

REGULAR CITY COUNCIL MEETING

MUNICIPAL MINUTES CITY OF TUPELO

STATE OF MISSISSIPPI

DECEMBER 15, 2020

Be it remembered that a regular meeting of the Tupelo City Council was held in the Council Chambers in the City Hall building on Tuesday, December 15, 2020 at 6:00 p.m. with the following in attendance: Council members Markel Whittington, Travis Beard, Nettie Davis, Buddy Palmer, Mike Bryan and Willie Jennings; Attorney Ben Logan and Missy Shelton, Clerk of the Council. Councilman Lynn Bryan attended by ZOOM.

Councilman Markel Whittington gave the invocation. Councilman Travis Beard led the pledge of allegiance.

President Mike Bryan called the meeting to order at 6:00 PM.

CONFIRMATION OR AMENDMENT TO THE AGENDA AND AGENDA ORDER

Councilman Palmer moved, seconded by Councilman Jennings, to confirm the agenda and agenda order with the following changes:

ADD Order Amending Previously Adopted Minutes of January 7, 2020

ADD: Appointment of Janis McCoy as Tupelo Municipal Election Commissioner

The vote was unanimous in favor.

PROCLAMATIONS, RECOGNITIONS AND REPORTS AGENDA

Councilman Willie Jennings wished all a Merry, Happy and Safe Holiday and encouraged everyone to be as safe as possible. He said that, even with the pandemic, the City of Tupelo has had a great financial year and thanked the Administration and Finance Department for all they do.

Councilman Buddy Palmer agreed with Councilman Jennings and wished everyone a Merry Christmas and said 2021 will be a great year.

Councilman Travis Beard wished all a Merry Christmas and a Happy New Year.

Councilwoman Davis extended Seasons Greetings to everyone and thanked Missy Shelton, Neal McCoy and Tracy Proctor for the beautiful decorations in the Council Chambers this year.

Councilman Lynn Bryan wished everyone a Merry Christmas and a Happy New Year. He also wished his wife a very Happy Birthday.

MAYOR'S REMARKS

Mayor Jason Shelton began by wishing everyone a Merry Christmas and a Happy New Year and saying how much he appreciates all that the Council, Department Heads and City employees do for the City and how well they all work together. The first COVID response was on February 28, 2020, and the Council has been remarkably proactive. The first COVID vaccine arrived at the North MS Medical Center today and it looks very promising. It is vitally important that everyone continue to wear masks, practice social distancing and do everything possible to minimize the spread of COVID. He encouraged the Council to approve the appointment of Janis McCoy to the Municipal Election Commission and to approve the budget amendment that is on tonight's Agenda. The "Mask Up Tupelo" campaign began this week to help encourage everyone to follow the CDC guidelines and to stay safe.

PUBLIC AGENDA

PUBLIC HEARINGS

There were no Public Hearings.

APPEALS

There were no Appeals.

CITIZEN HEARING

There were no Citizen Hearings.

ACTION AGENDA

IN THE MATTER OF RESOLUTION CALLING AND PROVIDING FOR THE HOLDING OF A SPECIAL ELECTION (MAJOR THOROUGHFARE PLAN PHASE VII)

Councilman Whittington moved, seconded by Councilman Palmer, to approve the following Resolution:

A RESOLUTION CALLING AND PROVIDING FOR THE HOLDING OF A SPECIAL ELECTION WITHIN THE CITY OF TUPELO, MISSISSIPPI, TO DETERMINE IF THE CITY OF TUPELO SHALL INCREASE THE LIMITATION PRESCRIBED IN SECTION 27-39-321, MISSISSIPPI CODE OF 1972, AS AMENDED, TO AUTHORIZE CONTINUING THE SPECIAL LEVY OF TEN (10) MILLS OF AD VALOREM TAXES UPON ALL TAXABLE PROPERTY WITHIN THE CITY OF TUPELO FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND FOR EACH OF THE NEXT FOUR (4) SUCCEEDING FISCAL YEARS THEREAFTER, THE TOTAL RECEIPTS FROM WHICH SPECIAL LEVY TO BE USED FOR THE PURPOSE OF STREET IMPROVEMENTS, INCLUDING CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES AND PURCHASING LAND THEREFOR

