

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

**FEBRUARY 3, 2015**

Be it remembered that the regular meeting of the Tupelo City Council was held in Council Chambers at the City Hall Building on Tuesday, February 3, 2015, at 6:00 p.m. with the following in attendance: Council Members Markel Whittington, Lynn Bryan, Travis Beard, Nettie Y. Davis, Buddy Palmer and Mike Bryan; City Attorney Ben Logan, and Glenda Muse, Clerk of the Council. Councilman Willie Jennings was absent.

The invocation was led by Councilman Lynn Bryan, followed by the Pledge of Allegiance led by Councilman Travis Beard and Scout Leader Joe Smith.

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

President Mike Bryan called the regular 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 Councilman Palmer, seconded by Councilman Whittington, the council voted unanimously of those present to confirm the agenda and agenda order, amended as follows:

ADD: #7.12 Acceptance of Donation of Property

**4. PROCLAMATIONS, RECOGNITIONS AND REPORTS AGENDA**

**IN THE MATTER OF RECOGNITION OF BOY/GIRL SCOUTS**

Mayor Shelton recognized two scouts who were present, including Solomon Smith, Troop #85 sponsored by All Saints Episcopal Church, and his Scout Leader Joe Smith. Also, introduced was Lee Beard, Troop #3 sponsored by First Presbyterian Church.

**IN THE MATTER OF RECOGNITION OF CITY EMPLOYEES**

Mayor Shelton presented a Certificate of Appreciation to the following employee for his dedicated service to the City of Tupelo:

Jesse Clock	Tupelo Fire Department	20 years
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**IN THE MATTER OF PUBLIC RECOGNITIONS**

The following public recognition was made:

Councilwoman Davis announced that Ora Baldwin, Retirement Director for the City of Tupelo, had been recognized at the recent Mississippi Municipal League conference in Jackson, Mississippi, for Tupelo having been named a “Certified Retirement City”.

**IN THE MATTER OF MAYOR’S REPORT**

Following are excerpts from Mayor Shelton’s report for this meeting:

...The State of the City address will be held Monday, February 9, at 4:00 p.m. at the BancorpSouth Arena.

...On Wednesday and Thursday of this week, Councilwoman Nettie Davis and the Mayor will attend the 2015 National Prayer Breakfast and Leadership Institute in Washington, D.C. Senator Roger Wicker had invited them to this event, along with members of the United States Congress and President Obama. In addition, Tupelo’s own Lane Chapel Quintet will be performing and representing the city.

...Several members of the City Council and Mayor Shelton had attended the Mississippi Municipal League Mid-Winter Conference in Jackson, Mississippi, last week. Tupelo was officially recognized as a “Certified Retirement City”. Mayor Shelton thanked all who are involved in the city’s effort to provide a great quality of life and quality of place to all our residents and visitors. He extended special gratitude to Ora Baldwin, Tupelo Retirement Director.

...February is National Black History Month and Mayor Shelton had the honor of attending an event to commemorate this month at Tupelo High School on Monday morning. He stated he continues to be more and more impressed with the students of the Tupelo Public School District.

...Again, Mayor Shelton reiterated and reminded everyone of his “open door” policy when it comes to City Hall. He said he would be happy to schedule regular monthly meetings with City Council members and Department Heads as well.

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

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**5. PUBLIC AGENDA**

(NO ITEMS)

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

**6. ACTION AGENDA**

(NO ITEMS)

**7. ROUTINE AGENDA**

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

Upon a motion by Councilman Palmer, seconded by Councilwoman Davis, the council voted unanimously of those present to approve the minutes of the regular City Council meeting of Tuesday, January 20, 2015.

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

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

Check Nos. 127270 through 127660 (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 APPOINTMENTS AND REAPPOINTMENTS TO TUPELO PARKS ADVISORY BOARD**

Alex Farned, Director of Tupelo Parks and Recreation Department, had sent a request to Mayor Shelton and the City Council recommending that two new members be appointed to the Tupelo Park Advisory Board and recommending, also, that two current members be reappointed.

