

ORDINANCE

AN AMENDMENT TO THE CITY OF TUPELO CODE OF ORDINANCES CONCERNING THE CITIZEN'S POLICE ADVISORY BOARD CONTAINED IN SECTIONS 2-261 THROUGH 2-269

WHEREAS, the governing authorities of the City of Tupelo created a Citizen's Police Advisory Board (hereinafter the "Board") on April 4, 2017 for the purposes of enhancing communication between the community and the Tupelo Police Department by developing partnerships, strengthening relationships, and building trust; and

WHEREAS, upon its creation, it was the intent of the Governing Authorities of the City of Tupelo for the Board to act as a liaison between the community and the Tupelo Police Department, and such role shall include the creation of partnerships between Board Members, members of the community and members of the Tupelo Police Department and expressed by Board Member presence at community events, neighborhood association meetings and events of the Tupelo Police Department; and

WHEREAS, it has become increasingly difficult for the Board to conduct its business due to the requirements that Members of the Tupelo City Council nominate residents from their respective wards for membership on the Board; and

WHEREAS, it is by recommendation of the Board that the ordinances establishing such Board be amended to reflect the aforementioned findings; and

WHEREAS, this ordinance, if approved, is a lawful expression of authority of the governing authorities of the City of Tupelo concerning the care, management and control of the municipal affairs in accordance with Miss. Code Ann. § 21-17-5 *et seq.*

NOW, THEREFORE BE IT ORDAINED by the governing authorities of the City of Tupelo the following:

SECTION 1. The prefatory findings of this Ordinance are hereby accepted, incorporated herein and found to be a proper exercise of the authority of the City of Tupelo.

SECTION 2. The following provision of Chapter 2, Subsection 261 of the City of Tupelo Code of Ordinances shall be repealed:

The Tupelo Police Department Citizen's Police Advisory Board (hereinafter the "board") is hereby created to be composed of eleven (11) members with one (1) member selected from each ward and four (4) at-large members.

SECTION 3. The previously stated repealed provision of Chapter 2, Subsection 261 of the City of Tupelo Code of Ordinances shall be replaced with the following:

The Tupelo Police Department Citizen's Board (hereinafter the "Board") is hereby created to be composed of eleven (11) members appointed pursuant to the terms of Section 2-262 herein.

SECTION 4. The following provision of Chapter 2, Subsection 262 of the City of Tupelo Code of Ordinances shall be repealed:

The board will consist of eleven (11) voting members. One (1) representative will be selected from each ward by the ward councilperson and four (4) additional at-large members will be selected by the mayor of the City of Tupelo, all of which to be confirmed by the city council.

1. One (1) city council member (non-voting) will serve as a liaison.

2. Board members will serve a term of three (3) years. Once the board is established, it will determine a means to ensure a staggered rotation of terms.

3. The chief of police will designate a city employee to serve as the secretary of the board.

4. The city attorney may attend the meetings in a legal advisory role.

SECTION 5. The previously stated repealed provision of Chapter 2, Subsection 262 of the City of Tupelo Code of Ordinances shall be replaced with the following:

The Board will consist of eleven (11) voting members. Each member of the Tupelo City Council shall nominate one (1) Board Member, and the Mayor of the City of Tupelo shall nominate four (4) Board Members. All such nominations shall be residents of the City of Tupelo, and shall be confirmed by the Tupelo City Council.

1. One (1) city council member, selected from time to time by a majority of the Tupelo City Council, will serve as a liaison to the Board (non-voting).

2. Board members will serve a term of three (3) years. Once the board is established, it will determine a means to ensure a staggered rotation of terms.

3. The chief of police will designate a city employee to serve as the secretary of the board.

4. The city attorney may attend the meetings in a legal advisory role.

SECTION 6. The following provision of Chapter 2, Subsection 263 of the City of Tupelo Code of Ordinances shall be repealed:

Advisory board membership requirements are as follows:

1. Must be a resident of the City of Tupelo.

2. Must pass a background check (TPD).

3. Must not have a current active, civil or criminal action against the City of Tupelo.

4. Must attend and graduate the TPD's citizen's academy within one (1) year of appointment.

SECTION 7. The previously stated repealed provision of Chapter 2, Subsection 263 of the City of Tupelo Code of Ordinances shall be replaced with the following:

Advisory board membership requirements are as follows:

1. Must be a resident of Tupelo, Mississippi.
2. Must pass a background check (TPD).
3. Must not have a current active, civil or criminal action against the City of Tupelo.
4. Must attend and graduate the TPD's citizen's academy within two (2) years of appointment.

