don Riley, 2595 Mt. Vernon Road, to address the council. The motion was seconded by Councilman Newell; unanimously approved by the council, and Mr. Riley addressed the council.

Councilman Whittington moved to suspend the rules to allow Eric Hampton to address the council. The motion was seconded by Councilman Davis; unanimously approved by the council, and Mr. Hampton addressed the council.

5.2 PUBLIC HEARING

**5.2.A IN REGARD TO DESIGNATION OF TVA SIGN
AS LOCAL HISTORIC LANDMARK**

No one appeared to address this issue.

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

6. ACTION AGENDA

**IN THE MATTER OF CONSIDERATION OF ELECTION OF CITY COUNCIL
OFFICERS**

Councilman Newell moved to consider the election of new City Council officers, and the motion was seconded by Councilwoman Davis. Councilwoman Davis remarked that she had been on the City Council for several years and had been a good council member. She said she felt that she was being penalized for being a female and Black. She stated that since Tupelo was an All-America City, the council should look at who makes up the city. She said she felt she was capable of serving but did not think it was going to be possible to be elected any time in the near future and held no ill feelings. However, she said she thought it to be unfair not to consider every council member who ran on their qualifications.

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Councilman Newell stated there were no statutes as to how long any officer should serve on the City Council. However, he said this position becomes political with the President controlling the agenda, and he felt that two years was long enough and the position should be rotated. He said he was not vying for any position as an officer but due to the nature of the post, every member on the council is qualified to serve in the roles and he felt that after two years, they should be changed.

Vote was then taken on the motion as follows:

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

The motion having failed, the officers for the next year will remain the same.

IN THE MATTER OF REVIEW/APPROVE TUPELO NEIGHBORHOOD REINVESTMENT PLAN

Councilman Whittington moved to table this issue; the motion was seconded by Councilman Davis with vote being as follows:

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

IN THE MATTER OF REVIEW/APPROVE CITY OF TUPELO AUDIT FOR FY ENDING 09/30/10

Councilman Whittington moved to accept the City of Tupelo Audit for Fiscal year ending September 30, 2010, and the motion was seconded by Councilman Davis and unanimously approved by the council. Greg Jarrell of the firm of Franks, Franks & Jarrell, P. A., who had prepared the audit, had earlier reviewed the report for the City Council at a work session. Even though this was a qualified report this year, Mr. Jarrell stated the deficiencies were merely technicalities and not of a serious nature. He complimented CFO Lynn Norris and City Clerk Kim Hanna, together with all department heads, for their diligence, cooperation and hard work which resulted in a good report.

IN THE MATTER OF DESIGNATION OF TVA SIGN AS LOCAL HISTORIC LANDMARK

The TVA sign is located at the intersection of W. Main Street and Gloster Street and according to a memorandum dated June 1, 2011, from Pat Falkner, City Planner, the Historic Preservation Commission had recommended that the sign be designated as a

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local historic landmark. The matter was brought before the City Council at its June 7, 2011, meeting and the council had approved the designation. However, Mr. Falkner has advised that a public hearing should have been held prior to consideration by the City Council. As a result, a public hearing was advertised and held earlier in this council meeting with no one appearing to address the issue.

Upon a motion by Councilwoman Davis, seconded by Councilman Bryan, the council voted unanimously to approve the recommendation of the Tupelo Historic Preservation Commission to designate the TVA sign as a local historic landmark in the City of Tupelo.

7. ROUTINE AGENDA

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

Upon a motion by Councilman Whittington, seconded by Councilman Jennings, the council voted unanimously to approve the minutes of the regular City Council meeting of Tuesday, June 21, 2011.

IN THE MATTER OF REVIEW/PAY BILLS

Upon a motion by Councilman Davis and a second by Councilman Whittington, the council voted unanimously to approve payment of the following checks, bills having been reviewed at 4:30 p.m. by Councilmen Whittington, Pitts and Davis:

- Check Nos. 92892 through 93310 (Pool Cash Fund)
- Electronic transfers as shown on the face of the docket.
- Invoices as shown on the face of the docket.
- 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 #7

Upon a motion by Councilman Jennings and a second by Councilman Whittington, the council voted as follows to approve FY 2011 Budget Revision #7, a copy being attached to these minutes and incorporated herein as **APPENDIX A:**

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

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IN THE MATTER OF OPENING OF NEW BANK ACCOUNT

City Clerk Kim Hanna had sent a request to the City Council asking for approval to open a new bank account at BancorpSouth Bank. The account will be the “City of Tupelo Infrastructure Fund” and will be used to receive funds collected for infrastructure improvements. Upon a motion by Councilman Jennings, seconded by Councilman Whittington, the council voted unanimously to approve the opening of this new account at BancorpSouth Bank.

