

REGULAR CITY COUNCIL MEETING

MUNICIPAL MINUTES CITY OF TUPELO

STATE OF MISSISSIPPI

AUGUST 02, 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, August 2, 2022, at 6:00 p.m. with the following in attendance: Council Members Travis Beard, Lynn Bryan, Nettie Davis, Buddy Palmer, Janet Gaston and Rosie Jones; Ben Logan, City Attorney and Missy Shelton, Clerk of the Council. Council Member Chad Mims attended by ZOOM. Council Member Chad Mims gave the invocation and Council Member Travis Beard introduced members of Boy Scout Troop # 12, who 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 Palmer, to approve the agenda and agenda order, with the following additions:

ADD:

Item 32 In the Matter of Review/Approve/Reject Bid # 2022-027CO Fairpark Restrooms

Item S2 In the Matter of Speed Table Procedures and Policy

The vote was unanimous in favor.

RECOGNITION GIRL/BOY SCOUTS

Mayor Todd introduced and welcomed three members of Boy Scout Troop #12, as follows:

Tanner Jones, Colton Greer, Will Perry
Leader Duke Loden

PUBLIC RECOGNITION

Council Member Janet Gaston congratulated the City of Tupelo and the Tupelo Aquatic Center for successfully hosting the 2022 USA Swimming Championship. There were 533 swimmers and over 1700 spectators. She gave special thanks to all the volunteers and the following people: Barbara Aguirre, Ashley Martin, Jennifer Pannell, Nell Roberts, Allison Goodman and Cameron Brandeau.

Council Member Rosie Jones gave special thanks to all who were involved in the 2022 Dancing Like the Stars. The event raised over \$266,000 for the Northeast MS Boys and Girls Club.

Council Member Buddy Palmer said he hoped that the Major Thoroughfare Committee was listening and that Eason Blvd needs to be three-laned.

Council Member Nettie Davis thanked everyone who worked so diligently on the Lee Williams event. She also congratulated the Aquatic Center on a job well done at the recent swim meet. And, last of all, she thanked everyone for the birthday wishes.

Council Member Lynn Bryan gave a shout out to the VFW Post #40 for helping a 95 year old Korean War Veteran with repairs. Post President Joe Torrent with fellow member Jimmy Clark worked in the hot sun to repair the man's mail box.. He wished Council Member Davis a happy 35th birthday and said that he and his wife will celebrate their 32nd anniversary tomorrow. Then, Mr. Bryan apologized for his curtness with Leslie Mart at the last Council meeting. He said there was an urgency to end the work session so the next meeting could begin, but apologized for his rudeness.

MAYOR'S REMARKS

Mayor Todd Jordan congratulated the Tupelo Aquatic Center and all those involved in the recent swim meet. He thanked the Council for all the support they give in the projects the City brings to the table and wished Mrs. Nettie a happy birthday.

PUBLIC HEARINGS

IN THE MATTER OF A PUBLIC HEARING OF THE CITY OF TUPELO BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023

The following individuals were present to address this issue:

Jeff Tomlinson	Lee County Library
Robbie Parham	Regional Rehabilitation Center
Lee Connor and son, Connor	Regional Rehabilitation Center

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>
089J3121200	905 ALLEN STREET
089j3118902	910 ALLEN STREET
077Q3621900	202 ENOCH AVE

IN THE MATTER OF PUBLIC HEARING FOR PROPERTY CLEANING AND DEBRIS REMOVAL OF 1015 CHICKASAW TRAIL

No one appeared to speak at the Public Hearing for the property cleaning and debris removal of 1015 Chickasaw Trail.

CITIZEN HEARING

The following spoke in opposition to the Major Site Plan of the Flowerdale Apartment Development:

- 1. Frank Anger
- 2. Adrian Caldwell
- 3. Sharon Cresswell

The following were unable to attend the meeting and entered a statement in opposition to the Major Site Plan of the Flowerdale Apartment Development:

- 1. Beverly Blaylock APPENDIX A
- 2. Dan Franklin APPENDIX B
- 3. Walter Partlow APPENDIX C

ACTION AGENDA

IN THE MATTER OF REVIEW/APPROVE/REJECT MAJOR SITE PLAN APPLICATION MSP22-01 FOR FLOWERDALE COMMONS APARTMENT DEVELOPMENT

Council Member Palmer made a motion to reject the major site plan application MSP22-01 for Flowerdale Commons Apartment Development, which was seconded by Council Member Mims. After each Council Member commented on their position of the development, the vote was as follows:

- Chad Mims AYE
- Lynn Bryan NAY
- Travis Beard NAY
- Nettie Davis NAY
- Buddy Palmer AYE
- Janet Gaston AYE
- Rosie Jones NAY

With a vote of 3-4, the motion failed.

