

**MUNICIPAL MINUTES, CITY OF TUPELO**  
**STATE OF MISSISSIPPI**

**OCTOBER 20, 2009**

Be it remembered that the regular meeting of the Tupelo City Council was held in the Council Chambers at the City Hall Building on Tuesday, October 20, 2009, at 6:00 p.m. with the following in attendance: Council Members Markel Whittington, R. Fred Pitts, Jim Newell, Nettie Y. Davis, Jonny Davis, Mike Bryan and Willie Jennings; City Attorney John Hill; and Glenda Muse, Clerk of the Council.

The invocation was led by Father Paul Stephen, Rector of All Saints Episcopal Church, followed by the Pledge of Allegiance led by Boy Scout Isaac Palmer.

**IN THE MATTER OF CALLING THE MEETING TO ORDER**

President Pitts 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 Councilwoman Davis, seconded by Councilman Newell, the council voted unanimously to confirm the agenda and agenda order, amended as follows:

- ADD: #7.12 Bid for Fire Department Uniforms
- ADD: Executive Session
- ADD: #8.3 Approval of Resolutions of Assessments Liens

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

**IN THE MATTER OF RECOGNITION OF BOY/GIRL SCOUTS**

Boy Scout Isaac Palmer of Troop 12 was recognized by the City Council, He was present with his Troop Leader Duke Loden and had led the Pledge of Allegiance earlier in the meeting.

**IN THE MATTER OF RECOGNITION OF CITY EMPLOYEES**

No city employees were present for recognitions.

**IN THE MATTER OF PUBLIC RECOGNITIONS**

The following public recognitions were made by City Council members:

Councilwoman Davis – Announced that “Homemade Jamz”, a local musical Group, would be appearing on national television in the near future. She, also,

**MUNICIPAL MINUTES, CITY OF TUPELO**  
**STATE OF MISSISSIPPI**

**OCTOBER 20, 2009**

stated she would be participating in a memorial service for Ms. Jo Ann Blanks, who had recently died.

Councilman Newell – Reminded all citizens that October is “National Breast Cancer Awareness Month”.

Councilman Davis – Expressed appreciation to Mr. Dick Guyton, Chairman of the Elvis Presley Foundation, who had conducted a tour of the Birthplace on Monday afternoon, October 19, for the council.

President Pitts – Stated he had the pleasure of having presented a key to the city to Michael Reagan, son of President Ronald Reagan. Mr. Reagan was in town for a book signing and appearance sponsored by “New Beginnings”, an adoption service in Tupelo.

**IN THE MATTER OF REPORT FROM TUPELO SPORTS COUNCIL**

Jim Ingram, President of the Tupelo Sports Council, gave the City Council an update on the Tupelo Sports Council and the many activities and sports programs that are going on under the oversight of the Tupelo Parks & Recreation Department.

**IN THE MATTER OF PROCLAMATION IN RECOGNITION OF “WEEK OF THE FAMILY”**

Mayor Reed presented a proclamation designating the week of November 8 – 14, 2010, as “The City of Tupelo’s Week of the Family”. Mr. Harry Braun, Stake President, accepted the proclamation on behalf of the LDS Church and Gina Thorderson, a member of this church, spoke and urged all citizens to participate in this event which is dedicated to honor the importance of families and to recognize the special connections that support and strengthen them throughout the year.

**IN THE MATTER OF PROCLAMATION IN RECOGNITION OF “NATIONAL RESPIRATORY CARE WEEK”**

Mayor Reed next presented a proclamation proclaiming October 25 – 31, 2009, as “National Respiratory Care Week”. This proclamation was presented to urge all citizens to help raise awareness about the prevalence of pulmonary diseases and the serious effects associated with these diseases. These diseases cost the United States an estimated \$31.9 billion each year and are the fourth leading cause of death in the country, with over 119,000 Americans dying each year from this serious illness.

**MUNICIPAL MINUTES, CITY OF TUPELO**  
**STATE OF MISSISSIPPI**

**OCTOBER 20, 2009**

**IN THE MATTER OF THE MAYOR'S REPORT**

Following are the highlights of Mayor Reed's report for the past two weeks:

Update on Toyota's plans to build the Prius at the plant at Blue Springs but not just yet. He stated a group from CDF was in Japan this week in efforts to cement relationships with that company.

Gave a snapshot view of the city's financial condition with figures of August 2009 compared to August 2008 showing an "encouraging" month. No city department has come in over budget for the fiscal year at this point, and he stated he was very proud of that.

