

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI
JULY 2, 2019

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, July 2, 2019 at 6:00 p.m. with the following in attendance: Markel Whittington, Lynn Bryan, Travis Beard, Nettie Y. Davis, Buddy Palmer, Willie Jennings, City Attorney Ben Logan; Amanda Daniel, Clerk of the Council.

Reverend Gloria McKinney gave the invocation, followed by the Pledge of Allegiance led by the members of the Tupelo Rangers and Tupelo Titans baseball teams.

IN THE MATTER OF CALLING THE MEETING TO ORDER

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

IN THE MATTER OF THE ELECTION OF A TEMPORARY CHAIRMAN

Being the first order of business Councilman Palmer moved, seconded by Councilman Jennings, to nominate Councilmen Whittington to the position of Temporary Chair. The motion passed unanimously of those present. Councilman Whittington assumed the chair and called the meeting to order at 6:00 p.m.

IN THE MATTER OF THE ELECTION OF OFFICERS OF CITY COUNCIL
PRESIDENT AND VICE-PRESIDENT

Councilman Jennings moved, seconded by Councilman Palmer, to elect Councilwoman Davis Tupelo City Council President by unanimity of those present. Councilman Beard moved, seconded by Councilman Palmer, to elect Councilman M. Bryan as Vice-President to the Tupelo City Council. The motion passed unanimously of those present. Councilwoman Davis assumed the chair as President of the Tupelo City Council.

IN THE MATTER OF CONFIRMATION OR AMENDMENT TO THE AGENDA AND
AGENDA ORDER

Councilman Palmer moved, seconded by Councilman Beard, to confirm the agenda and agenda order with the following amendment:

ADD: KH 7.18 REVIEW, APPROVE, REJECT, FY2019 BUDGET
REVISION NO. 9

The motion passed unanimously of those present. **APPENDIX A**

MUNICIPAL MINUTES, CITY OF TUPELO
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PROCLAMATIONS, RECOGNITIONS, AND REPORTS AGENDA

IN THE MATTER OF RECOGNITION OF BOY/GIRL SCOUTS

No Scouts were present for recognition.

IN THE MATTER OF RECOGNITION OF CITY EMPLOYEES

No employees were present for recognition of reaching milestones in their tenure of service.

IN THE MATTER OF PUBLIC RECOGNITIONS

City Council members made the following recognitions:

Councilman Jennings thanked members of the Tupelo Rangers, Tupelo Titans baseball teams along with their families for attending the meeting.

Councilwoman Palmer wished everyone a safe, patriotic, and happy Fourth of July!

Councilwoman Davis invited the community to attend the All-America Fourth of July Picnic in the Park. The event will take place on Thursday, July 4, 2019 at 4:30 p.m.

IN THE MATTER OF THE MAYOR'S REPORT

Mayor Shelton echoed Councilwoman Davis and issued an invitation to celebrate the Fourth of July at Ballard Park. The event will provide music, food, fun, and fireworks!

The Proclamation of Governor Bryant and the City Council will close City of Tupelo non-emergency offices on Thursday, July 4, 2019 and Friday, July 5, 2019 in observance of Independence Day.

Mayor Shelton congratulated the Mayor's Health Task Council for being awarded the Blue Cross and Blue Shield Foundation "Healthy Home Town" award. In addition, he congratulated the Tupelo Fire Department being the recipient of the State of Mississippi Public Safety award.

Mayor Shelton announced that Outreach Director Marcus Gary collaborated with the members of the Mayor's Homeless Task Force, Mississippi United to End Homelessness (MUTEH) and the Tupelo Police Department. Tupelo was recently recognized nationally by the United States Interagency Council on Homelessness for Tupelo's Best Practices in working with the Police Department, and MUTEH and other agencies within the State of Mississippi.

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Mayor Shelton gave special recognition to the Tupelo Rangers and Tupelo Titans travel baseball teams representing the City of Tupelo through our Tupelo Parks and Recreation Department. Last week the 10 year olds and 12 year olds traveled to Pigeon Forge, TN to play the Cal Ripken Experience, a baseball tournament. Our two teams represented their families and the City of Tupelo well on and off the field.

For the purpose of the minutes, Head Coach Chad Brown and assistant coaches Chad Files and John Paul Rhea coach the 10-year-old Rangers. They finished the year 25-15 and finished runner-up in the Ripken tournament out of 24 teams.

Team members are Mason Ballard, Andrew Brown, Walker Brown, Luke Elder, John Enis, Webb Files, Mitchell Rhea, Zach Zimmerman, Maddox Arriola, Landon Swinney, Gray Flynn.

For the purpose of the minutes, Head Coach Michael Clayton and assistant coaches Brad Hooker and Neal McCoy coach the 12-year old Rangers. The 12U Rangers went 7-1 at the Ripken Experience, losing in the semi-finals. They defeated teams from five states by an average score of 13-4 and finished tied for third place out of 24 teams.

Team members present were Koen Gregory, Hayes Hooker, Parker Skinner, Taylor Brown, John Scott Wilson, Corbyn Clayton, Luke Williamson, Carson Bedgood, South McCoy, Henry Hardin, Ethan Arriola, and Landon Harmon.

(CLOSE THE REGULAR MEETING AND OPEN THE PUBLIC AGENDA)

PUBLIC AGENDA

PUBLIC HEARINGS

IN THE MATTER OF THE FINAL LOT MOWING LIST

PARCEL NO.	LOCATION	
101DO121600	1401 PRESIDENT AVE.	No one appeared to discuss this item
112F0400100	1902 BRIAR RIDGE RD.	No one appeared to discuss this item
077Q3608100	1400 CENTRAL AVE.	No one appeared to discuss this item
077Q3615300	1527 CENTRAL AVE.	No one appeared to discuss this item
089F3007600	760 NORTH MADISON ST.	No one appeared to discuss this item
077Q3606000	200 SOUTH HIGHLAND	No one appeared to discuss this item
089F3005000	517 WEST BARNES ST.	No one appeared to discuss this item
089F3005600	536 WALKER STREET	No one appeared to discuss this item
089F3020700	595 NORTH SPRING ST.	No one appeared to discuss this item
089F3021800	600 NORTH SPRING ST.	No one appeared to discuss this item

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089F3019400	601 NORTH SPRING ST.	No one appeared to discuss this item
089F3021900	608 NORTH SPRING ST.	No one appeared to discuss this item
077P3523101	409 NORTH FOSTER ST.	No one appeared to discuss this item
077G2501800	1210 BIENVILLE STREET	No one appeared to discuss this item

IN THE MATTER OF THE FINAL DEMOLITION LIST

PARCEL NO.	LOCATION	
077L-36-157-00	318 LUMPKIN STREET	No one appeared to discuss this item
105D-15-076-00	3111 TONY MOORE ROAD	John Heard appeared to discuss this item
077Q-36-086-01	115 SOUTH HIGHLAND DR.	No one appeared to discuss this item
089F-30-189-00	621 NORTH SPRING STREET	No one appeared to discuss this item
089F-30-218-00	600 SPRING STREET	No one appeared to discuss this item
089F-30-084-00	638 NORTH CHURCH STREET	No one appeared to discuss this item
106A-14-009-00	2816 EVANS CIRCLE	No one appeared to discuss this item

CITIZEN HEARING

No items appeared for consideration.

ACTION AGENDA

IN THE MATTER OF REVIEW, APPROVE, REJECT REQUEST FOR KING CITY CYCLES TO PLACE RENTAL BICYCLES WITH RACKS IN DOWNTOWN TUPELO ON CITY PROPERTY (MOVED UP JUNE 18, 2019)

On advice of legal counsel, Councilman Whittington moved, seconded by Councilman Beard, to table this request. The motion passed unanimously of those present.

ROUTINE AGENDA

IN THE MATTER OF REVIEW, APPROVE, REJECT MINUTES OF THE JUNE 17, 2019 SPECIAL CALL COUNCIL MEETING

Councilman Jennings moved, seconded by Councilman Palmer, to approve the minutes as submitted. The motion passed unanimously of those present.

IN THE MATTER OF REVIEW, APPROVE, REJECT MINUTES OF THE JUNE 18, 2019 REGULAR COUNCIL MEETING

Councilman Beard moved, seconded by Councilman Palmer to approve the minutes as submitted. The motion passed unanimously of those present.

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IN THE MATTER OF REVIEW, APPROVE, REJECT LIST OF ADVERTISING AND PROMOTIONAL EXPENSES

No advertising and promotional expenses were listed for consideration.

IN THE MATTER OF REVIEW, PAY BILLS APPROVE UTILITY ADJUSTMENTS

Bills were reviewed at 4:30 p.m. by council members: Travis Beard, Buddy Palmer, Nettie Davis, Lynn Bryan; Missy Shelton, Deputy Clerk, Johnny Timmons, Water and Light Department.

Councilman Whittington moved, seconded by Councilman Beard, to approve the payment of the checks bills, claims, and utility adjustments. The motion passed unanimously of those present

CHECK NUMBERS 356838-351725
ELECTRONIC TRANSFERS AS SHOWN ON THE FACE OF THE DOCKET
INVOICES AS SHOWN ON THE FACE OF THE DOCKET
UTILITY ADJUSTMENTS AS SHOWN ON THE FACE OF THE DOCKET

IN THE MATTER OF REVIEW, ACCEPT, REJECT THE REAPPOINTMENTS OF AARON WASHINGTON, TOM HEWITT, AND LARRY PRESLEY TO THE TUPELO POLICE ADVISORY BOARD

Councilman Whittington moved, seconded by Councilman Palmer, to accept the reappointment of the above listed individuals to the Police Advisory Board. The motion passed unanimously of those present.

