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MUNICIPAL MINUTES, CITY OF TUPELO

STATE OF MISSISSIPPI

JUNE 16, 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 16, 2015, at 6:00 p.m. with the following in attendance: Council Members Markel Whittington, L. 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 Rev. Tommy Galloway, Pastor of Word of Life Church, followed by the Pledge of Allegiance led by Fire Chief Thomas Walker.

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, amended as follows:

ADD: Executive Session

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

No city employees were present for recognition.

IN THE MATTER OF PUBLIC RECOGNITIONS

The following Public Recognitions were made by Council Member:

Councilman Palmer – Publicly recognized Dr. Forrest Sheffield who recently retired as Pastor of Harrisburg Baptist Church. Dr. Sheffield has served as a minister for forty-one years.

Councilwoman Davis – Announced that Mission Mississippi would hold a meeting at St. Paul United Methodist Church on Thursday, June 18, 2015.

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

5. PUBLIC AGENDA

5.1 PUBLIC HEARINGS

5.1.A PUBLIC HEARING REGARDING LOT MOWINGS

(No one appeared to address this matter.)

(President Bryan 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

This matter was tabled on May 19, 2015, and June 1, 2015, and upon request of President Bryan will remain on the table at this time.

IN THE MATTER OF REVIEW/APPROVE RESOLUTION AUTHORIZING PURCHASE OF \$4,000,000 GENERAL OBLIGATION BOND, SERIES 2015

On October 21, 2014, the City Council approved a Resolution of Intent to issue a General Obligation Bond, Series 2015 of the City of Tupelo, Mississippi, for purchase by the Mississippi Development Bank, in the principal amount of not to exceed Ten Million Dollars (\$10,000,000) to raise money for the purpose of financing certain capital projects and improvements in the City.

Councilwoman Davis moved to approve a resolution to issue General Obligation Bond Series 2015 in the amount of \$4,000,000 for the purpose of financing capital projects and improvements of the city. According to Chief Financial Officer Kim Hanna, this is the first issue to be drawn and will fund the capital plan through the remainder of 2015 (calendar year). The motion was seconded by Councilman Whittington and unanimously approved by a vote of the council. An executed copy of the resolution is attached to these minutes and incorporated herein as **APPENDIX A.**

7. ROUTINE AGENDA

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

Upon a motion by Councilman Beard, seconded by Councilman Jennings, the council voted unanimously to approve the minutes of the special called council meeting of May 27, 2015, and the minutes of the regular council meeting of Tuesday, June 2, 2015.

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According to a memorandum dated June 10, 2015, from Terri Blizzard, Grant Administrator, the terms of the MOA are the same with the City of Tupelo serving as grant recipient and passing grant funds through to the Tupelo Public School District. In all other aspects of the grant project, the Tupelo Public School District bears full responsibility. An executed copy of this MOA is attached to these minutes and incorporated herein as **APPENDIX C.**

IN THE MATTER OF REVIEW/APPROVE RESOLUTION TO APPLY FOR URBAN & COMMUNITY FORESTRY GRANT

Terri Blissard, Grant Administrator, had submitted a request to the Mayor and City Council dated June 11, 2015, for permission to apply for a \$20,000 Urban & Community Forestry grant on behalf of the City of Tupelo. This grant is offered by the Mississippi Forestry Commission. The Public Works Department proposes to use the funding, if awarded, to hire a consulting firm to manage a GIS-based tree canopy inventory and assessment and to develop a tree maintenance plan for the City.

The grant requires a one-to-one match, and the Public Works Department proposes to use the value of seventy 3.5"-caliper trees from the tree farm to fulfill the match requirement. The trees will be planted in City rights-of-way over the course of a twelve-month period.

Upon a motion by Councilwoman Davis and a second by Councilman Whittington, the council voted unanimously to grant the request of Ms. Blissard by approving a Resolution of Authorization to Submit Urban & Community Forestry Grant Application, a copy being attached to these minutes as **APPENDIX D.**

IN THE MATTER OF REVIEW/APPROVE REQUEST TO SURPLUS FIXED ASSET WEAPONS BY THE TUPELO POLICE DEPARTMENT

Police Chief Bart Aguirre had submitted a request to the City Council dated June 2, 2015, requesting permission to surplus certain fixed asset weapons. Councilman Palmer moved to determine the items/weapons listed are no longer needed for municipal purposes, and they are to be sold at public sale under the following stipulations:

