

REGULAR CITY COUNCIL MEETING

MUNICIPAL MINUTES CITY OF TUPELO

STATE OF MISSISSIPPI

JUNE 20, 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, June 20, 2023, 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 attended by telephone. Council Member Janet Gaston was absent. Council Member Rosie Jones led the invocation. Council Member Lynn Bryan 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 additions:

ADD #24 IN THE MATTER OF MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF TUPELO AND THE DEPARTMENT OF ARCHIVES AND HISTORY – SPAIN HOUSE

ADD #25 IN THE MATTER OF MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF TUPELO AND THE DEPARTMENT OF ARCHIVES AND HISTORY – SPRING HILL CHURCH

Of those present, the vote was unanimous in favor.

PROCLAMATIONS, RECOGNITIONS AND REPORTS AGENDA

PUBLIC RECOGNITION

Council Member Nettie Davis thanked everyone for being supportive for the Juneteenth festivities and invited everyone to attend the festivities that will continue on July 1.

MAYOR'S REMARKS

Mayor Todd Jordan mentioned that the Fire Department's Sprint vehicle has arrived. He invited Chief Kelly Elliott to address the Council. Chief Elliott thanked the Council and Administration for their support in getting the vehicle and said he hopes there will be another one coming soon. Mayor Jordan congratulated Lucia Randle, DTMSA Director, for the Elvis Presley Festival success. Baseball teams have been flocking to the city and last weekend, the hotels were filled to 96% capacity. Mayor Jordan wished Mr. Abraham Training a happy 100th birthday.

PUBLIC AGENDA

IN THE MATTER OF PUBLIC HEARING FOR DEMOLITIONS

No one appeared to speak on the following properties for demolition:

- 117 & 117 ½ Highland Drive (PARCEL 077Q-36-085-00)
- 1108 Marquette Street (PARCEL 077G-25-112-00)
- 2111 President Street (PARCEL 101M-12-093-00)
- 1203 North Green Street (PARCEL 089B-30-065-00)
- 718 North Church Street (PARCEL 089F-30-072-00)

IN THE MATTER OF PUBLIC HEARING FOR LOT MOWING

No one appeared to speak on the following properties for lot mowing:

<u>Parcel</u>	<u>Location</u>
077M3610000	206 RANKIN BLVD
088N3310300	LAKE ST
077C2501600	1507 TRACE AVE
077F2613400	1830 W JACKSON ST
075J2105600	4542 LAKEWOOD LN
088F2813800	761 ELVIS PRESLEY DR
089N3103600	903 W MAIN ST
075R2205200	3528 FAIR OAKS DR
077P3502000	2089 W MAIN ST
089P3115900	411 ELLIOTT ST
101B0214000	401 MONUMENT DR
076Q2401400	1804 TRACE AVE
077C2503700	1603 OSBORNE ST

ACTION AGENDA

**IN THE MATTER OF AMENDMENTS TO THE ANIMAL CONTROL ORDINANCE
(TABLED AT MAY 2, 2023 MEETING)**

This item was left on the table.

ROUTINE AGENDA

IN THE MATTER OF MINUTES OF JUNE 6, 2023 COUNCIL MEETING

Council Member Palmer moved, seconded by Council Member Beard, to approve the minutes of the Regular Council meeting of June 6, 2023. 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 Davis moved, seconded by Council Member Jones, to approve the payment of the checks, bills, claims and utility adjustments. Of those present, the vote was unanimous in favor. APPENDIX A

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 B

IN THE MATTER OF BUDGET AMENDMENT #7 FOR FY 2023

Council Member Davis moved, seconded by Council Member Beard, to approve Budget Amendment #7 for 2023, as presented by CFO/City Clerk Kim Hanna. Of those present, the vote was unanimous in favor. APPENDIX C

IN THE MATTER OF RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION BONDS)

Council Member Palmer moved, seconded by Council Member Beard, to adopt the following resolution:

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION BONDS OF THE CITY AND/OR ISSUE A GENERAL OBLIGATION BOND OF THE CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK, IN ONE OR MORE TAXABLE OR TAX-EXEMPT SERIES, ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED TWENTY MILLION DOLLARS (\$20,000,000); DIRECTING THE PUBLICATION OF A NOTICE OF SUCH INTENTION; AND FOR RELATED PURPOSES

Of those present, the vote was unanimous in favor. A copy of the executed document is attached hereto and made part of these minutes as APPENDIX D.

