

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI

DECEMBER 2, 2014

Be it remembered that the regular meeting of the Tupelo City Council was held in Council Chambers at the City Hall Building on Tuesday, December 2, 2014, at 6:00 p.m. with the following in attendance: Council Members Markel Whittington, Lynn Bryan, Travis Beard, Buddy Palmer, Mike Bryan and Willie Jennings; City Attorney Ben Logan; and Glenda Muse, Clerk of the Council. Councilwoman Nettie Y. Davis was absent.

The invocation was led by Councilman Travis Beard, followed by the Pledge of Allegiance led by Councilman Lynn Bryan.

IN THE MATTER OF CALLING THE MEETING TO ORDER

President Mike Bryan called the meeting to order at 6:00 p.m.

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

Upon a motion by Councilman Palmer and a second by Councilman Whittington, the council voted unanimously of those present to confirm the agenda and agenda order, amended as follows:

ADD: Study Item #8.1 POLICY TO CONTINUE REGULAR PAY OF
LAW ENFORCEMENT OFFICERS, FIRE-
FIGHTERS, OR OTHER EMPLOYEES THAT
PROTECT THE PUBLIC INTEREST
INJURED IN THE LINE OF DUTY

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

Mayor Shelton announced that Councilwoman Davis was out-of-town but had intended to mention two events. One was the United Negro College Fund Banquet on Thursday night at 7:00 p.m. at the BancorpSouth Convention Center and the other

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affair was the very successful “Tupelo Revive” special service that had been held on November 23, 2014, at the Temple of Compassion and Deliverance.

Mayor Shelton introduced Councilman Buddy Palmer, who in a very humorous manner and being a devout Mississippi State “Bulldog”, told that he had promised a friend that if Ole Miss won the Egg Bowl he would wear an Ole Miss cap to a City Council meeting. Councilman Palmer did, indeed, wear the cap to the delight of the audience present.

Councilman Palmer stated he had been contacted by an individual concerning a four-car accident recently and the person had been very complimentary of the Tupelo Police Officers who had worked the accident and wanted to commend them for their professional actions.

IN THE MATTER OF REPORT/UPDATE ON TUPELO AQUATIC CENTER

Amy Kennedy, Director of the Tupelo Aquatic Center, gave a brief report and update to the City Council on the activities of the Tupelo Aquatic Center which has been opened less than one year. She presented the council members a fact sheet which included various statistics and events that had taken place since the grand opening on December 14, 2013. Ms. Kennedy stated the facility had exceeded many expectations and continues to grow not only for this community but for the southeast area. She mentioned one huge success was the fact that the Center has total revenue from January 2014 through September 30, 2014 of over \$187,000.

IN THE MATTER OF MAYOR’S REPORT

Following are highlights of Mayor Shelton’s Mayor’s Report:

...Thanked all employees in decorating City Hall, especially Sherrie Cochran and all those in Development Services Office who helped in this endeavor.

...Thanked staff at Oren Dunn Museum and Department of Parks and Recreation for hosting the lighting of the Museum and Ballard Park.

...2014 Governor’s Award for Excellence in Exporting is scheduled for 11:00 a.m. on Wednesday, December 3, at the Jackson Country Club.

...30th Anniversary of Cooper Tire & Rubber Company in Tupelo on Thursday, December 4, 2014, at 2:00 p.m.

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...Annual Christmas Lunch scheduled at CDF on December 4 at 11:30 a.m.

...United Negro College Fund Annual Banquet scheduled at Summit Center on December 4 at 7:00 p.m.

...Reed's Annual Downtown Tupelo Christmas Parade scheduled for Monday, December 8, 2014, at 6:30 p.m.

...Mayor Shelton announced he would be representing the City at the Birthday Celebration for the Emperor of Japan in Nashville on Wednesday, December 11, 2014.

...Seaport Airlines will host a meeting with executives to share one-on-one time. Those interested in attending should bring their questions to the event on Thursday, December 11, 2014, at 6:00 p.m.