IN THE MATTER OF REVIEW, APPROVE, REJECT THE FINAL LOT MOWING LIST

Councilman Whittington moved, seconded by Councilman Palmer, to approve the final lot-mowing list submitted by the Department of Development Services, such properties being in such a state of uncleanness as to be a menace to public health, safety, and the welfare of the community, thereby authorizing the department to proceed with the mowing of these properties. The motion passed unanimously of those present. **APPENDIX B**

IN THE MATTER OF REVIEW, APPROVE, REJECT THE FINAL DEMOLITION LIST

Councilman Palmer moved, seconded by Councilman Jennings, to approve the final demolition list submitted by the Department of Development Services as being in such a state of uncleanness and disrepair as to be a menace and hazard to public health, safety, and welfare of

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the community. By this action, the City of Tupelo was authorized to demolish these structures, invoice the owners, and place liens on the property if the owners do not pay for the demolition. Of those present, the vote was unanimous in favor. **APPENDIX C**

IN THE MATTER OF REVIEW, ACCEPT, REJECT MINUTES OF THE MAY 20, 2019
TUPELO COLISEUM COMMISSION MEETING

Councilman Whittington moved, seconded by Councilman Palmer to accept the minutes as submitted. The motion passed unanimously of those present. **APPENDIX D**

IN THE MATTER OF REVIEW, APPROVE, REJECT REQUEST OF AN INCREASE
OF THE ANNUAL STREET LIGHT INVESTMENT CHARGE, PAID BY THE CITY,
FROM 12% TO 15 % AS CALCULATED BY TVA

Tupelo Water and Light Director Johnny Timmons explained that the Water and Light Department is in the process of upgrading its current city street light system. LED lights will enhance public safety, reduce crime, and provide better illumination of our roadways. Finding this request to be for the good of the public and commercially reasonable, Councilman Beard moved, seconded by Councilman Palmer, to approve this request. The motion passed unanimously of those present. **APPENDIX E**

IN THE MATTER OF REVIEW, APPROVE, REJECT REQUEST TO SURPLUS A MS
201T 14" CHAINSAW AND REMOVE FROM THE FIXED ASSET LIST- THE ITEM
WAS STOLEN FROM A TUPELO WATER AND LIGHT VEHICLE THE
MEMORANDUM OF REQUEST AND INCIDENT REPORT AT ATTACHED AS
APPENDIX F.

Councilman Beard moved, seconded by Councilman Whittington, to approve this request as submitted. **APPENDIX F**

IN THE MATTER OF REVIEW, APPROVE, REJECT REQUEST SURPLUS TO TURN
OVER TO THE INSURANCE COMPANY AND TO REMOVE THE WRECKED
PARKS AND RECREATION VEHICLE FROM THE FIXED ASSET LIST

Finding that the 2017 Ford Explorer (Serial Number 1FM5K7BH7HGC08046) was wrecked and totaled in June 2019, that it serves no purpose for the City of Tupelo, the value of same paid for by insurance and that the vehicle shall be turned over to the insurance company for salvage, Councilman Palmer moved, seconded by Councilman Beard, to approve this request as submitted. The motion passed unanimously of those present. **APPENDIX G**

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IN THE MATTER OF REVIEW, RATIFY REJECT CONTRACT OF SALE OF REAL ESTATE FROM THE CITY OF TUPELO, MISSISSIPPI TO KING PINES 2018 GP, LLC A MISSISSIPPI LIABILITY COMPANY

Councilman Whittington moved, seconded by Councilman Jennings, to ratify this contract. The motion passed unanimously of those present. **APPENDIX H**

IN THE MATTER OF REVIEW, ADOPT REJECT A RESOLUTION OF AUTHORIZATION TO ENTER INTO A GRANT AGREEMENT

Thereupon Council Member Travis Beard offered and moved the adoption of the following resolution:

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI, TO AUTHORIZE AND APPROVE THE MAYOR, ON BEHALF OF THE CITY ENTERING INTO A GRANT AGREEMENT WITH THE MISSISSIPPI DEVELOPMENT AUTHORITY IN ORDER TO RECEIVE A GRANT ON BEHALF OF THE CITY FROM THE MISSISSIPPI DEVELOPMENT AUTHORITY IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED AND FIFTY THOUSAND DOLLARS (\$750,000) FOR THE PURPOSE OF THE COMPLETING INFRASTRUCTURE RELATED TO ROAD IMPROVEMENTS AND THUS ENHANCING ECONOMIC DEVELOPMENT THROUGH THE CREATION OF JOBS

Council Member Palmer seconded the motion to adopt the foregoing Resolution, and after the same had been read and considered section by section, the motion passed unanimously of those present. **APPENDIX I**

IN THE MATTER OF REVIEW, APPROVE, REJECT THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF TUPELO, MISSISSIPPI AND BANCORPSOUTH TO APPLY FOR A MISSISSIPPI DEVELOPMENT INFRASTRUCTURE PROGRAM (DIP) GRANT

Councilman Palmer moved, seconded by Councilman L. Bryan, to approve this MOA as submitted. The vote passed unanimously of those present. **APPENDIX J.**

IN THE MATTER OF REVIEW, AWARD, REJECT BID NO. 2019-014PW TUPELO PUBLIC WORKS CONCRETE SUPPLY AND DELIVERY BID

Tupelo Public Works Director Chuck Williams requested to reject this bid due to not receiving any proposals. Councilman Jennings moved, seconded by Councilman Whittington, to reject this bid. The motion passed unanimously of those present. **APPENDIX K**

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IN THE MATTER OF REVIEW, REJECT, APPROVE BID NO. 2019-013PW FOR THE PURPOSE OF TWO UTILITY TRACTORS

Public Works Director Chuck Williams requested that the Mayor and City Council reject the bid as no bidders responded for Phase I on the proposal. Councilman Whittington moved, seconded by Councilman L. Bryan, to reject this bid as requested. The motion passed unanimously of those present. **APPENDIX L**

IN THE MATTER OF REVIEW, APPROVE, REJECT CONVENTION AND VISITOR EMPLOYEE JEANIE CURLEE'S INTERNATIONAL TRAVEL FROM AUGUST 31 TO SEPTEMBER 8, 2019 (THE MAXIMUM DAILY PER DIEM RATE TO BE APPROVED AT A LATER DATE)

Councilman Jennings moved, seconded by Councilman Beard, to approve Ms. Curlee's request as submitted. The motion passed unanimously of those present. **APPENDIX M**

IN THE MATTER OF REVIEW, APPROVE, REJECT FY2019 BUDGET REVISION NO. 9

Chief Financial Officer Kim Hanna explained the revision. Councilman Whittington moved, seconded by Councilman Jennings to approve the revision as submitted. The motion passed unanimously of those present. **APPENDIX N**

STUDY AGENDA

IN THE MATTER OF REVIEW, DISCUSS THE PLANNING COMMITTEE'S RECOMMENDATION OF REZONING PROPERTY ON NORTH VETERANS BOULEVARD PARCEL NUMBERS 085U-008-01 AND 085U-007-02

Councilman Palmer moved, seconded by Councilman Jennings, to move this item up to the July 16, 2019 action agenda. The motion was unanimously of those present.

EXECUTIVE SESSION

At 6:35 p.m. Councilman Jennings moved, seconded by Councilman Palmer, to determine the needs to leave the public meeting for the purpose of entering into executive session. City Attorney Ben Logan confirmed one item: Mississippi Code Anno. Sec. 25-41-7 (4) (j) (1972 as amended) Transaction of business and discussions or negotiations regarding the location, relocation, or expansion of a business, medical service or an industry as a proper matter. The motion passed unanimously of those present.

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Councilman Palmer moved, seconded by Councilman L. Bryan, to enter into executive session. The motion passed unanimously of those present. The City Council retired into executive session at 6:35 p.m.

Councilman Jennings moved, seconded by Councilman Whittington, to come out of executive session. The motion passed unanimously among those present and at 6:53 p.m., the city council resumed open session with no action to be taken as result of the executive session.

IN THE MATTER OF ADJOURNMENT

With no further business to come before the City Council, Councilman Palmer moved, seconded by Councilman Whittington, to adjourn the meeting at 6:56 p.m.

ATTEST:

Amanda Daniel
COUNCIL CLERK

Nattie Davis
PRESIDENT

Joe S. Shott
MAYOR

DATE: July 17, 2019

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City of Tupelo
Fy 2019 Budget Revision #9

Whereas, the Mayor and City Council of the City of Tupelo have determined that the budget estimates and certain increases are needed in the operating departments, it is hereby resolved to amend the FY 2019 Budget as follows:

	<u>Original Budget</u>	<u>Amendment</u>	<u>Amended Budget</u>
Fund 328			
Special Obligation Capital Fund			
Revenues			
Bond Issue Proceeds		15,410,474	15,410,474
Interest & Miscellaneous Income			-
Unreserved Fund Balance	-	-	-
Total Revenues	<u>-</u>	<u>15,410,474</u>	<u>15,410,474</u>
Expenditures			
Capital Outlay	-	15,410,474	15,410,474
Total Expenditures	<u>-</u>	<u>15,410,474</u>	<u>15,410,474</u>

Purpose To budget for capital improvements for the Arena & Conference Center.