Council Member Davis moved, seconded by Council Member Jones, to approve the ORDER APPROVING MAJOR SITE PLAN APPLICATION MSP22-01 FOR FLOWERDALE COMMONS APARTMENT DEVELOPMENT. When called for a vote, the motion passed 4-3, as follows:

- Chad Mims NAY
- Lynn Bryan AYE

Travis Beard	AYE
Nettie Davis	AYE
Buddy Palmer	NAY
Janet Gaston	NAY
Rosie Jones	AYE

APPENDIX D

IN THE MATTER OF REVIEW/APPROVE/REJECT MAJOR SITE PLAN APPLICATION MSP22-02 FOR TULIP CREEK APARTMENT DEVELOPMENT

Council Member Palmer made a motion to reject the major site plan application MSP22-02 for Tulip Creek Apartment Development, which was seconded by Council Member Gaston. After each Council Member was given the opportunity to speak, the vote was as follows:

Chad Mims	AYE
Lynn Bryan	NAY
Travis Beard	NAY
Nettie Davis	NAY
Buddy Palmer	AYE
Janet Gaston	AYE
Rosie Jones	NAY

With a vote of 3-4, the motion failed.

Council Member Davis moved, seconded by Council Member Beard, to approve the ORDER APPROVING MAJOR SITE PLAN APPLICATION MSP22-02 FOR TULIP CREEK APARTMENT DEVELOPMENT. When called for a vote, the motion passed 4-3, as follows:

Chad Mims	NAY
Lynn Bryan	AYE
Travis Beard	AYE
Nettie Davis	AYE
Buddy Palmer	NAY
Janet Gaston	NAY
Rosie Jones	AYE

APPENDIX E

ROUTINE AGENDA

IN THE MATTER OF APPROVAL OF MINUTES OF REGULAR MEETING OF JULY 19 AND SPECIAL CALLED MEETING OF JULY 26, 2022

Council Member Palmer moved, seconded by Council Member Beard, to approve the minutes of the Regular City Council meeting held on July 19, 2022, and the Special Called meeting held on July 26, 2022. The vote was unanimous in favor

IN THE MATTER OF BILL PAY

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

IN THE MATTER OF ADVERTISING AND PROMOTIONAL ITEMS

Council Member Beard moved, seconded by Council Member Davis, to approve the request for advertising and promotional items, as submitted. The vote was unanimous in favor. APPENDIX G

Council Member Gaston recused herself from the room for the next item of business.

IN THE MATTER OF (4) NEW BANK ACCOUNTS-STATE FUNDS

Kim Hanna, CFO/City Clerk, requested to be allowed to open four new bank accounts for the purpose of receiving and expending State Funds from the MS Department of Finance and Administration for the Endville Road Improvements, Ballard Park Refurbish, Elvis Presley Bus Turnaround and McCullough Blvd Improvements. MS DFA requires that the funding for each project be maintained separately. Council Member Beard moved, seconded by Council Member Palmer, to allow the opening of the four new bank accounts as stated above. The vote was, as follows:

Chad Mims	AYE
Lynn Bryan	AYE
Travis Beard	AYE
Nettie Davis	AYE
Buddy Palmer	AYE
Janet Gaston	ABSTAINED
Rosie Jones	AYE

APPENDIX H

Council Member Gaston rejoined the meeting in process.

