

# **RECESSED CITY COUNCIL MEETING**

## **MUNICIPAL MINUTES CITY OF TUPELO**

### **STATE OF MISSISSIPPI**

**JANUARY 23, 2024**

Be it remembered that a recessed meeting of the Tupelo City Council was held in the Church Street School auditorium on Tuesday, January 23, 2024, at 6:00 p.m. with the following in attendance: Council Members Chad Mims, Lynn Bryan, Travis Beard, Nettie Davis, Buddy Palmer, Janet Gaston and Rosie Jones; Ben Logan, City Attorney, and Missy Shelton, Clerk of the Council. Council Member Jones led the invocation. Council Member Chad Mims led the pledge of allegiance.

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

Council Member Davis moved, seconded by Council Member Palmer, to approve the agenda and agenda order, with the following addition:

ADD #31 In the Matter of Order Ratifying Proclamation of and Ending of a Local Emergency and Declaration of Disaster in the City of Tupelo.

The vote was unanimous in favor.

### **PUBLIC RECOGNITION**

Council Member Jones thanked the City of Tupelo, Tupelo Water and Light and Public Works for answering all her calls and for all their work during the winter weather.

Council Member Palmer thanked everyone who helped during the icy conditions.

Council Member Davis thanked the City of Tupelo for all their work concerning the bad weather. She specifically thanked the Tupelo Fire Department for all their work when the St. Paul Methodist Church burned and for saving the other buildings.

Council Member Beard thanked Public Works, Tupelo Water & Light, Fire Department, Police Department and the Development Services Department for all they did. He also thanked Stephen Reed for his work on the code issues in Lee Acres, which was greatly appreciated by the neighborhood. He thanked the Tupelo Public School District for their cooperation in hosting the City's meetings while the Council Chambers is under renovation.

### **MAYOR'S REMARKS**

Mayor Todd Jordan thanked everyone who worked so hard during the winter conditions. He read an email received from Captain Michael Bowens of the Tupelo Police Department sent to Fire Chief Brad Robinson. The email is included in these minutes as APPENDIX A.

**IN THE MATTER OF MINUTES OF JANUARY 2, 2024 MEETING**

Council Member Bryan moved, seconded by Council Member Gaston, to approve the minutes of the January 2, 2024, regular Council meeting. The vote was unanimous in favor.

**IN THE MATTER OF BILL PAY**

Bills were reviewed at 4:30 p.m. by Council Members Travis Beard, Buddy Palmer, Nettie Davis and Chad Mims. Council Member Palmer moved, seconded by Council Member Jones, to approve the payment of the checks, bills, claims and utility adjustments. The vote was unanimous in favor. APPENDIX B

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

Council Member Davis moved, seconded by Council Member Jones, to approve the advertising and promotional items, as submitted:

Committee for King            \$2,000            (MLK Event Ad)

The vote was unanimous in favor. APPENDIX C

**IN THE MATTER OF BUDGET AMENDMENT #4 FOR FY 2024**

Council Member Gaston moved, seconded by Council Member Palmer, to approve budget amendment #4 for the 2023-2024 budget. The vote was unanimous in favor. APPENDIX D

**IN THE MATTER OF ACCEPTING DEPOSITORY RFP AND APPROVING RESOLUTION ACKNOWLEDGING SELECTION BY MISSISSIPPI STATE TREASURER OF CADENCE BANK FOR MUNICIPAL DEPOSITORY FOR THE CITY OF TUPELO’S DEMAND DEPOSITS AND SPREADING SAME UPON THE MINUTES**

At this time, Council Member Janet Gaston recused herself from the meeting. The City opted to utilize statutory provisions requesting the State Treasurer to select the municipal depository from February 1, 2024 until January 31, 2026. After reviewing all bid documents received by the City, the State Treasurer selected Cadence Bank to be the depository for the City of Tupelo for the two-year period of February 1, 2022 until February 1, 2024. Council Member Davis moved, seconded by Council Member Beard, to approve the Resolution Acknowledging Selection by Mississippi State Treasurer of Cadence Bank as Municipal Depository for the City of Tupelo. The vote was, as follows:

|                       |         |
|-----------------------|---------|
| Council Member Mims   | AYE     |
| Council Member Bryan  | AYE     |
| Council Member Beard  | AYE     |
| Council Member Davis  | AYE     |
| Council Member Palmer | AYE     |
| Council Member Gaston | RECUSED |

