

# **REGULAR CITY COUNCIL MEETING**

## **MUNICIPAL MINUTES CITY OF TUPELO**

### **STATE OF MISSISSIPPI**

**JUNE 4, 2024**

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, June 4, 2024, at 6:00 p.m. with the following in attendance: Council Members Lynn Bryan, Travis Beard, Nettie Davis, Buddy Palmer, and Rosie Jones; Ben Logan, City Attorney and Missy Shelton, Clerk of the Council. Council Member Chad Mims was absent. Council Member Buddy Palmer gave the invocation, and Council Member Janet Gaston led the pledge of allegiance.

Council President Travis Beard called the meeting to order at 6:00 p.m.

### **CONFIRMATION OR AMENDMENT TO THE AGENDA AND AGENDA ORDER**

Council Member Davis moved, seconded by Council Member Gaston, to approve the agenda and agenda order, with the following change:

Add# 26        IN THE MATTER OF ARPA BID 2024-021PW APPROVAL FOR RIDGEWAY  
DRIVE DRAINAGE IIMPROVEMENTS

Of those present, the vote was unanimous in favor.

### **EMPLOYEE RECOGNITION**

Mayor Todd Jordan recognized the following employees for years of service:

Christopher Justin Roy	Fire Department	5 years
Michael Joshua Moody	Fire Department	5 years

### **PUBLIC RECOGNITION**

Council Member Nettie Davis invited everyone to the Juneteenth Festival activities on June 15.

### **MAYOR'S REMARKS**

Mayor Todd Jordan said that everything will be busy this week/weekend due to the Elvis Fest. He invited everyone to join with visitors from all over and enjoy the festivities. He also said that there will be a state baseball tournament in town this weekend with 130 teams. Finally, he reminded everyone about the Comprehensive Plan Kick-Off slated for June 11 at 6:00 p.m. in the Cadence Bank Conference Center.

## **IN THE MATTER OF PUBLIC HEARING FOR LOT MOWING**

No one appeared for this public hearing.

## **CITIZEN HEARING**

Ms. Emily Brewer of 1538 Morningside Drive addressed the Council concerning code violation complaints.

Council Member Davis moved, seconded by Council Member Lynn Bryan, to suspend the rules and allow city property owner, Mr. Jeff Pelasara of 193 CR 2240, Booneville, to speak concerning the property previously mentioned in the citizen hearing. Of those present, the vote was unanimous in favor.

Mr. Jeff Pelasara addressed the Council concerning the property located at 572 Elvis Presley Drive.

## **IN THE MATTER OF APPEAL OF PLANNING COMMITTEE DECISION OF FLEXIBLE-USE APPLICATION FLEX24-01**

This item was verbally tabled at this time, but was brought back up for further clarification later in the meeting.

## **IN THE MATTER OF REZONING APPLICATION RZ24-01 WEST MAIN STREET**

Council Member Bryan moved, seconded by Council Member Davis, to approve the rezoning application RZ24-01 on West Main Street. This rezoning will allow a drive-through at the bank located at the SW intersection of West Main and Church streets. Of those present, the vote was unanimous in favor. APPENDIX A

## **IN THE MATTER OF MINUTES OF MAY 21, 2024 COUNCIL MEETING**

Council Member Gaston moved, seconded by Council Member Palmer, to approve the minutes of the May 21, 2024, Tupelo City Council meeting. 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, Lynn Bryan, Janet Gaston, Buddy Palmer and Nettie Davis. Council Member Davis moved, seconded by Council Member Gaston, to approve the payment of the checks, bills, claims and utility adjustments. Of those present, 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 follows:

ITEMS:

Outstretched Hands International Ministries of Christ, Inc. \$150.00 (Program Ad  
for June 8-14, 2024)

Various vendors \$3,000.00  
(Juneteenth Celebration at Gumtree Park on June 15th)

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

**IN THE MATTER OF PROPERTIES FOR LOT MOWING**

Council Member Gaston moved, seconded by Council Member Jones, 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 cleaning in accordance with Mississippi Code Annotated Sec. 21-19-11. Of those present, the vote was unanimous in favor. APPENDIX D

**IN THE MATTER OF PLANNING COMMITTEE MINUTES OF DECEMBER 4, 2023**

Council Member Gaston moved, seconded by Council Member Jones, to accept the minutes of the December 4, 2023 Planning Committee minutes. Of those present, the vote was unanimous in favor. APPENDIX E

**IN THE MATTER OF PLANNING COMMITTEE MINUTES OF MARCH 4, 2024**

Council Member Gaston moved, seconded by Council Member Jones, to accept the minutes of the March 4, 2024 Planning Committee minutes. Of those present, the vote was unanimous in favor. APPENDIX F

