

REGULAR CITY COUNCIL MEETING

MUNICIPAL MINUTES CITY OF TUPELO

STATE OF MISSISSIPPI

OCTOBER 05, 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, October 5, 2021, 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 Nettie Davis introduced Clarence Smith, Assistant Pastor of People's Community Church, who gave the invocation. Council Member Rosie Jones led the Pledge of Allegiance.

Council President Buddy Palmer called the meeting to order at 6:00 p.m.

CONFIRMATION OR AMENDMENT TO THE AGENDA AND AGENDA ORDER

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

PROCLAMATIONS, RECOGNITIONS AND REPORTS AGENDA

PROCLAMATIONS

IN THE MATTER OF PROCLAMATION FOR PIOMINKO DAY

Mayor Todd Jordan read a proclamation declaring October 11, 2021 as Piominko Day and presented it to Brady Davis. APPENDIX A

IN THE MATTER OF PROCLAMATION - FIRE PREVENTION WEEK

Mayor Jordan read a proclamation establishing October 3-9, 2021, as Fire Prevention Week, and presented the proclamation to Fire Chief Jimmy Avery. APPENDIX B

EMPLOYEE RECOGNITION

Mayor Jordan recognized and congratulated Levi Tutor for his service with the Tupelo Fire Department for 10 years.

PUBLIC RECOGNITION

Council Member Gaston recognized Martin Herman for his hard work toward the Pickleball tournament last weekend at Robin's Field. There were over 100 participants.

Council Member Beard said that October is Domestic Violence month. He congratulated Lucia Randle with her first Down On Main event as the Downtown Director. He said there was a great turnout and it was a huge success. Lastly, he congratulated Council Woman Davis on the birth of her first great grandchild, Dream A'Miracle Davis.

Council Member Davis recognized all those attending the meeting concerning the Piominko Day declaration.

Council Member Palmer gave rave reviews for the events that were held at the Oren Dunn Museum in the recent past.

MAYOR'S REMARKS

Mayor Jordan also complimented those who have been recognized for various actions in tonight's meeting. He commented on the busy weekend Tupelo just had with ZZ Top, Down On Main and other events all going on.

PUBLIC AGENDA

PUBLIC HEARINGS

IN THE MATTER OF PUBLIC HEARING REGARDING REZONING FOR GIBSON CORRUGATED

A public hearing was held concerning the rezoning of property owned by Gibson Corrugated located on East Main Street. No one appeared for the hearing.

IN THE MATTER OF PUBLIC HEARING FOR DEMOLITIONS

A public hearing for demolition of the following properties was convened:

115 Lawndale Drive
123 Industrial Drive
506 East Jackson Street
817 Blair Street
1810 South Veterans Boulevard

Raul Mendez appeared to speak concerning the property located at 123 Industrial Drive, stating the owners were in touch with the Development Service Department hoping to get the property back up to specifications.

IN THE MATTER OF PUBLIC HEARING FOR LOT MOWING

A public hearing was held for the following properties concerning lot mowing:

<u>Parcel</u>	<u>Location</u>
077Q3605299	1307 W MAIN ST
077R3612500	107 LAWNSDALE DR
077R3612601	113 LAWNSDALE DR
077R3612700	115 LAWNSDALE DR
077Q3608100	1400 CENTRAL AVE
077Q3621900	202 ENOCH AVE
089E3001700	816 CLAYTON AVE
112A0413900	705 HILL-N-DALE DR
088T2700300	1505 N HILLSDALE DR
089F3017800	536 N GREEN ST
077P3500600	2411 DANNY ST
077N3502201	TRACELAND DR
075Q2200200	3793 FAIR OAKS DR

No one appeared to speak on any of these properties.

ACTION AGENDA

ROUTINE AGENDA

IN THE MATTER OF APPROVAL OF SEPTEMBER 21, 2021 MINUTES

Council Member Beard moved, seconded by Council Member Bryan, to approve the minutes of the Regular City Council meeting held on September 21, 2021. The vote was unanimous in favor.

