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MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI
FEBRUARY 2, 2016

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 2, 2016, 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; Ben Logan, City Attorney; and Leesha Faulkner, Communications Director.

The invocation was led by Councilman Beard, followed by the Pledge of Allegiance led by Councilman Lynn Bryan.

IN THE MATTER OF CALLING THE MEETING TO ORDER

President Palmer 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 L. Bryan, seconded by Councilman Whittington, the council voted unanimously to confirm the agenda and agenda order, as presented.

4. PROCLAMATIONS, RECOGNITIONS AND REPORTS AGENDA

At the request of Mayor Shelton, the City Council dispensed with consideration of this section of the agenda.

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

5. PUBLIC AGENDA

5.1 PUBLIC HEARINGS

**5.1.A PUBLIC HEARING ON PRIORITIES FOR
PHASE VI – TUPELO MAJOR THOROUGHFARE
PROGRAM**

(No one appeared to address this matter.)

**5.1.B PUBLIC HEARING ON TEXT AMENDMENTS
TO TUPELO DEVELOPMENT CODE**

(No one appeared to address this issue.)

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(President Palmer then closed the Public Agenda and the City Council returned to open session.)

6. ACTION AGENDA

IN THE MATTER OF REVIEW/ADOPT ORDINANCE AMENDING THE DEVELOPMENT CODE OF THE CITY OF TUPELO

Upon a motion by Councilman L. Bryan and a second by Councilman Jennings, the council voted unanimously to adopt an Ordinance Amending the Development Code of the City of Tupelo, Mississippi. These amendments include changes to control driveway access in commercial areas, to add some flexibility on landscaping requirements and sign standards, to clarify some code enforcement provisions, and to change the procedure for some zoning applications. An executed copy of the Ordinance is attached to these minutes and incorporated herein as **APPENDIX A.**

7. ROUTINE AGENDA

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

Upon a motion by Councilman M. Bryan, seconded by Councilwoman Davis, the council voted unanimously to approve the minutes of the regular City Council meeting of Tuesday, January 19, 2016.

IN THE MATTER OF REVIEW/PAY BILLS

Upon a motion by Councilman Whittington, seconded by Councilman Beard, 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 and Jennings:

Check Nos. #322449 through 322847 (Pool Cash Fund)
Electronic transfers as shown on the docket.
Invoices as shown on 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 COLISEUM BOARD

Mayor Shelton had submitted a request to the City Council recommending Jason Hayden be appointed to the Coliseum Board. Upon a motion by Councilman Whittington, seconded by Councilman L. Bryan, the council voted unanimously to approve the appointment of Mr. Hayden as recommended by the Mayor. A copy of his bio is attached to these minutes as **APPENDIX B**.

IN THE MATTER OF REVIEW/APPROVE DEMOLITION OF PROPERTY LOCATED AT 854 NORTH GLOSTER STREET

This matter had been tabled at both the January 5, 2016, and January 19, 2016, regular council meetings. Upon a motion by Councilman L. Bryan and a second by Councilman Whittington, the council voted unanimously to leave the issue on the table.

IN THE MATTER OF REVIEW/REJECT BIDS ON PHILLIPS DAY-BRITE BUILDING IMPROVEMENTS (ROOFING PROJECT)

Upon a motion by Councilman Beard and a second by Councilman Whittington, the council voted unanimously to reject bids received on Phillips Day-Brite Building Improvements (Roofing Project).

Mayor Shelton advised that the administration had recommended the rejection of these bids in order to insure that the city is in compliance with all requirements of the grant providing funds for this project. Rejection of these bids will allow the project to be re-bid and the process for grant funding repeated.

IN THE MATTER OF REVIEW/APPROVE DOCUMENTS IN REGARD TO KELLEX PROJECT

Terri Blissard, Grant Administrator, had submitted various documents for the City Council's consideration in regard to Public Building Improvements, Project #DIP 355, Kellex Seating Re-Roof. As background information, Ms. Blissard submitted a memorandum to Mayor Shelton and the City Council dated January 26, 2016. The City of Tupelo received Development Infrastructure Program (DIP) funding in 2015 from the Mississippi Development Authority for this project at the city-owned Kellex manufacturing building located on North Industrial Drive. At that time, the city entered into an agreement with Kellex regarding the project and the commitment of matching funds by Kellex. The agreement was documented in a memorandum of understanding dated April 21, 2015. No match from the city is required.

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When bids were opened for the project, it was determined that the cost of the project far exceeded the funding allocated by MDA, and the first round of bids was rejected. The bid specifications were modified to reduce costs, and the project was re-bid. The second round of bids came in closer to the grant budget but still higher than hoped, so MDA has agreed to provide \$44,361 in additional funding to help close the gap. In addition, Kellex has agreed to increase its match for the project by \$10,000.

Documents submitted by Ms. Blissard to move the project forward include:

(A) Grant Agreement Providing Additional Funding

Upon a motion by Councilwoman Davis, seconded by Councilman M. Bryan, the council voted unanimously to approve a Grant Agreement by which MDA agrees to provide \$44,361 in additional funding for the Kellex project.