**IN THE MATTER OF SURPLUSING DAMAGED WEAPON FOR SCRAP**

Police Chief John Quaka addressed the Council asking for a duty weapon Glock 43X MOS with Holoson Optic SN # BVWS933, destroyed in a fire, be deleted from the asset list. Council Member Bryan moved, seconded by Council Member Palmer, to approve the surplus and removal from the City's asset list. Of those present, the vote was unanimous in favor. APPENDIX G

**IN THE MATTER OF AGREEMENT BETWEEN FBI-LEEDA AND THE NORTH MISSISSIPPI LAW ENFORCEMENT TRAINING CENTER**

Council Member Davis moved, seconded by Council Member Palmer, to approve an agreement between the North MS Law Enforcement Training Center and FBI-LEEDA allowing the use of the Training Center for leadership development classes. Of those present, the vote was unanimous in favor. APPENDIX H

**IN THE MATTER OF SURPLUSING STOLEN SERVICE WEAPON**

Council Member Palmer moved, seconded by Council Member Gaston, to approve the surplus of a service weapon – Glock 47 with a direct mount Aimpoint Acro P2 and a Streamlight TLR flashlight attached to the weapon SN CBYM944 – stolen out of the officer's vehicle. The weapon has been entered into the NCIC system. Of those present, the vote was unanimous in favor. APPENDIX I

**IN THE MATTER OF ACCEPTING VEHICLES AND FUNDS INTO ASSETS FROM COURT ORDER CR23-331**

Council Member Bryan moved, seconded by Council Member Gaston, to accept funds and vehicles into the City's asset list, as awarded by court order of Lee County Circuit Court CR23-331. The items are:

1. 2022 Kia Telluride - VIN 5XYP3DHC1NG288351
2. 2021 Toyota Tundra – VIN 5TFHY5F13MX005473
3. \$70,223.26

Of those present the vote was unanimous in favor. APPENDIX J

**IN THE MATTER OF APPROVAL OF BID #2024-026FD - 3/4 TON CREW CAB 4X4 AND A POLICE PACKAGE TAHOE**

The City advertised and accepted bids for Bid #2024-026FD – ¾ Ton Crew Cab 4X4 and Police Package Tahoe. Two bids were received with the lowest and best submitted from Mac Haik Chevrolet and CDJR in the amount of \$135,385.72. Council Member Palmer moved, seconded by Council Member Gaston, to award the bid to Mac Haik Chevrolet and CDJR. Of those present, the vote was unanimous in favor. APPENDIX K

**IN THE MATTER OF CONTRACT APPROVAL TUPELO MAJOR THOROUGHFARE MILL AND OVERLAY PROGRAM – 2024 ANNUAL BID 2024-017PW**

Council Member Gaston moved, seconded by Council Member Jones, to approve the term contract [Miss Code Anno. § 31-7-13 (n)] with Falcon Contracting Co., Inc. for Bid # 2024-017PW – Tupelo Major Thoroughfare Mill and Overlay Program – 2024 Annual Bid in the amount of \$1,535,036.00. Of those present, the vote was unanimous in favor. APPENDIX L

**IN THE MATTER OF CONTRACT APPROVAL TUPELO LOCAL STREET MAINTENANCE MILL AND OVERLAY PROGRAM – 2024 ANNUAL BID 2024-016PW**

Council Member Gaston moved, seconded by Council Member Jones, to approve the term contract [Miss Code Anno. § 31-7-13 (n)] with Falcon Contracting Co., Inc. for Bid # 2024-016PW – Tupelo Major Thoroughfare Mill and Overlay Program – 2024 Annual Bid in the amount of \$1,535,036.00. Of those present, the vote was unanimous in favor. APPENDIX M

**IN THE MATTER OF ARPA BID # 2024-020PW - ROBINS FIELD DRAINAGE IMPROVEMENTS**

The City advertised and accepted bids for ARPA Bid #2024-020PW – Robins Field Drainage Improvements. Three bids were received with the lowest and best qualified submitted from Townes Construction Company in the amount of \$830,556.00. Council Member Gaston moved, seconded by Council Member Jones to award the bid to Townes Construction Company. Of those present, the vote was unanimous in favor. APPENDIX N

**IN THE MATTER OF DEMOLITION FOR HANCOCK PARK PAVILION**

Park and Recreation Director Alex Farned requested that the Hancock Park pavilion be demolished to replace with a new structure for pavilion/restrooms in the same location. Council Member Bryan moved, seconded by Council Member Jones, to approve the demolition of the pavilion in Hancock Park. Of those present, the vote was unanimous in favor.