IN THE MATTER OF BILL PAY

Bills were reviewed at 4:30 p.m. by Council Members Travis Beard, Lynn Bryan, Janet Gaston, Nettie Davis and Buddy Palmer and Accounts Payable Clerk, Traci Dillard. Council Member Gaston moved, seconded by Council Member Jones, 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 Bryan moved, seconded by Council Member Beard, to approve the advertising and promotional items, as presented. The vote was unanimous in favor. APPENDIX D

Lee County Courier \$95 Congratulations to the Tupelo Homecoming Court Ad

IN THE MATTER OF 2021 MUNICIPAL COMPLIANCE QUESTIONNAIRE

Council Member Beard moved, seconded by Council Member Mims, to approve the Municipal Compliance Questionnaire as submitted by City Clerk Kim Hanna. The period covered by this questionnaire is October 1, 2020 to September 30, 2021. The vote was unanimous in favor. A copy is attached to these minutes as APPENDIX E

IN THE MATTER OF MEMORANDUM OF UNDERSTANDING WITH NE MS COMMUNITY SERVICES, INC.

Council Member Davis moved, seconded by Council Member Beard, to approve the Memorandum of Understanding (MOU) with Northeast Mississippi Community Services, Inc. for transit services in the amount of \$144,900. This MOU will serve from October 1, 2021 through September 30, 2022. The vote was unanimous in favor and a copy of the MOU is attached to these minutes as Appendix F.

IN THE MATTER OF SUMMARY CHANGE ORDER AND FINAL PAYMENT FOR EASON BOULEVARD BRIDGE RIP RAP

Council Member Beard moved, seconded by Council Member Davis, to find as commercially reasonable and approve the summary change order and final payment for Eason Boulevard bridge rip rap. The summary change reduces the contract amount by \$44,352.13 for a final total of \$528,000.82. The vote was unanimous in favor. APPENDIX G

IN THE MATTER OF PLANNING COMMITTEE MINUTES

Council Member Davis moved, seconded by Council Member Beard, to accept the minutes of the September 13, 2021 Planning Committee. The vote was unanimous in favor. APPENDIX H

IN THE MATTER OF REZONING APPLICATION OF GIBSON CORRUGATED

Council Member Bryan moved, seconded by Council Member Mims, to approve the rezoning application from Gibson Corrugated, located on East Main Street, from Mixed Use Commercial Corridor to Industrial. The vote was unanimous in favor of the change. APPENDIX I

IN THE MATTER OF LOT MOWING

Council Member Beard moved, seconded by Council Member Gaston, to approve the final lot mowing list, as presented. The vote was unanimous in favor. APPENDIX J

IN THE MATTER OF ACTION TO DEMOLISH SUBSTANDARD BUILDINGS

Council Member Beard moved, seconded by Council Member Bryan to approve the demolition list, as presented. The vote was unanimous in favor of approval. APPENDIX K

IN THE MATTER OF APPOINTMENT OF JOEL A. (TONY) CARROLL TO THE TUPELO LICENSE COMMISSION

Council Member Bryan moved, seconded by Council Member Beard, to approve the appointment of Joel A. (Tony) Carroll to the Tupelo License Commission as the representative for general contractors. The vote was unanimous in favor. A copy of his bio is attached as APPENDIX L.

IN THE MATTER OF REAPPOINTMENT OF SCOTT ANDERSON DAVIS TO THE TUPELO PLANNING COMMITTEE

Council Member Beard moved, seconded by Council Member Davis, to approve the appointment of Scott Anderson Davis to the Tupelo planning committee for a 4 year term beginning October 5, 2021. The vote was unanimous in favor and a copy of his bio is attached to these minutes as APPENDIX M.