Council member Markel Whittington moved and Council member Willie Jennings seconded the adoption of the foregoing resolution, and the question being put to a roll call vote, the result as follows:

	Voting
Councilman Lynn Bryan	<u>Aye</u>
Councilman Markel Whittington	<u>Aye</u>
Councilman Travis Beard	<u>Aye</u>
Councilwoman Nettie Davis	<u>Aye</u>
Councilman Mike Bryan	<u>Not Present</u>
Councilman Willie Jennings	<u>Aye</u>

Approved:

Nettie Davis
President of the Council
City of Tupelo

Attest:

Amanda Daniel
Clerk of the Council
City of Tupelo

J. Shutt
Mayor
City of Tupelo

Attest:

Ken Hanna
City Clerk
City of Tupelo

FINAL Lot Mowing Report for JULY 02 2019 HEARING

Approved
Reg CC 7/2/19 (AD)

	Violation Ref	Parcel	Location	Owner	Owner Address	Owner City State Zip	Inspector
1.	29304	101D0121600	1401 PRESIDENT AVE	MILLWOOD MARTHA R (LE)	1401 PRESIDENT	TUPELO, MS 38801	DJ
2.	29308	112F0400100	1902 BRIAR RIDGE RD	WOOLVEN MICHAEL ROSS	127-A RD 1597	NETTLETON, MS 38858	JLS
3.	29355	077Q3608100	1400 CENTRAL AVE	BOYD DENNIS W	1389 ORLEANS PL	TUPELO, MS 38801	MB
4.	29356	077Q3615300	1527 CENTRAL	WEA INVESTMENTS LLC	POST OFFICE BOX 87	RED BANKS, MS 38661	MB
5.	29357	089F3007600	760 N MADISON ST	CUNNINGHAM BEATRICE EST	C/O CLYTEE HESTER	3747 MINNESOTA AVE APT 2	MB
6.	29361	077Q3606000	200 S HIGHLAND DR	CABRAL LUIS (DECEASED)	2512 PATTERSON DR	TUPELO, MS 38801	MB
7.	29365	089F3005000	517 W BARNES ST	ROBINSON ANGELA	146 12TH STREET	RICHMOND, CA 94801	MB
8.	29366	089F3005600	536 WALKER ST	WILLIAMS SANDERS SHEILA	2512 S GLOSTER	TUPELO, MS 38801	MB
9.	29367	089F3020700	595 N SPRING ST	GREGORY FLORIDA MONA	920 TERRY	TUPELO, MS 38801	MB
10	29368	089F3021800	600 N SPRING ST	SHANNON JOHN T SR	411 E MARTIN LUTHER KING DR	UNION CITY, TN 38261	MB
11	29369	089F3019400	601 N SPRING ST	JONES MARVIN	P O BOX 871	TUPELO, MS 38802	MB
12	29371	089F3021900	608 N SPRING ST	NEELY DR JAMES H	1196 CR 681	SALTILLO, MS 38866-5711	MB

APPENDIX B

FINAL Lot Mowing Report for JULY 02 2019 HEARING

	Violation Ref	Parcel	Location	Owner	Owner Address	Owner City State Zip	Inspector
13	29378	077P3523101	409 S FOSTER ST	UNDERWOOD TODD BATEMAN	980 CHARLESTON BLVD	TUPELO, MS 38801	DJ
14	29380	089P3117700	411 S GREEN ST	PHYFER PROPERTIES LLC	4763 MEADOW LANE DR	BELDEN, MS 38826	DJ
15	29384	077G2501800	1210 BIENVILLE ST	PROTHO JAMES F	1210 BIENVILLE	TUPELO, MS 38801	MB
16							
17							
18							
19							
20							
21							
22							
23							
24							

Properties for Demolition

Approved as Submitted
7/2/19
Reg CC (AP)

318 Lumpkin

3111 Tony Moore Rd - John Heard

115 Highland

621 N Spring St

600 Spring St

638 N. Church St

2816 Evans Cir

318 Lumpkin

PARCEL: 077L-36-157-00

CASE: 28370

WARD: 2

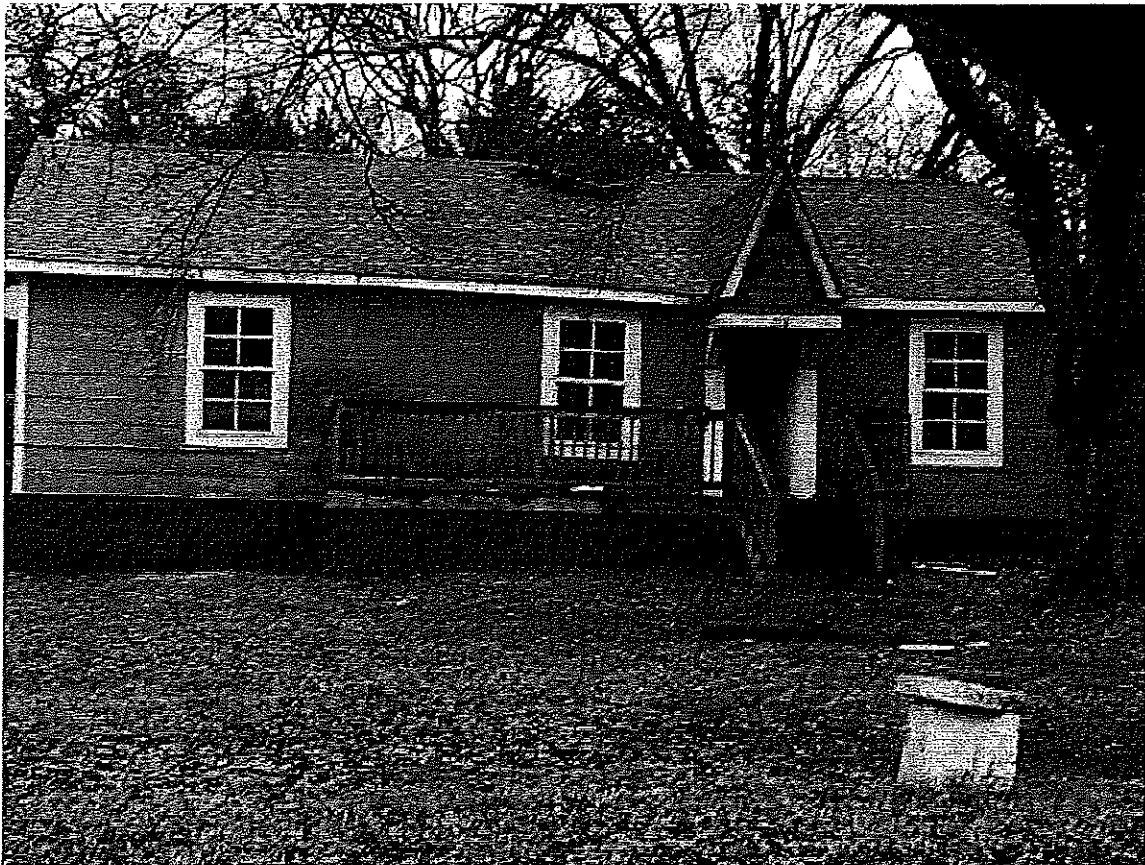
TAX VALUE: \$49,020

VACANT: YES

REPAIRABLE: NO

NO CERTIFICATE OF OCCUPANCY

Structure burned and is a total loss.



3111 Tony Moore Rd

PARCEL: 105D-15-076-00

CASE : 28285

WARD: 7

TAX VALUE: \$49,200

VACANT: YES

REPAIRABLE: NO

NO CERTIFICATE OF OCCUPANCY

STRUCTURE BURNED AND IS A TOTAL LOSS.



115 Highland

PARCEL: 077Q-36-086-01

CASE: 28280

WARD: 4

TAX VALUE: \$34,750

VACANT: YES

REPAIRABLE: NO

STRUCTURE BURNED AND IS A TOTAL LOSS.



