

REGULAR CITY COUNCIL MEETING
MUNICIPAL MINUTES CITY OF TUPELO
STATE OF MISSISSIPPI
OCTOBER 18, 2022

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, October 18, 2022, at 6:00 p.m. with the following in attendance: Council Members Chad Mims, Lynn Bryan, Travis Beard, Nettie Davis, Buddy Palmer, Janet Gaston and Rosie Jones; Ben Logan, City Attorney and Missy Shelton, Clerk of the Council. Council Member Lynn Bryan gave the invocation and Council Member Nettie Davis introduced Ms. Jennifer Lindsay, who 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 approve the agenda and agenda order, with the following changes:

Delete # 18 (This item was addressed on the September 20, 2022 Agenda.)

IN THE MATTER OF RATIFICATION OF CONTRACT FOR PROFESSIONAL SERVICES OF
 ENDVILLE ROAD SAFETY IMPROVEMENTS PROJECT NO. DC NO. 2226-01

Add Item #7.5

IN THE MATTER OF MDOT MATCHING GRANT FOR TUPELO AIRPORT AUTHORITY # AIP
 3-28-0070-052-2022

Add Item #24

IN THE MATTER OF APPROVAL OF SUBMISSION OF GRANT APPLICATION FOR PROJECT
 SAFE NEIGHBORHOODS FUNDING

Add Item # 25

IN THE MATTER OF APPROVAL OF CHANGE ORDER # 2 & FINAL SUMMARY FOR
 JACKSON STREET IMPROVEMENTS CLAYTON TO MADISON

The vote was unanimous in favor.

IN THE MATTER OF SUSPENSION OF RULES AND ALLOWING A CITIZEN TO SPEAK

Council Member Davis moved, seconded by Council Member Beard, to suspend the rules and allow Jennifer Lindsay, representative of Nu Sigma Omega Chapter of Alpha Kappa Alpha Sorority, to speak. The vote was unanimous in favor.

Ms. Jennifer Lindsay was recognized to address the Council on behalf of Alpha Kappa Alpha.

IN THE MATTER OF PRESENTATION OF CHIEF'S AWARD TO NADIA DILWORTH

Police Chief John Quaka recognized Ms. Nadia Dilworth for her effort in going above and beyond her duty to help a small child in trouble. APPENDIX A

COUNCIL REMARKS

Council Member Davis thanked all those who participated in Safe in Blue, the Chili Fest and the Down On Main activities last weekend. She said that all the events were very successful. She also said that the NAACP banquet was a sell out.

Council Member Jones thanked Council Member Nettie Davis in being instrumental in starting the local chapter of AKA. She also thanked Marcus Gary and Sabrina Bowdry for helping with the Savin' Our Youth festival.

Council Member Bryan told everyone about the ribbon cutting, earlier today, for the Keep Tupelo Beautiful van.

MAYOR'S REMARKS

Mayor Todd Jordan reminded everyone that 'Pigskins in the Park' is coming up this weekend and the weather should be great. He welcomed the local chapter of AKA to the meeting.

IN THE MATTER OF PUBLIC HEARING FOR LOT MOWING

No one appeared to speak at the public hearing for the following properties on the final lot mowing list:

<u>PARCEL</u>	<u>LOCATION</u>
089K3107300	464 N BROADWAY ST
077G2520001	701 GEORGE AVE
077G2520002	703 GEORGE AVE
077G2520003	705 GEORGE AVE
087S2603706	1295 N EASON BLVD SUITE A-C
112C0305200	S EASON BLVD
077G2520004	707 GEORGE AVE
077G2520005	709 GEORGE AVE
077C2501600	1507 TRACE AVE
089B3004000	1259 N GREEN ST
089B3003900	1261 N GREEN ST

IN THE MATTER OF APPROVAL OF AN ORDINANCE TO AMEND THE DEVELOPMENT CODE OF THE CITY OF TUPELO, MISSISSIPPI ADDING APPENDIX "A" WHICH SHALL CONTAIN VARIOUS DESIGN STANDARDS, GUIDELINES AND SPECIFICATIONS REFERENCED THEREIN (TA-3.26)

Council Member Palmer moved, seconded by Council Member Beard, to remove this item from the table. The vote was unanimous in favor.

