

REGULAR CITY COUNCIL MEETING

MUNICIPAL MINUTES CITY OF TUPELO

STATE OF MISSISSIPPI

APRIL 07, 2020

PLEDGE OF ALLEGIANCE: COUNCILMAN BUDDY PALMER

INVOCATION: COUNCILMAN MIKE BRYAN

The invocation was given by Matt Powell from First Baptist Church, Tupelo at the request of Councilman Mike Bryan.

CALL TO ORDER: COUNCILWOMAN NETTIE DAVIS

Council President Nettie Davis called the meeting to order at 6:00 PM.

Councilman Markel Whittington (via teleconference)

Councilman Lynn L Bryan (via teleconference)

Councilman Travis Beard (via teleconference)

Councilwoman Nettie Davis (in council chambers)

Councilman Buddy Palmer (in council chambers)

Councilman Mike M Bryan (via teleconference)

Councilman Willie Jennings (via teleconference)

CONFIRMATION OR AMENDMENT TO THE AGENDA AND AGENDA ORDER

Councilman M Bryan moved, seconded by Councilman Whittington, that the confirmation of the agenda and agenda order be approved. The vote was in favor 7-0.

PROCLAMATIONS, RECOGNITIONS AND REPORTS AGENDA

RECOGNITION OF GIRL SCOUTS AND/OR BOY SCOUTS

PROCLAMATIONS

EMPLOYEE RECOGNITION(S)

PUBLIC RECOGNITIONS

Councilman Jennings encouraged all the citizens to abide by the rules of COVID 19 and to continue to be safe. He also thanked everyone for cooperating during this time.

Councilwoman Davis asked for prayer for the family of Derrick Pitts, son of former Councilman Fred Pitts, who passed away.

Councilman Palmer added that Guy Harris, long time Elvis Presley fan passed away.

MAYOR'S REMARKS

(CLOSE REGULAR MEETING OPEN PUBLIC AGENDA)

PUBLIC AGENDA

PUBLIC HEARINGS

PUBLIC HEARING - 1015 CHICKASAW TRAIL

1015 Chickasaw Trail Parcel: 113J-07-017-00

No one appeared for this Public Hearing as pursuant to Mississippi Code of 1972, as amended, 21-19-11.

APPEALS

CITIZEN HEARING

(CLOSE PUBLIC AGENDA AND OPEN REGULAR SESSION)

ACTION AGENDA

ROUTINE AGENDA

IN THE MATTER OF MARCH 16, 2020 MINUTES OF THE SPECIAL CALLED CITY COUNCIL MEETING

Councilman Palmer moved, seconded by Councilman Beard, to approve the Minutes of the Special meeting of the City Council held on March 16, 2020. The vote was 7-0 in favor.

IN THE MATTER OF MARCH 17, 2020 OF THE CITY COUNCIL REGULAR MEETING

Councilman Beard moved, seconded by Councilman Jennings, to approve the Regular meeting of the City Council held on March 17, 2020. The vote was 7-0 in favor.

IN THE MATTER OF MINUTES OF MARCH 24, 2020 CITY COUNCIL SPECIAL CALLED MEETING

Councilman M Bryan moved, seconded by Councilman Beard, to approve the minutes of the Special meeting of the City Council held on March 24, 2020. The vote was 7-0 in favor.

IN THE MATTER OF EXECUTIVE ORDER 20-012

Councilman Whittington moved, seconded by Councilman Palmer, to approve Executive Order 20-012. The vote was 7-0 in favor. **APPENDIX A**

IN THE MATTER OF EXECUTIVE ORDER 20-013

Councilman Palmer moved, seconded by Councilman Beard, to approve Executive Order 20-013. The vote was 7-0 in favor. **APPENDIX B**

IN THE MATTER OF CHANGE ORDER FOR BID FOR KING'S CREEK BANK STABILIZATION

Councilman M Bryan moved, seconded by Councilman Jennings, to approve the Change Order for the King's Creek Bank Stabilization Project. The vote was 7-0 in favor. **APPENDIX C**

IN THE MATTER OF REVIEW, PAY BILLS AND APPROVE UTILITY ADJUSTMENTS

Council members present to review the bills were Nettie Davis, Mike Bryan and Buddy Palmer, along with Accounts Payable Traci Dillard. Councilman Beard moved, seconded by Councilman Whittington, to approve the payment of those presented as **APPENDIX D**. The vote was 7-0 in favor.

