

# **REGULAR CITY COUNCIL MEETING**

## **MUNICIPAL MINUTES CITY OF TUPELO**

### **STATE OF MISSISSIPPI**

**APRIL 20, 2021**

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, April 20, 2021, at 6:00 p.m. with the following in attendance: Council members Markel Whittington, Lynn Bryan, Travis Beard, Nettie Davis, Buddy Palmer, and Willie Jennings; Attorney Ben Logan and Missy Shelton, Clerk of the Council. Councilman Mike Bryan attended by phone.

Councilwoman Nettie Davis introduced Craig Shannon, who led the invocation. Councilman Willie Jennings asked Fire Chief Thomas Walker to lead the pledge of allegiance.

Council Vice-President Buddy Palmer called the meeting to order at 6:00 PM.

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

Council Member L Bryan moved, seconded by Council Member Whittington, to confirm the agenda and agenda order. The vote was unanimous in favor.

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

#### **PROCLAMATIONS**

#### **IN THE MATTER OF NATIONAL INFERTILITY AWARENESS WEEK PROCLAMATION**

Mayor Shelton presented a proclamation to Kristin Kiste for National Infertility Awareness Week. APPENDIX A

#### **IN THE MATTER OF 2020 MML EXCELLENCE AWARD RECOGNITION FOR CITY SPIRIT, POPULATION OVER 10,000 "NEW YEAR'S EVE PARTY"**

Mayor Shelton presented the 2020 Municipal Excellence Award to Debbie Brangenberg, Downtown Main Street Director. The City recently received the 2020 City Spirit award for cities over 10,000 in population for the New Year's Eve Party. Mrs. Brangenberg spoke briefly thanking all the City departments for the hard work and effort that was put into the celebration.

## **PUBLIC RECOGNITIONS**

Councilman Jennings reminded everyone to get the Covid vaccine. He also reminded registered voters to be sure to vote in the municipal runoff election on April 27.

Councilwoman Davis invited all to the Gumtree Park for the Spring Fest on May 22. Senator Raphael Warnock will be the guest speaker. She reminded everyone to be sure to vote in the General Election on June 8.

## **MAYOR'S REMARKS**

Mayor Shelton extended his condolences to Councilman Jennings on the death of his mother-in-law. He also asked that everyone remember the two children that were recently hurt in the school bus accident in Mooreville. He reminded concerning the upcoming elections and also encouraged all to get the Covid vaccine. The mask mandates for the City of Tupelo properties were removed with Executive Order 21-002. Fire Chief Thomas Walker was recognized for being voted Best Fire Fighter of Lee County and Lucia Randle was recognized for being voted Best Woman in Lee County, by the Lee County Courier poll.

## **PUBLIC AGENDA**

### **PUBLIC HEARINGS**

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

No one appeared for the Public Hearing for lot mowings.

Parcel	Location
077F2611100	1403 BRISTOW DR
077F2601200	1410 BRISTOW DR
089K3111700	414 N GREEN ST
089K3104100	420 N GREEN ST
089K3104000	421 N GREEN ST
089K3104500	430 N GREEN ST
089K3103800	431 N GREEN ST UNIT A & B
089F3022600	647 N SPRING ST
089K3111900	411 N GREEN ST UNIT A-C

## **ACTION AGENDA**

### **IN THE MATTER OF RATIFICATION OF EXECUTIVE ORDER 21-002**

Council Member Whittington moved, seconded by Council Member Jennings, to ratify Executive Order 2021-002 concerning the COVID-19 pandemic. The vote was unanimous in favor. APPENDIX B

## **ROUTINE AGENDA**

### **IN THE MATTER OF MINUTES OF REGULAR CITY COUNCIL MEETING ON APRIL 6, 2021**

Council Member Beard moved, seconded by Council Member Davis, to approve the minutes of the Regular Council meeting of April 6, 2021, The vote was unanimous in favor.