Council Member Beard moved, seconded by Council Member Gaston, to approve 'AN ORDINANCE TO AMEND THE DEVELOPMENT CODE OF THE CITY OF TUPELO, MISSISSIPPI ADDING APPENDIX "A" WHICH SHALL CONTAIN VARIOUS DESIGN STANDARDS, GUIDELINES AND SPECIFICATIONS REFERENCED THEREIN (TA-3.26)'. The vote was unanimous in favor. APPENDIX B

IN THE MATTER OF AN ORDINANCE AMENDING DEVELOPMENT CODE BY AMENDING CERTAIN SUB-SECTIONS OF SECTION 5.1 BELLEDEER NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT (TA22-03.25)

This item was left on the table.

IN THE MATTER OF APPROVAL OF MINUTES OF OCTOBER 4, 2022

Council Member Davis moved, seconded by Council Member Beard, to approve the minutes of the Regular City Council meeting held on October 4, 2022. The vote was unanimous in favor.

IN THE MATTER OF BILL PAY

Bills were reviewed at 4:30 p.m. by Council Members Beard, Davis, and Palmer. Council Member Jones moved, seconded by Council Member Gaston, to approve the payment of the checks, bills, claims and utility adjustments. The vote was unanimous in favor. APPENDIX C

IN THE MATTER OF MDOT MATCHING GRANT FOR TUPELO AIRPORT AUTHORITY # AIP 3-28-0070-052-2022

Council Member Palmer moved, seconded by Council Member Davis, to approve the MDOT matching grant for the Tupelo Airport Authority. The vote was unanimous in favor. APPENDIX D

IN THE MATTER OF THE ELECTRIC FUND AUDIT FOR FY 2022

Council Member Mims moved, seconded by Council Member Gaston, to approve the Financial Report for the City of Tupelo Electric Department ending June 30, 2022. During the agenda review meeting Michael Little, representing The Jerrell Group, reviewed this report with no instances of noncompliance with governmental accounting standards. The vote was unanimous in favor. A copy of this financial report is attached to these minutes as APPENDIX E.

IN THE MATTER OF APPROVAL OF PROPERTIES FOR LOT MOWING

Council Member Beard moved, seconded by Council Member Mims, to adjudicate the following properties on the public hearing lot mowing list, which were in such a condition to be a menace to the public health, safety and welfare of the community and in need of mowing pursuant to Miss. Code Ann. 21-19-11 (1972) as amended. The vote was unanimous in favor. APPENDIX F

**IN THE MATTER OF AGREEMENT BETWEEN DRUG ENFORCEMENT
ADMINISTRATION AND TUPELO POLICE DEPARTMENT**

Council Member Davis moved, seconded by Council Member Gaston, to approve the agreement between the Drug Enforcement Administration and the Tupelo Police Department. The vote was unanimous in favor. APPENDIX G

IN THE MATTER OF PROPOSAL FROM McCARTY ARCHITECTS

Council Member Beard moved, seconded by Council Member Palmer, to approve the proposal submitted by McCarty Architects for professional services for a master plan to include a vehicle garage for motorcycle patrol units, bomb squad and other rapid response vehicles. It would also include planning for a new barracks with chow hall, bathroom and dayroom to be located at the Tupelo Police Academy. The vote was unanimous in favor. APPENDIX H

**IN THE MATTER OF AGREEMENT BETWEEN CARFAX AND TUPELO POLICE
DEPARTMENT**

Police Chief John Quaka requested that the Council approve an agreement between Carfax and the Tupelo Police Department. Council Member Beard moved, seconded by Council Member Palmer, to approve the agreement. The vote was unanimous in favor. APPENDIX I

