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MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI
MARCH 1, 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, March 1, 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; City Attorney Ben Logan; and Glenda Muse, Clerk of the Council.

The invocation was led by Jeff Robbins, Pastor, Corner Stone Church, followed by the Pledge of Allegiance led by Boy Scout Lincoln Jones.

IN THE MATTER OF CALLING THE MEETING TO ORDER

President Palmer called the regular 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 Lynn Bryan, seconded 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

Mayor Shelton introduced Boy Scouts Lincoln Jones and Carter Brown of Troop #12, sponsored by the United Methodist Church. Duke Loden, Merit Badge Counselor, was present as well. These scouts are working on their "Citizenship in the Community and Communications Merit Badges".

IN THE MATTER OF RECOGNITIONS OF CITY EMPLOYEES

Mayor Shelton presented Certificates of Appreciation to the following city employees for their many years of dedicated service to the citizens of Tupelo:

Ira L. Gladney	Tupelo Fire Department	10 years
Pat Rasberry	Convention & Visitors Bureau	30 years

IN THE MATTER OF PUBLIC RECOGNITIONS

Councilman Mike Bryan invited everyone to come out and celebrate the Cherry Blossom Festival scheduled for March 13, 2016, beginning at 2:00 p.m. at Ballard Park. This will be a family-oriented event with activities for everyone to enjoy.

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IN THE MATTER OF MAYOR'S REPORT

Following are excerpts from Mayor Jason Shelton's report for this meeting:

... Announced that he received a very nice letter from Jack Reed, Jr. thanking all the council members for the recognition of his father, Jack Reed, Jr., who had recently passed away. Mr. Reed, Sr. had, also, been recognized at the State of the City event held recently.

... Echoed the remarks of Councilman Mike Bryan in regard to the Cherry Blossom Festival scheduled this month. This is the first Cherry Blossom Festival to be held in Mississippi and Tupelo is proud to be the first to host such an event.

... Recognized Mr. Greg Pirkle, Chairman of the Tupelo Major Thoroughfare Program, who was present to support this matter which appears on tonight's agenda. Mayor Shelton, also, asked citizens for public support of this Program which has had such a tremendous impact on the City of Tupelo and is something we hope to continue over the next five years.

... Expressed appreciation and thanks to all the Mississippi Senators and Representatives in Jackson, Mississippi, who are fighting hard on behalf of the City of Tupelo and Lee and Itawamba Counties to secure funds to build the Vietnam Wall at Veterans Park. Mayor Shelton again asked for public support which is a true public-private partnership that is the result of a citizen-led initiative to do something that we will be very proud of.

... Reminded everyone of the Lee County Library annual fund-raising event, "A Novel Affair", which is scheduled for March 4, 2016, at BankcorpSouth Center.

... "Our Mississippi" honors gala will be held on March 12, 2016, BancorpSouth Conference Center.

... Mayor Shelton publicly recognized Williams Heard for an article that appeared recently in the NE Mississippi Daily Journal concerning Mr. Heard. The Mayor said Mr. Heard would be at home watching the meeting tonight.

The Mayor ended his report with comments regarding several projects that are presently in progress in the City:

...East Main Project – 63% completed with completion date on track for
Mid-June

...Two community shelters and the Theron Nichols Splash Pad are on schedule.

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...The police headquarters building is on schedule with August being set as the project completion date

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

5. **PUBLIC AGENDA** – No Items

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

6. **ACTION AGENDA**

IN THE MATTER OF REVIEW/ADOPT ORDINANCE ESTABLISHING STREET IMPROVEMENT PRIORITIES FOR THE TUPELO MAJOR THOROUGHFARE PLAN PHASE VI

Upon a motion by Councilman L. Bryan, seconded by Councilman Whittington, the council voted unanimously to adopt an Ordinance Establishing Street Improvements Priorities for the Tupelo Major Thoroughfare Plan Phase VI. The Tupelo Major Thoroughfare Program Committee had previously recommended a list of priorities for Phase VI and this list is attached to the Ordinance as “Exhibit A”. Under the terms of this ordinance the Major Thoroughfare Citizens Oversight and Lobbying Committee has recommended to the City Council that 2.5 mills of the 10 mills annually received for the Major Thoroughfare Phase VI Program will be used by the City to maintain Major Thoroughfare roads, and these roads are listed and attached to the ordinance as “Exhibit B”. An executed copy of the Ordinance is attached to these minutes and incorporated herein as **APPENDIX A.**

