

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

**FEBRUARY 17, 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 17, 2015, at 6:00 p.m. with the following in attendance: Council Members Markel Whittington, Lynn Bryan, Travis Beard, 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 Lynn Bryan, followed by the Pledge of Allegiance led by Boy Scout Carson Clark, Troop #12.

**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 to confirm the agenda and agenda order, as amended:

ADD:                    Executive Session

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

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

A group of Boy Scouts of Troop #12 sponsored by First United Methodist Church were present together with their Merit Badge Counselor Duke Loden. Scouts present were Carson Clark, Mills Winders and Paxton Brown. They are working on their Citizenship to the Community and Communication Merit Badges. Mayor Shelton introduced the group to the City Council and audience.

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

Mayor Shelton presented a Certificate of Appreciation to Tupelo Police Officer Justin Webb. Officer Webb was recently involved in a critical situation with his neighbor when he was summoned to the neighbor's house. Upon arrival at the home, he found a man not breathing and having no pulse. During his dash to the house, Officer Webb had summoned emergency aid but finding the victim in such a state, he immediately began trying to resuscitate him. Due to his quick thinking and professional training, Officer Webb had revived the person by the time paramedic assistance arrived. He was

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taken immediately to the local hospital and was in stable condition upon arrival. Officer Webb was given a standing ovation from the City Council and the audience for saving the life of this individual.

**IN THE MATTER OF RECOGNITION OF JR. CIVITAN**

## **CLUB**

At the request of Alex Farned, Director of the Tupelo Parks and Recreation Department, the Jr. Civitan Club under the direction of Melissa Witcher was recognized by the Mayor and Tupelo City Council for their outstanding dedication and commitment to the “Challenger” program. This program is a special project under the leadership of Leigh Ann Mattox of the Parks and Recreation Department that focuses on the physical and mentally challenged citizens in the community. Programs include TOPsoccer, softball and basketball to name just a few. The Jr. Civitan Club is made up of about 20+ young men and women who volunteer their time year in and year out for this special group of individuals. The program would not be as successful as it is if it weren’t for these volunteers. Several members of the Club were present and showed a short video featuring some of the activities of the “Challenger” program.

## **IN THE MATTER OF MAYOR’S REPORT**

Following are highlights of Mayor Shelton’s report for this meeting:

...Pleased to report that the City has received the numbers for December sales tax and for the month of December taxes were up over 10% from the previous year. For the past five months, we are up 5.5%.

...Tonight the Parkgate Pregnancy Clinic is holding its annual fundraiser at The Orchard. Nationally renowned neurosurgeon and author Dr. Ben Carson is the keynote speaker.

...Unveiling artwork for the 2015 OLEPUT Festival at the Silver Moon Club at  
10:30 a.m. on Wednesday, February 18, 2015.

...A marker for the Heritage Trails Enrichment Program will be unveiled at Robbins' Field on Friday, February 20, at 4:00 p.m.

...On Wednesday night, the Harlem Globe Trotters will appear at the BancorpSouth arena.

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...Again, Mayor Shelton reminded everyone of his “open door” policy regarding City Hall, stating he would be happy to schedule meetings with Council Members as well as Department Heads.

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

**5. PUBLIC AGENDA**

**5.1 APPEALS**

**5.1.A APPEAL OF PLANNING COMMITTEE DECISION  
IN REGARD TO SIGN VARIANCE**

Mr. Jeff Snyder, 1001 Barnes Crossing Road, had filed an appeal of the Planning Committee decision of February 3, 2015, which approved a variance request filed by Academy Sports. Mr. Snyder stated that other businesses in the area are in compliance with the current sign ordinance and opposed granting signage to the company which is almost twice the size allowed by ordinance.

This item will be addressed by the City Council later on in this meeting.

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

**6. ACTION AGENDA**

No items to be addressed.

**7. ROUTINE AGENDA**

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

Upon a motion by Councilman Whittington, and a second by Councilman L. Bryan, the council voted unanimously to approve the minutes of the regular City Council meeting of Tuesday, February 3, 2015.

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

Upon a motion by Councilman L. Bryan 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 Council Members Whittington, L. Bryan, Davis, Palmer and Jennings:

Check Nos. 127661 through 128034 (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 APPEAL OF  
PLANNING COMMITTEE DECISION IN REGARD TO  
SIGN VARIANCE**

This item addresses a variance application from ID Associates on behalf of Academy Sports for a wall sign 536 square feet in area. The Planning Committee at their regular meeting on February 2, 2015, had voted to approve the application which decision was subsequently appealed. See Public Agenda above in which Mr. Jeff Snyder addressed this issue.

Upon a motion by Councilman Beard and a second by Councilman Palmer, the council voted unanimously to remand the item to the Planning Committee for further review and possible action which would be agreeable to all parties involved.

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

Upon a motion by Councilwoman Davis and a second by Councilman Beard, the council voted unanimously to accept the minutes of the Planning Committee meeting of February 2, 2015, a copy being attached hereto as **APPENDIX A.**

**IN THE MATTER OF REVIEW/APPROVE APPLICATION  
FOR EMERGENCY WORK IN REGARD TO DEBRIS  
REMOVAL**

Upon a motion by Councilman L. Bryan, seconded by Councilman Palmer, the council voted unanimously to approve an Application for Emergency Work to the USDA, Natural Resources Conservation Service, for Federal assistance under provisions of Section 216 of the Flood Control Act of 1950, Public Law 810-516 or Section 403 of the Agricultural Credit Act of 1978, Public Law 95-334, to restore damages.