IN THE MATTER OF RESOLUTION HIRING REQUIRED LEGAL COUNSEL AND AN INDEPENDENT REGISTERED MUNICIPAL ADVISOR

Council Member Beard moved, seconded by Council Member Davis, to adopt the following resolution:

IN THE MATTER OF RESOLUTION HIRING REQUIRED LEGAL COUNSEL AND AN INDEPENDENT REGISTERED MUNICIPAL ADVISOR

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

IN THE MATTER OF DEMOLITIONS

Council Member Beard moved, seconded by Council Member Palmer, to table the demolition of the structures located at 117 and 117 ½ Highland Drive until the next regular meeting of the Tupelo City Council on July 5, 2023. Of those present, the vote was unanimous in favor.

Council Member Beard moved, seconded by Council Member Davis, to adjudicate the properties and structures located at 1108 Marquette Street, 2111 President Street, 1203 North Green Street and 718 North Church Street for being a menace to the public health, safety and welfare of the community and in need of cleaning and to approve their demolition in accordance with Mississippi Code Annotated 21-19-11. Of those present, the vote was unanimous in favor. APPENDIX F

IN THE MATTER OF LOT MOWING

Council Member Palmer moved, seconded by Council Member Beard, to adjudicate the properties on the final lot mowing list, as presented, 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 21-19-11.. Of those present, the vote was unanimous in favor. APPENDIX G

IN THE MATTER OF APPROVAL OF RESOLUTIONS ASSESSING JUDGMENT LIENS

Council Member Beard moved, seconded by Council Member Davis, to approve RESOLUTIONS ASSESSING JUDGMENT LIENS AGAINST REAL PROPERTY FOR THE COSTS ASSOCIATED WITH LOT MOWING IN ACCORDANCE WITH MISS CODE ANNOTATED § 21-19-11 , for the following properties:

107 Lakeview Drive
202 Enoch Avenue
602 South Church Street
1195 South Gloster Street
1502 Reed Street
1507 Trave Avenue
1521 Elvis Presley Drive

such properties being previously 1) adjudicated menaces to the public health, safety and welfare of the community and in need of cleaning and 2) cleaned pursuant to Miss. Code Ann. 21-19-11 (1972 as amended). Of those present, the vote was unanimous in favor. APPENDIX H

IN THE MATTER OF APPROVAL OF LIEN FOR CLEAN UP AT 2281 EDGEMONT DRIVE

Council Member Palmer moved, seconded by Council Member Beard, to approve a Resolution Adjudicating Cost and Assessing Lien Against Real Property Under Miss. Cod Ann. 21-19-11 (1972 as amended) located at 2281 Edgemont Drive. Of those present, the vote was unanimous in favor. APPENDIX I

IN THE MATTER OF REAPPOINTMENT OF LESLIE MART TO THE TUPELO PLANNING COMMITTEE

Council Member Palmer moved, seconded by Council Member Beard, to approve the reappointment of Leslie Mart to the Tupelo Planning Committee. This appointment is for a 4 year term and will expire February 2027. Of those present, the vote was unanimous in favor. APPENDIX J

**IN THE MATTER OF APPROVAL OF PLANNING COMMITTEE MEETING MINUTES
MAY 1, 2023**

Council Member Palmer moved, seconded by Council Member Beard, to approve the minutes of the May 1, 2023 meeting of the Planning Committee. Of those present, the vote was unanimous in favor. APPENDIX K

**IN THE MATTER OF APPROVAL OF MAJOR THOROUGHFARE COMMITTEE MEETING
MINUTES OF JUNE 12, 2023 MEETING**

Council Member Davis moved, seconded by Council Member Beard, to accept the minutes of the Major Thoroughfare Committee of June 12, 2023. Of those present, the vote was unanimous in favor. APPENDIX L

**IN THE MATTER OF CONTRACT AWARD FOR BID # 2023-016WL – PRIMARY TO
NORTHWEST SUBSTATION 46 kV TRANSMISSION LINE POLE CHANGEOUT**

Council Member Palmer moved, seconded by Council Member Beard, to approve the contract with Service Electric Company for the replacement of 46 kV transmission line poles from Tupelo Primary substation to Northwest substation. The bid for this project (Bid #2023-016WL) was approved at the April 18, 2023 in the amount of \$589,158.60 and to authorize the Mayor and City Clerk to execute all documents. Of those present, the vote was unanimous in favor. APPENDIX M

