

REGULAR CITY COUNCIL MEETING

MUNICIPAL MINUTES CITY OF TUPELO

STATE OF MISSISSIPPI

FEBRUARY 6, 2024

Be it remembered that a recessed meeting of the Tupelo City Council was held in the Church Street School auditorium on Tuesday, February 6, 2024, at 6:00 p.m. with the following in attendance: Council Members Chad Mims, Lynn Bryan, Travis Beard, Nettie Davis, Janet Gaston and Rosie Jones; Ben Logan, City Attorney; and Missy Shelton, Clerk of the Council. Council Member Buddy Palmer was absent. Council Member Davis introduced Rev. Rusty King, of First United Methodist Church, who led the invocation. Council Member Travis Beard led the pledge of allegiance.

CONFIRMATION OR AMENDMENT TO THE AGENDA AND AGENDA ORDER

Council Member Davis moved, seconded by Council Member Mims, to approve the agenda and agenda order, as presented. Of those present, the vote was unanimous in favor.

IN THE MATTER OF ARTS WEEK PROCLAMATION

Mayor Todd Jordan read a proclamation proclaiming February 5-9, 2024, as Arts Week in the City of Tupelo. APPENDIX A

EMPLOYEE RECOGNITION

Mr. Johnny Timmons was recognized for 50 years of service with Tupelo Water and Light.

PUBLIC RECOGNITION

Council Member Nettie Davis thanked the Tupelo Police Department for all they do helping the neighborhoods to stay safe, clean and drug free. She also thanked the City for the Art Week proclamation, which is something near and dear to her heart. She asked for everyone to remember the families of three individuals who recently passed away: Kaye Gary, James Ford and Jim Cayson.

Council Member Chad Mims thanked and congratulated Johnny Timmons for his 50 years of dedication to the City. Both the high school and middle school choirs received first place in a recent competition.

Council Member Travis Beard congratulated Johnny Timmons and said that he knew him even 5 years prior to his employment. He thanked Mrs. Davis in all her efforts concerning the community in art. He also gave his condolences to both the families of James Ford, his neighbor, and Kaye Gary, who introduced him to his wife.

MAYOR'S REMARKS

Mayor Todd Jordan said that the Coliseum and the Arena have been busy lately with some really well attended shows and conferences. He thanked Johnny Timmons for his years of employment with the City.

IN THE MATTER OF PUBLIC HEARING FOR LOT MOWING

No one appeared for the public hearing on the property located at 605 North Church Street.

CITIZEN HEARING

Mr. Bill Renick, Member of the TVA Board of Directors, addressed the Council to thank the City for being their 1st TVA City for 90 years.

IN THE MATTER OF MINUTES OF REGULAR MEETING ON JANUARY 16, 2024 AND RECESSED MEETING ON JANUARY 23, 2024

Council Member Gaston moved, seconded by Council Member Davis, to approve the minutes of the regular meeting of January 16, 2024, and the recessed meeting of January 23, 2024. 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 Travis Beard, Nettie Davis and Janet Gaston. Council Member Davis moved, seconded by Council Member Bryan, to approve the payment of the checks, bills, claims and utility adjustments. The vote was unanimous in favor. APPENDIX B

IN THE MATTER OF ADVERTISING AND PROMOTIONAL ITEMS

Council Member Gaston moved, seconded by Council Member Jones, to approve the advertising and promotional items, as submitted:

SymbolArts LLC \$3,300 Tupelo Police Department challenge coins.

Of those present, the vote was unanimous in favor. APPENDIX C

IN THE MATTER OF CONTINUING DISCLOSURE FOR FY 2023

Council Member Davis moved, seconded by Council Member Gaston, to accept the Continuing Disclosure Statement for FY 2023, prepared by Butler Snow. CFO Kim Hanna explained that this is a yearly statement required from any entity with outstanding bond debt. Of those present, the vote was unanimous in favor. APPENDIX D

IN THE MATTER OF APPOINTMENT OF DAVID RUMBARGER TO MAJOR THOROUGHFARE COMMITTEE

Council Member Mims moved, seconded by Council Member Bryan, to approve the appointment of David Rumbarger to the Major Thoroughfare Committee for a term of four years to begin immediately. Of those present, the vote was unanimous in favor. APPENDIX E

