

REGULAR CITY COUNCIL MEETING
MUNICIPAL MINUTES CITY OF TUPELO
STATE OF MISSISSIPPI
JUNE 18, 2024

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, June 4, 2024, at 6:00 p.m. with the following in attendance: Council Members Chad Mims, Lynn Bryan, Travis Beard, Nettie Davis, Buddy Palmer, and Rosie Jones; Ben Logan, City Attorney and Missy Shelton, Clerk of the Council. Council Member Janet Gaston was absent. Council Member Buddy Palmer gave the invocation, and Council Member Nettie Davis led the pledge of allegiance.

Council President Travis Beard called the meeting to order at 6:00 p.m.

CONFIRMATION OR AMENDMENT TO THE AGENDA AND AGENDA ORDER

Council Member Davis moved, seconded by Council Member Gaston, to approve the agenda and agenda order, as presented.

Of those present, the vote was unanimous in favor.

PUBLIC RECOGNITION

Council Member Nettie Davis mentioned the Juneteenth festivities coming up and asked that everyone be respectful and mindful of those participating. She also gave accolades to Marcus Gary for the recent Wing Fest.

Council Member Buddy Palmer congratulated his grandson, Jason, on his recent marriage to Rebekah Townsend.

Council Member Rosie Jones also congratulated Marcus Gary on the successful Wing Fest. She thanked Mrs. Davis for all her work on the Juneteenth festivities.

Council Member Travis Beard congratulated Lucia Randle for the successful Elvis Fest. He wished Mayor Jordan a happy birthday and invited everyone to stand and join in singing 'Happy Birthday' to him.

MAYOR'S REMARKS

Mayor Todd Jordan congratulated the 2010 Tupelo Futball Club on their recent win of the regionals. They are now headed to Wichita for the next step. There is also another age group playing regionals this week. He congratulated and thanked Code Enforcement Officer Troy Peck for his dedication and hard work. Mr. Peck recently completed the Monroe County part-time police academy. Finally, he wished safe travels to his son and friends, who left today for a trip to the western part of the United States.

IN THE MATTER OF PUBLIC HEARING FOR LOT MOWING

No one appeared for the properties on the final lot mowing list.

IN THE MATTER OF PUBLIC HEARING FOR DEMOLITIONS

No one appeared to speak concerning the properties on the demolition list.

IN THE MATTER OF AN ORDINANCE AMENDING TUPELO CODE OF ORDINANCES, CHAPTER 19, ARTICLE VI. - REGULATIONS FOR DISPLAY FOR SALE OF MOTOR VEHICLES, MOTORIZED EQUIPMENT, BOATS, TRAILERS, RECREATIONAL VEHICLES AND CAMPERS

Council Member Palmer moved, seconded by Council Member Mims, to approve an ‘Ordinance Amending Tupelo Code of Ordinances, Chapter 19, Article VI – Regulations for Display for Sale of Motor Vehicles, Motorized Equipment, Boats, Trailers, Recreational Vehicles and Campers. Of those present, the vote was unanimous. APPENDIX A

IN THE MATTER OF MINUTES OF JUNE 4, 2024 COUNCIL MEETING

Council Member Davis moved, seconded by Council Member Palmer, to approve the minutes of the June 4, 2024, Tupelo City Council meeting. Of those present, 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 and Nettie Davis. Council Member Palmer moved, seconded by Council Member Jones, to approve the payment of the checks, bills, claims and utility adjustments. Of those present, the vote was unanimous in favor. APPENDIX B

IN THE MATTER OF BUDGET AMENDMENT #8 FOR FY 2024

Council Member Gaston moved, seconded by Council Member Bryan, to approve budget amendment #8 for FY 2024. Of those present, the vote was unanimous in favor. APPENDIX C