**IN THE MATTER OF APPROVAL OF THE EMERGENCY REPLACEMENT OF A 20”
PRESSURE SEWER LINE**

TWL Director Johnny Timmons requested that the Council approve the emergency replacement of approximately ninety-one feet (91') of 20" pressure sewer line from the central pumping station to the wastewater treatment plant. This emergency purchase is necessary to immediately repair and replace a collapsed sewer line crossing the ditch on Community Drive in order to avoid environmental issues. The estimated cost of this replacement is \$22,000.00 (materials).

Council Member Davis moved, seconded by Council Member Beard, to approve the replacement as an emergency purchase. Of those present, the vote was unanimous in favor. APPENDIX N

**IN THE MATTER OF AN EMERGENCY PURCHASE OF TWO (2) 300 kVA PADMOUNT
TRANSFORMERS**

TWL Director Johnny Timmons requested the Council approve the emergency purchase of two (2) 300 kVA padmount transformers. The lowest quote submitted by Arkansas Electric Cooperatives, Inc. is \$22,860.00 each, for a total of \$45,720.00. The emergency purchase is necessary to maintain the current low, on-hand inventory of transformers whose cost is subject to review at the time of shipment and whose lead time is a minimum of 12 months.

Council Member Palmer moved, seconded by Council Member Jones, to find as necessary for the reasons cited above and approve the emergency purchase. Of those present, the vote was unanimous in favor. APPENDIX O

**IN THE MATTER OF REAPPOINTMENT OF STEPHANIE BROWNING TO CVB BOARD
JUNE 13, 2023**

Council Member Davis moved, seconded by Council Member Palmer, to reappoint Stephanie Browning to the CVB Board, for a 2 year term expiring June, 2025. Of those present, the vote was unanimous in favor. APPENDIX P

**IN THE MATTER OF APPROVAL OF REQUEST TO ALLOW INTERNATIONAL TRAVEL
FOR MAYOR TODD JORDAN AND SET MAXIMUM PER DIEM RATE**

Council Member Palmer moved, seconded by Council Member Davis, to approve a request for Mayor Todd Jordan to travel to Japan with a delegation from the Southeast US/Japan Association (SEUS) October 7-15, 2023. The daily per diem is \$125.78 for a total of \$1,132.00. Of those present, the vote was unanimous in favor. APPENDIX Q

**IN THE MATTER OF ORDER APPROVING EXERCISE OF SECOND OPTION TO
PURCHASE REAL PROPERTY WITH BSB ASSOCIATES PARTNERSHIP, OR ITS
SUCCESSOR IN INTEREST, FOR THE PURPOSE OF CONSTRUCTING A CLASS II
RUBBISH LANDFILL**

The City previously entered into an option agreement with BSB Associates Partnership to purchase property for the purposes of constructing a Class II rubbish landfill. The agreement provided two one-year options in order to allow permits to be obtained to construct the facility. The first option is expiring, and the second must be exercised before June 30, 2023. Council Member Palmer moved, seconded by Council Member Beard, to approve to exercise of the second option and pay \$15,000 to BSB, or successor. Of those present, the vote was unanimous in favor. APPENDIX R

**IN THE MATTER OF APPROVAL AND ADOPTION OF 2023 CITY OF TUPELO AND LEE
COUNTY, MISSISSIPPI INTERLOCAL COOPERATION AGREEMENT FOR THE
COLLECTION OF TAXES AND TO AUTHORIZE THE MAYOR AND CITY CLERK TO
EXECUTE SAID AGREEMENT**

Council Member Davis moved, seconded by Council Member Beard, for the adoption of 2023 City of Tupelo and Lee County, Mississippi, Interlocal Cooperation Agreement for the Collection of Taxes and to authorize the Mayor and City Clerk to execute said agreement. The County, via its duly elected Tax Collector, shall perform all duties pertaining to the assessment and collection of city and Tupelo Public School District (hereinafter referred to as "TPSD") ad valorem taxes with the City and TPSD on real, personal, and mobile homes (collectively referred to as "City Taxes"). For the collection of City taxes, the City agrees to pay County a fee of One Hundred and Twenty-Five Thousand Dollars (\$125,000) per year during the term of this agreement. Of those present, the vote was unanimous in favor. APPENDIX S