IN THE MATTER OF BUDGET AMENDMENT #8 FOR FY 2022

Council Member Davis moved, seconded by Council Member Beard, to approve budget amendment #8 for FY 2022. The vote was unanimous in favor. APPENDIX I

IN THE MATTER OF APPOINTMENT OF MIKE ARMOUR TO COLISEUM BOARD

Council Member Gaston moved, seconded by Council Member Palmer, to appoint Mike Armour to the Coliseum Commission for a 4-year term, effective immediately. APPENDIX J

IN THE MATTER OF LOT MOWING

Council Member Beard moved, seconded by Council Member Palmer, to adjudicate the following properties on the public hearing lot mowing list, which were in such a condition to be a menace to the public health, safety and welfare of the community and in need of mowing pursuant to Miss. Code Ann. 21-19-11 (1972) as amended. The vote was unanimous in favor. APPENDIX K

IN THE MATTER OF REVIEW/APPROVE CLEANING AND DEBRIS REMOVAL OF 1015 CHICKASAW TRAIL

Council Member Beard moved, seconded by Council Member Davis, to adjudicate the following properties on the public hearing clean up list, which were in such a condition to be a menace to the public health, safety and welfare of the community and in need of cleaning and debris removed pursuant to Miss. Code Ann. 21-19-11 (1972) as amended:

1015 Chickasaw Trail

The vote was unanimous in favor. APPENDIX L

IN THE MATTER OF UNMARKED VEHICLE RESOLUTION

Police Chief John Quaka submitted a Resolution with a current list of vehicles that the Tupelo Police Department maintain as unmarked. Council Member Davis moved, seconded by Council Member Palmer to approve the resolution. The vote was unanimous in favor. APPENDIX M

IN THE MATTER OF APPROVAL OF REQUEST TO ALLOW POLICE OFFICERS TO WEAR POLICE UNIFORM AND ISSUE PROPER EQUIPMENT FOR SECURITY AND DETERRENT AT THE BANCORPSOUTH ARENA AND AT THE MALL AT BARNES CROSSING

Police Chief John Quaka submitted a request and list of officers to allow City of Tupelo Police Officers be able to wear their police uniforms and to have proper city-issued equipment for help with security and deterrence at the BancorpSouth Arena and the Mall at Barnes Crossing when working off-duty private security. Pursuant to city policy and as allowed by Miss. Code Anno. Sec. 17-25-11 (1972 as amended), compensation and liability and workers compensation insurance for the officers will be provided by the place of employment where the officer is performing private security duties.

Upon a motion made by Council Member Palmer, seconded by Council Member Beard, the Council voted unanimously to grant this request and list allowing Police Officers to wear their police uniform and have proper city-issued equipment to work private security at BancorpSouth Arena and the Mall at Barnes Crossing. A copy of the letters of request and a list of the officers are attached to these minutes as APPENDIX N

IN THE MATTER OF BID APPROVAL 2022-026PW 6 MONTH HOT MIX SUPPLY

Bids were received for bid # 2022-026PW for a 6 month supply of hot mix for use by the City. Only one bid was received and was deemed to be commercially reasonable and properly advertised for all available bidders. Council Member Beard moved, seconded by Council Member Palmer, to approve the lowest and best bid received from Apac Mississippi, Inc., for providing hot mix for a 6 month period.

The vote was unanimous in favor. APPENDIX O

IN THE MATTER OF BID REJECTION 2022-024PW MCNEESE ST EPOXY LINED CULVERT IMPROVEMENT

Public Works Director Chuck Williams, requested that bid # 2022-024PW - McNeese Street Epoxy Lined Culvert Improvement, be rejected since the one bid received exceeded the budget estimate for construction by greater than 10%. Council Member Davis moved, seconded by Council Member Beard, to approve the rejection of the bid. The vote was unanimous in favor. APPENDIX P

IN THE MATTER OF REJECTION OF BID 2022-028PW CLARK PLACE DRAINAGE – ARCH PIPE REPLACEMENT

Public Works Director Chuck Williams, requested that bid # 2021-028PW Clark Place Drainage - Arch Pipe Replacement, be rejected because all the bids received exceeded the budget estimate for construction by greater than 10%. Council Member Beard moved, seconded by Council Member Palmer, to approve the rejection of the bid. The vote was unanimous in favor. APPENDIX Q

IN THE MATTER OF CVB MINUTES OF JULY 19, 2022

Council Member Palmer moved, seconded by Council Member Gaston, to accept the minutes of the Convention and Visitors Bureau of July 19, 2022. The vote was unanimous in favor. APPENDIX R