IN THE MATTER OF REQUEST TO CLOSE BANK ACCOUNTS (BALLARD PARK REFURB & ENDVILLE ROAD IMPROVEMENTS)-STATE FUNDS

Council Member Bryan moved, seconded by Council Member Palmer, to close bank accounts – Ballard Park Refurb and Endville Road Improvements – which are state funds accounts. These accounts each have a \$0 balance and are no longer needed. Of those present, the vote was unanimous in favor. APPENDIX D

IN THE MATTER OF APPROVING ENGAGEMENT LETTER FOR PROFESSIONAL SERVICES REGARDING IRS EXAMINATION

Council Member Mims moved, seconded by Council Member Palmer, to approve an engagement letter with Butler Snow for legal counsel with respect to IRS audit for the City of Tupelo Series 2017 G.O. Bonds. Of those present, the vote was unanimous in favor. APPENDIX E

IN THE MATTER OF STATE APPROVED HOLIDAYS FOR CITY EMPLOYEES

Governor Tate Reeves issued a proclamation in accordance with Miss Code Anno. §3-3-7 (1972 as amended), authorizing cities, at their discretion, to close all offices on Friday, July 5, 2024, in further observance of the Independence Day holiday. Council Member Palmer moved, seconded by Council

Member Jones, to authorize the city to take the additional day off. Of those present, the vote was unanimous in favor. APPENDIX F

IN THE MATTER OF APPROVAL TO SUBMIT FOR BVP GRANT

Council Member Davis moved, seconded by Council Member Jones, to approve the submission of a Bulletproof Vest Partnership (BVP) grant for 50% funding of the cost of body armor vests purchased for law enforcement officers. Of those present, the vote was unanimous in favor. APPENDIX G

IN THE MATTER OF APPROVAL FOR THE MAYOR TO SIGN CONTRACT BETWEEN THE CITY OF TUPELO AND THE MISSISSIPPI DEVELOPMENT AUTHORITY – ARC FIRST COLONIAL LIFT STATION

Council Member Palmer moved, seconded by Council Member Davis, to authorize the Mayor to sign a contract between the City of Tupelo and the Mississippi Development Authority – ARC First Colonial Lift Station. Of those present, the vote was unanimous in favor. APPENDIX H

IN THE MATTER OF APPROVAL TO SUBMIT FY24 COPS TECHNOLOGY AND EQUIPMENT PROGRAM INVITATIONAL SOLICITATION

Council Member Mims moved, seconded by Council Member Palmer, to approve the submission of Technology and Equipment Program (TEP) Invitational Solicitation in the amount of \$191,000. This funding will be used for the purchase of license plate readers (LPRs) and a mobile surveillance trailer. Of those present, the vote was unanimous in favor. APPENDIX I

IN THE MATTER OF APPROVAL TO SUBMIT FY24 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS SOLICITATION – FY24 THUD

Council Member Davis moved, seconded by Council Member Jones, to approve the submission of FY24 Consolidated Rail Infrastructure and Safety Improvements (CRISI) Solicitation for the award of FY24 Transportation, Housing and Urban Development (THUD) Appropriations Bill request for funding of \$7,728,745. Of those present, the vote was unanimous in favor. APPENDIX J

IN THE MATTER OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN TUPELO POLICE DEPARTMENT AND THE DEPARTMENT OF VETERANS AFFAIRS, MEMPHIS, TN

Council Member Davis moved, seconded by Council Member Bryan, to approve a memorandum of understanding (MOU) between the Tupelo Police Department and the Department of Veterans Affairs. Of those present, the vote was unanimous in favor. APPENDIX K

IN THE MATTER OF PROPERTIES FOR LOT MOWING

Council Member Bryan moved, seconded by Council Member Davis, to adjudicate the properties on the final lot mowing list as menaces to the public health, safety and welfare of the community and in need of cleaning and to approve cleaning in accordance with Mississippi Code Annotated Sec. 21-19-11. Of those present, the vote was unanimous in favor. APPENDIX L

IN THE MATTER OF LIENS FOR UNPAID LOT MOWING INVOICES

Council Member Bryan moved, seconded by Council Member Davis, to approve a Resolution Adjudicating Cost and Assessing Lien Against Real Property associated with property cleanups under Miss. Code Ann. 21-19-11(1972 as amended) for the following properties:

