

MUNICIPAL MINUTES, CITY OF TUPELO

STATE OF MISSISSIPPI

JUNE 2, 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, June 2, 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. Council Member Willie Jennings was absent.

Tupelo Fire Chief Thomas Walker led the Invocation, followed by the Pledge of Allegiance led by Tupelo Water & Light Department Director Johnny Timmons.

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: #7.16 Kellex DIP Grant Agreement

ADD: #7.17 Bid for North Gloster and North Green Street Sidewalk Construction Project

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 and Council President Bryan presented Certificates of Appreciation to Glenda Muse, Clerk of the Council, for 20 years of service in that position.

IN THE MATTER OF PUBLIC RECOGNITIONS

The following public recognitions were made by Council Members:

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Councilman Beard – Expressed appreciation to the First Baptist Church for hosting a very nice lunch for the workforce of Tupelo Public Works Department in appreciation of their tremendous work during cleanup from the tornado which happened last April.

Councilwoman Davis – Reminded that a group would be traveling to Denver, Colorado, next week to participate in the “All America City” award event. She thanked everyone who has put so much effort in preparation for this trip.

IN THE MATTER OF MAYOR’S REPORT

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

... Expressed sympathy to the family of Mr. Ed Crider who had passed away recently. Mr. Crider had served as Tupelo Police Chief at one time and had the distinction of holding that position longer than any other Chief.

... Announced that the Elvis Festival begins this weekend starting on Thursday, June 4, and continuing throughout the weekend. The Ultimate Elvis Tribute Competition begins Friday morning at the BancorpSouth Arena. Gates for the festival will open at 6:00 p.m. for the concert in Fairpark, the same location where Elvis performed on several occasions.

... A delegation will leave City Hall on June 11 at 9:30 a.m. for their trip to Denver, Colorado, in anticipation of bringing home the fifth “All America City” award. Mayor Shelton announced that funds in excess of \$43,000 had been raised through donations by the citizens of Tupelo and will pay almost the entire cost of the trip.

... The Special Olympics Event is scheduled for June 9 beginning at 6:30 p.m. in Fairpark.

... Mayor Shelton brought some good financial news in that at this point in the fiscal year, the city’s tax revenue is up 3.81%. He stated that hopefully this trend would continue throughout this budget year so that major projects can be addressed.

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

5. PUBLIC AGENDA

5.1 PUBLIC HEARINGS

5.1.A Public Hearing regarding lot mowings

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Ms. Claire Herndon, a resident of Springlake, appeared before the City Council to publicly thank the Code Enforcement department for their actions taken in her neighborhood. She stated she and her husband had reported several properties to that department. These properties were adjacent to their home and were in desperate need of attention. They met several times with city code enforcement employees, and she wanted to compliment and applaud them for their integrity and efficiency in handling the situation. She further said that everyone needed to recognize these employees as experts in their field.

Ms. Leslie Mart, 707 Chester Avenue, next appeared and addressed the City Council. Ms. Mart is President of the Joyner Neighborhood Association and resides at 707 Chester Avenue. She stated their neighborhoods work closely with code enforcement employees of the city and try to follow the policies regarding various issues. She said, however, she had a problem with the tabling by the City Council of the last listing of lot mowing violations. The process is very lengthy and the tabling of a list allows many violators to take no action for almost the entire lot mowing season. She encouraged the City Council to have faith that the code enforcement staff has done its due diligence before submitting a listing for consideration to the Council and act upon each when they are submitted.

(President Bryan then closed the Public Agenda and the Council returned to the regular meeting.)

6. ACTION AGENDA

IN THE MATTER OF REVIEW/RATIFY LEASE WITH TUPELO AIRPORT AUTHORITY

At the request of legal counsel, this item will remain on the table.

7. ROUTINE AGENDA

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

On a motion by Councilman Whittington, seconded by Councilman Palmer, the council voted unanimously of those present to approve the minutes of the regular City Council meeting of Tuesday, May 19, 2015.