(B) Addendum to Memorandum of Understanding

Upon a motion by Councilman Whittington, seconded by Councilman M. Bryan, the council voted unanimously to approve an Addendum to the Memorandum of Understanding between the City and Kellex dated April 21, 2015, by which Kellex agrees to a \$10,000 increase in the company's match ... again with no match from the city.

© Bid Selection

Upon a motion by Councilman Jennings, seconded by Councilman L. Bryan, the council voted unanimously to award the second round of bids to Master Craft Builders as the lowest and best bid for this project. Master Craft's base bid and alternates are within the project budget and are recommended for approval by Engineering Solutions, Inc., engineers for the project.

Copies of above referenced documents are attached to these minutes and made a part hereof as **APPENDICES C, D, E.** respectively.

IN THE MATTER OF REVIEW/APPROVE ENGINEERING SELECTION FOR WEST TUPELO SEWER PROJECT

Terri Blissard, Grant Administrator, by memorandum to the Mayor and City Council dated January 27, 2016, submitted a request to the City Council for approval of an engineering selection for the West Tupelo Sewer Project. In accordance with Community Development Block Grant requirements for public facility construction projects, a committee has rated engineering proposals received for this project. Cook Coggin Engineers, Inc. and Neel-Schaffer, Inc. each submitted proposals for

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review. Cook Coggin received the higher rating of the two and, therefore, is recommended for the project.

Upon a motion by Councilman M. Bryan and a second by Councilman Beard, the council voted unanimously to approve the proposal of Cook Coggin Engineers, Inc. as recommended for this project. A copy of the rating sheets from the selection committee is attached to these minutes and incorporated herein as **APPENDIX F.**

IN THE MATTER OF REVIEW/APPROVE STATEWIDE MUTUAL AID COMPACT

Upon a motion by Councilwoman Davis and a second by Councilman Jennings, the council voted unanimously to approve a Statewide Mutual Aid Compact (SMAC), an agreement entered into among the State of Mississippi, Mississippi Emergency Management Agency, each County and Municipality, and the Mississippi Band of Choctaw Indians.

The Mississippi Emergency Management Agency (MEMA) has requested that each municipality provide certain information and signatures for SMAC, a system for using all available resources during emergencies.

An executed copy of this document, providing the requested information, is attached to these minutes and incorporated herein as **APPENDIX G.**

IN THE MATTER OF REVIEW/AWARD CONTRACT FOR TUPELO WATER AND LIGHT DEPARTMENT

Upon a motion by Councilman Whittington, seconded by Councilman L. Bryan, the council voted unanimously to award the following contract as recommended by Johnny Timmons, Manager, of the Tupelo Water and Light Department:

HWY 45 SEWER IMPROVEMENTS (PHASE 2) – The bid (1393WL) for this project was awarded by the City Council at the regular meeting of January 5, 2016, to Argo Construction Corporation in the amount of \$303,609.50.

An executed copy of the Contract Agreement between Argo Construction Corporation and the City of Tupelo, Mississippi, is attached to these minutes and made a part hereof as **APPENDIX H.**

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IN THE MATTER OF REVIEW/APPROVE LIST OF SURPLUS ITEMS FOR TUPELO WATER AND LIGHT DEPARTMENT

Upon a motion by Councilwoman Davis, seconded by Councilman Beard, the council voted unanimously to approve a list of items submitted by the Tupelo Water and Light Department to be declared surplus. A copy of this list is attached hereto as **APPENDIX I.**

IN THE MATTER OF REVIEW/APPROVE DISBURSEMENT REQUEST NO. 4

In accordance with the terms of the Escrow and Account Control Agreement dated October 22, 2015, by and among the Lessor (Banc of America Public Capital Corporation), the City of Tupelo, Mississippi, Lessee, and Bank of America, National Association, Escrow Agent, Kim Hanna, Chief Financial Officer of the City, had submitted Disbursement Request No. 4 to the City Council for approval for payment.

Upon a motion by Councilwoman Davis and a second by Councilman Jennings, the council voted unanimously to approve Disbursement Request No. 4, requested the Escrow Agent, Banc of America Public Capital Corporation, to pay Invoice Number Application No. 3 in the amount of \$251,849.01 to Schneider Electric Buildings America, Inc. to cover construction contract. A copy of Disbursement Request No. 4 is attached to these minutes and incorporated herein as **APPENDIX J.**

8. **STUDY AGENDA-** No items to be considered.
9. **EXECUTIVE SESSION -** No executive session needed.

IN THE MATTER OF ADJOURNMENT

There being no further business to come before the council, upon a motion by Councilman M. Bryan, seconded by Councilman Whittington, the council voted unanimously to adjourn the regular meeting at 6:15 p.m.

ATTEST:

CLERK OF THE COUNCIL

PRESIDENT

APPROVED:

MAYOR