The vote was unanimous in favor of the Resolution. According to the Resolution, a special election shall be and the same is hereby called and ordered to be held within the City of Tupelo, Mississippi, on Tuesday, the 2nd day of February, 2021. An executed copy of the Resolution, including a copy of the Official Ballot, is attached to these minutes and made a part hereof as **APPENDIX A.**

IN THE MATTER OF NUISANCE PROPERTIES ORDINANCE

Councilman Jennings moved, seconded by Councilman Beard, to approve the following Ordinance:

ORDINANCE AMENDING CITY OF TUPELO CODE OF ORDINANCES BY ADDING CHAPTER 7, ARTICLE XIV, CHRONIC NUISANCE PROPERTY ORDINANCE AND AMENDING CERTAIN PROVISIONS OF THE RENTAL HOUSING CODE

After a discussion, the vote was unanimous in favor. **APPENDIX B**

ROUTINE AGENDA

IN THE MATTER OF MINUTES OF REGULAR CITY COUNCIL MEETING ON DECEMBER 1, 2020

Councilman Beard moved, seconded by Councilwoman Davis, to approve the minutes of the regular Council meeting dated December 1, 2020. The vote was unanimous in favor.

IN THE MATTER OF BILL PAY

Bills were reviewed at 4:00 p.m. by Council members: Travis Beard, Markel Whittington, and Buddy Palmer; and Accounts Payable Clerk Traci Dillard. Councilman Jennings moved, seconded by Councilman Palmer, to approve the payment of the checks, bills, claims and utility adjustments. The vote was unanimous in favor. **APPENDIX C**

IN THE MATTER OF BUDGET AMENDMENT #2

Councilwoman Davis moved, seconded by Councilman Whittington, to approve Budget Amendment #2 for fiscal year ending September 30, 2021. After an explanation by CFO Kim Hanna, the vote was unanimous. **APPENDIX D**

IN THE MATTER OF ADVERTISING AND PROMOTIONAL ITEMS

Councilman Beard moved, seconded by Councilman Whittington, to approve the advertising and promotional expense list, as submitted. The vote was unanimous in favor. **APPENDIX E**

IN THE MATTER OF APPROVAL OF HOMELAND SECURITY GRANT FOR THE EOD UNIT (K-9)

Councilman Whittington moved, seconded by Councilwoman Davis, to approve and accept the Homeland Security Grant for EOD Unit (K-9) in the amount of \$20,000 to purchase a K-9 as well as a vehicle retrofit to accommodate this K-9 vehicle. The vote was 7 - 0 in favor. **EXHIBIT F**

IN THE MATTER OF APPROVAL OF HOMELAND SECURITY GRANT FOR THE EOD UNIT

Councilwoman Davis moved, seconded by Councilman Beard, to approve and accept the Homeland Security Grant for EOD Unit in the amount of \$63,361 to purchase air purifying respirators, Smart-Ray X-ray, filters, Tyveks suits, booties, gloves, chemical gloves, chemical tape and a hazmat field sampling kit. The vote was 7 - 0 in favor. **EXHIBIT G**

IN THE MATTER OF SOLE SOURCE FOR COLORADO TIME SYSTEMS

Councilman Jennings moved, seconded by Councilman Palmer, to approve the Sole Source request from Alex Farned, Director of Tupelo Parks and Recreation/Tupelo Aquatic Center for the purchase of two LED Scoreboards for the Tupelo Aquatic Center. The Aquatic Center currently uses Colorado Time Systems for the timing system and the scoreboards must interact with it. The vote was unanimous in favor of the approval of Colorado Time Systems to furnish two score boards in the amount of \$58,000. All documentation required for sole source is attached to these minutes as **APPENDIX H**.