IN THE MATTER OF AWARDING BID #2022-034PD - EOD ROBOT

The City accepted bids for Bid # 2022-034PD - EOD Robot. One bid was received from ICOR Technology, Inc. in the amount of \$104,040.00. Council Member Palmer moved, seconded by Council Member Davis, to find the single bid commercially reasonable and award the bid to ICOR Technology, Inc. The vote was unanimous in favor. APPENDIX J

**IN THE MATTER OF LEAVE DONATION REQUEST FOR FIRE DEPARTMENT
EMPLOYEE**

Council Member Beard moved, seconded by Council Member Mims, to approve the donation of sick time for Fire Department employee Anthony Mallard, as allowed by the employee handbook. The vote was unanimous in favor. APPENDIX K

IN THE MATTER OF FIRE STATION #2 SURPLUS ITEMS

Fire Chief Kelly Elliott requested that items, no longer needed by the City of Tupelo, be declared as surplus and removed from the City's asset list with the disposition of each as listed. Council Member Davis moved, seconded by Council Member Gaston to approve the request to surplus the items and to dispose of as listed in APPENDIX L. The vote was unanimous in favor.

**IN THE MATTER OF AN ORDER DECLARING AS SURPLUS THE REAL PROPERTY AND
STRUCTURE(S) LOCATED NEAR THE INTERSECTION OF MAIN STREET AND RANKIN
BOULEVARD, FORMERLY KNOWN AS FIRE STATION #2 AND TO AUTHORIZE THE
DEMOLITION OF THE SURPLUS STRUCTURE**

Council Member Palmer moved, seconded by Council Member Jones, to approve the surplus of Fire Station #2, located near the intersection of Main Street and Rankin Boulevard, and to authorize the demolition of the surplus structure. The vote was unanimous in favor. APPENDIX M

IN THE MATTER OF BID REJECTION OF REROOFING THE POLICE ATHLETIC LEAGUE BUILDING BID NO. 2022-033WL

Bids were received for Bid # 2022-033WL - Reroofing the Police Athletic League Building. All bids received were over the budgeted amount allowed by the City. Council Member Mims moved, seconded by Council Member Palmer, to reject the bids for the reroofing of the Police Athletic League building. The vote was unanimous in favor. APPENDIX N

IN THE MATTER OF BID FOR HANK AND HELEN BOERNER SKATE PARK RENOVATIONS AND IMPROVEMENTS BID #2022-035PR

Bids were received by the City of Tupelo for Bid # 2022-035PR - Hank and Helen Boerner Skate Park Renovations and Improvements. Park and Recreation Department Director, Alex Farned, requested that the Council award the bid to the lowest and best bid of Grindline Skateparks, Inc., in the amount of \$572,000.00. Council Member Mims moved, seconded by Council Member Gaston, to award the bid, as requested. The vote was unanimous in favor. APPENDIX O

IN THE MATTER OF REQUEST FOR APPROVAL OF TUPELO WATER & LIGHT SURPLUS ITEM

TWL Director Johnny Timmons requested that an item, no longer needed by the City of Tupelo, be surplus and removed from the asset list of Tupelo Water & Light, and to sell the item by sealed bid.

2013 Skid Steer Loader (S/N 230801514)

Council Member Beard moved, seconded by Council Member Palmer, to surplus the skid steer loader and to sell with a sealed bid process. The vote was unanimous in favor. APPENDIX P

IN THE MATTER OF FINAL RESOLUTION OF AD VALOREM TAX EXEMPTION FOR HAWKEYE INDUSTRIES, INC.

Council Member Gaston moved, seconded by Council Member Mims, to approve this final resolution to grant a ten-year ad valorem tax exemption to Hawkeye Industries, Inc. The vote was unanimous in favor. APPENDIX Q

IN THE MATTER OF AN ORDER DECLARING AS SURPLUS .107 ACRES OF REAL PROPERTY LOCATED AT 322 WEST MAIN STREET, NEAR THE INTERSECTION OF MAIN STREET AND GREEN STREET, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO BOSTICK NORTH MISSISSIPPI RENTALS, LLC.