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The nature and scope of the problems and assistance needed involve downed timber in creeks which are posing a threat of flooding and damage to culverts, bridges, roads and utilities, and such debris needs to be removed. These problems arose as a result of the disastrous tornado which struck the City of Tupelo on April 28, 2014. A copy of the application setting forth conditions of the request for assistance is attached to these minutes and incorporated herein as **APPENDIX B.**

**IN THE MATTER OF REVIEW/ACCEPT DONATION OF**  
**METAL STORAGE BUILDING TO CITY OF TUPELO**

According to memorandum dated February 11, 2015, from Alex Farned, Director of the Department of Parks and Recreation, the Tupelo Youth Baseball Association has offered to donate a metal storage building to the City of Tupelo. The building is located in Ballard Park behind the Athletic Maintenance building belonging to the Department. The storage building is 30' x 30' and the value is \$13,500. The Department plans to store baseball equipment in this facility.

Upon a motion by Councilman Beard, seconded by Councilman

Whittington, the council voted unanimously to accept the donation of this metal storage building which will be placed on the fixed asset and insurance lists of the City of Tupelo.

**IN THE MATTER OF REVIEW/ACCEPT DONATION OF  
FANS TO THE CITY OF TUPELO**

Alex Farned, Director of the Department of Parks and Recreation, had notified Mayor Shelton and the City Council by memorandum dated February 11, 2015, that Shockwave would like to donate several fans to the City of Tupelo. These fans will be installed at the Tupelo Aquatic Center on the ceiling above the upper spectator bleachers. The value of the fans is \$31,750.

Upon a motion by Councilman Jennings, seconded by Councilman Palmer, the council voted unanimously to accept the donation of these fans from Shockwave and place them on the fixed asset and insurance lists of the City of Tupelo.

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

Upon a motion by Councilman Palmer, and a second by Councilman Beard, the council voted unanimously to approve a list of surplus items submitted by the Tupelo Water and Light Department. A copy of said list is attached hereto as **APPENDIX C.**

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STATE OF MISSISSIPPI**

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**IN THE MATTER OF REVIEW/ACCEPT/REJECT BID**

**FOR TUPELO WATER AND LIGHT DEPARTMENT**

Upon a motion by Councilman Jennings and a second by Councilman Beard, the council voted unanimously to accept the following bid for Tupelo Water and Light Department as recommended by Johnny Timmons, Manager:

Bid No. 1357WL      Rebuild Hi-Ranger (Unit 20) to the low  
qualified bid  
Submitted by Wren Body Works in the amount of  
\$39,534.00

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

**IN THE MATTER OF REVIEW/APPROVE CHANGE  
ORDER #1 FOR TUPELO SRF FY13 WATER SYSTEM  
IMPROVEMENTS – AREA 1 – BEECH SPRINGS**

Upon a motion by Councilman Whittington, seconded by Councilman Palmer, the council voted unanimously to approve Change Order #1 for the Tupelo SRF FY13 Water System Improvements – Area 1 – Beech Springs, as submitted by Johnny Timmons, Manager of the Tupelo Water and Light Department.

This change order results in a contract change amount of \$6,480.00 due to an addition of 120 feet of 6” HDPE DR11 water pipe. This pipe is needed, according to Mr. Timmons, for a directional bore which is needed due to an unknown conflict with an existing water line. The change order brings the construction amount of this project to \$964,139.00. A copy of the same is attached to these minutes and incorporated herein as **APPENDIX E.**

**8.      STUDY AGENDA**

**IN THE MATTER OF REVIEW/DISCUSS REZONING OF  
PROPERTY ON EASON BOULEVARD**

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

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**IN THE MATTER OR EXECUTIVE SESSION**

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

Upon a motion by Councilmember Davis, seconded by Councilmember Palmer, the council voted unanimously to go into executive session to discuss purchase or exchange of real property and, also, the development of the area on West Jackson Street. According to City Attorney Logan, this matter would fall under commercial or industrial development and is a proper item to discuss in executive session.

Upon a motion by Councilman Beard, seconded by Councilman Palmer, the council voted unanimously to come out of executive session with no action to be taken in open session.

**IN THE MATTER OF ADJOURNMENT**

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

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PRESIDENT  
ATTEST:

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CLERK OF THE COUNCIL

APPROVED:

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MAYOR

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ADD: Executive Session

4. **PROCLAMATIONS, RECOGNITIONS AND  
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**IN THE MATTER OF RECOGNITION OF BOY/GIRL  
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A group of Boy Scouts of Troop #12 sponsored by First United Methodist Church were present together with their Merit Badge Counselor Duke Loden. Scouts present were Carson Clark, Mills Winders and Paxton Brown. They are working on their Citizenship to the Community and Communication Merit Badges. Mayor Shelton introduced the group to the City Council and audience.

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PRESIDENT

ATTEST:

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CLERK OF THE COUNCIL

APPROVED:

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MAYOR