On the developmental front, the four-laning of the Eason Bridge project began this week, one that has been anticipated for many years. The project is being funded almost totally with federal funds according to Mayor Reed. He stated he appreciated the work and planning that has gone on for years by Mayor Neelly, Mayor Otis and the citizens on the Major Thoroughfare Program Committee, as well as other city employees.

In an effort to improve the quality of life of Tupelo's citizens, two planting projects have begun, one to plant red maples, loblolly pines and crape myrtles on all four sides of the Highway 45 and Highway 78 cloverleaf, our most traveled intersection and a gateway into the city. Another project is to plant trees in the Historic Downtown Tupelo District. This project is part of a Council of Governments effort to beautify all municipalities of Lee County. Tupelo's match was made possible by the receipt of a competitive grant which the city received from the Mississippi Forestry Commission. This grant was the result of the hard and effective work of Grant Writer Terri Blissard and Debbie Brangenberg, Downtown Tupelo Main Street Director.

Another successful event this week was the 10<sup>th</sup> Annual Chili Fest held on Thursday. There were a record number of chili cooking teams as well as a record attendance.

Tupelo was host the past two weeks for several major conferences. On Thursday morning of this week, over 350 pre-school children are expected to attend an event "Read Tupelo", a project of the new Mayor's Task Force on Life-Long Learning. Several community readers, including Mayor Reed, will be on hand to participate in this exciting event for the children.

**MUNICIPAL MINUTES, CITY OF TUPELO**  
**STATE OF MISSISSIPPI**

**OCTOBER 20, 2009**

Mayor Reed urged all citizens to be a part of an important and fun-filled event scheduled for Saturday, October 31, 2009. This event, the Mayor's Family Fitness Day, is being held to help Tupelo win the \$50,000 first prize given by Blue Cross-Blue Shield as Mississippi's Healthiest City. This will be the first day of the Mayor's Marathon, a challenge to walk or run 26.2 miles within the month of November. Activities will begin at 8:00 a.m. in the HealthWorks parking lot and will terminate at the Farmers' Market where games and exhibits will be set up for visitors' enjoyment.

Mayor Reed expressed appreciation to Communications Director Annabeth Wyatt for working on the new Facebook page where anyone can follow the activities of the city.

(President Pitts closed the regular session and opened the Public Agenda.)

**5. PUBLIC AGENDA**

**5.1 PUBLIC HEARINGS**

**IN THE MATTER OF RE-ZONING PROPERTY (WEST JACKSON STREET EXTENDED)**

No one appeared to address this matter.

**5.2 CITIZENS' HEARINGS**

**MISSISSIPPI MULTICULTURAL GOSPEL FESTIVAL**

Mr. David Forbes appeared and addressed the City Council regarding funding to assist with the production of the 2010 Mississippi Multicultural Gospel Festival to be held on Labor Day weekend in 2010.

(President Pitts closed the Public Agenda and the City Council returned to regular session.)

**6. ACTION AGENDA**

**IN THE MATTER OF REVIEW/ADOPT ORDINANCE AMENDING DEVELOPMENT CODE**

Upon a motion by Councilwoman Davis, seconded by Councilman Bryan, the council voted unanimously to adopt an Ordinance Amending the Development Code of the City of Tupelo, Mississippi.

**MUNICIPAL MINUTES, CITY OF TUPELO**  
**STATE OF MISSISSIPPI**

**OCTOBER 20, 2009**

A public hearing had been conducted before the City Council at its regularly scheduled meeting on Tuesday, October 6, 2009. These recommendations were proposed by the Tupelo Department of Planning and Community Development and the Tupelo Planning Committee. An executed copy of the amended ordinance is attached hereto and incorporated into these minutes as **APPENDIX A.**

**IN THE MATTER OF REVIEW/APPROVE FINAL RESOLUTION GRANTING AD VALOREM TAX EXEMPTION TO GENLYTE THOMAS GROUP, LLC, d/b/a DAY-BRITE/CAPRI/OMEGA**

Upon a motion by Councilman Jennings, seconded by Councilman Newell, the council voted unanimously to approve a Final Resolution Granting Ad Valorem Tax Exemption to Genlyte Thomas Group, LLC, d/b/a Day-Brite/Capri/Omega, a copy being attached to these minutes and made a part hereof as **APPENDIX B.** The City Council had originally approved the application for this exemption on July 21, 2009, and submitted the same to the Mississippi State Tax Commission.

By letter dated September 25, 2009, the Commission certified the exemption of the property for a period of ten (10) years from and after January 1, 2009, with a total true value of \$4,768,664.

