

REGULAR CITY COUNCIL MEETING

MUNICIPAL MINUTES CITY OF TUPELO

STATE OF MISSISSIPPI

JULY 21, 2020

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, July 21, 2020 at 6:00 p.m. with the following in attendance: Markel Whittington, Lynn Bryan, Travis Beard, Nettie Davis, Buddy Palmer, Mike Bryan, City Attorney Ben Logan; and Missy Shelton, Clerk of the Council. Councilman Willie Jennings was present by teleconference.

Councilman Lynn Bryan gave the invocation. Council President Nettie Davis welcomed Boy Scout Troop #12, who led in the pledge of allegiance.

President Mike Bryan called the meeting to order at 6:00 PM.

CONFIRMATION OR AMENDMENT TO THE AGENDA AND AGENDA ORDER

Councilman Palmer moved, seconded by Councilman Whittington, to confirm the agenda and agenda order, as presented. The vote was unanimous in favor.

PROCLAMATIONS, RECOGNITIONS AND REPORTS AGENDA

IN THE MATTER OF A RESOLUTION HONORING THE LIFE DR. JAMES HENRY NEELY

Mayor Shelton read and presented a proclamation honoring the life of Dr. James Henry Neely, Dr. Neely's children, Brian Neely and Patricia Neely-Dorsey, accepted the presentation. **APPENDIX A**

IN THE MATTER OF A PROCLAMATION CELEBRATING THE 150TH ANNIVERSARY OF THE INCORPORATION OF THE CITY OF TUPELO

Mayor Shelton read and presented a proclamation celebrating the 150th anniversary of the incorporation of the City of Tupelo. **APPENDIX B**

IN THE MATTER OF RECOGNITION GIRL/BOY SCOUTS

The Mayor recognized a group of Boy Scouts from Troop #12 - First United Methodist Church. Present from the Troop were: Scoutmaster Lynn Bryan, Scouts Lewis Russell, Walker Russell and Wiin Wardlaw.

IN THE MATTER OF PUBLIC RECOGNITIONS

1. Three members of the Junior Auxiliary of Tupelo, Allie West, Summer Swinney and Kit Stafford, presented a slide show and spoke about the mural that was recently painted in Downtown Tupelo by the Boys and Girls Club of MS
2. Councilwoman Davis, spoke of the life of Congressman John Lewis, who was a major part of the National Civil Rights group, and passed away on Friday.
3. Councilman Mike Bryan welcomed Todd Jordan, Lee County Supervisor, to the meeting.

IN THE MATTER OF MAYOR'S REPORT

The Mayor spoke of the life and passing of Congressman John Lewis. He also welcomed everyone, also recognizing Lee County Supervisor Jordan. He encouraged everyone to wear masks or face coverings when in public due the continued and increased spread of COVID-19 in Lee County. The City of Tupelo's 150th birthday was Monday, July 20 and although several events had been cancelled due to the pandemic, he remained hopeful that a few events will be possible later in the year. The City of Tupelo received the City Spirit Award from the Mississippi Municipal League for the New Year's celebration. Budget preparations are ongoing, and he thanked the Council for the 2 year capital plan that has already been approved.

PUBLIC AGENDA

IN THE MATTER OF PUBLIC HEARING FOR PROPERTIES TO BE MOWED

PARCEL

112A0403500
 084N1904500
 084N1904201
 077D2507500
 077H2506900
 077G2514700
 088J3301500
 088J3301400
 088J3307601
 088J3307600
 084S1801701
 089N3100601
 077Q3600600
 077E2605336
 077P3507100
 089F3021000
 089F3008400
 084N1904703

LOCATION

508 CANAL ST
 1773 N GREEN ST
 1749 N GREEN ST
 1407 CLAYTON AVE
 1324 FLETCHER ST
 1313 E BRISTOW DR
 ELVIS PRESLEY DR
 105 ELVIS PRESLEY DR
 108 ELVIS PRESLEY DR
 202 ELVIS PRESLEY DR
 3850 N GLOSTER ST
 123 S INDUSTRIAL RD
 109 LUMPKIN AVE
 901 SPRUCE ST
 207 LAKEVIEW DR
 591 N SPRING ST
 638 N CHURCH ST
 1808 N GREEN ST

077C2508100
089F3012400

1305 ACKIA TRL
519 N CHURCH ST

No one appeared for any of the parcels listed above.

101H0122500

1707 LAWNDALDE DR

The tenant of the parcel listed above, Trudy Lane, appeared to the explain why her yard had not been mowed and attempt to get it taken care of before the time runs out.