621 N Spring St

PARCEL: 089F-30-189-00

CASE: 27698

WARD: 4

TAX VALUE: \$34,060

VACANT: YES

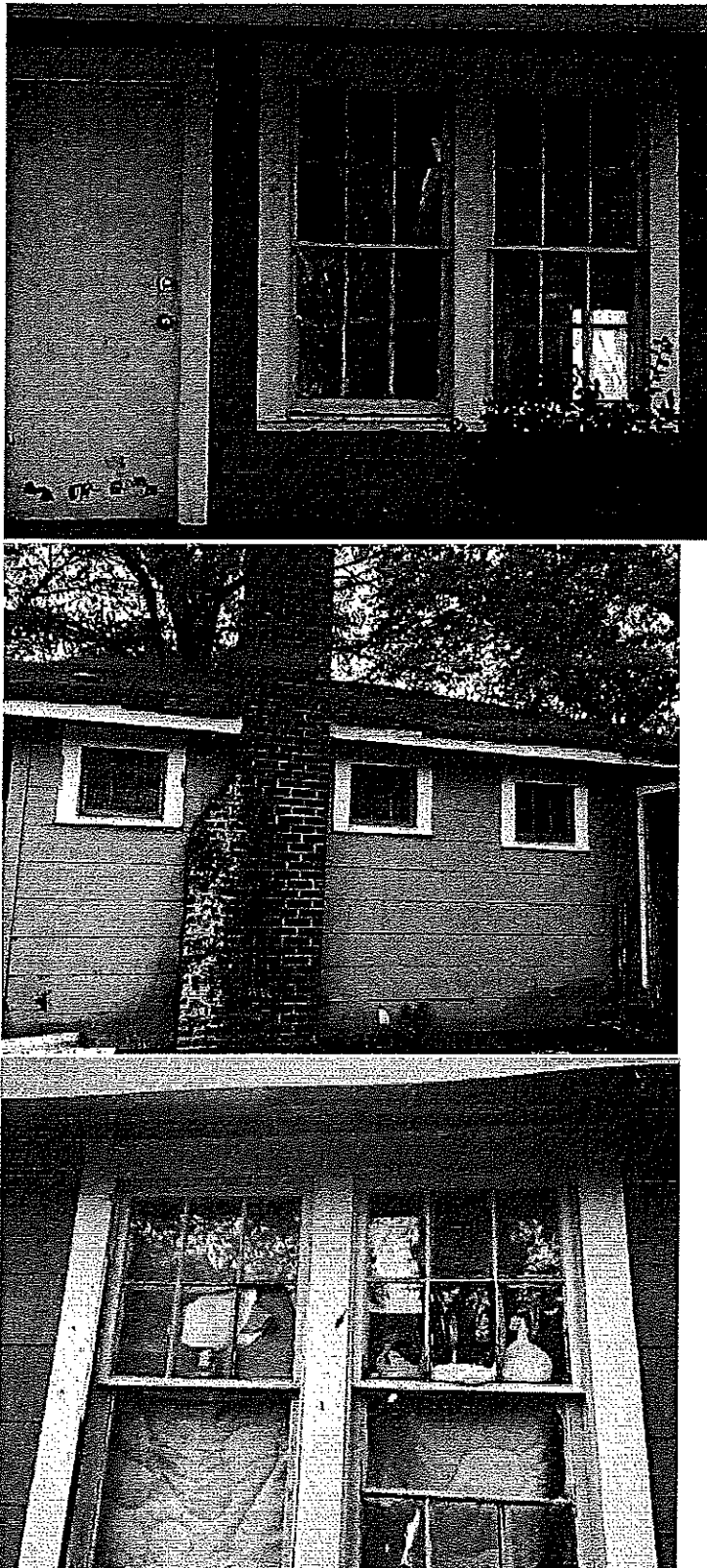
REPAIRABLE: NO

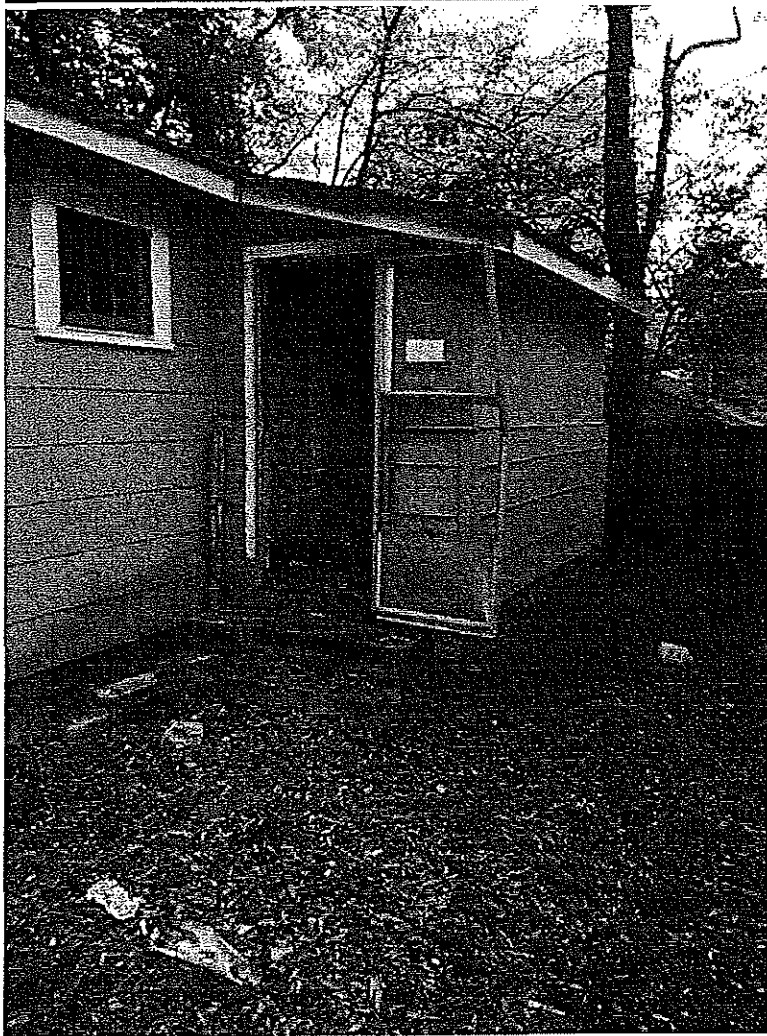
VISUAL INDICATORS OF BLIGHT

- ▶ STRUCTURAL DAMAGE OR FAILURE – YES
- ▶ EXTERIOR MATERIALS IN NEED OF REPLACEMENT\REPAIR – YES
- ▶ BROKEN WINDOWS/DAMAGED DOORS – YES
- ▶ YARD OR GROUNDS POORLY MAINTAINED – YES
- ▶ ACCUMULATION OF JUNK – YES

CODE ENFORCEMENT HISTORY

- ▶ 4 DATING BACK TO 2009
- ▶ CURRENT STATUS – OPEN CHAP 34
- ▶ NO CURRENT C.O.
- ▶ PROPERTY IS BOARDED





600 Spring St.

PARCEL: 089F-30-218-00

CASE: 23764

WARD: 4

TAX VALUE: \$14,480

VACANT: YES

REPAIRABLE: NO

VISUAL INDICATORS OF BLIGHT

- ▶ STRUCTURAL DAMAGE OR FAILURE – YES
- ▶ EXTERIOR MATERIALS IN NEED OF REPLACEMENT/REPAIR – YES
- ▶ BROKEN WINDOWS/DAMAGED DOORS – YES
- ▶ YARD OR GROUNDS POORLY MAINTAINED – YES
- ▶ ACCUMULATION OF JUNK – NO

CODE ENFORCEMENT HISTORY

- ▶ 6 PRIOR VIOLATIONS DATING BACK TO 2005
- ▶ CURRENT STATUS- OPEN CHAP 34
- ▶ NO CURRENT C.O.



638 N. Church St

PARCEL: 089F-30-084-00

CASE: 27491

WARD: 4

TAX VALUE: \$34,060

VACANT: YES

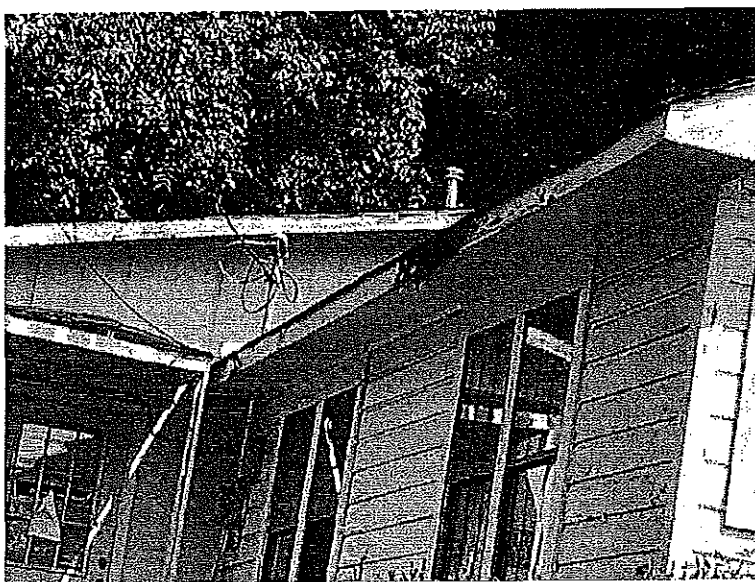
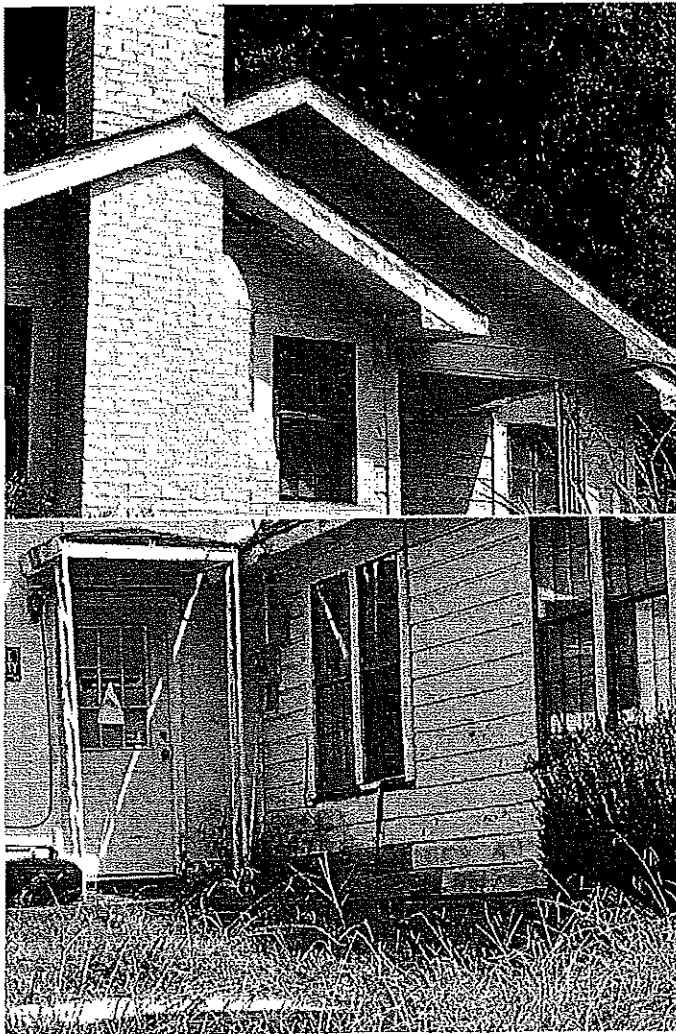
REPAIRABLE: POSSIBLY