**IN THE MATTER OF REVIEW/APPROVE TITLE VI, NON-DISCRIMINATION AGREEMENT WITH MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

This matter had been tabled on October 6, 2009, and upon a motion by Councilman Newell, seconded by Councilman Davis, the council voted unanimously to bring the issue off the table for consideration at this meeting.

Upon a motion by Councilman Whittington, seconded by Councilman Bryan, the council voted unanimously to approve the Title VI, Non-Discrimination Agreement between the Mississippi Department of Transportation and the City of Tupelo, Mississippi. An executed copy of this document is attached to these minutes as **APPENDIX C.**

**IN THE MATTER OF REVIEW/ACCEPT CITY ELECTRIC DEPARTMENT AUDIT REPORT**

The firm of Franks, Franks, & Jarrell, P. A., had submitted a letter to President Pitts stating that the audit for the City of Tupelo-Electric Department for the year ended June 30, 2009, had been completed. No findings, management comments, or internal

**MUNICIPAL MINUTES, CITY OF TUPELO**  
**STATE OF MISSISSIPPI**

**OCTOBER 20, 2009**

control issues were found, and the overall report was “excellent”. Upon a motion by Councilwoman Davis, seconded by Councilman Newell, the council voted unanimously to accept the City of Tupelo-Electric Department audit as presented. A copy of the letter from the firm is attached to these minutes and incorporated herein as **APPENDIX D.**

**7. ROUTINE AGENDA**

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

Upon a motion by Councilman Bryan, seconded by Councilman Newell, the council voted unanimously to approve the minutes of the regular City Council meeting of Tuesday, October 6, 2009, as amended.

**IN THE MATTER OF REVIEW/PAY BILLS**

Upon a motion by Councilwoman Davis and a second by Councilman Jennings, the council voted unanimously to approve payment of the following checks, bills having been reviewed at 4:30 p.m. by Council Members Whittington, Pitts, J. Davis and Jennings:

Check Nos. 76792 through 77174 (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 AWARD OF TREE-PLANTING GRANT**

Upon a motion by Councilman Newell and a second by Councilman Davis, the council voted unanimously to approve an Agreement for Tree Planting under the Mississippi Transportation Enhancement Tree Planting Program for a small tree-planting grant from the Mississippi Forestry Commission. The Downtown Main Street Association will direct this project, in coordination with the Public Works Department, according to a memorandum dated October 8, 2009, from Terri Blissard, Grant Administrator. Approximately 130 red and white crape myrtles will be planted along Main Street between Madison Street and Town Creek, just east of Highway 45. The amount of the grant is \$6,500 with a 25% match required. That match will be fulfilled through in-kind Public Works labor.

**MUNICIPAL MINUTES, CITY OF TUPELO**  
**STATE OF MISSISSIPPI**

**OCTOBER 20, 2009**

**IN THE MATTER OF REVIEW/APPROVE OPENING OF NEW BANK ACCOUNT**

Upon a motion by Councilman Jennings, seconded by Councilman Bryan, the council voted unanimously to approve the opening of a new bank account at BancorpSouth Bank, City of Tupelo TIF Reserve. The purpose of this bank account is to reserve one annual payment as required by bond documents for the 2009 TIF Bonds (Tupelo Commons).

**IN THE MATTER OF REVIEW/ACCEPT TRAFFIC COMMITTEE MINUTES**

Upon a motion by Councilwoman Davis, seconded by Councilman Bryan, the council voted unanimously to accept the minutes of the Traffic Committee meeting of October 13, 2009, a copy being attached hereto and incorporated into these minutes as **APPENDIX E.**

**IN THE MATTER OF REVIEW/AWARD/REJECT BID FOR GMC PICKUP TRUCK**

Upon a motion by Councilman Bryan, seconded by Councilman Newell, the council voted unanimously to reject a bid received by the Tupelo Water & Light Department for the sale of a surplus 2006 ½-ton GMC pickup truck. This Bid No. 1142WL was opened on October 9, 2009, and according to a memorandum dated October 15, 2009, from Johnny Timmons, Manager of the Department, the two bids received for this item are well below the scrap value of this truck. He recommended that the bid be rejected.

