

# **REGULAR CITY COUNCIL MEETING**

## **MUNICIPAL MINUTES CITY OF TUPELO**

### **STATE OF MISSISSIPPI**

**MAY 19, 2020**

**INVOCATION:** COUNCILMAN MARKEL WHITTINGTON

**PLEDGE OF ALLEGIANCE:** COUNCILMAN TRAVIS BEARD

**CALL TO ORDER:** COUNCILWOMAN NETTIE DAVIS

### **CONFIRMATION OR AMENDMENT TO THE AGENDA AND AGENDA ORDER**

Councilman M Bryan moved, seconded by Councilman Whittington, to confirm the agenda and agenda order, with the following change:

Delete: Item #12 - POLICE USING CITY VEHICLE OFF DUTY

The vote was 7 - 0 in favor to remove Item # 12 from the Agenda.

### **PROCLAMATIONS, RECOGNITIONS AND REPORTS AGENDA**

#### **PROCLAMATIONS**

#### **RECOGNITION GIRL/BOY SCOUTS**

#### **EMPLOYEE RECOGNITION**

#### **PUBLIC RECOGNITION**

Councilman Jennings commended the Fire Department for doing a great job at a fire in Haven Acres. The family had three dogs, two of which had been removed, but the last one was still in the house. The firefighters returned to the house and found the dog, gave it oxygen and returned him to the family. He also congratulated all the 2020 graduating seniors for all their hard work and recognized how difficult it must be to not be involved in normal graduation activities.

Councilman Palmer reminded everyone that Monday, May 25 would be Memorial Day, and a service will be held at Veteran's Park at 9:00 a.m. First District Circuit Court Judge and United States Army Reserve Colonel Kelly Mims will be the keynote speaker. In case of rain, the event will be moved inside. The event will also be streamed on Facebook Live for those who cannot attend the service.

Councilman M Bryan shared that he had received feedback from citizens concerning the police officers who are patrolling by bike in the neighborhoods. He commended Chief Aguirre and said that the neighborhoods appreciate the police presence. He also said that his daughter is one of the 2020 graduating seniors who are dealing with the change of events due to COVID 19. He recognized and thanked the Tupelo Public School District for going above and beyond to allow the students to participate in the graduation ceremonies.

Councilman Whittington shared a text message he received from a citizen in East Tupelo. During a neighborhood patrol, Police Officer Michael Gumm performed a security check when he saw a front door open and no one appearing to be at home. The homeowner had gone for a walk and returned while Office Gumm was at his residence. Officer Gumm was described as being very professional and courteous while getting to know the neighborhood and making sure everyone was safe.

Councilwoman Davis presented a card, from the Council, to the Mayor and congratulated him on the upcoming birth of his first child.

### MAYOR'S REMARKS

The Mayor made several remarks concerning COVID-19 and how the city is beginning to reopen following Governor Reeve's guidelines. The administration continues to balance the economic need to reopen the city with public health and safety concerns to prevent the spread of the virus. Fireworks will be a part of the weekend celebration of the 2020 graduating senior class Friday night following 'Blue and Gold Day' in the city. He also re-emphasized the Memorial Day service. City offices will be closed on Monday in observance of Memorial Day. An outline of his remarks is attached as **EXHIBIT A.**

### **(CLOSE REGULAR MEETING OPEN PUBLIC AGENDA)**

### **PUBLIC AGENDA**

#### **PUBLIC HEARINGS**

#### **IN THE MATTER OF DEMOLITION**

Attorney William Spencer, with the Spencer Law Firm, requested to speak regarding the Public Hearing for the demolition of the Townhouse Motel, located at 931 South Gloster Street. Even though the Public Hearing was heard at a previous Council Meeting, the Council allowed Attorney Spencer to speak and ask questions. Once he was finished, Councilwoman Davis explained that there would not be a discussion, but that the Council would respond to his questions when the item was called for a vote.

#### **IN THE MATTER OF LOT MOWING**

There was no one present for the Public Hearing for lot mowing at 123 S Industrial Road - Jesus O Fuentes, Parcel # 089N3100601.

APPEALS

CITIZEN HEARING

**(CLOSE PUBLIC AGENDA AND OPEN REGULAR SESSION)**

**ACTION AGENDA**

**ROUTINE AGENDA**

**IN THE MATTER OF MINUTES OF REGULAR MEETING MAY 5, 2020**

Councilman Palmer moved, seconded by Councilman Whittington, to approve the Minutes of the Regular Meeting of the City Council held on May 5, 2020. The vote was 7 - 0 in favor.

**IN THE MATTER OF BILL PAY AND UTILITY ADJUSTMENTS**

Council members Nettie Davis, Markel Whittington, Buddy Palmer and Travis Beard, along with Traci Dillard had earlier reviewed the bills for payment. **APPENDIX B** Councilman Jennings moved, seconded by Councilman Palmer, to approve the payment of the bills and utility adjustments, as presented. The vote was 7 - 0 in favor.