- (1) Posting notice for ten (10) days prior to receipt of bids in three (3) public places to include City Hall
- (2) Bids will be received by email to City Clerk or by sealed envelope to City Clerk
- (3) Specify that only licensed persons to trade weapons are eligible to bid
- (4) Specify the quantity and type of weapon being sought for trade

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IN THE MATTER OF REVIEW/ADOPT AMENDMENT TO ALL PREVIOUS ORDINANCES ESTABLISHING SCHEDULE OF RULES AND FEES FOR UTILITY SERVICES FURNISHED TO CONSUMERS OF THE CITY OF TUPELO

The City Council reviewed and considered information compiled by the City of Tupelo Water and Light Department demonstrating the need for establishing an updated schedule of rules and fees for utility services furnished to consumers of that Department. Under Section 21-27-23 Miss. Code Anno. (1972 as amended), the City of Tupelo is authorized to establish these rules and fees and the City Council has determined that an updated schedule of rules and fees is necessary, fair and reasonable. As required by law, the amended Schedule of Rules and Fees with appendices shall be published in ordinance form.

Councilman Whittington moved to adopt an Amendment to All Previous Ordinances Establishing Schedule of Rules and Fees for Utility Services Furnished to Consumers of the City of Tupelo with amended Schedule of Rules and Fees attached. The motion was seconded by Councilman L. Bryan. An amendment was offered by Councilman Whittington and seconded by Councilman Palmer that the Service Practice Standards shall become effective August 1, 2015. The council voted unanimously to approve both the amendment and the motion. An executed copy of this document is attached to these minutes and incorporated herein as **APPENDIX G.**

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

Upon a motion by Councilwoman Davis, seconded by Councilman Whittington, the council voted unanimously to accept the minutes of the Tupelo Major Thoroughfare Program meeting of May 11, 2015, a copy being attached hereto as **APPENDIX H.**

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

Upon a motion by Councilman Beard and a second by Councilman Whittington, the council voted unanimously to accept the minutes of the Planning Committee meeting of June 1, 2015, a copy being attached hereto as **APPENDIX I.**

IN THE MATTER OF REVIEW/APPROVE LISTING OF LOT MOWINGS

Councilman Whittington moved to approve a listing of lot mowings dated June 16, 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

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This action resolves a lawsuit pending since 2001 involving the construction project of building a four-lane highway from Batesville, Mississippi, and passing through Tupelo. The construction resulted in permanently cutting off access from South Green Street onto South Gloster Street. Mr. Williams owns property in the area and having no access to South Gloster Street from South Green Street has adversely affected his rental property, primarily involving trucking firms operating trailer trucks and other large vehicles.

Council Members Jennings and Davis both offered comments during the discussion period. Councilman Jennings stated: "I do not know how my colleagues are going to vote but this person has on numerous occasions said to me and the community that he didn't want anything from this...he just wanted to help the community open the road up. Now he has made a 90-degree turn to benefit from it. To me, that is using the community to get what he wants. I am asking you all to take that under consideration. I represent the people in that ward and his property is in that ward, but if he had come to me in a direct way, it would have been different. Now he is using the community and using me to get to this point to make his suit against the city. I am not going to support that. I would ask you to take this under consideration because if it were in your ward, you would think the same thing. I am not going to hold it against you and whatever way you want is fine, but that is where I stand."

Councilwoman Davis stated: "My concern is when this issue came up it was not brought before the City Council and the council did not make any kind of decision on it. I don't like the way the citizens were treated but at the same time, I have to speak for Mr. Williams because he lives in my ward. From my understanding, nobody was communicated with on what they were going to do. Something was sent to the Mayor at that time but we never saw it. It looks like it was an unfair thing that the highway department did to the citizens and the City, although I understand even though we never saw it, there was communication sent. That is the reason I feel it would be unfair both ways but at the same time, Mr. Williams has been affected and lost money. Others have been affected because lots of people go down in that area and it was a convenient area, but I think this resolution being presented should resolve some of that problem if the proposed street is opened up to the public."

After the discussion, vote on the matter was as follows:

VOTING AYE: Whittington, L. Bryan, Beard, Davis, Palmer, M. Bryan

VOTING NAY: Jennings

A copy of the Consent Final Judgment/Agreed Order Establishing Just Compensation is attached hereto as **APPENDIX K.**