IN THE MATTER OF REAPPOINTMENT OF PATRICIA (PATTI) THOMPSON TO THE TUPELO PLANNING COMMITTEE

Council Member Mims moved, seconded by Council Member Beard, to approve the reappointment of Patti Thompson to the Tupelo planning committee for a 4 year term beginning October 5, 2021. The vote was unanimous in favor and a copy of her bio is attached to these minutes as APPENDIX N.

IN THE MATTER OF APPOINTMENT OF TERRY BULLARD TO THE TUPELO MAJOR THOROUGHFARE COMMITTEE

Council Member Gaston moved, seconded by Council Member Beard. to approve the appointment of Terry Bullard to the Major Thoroughfare committee for a 4 year term beginning October 5, 2021. The vote was unanimous in favor and a copy of his bio is attached to these minutes as APPENDIX O.

IN THE MATTER OF SURPLUSING A PATROL VEHICLE AND DONATING TO BROOKSVILLE POLICE DEPARTMENT IN THE AMOUNT OF \$1

Council Member Davis moved, seconded by Council Member Jones, to approve the surplus of a 2007 Ford Crown Victoria police vehicle, VIN 2FAFP71W27X149013, no longer needed for use by the City of Tupelo and to sell the same to the Town of Brooksville in the amount of \$1. The vote was unanimous in favor. APPENDIX P

IN THE MATTER OF SURPLUS 4 MOTORCYCLES FOR TRADE

Council Member Beard moved, seconded by Council Member Gaston, to approve the trade of the following motorcycles for two new 2021 Harley Davidson motorcycles:

2016 Harley Davidson FLHTP Electra Glide Police, VIN1HD1FMM12GB663239
2016 Harley Davidson FLHTP Electra Glide Police, VIN1HD1FMM1XGB662324
2015 Harley Davidson Ultra Motorcycle, VIN 1HD1FMM1XFB629841
2015 Harley Davidson Ultra Motorcycle, VIN 1HD1FMM14FB629656

The vote was unanimous in favor of the surplus and trade. APPENDIX Q

IN THE MATTER OF APPROVE/REJECT TUPELO SPORTS COUNCIL CONTRACTS

Council Member Davis moved, seconded by Council Member Beard, to approve the following FY 2021-2022 contracts:

Friends of the Park Agreements
Tupelo Aquatic Group Agreements
Tupelo City Museum Association Agreements
Tupelo Disc Golf Association Agreements
Tupelo Fourth of July Celebration Agreements
Tupelo Softball Association Agreements
Tupelo Skatepark Association Agreements
Tupelo Tennis Association Agreements
Tupelo Therapeutic Recreation Association Agreements
Tupelo Youth Baseball Association Agreements
Tupelo Youth Soccer Association Agreements
Veterans Council Agreements

The vote was unanimous in favor and the contracts are attached as APPENDIX R.

IN THE MATTER OF SOLE SOURCE FOR COLORADO TIME SYSTEMS

Council Member Beard moved, seconded by Council Member Bryan, to approve the Sole Source request from Alex Farned, Director of Tupelo Parks and Recreation/Tupelo Aquatic Center for the purchase of one full color LED scoreboard for the Tupelo Aquatic Center. The Aquatic Center currently uses Colorado Time Systems for the timing system and the scoreboards must interact with it. The vote was unanimous in favor of the approval of Colorado Time Systems to furnish one LED scoreboard in the amount of \$43,500 plus shipping costs. All documentation required for sole source is attached to these minutes as APPENDIX S.

