

REGULAR CITY COUNCIL MEETING

MUNICIPAL MINUTES CITY OF TUPELO

STATE OF MISSISSIPPI

MAY 16, 2023

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, May 16, 2023, at 6:00 p.m. with the following in attendance: Council Members Chad Mims, Lynn Bryan, Travis Beard, Buddy Palmer, Janet Gaston and Rosie Jones; Ben Logan, City Attorney and Missy Shelton, Clerk of the Council. Council Member Nettie Davis was absent. Council Member Lynn Bryan led the invocation. Council Member Travis Beard 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 confirm the agenda and agenda order, with the following addition:

ADD ITEM #6.5

IN THE MATTER OF CORRECTION OF MINUTES OF MARCH 21, 2023 COUNCIL MEETING

Of those present, the vote was unanimous in favor.

PUBLIC RECOGNITION

Council Member Janet Gaston asked that everyone remember Leesha Faulkner, as she continues to gain strength.

Council Member Rosie Jones asked that everyone remember one of her patients in their prayers.

Council Member Travis Beard mentioned that Council Member Nettie Davis is absent due to illness.

Council Member Lynn Bryan thanked the CVB and the Gumtree Arts Council for all their hard work on the festival last weekend.

MAYOR'S REMARKS

Mayor Todd Jordan mentioned several past events that were all a big success: Gumtree Festival, Blue Suede Cruise (1100 entrants) and Wine Downtown. He offered congratulations to all the graduates of 2023. He asked Deputy Chief Anthony Hill to come forward and accept congratulations for his recent public safety award - Law Enforcement Agent of the Year 2023. DC Hill thanked everyone.

IN THE MATTER OF PUBLIC HEARING FOR LOT MOWING

No one appeared to address the final lot mowing list, as follows:

<u>Parcel</u>	<u>Location</u>
088N3305700	151 CANAL ST
088N3304700	335 CANAL ST
089N3100601	123 S INDUSTRIAL RD
089J3114900	404 N GLOSTER ST
088J3303600	1250 BERRY ST
089B3013600	1132 HILDA AVE
113B0602200	S GREEN ST
105D1505100	3091 MOORE AVE
105D1503500	3064 MOORE AVE
089E3001700	816 CLAYTON AVE

IN THE MATTER OF PUBLIC HEARING FOR DEMOLITIONS

A public hearing was held concerning the demolition of properties located at the following addresses:

1133 Elvis Presley (Parcel 088F2802600)
1155 Elvis Presley (Parcel 088F2802700)
1165 Elvis Presley (Parcel 088F280260H)

Susan Reed, on behalf of Vernell Reed, spoke concerning the property located at 1133 Elvis Presley.

Evelyn Shields spoke concerning the property located at 1155 Elvis Presley.

IN THE MATTER OF PUBLIC HEARING FOR REDISTRICTING

A scheduled public hearing was held concerning the proposed redistricting plan. Jenny Savely, City Planner, and Cristen Bland, Three Rivers Planning and Development District, addressed the Council and audience on how the plan was developed. The following addressed the Council during this hearing:

Reverend Jeffrey Gladney	415 N Joyner
Reverend Charles Penson	377 Huntington Place
Reverend Charles Moore	3204 Shonda Circle
Rosie Jones	Council Member of Ward 7

After each gave comments concerning the plan, the public hearing ended.

APPENDIX A

IN THE MATTER OF REDISTRICTING PLAN

Council Member Beard moved, seconded by Council Member Palmer, to table this item until a Special Called Meeting scheduled for June 1, 2023. Of those present, the vote was unanimous in favor.
APPENDIX B

**IN THE MATTER OF AMENDMENTS TO THE ANIMAL CONTROL ORDINANCE
(TABLED AT THE MAY 6, 2023 MEETING)**

Council Member Palmer moved, seconded by Council Member Gaston, to leave this item on the table. Of those present, the vote was unanimous in favor.