Council Member Palmer moved, seconded by Council Member Beard, to approve 'AN ORDER DECLARING AS SURPLUS .107 ACRES OF REAL PROPERTY LOCATED AT 322 WEST MAIN STREET, NEAR THE INTERSECTION OF MAIN STREET AND GREEN STREET, AND TO

AUTHORIZE THE SALE OF SAID PROPERTY TO BOSTICK NORTH MISSISSIPPI RENTALS, LLC.'. The vote was unanimous in favor and the order is attached to these minutes as APPENDIX R.

IN THE MATTER OF APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH NORTHEAST MISSISSIPPI COMMUNITY SERVICES, INC.

Council Member Palmer moved, seconded by Council Member Beard, to approve the Memorandum of Understanding (MOU) with Northeast Mississippi Community Services, Inc. for transit services in the amount of \$144,900. This MOU will serve from October 1, 2022 through September 30, 2023. The vote was unanimous in favor and a copy of the MOU is attached to these minutes as Appendix S.

IN THE MATTER OF APPROVAL OF SUBMISSION OF GRANT APPLICATION FOR PROJECT SAFE NEIGHBORHOODS FUNDING

Grant Writer Abby Christian asked for Council approval to submit a grant application for Project Safe Neighborhoods (PSN). If the grant is awarded, it will be used to purchase cameras to deter, monitor and prosecute violent gang and gun crime. The grant is for approximately \$33,000 and there is no match. Council Member Beard moved, seconded by Council Member Jones, to approve the submission of the PSN grant. The vote was unanimous in favor. APPENDIX T


IN THE MATTER OF CHANGE ORDER #2 AND FINAL SUMMARY FOR JACKSON STREET IMPRVEMENTS - CLAYTON TO MADISON

Council Member Beard moved, seconded by Council Member Davis, to approve the change order #2 and final summary for the Jackson Street Improvements Clayton to Madison project in the amount of an increase of \$42,482.49. The vote was unanimous in favor. APPENDIX U

ADJOURNMENT

There being no further business to come before the Council at this time, Council Member Beard moved, seconded by Council Member Davis, to adjourn. The vote was unanimous in favor.

This the 18th day of October, 2022 at 6:43 p.m.



Lynn Bryan, President
City Council

ATTEST:



Missy Shelton, Clerk of the Council



Todd Jordan, Mayor

11-21-2022

Date

Chief,

I would like to take the opportunity to commend a member of the civilian community for going above and beyond in reference to case #2022-6683. At approximately 2315 hrs. on 09/26/2022 Nadia Dilworth was driving on Monument when she observed a very small child riding his bicycle on the road unattended. She immediately took possession of the child for his safety and contacted 911. Responding units met her at Hancock park where she had the child warming up in her car. The child had no shoes on and appeared very cold. As we were making notifications and taking custody of the child, Nadia informed us the child was wet from urinating on himself. While we were waiting for MDCPS personnel to arrive on scene Dilworth came back with a diaper and changed the toddler so he would be dry. She also asked us if she could bring back some food for him. Ms. Dilworth went way above and beyond what a normal citizen normally contributes to a call. Her quick actions were instrumental in ensuring the child was not hit by a car or even worse possibly abducted. Due to the caring attitude of Dilworth we were able to come to a successful resolution and ensure no harm came to the child. Her actions reflect greatly upon herself as a member of our community. Her phone number is 601-874-1457 in case we want to reach out to her. Thank you for your consideration in this matter.