VISUAL INDICATORS OF BLIGHT

- ▶ STRUCTURAL DAMAGE OR FAILURE – YES
- ▶ EXTERIOR MATERIALS IN NEED OF REPLACEMENT\REPAIR – YES
- ▶ BROKEN WINDOWS/DAMAGED DOORS – YES
- ▶ YARD OR GROUNDS POORLY MAINTAINED – YES
- ▶ ACCUMULATION OF JUNK – NO

CODE ENFORCEMENT HISTORY

- ▶ 21 VIOLATIONS DATING BACK TO 2006
- ▶ CURRENT STATUS – OPEN CHAP 34
- ▶ NO CURRENT C.O.
- ▶ SIX LOT MOWING LIENS ASSESSED ON THIS PROPERTY



2816 Evans Cir

PARCEL: 106A-14-009-00

CASE: 27491

WARD: 7

TAX VALUE: \$43,380

VACANT: NO

REPAIRABLE: POSSIBLY

VISUAL INDICATORS OF BLIGHT

- ▶ STRUCTURAL DAMAGE OR FAILURE – YES
- ▶ EXTERIOR MATERIALS IN NEED OF REPLACEMENT\REPAIR – YES
- ▶ BROKEN WINDOWS/DAMAGED DOORS – NO
- ▶ YARD OR GROUNDS POORLY MAINTAINED – YES
- ▶ ACCUMULATION OF JUNK – NO

CODE ENFORCEMENT HISTORY

- ▶ 7 VIOLATIONS DATING BACK TO 2007
- ▶ CURRENT STATUS – OPEN CHAP 34
- ▶ NO CURRENT C.O.





Accepted
Reg CC
7-2-19
(AD)

Tupelo Coliseum Commission
Meeting Minutes
May 20, 2019

Opening

Be it known the Tupelo Coliseum Commission did meet in regular session Monday, May 20, 2019 at 3:00 p.m. in the BancorpSouth Arena Commerce Room with the following present:

Chairman Scott Reed
Commissioner Jason Hayden
Commissioner Stephanie West
Commissioner Moe Livingston
Commissioner Stan McIntosh
Commissioner Yvette Crump

Representatives of the City of Tupelo Present:

Kim Hanna, Chief Financial Officer
Todd Hunt, Executive Director – BancorpSouth Arena
Kevan Kirkpatrick, Director of Marketing – BancorpSouth Arena

Chairman Reed called the meeting to order at 3:04 p.m.

Approval of Minutes from March 18, 2019 Regular Meeting

Commissioner West made a motion to approve the minutes from April 15, 2019 as presented seconded by Commissioner Hayden. All commission members voting aye, the motion passed.

Financial Report

Kim Hanna, Chief Financial Officer, reported on finances. Hanna reported the revenues are ahead of this time last year. The Conference Center is also right on track with revenues from last year. \$672,732.88 in operating cash, \$374,511.89 in the settlement account, and \$1,303,666.38 in total assets. The expenditures are over revenues by \$79,410.14 which is not uncommon, Hanna reported.

Director's Report

Travel: None to Report

Attendance: Todd Hunt reported just over 185,000 people have attended our events so far this fiscal year, where the annual average is 217,000. Economic impact is \$8,925,214.49 year to date. We have had 307 events year to date, where the annual average is 299.

Past Events:

- Southeast Spas (April 26-28, 2019) first time at the arena. They sold hot tubs, pools and spas on the arena floor.
- Blue Suede Cruise (May 3-5, 2019) numbers were down from last year, with the weather being a major impact.
- Gumtree Festival (May 10-11, 2019) – Weather moved this event inside. Sold concessions and charged them just what it cost to run the building for those days. Around 5,000 people attended for the weekend.
- PJ Masks (May 14, 2019) – Kids show. A little over 1,400 people. 100% owned and marketed by us.
- Tupelo, Lee County, and Nettleton Graduations – Five graduations over two days.

Upcoming Events

- Elvis Festival June 7-8, 2019
- Hank Williams, Jr. June 15, 2019

Old Business

Expansion

McCarty Architects presented a PowerPoint slide show of the expansion, highlighting the new VIP lounge, flex conference center space, exterior doors, box office and tower. Current plans are to open bids in August with groundbreaking in September. Current timeline calls for an 18 month construction window, but Hunt anticipates a full two years before we're 100% complete.

New Business

Igloos is a sole source provider for the flavor for the margarita machines. They are a very high selling and high profit item for the concession sales, Hunt reported. Commissioner Hayden made a motion to approve Igloo as a sole source provider, seconded by Commissioner West. All commission members voting aye, the motion passed.

Bad debt removal or uncollectable debts – Hunt asked the commission to approve removing these debts from our balance sheet. Commissioner Hayden made a motion to approve the removal of the bad debt seconded by Commissioner McIntosh. All commission members voting aye, the motion passed.

Wear it Well is a non-profit organization holding a banquet here on June 21, 2019, Hunt reported. They have a caterer out of Verona willing to donate the food, but the caterer is not based in Tupelo and is therefore ineligible to be included on our approved caterer list. Commissioner Hayden made a motion to approve allowing the Verona caterer to cater for the Wear It Well event on June 21, 2019 seconded by Commissioner McIntosh. All commission members voting aye, the motion passed.

Beverage Approval

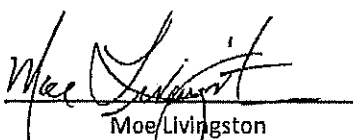
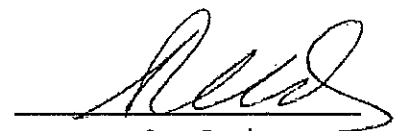
Chairman Reed asked for approval of beverages at Gumtree Festival, Elvis Fest, and Hank Williams Jr. Commissioner West made a motion to approve the sale of beverages for the events listed above. Commissioner Hayden seconded the motion. All commissioners voted aye; the motion passed.

Approve Checks

Chairman Reed asked for a motion to approve the checks. Commissioner Crump motioned to approve the checks. Commission McIntosh seconded the motion. All commissioners voted aye; the motion passed.

Adjournment

After no other business, Chairman Reed adjourned the meeting at 3:49 p.m.


Moe Livingston
Secretary
Scott Reed
Chairman

Unpaid Debts to Write Off

1. The Boo Ball – Kim Mitchell – 10/21/17
 - a. Balance - \$50.00
2. Shannon's Wedding Reception – 4/14/18.
 - a. Balance - \$390.00
3. Johnson/Sykes Wedding – Tiffany Johnson – 10/26/18
 - a. Balance - \$499.99



Approved
Reg CC
7/2/19
(ATP)

City of Tupelo

Jason L. Shelton
Mayor

Water and Light
Johnny Timmons, Director

COUNCIL

Markel Whittington
Ward One

Lynn Bryan
Ward Two

Travis Beard
Ward Three

Nettie Y. Davis
Ward Four

Buddy Palmer
Ward Five

Mike Bryan
Ward Six

Willie Jennings
Ward Seven

June 27, 2019

Mayor Jason Shelton and Council of the City of Tupelo
City of Tupelo
Tupelo, MS 38801

Dear Mayor Shelton and Council Members:

The Tupelo Water & Light Department is in the process of upgrading our current street light system to LED lighting which will enhance public safety, help reduce crime and provide better illumination of our roadways. Due to this upgrade, I respectfully request an increase of the annual street light investment charge, paid by the city, from 12% to 15% as calculated by TVA.

If you have any questions or need further information, please let me know.

Sincerely,

TUPELO WATER & LIGHT DEPARTMENT


Johnny N. Timmons
Manager

Street Lighting Analysis

226 - Tupelo, MS

PRESENT RATE - LS 12% OPTION B, INCLUDING RATES AND ADJUSTMENTS EFFECTIVE OCTOBER 1, 2018

		<u>FY 2018</u>	<u>FY 2017</u>
	STREET LIGHTING INVESTMENT	\$ 4,152,054	\$ 3,970,007
	KWH SOLD	8,862,732	8,916,650
	MAXIMUM LAMP ALLOWANCE	\$ 26,588	\$ 26,750
CREDIT -	REVENUE LESS POWER COST	\$ 51,590	\$ 51,904
COSTS -	LAMP RENEWALS	\$ 23,096	\$ 11,698
	OPERATION AND MAINTENANCE	\$ 174,464	\$ 185,023
	TAXES AND EQUIVALENTS	\$ 249,703	\$ 242,545
	DEPRECIATION AND INTEREST	\$ 207,603	\$ 198,500
	TOTAL COSTS	\$ 654,865	\$ 637,767
NET -	REQUIRED ANNUAL FACILITY CHARGE	\$ 603,275	\$ 585,863
	% FACILITY CHARGE	15%	15%

STREET LIGHTING POWER COST/KWH @ 5.432 CENTS, REVENUE/KWH @ 6.300 CENTS.
INVESTMENT RECOVERED OVER 20 YEARS.



