

**MUNICIPAL MINUTES, CITY OF TUPELO**  
**STATE OF MISSISSIPPI**

**JUNE 17, 2014**

Be it remembered that the regular meeting of the Tupelo City Council was held in the Council Chambers at City Hall Building on Tuesday, June 17, 2014, at 6:00 p.m. with the following in attendance: Council Members Markel Whittington, Lynn Bryan, Jim Newell, Nettie Y. Davis, Buddy Palmer, Mike Bryan and Willie Jennings; City Attorney Ben Logan; and Glenda Muse, Clerk of the Council.

The invocation was led by Councilman Whittington; followed by the Pledge of Allegiance led by Carlos Campbell, a Tupelo High School student.

**IN THE MATTER OF CALLING THE MEETING TO ORDER**

President Davis called the regular 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 M. Bryan, seconded by Councilman Palmer, the council voted unanimously to confirm the agenda and agenda order, amended as follows:

- ADD: #5.1.A PUBLIC HEARING – LOT MOWINGS
- ADD: #7.16 APROVAL OF LOT MOWING LIST
- ADD: #7.17 REVIEW/RATIFY CONTRACT WITH COLOM  
CONSTRUCTION CO., INC. FOR KING’S  
CREEK DRAINAGE IMPROVEMENTS –  
RANKIN BLVD. TO GLOSTER STREET
- ADD: #8.8 DEVELOPMENT CODE AMENDMENTS TO  
ESTABLISH CONSERVATION OVERLAY  
DISTRICTS

**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**

Mayor Shelton recognized Debbie Brangenberg and her staff Jessica Hollinger, Allie West, and Craig Helmuth of the Downtown Main Street Association in producing the Elvis Presley Festival recently. It was a great event. He also thanked the countless volunteers and WTVA for their recognition of those volunteers in a story they did shortly

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after the festival.

Certificates of Appreciation were presented to the following City Employees for their dedicated service to the citizens of Tupelo:

Amy Kennedy	Parks & Recreation Dept. and Aquatic Center	10 yrs.
Jason Cross	Tupelo Fire Department	20 yrs.
Tyler Scott	Tupelo Fire Department	5 yrs.
Seth Gaines	Convention & Visitors Bureau	10 yrs.

**IN THE MATTER OF PUBLIC RECOGNITIONS**

Mayor Shelton recognized the Special Olympics Swim Team and offered his congratulations to the “Tupelo Challengers” swim team. For the fourth year in a row they competed in the Special Olympics State Games in Biloxi. Out of 24 team members, 22 participated bringing home 11 gold medals, 10 silver medals, 7 bronze medals and 4 fourth place ribbons. Mayor Shelton stated the city is very proud of their accomplishments and look forward to going back in 2015. The team is coached by Barbara Aquirre, Leigh Ann Mattox and Nancy McDade, assisted by countless volunteers.

Following are recognitions by City Council Members:

President Davis – Made an announcement concerning the Lee County Training School/Carver Reunion scheduled for July 4 – 6, 2014, in Tupelo. This has become an annual event and she urged everyone to come out for this occasion, especially those who had ever attended the Carver School.

President Davis – The Community Meeting of SBA – Small Business Administration, Disaster Division, is holding a meeting on Thursday night, June 19, 2014, beginning at 6:30 p.m. in Council Chambers, City Hall Building.

Councilman Jennings – Recognized a “Plant a Seed” participant, Zoe Wright, who is working this summer in City Hall.

Councilman Jennings – Thanked the Mayor and his staff for their efforts during the period following the tornado of April 28, 2014. He urged the Mayor and his City Council colleagues to go that “extra mile” and continue to reach out to anyone who might need assistance. He said the city’s taxpayers now need help and made a plea to anyone whom he could help to get in contact with him.

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**IN THE MATTER OF MAYOR'S REPORT**

Mayor Shelton gave an update on debris removal which is an ongoing process. As of close of business Monday, 236,489 cubic yards of debris had been collected, 852 leaning trees had been removed, along with 139 stumps and 1,308 hanging limbs. He stated his office is continuing talks with FEMA/MEMA regarding authority and funding for Private Property Debris Removal (PPDR). The Mississippi Congressional delegation submitted a letter to FEMA urging them to grant that request, and the city continues to wait on an answer. In the meantime, the city is negotiating a change FEMA has made in regards to collecting the large root balls around town. There is currently some discrepancy to how FEMA is going to interpret the policy on reimbursing the city for cleaning those up and work will continue on this.

