

REGULAR CITY COUNCIL MEETING

MUNICIPAL MINUTES CITY OF TUPELO

STATE OF MISSISSIPPI

SEPTEMBER 06, 2022

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, September 6, 2022, 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 Buddy Palmer gave the invocation, and Council Member Janet Gaston led the pledge of allegiance. Council President Lynn Bryan called the meeting to order at 6:00 p.m.

CONFIRMATION OR AMENDMENT TO THE AGENDA AND AGENDA ORDER

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

ADD: Item 30

IN THE MATTER OF AMENDMENT TO 2018 INTERNATIONAL RESIDENTIAL CODE AND CODE OF ORDINANCES CHAPTER 7 – BUILDINGS AND BUILDING REGULATIONS ARTICLE XII – RENTAL HOUSING CODE SECTION 7-216 REQUIRING OVERHEAD RANGE HOOD OR DOWNDRAFT EXHAUST EQUIPMENT (FROM THE AUGUST 16, 2022 REGULAR MEETING)

IN THE MATTER OF STANDING PROMISE OF TOMORROW PROCLAMATION

Mayor Todd Jordan introduced Leigh Ann Mattox, who presented the 'Standing Promise of Tomorrow Proclamation'.

PUBLIC RECOGNITION

Council Member Chad Mims recognized Tupelo Water and Light, Public Works, Police Department and Fire Department for their quick response to a lightning strike on a tree, which subsequently fell, blocked the street and knocked out the electricity to the area. He also thanked everyone who responded for how cordial to the citizens they were.

Council Member Janet Gaston thanked Matt Robinson, who had a big part in putting on the Change Festival last weekend in Tupelo.

Council Member Rosie Jones thanked the Council, Administration and all the others for their texts, calls, cards, and other expressions of condolence about the passing of her grandmother. She also thanked the Coliseum for their hard work on the Dru Hill concert last weekend.

Council Member Buddy Palmer thanked everyone who worked in the run-away plane incident on Saturday, September 4. He commended them for their hard work and professionalism. He also said he was grateful that the incident ended with no injuries.

Council Member Travis Beard also acknowledged the Police Department, Fire Department and Administration in their quick response to the theft and threats made by the man who stole the airplane. He described it as an “almost catastrophe” that was handled well.

Council Member Nettie Davis thanked the City departments and Administration for their hand in the airplane incident. She also asked for prayers for Ms. Rosie Jones' family in the loss of her grandmother and in the illness of her father. She mentioned that she heard rave reviews of the Dru Hill concert. Mrs. Davis thanked Mission Mississippi and the other groups that were involved in the gas giveaway last Saturday in East Tupelo.

Council Member Lynn Bryan ended the remarks with a laugh saying that his mother-in-law was amused at the Mayor not being aware he was live and asking someone how his hair looked before going on-air. There was a light-hearted laugh and the Council meeting continued.

MAYOR'S REMARKS

Mayor Todd Jordan said there were local, state and national attention to the City of Tupelo on Saturday and the days following the airplane theft and threats. He stated that the City of Tupelo and other emergency officials handled the situation as well as anyone could have done. He gave kudos to them and thanked them for their service.

IN THE MATTER OF PUBLIC HEARING FOR 2022 TAX LEVY

No one spoke concerning the public hearing for the 2022 tax levy.

IN THE MATTER OF PUBLIC HEARING FOR LOT MOWING

No one appeared to speak at the public hearing for the following properties on the final lot mowing list:

<u>Parcel</u>	<u>Location</u>
089P3100900	407 W MAIN ST
083U0707700	4400 N GLOSTER ST
083U0707600	4432 N GLOSTER ST
077Q3606500	212 S HIGHLAND DR
077F2617900	709 LAR-ELI-DO DR
101B0213600	319 MONUMENT DR
105D1502400	2922 BEASLEY DR
072N0903800	4704 ENDVILLE RD
077F2613400	1830 W JACKSON ST
105D1505100	3091 MOORE AVE
077E2601200	2205 HOLLY HILL DR

101M1202400 2006 FILLMORE DR
101H0109800 1001 CLEVELAND ST

IN THE MATTER OF PUBLIC HEARING FOR PROPERTY CLEANING OF 394 S. GREEN STREET AND 416 S. GREEN STREET

No one spoke at the public hearing for the following properties on the need for cleaning of:

394 S Green Street
416 S Green Street

IN THE MATTER OF APPROVAL OF MINUTES OF REGULAR MEETING ON AUGUST 19, 2022 AND SPECIAL CALLED MEETING ON AUGUST 23, 2022

Council Member Beard moved, seconded by Council Member Gaston, to approve the minutes of the Regular City Council meeting held on August 16, 2022 and the Special Called Meeting on August 23, 2022. The vote was unanimous in favor.