Approved
Reg CE
7/2/19
(AP)

City of Tupelo

Jason L. Shelton
Mayor

Water and Light
Johnny Timmons, Director

COUNCIL

Markel Whittington
Ward One

Lynn Bryan
Ward Two

Travis Beard
Ward Three

Nettie Y. Davis
Ward Four

Buddy Palmer
Ward Five

Mike Bryan
Ward Six

Willic Jennings
Ward Seven

June 27, 2019

Mayor Jason Shelton and Council of the City of Tupelo
City of Tupelo
Tupelo, MS 38801

Dear Mayor Shelton and Council Members:


I respectfully request your approval to surplus and remove the following item from our fixed asset list through your regular council meeting on July 2, 2019. The chainsaw was stolen from one of our trucks. The incident report is attached.

<u>Description</u>	<u>Serial #</u>	<u>ID #</u>
MS 201T 14" Chainsaw	185067040	236

If you have any questions, please call upon me.

Sincerely,

TUPELO WATER & LIGHT DEPARTMENT


Johnny N. Timmons
Manager

TUPELO POLICE DEPARTMENT

Offense / Incident Report

GENERAL OFFENSE INFORMATION

Report Type: Initial Report

Agency	TUPELO POLICE DEPARTMENT	Location	320 N FRONT STREET TUPELO MISSISSIPPI 38801
Case #	2019-1409		
File #			
Description	PETIT LARCENY		
Incident Status	ACTIVE	From Date/Time	02/25/2019 00:00
		To Date/Time	
		Report Date	02/25/2019 13:40
Reporting Officer	WARE, JUSTIN	Initial Rep. Date	02/25/2019 13:40

OFFENSE(S)

Offense	PETIT LARCENY (MISD)		
Statute	97-17-43		
Attempt Status	COMPLETED		
Offense Status	ACTIVE		
Location	PARKING LOT/GARAGE		
Computer	N	Alcohol	N
Weapons	NONE	Drug	N
Criminal Activity	NO GANG INVOLVEMENT		
Bias Type	NONE (NO BIAS)	Bias Motivation	

COMPLAINANT

Name	FOSTER, JESSICA				
Address	320 N FRONT STREET TUPELO MS 38801		Phone	662-841-6460	
Race	W	Ethnic	N	Sex	F
DOB	5/20/1980 (38)		DOB		
Height		Weight		Hair	
Eyes		DL & St.		JRN#	

VICTIM(S)

Name	TUPELO WATER AND LIGHT,				
Address	320 N FRONT STREET TUPELO, MS 38804		Phone	662-841-6460	
Race	U	Ethnic	U	Sex	U
DOB			DOB		
Height		Weight		Hair	
Eyes		DL & St.		JRN#	
S.S.N.		Victim Of	NONE	Injury Type	NONE
Type of Victim	INDIVIDUAL				
Homicide/Assault Circumstance	UNKNOWN CIR				

SUBJECT(S)

Name UNKNOWN, UNKNOWN UNKNOWN			
Address			Phone - -
Race U	Ethnic U	Sex U	DOB
Height	Weight	Hair	Eyes
S.S.N. - - - -	DL & St.	JRN#	
Sub. Type SUSPECT	Arrest ID	Citation #	
Notes			

RELATIONSHIP(S)

Person A TUPELO WATER AND LIGHT	Relationship UNKNOWN	Person B UNKNOWN UNKNOWN UNKNOWN
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PROPERTY

Property Category TOOLS	Loss Type STOLEN
Description STIHL 14' CHAINSAW	
Notes	
Make STIHL	Model MS 201T
Serial No / VIN 185067040	Style CHAINSAW 14"
Vehicle Year	Color ORANGE
Plate No/ State/ Type	
Loss Date 1/28/2019	Loss Quantity 1
Rec Date	Loss Value \$659.95
Drug Type	Rec Quantity
	Rec Value
	Drug Quantity
	Drug UOM

INVESTIGATOR

Name JUMPER, CASSIDY	Assigned Date 02/26/2019	Supplement No 0
Entered By WARE, JUSTIN		
Officer WARE, JUSTIN		
Supervisor MASK, MARTY		

Incident # 2019-1409

WARE, JUSTIN

On February 25, 2019, at approximately 1340 hours, I, Officer Ware, responded to 320 North Front Street (Tupelo Water & Light) in reference to stolen property. Once on scene contact was made with the complainant, Jessica Foster. Foster stated several chainsaws had been stolen from off trucks while parked on the TW&L lot.. Foster stated the last chainsaw stolen was a STIHL 14' Chainsaw valued at \$659.95. Foster stated the chainsaw was stolen on January 28, 2019.

Foster stated they are unaware of who could be stealing the chainsaws, but possibly could be an employee. Foster was issued a case number and explained the process. The STIHL 14' Chainsaw with serial #185067040 was added to NCIC with NIC #A035453930.

End of Report

J Ware

C10

7/2/19
Rec'd
Approved (AD)

City of Tupelo
Department of Parks and Recreation



MEMO

Alex Farned, M.S.
Director

To: Mayor, Jason Shelton and City Council
From: Alex Farned
CC: Don Lewis, Amanda Daniel, Kim Hanna, and Rosiland Barr
Date: 6/27/2019
Re: Tupelo Parks and Recreation Request to Remove a Vehicle Off Fixed Assets

I would like to request that the Mayor, and City Council allow the Tupelo Parks and Recreation Dept. to remove the following vehicle off the fixed asset list:

2017 Ford Explorer 1FM5K7BH7HGC08046 SUV 25,148 Park & Rec

Note: This vehicle was wrecked/totaled last month (June 2019)

(Surplus to turn over to the insurance company) (AD)

**RESOLUTIONS AND ORDERS AUTHORIZING SALE AND CONVEYANCE OF
REAL PROPERTY FROM THE CITY OF TUPELO, MISSISSIPPI**

WHEREAS, the City of Tupelo, Mississippi (the "*City*") is the owner of certain real property located in the City of Tupelo, Lee County, Mississippi and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "*Property*"); and

WHEREAS, the City and King Pines 2018, LP, a Mississippi limited partnership ("*King Pines*"), entered into that certain Option Agreement for the Purchase of Real Property on January 4, 2018 (as amended and/or assigned, the "*Option Agreement*") whereby King Pines was given an option to purchase the Property from the City pursuant to the terms therein; and

WHEREAS, the Option Agreement was extended by its terms on October 22, 2019, amended on March 29, 2019, and amended again on May 29, 2019; and

WHEREAS, King Pines has exercised its option to purchase the Property pursuant to the Option Agreement, and, upon such exercise, the Option Agreement constituted, and does now constitute, a valid purchase and sale agreement; and

WHEREAS, the City desires to sell the Property (less any mineral rights, and ingress and egress rights to remove the same, required to be retained pursuant to Miss. Code Ann. § 21-17-1) to King Pines for the amount of Four Hundred Thousand and 00/100 Dollars (\$400,000.00) (the "*Purchase Price*") pursuant to the terms and conditions of the Option Agreement; and

WHEREAS, Miss. Code Ann. § 21-17-1(2) sets forth the requirements for the governing authority of a municipality to sell real property which is no longer used for municipal purposes without having to advertise for and accept competitive bids, which requirements are as follows:

- i) the real property is no longer needed for municipal or related purposes and is not to be used in the operation of the municipality;
- ii) the sale of such property in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the municipality;
- iii) the use of such property for the purpose for which it is to be sold will promote and foster the development and improvement of the community in which it is located and the civic, social, educational, cultural, moral, economic or industrial welfare thereof; and
- iv) consideration for the purchase of such property is not less than the average of the fair market price for such property as determined by at least two (2) professional property appraisers selected by the municipality and approved by the purchaser, which appraisal fees are shared equally by the municipality and the purchaser.

WHEREAS, the City and King Pines have exercised due diligence and obtained appraisals from two professional property appraisers selected by the City and approved by King Pines, which appraisals support the Purchase Price, and the fees for such appraisals were shared equally by the City and King Pines; and

WHEREAS, the city council of the City ("*City Council*") finds that it is in the best interest of the City to execute and deliver a warranty deed (the "*Warranty Deed*") conveying the Property to King Pines (less any mineral rights, and ingress and egress rights to remove the same, required to be retained under Miss. Code Ann. § 21-17-1).