IN THE MATTER OF REVIEW/PAY BILLS

Upon a motion by Councilman Palmer, seconded by Councilwoman Davis, 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, Davis and Palmer:

Check Nos. 130395 through 130404 (Pool Cash Fund)

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Check Nos. 316085 through 316522 (Pool Cash Fund)

Electronic Transfer 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 REAPPOINTMENT TO TUPELO
CONVENTION & VISITORS BUREAU

Mayor Shelton had submitted three names for either appointment or reappointment to the
Tupelo Convention & Visitors Bureau:

Upon a motion by Councilman Whittington, seconded by Councilman Beard, the council voted
unanimously of those present to approve the appointment of Ms. Stephanie Browning as the Innkeepers
Association representative on the Bureau. A copy of her bio is attached to these minutes as APPENDIX
A.

Upon a motion by Councilman Beard and a second by Councilman Palmer, the council voted
unanimously of those present to approve the re-appointment of Mr. Chauncey Godwin as the
representative of the Tupelo Restaurant Association to the Tupelo Convention & Visitors Bureau. A copy
of his bio is attached to these minutes as APPENDIX B.

Upon a motion by Councilman Whittington and a second by Councilman L. Bryan, the council
voted unanimously of those present to approve the appointment of Mr. David Wilson to the Civil War
Center Board. Mr. Wilson will replace Mr. Dick Hill who has submitted his resignation from this Board.
A copy of Mr. Wilson's bio is attached to these minutes as APPENDIX C.

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IN THE MATTER OF REVIEW/APPROVE FY2016 BUDGET CALENDAR

Upon a motion by Councilwoman Davis, seconded by Councilman Beard, the council voted unanimously of those present to approve FY2016 Budget Calendar, a copy being attached to these minutes as **APPENDIX D.**

IN THE MATTER OF REVIEW/APPROVE HOMELAND SECURITY GRANT

Terri Blissard, Grant Administrator, had submitted an award letter and grant agreement for statewide Homeland Security training coordinator services. The Mississippi Office of Homeland Security has allocated \$60,000 in grant funding for Statewide Training Coordinator William Grantham, Jr.'s salary and expenses from July 1, 2015 through June 30, 2016. Mr. Grantham has worked with our region for several years, and this award and grant agreement are essentially a continuation of previous years' grants.

Upon a motion by Councilman Whittington, seconded by Councilman Palmer, the council voted unanimously of those present to approve the Homeland Security Cooperative Agreement between the City of Tupelo and Mississippi Department of Public Safety as presented by Ms. Blissard.

IN THE MATTER OF REVIEW/APPROVE FY 2015 BUDGET REVISION #8

Upon a motion by Councilman Beard and a second by Councilman Whittington, the council voted unanimously of those present to approve FY 2015 Budget Revision #8, a copy being attached to these minutes as **APPENDIX E.**

IN THE MATTER OF REVIEW/APPROVE RESOLUTION APPOINTING MISSISSIPPI MUNICIPAL LEAGUE 2015 VOTING DELEGATES FOR THE CITY OF TUPELO, MISSISSIPPI

Upon a motion by Councilman Whittington, seconded by Councilman Palmer, the council voted unanimously of those present to approve a Resolution Appointing Mississippi Municipal League 2015 Voting Delegates for the City of Tupelo, Mississippi, a copy being attached to these minutes and made a part hereof as **APPENDIX F.** Councilwoman Nettie Y. Davis will serve as the voting delegate with Councilmen Travis Beard and Buddy Palmer serving as first and second alternates, respectively.

IN THE MATTER OF REVIEW/APPROVE CONTRACT WITH TUPELO LEE COUNTY HUMANE SOCIETY

Upon a motion by Councilwoman Davis, seconded by Councilman Beard, the council voted unanimously of those present to approve a Contract Between the City of Tupelo, Mississippi, and Tupelo-Lee Humane Society for FY 2014-2015. Under the terms of this contract, the two parties are entering into a mutual agreement to provide animal care services within the City of Tupelo, Mississippi.

