

# 7.1

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

**APRIL 7, 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, April 7, 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.

Councilman Jennings introduced Rev. Charles Penson, Pastor of Bethel CME Church, who led the invocation. Councilwoman Nettie Y. Davis led the Pledge of Allegiance.

**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 and a second by Councilman Whittington, the council voted unanimously to confirm the agenda and agenda order as presented.

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 presented a Certificate of Appreciation to the following employee for his dedicated service to the citizens of the city:

Sgt. Mark Patton      Tupelo Fire Department      20 years

**IN THE MATTER OF PUBLIC RECOGNITIONS**

Councilwoman Davis announced that a community forum regarding the safe-sound Tupelo Public School District bond issue would be held on April 9, 2015, at St. Paul United Methodist Church. She urged everyone to attend to learn more about this important issue facing the School District.

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**IN THE MATTER OF PROCLAMATION IN RECOGNITION OF “JUNIOR AUXILIARY WEEK”**

Marty Brown, Vice-President of the Junior Auxiliary Chapter of Tupelo, accepted a proclamation from Mayor Shelton proclaiming the week of April 5 – 11, 2015, as “Junior Auxiliary Week” in the city. The Tupelo chapter is seventy-four years old and a member of the National Association of Junior Auxiliaries, Inc. The mission of this organization is to encourage members to render charitable services which are beneficial to the general public, particularly focusing on children. The local chapter works actively to perform this mission in our local area and all citizens, civic and fraternal groups, news media and other community organizations are encouraged to join in recognizing these volunteers who have been an important presence in this community since 1951.

**IN THE MATTER OF PRESENTATION TO UNITED WAY “VOLUNTEER OF THE YEAR”**

Ebony Hattix had recently been selected “Volunteer of the Year” by the United Way of Tupelo and presented a plaque in recognition of her service during this year’s campaign. Mayor Shelton introduced Ms. Hattix and congratulated her for these efforts. The City of Tupelo, under the guidance of Sandy Shumaker, had raised \$35,000 during the campaign this year.

**IN THE MATTER OF RECOGNITION OF PEPSI BOTTLING COMPANY FOR DONATION TO TREE PLANTING PROJECTS**

Mr. Ed Houston, representing Pepsi Bottling Company, presented a check in the amount of \$5,000 to Mayor Shelton to help in planting trees in the city. Chuck Williams and David Knight of the Tupelo Public Works Department were on hand as well to show their appreciation to Pepsi for their generosity in assisting in this very worthwhile project in the City of Tupelo.

**IN THE MATTER OF MAYOR’S REPORT**

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

...Introduced Ms. Kathy Tucker as his appointee to the Mayor’s Healthy Task Force.

...Events for Saturday, March 28, 2015, had included “Dancing with the King”, Colon Cancer Awareness; and the All Black Rodeo.

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...Groundbreaking ceremony for the new Police Administration/Headquarters building had been held on Monday, April 6, 2015.

...Mayor Shelton announced that Tupelo had been named an All-America City finalist this year. Tupelo will be only the seventh city in the United States to have won five times, the first in the South. Award will be given June 12 – 14, 2015, in Denver, Colorado, and Mayor Shelton requested anyone interested in going on the trip to contact his office.

...On Thursday night, April 9, 2015, a public forum for the Tupelo Public School District bond issue will be held at St. Paul United Methodist Church.

...On Saturday, April 11, 2015, the following activities have been scheduled:  
Color Vibe Run; Fishing Rodeo and Community-wide Yard Sale for veterans.

...The Lee County Courier had recently conducted a poll in Lee County with the following selections having been made:

Best Man in Lee County – Don Lewis  
Best Woman in Lee County – Nettie Y. Davis  
Best Lawyer – Ben Logan  
Best Secretary – Sandy Shumaker  
Best Firefighter – Thomas Walker  
Best Mayor – Jason L. Shelton

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

**5. PUBLIC AGENDA**

No items were on this agenda for consideration.

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

**6. ACTION AGENDA**

**IN THE MATTER OF REVIEW/APPROVE CITY OF TUPELO POLICY IN REGARD TO SPECIAL POLICE DETAILS AND APPROVE LIST OF OFFICERS TO WORK SUCH DETAILS**

Upon a motion by Councilman L. Bryan, seconded by Councilman Jennings, the council voted unanimously to approve a Resolution Rescinding 2010 Special Police

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Detail and Establishing Policy Allowing Law Enforcement Officers to Wear Uniforms and Weapons for Approved Employment Outside Work of the City of Tupelo Police Department. The 2010 policy no longer conforms with Mississippi statute or interpretations of the same by the Attorney General of the State of Mississippi. Even though the city has suspended actual usage of this policy, no official action has been taken to rescind it. Police Chief Aguirre had presented a listing of police officers who wish to help with security and act as a deterrent to unlawful activities at the Barnes Crossing Mall. Liability and the fee for the officers' detail will come from the Mall.