IN THE MATTER OF REVIEW/APPROVE ORDER CLOSING AND VACATING A PORTION OF BEECH SPRINGS ROAD RIGHT-OF-WAY

Upon a motion by Councilwoman Davis and a second by Councilman Beard, the council voted unanimously to approve an Order Closing and Vacating a Portion of Beech Springs Road Right-of-Way, said property lying South of West Barnes Crossing Road. The City of Tupelo is authorized under Section 21-37-7 of the Mississippi Code Annotated (1972) to close and vacate any street, alley or portion thereof. Upon advice of various City Departments, the City Council has considered the request to close this right-of-way, less and except its easements to maintain underground utilities, and determined that it is not needed for municipal purposes, and the closing and vacating of this right-of-way is in the interest of public safety. An executed copy of the Order is attached to these minutes and incorporated herein as **APPENDIX B.**

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7. ROUTINE AGENDA

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

Upon a motion by Councilwoman Davis, seconded by Councilman Jennings, the council voted unanimously to approve the minutes of the regular City Council meeting of Tuesday, February 16, 2016.

IN THE MATTER OF REVIEW/PAY BILLS

Upon a motion by Councilman Jennings, 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 Davis, Beard and Jennings:

Check Nos. 323235 through 323579 (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 APPOINTMENTS TO VARIOUS BOARDS

Upon a motion by Councilman Whittington and a second by Councilman M. Bryan, the council voted unanimously to approve the appointment of Margaret Collins to the Accountability Task Force for Ward 1 as recommended by Mayor Shelton.

Upon a motion by Councilman M. Bryan and a second by Councilman Whittington, the council voted unanimously to approve the appointment of Yvette Crump to the BancorpSouth Arena Board as recommended by Mayor Shelton.

Copies of the two individuals' bio's are attached to these minutes as
APPENDIX C.

IN THE MATTER OF REVIEW/APPROVE PROFESSIONAL SERVICES CONTRACTS FOR WEST TUPELO SEWER CDBG PROJECT

Terri Blissard, Grant Administrator, had submitted two contracts for approval by the City Council for professional services related to the West Tupelo Sewer CDBG project.

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Upon a motion by Councilman M. Bryan and a second by Councilman L. Bryan, the council voted unanimously to approve an Agreement for Engineering Services between the City of Tupelo, Mississippi, and Cook Coggins Engineers, Inc. for the West Tupelo Sewer CDBG project. This firm was approved by the City Council at the February 2, 2016, regular City Council meeting as project engineer. Ms. Blissard advised in her memorandum dated February 23, 2016, that the project involves sections of the recently-annexed area around the Chesterville ballfield. The area is not currently served by City sewer and this CDBG project will remedy that. A copy of the Agreement for Engineering Services is attached to these minutes as **APPENDIX D.**

Upon a motion by Councilwoman Davis and a second by Councilman M. Bryan, the council voted unanimously to approve a Contract for Professional Services between the City of Tupelo, Mississippi, and Three Rivers Planning and Development District, Inc. in connection with the West Tupelo Sewer CDBG project. According to Ms. Blissard's memorandum, CDBG projects are managed by local planning and development districts which in this case is Three Rivers Planning and Development District, Inc. for a standard fee dictated by Mississippi Development Authority guidelines. The fee comes from grant funds only, not match funds, and is passed through the City of Tupelo to Three Rivers in accordance with the above agreement. A copy of the Contract is attached to these minutes and made a part hereof as **APPENDIX E.**

IN THE MATTER OF REVIEW/APPROVE CONSTRUCTION CONTRACT
FOR KELLEX ROOFING PROJECT

Upon a motion by Councilman Whittington and a second by Councilman Jennings, the council voted unanimously to approve an Agreement for Public Building Improvements for the City of Tupelo, Mississippi, between the City of Tupelo and Master Craft Builders, Inc. for a roofing project at the Kellex Seating manufacturing facility, which is located in a city-owned building on Industrial Drive. This Agreement was presented to the City Council for consideration by Terri Blissard, Grant Administrator. A copy of the Agreement is attached to these minutes and made a part hereof as **APPENDIX F.**

This construction project is funded in part by a Development Infrastructure Program Grant. The match for the grant is being provided by Kellex Seating, and there is no cost to the city.