The NEG continues to progress. Currently, 48 new temporary employees are working in departments across the City.

The Mayor stated he would be attending the US Council of Mayor's Annual Convention in Dallas and will then meet with City Council members and members of his administrative team in Biloxi for the Mississippi Municipal League Conference on Sunday. He said it was obvious in how valuable a network of connections can be when facing unusual situations. He said he hoped all who attend will share what they have learned from our experiences in Tupelo and will learn from others who have been through similar situations as well.

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

**5. PUBLIC AGENDA**

**5.1 PUBLIC HEARINGS**

**5.1.A LIST OF LOT MOWINGS**

No one appeared to address any of the properties.

(President Davis 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/ADOPT ORDINANCE AMENDING TUPELO DEVELOPMENT CODE**

This item had been tabled at the June 3, 2014, council meeting. Councilman Whittington moved to bring the matter off the table for action; the motion was seconded by Councilman Palmer and unanimously approved by a vote of the council.

Councilman Whittington moved to adopt an Ordinance Amending the Development Code of the City of Tupelo, Mississippi. The motion was seconded by Councilman L. Bryan. The city had originally adopted an ordinance known as the Development Code on October 1, 2013. To protect the public health, safety, morals and general welfare of the citizens, the City Council finds it is necessary to amend the current Development Code. The motion passed by a unanimous vote of the City Council.

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

**IN THE MATTER OF REVIEW/APPROVE PROCLAMATION OF CONTINUING EXISTENCE OF LOCAL EMERGENCY AND DESIGNATION OF A DISASTER AREA IN THE CITY OF TUPELO, MISSISSIPPI**

On April 28, 2014, a devastating tornado struck the City of Tupelo causing widespread damage. These conditions of extreme peril necessitated the Mayor's proclamation of the existence of a local emergency and the declaration of the property located within the limits of the city as a disaster area, which proclamation was ratified by resolution of the City Council continuing the local emergency and designation of a disaster area at a regular meeting of the Council on May 6, 2014.

On May 28, 2014, the Mayor proclaimed that the local emergency continued to exist and the designated boundaries of the City of Tupelo continued to be a disaster area. Upon a motion by Councilman L. Bryan, seconded by Councilman M. Bryan, the council voted unanimously to approve a Resolution Approving the Mayor's Proclamation of the Continuing Existence of Local Emergency and Designation of a Disaster Area in the City of Tupelo, Mississippi, dated May 28, 2014, continuing the local emergency and designation of a disaster area. An executed copy of this Resolution is attached to these minutes and incorporated herein as **APPENDIX B.**

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**IN THE MATTER OF REVIEW/APPROVE RESOLUTION OF CITY COUNCIL  
AMENDING DISTRICT MAPS CONTAINED IN POLICY OF CITY OR GRANTING  
EXEMPTIONS FROM AD VALOREM TAXES**

Upon a motion by Councilman Whittington, seconded by Councilman Palmer, the council voted unanimously to approve a Resolution of the City Council Amending District Maps Contained in City of Tupelo Policy for Granting Exemptions from Ad Valorem Taxes.

To cover the areas affected by the April 28, 2014, tornado, Pat Falkner, Senior Planner, advised the Mayor and City Council that two districts, the Redevelopment District and Business Improvement District needed to be expanded.

The Redevelopment District is for residential property and will be expanded to include areas north of McCullough Boulevard and west of Gloster Street, up to Van Street; the Vista Ridge apartment property; and the residential area on North Veterans Boulevard north of Highway 78.

The Business Improvement District applies to commercial property and is expanded to take in the commercial corridor along Gloster Street from McCullough Boulevard north to the MDOT area, and the commercial area at North Veterans Boulevard and Highway 78.

An executed copy of the Resolution amending the district maps is attached to these minutes and incorporated herein as **APPENDIX C.**

**IN THE MATTER OF REVIEW/ADOPT AMENDMENT TO ORGANIZATIONAL  
ORDINANCE OF MUNICIPAL COURT AND APPROVE RESOLUTION NAMING  
CLERK OF THE COURT**

Upon a motion by Councilman Newell and a second by Councilman Whittington, the council voted unanimously to adopt an Ordinance Amending the Municipal Court Administrator's Reporting Procedures to the Chief Financial Officer and to approve a Resolution Designating Municipal Court Clerk. Due to the retirement of Captain Larry Montgomery on June 30, 2014, the Municipal Court has been reorganized.