<u>ADDRESS</u>	<u>PARCEL</u>
414 Lakeview Dr.	101B-02-132-00
418 Lakeview Dr.	101B-02-130-00
2411 Danny St.	077P-35-006-00
1701 W. Main St.	077Q-36-179-00
151 Canal St.	088N-33-057-00
205 Bowen/Stephen D. Lee	077Q-36025-00
823 Shumacola Trail	101H-01-150-02
1507 Trace Avenue	077C-25-016-00
1502 Reed St.	077Q-36-124-00
920 Eisenhower Dr.	101D-01-089-00
1108 Marquette	077G-25-112-00

The vote was unanimous in favor. APPENDIX M

IN THE MATTER OF PROPERTIES FOR DEMOLITION

Council Member Palmer moved, seconded by Council Member Mims, that the property listed on the demolition list be found to be in such a condition to be a menace to the public health, safety and welfare of the community and in need of cleaning by demolition as authorized by Miss. Code § 21-19-11 (1972 as amended). Of those present, the vote was unanimous in favor of approval of the demolition.

APPENDIX N

IN THE MATTER OF APPEAL OF PLANNING COMMITTEE DECISION OF FLEXIBLE-USE APPLICATION FLEX24-01

Council Member Bryan moved, seconded by Council Member Mims, to uphold the planning committee decision of flexible-use application flex24-01.

Council Member Davis moved, seconded by Council Member Palmer, to suspend the rules and allow Attorney Grant Tarlton, to speak on behalf of Verizon. Of those present, the vote was unanimous in favor.

At this time, Council Member Buddy Palmer recused himself from the meeting.

Grant Tarlton spoke to the Council concerning the Verizon tower.

When the motion to uphold the planning committee decision was brought to a vote, the vote was, as follows:

AYE	None
Recused	Palmer
Absent	Gaston
NAY	Mims, Beard, Bryan, Davis, Jones

The motion failed.

Council Member Davis moved, seconded by Council Member Mims, to approve a ‘Temporary Order Granting Appeal of Planning Committee Approval of Flexible Use Permit to Applicant Verizon Wireless’. The vote was as follows:

AYE	Mims, Bryan, Beard, Davis, Jones
NAY	None
Absent	Gaston
Recused	Palmer

A final order will be brought back to the Council for final approval. APPENDIX O

IN THE MATTER OF BID REJECTION 2024-033PW - HOT MIX ASPHALT 6 MONTH SUPPLY

Council Member Davis moved, seconded by Council Member Jones, to reject Bid # 2024-033PW – Hot Mix Asphalt 6-month supply. The reason to reject is no bids were received. Of those present, the vote was unanimous in favor. APPENDIX P

IN THE MATTER OF BID APPROVAL ARPA 2024-022PW HOLLY HILL DRAINAGE IMPROVEMENTS

Council Member Bryan moved, seconded by Council Member Palmer, to award ARPA Bid # 2024-022PW – Holly Hill Drainage Improvements to Townes Construction Company the lowest bid. Bids received were:

Townes Construction Company	\$284,457.50
Cook and Son, LLC	\$364,554.63
JZS, LLC	\$375,968.00
Ausbern Construction Co., Inc.	\$704,393.20

Of those present, the vote was unanimous in favor. APPENDIX Q

IN THE MATTER OF CHANGE ORDER APPROVAL ARPA GUN CLUB BOX CULVERT PROJECT BID NO. 2023-064PW

Council Member Bryan moved, seconded by Council Member Davis, to approve change order #1 for ARPA Bid 2023-064PW – Gun Club Box Culvert. Of those present, the vote was unanimous in favor. APPENDIX R

IN THE MATTER OF BID APPROVAL ARPA BID NO. 2024-030PW BARNES CROSSING BOX CULVERT

Council Member Palmer moved, seconded by Council Member Bryan, to award ARPA Bid # 2024-030PW – Barnes Crossing Box Culvert to Townes Construction in the amount of \$512,626.00 to Townes Construction, the lowest and best bid. Bids received were:

Townes Construction	\$512,626.00
Ausbern	\$545,139.50

Phillips

\$1,260,492.00

Of those present, the vote was unanimous in favor. APPENDIX S

IN THE MATTER OF CONTRACT APPROVAL RIDGEWAY DR DRAINAGE IMPROVEMENTS ARPA BID NO. 2024-024PW

Council Member Bryan moved, seconded by Council Member Mims, to approve the contract with Cary Construction for ARPA Bid # 2024-024PW in the amount of \$423,305.56. This bid was awarded on June 4, 2024. Of those present, the vote was unanimous in favor. APPENDIX T

IN THE MATTER OF BID APPROVAL ARPA BID NO. 2024-023PW FORD CIRCLE TO NIXON CIRCLE DRAINAGE IMPROVEMENTS

Council Member Bryan moved, seconded by Council Member Palmer, to award ARPA Bid # 2024-023PW – Ford Circle to Nixon Circle Drainage Improvements to Townes Construction in the amount of \$183,768.50, the lowest and best bid. Bids received were:

Townes Construction	\$183,768.50
Ausbern	\$357,815.11

Of those present, the vote was unanimous in favor. APPENDIX U

IN THE MATTER OF CONTRACT APPROVAL TUPELO ROADWAY MAINTENANCE PROGRAM ANNUAL BID NO. 2024-015PW

Council Member Bryan moved, seconded by Council Member Mims, to approve the contract with Hodges Construction for ARPA Bid # 2024-015PW. This bid was awarded on May 21, 2024. Of those present, the vote was unanimous in favor. APPENDIX V

IN THE MATTER OF CVB BOARD MINUTES OF JUNE 4, 2024

Council Member Davis moved, seconded by Council Member Palmer, to accept the minutes of the June 4, 2024 Convention and Visitors Bureau meeting. Of those present, the vote was unanimous in favor. APPENDIX W

IN THE MATTER OF CVB INTERNATIONAL TRAVEL FOR DEPUTY DIRECTOR SEPTEMBER 16-20 AND OCTOBER 16-25, 2024

Council Member Mims moved, seconded by Council Member Bryan, to approve international travel for CVB Deputy Director Jennie Bradford Curlee for September 16-20 and October 16-25, 2024. Of those present, the vote was unanimous in favor. APPENDIX X

IN THE MATTER OF APPROVAL OF LOUIS CONLEY TO SERVE ON THE TUPELO COLISEUM COMMISSION

Council Member Davis moved, seconded by Council Member Palmer, to approve the appointment of Louis Conley to serve on the Tupelo Coliseum Commission for a 4-year term. Of those present, the vote was unanimous in favor. APPENDIX Y

IN THE MATTER OF APPROVAL OF DEVONTE THOMAS TO SERVE ON THE TUPELO COLISEUM COMMISSION

Council Member Mims moved, seconded by Council Member Jones, to approve the appointment of Devonte Thomas to serve on the Tupelo Coliseum Commission for a 4-year term. Of those present, the vote was unanimous in favor. APPENDIX Z

IN THE MATTER OF APPROVAL OF GERALD PERALTA TO SERVE ON THE TUPELO COLISEUM COMMISSION

Council Member Davis moved, seconded by Council Member Mims, to approve the appointment of Louis Conley to serve on the Tupelo Coliseum Commission for a 4-year term as the appointee of the Tupelo Innkeepers Association. Of those present, the vote was unanimous in favor. APPENDIX AA

IN THE MATTER OF AN EMERGENCY PURCHASE OF FOUR (4) 150 kVA THREE PHASE PADMOUNT TRANSFORMERS

Council Member Palmer moved, seconded by Council Member Jones, to approve an ‘Order Authorizing Emergency Purchase of Four (4) 150 kVA Three Phase Padmount Transformers’ pursuant to Miss. Code Anno. § 31-7-13 (k). The lead time for receiving this equipment is a minimum of 52 weeks. Of those present, the vote was unanimous in favor. APPENDIX BB