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Upon a motion by Councilwoman Davis, seconded by Councilman Beard, the council voted unanimously of those present to approve the appointment of Tara Cayson, Ward 7, and Jack Keene, Ward 3, to the Advisory Board. Also, included in the motion and vote was approval of the re-appointment of Davey Cole, Ward 5, and Joe Washington, Ward 4, to the Board. Bio's for Ms. Cayson and Mr. Keene are attached to these minutes as **APPENDIX A.**

**IN THE MATTER OF REVIEW/REJECT ALL BIDS FOR TUPELO AQUATIC STORAGE BUILDING**

Upon a motion by Councilman Palmer and a second by Councilman Whittington, the council voted unanimously of those present to reject all bids received on the Tupelo Aquatic Storage Building project. JBHM Architecture, architect for the project, recommended this action as well as Alex Farned, Director of the Tupelo Parks and Recreation Department, after it was determined that all bids submitted were too high for the amount budgeted for this project. After a review of additional analysis, proposed changes and reductions, the project will be re-advertised.

**IN THE MATTER OF REVIEW/AMEND ROB LEAKE CITY PARK TENNIS CONTRACT**

Alex Farned, Director of Tupelo Parks and Recreation Department, had submitted a request to Mayor Shelton and the City Council to amend the Rob Leake City Park Tennis Contract in regard to the monthly fee. Upon a motion by Councilman Whittington and a second by Councilman L. Bryan, the council voted unanimously of those present to amend said contract to keep the monthly fee at \$250.00 until December 31, 2018. However, the contract stipulates that the monthly rental amount will be reviewed on an annual basis for the duration of the contract. A copy of the amended document is attached to these minutes and incorporated herein as **APPENDIX B.**

**IN THE MATTER OF REVIEW/APPROVE EXECUTION OF AGREEMENT BETWEEN CITY OF TUPELO AND MRS CONSULTANTS, LLC, FOR PROPOSED SAFE ROUTES TO SCHOOL DISTRICT**

John Crawley, City Engineer, had presented to the City Council a Professional Services Agreement between the City of Tupelo and MRS Consultants, LLC, to conduct a cultural resources survey of the proposed Safe Routes to School Project. The survey will extend from Hancock Park to Thomas Street Elementary School along Monument and Bryan Streets. According to Mr. Crawley, this study is being required by Mississippi Department of Transportation as a condition of their grant to the City in the amount of \$206,000. The proposed agreement is for the amount of \$7,763.94.

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Upon a motion by Councilman L. Bryan, seconded by Councilman Palmer, the council voted unanimously of those present to approve the execution of this agreement between the City of Tupelo, Mississippi, and MRS Consultants, LLC, to conduct this survey. A copy of the agreement is attached to these minutes and incorporated herein as **APPENDIX C.**

**IN THE MATTER OF REVIEW/ACCEPT MINUTES OF HISTORIC PRESERVATION COMMISSION MEETING**

Upon a motion by Councilman Palmer, seconded by Councilwoman Davis, the council voted unanimously to accept the minutes of the Historic Preservation Commission meeting of December 11, 2014, a copy being attached hereto as **APPENDIX D.**

**IN THE MATTER OF REVIEW/APPROVE REQUEST TO WITHDRAW FUNDS FROM THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY PLANNING ACCOUNT (3747) FUNDS**

Kim Hanna, Chief Financial Officer, had submitted a request to the Mayor and City Council for approval of withdrawal of \$90,000 from the Mississippi Department of Public Safety Planning Account (3747) Funds for the purchase of digital video equipment for the police vehicles. The approval of this request will secure this as a source of revenue for this purchase.

These funds represent court assessments sent to the State of Mississippi each month. The money that is sent by the City of Tupelo is held by the State for purchases of wireless communication equipment by the Tupelo Police Department and can only be released with City Council approval.

Upon a motion by Councilman L. Bryan, seconded by Councilman Palmer, the council voted unanimously of those present to approve this request of Payment No. 6 in the sum of \$90,000 from the Account 3747 funds for purchasing equipment for police vehicles.

**IN THE MATTER OF REVIEW/APPROVE CHANGE ORDER NO. 1 FOR TUPELO SRF FY13 WATER SYSTEM IMPROVEMENTS – AREA 2 SOUTH – DEER PARK**

Upon a motion by Councilman Palmer, seconded by Councilman Beard, the council voted unanimously of those present to approve Change Order No. 1 for Tupelo SRF FY13 Water System Improvements – Area 2 South-Deer Park.