IN THE MATTER OF ADVERTISING AND PROMOTIONAL EXPENSE LIST

There were no advertising and/or promotional items presented for approval.

IN THE MATTER OF 2019 CITY OF TUPELO AUDIT

Franks, Franks, Jarrell, and Wilemon, P.A., conducted the annual audit of the city's financial condition. No current year deficiencies or material weaknesses in internal control or in the compliance system were reported. Councilman Whittington moved, seconded by Councilman Beard, to accept the City of Tupelo Audit for fiscal year ending September 30, 2019. A copy of the audit report is attached to these minutes as **APPENDIX E**.

IN THE MATTER OF DEMOLITION 1015 CHICKASAW TRAIL

A Public Hearing was previously held pursuant to Miss. Code § 21-19-11 (1972 as amended). Councilman Beard moved, seconded by Councilman M Bryan, to adjudicate the property located at 1015 Chickasaw Trail as being in such a state of uncleanness and disrepair as to be a menace to health, safety and welfare of the community. By this action, the City of Tupelo was authorized to demolish said property, invoice the owners, and place liens on the property if the owners do not pay for the demolition. The vote was 7-0 in favor. **APPENDIX F**

IN THE MATTER OF CHANGE ORDER #1 FOR BID 2019-017CO

Councilman Palmer moved, seconded by Councilman Beard, to approve change order #1 for Bid 2019-017CO General Construction contract with DC Services and to find that the change order is commercially reasonable and not made for the purposes of avoiding the procurement laws of the State of Mississippi. The vote was 7-0 in favor of approval. **APPENDIX G**

IN THE MATTER OF CHANGE ORDER #1 FOR BID 2019-018CO

Councilman Palmer moved, seconded by Councilman Beard, to approve change order #1 for Bid 2019-018 General Construction contract with Shaw Services, LLC and to find that the change order is commercially reasonable and not made for the purposes of avoiding the procurement laws of the State of Mississippi. The vote was 7-0 in favor of approval. **APPENDIX H**

IN THE MATTER OF CHANGE ORDER #1 FOR BID 2019-019CO

Councilman Palmer moved, seconded by Councilman Beard, to approve change order #1 for Bid 2019-019CO General Construction contract with Bush Masonry, LLC and to find that the change order is commercially reasonable and not made for the purposes of avoiding the procurement laws of the State of Mississippi. The vote was 7-0 in favor of approval. **APPENDIX I**

IN THE MATTER OF CHANGE ORDER #1 FOR BID 2019-020CO

Councilman Palmer moved, seconded by Councilman Beard, to approve change order #1 for Bid 2019-020CO General Construction contract with Harrell's Metal Works, Inc. and to find that the change order is commercially reasonable and not made for the purposes of avoiding the procurement laws of the State of Mississippi. The vote was 7-0 in favor of approval. **APPENDIX J**

IN THE MATTER OF CHANGE ORDER #1 FOR BID 2019-021CO

Councilman Palmer moved, seconded by Councilman Beard, to approve change order #1 for Bid 2019-021CO General Construction contract with Graham Roofing, Inc. and to find that the change order is commercially reasonable and not made for the purposes of avoiding the procurement laws of the State of Mississippi. The vote was 7-0 in favor of approval. **APPENDIX K**

IN THE MATTER OF CHANGE ORDER #1 FOR BID 2019-022CO

Councilman Palmer moved, seconded by Councilman Beard, to approve change order #1 for Bid 2019-022CO General Construction contract with Tull Brothers, Inc. and to find that the change order is commercially reasonable and not made for the purposes of avoiding the procurement laws of the State of Mississippi. The vote was 7-0 in favor of approval. **APPENDIX L**

IN THE MATTER OF CHANGE ORDER #1 FOR BID 2019-024CO

Councilman Palmer moved, seconded by Councilman Beard, to approve change order #1 for Bid 2019-024CO General Construction contract with DC Services and to find that the change order is commercially reasonable and not made for the purposes of avoiding the procurement laws of the State of Mississippi. The vote was 7-0 in favor of approval. **APPENDIX M**

IN THE MATTER OF CHANGE ORDER #1 FOR BID 2019-025CO

Councilman Palmer moved, seconded by Councilman Beard, to approve change order #1 for Bid 2019-025CO General Construction contract with F.L. Crane & Sons, Inc. and to find that the change order is commercially reasonable and not made for the purposes of avoiding the procurement laws of the State of Mississippi. The vote was 7-0 in favor of approval. **APPENDIX N**