IN THE MATTER OF BILL PAY

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

IN THE MATTER OF THE TAX ROLL FOR THE 2022 TAX YEAR

Council Member Davis moved, seconded by Council Member Beard, to approve the tax roll for the 2022 tax year. The vote was unanimous in favor. APPENDIX C

IN THE MATTER OF APPROVAL TO SUBMIT 2022 MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM APPLICATIONS

Grant Writer Abby Christian, addressed the Council asking for approval to submit the 2022 Mississippi Municipality and County Water Infrastructure Grant Program Applications for reimbursement matching (on a one-to-one) basis for the expenditure of Tupelo's American Rescue Plan Act (ARPA) funds. Council Member Beard moved, seconded by Council member Mims to approve the submission of the applications. The vote was unanimous in favor. APPENDIX D

IN THE MATTER OF APPROVAL OF SUBMISSION OF RAILROAD CROSSING ELIMINATION (RCE) PROGRAM FY 22

Grant Writer Abby Christian requested approval to submit the grant application for the Railroad Crossing Elimination (RCE) Program FY 2022. If awarded the grant required a 20% match. Council Member Davis moved, seconded by Council Member Palmer, to approve the submission of this application. The vote was unanimous in favor. APPENDIX E

IN THE MATTER OF ACCEPTANCE OF 2019 HOMELAND SECURITY REALLOCATION FUNDING

Grant Writer Abby Christian requested approval to accept a 2019 Homeland Security Reallocation Grant for the Police Academy, in the amount of \$106,568.43. Council Member Beard moved, seconded by Council Member Palmer, to approve the acceptance of the grant. The vote was unanimous in favor. APPENDIX F

IN THE MATTER OF APPROVAL OF SUBMISSION OF GRANT FOR FIRE DEPARTMENT BALLISTIC VESTS

Grant Writer Abby Christian requested approval of the application submission of the Firehouse Subs Public Safety Foundation grant. The grant is approximately \$22,000 with no match. Council Member Davis moved, seconded by Council Member Gaston to approve the application submission. The vote was unanimous in favor. APPENDIX G

IN THE MATTER OF TO ADOPTION OF RESOLUTION AUTHORIZING THE SUBMISSION OF APPLICATIONS AND DESIGNATING AUTHORIZED REPRESENTATIVE OF THE 2022 MISSISSIPPI MCWI GRANT PROGRAM

Council Member Gaston moved, seconded by Council Member Jones, to adopt a RESOLUTION AUTHORIZING THE SUBMISSION OF APPLICATIONS AND DESIGNATING AUTHORIZED REPRESENTATIVE OF THE 2022 MISSISSIPPI (MCWI) MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM. The vote was unanimous in favor. APPENDIX H

IN THE MATTER OF RATIFICATION OF CONTRACT FOR BID NO. 2022-001PW CITY STREET MICRO-RESURFACING

DDS Director Tanner Newman, on behalf of City Engineer Dennis Bonds, requested the ratification of a contract between the City of Tupelo and Vance Brothers, Inc. for Bid # 2022-001PW City Street Micro-Resurfacing. This bid was awarded at a Council meeting in February, 2022. Council Member Beard moved, seconded by Council Member Mims, to approve the ratification of the contract. The vote was unanimous in favor. APPENDIX I

IN THE MATTER OF PROPERTIES FOR LOT MOWING

Council Member Palmer moved, seconded by Council Member Beard, to adjudicate the properties on the submitted, final lot mowing list as being in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community and directed city departments to mow them or have them mowed. The vote was unanimous in favor. APPENDIX J

IN THE MATTER OF APPROVAL OF CLEANING AND DEBRIS REMOVAL OF 394 SOUTH GREEN STREET AND 416 SOUTH GREEN STREET

Council Member Mims moved, seconded by Council Member Beard, to adjudicate the properties located at 394 South Green Street and 416 South Green Street as being in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community and approve the cleaning and debris removal. The vote was unanimous in favor. APPENDIX K