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

5. PUBLIC AGENDA

5.1 PUBLIC HEARINGS

**5.1.A REZONING RZ 1403 FROM AGRICULTURE/
OPEN SPACE TO LOW DENSITY RESIDENTIAL**

Mr. George Rutledge, President of the Big Oaks Homeowners' Association, appeared and addressed the City Council in opposition to this matter.

After hearing Mr. Rutledge's remarks, upon a motion by Council Member L. Bryan and a second by Council Member Palmer, the Council voted unanimously of those present to recess this item until the next regular City Council meeting of Tuesday, December 16, 2014, at 6:00 p.m.

**5.1.B DEVELOPMENT CODE TEXT AMENDMENTS
TA 14-05**

No one appeared to address this issue.

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5.2 APPEALS

**5.2.A APPEAL OF PLANNING COMMITTEE DECISION
ON COMPATIBLE USE**

Mr. Johnn McClung, a resident of Tennessee, appeared before the City Council voicing objection to the Planning Committee decision to approve a compatible use to build a group home off Dixie Creek Road.

After hearing Mr. McClung's remarks, upon a motion by Council Member Palmer, seconded by Council Member Beard, the council voted unanimously of those present to recess this matter until the regular City Council meeting of Tuesday, December 16, 2014, at 6:00 p.m.

**5.2.B APPEAL OF PLANNING COMMITTEE DECISION
ON REZONING**

No one appeared to address this issue at this time. Upon a motion by Council Member L. Bryan and a second by Council Member Whittington, the council voted unanimously of those present to recess this matter until the regular City Council meeting of Tuesday, December 16, 2014 at 6:00 p.m.

**5.2.C APPEAL OF PLANNING COMMITTEE DECISION
ON METAL ROOF**

No one appeared to address this issue at this time. Upon a motion by Council Member Beard, seconded by Council Member Palmer, the council voted unanimously of those present to recess this matter until the regular City Council meeting of Tuesday, December 16, 2014, at 6:00 p.m.

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

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6. ACTION AGENDA

IN THE MATTER OF REVIEW/ADOPT ORDINANCE AMENDING THE DEVELOPMENT CODE OF THE CITY OF TUPELO, MISSISSIPPI

Councilman L. Bryan moved to table this matter; the motion was seconded by Councilman Palmer and unanimously approved by a vote of those members present.

7. ROUTINE AGENDA

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

Upon a motion by Council Member Palmer, seconded by Council Member Jennings, the council voted unanimously to approve the minutes of the regular City Council meeting of Tuesday, November 18, 2014.

IN THE MATTER OF REVIEW/PAY BILLS

Upon a motion by Council Member Jennings and a second by Council Member L. Bryan, the council voted unanimously to approve payment of the following checks, bills having been reviewed at 4:30 p.m. by Council Members Whittington, L. Bryan, Beard, Palmer and Jennings:

Check Nos. 125870 through 126205 (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/ACCEPT HOMELAND SECURITY GRANT

Terri Blissard, Grant Administrator, had submitted a memorandum dated November 18, 2014, to the Mayor and City Council informing them of the award of a Homeland Security grant in the amount of \$113,000 for the EOD Unit and requesting the acceptance of the same. This grant will fund robot repairs, hazmat personal protective equipment and supplies, self-contained breathing apparatus, and an extended cab truck. There is no match for this grant.

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Upon a motion by Councilman Jennings, seconded by Councilman Whittington, the council voted unanimously of those present to approve the acceptance of this grant in the amount of \$113,000 for the EOD Unit to be used for the purposes listed above.

IN THE MATTER OF REVIEW/APPROVE FY 2015 BUDGET REVISION #2

Councilman Beard moved to approve FY 2015 Budget Revision #2 and accept donation from Tupelo Garden Club in the amount of \$500.00 and, also, to accept donation from Create (Tupelo Vision) in the amount of \$8,529. The motion was seconded by Councilman L. Bryan and unanimously approved by a vote of the City Council members present. An executed copy of this budget revision is attached to these minutes and incorporated herein as **APPENDIX A.**

IN THE MATTER OF REVIEW/APPROVE RESOLUTION TO APPLY FOR ASSISTANCE TO FIREFIGHTERS GRANT

Terri Blissard, Grant Administrator, had requested permission by memorandum dated November 26, 2014, to the Mayor and City Council to apply for a 2014 Assistance to Firefighters Grant (AFG). The grant is issued jointly through FEMA and the U. S. Department of Homeland Security. According to Ms. Blissard, the proposed grant project is the acquisition of seven thermal imaging cameras. The cost of the cameras is estimated to be \$73,500, including batteries and a one-year warranty. A ten percent match is required for this grant so the City's contribution to the project would be \$7,350.