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IN THE MATTER OF REVIEW/APPROVE FAIR HOUSING RESOLUTION

Terri Blissard, Grant Administrator, had submitted a Fair Housing Resolution from the Mississippi Development Authority for city council approval. According to Ms. Blissard's memorandum dated February 25, 2016, the City of Tupelo is required to update its fair housing policy each time a Community Development Block Grant (CDBG) is awarded, regardless of whether the project in question is related to housing. In this case, the update is triggered by the West Tupelo Sewer CDBG project.

Upon a motion by Councilman Whittington, seconded by Councilman L. Bryan, the council voted to approve a Fair Housing Resolution to satisfy the requirements of this grant. A copy is attached to these minutes as **APPENDIX G.**

IN THE MATTER OF REVIEW/APPROVE APPLICATION FOR TAX ABATEMENT

A tax abatement application had been submitted to the Development Services Department by the Xpress Lube building at 1630 North Gloster Street. According to Senior Planner Patrick Falkner, this building was destroyed in the 2014 tornado and the rebuild was completed this month. According to Mr. Falkner, the application meets the requirements of the tax abatement program.

Upon a motion by Councilman Beard and a second by Councilman Whittington, the council voted unanimously to approve the tax abatement application submitted by Xpress Lube located at 1620 North Gloster Street.

IN THE MATTER OF REVIEW/APPROVE BEL- AIR GOLF COURSE MANAGEMENT AGREEMENT

Upon a motion by Councilman L. Bryan and a second by Councilman Whittington, the council voted unanimously to approve a Facilities, Rental and Management Agreement between the City of Tupelo, Mississippi, and Jason Bowles, a resident of Lee County, Mississippi. The City currently owns Bel-Air Golf Course located on Country Club Road and currently contracts with Mr. Bowles for a rental fee and the operation and management of the premises. The term of this agreement commences on the 1st day of March, 2016, and ends at 11:59 on the 30th day of November, 2020, unless terminated prior to the termination date as provided therein. An executed copy of the agreement setting forth all terms is attached to these minutes and incorporated herein as **APPENDIX H.**

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IN THE MATTER OF REVIEW/APPROVE SOLE SOURCE PURCHASE FOR TUPELO POLICE DEPARTMENT

Police Chief Bart Aguirre had submitted a request to the Mayor, COO and City Council for approval to purchase a FATS® L7 Law Enforcement Firearms Training System and BLUEFIRE® Weapon Simulator. Chief Aguirre is requesting that MEGGITT be approved as a sole source provider for this system based on their use of wireless smart weapons that are constantly in communication with the system via Bluetooth technology. This allows the instructor to monitor the actions of the student and weapon in real time. The system will also be available to provide additional training to other departments in the area to provide better training opportunities for a safer community.

Upon a motion by Councilwoman Davis, seconded by Councilman Beard, the council voted unanimously to approve MEGGITT as sole source vendor for this equipment as requested by Chief Aguirre. A copy of a letter from MEGGITT reflecting their status as a sole source vendor is attached to these minutes as **APPENDIX I.**

IN THE MATTER OF REVIEW/APPROVE REQUEST TO SURPLUS ITEM FOR NORTH MISSISSIPPI NARCOTICS UNIT AND TRANSFER TO ANOTHER COUNTY

Police Chief Bart Aguirre had submitted a request to the City Council to declare Kenwood VHF Transceiver (Serial #31000205, City of Tupelo 5715) as surplus to the City of Tupelo, North Mississippi Narcotics Unit. The Unit plans to transfer this equipment to the Tishomingo County Sheriff's Office after being declared as surplus.

Upon a motion by Councilman Whittington, seconded by Councilman M. Bryan, the council voted unanimously to approve this request and declare the above described equipment as surplus and transfer the same to the Tishomingo County Sheriff's Office.