IN THE MATTER OF APPROVAL OF MINUTES OF MAY 2, 2023

Council Member Beard moved, seconded by Council Member Mims, to approve the minutes of the May 6, 2023 Council meeting. Of those present, the vote was unanimous in favor.

**IN THE MATTER OF CORRECTION OF MINUTES OF MARCH 21, 2023 COUNCIL
MEETING**

Having been brought to the attention of the City Council, Council Member Palmer moved, seconded by Council Member Gaston to approve a correction to the March 21, 2022 minutes of the regular meeting of the City Council.

The minutes originally stated:

The Council previously awarded a bid and contract for Bid # 2023-003MT - North Veterans Blvd Improvements (Reese St to Hamm St) at the March 7, 2023, meeting. The contract is now being brought forward for ratification. Council Member Palmer moved, seconded by Council Member Jones, to ratify the contract between the City of Tupelo and James A. Hodges Construction Inc. in the amount of \$1,014,124.47 for Bid # 2023-003MT. The vote was unanimous in favor. APPENDIX L

The correction of the minutes should be, as follows:

The Council previously awarded a bid and contract for Bid # 2023-003MT - North Veterans Blvd Improvements (Reese St to Hamm St) at the March 7, 2023, meeting. The contract is now being brought forward for ratification. Council Member Palmer moved, seconded by Council Member Jones, to ratify the contract between the City of Tupelo and James A. Hodges Construction Inc. in the amount of \$1,814,124.47 for Bid # 2023-003MT. The vote was unanimous in favor. APPENDIX L

Of those present, the vote was unanimous in favor.

IN THE MATTER OF BILL PAY

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

IN THE MATTER OF ADVERTISING AND PROMOTIONAL ITEMS

Council Member Beard moved, seconded by Council Member Palmer, to approve the advertising and promotional items, as presented. After a brief explanation by CFO/City Clerk Kim Hanna, of those present, the vote was unanimous in favor. APPENDIX D

IN THE MATTER OF APPROVAL TO SUBMIT FOR BVP GRANT

Grant Writer Abby Christian, addressed the Council to request approval to submit an application for a Bullet Vest Partnership (BVP) grant for 50% funding of the cost of body armor vests purchased for law enforcement officers. This is a DOJ grant and requires a 50 % match from the City. Council Member Beard moved, seconded by Council Member Palmer, to approve the submission of the grant application. Of those present, the vote was unanimous in favor. APPENDIX E

IN THE MATTER OF APPROVING SELECTION OF CONSTRUCTION MANAGER FOR DESIGNATED ARPA PROJECTS

The City of Tupelo advertised and received proposals for RFQ 2023-031PW for the selection of construction manager for designated ARPA projects. Although several inquiries were received, only one RFQ was received. Council Member Palmer moved, seconded by Council Member Mims, to approve the selection of ICM Construction as the construction manager of these projects. Of those present, the vote was unanimous in favor. APPENDIX F

IN THE MATTER OF LOT MOWING

Council Member Mims moved, seconded by Council Member Palmer, to approve the final lot mowing list, as presented. Of those present, the vote was unanimous in favor. APPENDIX G

IN THE MATTER OF PROPERTIES FOR DEMOLITION

DDS Interim Director Dennis Bonds requested that the Council consider the adjudication of each property on the public hearing demolition list that have been found to be in such a condition to be a menace to the public health, safety and welfare of the community and in need of cleaning by demolition as authorized by Miss. Code § 21-19-11 (1972 as amended). Each property was separately considered and found to be in such a condition to be a menace to the public health, safety and welfare of the community and in need of cleaning by demolition. The properties are:

1133 Elvis Presley (Parcel 088F2802600)
1155 Elvis Presley (Parcel 088F2802700)
1165 Elvis Presley (Parcel 088F280260H)

Council Member Beard moved, seconded by Council Member Gaston, that each property on the demolition list be found to be in such a condition to be a menace to the public health, safety and welfare of the community and in need of cleaning by demolition as authorized by Miss. Code § 21-19-11 (1972 as amended). Of those present, the vote was unanimous in favor of approval of the demolitions. APPENDIX H