### **IN THE MATTER OF BILL PAY**

Bills were reviewed at 4:30 p.m. by Council members: Markel Whittington, Travis Beard, Lynn Bryan and Buddy Palmer; Accounts Payable Clerk, Traci Dillard; and Johnny Timmons. Council Member Whittington 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 C

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

Council Member Beard moved, seconded by Council Member Whittington, to approve the advertising and promotional expenses, as presented. The vote was unanimous in favor. APPENDIX D

### **IN THE MATTER OF APPROVAL TO SUBMIT 2020 HOT SPOT POLICING APPLICATION**

Grant Writer Abby Christian, requested that the Council approve the submission of a Hot Spot grant in the approximate amount of \$20,000, which will fund the purchase of cameras to be placed throughout the City of Tupelo in high crime areas, etc. A 25% match is possible, but will most likely be waived, as it was in previous years. Council Member M Bryan moved, seconded by Council Member Davis, to approve the submission of the 2020-MU-BX-0053 Edward Byrne Memorial Justice Grant. The vote was unanimous in favor. APPENDIX E

### **IN THE MATTER OF PURCHASE OF TWO TRACTS OF LAND ON ELVIS PRESLEY DRIVE BY CITY OF TUPELO AND ELVIS PRESLEY BIRTHPLACE FROM THE COTTAGES AT THE BIRTHPLACE, LLC, AND ACCEPTANCE OF DONATION OF INTEREST FROM ELVIS PRESLEY FOUNDATION**

After a brief discussion concerning the purchase, Council Member L Bryan moved, seconded by Council Member Jennings to purchase two tracts of land on Elvis Presley Drive from The Cottages at the Birthplace, LLC, and accept the donation of the interest to be acquired by the Elvis Presley Memorial Foundation. The purchase price is \$70,000. The appraised value is \$60,000, and the City will fund \$60,000 with the Elvis Presley Memorial Foundation paying the difference, of \$10,000, of the appraised price and the asking price. The EP Memorial Foundation will donate its interest to the City after the sale. The vote was unanimous in favor. APPENDIX F

**IN THE MATTER OF RESOLUTION OF AGREEMENT BETWEEN CITY OF TUPELO AND LEE COUNTY REGIONAL ECONOMIC DEVELOPMENT ALLIANCE REGARDING SHARING OF WATER FLUSHING COSTS**

Council Member Davis moved, seconded by Council Member Beard, to approve a Resolution of Agreement between the City of Tupelo and Lee County Regional Economic Development Alliance. The agreement sets forth the agreement regarding sharing of costs for water service flushing at the Hive project. The vote was unanimous in favor. APPENDIX G

**IN THE MATTER OF ORDER DECLARING THE TEMPORARY CITY-WIDE LEISURE AND RECREATION DISTRICT ENDED AND RESUMPTION OF THE DOWNTOWN TUPELO LEISURE AND RECREATION DISTRICT**

Council Member Beard moved, seconded by Council Member Davis, to approve the Order declaring that the Temporary City-Wide Leisure and Recreation District established by ordinance on April 8, 2020, shall cease and revert to the boundaries of the Downtown Leisure and Recreation District as originally adopted by the City of Tupelo. The temporary Ordinance passed in April, 2020, will be removed and the previous leisure and downtown recreation district restored due to restrictions of the Covid 19 pandemic being removed by the Governor. The vote was unanimous in favor. APPENDIX H

**IN THE MATTER OF CHANGE ORDER #1 FOR JACKSON (CLAYTON TO MADISON)**

Council Member Jennings moved, seconded by Council Member Davis, to approve change order #1 for bid # 2020-015MT, Jackson Street Improvements Clayton - Madison. The change order includes both additions and deletions, ending with a total addition of price in the amount of \$6,349.00. The change order is commercially reasonable and not for the purpose of avoiding procurement law. A copy of the change order is attached to these minutes as APPENDIX I. The vote was unanimous in favor of the change order.