SECTION 8. The following provision of Chapter 2, Subsection 267 of the City of Tupelo Code of Ordinances shall be repealed:

The Tupelo Police Department Citizen's Police Advisory Board is committed to:

- 1. Acting as an advisory between the community and the police department to help promote community awareness, understanding and involvement of police programs and services.*
- 2. Provide an avenue to identify problems and address opportunities for improvement from the community to the police department.*
- 3. Advocate quality in law enforcement by promoting education and training of all police department personnel and volunteers.*
- 4. Help develop partnerships between the community and the Tupelo Police Department in an effort to identify opportunities for improvement.*
- 5. Assist the police department with strategic planning and goals and recommend strategies for the future.*
- 6. The board shall provide the Tupelo City Council with an annual report of its activities and presentations.*
- 7. The board shall adopt such rules of procedure as it deems necessary, which will be reviewed by the chief of police and the city attorney. All rules must be approved by the city council.*

SECTION 9. The previously stated repealed provision of Chapter 2, Subsection 267 of the City of Tupelo Code of Ordinances shall be replaced with the following:

The Tupelo Police Department Citizen's Board is committed to:

1. Acting as a liaison between the community and the police department to help promote community awareness, understanding and involvement of police programs and services.

2. Provide an avenue to identify problems and address opportunities for improvement from the community to the police department.
3. Help develop partnerships between the community, neighborhood associations and the Tupelo Police Department in an effort to identify opportunities for improvement.
4. The board shall provide the Tupelo City Council with an annual report of its activities and presentations.
5. The board shall adopt such rules of procedure as it deems necessary, which will be reviewed by the chief of police and the city attorney. All rules must be approved by the city council.

SECTION 10. The following provision of Chapter 2, Subsection 269 of the City of Tupelo Code of Ordinances shall be repealed:

- 1. Matters relating to personnel issues are governed by various laws of the State of Mississippi and the City of Tupelo. Personnel matters are confidential. No member of the board may divulge any information regarding a personnel matter that has been deemed confidential by the mayor and chief of police.*
- 2. Every member of the board, prior to hearing any personnel matter, must sign an agreement, as prepared by the city attorney, agreeing and promising to maintain the confidentiality of any personnel matter.*
- 3. Only the chief of police, the mayor or the chief operations officer, with the advice of the city attorney, has the authority to determine what information related to any personnel matter may be made public.*

SECTION 11. The previously stated repealed provision of Chapter 2, Subsection 269 of the City of Tupelo Code of Ordinances shall be replaced with the following:

Matters relating to personnel issues are governed by various laws of the State of Mississippi and the City of Tupelo. Personnel matters are confidential. No member of the Board may divulge any information regarding a personnel matter made known to that Board Member that has been actually or constructively deemed confidential by the mayor, or the mayor's designee, the city attorney, the chief of police, or state or federal law.

SECTION 12. This ordinance shall go into effect thirty (30) days after passage. The Clerk of the Council shall cause this ordinance to be published at least one (1) time in the Northeast Mississippi Daily Journal and to post a copy at three locations within the municipality in accordance with Miss. Code Ann. § 21-17-9.

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

Councilmember Mims voted

Aye

Councilmember Bryan voted

Aye

Councilmember Beard voted

Aye

Councilmember Davis voted

Aye

Councilmember Palmer voted

Aye

Councilmember Gaston voted

Aye

Councilmember Jones voted

Aye

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


WHEREUPON, the foregoing Ordinance was declared, passed and adopted at a regular meeting of the Council on this the 5th day of March, 2024.

CITY OF TUPELO, MISSISSIPPI



TRAVIS BEARD, City Council President

ATTEST:



MISSY SHELTON, Clerk of the Council

APPROVED:



TODD JORDAN, Mayor

3-6-2024

DATE