IN THE MATTER OF REVIEW/APPROVE RESOLUTION OF DECLARATION OF SURPLUS VEHICLES BY THE NORTH MISSISSIPPI NARCOTICS UNIT AND AUTHORIZE DISPOSAL OF SAME

Upon a motion by Councilman L. Bryan, seconded by Councilman M. Bryan, the council voted unanimously to approve a Resolution of Declaration of Surplus Vehicles submitted by the Tupelo Police Department (host city for the North Mississippi Narcotics Unit). The Unit has in its possession vehicles seized and forfeited to either the Unit or the City of Tupelo. The NMNU control board has determined the items to be surplus and has authorized their sale at public auction, or destruction where sale is not practical.

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An executed copy of the resolution together with a listing of the vehicles is attached to these minutes and made a part hereof as **APPENDIX J.**

**IN THE MATTER OF REVIEW/APPROVE REQUEST FOR SPECIAL POLICE
DETAIL AT HOME DEPOT**

Upon a motion by Councilwoman Davis, seconded by Councilman Beard, the council voted unanimously to approve a request by Chief of Police Bart Aguirre to allow certain Tupelo police officers to wear police uniforms and to have proper city-issued equipment to provide help with security and theft deterrent at Home Depot. Home Depot will be responsible for liability and the fee for the officers' detail.

A copy of Chief Aguirre's memorandum dated February 18, 2016, listing the officers who wish to serve is attached to these minutes as **APPENDIX K.**

IN THE MATTER OF REVIEW/APPROVE LISTING OF SURPLUS ITEMS

Kim Hanna, Chief Financial Officer, had submitted a list of items requesting that they be declared as surplus. The items listed on Exhibit A are no longer useable and will either be destroyed or parts salvaged for other use where applicable. Items on Exhibit B will be sold at auction after being declared surplus.

Upon a motion by Councilman Whittington, seconded by Councilman Jennings, the council voted unanimously to approve both these lists of items as surplus and disposed of as noted above. Copies are attached hereto as **APPENDIX L.**

**IN THE MATTER OF REVIEW/ADOPT RESOLUTION REQUESTING THE
MISSISSIPPI LEGISLATURE TO AUTHORIZE ADDITIONAL FUNDING AND
EXTEND THE DEADLINE FOR THE MISSISSIPPI HISTORIC TAX CREDIT**

In 2006 the Mississippi Legislature enacted a 25% state historic tax credit intended to promote private investment in historic properties with the goal of stimulating job growth, increasing the tax base and revitalizing communities. The tax credit has been extremely successful in bringing new life to buildings in Mississippi's downtowns, and is the only financial incentive available for historic homeowners. According to a Resolution signed by Mayor Jason L. Shelton on the 26th day of February, 2016, the \$60,000,000 aggregate cap for the state tax credit has been reached, leaving this popular and effective incentive program without funding. The current deadline to qualify for the program is December 31, 2017.

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Upon a motion by Councilman L. Bryan, seconded by Councilman Whittington, the council voted unanimously to adopt a Resolution Requesting the Mississippi Legislature To Authorize Additional Funding and Extend the Deadline for the Mississippi Historic Tax Credit. Passage of House Bill 352 and Senate Bill 2065 would increase the aggregate cap to \$100,000,000, an increase of \$40,000,000, and extend the qualifying deadline to December 31, 2031. A copy of the Resolution signed by Mayor Shelton is attached to these minutes and incorporated herein as **APPENDIX M.**

8. STUDY AGENDA

IN THE MATTER OF REVIEW/DISCUSS DEVELOPMENT AGREEMENT OF TUPELO CROSSROADS, LLC

This item will be moved to the next agenda.

IN THE MATTER OF REVIEW/DISCUSS RESOLUTION CALLING FOR SPECIAL ELECTION (MAJOR THOROUGHFARE PROGRAM – PHASE VI)

This item will be moved to the next agenda.

9. EXECUTIVE SESSION

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

Upon a motion by Councilwoman Davis, seconded by Councilman M. Bryan, the council voted unanimously to go into executive session to discuss economic development/prospective purchase of property upon advice of City Attorney Ben Logan.

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

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IN THE MATTER OF ADJOURNMENT

There being no further business to come before the City Council, upon a motion by Councilman Whittington, seconded by Councilman Jennings, the council voted unanimously to adjourn the regular meeting at 7:45 p.m.

PRESIDENT OF THE COUNCIL

ATTEST:

CLERK OF THE COUNCIL

APPROVED:

MAYOR