IN THE MATTER OF APPROVAL OF LIEN RESOLUTION FOR UNPAID DEMOLITION

Council Member Palmer moved, seconded by Council Member Davis, to approve a Resolution Adjudicating Cost and Assessing Lien Against Real Property, under Miss. Code Ann. 21-19-11(1972 as amended) for:

3492 Robert Kennedy Dr. (PARCEL: 105H-15-012-00)

The property had been previously adjudicated a menace to the public health, safety and welfare of the community and in need of cleaning and cleaned pursuant to Miss. Code Ann. 21-19-11 (1972 as amended). The vote was unanimous in favor. APPENDIX L

IN THE MATTER OF APPROVAL OF DEVELOPMENT AGREEMENT FOR BUTLER PARK PHASE II RESIDENTIAL SUBDIVISION

Council Member Gaston moved, seconded by Council Member Beard, to approve the Real Estate Development Agreement for Butler Park, LLC between Butler Park, LLC and the City of Tupelo. The vote was unanimous in favor. APPENDIX M

IN THE MATTER OF ACCEPTANCE OF PLANNING COMMITTEE MINUTES OF JULY 25, 2022; EXCEPT APPLICATION TA22-02

Council Member Palmer moved, seconded by Council Member Beard to accept the Planning Committee minutes of the July 25, 2022 meeting, except application TA22-02. The vote was unanimous in favor. APPENDIX N

IN THE MATTER OF APPROVAL OF MAJOR SUBDIVISION AND PRELIMINARY PLAT APPLICATION FOR "THE PRESLEY" RESIDENTIAL SUBDIVISION

Council Member Mims moved, seconded by Council Member Beard, to approve the Major Subdivision and Preliminary Plat Application for "The Presley" Residential Subdivision. The vote was unanimous in favor. APPENDIX O

IN THE MATTER OF APPROVAL OF DEVELOPMENT AGREEMENT FOR "THE PRESLEY" RESIDENTIAL SUBDIVISION

Council Member Palmer moved, seconded by Council Member Mims, to approve the Development Agreement for "The Presley" residential subdivision. The vote was unanimous in favor. APPENDIX P

IN THE MATTER OF SURPLUSING WEAPON FOR RETIREMENT OF JOHN MOSES

Council Member Beard moved, seconded by Council Member Davis, to surplus the Glock model 45 9mm, SN BKLR988 and allow Lt. John Moses to purchase same in the amount of \$1.00 upon his retirement from the City of Tupelo Police Department, as permissible under Mississippi State Statue 45-9-131. The vote was unanimous in favor. APPENDIX Q

IN THE MATTER OF BID APPROVAL FOR MATERIALS AND DELIVERY – 12 MOS SUPPLY – 2022-029PW AND ALTERNATES

Bids were received by the City of Tupelo for Bid # 2022-029PW for Materials and Delivery - 12 Months Supply. Council Member Davis moved, seconded by Council Member Beard, to award the lowest and best bids and designate alternate suppliers if needed as indicated in APPENDIX R. The vote was unanimous in favor. APPENDIX R

IN THE MATTER OF BID APPROVAL FOR THE CLARK PLACE DRAINAGE – ARCH PIPE REPLACEMENT REBID PROJECT - BID NO. 2022-030PW

Bids were received for Bid # 2022-030PW - Clark Place Drainage - Arch Pipe Replacement Rebid. Public Works Director Chuck Williams recommended that the bid be awarded to the lowest and best bid of Cook & Son, LLC in the amount of \$292,888.05 and to authorize, after legal review, the Mayor and City Clerk to execute the contract documents subject to subsequent ratification. Council Member Beard moved, seconded by Council Member Gaston, to award the bid, as requested and authorize the execution of the contract documents. The vote was unanimous in favor. APPENDIX S

IN THE MATTER OF APPROVAL OF BANCORPSOUTH ARENA MINUTES OF JULY 25, 2022

Council Member Gaston moved, seconded by Council Member Mims, to accept the Bancorpsouth Arena minutes of the July 25, 2022, meeting. The vote was unanimous. APPENDIX T