Chapter II, Article III, Section 2-45 of the Code of Ordinances of the City of Tupelo provides that "the court administrator will report to the Chief Financial Officer for the purposes of operations, collection of fines and management of the clerks and staff". The Ordinance further states the reorganization of the Municipal Court makes the Clerk of the Court the appropriate court officer to be responsible to and report to the

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Chief Financial Officer.

The Resolution Designating Municipal Court Clerk designates a Deputy City Clerk and Clerk of the Municipal Court who will be administratively responsible to the Chief Financial Officer.

Copies of the Ordinance and Resolution so adopted are attached to these minutes and incorporated herein as APPENDIX D.

**7. ROUTINE AGENDA**

**IN THE MATTER OF REVIEW/APPROVE MINUTES OF REGULAR COUNCIL MEETING OF TUESDAY, JUNE 3, 2014**

Upon a motion by Councilman Palmer, seconded by Councilman Jennings, the council voted unanimously to approve the minutes of the regular City Council meeting of Tuesday, June 3, 2014.

**IN THE MATTER OF REVIEW/PAY BILLS**

Upon a motion by Councilman L. Bryan, seconded by Councilman Whittington, 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, Davis and Palmer:

Check Nos. 121159 through 121689 (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 RESOLUTIONS AUTHORIZING SUBMISSION OF FEMA PRE-DISASTER MITIGATION GRANT APPLICATIONS**

By memorandum dated June 11, 2014, to the Mayor and City Council, Terri Blissard, Grant Administrator, requested permission to apply for federal funding for large-scale community storm shelters at Lee Acres (Dot Cooper Kelly) Park and Theron Nichols Park. The two proposed projects are large-scale safe rooms and will be FEMA-approved safe room structures that will accommodate approximately 954 people each in storm situations. Two projects will be funded per state, requiring a 25% match.

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Upon a motion by Councilman Jennings and a second by Councilman Palmer, the council voted unanimously to approve Resolutions of Authorization to Submit FEMA Pre-Disaster Mitigation Grant Applications, one for Lee Acres Park Community Shelter and one for Theron Nichols Park Community Shelter, each requiring at 25% match.

Executed copies of the resolutions are attached to these minutes and incorporated herein as **APPENDIX E.**

**IN THE MATTER OF REVIEW/APPROVE REQUEST TO CHANGE 2014 PETTY CASH ACCOUNT**

Upon a motion by Councilman Jennings, seconded by Councilman Palmer, the council voted unanimously to approve a request from Chief Financial Officer Kim Hanna to change 2014 Petty Cash – Executive account as follows:

Executive Dept.            Amount: \$200.00      Responsible:    Sandy Shumaker

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

Upon a motion by Councilman L. Bryan and a second by Councilman M. Bryan, the council voted unanimously to accept the minutes of the Tupelo Major Thoroughfare Program meeting of April 14, 2014, a copy being attached hereto as **APPENDIX F.**

**IN THE MATTER OF REVIEW/APPROVE HIRING OF SERVICES ESTIMATOR FOR TUPELO POLICE ADMINISTRATIVE BUILDING AND AUTHORIZE MAYOR TO ENTER INTO CONTRACT WITH SELECTED FIRM**

Upon a motion by Councilman Newell and a second by Councilman Jennings, the council voted unanimously to accept the proposal of Gleeds and hire this firm as services estimator for the Tupelo Police Administrative Building. The motion also authorized the Mayor of the City of Tupelo to enter into a contract with this firm, said contract to be ratified at a later date by the City Council. A copy of this proposal from Gleeds is attached to these minutes and made a part hereof as **APPENDIX G.**

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**IN THE MATTER OF REVIEW/APPROVE AS SURPLUS PERSONAL PROPERTY AT AZALEA GARDENS APARTMENTS AND APPROVE AUCTION OF SAME**

Don Lewis, Chief Operations Officer, had submitted a request to Mayor Shelton and the City Council to surplus personal property in 112 units at Azalea Gardens Apartments and auction the contents of each unit individually to the highest bidder. The city will retain the services of an auctioneer to manage the sale with all proceeds going into the capital funds to offset past and future expenses of the Azalea Gardens.