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The City will provide for a yearly budgeted sum of \$175,000.00 as approved in the annual budget by the Tupelo City Council to assist the Humane Society in carrying out its purpose. This agreement shall be for the effective term of one (1) year, from October 1, 2014 to September 30, 2015. An executed copy of this agreement is attached to these minutes and incorporated herein as APPENDIX G.

IN THE MATTER OF REVIEW/APPROVE CSPIRE FIBER TO HOME AGREEMENT

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

IN THE MATTER OF REVIEW/APPROVE LISTING OF LOT MOWINGS FOR MAY 19, 2015

This item was tabled at the May 19, 2015, City Council meeting. Upon a motion by Councilman L. Bryan, seconded by Councilman Palmer, the council voted unanimously of those present to bring the matter off the table for consideration at this time. A public hearing had been held on this matter earlier in this meeting.

Councilman L. Bryan moved to approve a revised listing of lot mowings dated May 19, 2015, 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 Palmer and unanimously passed by a vote of those present. A copy of the list is attached to these minutes as APPENDIX H.

IN THE MATTER OF REVIEW/APPROVE LISTING OF LOT MOWINGS FOR JUNE 2, 2015

Councilman L. Bryan moved to approve a listing of lot mowings dated June 2, 2015, which had been 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 Palmer and unanimously passed by a vote of those present. A public hearing had been held on this matter earlier in this council meeting. A copy of the list is attached to these minutes as APPENDIX I.

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

Upon a motion by Councilman Whittington and a second by Councilman L. Bryan, the council voted unanimously of those present to accept the minutes of the Planning Committee meeting of May 4, 2015, a copy being attached to these minutes and incorporated herein as APPENDIX J.

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IN THE MATTER OF REVIEW/RATIFY CONTRACT FOR JOYNER SPLASH PAD PROJECT

The bid for the Joyner Splash Pad Project in the amount of \$559,600 was awarded by the City Council to CIG Contractors, Inc. at the May 5, 2015, City Council meeting. Alex Farned, Director of the Tupelo Department of Parks and Recreation, has submitted a contract between the City and CIG Contractors, Inc., for consideration at this council meeting.

Upon a motion by Councilman L. Bryan, seconded by Councilman Whittington, the council voted unanimously of those present to ratify said contract for the Joyner Splash Pad Project, excerpts from the contract being attached to these minutes and incorporated herein as APPENDIX K.

IN THE MATTER OF REVIEW/APPROVE CHANGE ORDERS FOR TUPELO SRF FY13 WATER SYSTEMS IMPROVEMENTS PROJECTS

Johnny Timmons, Manager, Tupelo Water and Light Department, had submitted three change orders for the Tupelo SRF FY13 Water System Improvements Projects.

Upon a motion by Councilman Palmer, seconded by Councilman Beard, the council voted unanimously of those present for each of the following Change Orders:

- (1) Tupelo SRF FY13 Water System Improvements – Area – Beech Springs – Change Order No. 3 – This change order will add 45 days to the contract completion date of this project with a revised completion date of July 13, 2015.
- (2) Tupelo SRF FY13 Water System Improvements – Area 2 North – Indian Hills – Change Order No. 1 – This change order will add 60 days to the contract completion date of this project with a revised completion date of July 28, 2015.
- (3) Tupelo SRF FY13 Water System Improvements – Area 2 South – Deer Park – Change Order No. 2 – This change order will add 60 days to the contract completion date of this project with a revised completion date of August 11, 2015.

Copies of these change orders are attached to these minutes and made a part hereof as APPENDIX L.

IN THE MATTER OF REVIEW/APPROVE ENGINEERING CONTRACT WITH CIVIL-LINK , LLC, FOR SHARON HILLS DRAINAGE PROJECT

Upon a motion by Councilman Whittington, seconded by Councilman L. Bryan, the council voted unanimously of those present to approve a Letter Agreement between Civil-Link, LLC, and the City of Tupelo, Mississippi, to provide professional engineering design phase and bidding/contracting phase services for the Sharon Hills Drainage Improvements Project. An executed copy of this agreement

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setting forth terms of the same is attached to these minutes and incorporated herein as APPENDIX M.