IN THE MATTER OF REQUEST FOR APPROVAL OF TUPELO WATER & LIGHT SURPLUS ITEMS AND SALE BY SEALED BID

TWL Director Johnny Timmons requested that items, no longer needed by the City of Tupelo, be declared surplus and removed from the asset list of Tupelo Water & Light, and to sell these items by sealed bid. The items were:

2001 International 2554 w/Sewer Vactor, VIN 5223 (Unit #2)
Boring Machine w/Trailer, S/N 2M1810 (Unit BM-1)

Council Member Palmer moved, seconded by Council Member Beard, to find the items no longer needed by the city, surplus the items and dispose of them by a sealed bid process. The vote was unanimous in favor. APPENDIX U

IN THE MATTER OF APPROVAL OF 2022-2023 LEE COUNTY E911 INTERLOCAL AGREEMENT AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID AGREEMENT

Council Member Davis moved, seconded by Council Member Beard, to approve the 2022-2023 Lee County E911 Interlocal Agreement and authorize the Mayor and City Clerk to execute said agreement. The vote was unanimous in favor. APPENDIX V

IN THE MATTER OF ACCEPTANCE OF DEEDS TO REAL PROPERTY FOR 820 BLAIR STREET, 108 ELVIS PRESLEY DRIVE, 202 ELVIS PRESLEY DRIVE, 2983 S. GREEN STREET, 817 BLAIR STREET, 115 LAWDALE DRIVE, 508 N. MADISON STREET, AND 209 TOLBERT STREET

Council Member Palmer moved, seconded by Council Member Davis to accept the deeds to real property previously purchased or accepted as a donation by the City, as follow:

820 Blair Street
108 Elvis Presley Dr
202 Elvis Presley Dr
2983 S Green St
817 Blair Street
115 Lawndale Dr
508 N Madison St
209 Tolbert St

The vote was unanimous in favor of accepting these deeds; copies of the deeds are attached to these Minutes as APPENDIX W.

IN THE MATTER OF RATIFICATION OF ENGINEERING CONTRACTS FOR AMERICAN RESCUE PLAN ACT (ARPA) AND MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE (MCWI) GRANT PROGRAM

At a Special Called Meeting on August 23, 2022, the City Council awarded three (3) engineering contracts for the American Rescue Plan Act (ARPA) and Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program to Engineering Solutions, Inc. (ESI); Cook Coggin Engineers (CCE) and to Dabbs Corporation. Council Member Beard moved, seconded by Council Member Gaston to ratify the contracts, as submitted, for the engineering work. The vote was unanimous in favor.
APPENDIX X

IN THE MATTER OF AMENDMENT TO 2018 INTERNATIONAL RESIDENTIAL CODE AND CODE OF ORDINANCES CHAPTER 7 - BUILDINGS AND BUILDING REGULATIONS ARTICLE XII - RENTAL HOUSING CODE SECTION 7-216 REQUIRING OVERHEAD RANGE HOOD OR DOWNDRAFT EXHAUST EQUIPMENT

Council Member Davis moved, seconded by Council Member Beard, to approve the ORDINANCE AMENDING PROVISIONS OF CHAPTER 7, ARTICLE VIII MECHANICAL CODE, ARTICLE IX RESIDENTIAL CODE AND ARTICLE XII RENTAL HOUSING CODE OF THE CITY OF TUPELO, MISSISSIPPI. The vote was unanimous in favor. APPENDIX Y

IN THE MATTER OF REZONING APPLICATION RZ22-03

Upon the unanimous agreement of the City Council, the MATTER OF REZONING APPLICATION RZ22-03 was moved from the Study Agenda to the Active Agenda at the next Regular meeting of the City Council.

**IN THE MATTER OF COMPREHENSIVE DEVELOPMENT CODE UPDATE APPLICATION
TA22-03**

Upon the unanimous agreement of the City Council, the Rezoning Application RZ22-03 was moved from the Study Agenda to the Active Agenda at the next Regular meeting of the City Council.

ADJOURNMENT

There being no further business to come before the Council at this time, Council Member Palmer moved, seconded by Council Member Mims, to adjourn the meeting. The vote was unanimous in favor. This, the 6th day of September, 2022, at 6:38 p.m.

Lynn Bryan, President
City Council

ATTEST:

Missy Shelton, Clerk of the Council

Todd Jordan, Mayor

Date