### **IN THE MATTER OF DEMOLITION FOR GUMTREE PARK CONCESSION/RESTROOM**

Park and Recreation Director Alex Farned requested that the Gumtree Park Concession/Restroom structure be demolished. Construction plans are to build a new facility that will house both a pavilion and restrooms nearby. Council Member Gaston moved, seconded by Council Member Jones, to approve the demolition. Council Member Davis stated that her constituents had reached out to her in opposition of the demolition, and she could not support it. Council Member Jones rescinded her second and Council Member Bryan made a second to the motion for demolition. The vote for demolition was as follows: AYE – Gaston, Beard, Bryan – NAY – Davis, Jones, Palmer. The motion failed to pass.

### **IN THE MATTER OF CADENCE BANK ARENA MINUTES OF APRIL 15, 2024 AND SPECIAL CALLED MEETING OF APRIL 24, 2024**

Council Member Bryan moved, seconded by Council Member Palmer, to accept the minutes of the April 15 and April 24, 2024 meetings of the Cadence Bank Arena. Of those present, the vote was unanimous in favor. APPENDIX O

### **IN THE MATTER OF ARPA BID # 2024-025PW - LUMPKIN STREET TO KINGS CREEK BANK STABILIZATION**

The City advertised and accepted bids for ARPA Bid #2024-025PW – Lumpkin Street to Kings Creek Bank Stabilization. Four bids were received with the lowest and best qualified submitted from Encor, LLC in the amount of \$2,238,248.05. Council Member Palmer moved, seconded by Council Member Jones to award the bid to Encor, LLC. Of those present, the vote was unanimous in favor. APPENDIX P

### **IN THE MATTER OF EMERGENCY PURCHASE OF TEN (10) 50 kVA SINGLE PHASE CONVENTIONAL TRANSFORMERS**

Council Member Palmer moved, seconded by Council Member Gaston, to approve an ‘Order Authorizing Emergency Purchase of Ten (10) 50 kVA Single Phase Conventional Transformers’ pursuant to Miss. Code Anno. § 31-7-13 (k). The lead time for receiving this equipment is a minimum of 3 months. Of those present, the vote was unanimous in favor. APPENDIX Q

### **IN THE MATTER OF REQUEST FOR APPROVAL OF SURPLUS ITEM – TWL**

Council Member Gaston moved, seconded by Council Member Jones, to approve the surplus of the following:

Sharp AR-317 Copier/Printer SN 45004866 ID # 1264

from the asset list of Tupelo Water & Light. This item is no longer usable or needed by the City of Tupelo and will be destroyed. Of those present, the vote was unanimous in favor. APPENDIX R

**IN THE MATTER OF APPROVAL OF CONTRACT WITH PANOLA PICTURES FOR ARPA RFP 2024-010CVB - VIDEOGRAPHY - DIGITAL CONTENT MARKETING TOOL, TOURISM INDUSTRY RECOVERY II**

Council Member Palmer moved, seconded by Council Member Bryan, to approve the contract with Panola Pictures Videography for ARPA RFP 2024-010CVB in the amount of \$124,950. Of those present, the vote was unanimous in favor. APPENDIX S

**IN THE MATTER OF EXERCISE OF OPTION TO PURCHASE PROPERTY FOR THE CONSTRUCTION OF A CLASS II (VEGETATIVE DEBRIS) RUBBISH LANDFILL, AUTHORIZING MAYOR AND CITY CLERK TO SIGN ANY AND ALL DOCUMENTS TO SET CLOSING ON THE PROPERTY AND PURCHASE SAME**

Council Member Bryan moved, seconded by Council Member Davis, to approve the Exercise of Option to Purchase Property for the Construction of a Class II (Vegetative Debris) Rubbish Landfill, Authorizing the Mayor and City Clerk to Sign any and all Documents to Set Closing on the Property and Purchase Same. Of those present, the vote was unanimous in favor. APPENDIX T

**IN THE MATTER OF ARPA BID # 2024-021PW – RIDGEWAY DRIVE DRAINAGE IMPROVEMENTS**

The City advertised and accepted bids for ARPA Bid #2024-021PW – Ridgeway Drive Drainage Improvements. Six bids were received with the lowest and best qualified submitted from Cary Construction in the amount of \$423,305.56. Council Member Palmer moved, seconded by Council Member Gaston to award the bid to Cary Construction. Of those present, the vote was unanimous in favor. APPENDIX U

**IN THE MATTER OF DEVELOPMENT CODE AMENDMENT – SIGNS**

This item was left on the study agenda.