IN THE MATTER OF APPROVAL TO SUBMIT FY24 RAISE GRANT

Grant Writer Abby Christian addressed the Council to request submission of the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant proposal. This funding is for the planning and engineering of Tupelo's Eason Boulevard bridge project. There is no match for the grant of \$1,524,641.00. Council Member Bryan moved, seconded by Council Member Mims to approve the submission of the RAISE grant. Of those present, the vote was unanimous in favor. APPENDIX F

IN THE MATTER OF SURPLUSING WEAPON FOR RETIREMENT OF CHARLES MCDUGALD

Police Chief John Quaka asked that the service weapon of Charles McDougald - Glock Model 43x MOS, 9mm SN BVWS930, be surplused and sold to him at fair market value, upon his retirement. Fair market value of the weapon is \$250 and is permissible under Mississippi State Statute §45-9-131. APPENDIX G

IN THE MATTER OF BID NUMBER 2023-069PD – TACTICAL ARMORED RESPONSE UNIT

The City advertised and received bids for Bid # 2023-069FD – Tactical Armored Response Unit. One bid was received from Lenco Industries Inc. in the amount of \$332,641.00. Council Member Bryan moved, seconded by Council Member Gaston, to find the properly advertised, single bid as commercially reasonable, and to award the bid to Lenco Industries Inc. in the amount of \$ 332,641.00. Of those present, the vote was unanimous in favor. APPENDIX H

IN THE MATTER OF MEMORANDUM OF UNDERSTANDING BETWEEN THE TUPELO POLICE DEPARTMENT AND THE TUPELO HOUSING AUTHORITY

Council Member Davis moved, seconded by Council Member Gaston, to approve a Memorandum of Understanding (MOU) between the City of Tupelo Police Department and the Tupelo Housing Authority (THA). This MOU will allow the Police Department to have access to the security cameras at 3 THA locations, as follows: North Green Street, South Green Street and Canal Street. Of those present, the vote was unanimous in favor. APPENDIX I

IN THE MATTER OF RATIFICATION OF CONTRACT WITH STE-BIL GRADING, INC. FOR BID # 2023-057PW FOR BRIDGE NUMBER 202 REPLACEMENT ON WEST MAIN STREET

Council Member Bryan moved, seconded by Council Member Gaston, to ratify the contract for Bid # 2023-057PW – Bridge Number 202 Replacement on West Main Street - with Ste-Bil Grading, Inc., in the amount of \$1,736,041.75. Of those present, the vote was unanimous in favor. APPENDIX J

IN THE MATTER OF PROPERTIES FOR LOT MOWING

Council Member Gaston moved, seconded by Council Member Mims, to adjudicate the properties on the final lot mowing list as menaces to the public health, safety and welfare of the community and in need of cleaning and to approve their cleaning in accordance with Mississippi Code Annotated Sec. 21-19-11. Of those present, the vote was unanimous in favor. APPENDIX K

IN THE MATTER OF LIEN RESOLUTION FOR UNPAID DEMOLITION AND PROPERTY CLEANING COSTS

Council Member Bryan moved, seconded by Council Member Gaston, to approve a Resolution Adjudicating Cost and Assessing Lien Against Real Property associated with demolitions under Miss. Code Ann. 21-19-11(1972 as amended) for the following property:

5498-5546 W Main Street Parcel # 103C-05-024-00

Of those present, the vote was unanimous in favor. APPENDIX L

IN THE MATTER OF PLANNING COMMITTEE MINUTES OF NOVEMBER 6, 2023

Council Member Bryan moved, seconded by Council Member Mims, to accept the minutes of the November 6, 2023, Planning Committee meeting. Of those present, the vote was unanimous in favor. APPENDIX M