Upon a motion by Councilman Whittington, seconded by Councilman L. Bryan, the council voted unanimously to approve this request to surplus the contents of 112 units at Azalea Gardens and hire an auctioneer to sell the same to the highest bidder. A listing of the buildings included in the sale is attached to these minutes as **APPENDIX H.**

**IN THE MATTER OF REVIEW/APPROVE REQUEST FROM LEE COUNTY FOR USE OF BEL-AIR CENTER AS A FEDERAL/STATE/COUNTY POLLING PLACE FOR DISTRICT I OF LEE COUNTY**

The Lee County Board of Supervisors had submitted a request to the City of Tupelo for use of Bel-Air Center as a Federal/State/County polling place for Federal, State and County elections beginning with the November 2014 General Election. This location would serve those voters that currently vote at St. James Catholic Church on North Gloster Street. Upon a motion by Councilman M. Bryan, seconded by Councilman Palmer, the council voted unanimously to approve this request for the Lee County Board of Supervisors to use the Bel-Air Center as a Federal/State/County polling place.

**IN THE MATTER OF REVIEW/RATIFY CONTRACT BETWEEN CITY OF TUPELO AND RUTLEDGE CONTRACTORS, INC. FOR CLIFF GOOKIN BOULEVARD MERGE LANE AT TUPELO HIGH SCHOOL**

Upon a motion by Councilman L. Bryan and a second by Councilman Palmer, the council voted unanimously to ratify a contract between City of Tupelo and Rutledge Contractors, Inc. for the Cliff Gookin Boulevard Merge Lane Project at Tupelo High School South Drive. This bid was awarded unanimously by the City Council at the regular meeting of May 20, 2014. Excerpts from the contract are attached to these minutes and incorporated herein as **APPENDIX I.**

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**IN THE MATTER OF REVIEW/APPROVE REQUEST TO SURPLUS ITEMS FOR TUPELO WATER AND LIGHT DEPARTMENT**

Johnny Timmons, Manager of the Tupelo Water and Light Department, had submitted a list of items to the Mayor and City Council requesting that they be declared as surplus. Upon a motion by Councilman Palmer, seconded by Councilman Newell, the council voted unanimously to grant this request and declare these items as surplus. A copy of the list is attached hereto as **APPENDIX J.**

**IN THE MATTER OF REVIEW/APPROVE REQUEST TO REMOVE ITEMS FROM  
FIXED ASSETS LIST FOR TUPELO WATER AND LIGHT DEPARTMENT**

Johnny Timmons, Manager of the Tupelo Water and Light Department, had submitted a list of items to the Mayor and City Council requesting that they be removed from the fixed asset list. These items are being removed due to the new fixed asset threshold as set by the State and the life expectance/usability of the items. Upon a motion by Councilman Newell, seconded by Councilman Whittington, the council voted unanimously to grant this request and remove these items from the fixed asset list of the Tupelo Water and Light Department. A copy of the list of items is attached hereto as **APPENDIX K.**

**IN THE MATTER OF REVIEW/AWARD/REJECT BIDS FOR TUPELO WATER AND  
LIGHT DEPARTMENT**

Upon a motion by Councilman Whittington, seconded by Councilman M. Bryan, the council voted unanimously to award the following bids for the Tupelo Water and Light Department, as recommended by Johnny Timmons, Manager of the department:

Bid No. 1324 Electric Warehouse Materials (6-Month Supply Bid) to the low qualified bids as indicated on the attached bid tabulation with the following explanations:

100 Item 48 – Although Arkansas Electric provided a lower bid on W HPS luminaires, the type of light they bid is not interchangeable with the lights already installed within the the electric system. These lights require a different globe and replacement parts.

Item 49 – This is the globe that fits the 100 W HPS luminaire awarded in Item 48.

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Items 51-56 – The models of luminaire bid by Arkansas Electric and Utility Power do not meet our required candle watt specifications.

Items 75-78 and 80-85 – The brand of primary fuse links bid by Garner Lumley does not meet our required time-current specifications which is necessary for coordinating with reclosers, circuit breakers, relays and other fuses installed within our electric system.