ROUTINE AGENDA

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

Bills were reviewed at 4:00 p.m. by Council members: Travis Beard, Nettie Davis, Markel Whittington, Lynn Bryan and Buddy Palmer and Accounts Payable Clerk Traci Dillard. Councilwoman Davis moved, seconded by Councilman Beard, to approve the payment of the checks, bills, claims and utility adjustments. Of those present, the vote was unanimous in favor.

EXHIBIT C

IN THE MATTER OF REGULAR MINUTES OF JULY 7, 2020

Councilman Whittington moved, seconded by Councilman Palmer, to approve the minutes of the July 7, 2020, regular meeting of the Tupelo City Council. The vote was unanimous in favor.

IN THE MATTER OF BUDGET AMENDMENT #7

Councilman Whittington moved, seconded by Councilman L Bryan, to approve Budget Amendment #7 for the 2019-2020 Budget, as presented. After a brief discussion and explanation from CFO Kim Hanna, the vote was unanimous in favor. **APPENDIX D**

IN THE MATTER OF CVB MINUTES. JULY 13, 2020

Councilman L Bryan moved to accept the Convention and Visitors Bureau of July 13, 2020, seconded by Councilwoman Davis. The vote was unanimous in favor. **APPENDIX E**

IN THE MATTER OF 2020 AIP GRANTS

Councilman Whittington moved, seconded by Councilman Palmer, to approve 2 AIP grants in the amount of \$966,176. The vote was unanimous in favor. **APPENDIX F**

IN THE MATTER OF APPROVAL OF BID # 2020-017PW INFRARED PAVEMENT RESTORATION 12 MONTHS

Councilman Beard moved, seconded by Councilman Jennings, to award Bid 2020-01PW - Infrared Pavement Restoration to Asphalt Restoration Co. LLC, as the lowest and best bid. Only one bid was received. The vote was unanimous in favor. **APPENDIX G**

IN THE MATTER OF BID APPROVAL – CURB AND GUTTER 12 MOS 2020-018PW

Councilman Palmer moved, seconded by Councilman Whittington, to award Bid 2020-018PW for Curb and Gutter to Slayton Concrete, as the lowest and best bid. Only one bid was received after due and proper advertisement, and the amount bid was commercially reasonable. The vote was unanimous in favor. **APPENDIX H**

IN THE MATTER OF REQUEST FOR BID REJECTION

TWL Director Johnny Timmons requested that the Council reject Bid # 2020-019WL - source of supply - 12 month bid for minor water/sewer construction/rehab because no bids were received. He stated that they will rebid at a future date. Councilman Whittington moved, seconded by Councilman L Bryan, to approve the rejection of the bid. The vote was unanimous in favor. **APPENDIX I**

IN THE MATTER OF REQUEST FOR CONTRACT RATIFICATION

Councilman Beard moved, seconded by Councilman Whittington, to ratify the contract with Stephens TPS, Inc. for the Elevated Water Storage Tank Repair and Repaint (Nelle Street), which was awarded at the March 3, 2020 Council meeting. The vote was unanimous in favor. **APPENDIX J**

IN THE MATTER OF TAX ABATEMENT APPLICATION FOR BULLDOG BURGER

Councilman Palmer moved, seconded by Councilman L Bryan, to approve the application of BBC, LLC (Bulldog Burger), located at 301 and 311 South Gloster Street and within an approved business improvement district, for a commercial ad valorem tax abatement in the amount of \$2,512,843 for five years. The vote was unanimous in favor. **APPENDIX K**

IN THE MATTER OF LOT MOWING APPROVALS

Councilman Beard moved, seconded by Councilman Whittington, to approve the final lot-mowing list submitted by the Department of Development Services, and find such properties being in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community, thereby authorizing the department to proceed with the mowing of these properties. The vote was unanimous in favor. **APPENDIX L**

IN THE MATTER OF FINAL RESOLUTION GRANTING EXEMPTION FROM AD VALOREM TAXES TO GIBSON CORRUGATED, LLC

Councilman Beard moved, seconded by Councilman Palmer, to approve the Final Resolution granting 2019 (10 years requested) ad valorem tax exemption to Gibson Corrugated, LLC. The vote was unanimous in favor. **APPENDIX M**

IN THE MATTER OF RESOLUTION RESCINDING INITIAL APPLICATION FOR EXEMPTION OF 2019 AD VALOREM TAXES OF UNITED FURNITURE INDUSTRIES, INC.