The motion approving above referenced Resolution included approval of this listing of officers to assist at the Barnes Crossing Mall, copies of both the Resolution and the list being attached to these minutes and incorporated herein as **APPENDIX A.** In the future, requests from other businesses will be handled on a one-on-one basis following guidelines set forth in the adopted Resolution.

**7. ROUTINE AGENDA**

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

Upon a motion by Councilman Beard, seconded by Councilman Palmer, the council voted unanimously to approve the minutes of the regular City Council meeting of March 17, 2015, and the minutes of a special called meeting of March 24, 2015.

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

Upon a motion by Councilman Whittington, seconded by Councilman Palmer, the council voted unanimously to approve payment of the following checks, bills having been reviewed at 4:30 p.m. by council members L. Bryan, Nettie Davis, Palmer, M. Bryan and Jennings:

Check Nos. 128716 through 129148 (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.

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**IN THE MATTER OF REVIEW/APPROVE APPOINTMENT TO ELECTION COMMISSION**

Upon a motion by Councilman Palmer, seconded by Councilman Beard, the council voted unanimously to approve the appointment of Mr. Bill Martin to the Election Commission as recommended by Mayor Shelton.

**IN THE MATTER OF REVIEW/APPROVE RE-APPOINTMENTS TO THE CONVENTION & VISITORS BUREAU BOARD**

Mayor Shelton had requested the re-appointment of the following individuals to another term on the Convention & Visitors Bureau Board:

Jane Spain – Community Development Foundation Representative  
Jonathan Waller – Tupelo Restaurant Association Representative  
Cindy Murphy – Tupelo Innkeepers Association Representative

These nominees were present and introduced by Mayor Shelton. Upon a motion by Councilwoman Davis, seconded by Councilman Whittington, the council voted unanimously to approve re-appointment of the above named citizens to serve on the Convention & Visitors Bureau Board for another term.

**IN THE MATTER OF REVIEW/APPROVE FY 2015 BUDGET REVISION #5**

Upon a motion by Councilman Beard, seconded by Councilman Whittington, the council voted unanimously to approve FY 2015 Budget Revision #5, including the acceptance of donation from Pepsi Bottling Company in the amount of \$5,000 for tree planting and acceptance of donation from Toyota in the amount of \$5,000 for the Cherry Blossom Festival. An executed copy of the revision is attached hereto as **APPENDIX B.**

**IN THE MATTER OF REVIEW/APPROVE RESOLUTION TO APPLY FOR DIP (DEVELOPMENT INFRASTRUCTURE PROGRAM) GRANT**

Under cover memorandum dated March 31, 2015, Terri Blissard, Grant Administrator, submitted a resolution to apply for a Development Infrastructure Program (DIP) Grant through the Mississippi Development Authority. DIP funding must pass through a municipality or county, and in this case, the City of Tupelo has been asked to apply on behalf of Kellex Seating, located in the former Tupelo Manufacturing building. The grant, if awarded, will fund roofing and other infrastructure improvements. The grant application is for \$300,000, with a 10% match which will be supplied by Kellex.

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Upon a motion by Councilman L. Bryan, seconded by Councilman Whittington, the council voted unanimously to approve a RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI, TO AUTHORIZE AND APPROVE THE MAYOR, ON BEHALF OF THE CITY, ENTERING INTO A GRANT/LOAN AGREEMENT WITH THE MISSISSIPPI DEVELOPMENT AUTHORITY IN ORDER TO RECEIVE A GRANT ON BEHALF OF THE CITY FROM THE MISSISSIPPI DEVELOPMENT AUTHORITY IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS (\$300,000) FOR THE PURPOSE OF COMPLETING INFRASTRUCTURE RELATED TO PUBLIC BUILDING IMPROVEMENTS AND THUS ENHANCING ECONOMIC DEVELOPMENT THROUGH THE CREATION OF JOBS. An executed copy of this Resolution is attached to these minutes and incorporated herein as **APPENDIX C.**

**IN THE MATTER OF REVIEW/APPROVE RESOLUTION TO APPLY FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR WEST TUPELO SEWER PROJECT**

Terri Blissard, Grant Administrator, had submitted a memorandum dated March 31, 2015, requesting the approval of a resolution to apply for a Community Development Grant through the Mississippi Development Authority. The proposed project is installation of sewer lines in a section of the recently annexed area near the Chesterville ball field. State revolving loan funds have been acquired for this project, but if CDBG grant funds can be obtained for a portion of the project (the portion which lies in a low/mod income area), then the grant funds will help reduce the total loan needed to complete the sewer lines.