Items 116-119 – The Durham brand of meter socket bid by BSE/Utilicor is a different size from the meter bases we currently have installed and in stock. Therefore, the repair/replacement parts are not interchangeable.

Bid No. 1328WL – Supervisory Control and data Acquisition System (SCADA) to the low qualified bid from Survalent Technologies in the amount of \$81,075.00 as recommended by Allen & Hoshall Engineers.

A complete copy of the above bid packages is attached to these minutes and incorporated herein as **APPENDIX L.**

**IN THE MATTER OF RESOLUTION AUTHORIZING APPLICATION TO THE MISSISSIPPI STATE TAX COMMISSION TO EXTEND THE HOURS FOR THE SALE OF ALCOHOLIC BEVERAGES FOR THE LICENSED ON-PREMISES PERMITEES CLUBS AND CATERERS IN TUPELO, MISSISSIPPI**

Upon a motion by Councilman Whittington and a second by Councilman Newell, the council voted as follows to approve a Resolution Authorizing Application to the Mississippi State Tax Commission to Extend the Hours for the Sale of Alcoholic Beverages for the Licensed On-Premises Permittees, Clubs and Caterers in Tupelo, Mississippi. On May 6, 2014, the City of Tupelo amended the Tupelo Beer Ordinance to amend the restrictions on the prohibition of the sale, distribution, bartering, giving away and consumption of light wine and beer on Sundays.

The City of Tupelo now finds and determines that it is in the public interest to extend the current restrictions on times and hours of the sale of alcoholic beverages to coincide with the restrictions on times and hours of the sale of light wine and beer as set forth by the amended Tupelo Beer Ordinance of May 6, 2014. Therefore, application to

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the Mississippi State Tax Commission is necessary to accomplish this.

Vote to approve the Resolution was as follows:

VOTING AYE:           Whittington, L. Bryan, Newell, Davis

VOTING NAY: Palmer, M. Bryan, Jennings

An executed copy of the Resolution is attached to these minutes as **APPENDIX M.**

**IN THE MATTER OF REVIEW/APPROVE RESOLUTION AUTHORIZING MAYOR TO AMEND DEBRIS MANAGEMENT & MONITORING CONTRACT WITH ARX**

On May 15, 2014, the City of Tupelo and ARX Disaster Management, Inc. (ARX) entered into a Contract for Debris Monitoring and Project Administration Engineering Services. This contract set forth initial estimates of debris resulting from the April 28, 2014, tornado and established a contract maximum of \$500,000. Said estimates set forth in original contract have now been met and the City and ARX desire that the monitoring of debris removal and disposal continue until the completion of the project.

Upon a motion by Councilman Palmer, seconded by Councilman M. Bryan, the council voted unanimously to approve the Resolution Authorizing Mayor to Amend Debris Management & Monitoring Contract with ARX as an addendum to The Contract for the Debris Monitoring and Project Administration Engineering Services increasing to \$750,000 the contract maximum under Exhibit "D" of the contract.

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

**IN THE MATTER OF REVIEW/APPROVE ESTABLISHING INTERIM POLICY FOR BUILDING ACTIONS IN DISASTER AREA**

Upon a motion by Councilman L. Bryan, seconded by Councilman Palmer, the council voted unanimously to approve a Resolution to Assist the Neighborhood Rebuilding Process, a copy being attached hereto as **APPENDIX O.** Due to the significant damage to many residential neighborhoods and commercial districts resulting from the April 28, 2014, tornado, the City of Tupelo has extended its tax abatement program to all the affected areas and is working with residential neighborhoods to enact

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overlay districts with design review procedures to ensure the compatibility of new construction with neighborhood character. The City has issued a moratorium on new residential rental certificates of occupancy during the immediate recovery period to limit conversion of owner-occupied housing.