Council Member Jones            AYE

**IN THE MATTER OF RESOLUTION AUTHORIZING MAYOR AND CHIEF FINANCIAL OFFICER TO ENTER A DEPOSITORY AGREEMENT WITH CADENCE BANK FOR DEMAND DEPOSITS AND DEPOSITORY AGREEMENTS WITH ALL QUALIFIED DEPOSITORIES FOR FUTURE INVESTMENT OPPORTUNITIES SUBJECT TO RATIFICATION IN FINAL FORM**

Council Member Bryan moved, seconded by Council Member Mims, to approve a Resolution Authorizing Mayor and Chief Financial Officer to Enter a Depository Agreement with Cadence Bank for Demand Deposits and Depository Agreements with All Qualified Depositories for Future Investment Opportunities Subject to Ratification in Final Form. The vote was, as follows:

|                       |         |
|-----------------------|---------|
| Council Member Mims   | AYE     |
| Council Member Bryan  | AYE     |
| Council member Beard  | AYE     |
| Council Member Davis  | AYE     |
| Council Member Palmer | AYE     |
| Council Member Gaston | RECUSED |
| Council Member Jones  | AYE     |

**IN THE MATTER OF LIEN RESOLUTION FOR UNPAID DEMOLITION OF PROPERTY LOCATED AT 2111 PRESIDENT STREET**

Council Member Gaston rejoined the meeting. Council Member Palmer moved, seconded by Council Member Gaston, to approve Resolutions Assessing Judgment Liens Against Real Property for the Costs Associated with Demolition in Accordance with Miss. Code Annotated § 21-19-11, for the following properties:

| <u>Parcel</u>  | <u>Location</u>       |
|----------------|-----------------------|
| 101M-12-093-00 | 2111 President Street |

The vote was unanimous in favor. APPENDIX G

**IN THE MATTER OF DEVELOPMENT CODE AMENDMENT – MULTIFAMILY (TABLED AT NOVEMBER 7, 2023 MEETING)**

This item was left on the table.

**IN THE MATTER OF DEVELOPMENT CODE AMENDMENT – SIGNS (TABLED AT NOVEMBER 7, 2023 MEETING)**

This item was left on the table.

**IN THE MATTER OF APPROVAL OF SUMMARY CHANGE ORDER FOR EASON BLVD IMPROVEMENTS (JOB 2022-015 MT)**

Council Member Bryan moved, seconded by Council Member Palmer, to approve change order # 2 for Bid # 2023-015MT - Eason Boulevard Improvements (Veterans to Briar Ridge). The change order decreases the cost by \$8,256.04 for a total of \$4,123,092.59. The vote was unanimous in favor.  
APPENDIX H

**IN THE MATTER OF APPROVAL OF MAJOR THOROUGHFARE COMMITTEE MEETING MINUTES DECEMBER 11, 2023**

Council Member Davis moved, seconded by Council Member Gaston, to accept the minutes of the Major Thoroughfare Committee held on December 11, 2023. The vote was unanimous in favor.  
APPENDIX I

**IN THE MATTER OF UNMARKED VEHICLES RESOLUTION**

Police Chief John Quaka submitted a resolution with a current list of vehicles that the Tupelo Police Department maintain as unmarked. Council Member Gaston moved, seconded by Council Member Bryan to find that identifying marks would hinder official criminal investigations by the police and to approve the resolution. The vote was unanimous in favor. A certified copy of this resolution and minutes shall be furnished to the State Department of Audit. APPENDIX J

**IN THE MATTER OF UPDATE TO THE NARCAN MEMORANDUM OF UNDERSTANDING**

Council Member Gaston moved, seconded by Council Member Bryan, to approve an update to the Memorandum of Understanding between the Mississippi Department of Mental Health Bureau of Addictive Services and Tupelo Police Department concerning the delivery, training, distribution, storage, deployment and reporting of NARCAN. This MOU will allow the Tupelo Police Department to receive 105 dosage units of NARCAN at no cost to the City. The vote was unanimous in favor.  
APPENDIX K

**IN THE MATTER OF MEMORANDUM OF UNDERSTANDING WITH NON-TRANSPORT EMERGENCY MEDICAL SERVICES, BUREAU OF MISSISSIPPI CENTER OF EMERGENCY SERVICES, UNIVERSITY OF MISSISSIPPI MEDICAL CENTER AND TUPELO FIRE DEPARTMENT**

Council Member Davis moved, seconded by Council Member Palmer, to approve a Memorandum of Understanding with Non-Transport Emergency Medical Services, Bureau of Mississippi Center of Emergency Services, University of Mississippi Medical Center and Tupelo Fire Department. The vote was unanimous in favor. APPENDIX L

**IN THE MATTER OF CHANGE ORDER FOR ENDVILLE ROAD BID #2023-022PW**

Council Member Bryan moved, seconded by Council Member Gaston, to take this item off the table. The vote was unanimous in favor.