There is a one-to-one match requirement for the CDBG program; however, state revolving loan funds may be used for the match. The resolution permits submittal of an application for grant funding up to \$600,000. Project costs are still being determined for the low/mod income area, but \$600,000 is the maximum amount which can be granted under the CDBG public facilities program, so the resolution is written with that funding cap in mind. According to Ms. Blissard, this does not reflect the actual project cost estimate which is still being developed.

Upon a motion by Councilman Jennings and a second by Councilman Palmer, the council voted unanimously to approve a Resolution of Authorization to Submit Community Development Block Grant Application and Commitment Funds for the project described above. An executed copy of the resolution is attached to these minutes and made a part hereof as **APPENDIX D.**

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**IN THE MATTER OF REVIEW/APPROVE RESOLUTION TO APPLY FOR COVERDELL FORENSIC SCIENCE GRANT**

Terri Blissard, Grant Administrator, had submitted a request to Mayor Shelton and the City Council to apply for the 2015 Coverdell Forensic Science Grant. This grant provides funding for equipment, supplies, and staffing for police forensic crime labs. The Tupelo Police Department wishes to apply for \$38,851 in Coverdell funding for start-up equipment (\$21, 845) and supplies (\$978) for a latent print lab, plus a part-time forensic analyst (\$16,028 for salary and part-time benefits). No match is required.

Upon a motion by Councilman Beard and a second by Councilman Whittington, the council voted unanimously to approve a Resolution of Authorization to Submit Application for 2015 Paul Coverdell Forensic Science Improvement Grant to the U. S. Department of Justice for this funding. An executed copy of the Resolution is attached to the minutes and included herein as **APPENDIX E.**

**IN THE MATTER OF REVIEW/AWARD/REJECT BID FOR SHUTTLE BUS FOR CONVENTION & VISITORS BUREAU**

Upon a motion by Councilwoman Davis, seconded by Councilman Jennings, the council voted unanimously to award Bid No. 1372CV for a shuttle bus to the lowest qualified bidder Alliance Bus Group in the amount of \$54,407.00 for use by the Tupelo Convention & Visitors Bureau. A copy of the bid package is attached to these minutes and made a part hereof as **APPENDIX F.**

**IN THE MATTER OF REVIEW/APPROVE SOLE SOURCE VENDOR FOR PURCHASE OF D.A.R.E. MATERIALS**

Tupelo Police Chief Bart Aguirre had submitted a request to the City Council to approve sole source vendor Creative Produce Sourcing for purchase of D.A.R.E. materials. This company is the worldwide sole supplier and manufacturer of D.A.R.E. materials and the country of origin is the United States for the items needed.

Upon a motion by Councilman Whittington, seconded by Councilman L. Bryan, the council voted unanimously to approve Creative Produce Sourcing as the sole source vendor for purchase of D.A.R.E. materials needed by the Tupelo Police Department. A copy of a letter from D.A.R.E. America verifying the status of this company as a sole source vendor is attached hereto and made a part of these minutes as **APPENDIX G.**

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**IN THE MATTER OF REVIEW/APPROVE CORRECTION OF**  
**WATCHGUARD BID TOTAL**

Car Video Equipment Bid 1367PD had been awarded to WatchGuard Video by the Tupelo City Council on March 3, 2015. However, due to error of omission of the last page of the bid submitted, the City Council awarded the bid in the amount of \$76,870. The bid should have been awarded based on the total of \$84,225 submitted by WatchGuard Video. Upon a motion by Councilwoman Davis and a second by Councilman Beard, the council voted unanimously to correct the award of this bid to WatchGuard Video to \$84,225. A copy of the bid package is attached to these minutes and incorporated herein as **APPENDIX H.**

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

Upon a motion by Councilman Palmer, seconded by Councilman Beard, the council voted unanimously to accept the minutes of the Planning Committee meeting of March 2, 2015, a copy being attached hereto as **APPENDIX I.**