**IN THE MATTER OF MAJOR THOROUGHFARE COMMITTEE MINUTES FOR FEBRUARY 8 AND MARCH 8, 2021**

Council Member Jennings moved, seconded by Council Member Beard, to approve the February 8 and March 8, 2021, minutes of the Major Thoroughfare Committee. The vote was unanimous in favor. APPENDIX J

#### **IN THE MATTER OF PLANNING COMMITTEE MINUTES FOR APRIL 5, 2021**

Council Member Whittington moved, seconded by Council Member Beard, to approve the April 5, 2021, minutes of the Planning Committee. The vote was unanimous in favor. APPENDIX K

#### **IN THE MATTER OF REVIEW DEVELOPMENT AGREEMENT**

Council Member Davis moved, seconded by Council Member Beard, to approve the Real Estate Development Agreement for the housing development located on Kincannon Drive for 11 houses. The vote was unanimous in favor. APPENDIX L

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

DDS Director Pat Falkner asked the Council to approve 69 lot mowing resolutions adjudicating cost and assessing lien against real property. Council Member Jennings moved, seconded by Council Member Beard, to approve the request. A list of the properties and copies of the resolutions are attached to these minutes as APPENDIX M. The vote was unanimous in favor.

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

Council Member Beard moved, seconded by Council Member Whittington, that the final lot mowing list be approved. The vote was unanimous in favor and a copy of the list is attached to these minutes as APPENDIX N.

#### **IN THE MATTER OF SURPLUSING A PATROL VEHICLE**

Police Chief Bart Aguirre requested the Council to surplus a 2009 Ford Crown Victoria VIN# 1400 and to transfer it to the Tupelo Airport Authority. This vehicle is no longer need by the Police Department. Council Member Davis moved, seconded by Council Member Beard, to approve the surplus and transfer. APPENDIX O

#### **IN THE MATTER OF BID APPROVAL – BULLDOZER – 2021-008PW**

The City received bids, by reverse auction, for the purchase of a Bulldozer for use by the Public Works Department with Bid # 2021-008PW. Two bids were received, and Public Works Director Chuck Williams asked that the lowest and best of the two, Stribling Equipment \$150,000, be awarded. Council Member Whittington moved, seconded by Council Member Beard, to award the lowest bid of Stribling Equipment in the amount of \$150,000. APPENDIX P

#### **IN THE MATTER OF BID APPROVAL – DUMP TRUCK – 2021-009PW**

The City of Tupelo received bids, by reverse auction, to purchase a dump truck with Bid # 2021-009PW. Three bids were received, and a determination was made to request the award to Truck Worx in the amount of \$124,708.94. This bid was \$708.94 higher than the lowest bid, but the item will be delivered in 90 days instead of 230 days, and is, therefore, determined to be the lowest and best bid. Council Member Whittington moved, seconded by Council Member Davis, to approve the award of Bid 2021-009PW Dump Truck to Truck Worx as the lowest and best bid. The vote was unanimous in favor. APPENDIX Q

#### **IN THE MATTER OF BID APPROVAL 2021-010PW CAPITAL PAVING**

Sealed bids were received by the City for bid # 2021-001PW - Capital Paving. Two bids were received with Murphree Paving being the lowest and best bid in the amount of \$3,653,750. Public Works Director Chuck Williams requested that the Council award this bid to Murphree Paving in the amount of \$3,653,750. Council Member Beard moved, seconded by Council Member Davis, to award the bid to Murphree Paving, as requested. The vote was unanimous in favor. APPENDIX R

#### **IN THE MATTER OF AWARD OF CONTRACT FOR CAPITAL PAVING**

Council Member Lynn Bryan moved, seconded by Council Member Whittington, to award the attached contract for Bid #2021-010PW - Capital Paving, in the amount of \$3,653,750 to Murphree Paving and to give the Mayor and City Clerk the authority to execute the documents. The vote was unanimous in favor. APPENDIX S

#### **IN THE MATTER OF BID APPROVAL – TPD PARKING LOT – 2021-011PW**

Bids were received for Bid # 2021-011PW - Tupelo Police Department Parking Lot. Public Works Director Chuck Williams requested that the bid be awarded to Tri-Lakes Asphalt as the lowest and best bid in the amount of \$134,625. Council Member Davis moved, seconded by Council Member Beard, to approve the bid of \$134,625 to Tri-Lakes Asphalt. The vote was unanimous in favor. APPENDIX T