IN THE MATTER OF MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF TUPELO AND THE DEPARTMENT OF ARCHIVES AND HISTORY – SPAIN HOUSE

Council Member Davis moved, seconded by Council Member Palmer, to approve a Memorandum of Agreement (MOA) between the City of Tupelo and the Department of Archives and History for the Spain House, and authorize the mayor to sign. This MOA will allow the City of Tupelo to act as a pass-through agency for a grant for the rehabilitation of the Spain House. Of those present, the vote was unanimous in favor. APPENDIX T

IN THE MATTER OF MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF TUPELO AND THE DEPARTMENT OF ARCHIVES AND HISTORY – SPRING HILL CHURCH

Council Member Davis moved, seconded by Council Member Jones, to approve a Memorandum of Agreement (MOA) between the City of Tupelo and the Department of Archives and History for the Spring Hill Church, and authorize the mayor to sign. This MOA will allow the City of Tupelo to act as a pass-through agency for a grant for the rehabilitation of the Spring Hill Church. Of those present, the vote was unanimous in favor. APPENDIX U

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 6:32 p.m.

Council Member Palmer moved, seconded by Council Member Jones, 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 Palmer moved, seconded by Council Member Beard to return to the regular meeting at 7:23 p.m. Of those present, the vote was unanimous in favor.

IN THE MATTER OF PAYMENT OF DISPUTED CLAIM FOR COLISEUM

Council Member Beard moved, seconded by Council Member Palmer, to approve the payment of a pending, disputed claim to Sun Belt Specialties in the amount of \$18,256.00 with the confidential settlement and release being maintained in the office of the city attorney. Of those present, the vote was unanimous in favor. APPENDIX V

IN THE MATTER OF ORDER DECLARING THAT CERTAIN RIGHT OF WAY IMPROVEMENTS IN THE AREA OF WALSH ROAD AND ENDVILLE ROAD ARE NECESSARY FOR THE HEALTH, COMFORT AND CONVENIENCE OF THE MUNICIPALITY AND AUTHORIZING COMPENSATION FOR THE ACQUISITION OF A PERMANENT EASEMENT FOR PUBLIC USE AND MAINTENANCE AND A TEMPORARY CONSTRUCTION EASEMENT

Council Member Davis, moved, seconded by Council Member Palmer, to approve an Order Declaring that Certain Right of Way Improvements in the Area of Walsh Road and Endville Road are Necessary for the Health, Comfort and Convenience on the Municipality and Authorizing Compensation for the Acquisition of a Permanent Easement for Public Use and Maintenance and a Temporary Construction Easement. Of those present, the vote was unanimous in favor. APPENDIX W

IN THE MATTER OF AN ORDER AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO CONTRACTUAL NEGOTIATIONS FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 124 HIGHLAND DRIVE

Council Member Davis moved, seconded by Council Member Beard, to approve an Order Authorizing the Mayor and City Clerk to Enter into Contractual Negotiations for the Purchase of Real Property Located at 124 Highland Drive. Of those present, the vote was unanimous in favor. APPENDIX X

IN THE MATTER OF AN ORDER AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO CONTRACTUAL NEGOTIATIONS FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 1507 FORREST STREET

Council Member Beard moved, seconded by Council Member Davis, to approve an Order Authorizing the Mayor and City Clerk to Enter into Contractual Negotiations for the Purchase of Real Property Located at 1507 Forrest Street. Of those present, the vote was unanimous in favor. APPENDIX Y

IN THE MATTER OF AN ORDER AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO CONTRACTUAL NEGOTIATIONS FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 120 HIGHLAND DRIVE

Council Member Beard moved, seconded by Council Member Davis, to approve an Order Authorizing the Mayor and City Clerk to Enter into Contractual Negotiations for the Purchase of Real Property Located at 124 Highland Drive. Of those present, the vote was unanimous in favor. APPENDIX Z

ADJOURNMENT

There being no further business to come before the Council at this time, Council Member Palmer moved, seconded by Council member Jones, to adjourn the meeting at 7:27 PM. Of those present, the vote was unanimous in favor.

This the 20th day of June, 2023.

Lynn Bryan, Council President

ATTEST:

Missy Shelton, Council Clerk

APPROVED

Todd Jordan, Mayor

Date