IN THE MATTER OF REVIEW/APPROVE CHANGE ORDER #001 FOR 2011 12-PRESS INFRASTRUCTURE – PHASE II PROJECT – COOPER TIRE & RUBBER COMPANY

Upon a motion by Councilman Bryan, seconded by Councilman Whittington, the council voted unanimously to approve Change Order #001 for the 2011 12-Press Infrastructure – Phase II Project – Cooper Tire & Rubber Company. This change order represents a lump sum increase of \$13,000.00 with the cost being reconciled with the contract amount using the \$25,000 discretionary allowance included in the contract amount. An executed copy of the change order is attached to these minutes and incorporated herein as **APPENDIX B.**

IN THE MATTER OF REVIEW/AWARD/REJECT BID FOR TUPELO MITCHELL ROAD REPAIR AND REPAINT ELEVATED WATER STORAGE TANK

Upon a motion by Councilman Whittington, seconded by Councilman Bryan, the council voted unanimously to award the bid for the Tupelo Mitchell Road Repair and Repaint Elevated Water Storage Tank project to the low qualified bid submitted by Utilities Service Company, Inc. in the amount of \$136,000.00 as recommended by Cook Coggin Engineers. This bid was recommended as well by Johnny Timmons, Manager, Tupelo Water and Light Department in his memorandum dated June 29, 2011. A copy of the bid package is attached to these minutes as **APPENDIX C.**

IN THE MATTER OF REVIEW/ACCEPT MINUTES OF TUPELO MAJOR THOROUGHFARE PROGRAM MEETING

Upon a motion by Councilman Davis and a second by Councilman Newell, the council voted unanimously to accept the minutes of the meeting of the Tupelo Major Thoroughfare Program of May 9, 2011. A copy of these minutes is attached hereto as **APPENDIX D.**

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IN THE MATTER OF REVIEW/APPROVE RESOLUTION ALLOWING RETIRING POLICE OFFICER TO PURCHASE SERVICE WEAPON

Police Chief Tony Carlton had presented a Resolution for the consideration of the City Council requesting that Captain Kenneth Vaughn be allowed to purchase his issued Glock sidearm from the city at a cost of \$1.00. Officer Vaughn has retired from the Tupelo Police Department effective June 30, 2011. Upon a motion by Councilwoman Davis, seconded by Councilman Newell, the council voted unanimously to approve the Resolution to allow Captain Vaughn to purchase his sidearm for \$1.00. A copy of the executed Resolution is attached to these minutes as **APPENDIX E.**

IN THE MATTER OF REVIEW/APPROVE RESOLUTION OF AUTHORIZATION TO SUBMIT APPLICATION FOR 2011 JUSTICE ASSISTANCE GRANT AND APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH LEE COUNTY IN REGARD TO GRANT

Terri Blissard, Grant Administrator, had submitted a memorandum to the Mayor and City Council dated June 29, 2011, outlining the particulars concerning a Justice Assistance Grant Resolution and Memorandum of Understanding. The Department of Justice's Bureau of Justice Assistance has allocated funding to award to local units of government for law enforcement programs, and the City of Tupelo, jointly with Lee County, is eligible to benefit from such a program. The Justice Assistance Grant (JAG) is in the amount of \$31,027.00 and requires no match. In order to receive these funds, the City of Tupelo and Lee County must apply together in one application and execute a Memorandum of Understanding which names and confirms the administrating agency.

If approved, the City of Tupelo will receive \$18,829.00 and Lee County will receive \$12,198.00. Lee County has agreed to handle the administrative responsibilities for this year's grant.

Upon a motion by Councilman Whittington and a second by Councilman Bryan, the council voted unanimously to approve the Resolution of Authorization to Submit Application for 2011 Justice Assistance Grant and a Memorandum of Understanding between the City of Tupelo and Lee County, Mississippi, executed copies of each being attached to these minutes and incorporated herein as **APPENDIX F.**

8. STUDY AGENDA

IN THE MATTER OF REVIEW/DISCUSS DEMOLITION OF BUILDINGS COMPRISING TRACE INN AND COUNTRY HEARTH INN AND SUITES

This item will remain on the Study Agenda.

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IN THE MATTER OF ADJOURNMENT

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

PRESIDENT

ATTEST:

CLERK OF THE COUNCIL

APPROVED:

MAYOR