Council Member Mims moved, seconded by Council Member Davis, to approve change order # 1 for Bid # 2022-022PW - Endville Road. The change order is within the scope of the project and commercially reasonable. The change order increases the cost by \$98,620.25 for a total of

\$1,301,109.45. The change allows sub-grade repairs due to extended dry weather. The vote was unanimous in favor. APPENDIX M

**IN THE MATTER OF APPROVAL FOR CHANGE ORDER F-3 AND FINAL CLOSEOUT DOCUMENTATION FOR VAN BUREN DRAINAGE IMPROVEMENTS PROJECT ARPA BID #2023-032PW**

Council Member Gaston moved, seconded by Council Member Palmer, to approve change order # 3 for ARPA Bid # 2023-032PW - Van Buren Drainage Improvements. The change order is within the scope of the project, commercially reasonable and does not affect the cost of the contract, only quantities used. The vote was unanimous in favor. APPENDIX N

**IN THE MATTER OF APPROVAL FOR CHANGE ORDER F-2 AND FINAL CLOSEOUT DOCUMENTATION FOR CITY PARK DRAINAGE IMPROVEMENTS PROJECT ARPA BID # 2023-028PW**

Council Member Gaston moved, seconded by Council Member Palmer, to approve change order # 2 ARPA Bid # 2023-028PW - City Park Drainage Improvements. The change order is within the scope of the project for damages to underground utilities, commercially reasonable and does not affect the cost of the contract, only quantities used. The vote was unanimous in favor. APPENDIX O

**IN THE MATTER OF ACCEPTANCE OF DONATION FROM TUPELO SPORTS COUNCIL FOR EASTWOOD SOFTBALL COMPLEX AND BASEBALL COMPLEX**

Council Member Palmer moved, seconded by Council Member Gaston, to accept the donation of \$82,000.00 from the Tupelo Sports Council. Of the donation, \$25,000 will be used for the improvements of Eastwood Softball Complex and \$57,000 will be used for the improvements of the Baseball Complex. The vote was unanimous in favor. APPENDIX P

**IN THE MATTER OF CHANGE ORDER #2 FOR BID # 2023-017PR - PICKLEBALL COURTS AT DOT COOPER KELLY**

Council Member Gaston moved, seconded by Council Member Mims, to approve change order # 2 for Bid # 2023-017PR - Pickleball Complex at Dot Cooper Kelly. The change order increases the contract price by \$3,468.95 for a total contract price of \$1,293,087.37. The vote was unanimous in favor. APPENDIX Q

**IN THE MATTER OF BID FOR BALLARD PARK PARK SITE IMPROVEMENTS, PHASE 1 BID #2023-061PR**

The City advertised and received bids for Bid # 2023-061PR - Ballard Park Site Improvements. Three bids were received with the lowest and best bid being from James A. Hodges Construction, Inc. with a base bid of \$866,020.62.00, and an Alternate #1 bid of \$58,462.00. The total bid amount is \$944,482.62, which is less than the construction estimate for this project. Council Member Davis moved, seconded by Council Member Gaston, to award the bid to James A. Hodges Construction Company, Inc. The vote was unanimous in favor. APPENDIX R

**IN THE MATTER OF APPROVAL OF CONTRACT FOR BALLARD PARK SITE IMPROVEMENTS, PHASE 1 BID #2023-061PR**

Council Member Palmer moved, seconded by Council Member Gaston, to approve a contract with James A. Hodges Construction, Inc. for Bid # 2023-061PR - Ballard Park Site Improvements and to authorize the Mayor to sign the necessary documents. The vote was unanimous in favor. APPENDIX S

**IN THE MATTER OF APPROVAL OF MDOT MATCHING GRANT AIP 3-28-054-2023**

Council Member Davis moved, seconded by Council Member Bryan, to approve the Mississippi Transportation Commission Airport Federal Matching Grant Agreement Project No. AIP-3-28-0070-054-2023 Tupelo Regional Airport'. The vote was unanimous in favor. APPENDIX T

**IN THE MATTER OF APPROVAL OF CADENCE BANK ARENA MINUTES OF NOVEMBER 20, 2023**

Council Member Palmer moved, seconded by Council Member Jones, to accept the minutes of the Cadence Bank Arena minutes of November 20, 2023. The vote was unanimous in favor. APPENDIX U

