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MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI
NOVEMBER 3, 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, November 3, 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 members of a Girl Scout Troop from East Heights Baptist Church.

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 Vice-President Lynn Bryan and a second by Councilman Whittington, the council voted unanimously to confirm the agenda and agenda order, amended as follows:

DELETE: Public Agenda
DELETE: Item #7.6 – Listing of Lot Mowing of Properties

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

IN THE MATTER OF RECOGNITION OF BOY/GIRL SCOUTS

Members of Girl Scout Troop #20205, sponsored by East Heights Baptist Church, were recognized by President Palmer. Scouts present included Regan Plunkett, Georgia McGee, and McKenna Allen.

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 City Council Members:

Davis – Councilwoman Davis commented on the good turnout for the election being held today.

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Jennings – Expressed appreciation to the Human Resources Department for sponsoring the AFLAC Heisman Trophy display which had been at City Hall this past week.

IN THE MATTER OF PROCLAMATION IN RECOGNITION OF “NATIVE AMERICAN HERITAGE MONTH”

President Palmer read a proclamation in recognition of “Native American Heritage Month” being observed during the month of November 2015. The National Society of Daughters of the American Revolution is responsible for this observance and Susie Dent, Chairman of the American Indians Committee of the local Mary Stuart Chapter of DAR, accepted the proclamation from President Palmer. Mary Stuart was the first teacher in Tupelo to teach the Chickasaw Native American young ladies, as well as Tupelo young ladies, in the front room of her home. The Mary Stuart Chapter, together with the City of Tupelo, is working with the Chickasaw Nation on historical, cultural and preservation projects.

IN THE MATTER OF REPORT REGARDING “ACCOUNTABILITY TASK FORCE”

Dr. Coniglio, Chairman of the Mayor’s “Accountability Task Force”, gave a brief update on the progress of the group. He stated the Task Force originally decided to use the 2025 Comprehensive Plan which had been adopted by the City in 2008 as a guide. However, after a review of the Plan, it was decided that due to its complexity, they would incorporate many of its goals into the Mayor’s T.U.P.E.L.O. Plan. From this effort, fifty goals were established as a framework on which to focus. The members visit each City Department monthly to review what they are doing and what their difficulties, if any, are. He stated the City government had been very cooperative and many noteworthy accomplishments had been noted. Dr. Coniglio said the Task Force is also planning to review the Tupelo Major Thoroughfare Program plans.

5. PUBLIC AGENDA

(Deleted from agenda.)

6. ACTION

(No items)

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7. **ROUTINE AGENDA**

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

Upon a motion by Councilman M. Bryan and a second by Councilman Jennings, the council voted unanimously to approve the minutes of the regular City Council meeting of Tuesday, October 20, 2015.

IN THE MATTER OF REVIEW/PAY BILLS

Upon a motion by Councilman L. Bryan, seconded 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 L. Bryan, Beard and Palmer:

Check Nos. 320222 through 320638 (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 NOMINATION TO HISTORIC PRESERVATION COMMISSION

Upon a motion by Councilman L. Bryan, seconded by Councilman Jennings, the council voted unanimously to approve the nomination of Mr. Matthew Oswalt to the Historic Preservation Commission. The Historic Preservation Committee had approved his application for appointment at their October 8, 2015, meeting. A copy of his bio is attached to these minute as **APPENDIX A.**

IN THE MATTER OF REVIEW/APPROVE REQUEST FOR APPROVAL FOR MAYOR TO SIGN NOTICE OF INTENT TO APPLY FOR A CLG GRANT FROM MISSISSIPPI ARCHIVES AND HISTORY (MDAH)

Upon a motion by Councilwoman Davis, seconded by Councilman Beard, the council voted as follows for approval to allow Mayor Shelton to sign a Notice of Intent to Apply for a Certified Local Government (CLG) grant from the Mississippi Department of Archives & History by the Tupelo Historic Preservation Society for rehabilitation of the structure known as the Spain House. The City of Tupelo is serving only as a pass-through for this grant with Doyce H. Deas, Treasurer/Project Manager/CLG Coordinator of the Tupelo Historic Preservation Society, handling necessary paperwork involved with the grant application.

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Vote on the issue was as follows:

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

**IN THE MATTER OF REVIEW/APPROVE FINANCIAL REPORT FOR
TUPELO ELECTRIC DEPARTMENT, JUNE 30, 2014-2015**

Greg Jarrell, representing Franks, Franks, Jarrell & Wilemon, P. A., had reviewed for the City Council the Financial Report for the Tupelo Electric Department for June 30, 2014-2015, at the agenda review on Monday, November 2, 2015. He informed the Council that the report was a "clean" report with no instances of noncompliance with government standards. He complimented all city staff members involved in the preparation of the report for their cooperation with the auditors.

Upon a motion by Councilman L. Bryan and a second by Councilman Whittington, the council voted unanimously to approve this financial report, a copy being attached to these minutes as **APPENDIX B.**

**IN THE MATTER OF REVIEW/APPROVE DEDICATION OF RIGHT-OF-WAY
FOR WEST JACKSON STREET DEVELOPMENT**

Upon a motion by Councilwoman Davis, seconded by Councilman Beard, the council voted unanimously to approve a Resolution Accepting Proposed Street Right-of-Way in West Jackson Street Construction Project for Dedication and Maintenance. The Neighborhood Development Corporation has requested the City to accept this proposed right-of-way.