**IN THE MATTER OF REVIEW/AWARD/REJECT BID FOR PADMOUNT DISTRIBUTION TRANSFORMERS**

Upon a motion by Councilwoman Davis, seconded by Councilman Jennings, the council voted unanimously to award Bid No. 1143WL for Padmount Distribution Transformers to the low qualified bid submitted by Pauwels Transformers as indicated on the attached bid tabulation. This bid was recommended by Johnny Timmons, Manager of the Tupelo Water & Light Department. A copy of the bid package is attached to these minutes and incorporated herein as **APPENDIX F.**

**MUNICIPAL MINUTES, CITY OF TUPELO**  
**STATE OF MISSISSIPPI**

**OCTOBER 20, 2009**

**IN THE MATTER OF REVIEW/APPROVE TUPELO SPORTS COUNCIL CONTRACTS**

Upon a motion by Councilman Bryan, seconded by Councilman Whittington, the council voted unanimously to approve the following agreements between the City of Tupelo and the Tupelo Sports Council and its member associations for the period of October 1, 2009, to September 30, 2010:

Tupelo Sports Council  
Tupelo Youth Soccer Association  
Tupelo Aquatic Club  
Tupelo Tennis Association  
Tupelo Football Association  
Friends of the Park  
July 4<sup>th</sup> Celebration Association  
Tupelo Basketball Association  
Tupelo Disc Golf Association  
Tupelo Skate Park Association  
Tupelo Softball Association  
Tupelo Therapeutic Recreation Association  
Veterans Council

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

Upon a motion by Councilman Davis, seconded by Councilman Newell, the council voted unanimously to accept the minutes of the Tupelo Major Thoroughfare Program meeting of September 14, 2009, a copy being attached hereto and incorporated into these minutes as **APPENDIX G.**

**IN THE MATTER OF REVIEW/ACCEPT MINUTES OF TUPELO REDEVELOPMENT AGENCY MEETING**

Upon a motion by Councilman Bryan and a second by Councilwoman Davis, the council voted unanimously to accept the minutes of the Tupelo Redevelopment Agency meeting of September 3, 2009, a copy being attached hereto and incorporated into these minutes as **APPENDIX H.**

**MUNICIPAL MINUTES, CITY OF TUPELO**  
**STATE OF MISSISSIPPI**

**OCTOBER 20, 2009**

**IN THE MATTER OF REVIEW/APPROVE ARCHITECT CONTRACT FOR ANDY REESE FIELD LIGHTING PROJECT**

Upon a motion by Councilman Whittington, seconded by Councilman Newell, the council voted unanimously to approve an architect agreement between the City of Tupelo and JBHM Architects, P. A., for the New Baseball Field Lighting System at Andy Reese Field Project.

**IN THE MATTER OF REVIEW/AWARD/REJECT BID FOR TUPELO FIRE DEPARTMENT UNIFORMS**

Councilman Newell moved to accept the bid of Mid-South Uniforms & Supply, Inc. for the uniform items under Bid No. 1144FD and to accept the bid of Alliance Medical, Inc. for the boots. The motion was seconded by Councilman Bryan and unanimously approved by a vote of the City Council. A copy of the bid package is attached to these minutes and incorporated herein as **APPENDIX I.**

**8. STUDY AGENDA**

**IN THE MATTER OF REVIEW/DISCUSS ORDINANCE RE-ZONING PROPERTY (WEST JACKSON STREET EXTENDED)**

At the request of Councilmen Whittington and Bryan, this item will be moved to the next agenda.

**IN THE MATTER OF REVIEW/DISCUSS PUBLIC TRANSPORTATION COMMITTEE PROPOSAL**

This item will remain on the Study Agenda.

**IN THE MATTER OF REVIEW/DISCUSS APPROVAL OF RESOLUTIONS OF ASSESSMENT LIENS**

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

**MUNICIPAL MINUTES, CITY OF TUPELO**  
**STATE OF MISSISSIPPI**

**OCTOBER 20, 2009**

**9. EXECUTIVE SESSION**

**IN THE MATTER OF EXECUTIVE SESSION**

Upon a motion by Councilman Newell, seconded by Councilwoman Davis, 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 Jennings, the council voted unanimously to go into executive session to discuss potential litigation, i.e., Philip King vs. City of Tupelo.

Upon a motion by Councilwoman Davis, seconded by Councilman Bryan, the council voted unanimously to come out of executive session with no action to be taken in regular meeting.

**IN THE MATTER OF ADJOURNMENT**

There being no further business to come before the City Council, upon a motion by Councilwoman Davis, seconded by Councilman Bryan, the council voted unanimously to adjourn the regular meeting at 7:00 p.m.

\_\_\_\_\_  
PRESIDENT

ATTEST:

\_\_\_\_\_  
CLERK OF THE COUNCIL

APPROVED:

\_\_\_\_\_  
MAYOR