Upon a motion by Councilman L. Bryan and a second by Councilman Palmer, the council voted unanimously of those present to adopt a Resolution of Authorization to Submit Assistance to Firefighters Grant Application to apply for this grant. An executed copy of the resolution is attached to these minutes and incorporated herein as **APPENDIX B.**

IN THE MATTER OF REVIEW/ACCEPT/DENY APPEAL OF PLANNING COMMITTEE DECISION ON COMPATIBLE USE (GROUP HOME)

Councilman Whittington moved to table this item; the motion was seconded by Councilman L. Bryan and unanimously approved by a vote of those members present.

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IN THE MATTER OF REVIEW/ACCEPT/DENY APPEAL OF PLANNING COMMITTEE DECISION ON REZONING OF PROPERTY AND REVIEW/ADOPT ORDINANCE REZONING PROPERTY AND AMENDING OFFICIAL ZONING MAP OF CITY OF TUPELO, MISSISSIPPI

Councilman L. Bryan moved to table both these items; the motion was seconded by Councilman Palmer and unanimously approved by a vote of those members present.

IN THE MATTER OF REVIEW/ACCEPT/DENY APPEAL OF PLANNING COMMITTEE DECISION IN REGARD TO METAL ROOF AT 1709 CLAYTON STREET IN JOYNER CONSERVATION OVERLAY DISTRICT

Councilman L. Bryan moved to table this matter; the motion was seconded by Councilman Palmer and unanimously approved by a vote of those members present.

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

Upon a motion by Councilman Palmer, seconded by Councilman Whittington, the council voted unanimously of those present to accept the minutes of the Planning Committee meeting of November 3, 2014, a copy being attached hereto and incorporated into these minutes as **APPENDIX C.**

IN THE MATTER OF REVIEW/APPROVE LISTING OF ITEMS TO BE DECLARED SURPLUS BY TUPELO WATER AND LIGHT DEPARTMENT

Councilman Jennings moved to approve a list of items to be declared surplus which had been submitted by Johnny Timmons, Manager of the Tupelo Water and Light Department. The motion was seconded by Councilman Palmer and unanimously approved by a vote of the council members present. A copy of the list of items is attached to these minutes as **APPENDIX D.**

IN THE MATTER OF REVIEW/AWARD/REJECT BID FOR SELF-CONTAINED BREATHING APPARATUS

Upon a motion by Councilman Whittington, seconded by Councilman Beard, the council voted unanimously of those present to award the following bid for the Tupelo Fire Department for Self-Contained Breathing Apparatus. Fire Chief Thomas Walker recommended this bid as the lowest and best bid for this equipment:

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Bid No. 1350 FD – Emergency Equipment Professionals, Inc.

Amount of Bid: \$326,711.00

Two bids were received for this item. Sunbelt Fire, Inc.'s bid was in the amount of \$357,236.00 and the second bid was the recommended bid of Emergency Equipment Professionals, Inc. in the amount of \$326,711.00. Chief Walker informed the City Council that the bid from Sunbelt Fire, Inc. was not compliant with the bid specifications. Supporting material for the award of this bid is attached to these minutes and incorporated herein as **APPENDIX E.**

8. STUDY AGENDA

IN THE MATTER OF REVIEW/DISCUSS POLICY TO CONTINUE REGULAR PAY OF LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, OR OTHER EMPLOYEES THAT PROTECT THE PUBLIC INTEREST INJURED IN THE LINE

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

9. ADJOURNMENT

There being no further business to come before the City Council, upon a motion by Councilman Palmer, seconded by Councilman Beard, the council voted unanimously of those present to adjourn the regular meeting at 6:55 p.m.

PRESIDENT

ATTEST:

CLERK OF THE COUNCIL

APPROVED:

MAYOR