IN THE MATTER OF APPROVAL OF THE TRAFFIC COMMITTEE MINUTES FROM JULY 21, 2022

Council Member Gaston moved, seconded by Council Member Jones to approve the Traffic Committee Minutes of the July 21, 2022 Council meeting. The vote was unanimous in favor. APPENDIX S

IN THE MATTER OF BAD DEBT WRITE-OFF JANUARY 2021 – JUNE 2021

Council Member Beard moved, seconded by Council Member Davis, to approve writing off to the bad debt file the list of Water and Light Collections accounts. The total bad debt amount represents 0.07% of the total revenue for the period of January 2021 thru July 2021. Efforts will continue to be made to collect these accounts even though they have been transferred to this accounting classification. The vote was unanimous in favor. A copy of the request is attached to these minutes as APPENDIX T.

IN THE MATTER OF APPROVAL OF BANCORPSOUTH ARENA MINUTES OF JUNE 20, 2022

Council Member Davis moved, seconded by Council Member Palmer, to accept the BancorpSouth Arena Minutes of June 20, 2022. The vote was unanimous in favor. APPENDIX U

IN THE MATTER OF APPROVAL TO SUBMIT 2022 DEPARTMENT OF PUBLIC SAFETY PREMIUM PAY GRANT

Council Member Gaston moved, seconded by Council Member Palmer, to allow Grant Writer Abby Christian to submit an application for all emergency service providers (fire and police) to receive payment from DPS and to approve the acceptance of those premium payments. The vote was unanimous in favor. APPENDIX V

**IN THE MATTER OF AMENDMENT TO CITY OF TUPELO CODE OF ORDINANCES
CHAPTER 15 LICENSES AND MISCELLANEOUS BUILDING REGULATIONS, ARTICLE
XI. MOBILE VENDORS, SEC. 15-275 (J)**

Council Member Palmer moved, seconded by Council Member Gaston, to approve an Ordinance Amending City of Tupelo Code of Ordinances Chapter 15 Licenses and Miscellaneous Building Regulations, Article XI. Mobile Vendors, Sec. 15-275 (j). This amendment will clear any inconsistencies between the Development Code and the Tupelo Code of Ordinances Chapter 15 Licenses and Miscellaneous Building Regulations, Article XI, Mobile Vendors, Sec. 15-275 (j). The vote was unanimous in favor. APPENDIX W

**IN THE MATTER OF RESOLUTION APPROVING CITY TO SIGN AS CO-SPONSOR WITH
TUPELO AIRPORT AUTHORITY THE TUP-SOG-3-28-0070-052-2022-GRANT AGREEMENT
AND ADOPTING AND RATIFYING THE REPRESENTATIONS AND ASSURANCES
CONTAINED THEREIN**

Council Member Palmer moved, seconded by Council Member Davis, to approve the Resolution Approving City to Sign as Co-Sponsor with Tupelo Airport Authority the TUP-SOG-3-28-0070-052-2022-Grant Agreement and Adopting and Ratifying the Representations and Assurances Contained Therein. The vote was unanimous in favor. APPENDIX X

IN THE MATTER OF REJECTION OF BID 2022-027CO - FAIRPARK RESTROOMS

Neal McCoy, requested that bid # 2021-027CO Fairpark Restrooms, be rejected because all the bids received exceeded the budget estimate for construction by greater than 10%. Council Member Palmer moved, seconded by Council Member Beard, to approve the rejection of the bid. The vote was unanimous in favor. APPENDIX Y

STUDY AGENDA

IN THE MATTER OF TAX ABATEMENT APPLICATION FOR HOTEL TUPELO

Upon the unanimous agreement of the City Council, the Tax Abatement Application for Hotel Tupelo was moved from the Study Agenda to the Active Agenda at the next Regular meeting of the City Council.

IN THE MATTER OF SPEED TABLE PROCEDURES AND POLICY

Upon the unanimous agreement of the City Council, the speed table procedures and policy 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 Jones, to adjourn the meeting at 7:13 PM.

This the 2nd day of August, 2022.

Lynn Bryan, President
City Council

ATTEST:

Missy Shelton, Clerk of the Council

Todd Jordan, Mayor

Date