IN THE MATTER OF BID #2023-067PW - HOT MIX 6 MONTHS SUPPLY

The City advertised and accepted bids for Bid #2023-067PW – 6 Month Supply Hot Mix. One bid was received from APAC - MS. Council Member Gaston moved, seconded by Council Member Jones, to find the properly advertised, single bid as commercially reasonable, and to award the bid to APAC - MS. Of those present, the vote was unanimous in favor. APPENDIX N

IN THE MATTER OF ARPA BID # 2023-064PW GUN CLUB RD BOX CULVERT PROJECT

The City advertised and accepted bids for ARPA Bid #2023-064PW – Gun Club Road Box Culvert Project. Multiple bids were received with the lowest and best bid being from Townes Construction in the amount of \$283,901.00. Council Member Bryan moved, seconded by Council Member Davis, to award the bid to Townes Construction. Of those present, the vote was unanimous in favor. APPENDIX O

IN THE MATTER OF BID 2023-068PW - PACKAGE GENERATOR SYSTEM LABOR AND MATERIALS – FIRE STATIONS 3, 4, 6, AND 7

The City advertised and accepted bids for Bid #2023-068PW – Package Generator System Labor and Materials for Fire Stations 3,4,6, and 7. Multiple bids were received for this public construction contract with the lowest and best bid being from Liberty Electric in the amount of \$280,010.00. Council Member Gaston moved, seconded by Council Member Bryan, to award the bid to Liberty Electric. Of those present, the vote was unanimous in favor. APPENDIX P

IN THE MATTER OF CONTRACT FOR ARPA BID # 2023-060PW - MITCHELL ROAD CROSS DRAIN REPLACEMENT PROJECT

ARPA Bid # 2023-060PW – Mitchell Road Cross Drain Replacement Project, was awarded to Townes Construction Co., Inc. at the January 2, 2024 City Council meeting. Council Member Bryan moved, seconded by Council Member Mims, to approve the contract for this project. Of those present, the vote was unanimous in favor. APPENDIX Q

IN THE MATTER OF CONTRACT FOR ARPA BID # 2023-059PW - MEDICAL PARK CIRCLE PIPE REPLACEMENT PROJECT

ARPA Bid # 2023-0659W – Medical Park Circle Pipe Replacement Project, was awarded to Townes Construction Co., Inc. at the January 2, 2024 City Council meeting. Council Member Bryan moved, seconded by Council Member Gaston, to approve the contract for this project. Of those present, the vote was unanimous in favor. APPENDIX R

IN THE MATTER OF APPROVAL OF ARPA PROCUREMENT POLICY AND FORM OF THE ARPA CONTRACT MANDATORY ADDENDUM AMENDMENTS TO MWCI GRANT AGREEMENTS - HIGHWAY 45 SEWER OUTFALL MDEQ 179-2-CW-5.5; CITY PARK STORM WATER MDEQ 202-2-SW-5.6; GUM TREE PART STORM WATER MDEQ 200-2-SW-5.6; ARPA BID # 2023-032PW; AND VAN BUREN AVE STORM WATER MDEQ 203-2-SW-5.6

Council Member Gaston moved, seconded by Council Member Bryan, to approve the ARPA procurement policy amendments and the form of amendments of the ARPA Contract Mandatory Addendum and authorize the mayor and city clerk to execute the amendments subject to later ratification for the following projects:

Highway 45 Sewer Outfall MDEQ 179-2-CW-5.5
City Park Storm Water MDEQ 202-2-SW-5.6
Gumtree Park Storm Water MDEQ 200-2-SW-5.6
Van Buren Avenue Storm Water MDEQ 203-0-SW-5.6

Of those present, the vote was unanimous in favor. APPENDIX S

IN THE MATTER OF CADENCE BANK ARENA MINUTES OF DECEMBER 18, 2023

Council Member Davis moved, seconded by Council Member Jones, to approve the Cadence Bank Arena minutes of December 18, 2023. Of those present, the vote was unanimous in favor. APPENDIX T

IN THE MATTER OF TRAFFIC COMMITTEE MINUTES OF JANUARY 25, 2024

Council Member Bryan moved, seconded by Council Member Mims, to approve the Traffic Committee minutes of the January 25, 2024 meeting. Of those present, the vote was unanimous in favor. APPENDIX U