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI AS FOLLOWS:

1. The recitals and findings above are hereby incorporated herein by reference.
2. The City Council finds and determines, as required by Miss. Code Ann. § 21-17-1: (a) that the Property is no longer needed for municipal or related purposes and is not to be used in the operation of the City, (b) that the sale and conveyance of the Property by competitive bids is neither desirous nor necessary for the financial welfare of the City, this sale being conducted pursuant to authority granted under Miss. Code Ann. § 21-17-1 (2)(b)(i); (c) that the use of the Property for the purpose for which it is to be sold and conveyed will promote and foster the development and improvement of the community in which it is located and the civic, social, educational, cultural, moral, economic, or industrial welfare thereof; and (d) that the Purchase Price is not less than the average of the fair market price for the Property as determined by two professional property appraisers selected by the City and approved by King Pines, the appraisal fees for which were shared equally by the City and King Pines.
3. The City Council authorizes, approves, and orders (a) the sale and conveyance of the Property to King Pines for the Purchase Price, (b) the Warranty Deed (and the execution and delivery thereof), and (c) the Mayor and city clerk to execute and deliver the Warranty Deed and any and all other documents necessary to effectuate and complete the conveyance and transactions contemplated hereby.

After a full discussion of this matter, Council Member Whittington moved that the foregoing resolutions be adopted, and said motion was seconded by Council Member Jennings, and upon the matter being put to a vote, the results were as follows::

<u>Councilman</u>	<u>Yea</u>	<u>No</u>	<u>Abstain</u>	<u>Not Present</u>
Whittington	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Bryan	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Davis	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Palmer	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Bryan	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Jennings	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Beard	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

The motion having received the affirmative vote of a majority of the members present, the President of the City Council declared the motion carried and the resolutions adopted.

WHEREUPON, the foregoing resolution were declared, passed, and adopted at a regular meeting of the City Council on this the 2nd day of July, 2019.

CITY OF TUPELO, MISSISSIPPI

By: Nettie Y. Davis
NETTIE Y. DAVIS, City Council President

ATTEST:

Amanda Daniel
AMANDA DANIEL, Clerk of the Council

7/2/19
Date

APPROVED:

J. L. Shelton
JASON L. SHELTON, Mayor

7-2-19
Date

**EXHIBIT A
TO
RESOLUTIONS AND ORDERS AUTHORIZING SALE AND CONVEYANCE OF
REAL PROPERTY FROM THE CITY OF TUPELO, MISSISSIPPI**

Tract I (Monument Drive Property):

Record Description:

Commencing at the Northeast corner of the Northwest Quarter of Section 1, Township 10, Range 5 East, Lee County, Mississippi; run thence West along the section line 2,640 feet to the Northwest corner of said Section; run thence East along the section line 44 feet to the East right of way line of Monument Drive for a Point of Beginning; run thence South along the East right of way line of Monument Drive 344 feet; run thence East 1,235 feet; run thence North 344 feet to the North line of the Section; run thence West 1,235 feet along the section line to the Point of Beginning. The foregoing tract consists of approximately 10 acres, lying and being in the Northwest Quarter of Section 1, Township 10, Range 5 East, City of Tupelo, Lee County, Mississippi.

Survey Description:

Commencing at the Northwest corner of Section 1, Township 10 South, Range 5 East, Lee County, Mississippi, thence South 89 degrees 43 minutes 59 seconds East a distance of 44.00 ft. to a one inch iron pipe set for the **point of beginning**; thence South 89 degrees 43 minutes 59 seconds East a distance of 1235.00 ft. to a one inch iron pipe set, thence South 00 degrees 16 minutes 01 seconds West a distance of 344.00 ft. to a one inch iron pipe set, thence North 89 degrees 43 minutes 59 seconds West a distance of 1235.00 ft. to a one inch iron pipe set, thence North 00 degrees 16 minutes 01 seconds East a distance of 344.00 ft. to the point of beginning, said tract lying in the Northwest Quarter of Section 1, Township 10 South, Range 5 East, Lee County, Mississippi and **containing 9.75 acres.**

Tract II (Ida Street Property):

Commencing at the Southwest corner of Section 36, Township 9 South, Range 5 East, Lee County, Mississippi, thence North 89 degrees 30 minutes 07 seconds East a distance of 2267.80 ft. to the **point of beginning**; thence North 00 degrees 00 minutes 00 seconds West, passing a one inch iron pipe set at 25.00 ft. and a second one inch iron pipe at 311.72 ft., a distance of 316.72 ft. to a point on the South right of way line of Ida Street, thence North 89 degrees 29 minutes 57 seconds East, along said right of way line, a distance of 334.95 ft. to a one inch iron pipe set, thence, along a circular curve to the right, having an arc length of 53.14 ft., a radius of 30.77 ft., a chord bearing of South 40 degrees 58 minutes 00 seconds East and a chord length of 46.77 ft. to a one inch iron pipe set on the West right of way line of Lawndale Drive, thence South 08 degrees 30 minutes 31 seconds West, along said right of way line, a distance of 61.81 ft. to a one inch iron pipe set; thence South 06 degrees 19 minutes 41 seconds West, along said right of way line, a distance of 60.13 ft. to a one inch iron pipe set, thence South 07 degrees 29 minutes 17 seconds West, along said right of way line, a distance of 63.42 ft. to a one inch iron pipe set, thence South 05 degrees 18 minutes 13 seconds West, along said right of way line, a distance of 98.08 ft. to a point in a ditch, thence South 89 degrees 30 minutes 07 seconds West a distance of 332.51 ft. to the point of beginning, said tract lying in the Southwest Quarter of Section 36, Township 9 South, Range 5 East, Lee County, Mississippi and **containing 2.54 acres.**

Placeholder Pending Mayor Signature

**City of Tupelo
RESOLUTION OF AUTHORIZATION**

The Mayor and City Council (the "Governing Body") acting for and on behalf of the City of Tupelo, Mississippi, (the "Municipality") took up for consideration the matter of authorizing and approving a grant on behalf of the Municipality from the Mississippi Development Authority (the "MDA") Development Infrastructure Program for the purpose of completing infrastructure related to road improvements and thus enhancing economic development through the creation of jobs.

Thereupon Council Member Travis Beard offered and moved the adoption of the following resolution:

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI, TO AUTHORIZE AND APPROVE THE MAYOR, ON BEHALF OF THE CITY, ENTERING INTO A GRANT AGREEMENT WITH THE MISSISSIPPI DEVELOPMENT AUTHORITY IN ORDER TO RECEIVE A GRANT ON BEHALF OF THE CITY FROM THE MISSISSIPPI DEVELOPMENT AUTHORITY IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED AND FIFTY THOUSAND DOLLARS (\$ 750,000) FOR THE PURPOSE OF COMPLETING INFRASTRUCTURE RELATED TO ROAD IMPROVEMENTS AND THUS ENHANCING ECONOMIC DEVELOPMENT THROUGH THE CREATION OF JOBS.

WHEREAS, the City of Tupelo agrees to ensure that all program guidelines and commitments are being followed and will be met; and in addition, the City commits to provide a minimum 10% match of the Development Infrastructure Funds in the amount of \$75,000 to come from internal funds; and

WHEREAS, the City will be required to reimburse the Mississippi Development Authority the amount of the grant if, for any reason whatsoever, the City or the Benefitting Business does not adhere to the commitments as contemplated in the application and grant agreement; and

WHEREAS, the Mississippi Business Investment Act, Sections 57-61-1 et. seq., of the Mississippi Code of 1972, as amended (the "Act"), was enacted for the purpose of promoting business and economic development in the state of Mississippi (the "State") through job producing programs and by providing loans and grants to municipalities to assist in securing investment by private companies locating in the State; and

WHEREAS, pursuant to Section 57-61-36 of the Act, MDA is authorized to make grants/loans to municipalities for the purpose of completing infrastructure related to road improvements and thus enhancing economic development through the creation of jobs; and

WHEREAS, pursuant to the Act and the guidelines adopted by MDA, the City has filed an application with MDA for a grant to complete infrastructure related to road improvements; and

WHEREAS, based on the application, the Act and the guidelines, MDA has agreed to provide a grant to the City for the purposes set forth; and

WHEREAS, before the grant can be processed, a Grant Agreement must be entered into by the City of Tupelo and MDA, setting out the terms and conditions of the grant.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE MUNICIPALITY, AS FOLLOWS:

Section 1. That all of the findings of fact made and set forth in the preamble to this resolution shall be and the same are hereby found, declared, and adjudicated to be true and correct.

Section 2. That the Mayor and City Council of the City of Tupelo, Mississippi, are now fully authorized and empowered under the provisions of Sections 57-61-1 *et. seq.*, of the Mississippi Code of 1972, as amended, to proceed with the execution of the Grant Agreement with the Department.

Section 3. That the Mayor and Clerk of the Board are hereby authorized and directed to execute any and all documents and certificates as may be necessary in order to consummate the transaction contemplated by the resolution and upon execution, each of the documents and certificates shall be legal, valid, and binding obligations of the Municipality enforceable in accordance to the terms of each.

Council Member Buddy Palmer seconded the motion to adopt the foregoing Resolution and after the same had been read and considered section by section and put to a roll call vote, the results was as follows:

Council Member	<u>Travis Beard</u>	voted	<u>Aye</u>
Council Member	<u>Lynn Bryan</u>	voted	<u>Aye</u>
Council Member	<u>Mike Bryan</u>	voted	<u>Absent</u>
Council Member	<u>Nettie Davis</u>	voted	<u>Aye</u>
Council Member	<u>Willie Jennings</u>	voted	<u>Aye</u>
Council Member	<u>Buddy Palmer</u>	voted	<u>Aye</u>
Council Member	<u>Markel Whittington</u>	voted	<u>Aye</u>

The motion having received the foregoing vote of the Governing Body, the Mayor declared the motion carried and the Resolution adopted, on this the 2nd day of July, 2019.