IN THE MATTER OF PLANNING COMMITTEE MEETING MINUTES APRIL 3, 2023

Council Member Palmer moved, seconded by Council Member Gaston, to approve the minutes of the Planning Committee of April 3, 2023. Of those present, the vote was unanimous in favor. APPENDIX I

IN THE MATTER OF MAJOR THOROUGHFARE COMMITTEE MEETING MINUTES MARCH 13 AND APRIL 10, 2023

Council Member Beard moved, seconded by Council Member Mims, to accept the minutes of the Major Thoroughfare Committed of March 13 and April 10, 2023. Of those present, the vote was unanimous in favor. APPENDIX J

IN THE MATTER OF BODY WORN CAMERAS AGREEMENT WITH DRUG ENFORCEMENT ADMINISTRATION

Council Member Beard moved, seconded by Council Member Palmer, to approve an agreement with the Drug Enforcement Agency (DEA), pertaining to the use of Tupelo PD body-worn cameras by deputized task force officers. Tupelo PD personnel assigned to the DEA Task Force will not have a Tupelo PD body worn camera on any DEA operation. Of those present, the vote was unanimous in favor to approve the agreement. APPENDIX K

IN THE MATTER OF DONATED LEAVE REQUEST - FAULKNER

Council Member Palmer moved, seconded by Council Member Gaston, to approve the donation of sick time for Tupelo Parks and Recreation/Museum employee Leesha Faulkner, as allowed by the employee handbook. Of those present, the vote was unanimous in favor. APPENDIX L

IN THE MATTER OF RATIFICATION OF CONTRACT FOR BID # 2023-013FP FAIRPARK RESTROOMS

Council Member Mims moved, seconded by Council Member Palmer, to approve the ratification of a contract with Timmons Electric Co., LLC for Bid 2023-013FP - Fairpark Restrooms, in the amount of \$316,648.23. Of those present, the vote was unanimous in favor. APPENDIX M

EXECUTIVE SESSION

Council Member Beard moved, seconded by Council Member Palmer, to determine the need for an executive session. Attorney Ben Logan said the session is for prospective litigation under Miss. Code Anno. 25-41-7(b) (1972 as amended) and the possible acquisition of real property under Miss. Code Anno. 25-41-7(g) (1972 as amended). Of those present, the vote was unanimous in favor at 6:55 p.m.

Council Member Palmer moved, seconded by Council Member Gaston, to close the regular session and enter executive session for discussion of litigation under Miss. Code Anno. 25-41-7(b) (1972 as amended) and the possible acquisition of real property under Miss. Code Anno. 25-41-7(g) (1972 as amended). Of those present, the vote was unanimous in favor.

After discussion in executive session, Council Member Beard moved, seconded by Council Member Palmer to return to the regular meeting at 7:17 p.m. Of those present, the vote was unanimous in favor.

IN THE MATTER OF ORDER TO SETTLE ALL CLAIMS ASSERTED AGAINST THE CITY OF TUPELO BY THE PINES AT BARNES CROSSING IN TUPELO II, LLC, AND ITS MANAGING COMPANY KIRKLAND PROPERTIES, LLC FOR THE OVERPAYMENT OF SOLID WASTE COLLECTION FEES

Council Member Jones moved, seconded by Council Member Palmer, to approve 'An Order to Settle All Claims Asserted Against the City of Tupelo by The Pines at Barnes Crossing in Tupelo II, LLC, and its Managing Company Kirkland Properties, LLC for the Overpayment of Solid Waste Collection Fees' in the amount of \$56,997.01. Of those present, the vote was unanimous. APPENDIX N

ADJOURNMENT

There being no further business to come before the Council at this time, Council Member Jones moved, seconded by Council Member Beard, to adjourn the meeting, Of those present, the vote was unanimous in favor.

This the 16th day of May, 2023, at 7:18 p.m.

ATTEST:

Missy Shelton, Council Clerk

Lynn Bryan, Council President

APPROVED

Todd Jordan, Mayor

Date