IN THE MATTER OF APPROVAL OF CONTRACT WITH ENSCOR, LLC FOR ARPA BID # 2024-025PW - LUMPKIN STREET TO KINGS CREEK BANK STABILIZATION

Council Member Mims moved, seconded by Council Member Bryan, to approve the contract with Encor, LLC for ARPA Bid # 2024-025PW in the amount of \$2,238,248.05. This bid was awarded on June 4, 2024. Of those present, the vote was unanimous in favor. APPENDIX CC

IN THE MATTER OF BAD DEBT WRITE-OFF JANUARY 2023 – JUNE 2023

Council Member Davis moved, seconded by Council Member Jones, to approve writing off to the bad debt file the list of Water and Light Collections accounts. The total bad debt amount represents 0.10% of the total revenue for the period of January 2023 thru June 2023. Efforts will continue to be made to collect these accounts even though they have been transferred to this accounting classification. Of those present, the vote was unanimous in favor. APPENDIX DD

IN THE MATTER OF A RESOLUTION APPROVING AN APPLICATION FOR EXEMPTION FROM MUNICIPAL AD VALOREM TAXES, AND NOT TAXES FOR SCHOOL DISTRICT PURPOSES, MADE BY HAWKEYE INDUSTRIES, INC. - 2023

Council Member Mims moved, seconded by Council Member Bryan, to approve the resolution granting ad valorem exemption to Hawkeye Industries, Inc. for 2023. Of those present, the vote was unanimous in favor. APPENDIX EE

IN THE MATTER OF AWARD OF BID # 2024-029AD – THE DEPOT

Council Member Davis moved, seconded by Council Member Jones, to award Bid # 2024-029AD – The Depot to Mastercraft Builders, as recommended by Tek1 Studio, in the amount of \$1,907,522.00, the lowest and best bid. Bids received were:

Mastercraft	\$1,907,522.00
Roberts Builders	\$2,001,000.00
Timbo’s Construction	\$2,016,616.99
M & N Construction	\$2,048,300.00
Worsham Brothers	\$2,190,800.00
Flagstar	\$2,607,000.00

Of those present, the vote was unanimous in favor. APPENDIX FF

IN THE MATTER OF DEVELOPMENT CODE AMENDMENT – SIGNS

Council Member Mims moved, seconded by Council Member Jones, to suspend the rules and vote on this item. Of those present, the vote was unanimous in favor.

Council Member Davis moved, seconded by Council Member Jones, to take this item from the study agenda and return it to Development Services and the Planning Committee for further development and review. Of those present, the vote was unanimous in favor. APPENDIX GG

IN THE MATTER OF DEVELOPMENT CODE AMENDMENTS TA-23-01

The Council unanimously left this item on the Study Agenda.

IN THE MATTER OF AN ORDINANCE AMENDING CHAPTERS 17, 19 AND 24 OF THE CITY OF TUPELO CODE OF ORDINANCES TO ADDRESS AGGRESSIVE PANHANDLING OR SOLICITATION, THE OBSTRUCTION OF TRAFFIC AND OTHER RIGHTS OF WAY, TRESPASSERS AND OTHER SUCH MATTERS RELATED THERETO

The Council unanimously moved this item to the action agenda for the next regular meeting.

IN THE MATTER OF REVIEW OF DEVELOPMENT SERVICES PERMIT/FEE SCHEDULE

The Council unanimously moved this item to the action agenda for the next regular meeting.

ADJOURNMENT

There being no further business to come before the Council at this time, Council Member Jones moved, seconded by Council Member Bryan, to adjourn the meeting at 6:36 p.m. Of those present, the vote was unanimous in favor.

This the 18th day of June, 2024.

Travis Beard, Council President

ATTEST:

Missy Shelton, Council Clerk

APPROVED

Todd Jordan, Mayor

Date