**IN THE MATTER OF CVB BOARD MINUTES OF JANUARY 10, 2023**

Council Member Davis moved, seconded by Council Member Jones, to accept the minutes of the Convention and Business Bureau meeting of January 10, 2023. The vote was unanimous in favor. APPENDIX V

**IN THE MATTER OF APPROVAL OF CHANGE ORDER # 2 & FINAL SUMMARY FOR THE HWY 45 SEWER OUTFALL PROJECT (BID NO 2023-019WL) ARPA**

Council Member Gaston moved, seconded by Council Member Jones, to approve change order # 2 for ARPA Bid # 2023-019WL - Hwy 45 Sewer Outfall Project. The change order is within the scope of the project, commercially reasonable and decreases the contract price by \$102,576.37 for a total contract price of \$1,344,360.63. The decrease was due to less quantity of materials needed. The vote was unanimous in favor. APPENDIX W

**IN THE MATTER OF APPROVAL OF CONTRACT WITH MAX FOOTE CONSTRUCTION COMPANY, LLC FOR BID # 2023-040WL - CENTRAL PUMPING STATION MODIFICATIONS**

Council Member Palmer moved, seconded by Council Member Gaston, to approve a contract with Max Foote Construction Company, LLC for the Central Pumping Station Modifications - Bid # 2023-040WL in the amount of \$12,347,000.00 and to authorize the Mayor to sign the necessary documents. The change order was within the scope of the project, commercially reasonable and did not affect the competitive nature of the original award. The change employed a less expensive and safer method for constructing the wet well and resulted in a savings of approximately \$500,000. The vote was unanimous in favor. APPENDIX X

**IN THE MATTER OF APPROVAL OF MEMORANDUM OF AGREEMENT WITH MISSISSIPPI MAIN STREET ASSOCIATION**

Council Member Davis moved, seconded by Council Member Palmer, to approve a 2024 Memorandum of Agreement for continuation in the Mississippi Main Street Association Main Street Program. This agreement is entered into and executed by the Mississippi Main Street Association, the City of Tupelo and sponsoring organization, Downtown Tupelo Main Street, for the purpose of continued participation in the Mississippi Main Street Program. The vote was unanimous in favor. A copy of the Agreement is attached to these minutes as APPENDIX Y

**IN THE MATTER OF REVIEW OF THE RESPONSES TO RFP 23-055PW AND TO AWARD A CONTRACT FOR DEBRIS REMOVAL SERVICES TO THE MOST RESPONSIBLE OFFEROR WHOSE PROPOSAL IS MOST ADVANTAGEOUS TO THE CITY OF TUPELO, AND SUCH CONTRACT SHALL BE EXECUTED BY THE MAYOR AND SUBJECT TO SUBSEQUENT RATIFICATION BY THE CITY COUNCIL (TABLED AT DECEMBER 19, 2023 MEETING)**

Council Member Bryan moved, seconded by Council Member Gaston, to take this item from the table. The vote was unanimous in favor.

Council Member Bryan moved, seconded by Council Member Gaston, to approve the Resolution Certifying the Responses to RFP 23-055PW for Debris Removal Assistance and Declaring that it would be most Advantageous to the City of Tupelo for Century Construction, Inc., and Alternatively Ashbritt, Inc., to each be Offered a 12-Month Contract for Debris Removal Services in Accordance with the Terms of the RFP, Applicable State of Mississippi Procurement Requirements, and the Provisions of 2 C.F.R. § 200.317 *et seq.* and 44 C.F.R. §13.36. The vote was unanimous in favor. APPENDIX Z

**IN THE MATTER OF ORDER RATIFYING THE PROCLAMATION OF AND ENDING OF A LOCAL EMERGENCY AND DECLARATION OF DISASTER IN THE CITY OF TUPELO**

On Sunday, January 14, 2024, Mayor Todd Jordan declared a state of local emergency due to inclement weather. On Sunday, January 21, 2024, Mayor Todd Jordan declared that the state of local emergency had ended. Council Member Davis moved, seconded by Council Member Gaston, to approve and ratify the proclamation of and ending of the local emergency. The vote was unanimous in favor. APPENDIX AA

**ADJOURNMENT**

There being no further business to come before the Council at this time, Council Member Bryan moved, seconded by Council Member Jones, to adjourn the meeting at 6:28 p.m.

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Travis Beard, Council President

ATTEST:

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Missy Shelton, Council Clerk

APPROVED

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Todd Jordan, Mayor

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Date