IN THE MATTER OF CHANGE ORDER #1 FOR BID 2019-026CO

Councilman Palmer moved, seconded by Councilman Beard, to approve change order #1 for Bid 2019-026CO General Construction contract with Fireline, Inc. and to find that the change order is commercially reasonable and not made for the purposes of avoiding the procurement laws of the State of Mississippi. The vote was 7-0 in favor of approval. **APPENDIX O**

IN THE MATTER OF CHANGE ORDER #1 FOR BID 2019-027CO

Councilman Palmer moved, seconded by Councilman Beard, to approve change order #1 for Bid 2019-027CO General Construction contract with Kline's Mechanical Systems, Inc. and to find that the change order is commercially reasonable and not made for the purposes of avoiding the procurement laws of the State of Mississippi. The vote was 7-0 in favor of approval. **APPENDIX P**

IN THE MATTER OF CHANGE ORDER #1 FOR BID 2019-028CO

Councilman Palmer moved, seconded by Councilman Beard, to approve change order #1 for Bid 2019-028CO General Construction contract with Conditioned Air, Inc. and to find that the change order is commercially reasonable and not made for the purposes of avoiding the procurement laws of the State of Mississippi. The vote was 7-0 in favor of approval. **APPENDIX Q**

IN THE MATTER OF CHANGE ORDER #1 FOR BID 2019-040CO

Councilman Palmer moved, seconded by Councilman Beard, to approve change order #1 for Bid 2019-040CO General Construction contract with Acoustics & Specialties, LLC and to find that the change order is commercially reasonable and not made for the purposes of avoiding the procurement laws of the State of Mississippi. The vote was 7-0 in favor of approval. **APPENDIX R**

IN THE MATTER OF PW ASSET TRANSFER TO AIRPORT

Chuck Williams, Director of Public Works, submitted a request to transfer 1999 Jeep Cherokee, VIN 1J4FF28S7XL649985 to the Tupelo Airport no longer needed by the City of Tupelo Public Works Department. Councilman Beard moved, seconded by Councilman Jennings, that the asset be transferred

to the Tupelo Airport and that it be removed from the asset list of the City of Tupelo Public Works Department. The vote was 7-0 in favor of the transfer. **APPENDIX S**

IN THE MATTER OF REVERSE BID # 2020-003PD

Reverse Bid # 2020-003PD was conducted,as required as required under the state procurement statute, and only one bid was received. The bid was found to be commercially reasonable and all potential bidders had notice and opportunity to bid. Councilman Whittington moved, seconded by Councilman L Bryan, to accept Reverse Bid # 2020-003 PD from Cannon Motors to upfit six patrol vehicles in the amount of \$57,000.00. The vote was 7-0 in favor. **APPENDIX T**

IN THE MATTER OF GO-CUP ZONE

AN ORDINANCE TEMPORARILY AMENDING THE GEOGRAPHIC AREA AND BOUNDARIES OF THE LEISURE AND RECREATION DISTRICT WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF TUPELO, MISSISSIPPI; AND FOR RELATED PURPOSES was presented to the Council for review.

Councilman Whittington moved, seconded by Councilman L Bryan, to approve the Ordinance, as presented.

Councilman Palmer then moved, seconded by Councilman M Bryan, to table the Ordinance until a later date. The vote on the motion to table is as follows:

Councilman Whittington	NO
Councilman L Bryan	NO
Councilman Beard	NO
Councilwoman Davis	NO
Councilman Palmer	AYE
Councilman M Bryan	AYE
Councilman Jennings	AYE

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

After further discussion, the vote for the approval of the Ordinance was taken as follows:

Councilman Whittington	AYE
Councilman L Bryan	AYE
Councilman Beard	AYE
Councilwoman Davis	AYE
Councilman Palmer	NO
Councilman M Bryan	NO
Councilman Jennings	NO

With the vote of 4-3 in favor, the motion passed.

APPENDIX U

IN THE MATTER OF ADJOURNMENT

There being no further business to come before the Council at this time, Councilman Palmer moved, seconded by Councilman L Bryan, to adjourn the meeting at 6:32 PM. The vote was 7-0 in favor.

Nettie Davis, President
City Council

ATTEST:

Missy Shelton, Clerk of the Council

Jason Shelton, Mayor

Date