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

Upon a motion by Councilman Jennings, seconded by Councilman Whittington, the council voted unanimously to accept the minutes of the Tupelo Major Thoroughfare Program meetings of January 12, 2015, and February 9, 2015, copies being attached hereto as **APPENDIX J.**

**IN THE MATTER OF REVIEW/AWARD/REJECT BID FOR TUPELO PUBLIC**  
**WORKS DEPARTMENT**

Upon a motion by Councilman Whittington, seconded by Councilman L. Bryan, the council voted unanimously to award the following bid as recommended by Chuck Williams, Director of the Tupelo Public Works Department:

Bid 1373PW Curb and Gutter

Recommendation:

Slayton Concrete Construction with a bid of \$10.00 per linear foot-broom finish labor only and \$10.00 per linear foot-labor only for aggregate finish curb and gutter.

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Only one bidder responded to requests for bids. A copy of the bid package is attached to these minutes and made a part hereof as **APPENDIX K.**

**IN THE MATTER OF REVIEW/APPROVE BOYS & GIRLS CLUB TO MAKE IMPROVEMENTS TO NORTHSIDE BUILDING**

Upon a motion by Councilwoman Davis and a second by Councilman Jennings, the council voted unanimously to approve a Resolution Authorizing Boys and Girls Club of Tupelo/Lee County, Inc. to Proceed with Improvements to Northside Center located on Linden Hill Street. The City of Tupelo owns the real property on which the Center is located and leases the same to the Boys and Girls Club of Tupelo/Lee County, Inc. That club has received a grant to improve the facilities and programs and desires to expand portions of the grant funding to make physical improvements to the Center. An executed copy of the resolution is attached hereto and made a part of these minutes as **APPENDIX L.**

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

Councilman L. Bryan moved to accept the minutes of the Traffic Committee meeting of March 24, 2015; the motion was seconded by Councilman Palmer and unanimously approved by a vote of the council. A copy of these minutes is attached to these minutes as **APPENDIX M.**

**IN THE MATTER OF REVIEW/APPROVE ABANDONMENT OF ELECTRIC RIGHT-OF-WAY, LOT NO. 407 – EAST BRISTOW**

Ms. Jessica Conner has requested the city abandon a portion of an old TVA easement granted to the City of Tupelo in 1985 and which extends southeast from Bristow Drive across Lot 407 Bristow Acres Subdivision 1. Ms. Conner is the only property owner that would be affected according to a memorandum dated April 6, 2015, from Johnny Timmons, Director of the Tupelo Water & Light Department. The electrical utility easement has been abandoned since the lines were relocated.

Upon a motion by Councilman L. Bryan, seconded by Councilman Beard, the council voted unanimously to approve an Order Closing and Vacating Utility Easement from Bristow Drive to George Avenue Crossing Lot 407 Bristow Acres Subdivision No. 1, a copy of same, including property description, being attached to these minutes as **APPENDIX N.**

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**IN THE MATTER OF REVIEW/AWARD/REJECT BID FOR TUPELO**  
**AQUATIC CENTER STORAGE BUILDING**

Upon a motion by Councilman Palmer, seconded by Councilman Beard, the council voted unanimously to award the bid for the Tupelo Aquatic Center Storage Building to CIG Contractors of Corinth, Mississippi, as the lowest and best bid at \$122,800. This bid has been reviewed by JBHM Architecture who recommends award of the same. Alex Farned, Director of the Tupelo Department of Parks and Recreation, recommends the award of this bid as well. A copy of the bid package is attached to these minutes and made a part hereof as **APPENDIX O**.

**8. STUDY AGENDA**

No items appeared on the Study Agenda for consideration.

**9. EXECUTIVE SESSION**

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

Upon a motion by Councilman Beard, seconded by Councilman Whittington, the council voted unanimously to go into executive session for discussion of the following issues as recommended by City Attorney Logan:

- (A) Pending Litigations (2)
- (B) Lease Negotiations
- (C) Acquisition of Real Property

Upon a motion by Councilman Jennings, seconded by Councilman Beard, the council voted unanimously to come out of executive session and return to the regular meeting with no action to be taken in regular session.

**IN THE MATTER OF ADJOURNMENT**

There being no further business to come before the City Council, upon a motion by Councilman Palmer, seconded by Councilman Jennings, the council voted

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unanimously to adjourn the regular meeting at 8:00 p.m.

\_\_\_\_\_  
PRESIDENT

ATTEST:

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

APPROVED:

\_\_\_\_\_  
MAYOR