IN THE MATTER OF ORDER AWARDING CONTRACT FOR BALLARD

**PARK/RUTHERFORD ROAD DRAINAGE IMPROVEMENTS (BID NO. 2021-027PW)
TO CIG CONTRACTORS IN THE AMOUNT OF \$232,214.50 AND ALLOW MAYOR
TO SIGN THE CONTRACT TO BE SUBSEQUENTLY RATIFIED BY CITY COUNCIL**

Council Member Bryan moved, seconded by Council Member Davis, to approve the award of the contract with CIG Contractors in the amount of \$232,214.50, for the Ballard Park/Rutherford Road Drainage Improvements (Bid # 2021-027PW), and to allow the Mayor to sign the contract with subsequent ratification. The vote was unanimous in favor. APPENDIX T

**IN THE MATTER OF ORDER RATIFYING FINAL EMERGENCY PURCHASES
CONTRACT ON MCNEESE STREET DRAINAGE PROJECT**

Council Member Beard moved, seconded by Council Member Jones, to approve the order ratifying final emergency purchases contract on McNeese Street drainage project. The vote was unanimous in favor. APPENDIX U

**IN THE MATTER OF RESOLUTION APPROVING JOINT MAINTENANCE
AGREEMENT BETWEEN CITY OF TUPELO AND LEE COUNTY FOR
HEARDTOWN ROAD**

Council Member Beard moved, seconded by Council Member Bryan, to approve the Joint Maintenance Agreement between the City of Tupelo and Lee County Resolution for Heardtown Road. The vote was unanimous in favor. APPENDIX V

**IN THE MATTER OF APPROVAL OF BANCORPSOUTH ARENA MINUTES MARCH
15, 2021-AUGUST 16, 2021**

Council Member Davis moved, seconded by Council Member Jones, to accept the Coliseum Minutes from March 15, 2021 through August 16, 2021. The vote was unanimous in favor. APPENDIX W

**IN THE MATTER OF APPROVAL OF AN ORDINANCE TO ENACT A WATER RATE
INCREASE**

Council Member Beard moved, seconded by Council Member Bryan, to approve an Ordinance to Enact a Water Rate Increase, in the amount of \$.01/1,000 gallons, effective with the November 2021 billing. The vote was unanimous. APPENDIX X

At this time, Council President Palmer recused himself from the meeting and Council Vice President Bryan took over the meeting.

**IN THE MATTER OF ORDER APPROVING POLE ATTACHMENT AGREEMENT
BETWEEN TUPELO WATER AND LIGHT AND TOMBIGBEE FIBER, LLC, AND
AUTHORIZING JOHNNY TIMMONS, DIRECTOR OF TUPELO WATER AND LIGHT**

**DEPARTMENT TO EXECUTE POLE ATTACHMENT AGREEMENT DOCUMENTS
ON BEHALF OF CITY**

Council Member Bryan moved, seconded by Council Member Gaston, to approve an Order Approving Pole Attachment Agreement Between Tupelo Water and Light and Tombigbee Fiber, LLC, and Authorizing Johnny Timmons, Director of Tupelo Water and Light Department to Execute Pole Attachment Agreement Documents on Behalf of City. This action will allow attachments by Tombigbee Electric Power Association to city electric poles for the provision of broadband fiber services. The vote was unanimous in favor. APPENDIX Y.

Council President Palmer rejoined the meeting and took over leading.

EXECUTIVE SESSION

IN THE MATTER OF EXECUTIVE SESSION

Council Member Bryan moved, seconded by Council Member Jones, to consider the need of an executive session. Attorney Ben Logan said the session will be for the pending litigation under Miss. Code Anno. 25-41-7 (g) -- (1972 as amended). The vote was unanimous in favor at 6:43 p.m.

Council Member Davis moved, seconded by Council Member Beard, to close the regular session and enter executive session for discussion of the pending litigation under Miss. Code Anno. 25-41-7 (g) -- (1972 as amended). The vote was unanimous in favor.

After discussion in executive session, Council Member Beard moved, seconded Council Member Jones to return to the regular meeting at 6:53 p.m. The vote was unanimous in favor.

ADJOURNMENT

There being no further business to come before the Council at this time, Council Member Beard moved, seconded by Council Member Davis to adjourn. The vote was unanimous in favor at 6:54 p.m.

This the 5th day of October, 2021.

Buddy Palmer, President
City Council

ATTEST:

Missy Shelton, Clerk of the Council

Todd Jordan, Mayor

Date