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This change order had been submitted to the Mayor and City Council by Johnny Timmons, Manager of the Tupelo Water and Light Department. This change order will result in a contract change amount of \$1,930.20 due to an addition of 30 feet of 10” HDPE DR11 water pipe. This pipe is needed for a directional bore which was originally set to be an open cut. This

change order brings the construction amount to \$1,903,403.40. A copy of the same is attached to these minutes and incorporated herein as **APPENDIX E.**

**IN THE MATTER OF REVIEW/RATIFY CONTRACTS FOR TWO SEWER SYSTEM IMPROVEMENTS**

**(A) IN THE MATTER OF REVIEW/RATIFY CONTRACT FOR TUPELO SRF FY13 SANITARY SEWER SYSTEM IMPROVEMENTS – AREA 1-BEECH SPRINGS**

Upon a motion by Councilman L. Bryan and a second by Councilman Beard, the council voted unanimously of those present to ratify a Contract Agreement between the City of Tupelo, Mississippi, and Prairie Construction, LLC, for the Tupelo SRF 13 Sanitary Sewer System Improvements – Area 1 Beech Springs – Project. The bid for this project was awarded at the January 6, 2015, regular council meeting in the amount of \$1,391,745.49. Excerpts from said contract are attached to these minutes and incorporated herein as **APPENDIX F.**

**(B) IN THE MATTER OF REVIEW/RATIFY CONTRACT FOR TUPELO SRF FY13 SANITARY SEWER SYSTEM IMPROVEMENTS – AREA 2 NORTH – INDIAN HILLS**

Upon a motion by Councilman Beard, seconded by Councilman Palmer, the Council voted unanimously of those present to ratify a Contract Agreement between the City of Tupelo, Mississippi, and Buz Plaxico Dozer Service, Inc. for the Tupelo SRF FY13 Sanitary Sewer System Improvements – Area 2 North – Indian Hills – Project. The bid for this project was awarded at the January 6, 2015, regular council meeting in the amount of \$574,571.57. Excerpts from said contract are attached to these minutes and incorporated herein as **APPENDIX G.**

**IN THE MATTER OF REVIEW/APPROVE AMENDMENT TO WATER POLLUTION CONTROL REVOLVING LOAN FUND AGREEMENT**

Johnny Timmons, Manager of the Tupelo Water and Light Department, had submitted a request for approval of an Amended Water Pollution Control Revolving Loan Fund Agreement in regard to the Water Treatment Facilities Improvements –

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Chemical System Additions – SRF loan in the amount of \$3,495,000 (Loan #SRF-C280885-04-1). According to Mr. Timmons letter dated January 28, 2015, to the Mayor and City Council, this amendment reflects as-bid construction cost, final amounts for professional services contracts, and a construction contingency. The amendment results in an increase of \$760,000 to the original loan amount.

Upon a motion by Councilwoman Davis, seconded by Councilman Beard, the council voted unanimously of those present to approve this Amended Water Pollution Control Revolving Loan Fund Loan Agreement, Loan Number: SRF-C280885-04-1, an executed copy being attached to these minutes and incorporated herein as

**APPENDIX H.**

**IN THE MATTER OF REVIEW/APPROVE ACCEPTANCE OF DONATION OF PROPERTY**

At this point, Councilman Markel Whittington recused himself from the meeting.

Upon a motion by Councilwoman Davis, seconded by Councilman Beard, the council voted unanimously of those present to accept a donation of real property to the City of Tupelo, Mississippi, Grantee, from Markel Whittington, Grantor, said property being located in the Sharon Hills Subdivision. Under the terms of the warranty deed, Grantor waives his right to just compensation and donates the real property to the City of Tupelo. An executed copy of the Donation Warranty Deed is attached to these minutes as **APPENDIX I.**

Councilman Markel Whittington returned to the meeting after discussion and vote on this matter.

**8. STUDY AGENDA**

(No Items)

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**9. IN THE MATTER OF ADJOURNMENT**

There being no further business to come before the City Council, upon a motion by Councilman Palmer and a second by Councilman L. Bryan, the council voted unanimously of those present to adjourn the regular meeting at 6:22 p.m.

ATTEST:

\_\_\_\_\_  
PRESIDENT

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

APPROVED:

\_\_\_\_\_  
MAYOR