IN THE MATTER OF TUPELO SPORTS COUNCIL CONTRACT APPROVAL

Councilman Palmer moved, seconded by Councilman Whittington, to approve the following FY2020-2021 contracts:

Tupelo City Museum Association Agreement
Tupelo Disc Golf Association Agreement
Contract for Northeast MS Umpire Association
Tupelo Skate Park Association Agreement
Tupelo Friends of the Park Agreement
Tupelo Youth Soccer Association Agreement
Tupelo Aquatic Group Agreement
Tupelo Fourth of July Celebration Association Agreement
Tupelo Softball Association Agreement
Tupelo Tennis Association Agreement
Tupelo Therapeutic Recreation Association Agreement
Tupelo Youth Baseball Association
Veterans Council Agreement

The vote was unanimous in favor. An executed copy of the contracts are attached to these minutes as **APPENDIX I**.

IN THE MATTER OF SURPLUS AND RETIREMENT OF DUTY WEAPON (HASSELL)

Councilman Beard moved, seconded by Councilman Whittington, to declare as surplus and approve Sgt. Clay Hassell to purchase his duty weapon for \$1.00. Chief Bart Aguirre explained that it is common practice for a police officer to purchase his duty weapon upon retirement. The vote was unanimous in favor. **APPENDIX J**

IN THE MATTER OF SURPLUS VEHICLE

Police Chief Bart Aguirre requested that a 2016 Ford Police Interceptor, VIN #1FM5K8AR5GGC73217, be declared surplus. The vehicle is considered a total loss after an accident and is no longer of use for the City, except for parts. Councilman Whittington moved, seconded by Councilman Palmer, to surplus the vehicle for usable parts and scrap the rest. The vote was unanimous in favor. **APPENDIX K**

IN THE MATTER OF APPROVAL OF CONSTRUCTION CONTRACT FOR EASON BOULEVARD BRIDGE RIP RAP

Councilwoman Davis moved, seconded by Councilman Beard, to approve the construction contract with Parsons Earthworks for Bid 2020-036PW - Eason Boulevard Bridge Rip Rap - in the amount of \$645,775. This bid was awarded at the Council meeting held on November 3, 2020. The vote was unanimous in favor. **APPENDIX L**

IN THE MATTER OF BAD DEBT WRITE-OFF JULY 2019 – DECEMBER 2019

Councilman Jennings moved, seconded by Councilman Palmer, to approve writing off to the bad debt file a list of Water and Light Collections accounts. The total bad debt amount represents 0.0009% of the total revenue for the period of July 2019 thru December 2019. Efforts will continue to be made to collect these accounts even though they have been transferred to this accounting classification. The vote was unanimous in favor. A copy of the request is attached to these minutes as **APPENDIX M**.

IN THE MATTER OF TRA MINUTES DECEMBER 11, 2020

Councilman Palmer moved, seconded by Councilman Jennings, to accept the TRA Minutes dated December 10, 2020. The vote was unanimous in favor. **APPENDIX N**

IN THE MATTER OF BID REJECTION 2020-037FP MAINTENANCE

Attorney Ben Logan reviewed the bid solicitation notice and bid responses for Bid 2020-037FP - Ground Maintenance for Fairpark and Downtown. He recommended to the Council to reject the bids received and seek requests for proposals that will allow the evaluation of price, cost, technical and management factors. Whittington moved, seconded by Councilman Palmer, to reject the Ground Maintenance for Fairpark and Downtown bid. The vote was unanimous in favor. **APPENDIX O**

IN THE MATTER OF PROCUREMENT FOR GROUNDS MAINTENANCE AND HOUSEKEEPING OF FAIRPARK DISTRICT CAMPUS AND DOWNTOWN TUPELO CORE GENERAL GROUNDS MAINTENANCE

After a lengthy discussion, Councilman Whittington moved, seconded by Councilman Palmer, to procure the personal services contract, Grounds Maintenance and Housekeeping of the Fairpark District

Campus and Downtown Tupelo Core General Grounds Maintenance, through a request for proposal. This method is deemed to be the most advantageous and practicable for the municipality to procure these services. The vote was unanimous in favor. **APPENDIX P**

IN THE MATTER OF COLISEUM MINUTES OCTOBER 26, 2020

Councilwoman Davis moved, seconded by Councilman Beard, to accept the minutes of the Coliseum Commission of October 26, 2020. The vote was unanimous in favor. **APPENDIX Q**