City staff members recommend this action, and find it would be in the best interest of the public convenience and necessity that the proposed R.O.W. be accepted for construction of the street by the City and dedication to the public and maintenance by the City. This action would allow construction of the street to proceed.

An executed copy of the resolution, together with a plat of the R.O.W. to be accepted, is attached to these minutes and made a part hereof as **APPENDIX C.**

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IN THE MATTER OF REVIEW/APPROVE RESOLUTION DECLARING AS SURPLUS CERTAIN REAL PROPERTY AND AUTHORIZING CONVEYANCE OF PROPERTY TO TUPELO PUBLIC SCHOOL DISTRICT

Upon a motion by Councilman Beard, seconded by Councilman Whittington, the council voted unanimously to approve a Resolution Declaring as Surplus Certain Real Property Adjoining the Tupelo Public School District Martin Luther King, Jr. Campus and Authorizing the Conveyance of the Property Pursuant to Section 21-17-1 of the Mississippi Code of 1972.

The City of Tupelo owns portions of the real property adjoining the Tupelo Public School District's Martin Luther King, Jr. Early Childhood Education Center campus on North Green Street. This property has ceased to be used for municipal purposes and it is not anticipated it will be used in the operation of the municipality of Tupelo in the future. Neither is the sale of the property necessary or desirable for the financial welfare of the city. The Tupelo Public School District is a public school district in which the land is situated, and the District has requested the City donate the real property to further the District's efforts to promote and foster the educational welfare of the City.

An executed copy of the Resolution outlining actions to be taken to accomplish this conveyance is attached hereto as **APPENDIX D.**

IN THE MATTER OF REVIEW/APPROVE REQUEST TO ALLOW TUPELO POLICE OFFICER TO WEAR POLICE UNIFORM AND HAVE PROPER EQUIPMENT TO WORK SECURITY AT BELK DEPARTMENT STORE

Police Chief Bart Aquirre had submitted a request to city officials to allow a Tupelo police officer to wear police uniform and to have proper city-issued equipment for help with security and deterrent at the Belk Department in the Mall at Barnes Crossing. Liability and the fee for the officer's detail will come from Belk. The officer requesting to serve in this capacity is Kevin Moore.

Upon a motion by Councilman L. Bryan and a second by Councilman Beard, the council voted unanimously to approve this request of Chief Aquirre to allow this officer to service in this capacity.

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

Upon a motion by Councilman M. Bryan, seconded by Councilman Jennings, the council voted unanimously to award the following bid as recommended by Johnny Timmons, Manager, Tupelo Water and Light Department:

Bid No. 1388WL Rebuild International 2254 w/Sewer Vactor (Unit 2) to the low qualified bid submitted by Sansom Equipment Co., Inc. in the amount of \$58,847.46.

A copy of the bid package is attached to these minutes and made a part hereof a **APPENDIX E.**

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

Upon a motion by Councilman Jennings and a second by Councilman M. Bryan, the council voted unanimously to award the following bid as recommended by Johnny Timmons, Manager, Tupelo Water and Light Department:

Bid No. 1383WL – SRF FY 14 Sewer System Improvements – Area 2 North – Deer Park to the low qualified bid submitted by Encor, LLC, in the amount of \$1,857,907.00

This bid was also recommended by Cook Coggin Engineers. A copy of the bid package is attached to these minutes and incorporated herein as **APPENDIX F.**

IN THE MATTER OF REVIEW/APPROVE CHANGE ORDERS FOR TUPELO WATER AND LIGHT DEPARTMENT

Upon a motion by Councilman Jennings, seconded by Councilman M. Bryan, the council voted unanimously to approve the following change orders as submitted by Johnny Timmons, Manager, Tupelo Water and Light Department:

Tupelo SRF FY13 Sewer System Improvements – Area 1 – Beech Springs – Change Order No. 3 – This change order is necessary due to a revised paving scope and a revision to replace overhead power with underground power and relocate the control panel. This change order will add \$53,013.92 to the contract amount with no additional days for completion. The revised contract amount is \$1,431,139.41.

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Tupelo SRF FY13 Sewer System Improvements – Area 3 – Auburn – Change Order No. 2 – This change order covers the replacement of service line cleanouts with caps and t-posts as markers. This change order is a deduction of \$13,195.00 with no additional days for completion. The revised contract amount is \$1,957,216.00.

Mr. Timmons advises he has reviewed the above change orders and finds them to be correct. Copies of the same are attached hereto as **APPENDIX G.**

8. STUDY AGENDA

IN THE MATTER OF REVIEW/DISCUSS TUPELO COMPREHENSIVE TRANSPORTATION PLAN

At the request of Council Members M. Bryan and Davis, this item will be moved to the next agenda.

9. EXECUTIVE SESSION

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

Upon the advice of legal counsel, Councilman M. Bryan moved to go into executive session to discuss an economic development matter. The motion was seconded by Councilman Beard and unanimously approved by the council.

Upon a motion by Councilman Beard and a second by Councilwoman Davis, the council voted unanimously to come out of executive session and return to the regular meeting with no action needed in open session.

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IN THE MATTER OF ADJOURNMENT

Upon a motion by Councilman Jennings, seconded by Councilwoman Davis, the council voted unanimously to adjourn the regular meeting at 6:55 p.m.

PRESIDENT

ATTEST:

CLERK OF THE COUNCIL

APPROVED:

MAYOR