City Attorney Ben Logan explained that on June 16, 2020 the City Council granted preliminary approval for the tax exemption request made by United Furniture Industries, Inc. The Lee County Tax Assessor had requested the Board of Supervisors to deny approval of the request due to the exclusion of previously-exempted inventory/raw materials amount dropping the company's additions below the statutory threshold of \$500,000. Therefore, the City of Tupelo City Council must rescind the approval of the resolution granting exemption from ad valorem taxes. Councilman L Bryan moved, seconded by Councilman Palmer, to rescind the resolution dated June 16, 2020. the vote was unanimous in favor. **APPENDIX N**

IN THE MATTER OF RATIFICATION OF PURCHASE AND SALE CONTRACTS OF REAL PROPERTY INTERESTS – 357/371 MALONE, 802 MALONE, 427 WALKER, 516 WALKER, 602 NORTH GLOSTER, 720 W. JACKSON, 804 W. JACKSON

Councilwoman Davis moved, seconded by Councilman Beard, to ratify the Real Estate Agreements, as follow:

357/371 Malone	Sale	Tanner Properties, LLC
802 Malone	Sale	Mitchell McCamey
427 Walker St	Purchase	Craig Shannon
516 Walker St	Purchase	Craig Shannon
602 N Gloster St	Purchase	Terry and Sheryl Traylor
720 W Jackson	Purchase	Magruder Investments, LLC
804 W Jackson	Purchase	R.B. Lesley Company, LLC

The vote was unanimous in favor. **APPENDIX O**

IN THE MATTER OF AMENDMENTS TO EMPLOYEE HANDBOOK POLICY NUMBER 503 AND ADD POLICY NUMBERS 303A AND 309A

Councilman Whittington moved, seconded by Councilman Palmer, to approve the changes and additions to the City of Tupelo Employee Handbook, as presented. The amendments accomplish the following purposes:

Item 503	Ends provisions for COVID-19 emergency administrative leave
Item 303A	Adds CARES Act Expanded FMLA provisions for COVID-19
Item 309A	Adds CARES Act Emergency Paid Sick Leave provisions for COVID-19

The vote was unanimous in favor. **APPENDIX P**

IN THE MATTER OF REVIEW OF CITY-WIDE LEISURE AND RECREATION DISTRICT

Whereas a previous ordinance amendment required review of CITY-WIDE LEISURE AND RECREATION DISTRICT within ninety (90) days, until such time as the Governor removes the State of Emergency or the city council chooses to review earlier, whichever event occurs first. Since 90 days had elapsed without the other conditions triggering review, Councilwoman Davis moved, seconded by Councilman L Bryan, to continue with the Ordinance without any changes. The vote was unanimous in favor.

IN THE MATTER OF AGREEMENT TO PERMIT APPLICATION OF MIDTOWN POINTE AND ACCEPT CITY MAINTENANCE OF CURB CLOSURE OF EXISTING ENTRANCE LOCATED AT NORTHWEST QUADRANT OF THE INTERSECTION OF SOUTH GLOSTER AND VARSITY DRIVE

Councilman Whittington moved, seconded by Councilman Jennings, to approve agreement to a permit application by Midtown Pointe to MDOT and accept city maintenance of a curb closure of an existing entrance located at the NW quadrant of the intersection of S Gloster and Varsity Drive. The vote was unanimous in favor. **APPENDIX Q**

IN THE MATTER OF TUPELO CITIZENS POLICE ADVISORY BOARD ANNUAL REPORT

Councilman Palmer moved, seconded by Councilman Whittington, to accept the Tupelo Citizens Police Advisory Board Annual Report, as presented in **APPENDIX R**. The vote was unanimous in favor.

IN THE MATTER OF RATIFY CONTRACT FOR FAIRPARK REDEVELOPMENT PHASE IV

Councilman Whittington moved, seconded by Councilman Palmer to ratify the contract for Fairpark Redevelopment Phase IV Residential infrastructure with Cook & Son, LLC in the amount of \$1,647,394.34. The vote was unanimous in favor. **APPENDIX S**

STUDY AGENDA

EXECUTIVE SESSION

ADJOURNMENT

There being no further business to come before the City Council at this time, Councilman Whittington moved, seconded by Councilman L Bryan, to adjourn the meeting at 6:45 PM. The vote was unanimous in favor.

Nettie Davis, President
City Council

ATTEST:

Missy Shelton, Clerk of the Council

Jason Shelton, Mayor

Date