#### **IN THE MATTER OF AWARD OF CONTRACT FOR TUPELO POLICE DEPARATMENT PARKING LOT**

Council Member Whittington moved, seconded by Council member Jennings, to award the contract for Bid # 2021-011PW - Tupelo Police Department Parking Lot, to Tri-Lakes Asphalt in the amount of \$134,625.00 and to give the Mayor and City Clerk the authority to execute the documents. The vote was unanimous in favor. APPENDIX U

#### **IN THE MATTER OF CVB MINS, APRIL 8, 2021**

Council Member Beard moved, seconded by Council Member Whittington, to accept the minutes of the Convention and Visitor Board of April 8, 2021. The vote was unanimous in favor. APPENDIX V

**IN THE MATTER OF BID AWARD 2021-007WL**

Bids were received by the City of Tupelo for Bid # 2021-007WL - SW Substation to NW Substation 46kV Pole Change-Out. The lowest and best bid was determined to be from Groves Electric Services in the amount of \$740,642.35. Council Member Davis moved, seconded by Council Member Beard, to award the lowest and best bid to Groves Electric Services. The vote was unanimous in favor. APPENDIX W

**IN THE MATTER OF APPROVAL OF CONTRACT WITH T.L. WALLACE CONSTRUCTION, INC. FOR BID 2021-003WL**

Council Member Whittington moved, seconded by Council Member Davis, to approve the contract for Bid # 2021-003WL - Hive Sewer Line to T.L. Wallace Construction, Inc., which was awarded at a previous meeting of the Council. The vote was unanimous in favor. APPENDIX X

**IN THE MATTER OF APPROVAL TO SURPLUS A 2013 FORD F-150 TRUCK**

Johnny Timmons, TWL Director, asked that the Council approve the surplus of a 2013 Ford F-150 VIN # 5351, no longer needed by the City, due to an accident involving the vehicle. Insurance has settled with the City and the vehicle should now be declared surplus and scrapped. Council Member Beard moved, seconded by Council Member Whittington, to approve the surplus of the 2013 Ford F-150 and sell as scrap. The vote was unanimous in favor. APPENDIX Y

**IN THE MATTER OF AN EMERGENCY BATTERY PURCHASE FOR EAST TUPELO SUBSTATION**

TWL Director Johnny Timmons asked the Council to approve the emergency purchase for a new battery system at the East Tupelo Substation. He explained that lightning recently struck and destroyed the battery system, which is currently running off a backup system. The time necessary to acquire a new system by competitive quotes or bids would leave the substation vulnerable to becoming inoperable. Council Member Beard moved, seconded by Council Member Lynn Bryan, to approve the emergency purchase of a new battery system in the amount of \$24,047.00 from Swift Industrial Power. The vote was unanimous in favor. APPENDIX Z

**STUDY AGENDA**

**IN THE MATTER OF DETERMINATION THAT HABITAT FOR HUMANITY IS A SOCIAL AND COMMUNITY SERVICE PROGRAM FOR PURPOSES OF MATCHING GRANT**

The Council instructed to move the Study Agenda item up to the Routine Agenda. Council member Lynn Bryan moved, seconded by Council Member Beard, to suspend the rules and move the item up for a vote tonight. The vote was unanimous in favor.

Council Member Jennings moved, seconded by Council Member Davis, to approve the Determination that Habitat for Humanity is a Social and Community Service Program and to approve a matching grant in the amount of \$5,000 for the project. The vote was unanimous in favor. APPENDIX AA

**ADJOURNMENT**

There being no further business to come before the Council at this time, Council Member Jennings moved, seconded by Council Member Whittington, to adjourn the meeting at 6:45 p.m. The vote was unanimous in favor.

This the 20th day of April, 2021.

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Mike Bryan, President  
City Council

ATTEST:

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Missy Shelton, Clerk of the Council

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Jason Shelton, Mayor

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Date