IN THE MATTER OF SALE OF RIGHT-OF-WAY TO TENNESSEE VALLEY AUTHORITY FOR THE CONSTRUCTION OF AN ELECTRICAL TRANSMISSION LINE TO THE NEW

POWER SUBSTATION ON GREEN STREET

Council Member Davis moved, seconded by Council Member Gaston, to approve the sale of right-of-way and clearing rights to Tennessee Valley Authority in the TVA established just and liberal compensation appraised amount of \$ 102,200.00 for ± 1.09 acres and clearing rights as stated in the offer. TVA will use this for the construction of an electrical transmission line to the new power substation on Green Street. Of those present, the vote was unanimous in favor. APPENDIX V

IN THE MATTER OF DEVELOPMENT CODE AMENDMENT – MULTIFAMILY (TABLED AT NOVEMBER 7, 2023 MEETING)

This item was left on the table.

IN THE MATTER OF DEVELOPMENT CODE AMENDMENT – SIGNS (TABLED AT NOVEMBER 7, 2023 MEETING)

This item was left on the table.

IN THE MATTER OF CHANGE ORDER #1 FOR BID 2023-035AD - COUNCIL CHAMBERS RENOVATION

Council Member Bryan moved, seconded by Council Member Gaston, to approve change order #1 for Bid # 2023-035AD – Council Chambers Renovation. This change order was within the scope of the project, necessitated by unanticipated repairs as a result of the remodeling process, and will increase the net cost by \$3,262.00. The new contract amount is \$341,862.00. Of those present, the vote was unanimous in favor. APPENDIX W

IN THE MATTER OF RECONSIDERATION OF BID #2023-058PD AWARDED TO CANNON MOTORS AT THE DECEMBER 19, 2023 REGULAR MEETING

Council Member Davis moved, seconded by Council Member Gaston, to reconsider the award of Bid # 2023-058PD to Cannon Motors passed at the December 19, 2023 regular meeting. Of those present, the vote was unanimous in favor.

IN THE MATTER OF REJECTION OF BID #2023-058PD

Council Member Davis moved, seconded by Council Member Gaston, to reject the sole bid for bid # 2023-058PD submitted by Cannon Motors subsequently discovered to be non-responsive to the terms of the bid specifications. Of those present, bid # 2023-058PD was rejected. APPENDIX X

IN THE MATTER OF MAJOR SITE PLAN APPLICATION MSP23-01 FOR MAGNOLIA GROVE TOWNHOMES DEVELOPMENT

This item was moved up to the regular agenda.

Council Member Davis moved, seconded by Council Member Gaston, to suspend the rules and take up this matter for discussion. Of those present, the vote was unanimous in favor.

Council Member Davis moved, seconded by Council Member Gaston, to approve the major site plan application MSP23-01 for Magnolia Grove Townhomes Development. Of those present, the vote was unanimous in favor. APPENDIX Y

EXECUTIVE SESSION

Council Member Janet Gaston recused herself for the remainder of the meeting.

Council Member Bryan moved, seconded by Council Member Mims, to determine the need for an executive session. City Attorney Ben Logan said the session will be for the acquisition and disposal of real property under Miss. Code Anno. 25-41-7(g) (1972 as amended). Of those present, the vote was unanimous in favor.

Council Member Bryan moved, seconded by Council Member Mims, to close the regular session and enter executive session for discussion of possible acquisition and disposal of real property under Miss. Code Anno. 25-41-7(g) (1972 as amended). Of those present, the vote was unanimous in favor at 6:38 PM.

After discussion in executive session, Council Member Bryan moved, seconded by Council Member Mims to return to the regular meeting at 6:41 PM. Of those present, the vote was unanimous in favor.

ADJOURNMENT

There being no further business to come before the Council at this time, Council Member Bryan moved, seconded by Council Member Jones, to adjourn the meeting at 6:42 PM. Of those present, the vote was unanimous in favor.

This the 6th day of February, 2024.

Travis Beard, Council President

ATTEST:

Missy Shelton, Council Clerk

APPROVED

Todd Jordan, Mayor

Date