MAYOR,
CITY OF TUPELO, MISSISSIPPI

(SEAL)

CITY CLERK

MEMORANDUM OF AGREEMENT

This Agreement is made and entered into by The City of Tupelo, Mississippi and BancorpSouth Bank to apply for a Mississippi Development Infrastructure Program (DIP) Grant. Hereinafter, the Municipality shall be referred to as "Recipient," and BancorpSouth Bank hereinafter referred to as the "Benefitting Business." The Agreement is as follows:

WHEREAS, the Recipient desires the Benefitting Business to increase employment opportunities by expanding the Benefitting Business in Tupelo, Mississippi, and thereby is in the process of applying for a Mississippi Development Infrastructure Program (DIP) Grant to secure the expansion of the Benefitting Business, and for the purpose of improving transportation access to the Benefitting Business; and

WHEREAS, the Recipient and the Benefitting Business are required to enter into a written agreement specifying the terms and conditions of the relationship of the Recipient and the Benefitting Business;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are acknowledged, the Recipient and the Benefitting Business agree as follows:

1. The Recipient's responsibilities shall be the following:
 - a. Abide by all terms and conditions stated in the grant agreement with the Mississippi Development Authority.
 - b. Assume responsibility for full implementation of the project activities described in the DIP application and incorporated herein by reference. If, for any reason whatsoever, the recipient does not adhere to the commitments as contemplated in this contract and related documents, the recipient will reimburse the Mississippi Development Authority the amount(s) set out below.

- c. Provide for the coordination and submission of the application.
- d. Sign the contract between MDA and the Recipient if the project is approved.
- e. Proceed with the selection of necessary administrators/consultants.
- f. Abide by all State statutes and guidelines.
- g. Invest at least \$75,000 into the public improvements of this project. This will be in the form of cash.
- h. Within four years of the effective date of the DIP grant, reimburse the state for any and all program expenditures if job creation, job maintenance, local match, and capital investment commitments are not met as outlined in this document.

1. If the business benefitting from the DIP improvements fails to create and maintain 100 net new, permanent, full-time jobs as indicated in this agreement, the recipient will reimburse the Mississippi Development Authority a pro rata share of the amount contemplated by this agreement. The reimbursement amount will be arrived at by multiplying the difference between the total number of jobs projected to be created and the number of actual jobs created by the cost per job, which is Seven Thousand Five Hundred Dollars (\$7,500). The cost per job is derived by dividing the DIP amount by the total number of jobs projected to be created.

2. The total employment requirement will be maintained for a period of 12 months, starting from the point at which the 100th new job is filled. The City of Tupelo's grant administrator and the Mississippi Development Authority's DIP project manager should be notified immediately upon fulfillment of the hiring commitment in order to document the beginning of the 12-month retention period.

3. Should the recipient fail to fully implement all facets of the project, or should the business benefitting from the DIP improvements fail to locate to

or remain in operation at the DIP-assisted site until all project terms and conditions have been met and the DIP grant agreement has been closed out, the recipient shall be responsible for repayment of the total amount of DIP funds expended on the project.

2. The Benefitting Business's responsibilities shall be the following:
 - a. Within four years of the effective date of the DIP grant, the Benefitting Business shall create and maintain 100 full-time jobs at the facility being assisted with DIP funds. If the Benefitting Business fails to create the specified number of full-time equivalent jobs, the Benefitting Business will reimburse the Recipient a pro rata share of the amount contemplated by this agreement. The reimbursement amount will be arrived at by multiplying the difference between the total number of jobs projected to be created and the number of actual jobs created by the cost per job, which is Seven Thousand Five Hundred Dollars (\$7,500). The cost per job is derived by dividing the DIP award amount by the total number of jobs projected to be created.
 - b. Maintain the total employment requirement for a period of 12 months, starting from the point at which the 100th new job is filled. The City of Tupelo's grant administrator and the Mississippi Development Authority's DIP project manager should be notified immediately upon fulfillment of the hiring commitment in order to document the beginning of the 12-month retention period.
 - c. The Benefitting Business promises to act as an Equal Opportunity Employer and to give assurance of a willingness to comply with all pertinent state and federal laws or acts of non-discrimination and equal employment opportunity requirements and will fill these positions without regard to Age, Race, Religion, National Origin, Genetic Information, Color, Sex, Marital Status, or Disability.

- d. The Benefitting Business agrees to inject at least \$750,000 into construction and related equipment. The source of these funds will be BancorpSouth Bank's internal funds.
- d. Keep and maintain books, records and other documents relating directly to the expenditure of private funds and the hiring of persons to fill the new jobs created as a result of this project. Furnish from time to time, upon request by the Recipient, reports on progress made toward meeting the requirements of 2.a. above.
- e. Allow any duly authorized representative of MDA's Community Services Division or the Mississippi State Auditor's Office, at all reasonable times, access to and the right to inspect, copy, audit, and examine all such records related to private expenditures and job generation as a result of the above described project until the completion of all close-out procedures with respect to the grant and the final settlement and conclusions of issues arising from of the grant.
- f. Application of the Mississippi Employment Protection Act of 2008. Any grantee, recipient, contractor, or company known hereinafter as "Contractor" entering into contracts with the Mississippi Development Authority represents and warrants that it will ensure compliance with the Mississippi Employment Protection Act (Senate Bill 2988 of the 2008 Regular Session of the Mississippi Legislature) and will register and participate in the status verification system of all newly hired employees. The term "employee" as used herein means any person that is hired to perform work within the State of Mississippi. As used herein, "status verification system" means the Illegal Immigration Reform and Immigration Responsibility Act of 1996 that is operated by the United States Department of Homeland Security, also known as the E-Verify Program, or any other successor electronic verification system replacing the E-Verify Program. Contractor agrees to maintain such compliance and, upon request of the State, to provide a copy of the certification

Development Infrastructure Program
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form generated by the E-Verify system (or successor verification system) which confirms compliance. Contractor (Benefitting Business) further represents and warrants that any person assigned to perform services hereunder will meet the employment eligibility requirements of all migration laws of the State of Mississippi. Contractor understands and agrees that any breach of these warranties may subject Contractor to the following: (a) termination of this Agreement and ineligibility for any state or public contract in Mississippi for up to three (3) years, with notice of such cancellation/ termination being made public, or (b) the loss of any license, permit, certification or other document granted to Contractor by an agency, department or governmental entity for the right to do business in Mississippi for up to one (1) year, or (c) or both. In the event of such cancellation/termination, Contractor would also be liable for any additional costs incurred by the State due to contract cancellation or loss of license or permit.

3. Terms of this agreement shall be effective and binding upon approval and award of a grant to the Recipient by the Mississippi Development Authority of the State of Mississippi.

IN WITNESS WHEREOF, the Recipient and the Benefitting Business have executed this Agreement this the 6th day of August, 2019.

(X)  _____

Jason L. Shelton, Mayor

City of Tupelo

(X)  _____

Dan Rollins, Chairman of the Board and CEO

BancorpSouth Bank

Development Infrastructure Program
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Rejected
Reg CC
7/2/19
(AD)



Public Works Department Memorandum

To: Mayor Shelton and City Council

From: Mr. Chuck Williams (D)

VIA: Don Lewis
Kim Hanna

Re: Bid Rejection

Date: June 24, 2019

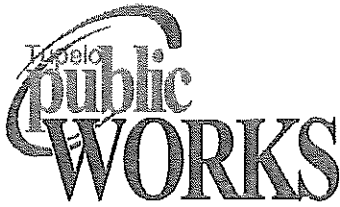
Copy: Missy Shelton

Concrete Supply and Delivery – 6 month term

We are requesting to REJECT the Concrete Supply and Delivery Bid – 6 month Term Bid 2019-014PW due to not receiving any bid proposals.

Thanks –

Chuck Williams - Director, Public Works



Rejected
7-2-19
Reg CC
AP

Memo

To: Mayor Shelton and City Council
From: Chuck Williams (A)
CC: Don Lewis, Kim Hanna, Missy Shelton
Date: June 24, 2019
Re: Purchase of (2) Utility Tractors – Bid Rejection – 2019-013PW

Bid: 2019-013PW

We are requesting to reject the 2019-013PW for the purchase of (2) Utility Tractors. No bidders responded for the Phase One Proposal.

7/2/19
Approved Travel -
Per Diem Daily Rate
needs to be approved
prior to travel date (AB)



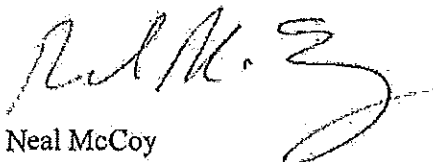
July 1, 2019

Mayor Jason Shelton
Ms. Nettie Davis, Council President
Mr. Travis Beard
Mr. Mike Bryan
Mr. Willie Jennings
Mr. Markel Whittington
Mr. Lynn Bryan
Mr. Buddy Palmer

Mayor Shelton and City Council,

I am requesting approval of international travel for Jennie Bradford Curlee. The Mississippi Development Authority Division of Tourism has extended an invitation to Tupelo to participate in the Memphis & Mississippi European Sales Mission. The mission will include a combination of tour operator sales calls and media appointments. The mission will be from Aug 31 - Sept 8.

Sincerely,


Neal McCoy
Executive Director



tupelo.net

P.O. Drawer 47 • 399 East Main Street • Tupelo, MS 38802 • #MyTupelo

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