IN THE MATTER OF REVIEW/APPROVE SURPLUS PROPERTY

Kim Hanna, Chief Financial Officer, had submitted a request to the Mayor and City Council that a city iPhone belonging to Jennie Bradford Curlee is not functioning properly and asking permission to surplus this asset. This item will be traded in at C-Spire for a new phone. The old phone (Asset #15629,S/N F17KFBNYF8GH) was purchased for \$184.98 in FY 2013 and C-Spire will allow the city to swap evenly for a new iPhone 6 valued at \$669.99. Upon a motion by Councilman Beard, seconded by Councilman L. Bryan, the council voted unanimously of those present to approve the request to surplus this item and make the swap with C-Spire as requested by Ms. Hanna.

IN THE MATTER OF REVIEW/APPROVE KELLEX DIP GRANT AGREEMENT

Upon a motion by Councilman Whittington, seconded by Councilman Palmer, the council voted unanimously of those present to approve a Grant Agreement between the Mississippi Development Authority and the City of Tupelo, Mississippi, in regard to the Kellex DIP (Development Infrastructure Program) project. The grant is for \$250,529, which will fund roof repairs. MDA requires a one-to-one match for the project plus an additional 10% local investment match. The grant will pass through the city, but the match and local investment will come from Kellex Corporation. A memorandum of understanding between the City of Tupelo and Kellex Corporation outlining these terms was approved by the City Council at their April 21, 2015, regular meeting. Among the requirements of the DIP agreement with Kellex is the creation of 75 full-time (or full-time equivalent) jobs at the local Kellex facility within two years of completion of the infrastructure improvements.

An executed copy of the Grant Agreement between the Mississippi Development Authority and the City of Tupelo, Mississippi, is attached to these minutes and incorporated herein as APPENDIX N.

IN THE MATTER OF REVIEW/AWARD/REJECT BID FOR NORTH GLOSTER AND NORTH GREEN STREET SIDEWALK CONSTRUCTION PROJECT

Upon a motion by Councilwoman Davis, seconded by Councilman Beard, the council voted unanimously of those present to award the bid for Project No. STP-0430-00(019), LPA 106680/701/000, North Gloster & North Green Street Sidewalk Construction Project to Prairie Construction, LLC, of Tupelo, Mississippi, as the low bidder, pending Mississippi Department of Transportation approval. The low bid submitted by Prairie Construction, LLC, is in the amount of \$651,902.99. The bid was recommended by Engineering Solutions, Inc. and John Crawley, City Engineer. A copy of the bid package is attached to these minutes and made a part hereof as APPENDIX O.

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8. STUDY AGENDA

No items to be considered.

9. EXECUTIVE SESSION

IN THE MATTER OF EXECUTIVE SESSION

Upon a motion by Councilman Palmer and a second by Councilman Whittington, the council voted unanimously of those present to close the regular meeting to determine the need for an executive session.

Upon a motion by Councilwoman Davis, seconded by Councilman Beard, the council voted unanimously of those present to go into executive to discuss the matter of pending litigation.

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

10. ADJOURNMENT

There being no further action to come before the City Council, upon a motion by Councilman L. Bryan and a second by Councilman Palmer, the council voted unanimously of those present to adjourn the regular meeting at 7:00 p.m.

PRESIDENT

ATTEST:

CLERK OF THE COUNCIL

APPROVED:

MAYOR

May 8, 2015

To Whom It May Concern:

I would like to appeal the decision of the Tupelo Department of Development Services to deny my request for a Compatible Use to locate a camper on a concrete pad on the Mosby side of the residence located at 2517 Buckner.

Sincerely,

A handwritten signature in cursive script that reads "Linda Jenkins". The signature is written in black ink and is positioned above the typed name.

Ms. Linda Jenkins