**IN THE MATTER OF DEVELOPMENT CODE AMENDMENTS TA-23-01**

This item was left on the study agenda.

**IN THE MATTER OF AN ORDINANCE ESTABLISHING VOTING PRECINCTS AND LOCATIONS FOLLOWING 2020 CENSUS AND REDISTRICTING BASED ON NEW WARD LINES**

Council Member Davis moved, seconded by Council Member Gaston, to suspend the rules and vote on this item. This item was taken back up later in the meeting.

**IN THE MATTER OF AN ORDINANCE AMENDING TUPELO CODE OF ORDINANCES, CHAPTER 19, ARTICLE VI. - REGULATIONS FOR DISPLAY FOR SALE OF MOTOR**

**VEHICLES, MOTORIZED EQUIPMENT, BOATS, TRAILERS, RECREATIONAL VEHICLES AND CAMPERS**

This item was moved up to the Action Agenda on the next regular agenda by a unanimous voice of the Council.

**IN THE MATTER OF AN ORDINANCE AMENDING CHAPTERS 17, 19 AND 24 OF THE CITY OF TUPELO CODE OF ORDINANCES TO ADDRESS AGGRESSIVE PANHANDLING OR SOLICITATION, THE OBSTRUCTION OF TRAFFIC AND OTHER RIGHTS OF WAY, TRESPASSERS AND OTHER SUCH MATTERS RELATED THERETO**

This item was left on the study agenda.

**EXECUTIVE SESSION**

Council Member Davis moved, seconded by Council Member Bryan, to determine the need for an executive session. City Attorney Ben Logan said the session will be for possible litigation and economic development under Miss. Code Anno. § 25-41-7 (b)(j) (1972 as amended). Of those present, the vote was unanimous in favor.

Council Member Gaston moved, seconded by Council Member Bryan, to close the regular session and enter executive session for possible litigation and economic development under Miss. Code Anno. § 25-41-7 (b)(j) (1972 as amended).

After discussion in executive session, Council Member Bryan moved, seconded by Council Member Palmer, to return to the regular meeting at 6:44 p.m. Of those present, the vote was unanimous in favor.

**IN THE MATTER OF APPROVAL OF CONTRACT FOR MASTER PLAN**

Council Member Bryan moved, seconded by Council Member Gaston, to approve a contract with Muldrow and Associates/Studio Main for the creation of a master plan for 17+/- acres north of the National Fish Hatchery on Elizabeth Street and to authorize the Mayor and City Clerk to sign any and all documents in the amount of \$10,000.00. Of those present, the vote was unanimous in favor.

**IN THE MATTER OF APPROVAL OF CONTRACT FOR ENVIRONMENTAL SURVEY FOR PHASE I**

Council Member Bryan moved, seconded by Council Member Gaston to approve a contract with Cook Coggin Engineers, Inc. for an environment survey for phase I for 17+/- acres north of the National Fish Hatchery on Elizabeth Street and to authorize the Mayor and City Clerk to sign any and all documents in the amount of \$4,500.00. Of those present, the vote was unanimous in favor.

**IN THE MATTER OF APPEAL OF PLANNING COMMITTEE DECISION OF FLEXIBLE-USE APPLICATION FLEX4-01**

Earlier in this meeting, a decision to place this item on the table was discussed, but a vote was not taken. Council Member Gaston moved, seconded by Council Member Jones, to table the decision of the appeal of the planning committee decision of flexible-use application Flex24-01. Of those present, the vote was unanimous in favor.

**IN THE MATTER OF AN ORDINANCE ESTABLISHING VOTING PRECINCTS AND LOCATIONS FOLLOWING 2020 CENSUS AND REDISTRICTING BASED ON NEW WARD LINES**

Earlier in the meeting, motion, second and vote was taken to suspend the rules to vote on this item, but the motion, second and vote was not taken for the item itself. Council Member Davis moved, seconded by Council Member Gaston, to approve the Ordinance Establishing Voting Precincts and Locations Following 2020 Census and Redistricting Based on New Ward Lines. Of those present, the vote was unanimous in favor. APPENDIX V

**ADJOURNMENT**

There being no further business to come before the Council at this time, Council Member Palmer moved, seconded by Council Member Bryan, to adjourn the meeting at 7:04 p.m. Of those present, the vote was unanimous in favor.

This the 4<sup>th</sup> day of June, 2024.

\_\_\_\_\_  
Travis Beard, Council President

ATTEST:

\_\_\_\_\_  
Missy Shelton, Council Clerk

APPROVED

\_\_\_\_\_  
Todd Jordan, Mayor

\_\_\_\_\_  
Date