**IN THE MATTER OF ADVERTISING AND PROMOTIONAL ITEMS**

Councilman M Bryan moved, seconded by Councilman Whittington, to approve the advertising and promotional items, as presented. The vote was 7 - 0 in favor. **EXHIBIT C**

**IN THE MATTER OF BUDGET AMENDMENT #4**

Chief Financial Officer/City Clerk Kim Hanna presented and explained Budget Amendment #4 for the 2019-2020 Budget. After a brief discussion, Councilman M Bryan moved, seconded by Councilman Beard, to approve Budget Amendment #4 for the 2019-2020 Budget, as presented. The vote was 7 - 0 in favor. **EXHIBIT D**

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

Councilman Whittington moved, seconded by Councilman Beard, to approve and accept the Homeland Security Grant for EOD in the amount of \$38,000 to purchase a vehicle. After a brief discussion, the vote was 7 - 0 in favor. **EXHIBIT E**

**IN THE MATTER OF DEMOLITION**

A Public Hearing was held pursuant to Mississippi Code 1972, as amended, 21-19-11. Councilman Jennings moved, seconded by Councilman Whittington to approve the demolition of properties located at:

516 Maple Street  
307 S Highland Drive  
931 S Gloster Street (Townhouse Motel)

These properties were determined to be in such a state of uncleanliness and disrepair as to be a menace to health, safety and welfare of the community. Councilman M Bryan moved to suspend the rules and allow Attorney William Spencer an opportunity to speak. Councilman Whittington seconded, and the vote was as follows:

|                        |     |
|------------------------|-----|
| Councilman Whittington | AYE |
| Councilman L Bryan     | NAY |
| Councilman Beard       | NAY |
| Councilwoman Davis     | NAY |
| Councilman Palmer      | NAY |
| Councilman M Bryan     | AYE |
| Councilman Jennings    | NAY |

Donna Jarrell, DDS, was asked questions regarding the property located at 931 S Gloster Street. The demolition of the property has been tabled multiple times and the only part of the property to be demolished is Building #1, which is the building that burned on July 19, 2017. A vote was called for to approve the demolition of the properties listed and was in favor 7 - 0. By this action, the City of Tupelo was authorized to demolish said property, invoice the owners, and place liens on the property.

#### **APPENDIX F**

#### **IN THE MATTER OF LOT MOWING**

Councilman Whittington moved, seconded by Councilman Beard, to approve the final lot-mowing list submitted by the Department of Development Services, such properties being in such a state of uncleanliness as to be a menace to public health, safety, and the welfare of the community, thereby authorizing the department to proceed with the mowing of these properties. The motion passed unanimously 7 - 0. **APPENDIX G**

#### **IN THE MATTER OF MAJOR THOROUGHFARE COMMITTEE MINUTES**

Councilman Palmer moved, seconded by Councilman Jennings, to approve the Major Thoroughfare Committee of March 9 and April 13, 2020. The vote was 7 - 0 in favor. **APPENDIX H**

**IN THE MATTER OF REQUEST FOR DECLARATION OF SURPLUS AND AUTHORIZATION TO DISPOSE OF FIREARMS**

Chief Bart Aguirre presented a list of firearms, collected by the North MS Narcotics Unit, no longer needed by the Police Department. Councilman Beard moved, seconded by Councilman Whittington, to find the firearms no longer needed for the operations of the city and approve the list as surplus and sell the items at auction. The vote was 7 – 0 in favor. **APPENDIX I**

**IN THE MATTER OF TRA MINUTES MAY 14, 2020**

Councilman Jennings moved, seconded by Councilman Whittington, to approve the Tupelo Redevelopment Agency Minutes of March 30 and May 14, 2020 and to allow the Mayor to execute the 'Extension of Time to Purchase and Closing of Fairpark Phase III Lot 8B'. The vote was 7 - 0 in favor **APPENDIX J**

**IN THE MATTER OF CHANGE ORDER 1 & FINAL FOR TAG TRUCK CENTER WATER LINE**

Councilman Whittington moved, seconded by Councilman M Bryan, to find the change order commercially reasonable and not made to circumvent the purchasing laws of the State and approve Change Order #1 and Final for TAG Truck Center Water Line as a deduct of \$5,292.45. The vote was 7 - 0 in favor. **APPENDIX K**

**IN THE MATTER OF CVB BOARD MINUTES MAY 2020**

Councilman Palmer moved, seconded by Councilman Jennings to approve the May 14, 2020 Minutes of the Tupelo Convention and Visitors Bureau. The vote was 7 - 0 in favor. **APPENDIX L**

**IN THE MATTER OF REQUEST FROM PARKS AND RECREATION TO WAIVE FEES FOR SPRING SPORTS REGISTRATION**

Councilman Beard moved, seconded by Councilman Whittington to approve the request to waive fees for Park and Recreation spring sports registration. The vote was 7 - 0 in favor. **APPENDIX M**

**(CLOSE REGULAR SESSION)**

**STUDY AGENDA**

**EXECUTIVE SESSION**

Councilman Jennings moved, seconded by Councilman Palmer, to determine the need to leave the public meeting for the purpose of executive session. City Attorney Ben Logan confirmed items as appropriate for discussion in executive session:

Personnel Matter - Miss. Code Anno. §25-41-7 (4) (a) (1972 as amended).

Councilman Jennings moved, seconded by Councilman Palmer, to enter executive session. The vote was 7 - 0 to enter Executive Session at 6:40 p.m.

After the discussion of the personnel matter, Councilman Whittington moved, seconded by Councilman Beard, to come out of executive session and resume open session. The vote was 7 - 0 in favor, and the open meeting resumed at 6:55 PM

**ADJOURNMENT**

There being no further business to come before the City Council at this time, Councilman Jennings moved, seconded by Councilman Palmer to adjourn the meeting. The vote was 7 - 0 in favor, and the meeting was adjourned at 6:56 PM.

This the 19th day of May, 2020.

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Nettie Davis, President  
City Council

ATTEST:

\_\_\_\_\_  
Missy Shelton, Clerk of the Council

\_\_\_\_\_  
Jason Shelton, Mayor

\_\_\_\_\_  
Date