**IN THE MATTER OF REVIEW/APPROVE LISTING OF LOT MOWINGS OF PROPERTIES**

Councilman Newell moved to approve a listing of low mowings submitted by the Department of Development Services as being in such a state of uncleanness as to be a menace to public health, safety and welfare of the community, thereby authorizing the department to proceed with mowing of these properties. The motion was seconded by Councilman Whittington and unanimously passed by a vote of the council. A copy of this listing is attached to these minutes as **APPENDIX P.**

**IN THE MATTER OF RATIFY CONTRACT WITH COLOM CONSTRUCTION CO., INC. FOR KING'S CREEK IMPROVEMENTS – RANKIN BLVD. TO GLOSTER STREET PROJECT**

Upon a motion by Councilman M. Bryan, seconded by Councilman Whittington, the council voted unanimously to ratify a contract between the City of Tupelo and Colom Construction Co., Inc. for the King's Creek Improvements – Rankin Blvd. to Gloster Street Project. This company was awarded the bid for this project at the regular City Council meeting of Tuesday, May 20, 2014. Excerpts from said contract are attached to these minutes and made a part hereof as **APPENDIX Q.**

**8. STUDY AGENDA**

**IN THE MATTER OF REVIEW/DISCUSS AMENDMENT OF SMOKING BAN ORDINANCE**

This item will remain on the Study Agenda.

**IN THE MATTER OF REVIEW/DISCUSS AWARD OF BID FOR TRANSPORTATION ENHANCEMENT PROGRAM**

Councilman Palmer moved to suspend the rules and move this item up for action; the motion was seconded by Councilman L. Bryan and unanimously approved by the council.

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Upon a motion by Councilman Palmer, seconded by Councilman Jennings, the council voted unanimously to award the bid for the Tupelo Downtown Transportation Enhancement Program to Key, LLC, for \$11,528,115.04, as the low bidder. The Tupelo Major Thoroughfare Program Committee has unanimously recommended that this bid be accepted and the project awarded to proceed with construction as soon as possible.

A copy of the bid package is attached to these minutes and incorporated herein as **APPENDIX R.**

**IN THE MATTER OF REVIEW/DISCUSS APPLICATION FOR AD VALOREM TAX EXEMPTION FROM COOPER TIRE & RUBBER COMPANY**

This item will remain on the Study Agenda.

**IN THE MATTER OF REVIEW/DISCUSS APPLICATION FOR AD VALOREM TAX EXEMPTION FROM GENLYTE/THOMAS GROUP, LLC (DAY-BRITE)**

This item will remain on the Study Agenda.

**IN THE MATTER OF REVIEW/DISCUSS APPLICATION FOR AD VALOREM TAX EXEMPTION FROM HAWKEYE INDUSTRIES, INC.**

This item will remain on the Study Agenda.

**IN THE MATTER OF REVIEW/DISCUSS APPLICATION FOR AD VALOREM TAX EXEMPTION FROM LEGGETT & PLATT COMPONENTS COMPANY, INC.**

This item will remain on the Study Agenda.

**IN THE MATTER OF REVIEW/DISCUSS RESOLUTION ACCEPTING STONEBROOK DRIVE FOR DEDICATION AS CITY STREET**

This item will remain on the Study Agenda.

**IN THE MATTER OF REVIEW/DISCUSS DEVELOPMENT CODE AMENDMENTS TO ESTABLISH CONSERVATION OVERLAY DISTRICTS**

Councilman Whittington moved to suspend the rules and move this item up for action. The motion was seconded by Councilman L. Bryan with vote being as follows:

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VOTING AYE: Whittington, L. Bryan, Davis, Palmer, M. Bryan, Jennings  
VOTING NAY: Newell

Councilman Jennings moved to approve the Development Code Amendments to establish conservation overlay district and the motion was seconded by Councilman L. Bryan. A discussion followed in which it was decided the issue needed a review/ approval of the Tupelo Planning Committee before any action by the City Council.

Councilman Newell moved to table the matter; the motion was seconded by Councilman Whittington and unanimously passed by a vote of the council.

**IN THE MATTER OF EXECUTIVE SESSION**

Upon a motion by Councilman Palmer, seconded by Councilman Whittington, the council voted unanimously to close the regular meeting to determine the need for an executive session.

Upon a motion by Councilman M. Bryan, seconded by Councilman Jennings, the council voted unanimously to go into executive session to discuss the matter of Industrial Development Project Update.

Upon a motion by Councilman Whittington, seconded by Councilman Palmer, the council voted unanimously to come out of executive session and return to the regular meeting. No action was taken in open session.

**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 M. Bryan, the council voted unanimously to adjourn the regular meeting at 7:30 p.m.

ATTEST:

\_\_\_\_\_  
CLERK OF THE COUNCIL

\_\_\_\_\_  
PRESIDENT

APPROVED:

\_\_\_\_\_  
MAYOR