IN THE MATTER OF ORDER AMENDING PREVIOUSLY ADOPTED MINUTES OF JANUARY 7, 2020 BY ADDING ACTION OF CITY COUNCIL ACCEPTING NOVEMBER 18, 2019 MINUTES OF THE TUPELO COLISEUM COMMISSION

The City of Tupelo Council accepted the minutes of the Coliseum Commission meeting of November 18, 2019, at a regular Council meeting on January 7, 2020. However, said action was inadvertently omitted from the recorded minutes. Councilman Whittington moved, seconded by Councilman Palmer, to approve the following Order:

AN ORDER AMENDING PREVIOUSLY ADOPTED MINUTES OF JANUARY 7, 2020 BY ADDING ACTION OF CITY COUNCIL ACCEPTING NOVEMBER 18, 2019 MINUTES OF TUPELO COLISEUM COMMISSION

The vote was unanimous in favor. A copy of the order is attached to these minutes as **APPENDIX R.**

IN THE MATTER OF APPOINTMENT OF JANIS MCCOY TO THE TUPELO MUNICIPAL ELECTION COMMISSION

Upon the recommendation of Mayor Shelton, Councilman Whittington moved, seconded by Councilman Palmer, to approve the appointment of Janis McCoy to the Tupelo Municipal Election Commission. The vote was unanimous in favor. **APPENDIX S**

STUDY AGENDA

No Items for the Study Agenda.

EXECUTIVE SESSION

IN THE MATTER OF EXECUTIVE SESSION - DISCUSSION REGARDING THE POSSIBLE ACCEPTANCE OF A DONATION AND EXTENSION OF TIME TO PURCHASE

Councilman Palmer moved, seconded by Councilwoman Davis to determine the need for an Executive Session. City Attorney Ben Logan indicated that the item(s) for discussion, accepting donation of real property and extension of time to purchase for a prospective buyer of TRA-owned property, fell under 25-41-7(4) (g) of the Mississippi Code of 1972, as amended, and are, therefore, appropriate items for discussion. The vote was unanimous to determine the need and enter closed session.

Councilman Jennings moved, seconded by Councilman Beard, to enter an Executive Session. The vote was unanimous and at 6:45 P.M. the City Council entered closed session.

After a thorough discussion regarding the possible acceptance of a donation of property and the extension of time to purchase, Councilman Whittington moved, seconded by Councilman Jennings, to leave Executive Session. The vote was unanimous in favor and open session resumed at 6:55 P.M.

IN THE MATTER OF RESOLUTION ACCEPTING DONATION OF 4.7 ACRES, MORE OR LESS, OF REAL PROPERTY LOCATED NEAR MCCULLOUGH BOULEVARD FROM SOUTHERN LODGING, LLC., A MISSISSIPPI LIMITED LIABILITY COMPANY

City Attorney Ben Logan, explained to the Council that Southern Lodging, LLC, has come forward desiring to donate 4.7 acres, more or less, of real property located at 3898 McCullough Boulevard. Councilman Whittington moved, seconded by Councilwoman Davis, to accept the property. The vote was unanimous in favor of accepting the property and a resolution is attached to these minutes as **APPENDIX T.**

IN THE MATTER OF EXTENSION OF TIME TO PURCHASE AND CLOSING OF FAIRPARK PHASE III - LOT 8B

Councilman Palmer moved, seconded by Councilman Jennings, to approve the extension of no more than 15 days to the closing of to the Contract of Purchase between Tupelo Redevelopment Agency and Maloney Development Properties. A copy of the extension is attached to these minutes as **EXHIBIT U.**

ADJOURNMENT

With no further business to come before the City Council at this time, councilman Jennings moved, seconded by Councilman Beard, to adjourn the meeting at 6:59 PM. The vote was unanimous in favor.

This the 15th day of December, 2020.

Mike Bryan, President
City Council

ATTEST:

Missy Shelton, Clerk of the Council

Jason Shelton, Mayor

Date