CAPT. BRETT MOYER
EDWARD SHIFT COMMANDER/BOMB TECHNICIAN
TUPELO POLICE DEPT.
400 N. FRONT ST. TUPELO, MS. 38801



**AN ORDINANCE TO AMEND THE DEVELOPMENT CODE OF THE
CITY OF TUPELO, MISSISSIPPI ADDING APPENDIX “A” WHICH
SHALL CONTAIN VARIOUS DESIGN STANDARDS, GUIDELINES AND
SPECIFICATIONS REFERENCED THEREIN (TA-3.26)**

WHEREAS, the City of Tupelo adopted an ordinance known as the Development Code on October 1, 2013; and

WHEREAS, the ordinance governs all zoning and development and applies to all land, buildings, structures and uses located within the corporate limits of the City of Tupelo; and

WHEREAS, the ordinance is adopted, pursuant to authority granted to the City of Tupelo by Section 17-1-1, et seq. of the Mississippi Code Annotated (1972); and

WHEREAS, the Department of Development Services and the Planning Committee have reviewed and considered information regarding the need to revise certain provisions of the Development Code and have conducted a public hearing with notice published in the Northeast Mississippi Daily Journal, at the Planning Committee’s regularly scheduled meeting on September 12, 2022, on the proposed amendments; and,

WHEREAS, the Tupelo City Council conducted a public hearing, with notice published in the Northeast Mississippi Daily Journal, at its regularly scheduled meeting on October 4, 2022, to review and consider recommendations proposed by the Tupelo Department of Planning and Community Development and the Tupelo Planning Committee concerning amendments to the Development Code, and

WHEREAS, the City Council finds and determines that the proposed text is supported by substantial evidence, and further finds that it is necessary to protect the public health, safety, morals and general welfare to amend the current Development Code and that the provisions below are necessary, fair and reasonable.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI, as follows:

SECTION 1. The prefatory statements are hereby incorporated herein.

SECTION 2. The Development Code of the City of Tupelo, Mississippi shall be amended to include the following:

APPENDIX A

Table of Contents:

A.1 - Design Standards and Construction Specifications for Streets, Storm Water, Water Distribution and Sanitary Sewer

A.2 - Fairpark Design District Guidelines

A.3 – Downtown Tupelo Design Guidelines adopted by the Downtown Tupelo Main Street Association

A.4 - Tupelo Historic Preservation Commission Design Guidelines for Local Historic Districts

A.5 – Architectural Design Guidelines for the Historic Neighborhood Downtown Conservation Overlay District in Tupelo, Mississippi

SECTION 3. Appendix A of the Development Code of the City of Tupelo, Mississippi shall include subsection A.1 - Design Standards and Construction Specifications for Streets, Storm Water, Water Distribution and Sanitary Sewer. The terms of said subsection are attached hereto as **Exhibit “A.”**

SECTION 4. Appendix A of the Development Code of the City of Tupelo, Mississippi shall include subsection A.2 – Fairpark Design District Guidelines. The terms of said subsection are attached hereto as **Exhibit “B.”**

SECTION 5. Appendix A of the Development Code of the City of Tupelo, Mississippi shall include subsection A.3 - Downtown Tupelo Design Guidelines adopted by the Downtown Tupelo Main Street Association. The terms of said Subsection are attached hereto as **Exhibit “C.”**

SECTION 6. Appendix A of the Development Code of the City of Tupelo, Mississippi shall include subsection A.4 - Tupelo Historic Preservation Commission Design Guidelines for Local Historic Districts. The terms of said subsection are attached hereto as **Exhibit “D.”**

SECTION 7. Appendix A of the Development Code of the City of Tupelo, Mississippi shall include subsection A.5 - Architectural Design Guidelines for the Historic Neighborhood Downtown Conservation Overlay District in Tupelo, Mississippi. The terms of said Subsection are attached hereto as **Exhibit “E.”**

SECTION 8. This amendatory ordinance has been articulated to be consistent with the constitution and laws of the State of Mississippi. The City Council finds that this amendatory ordinance does not violate any provision of the United States Constitution and laws. In the event that any court of competent jurisdiction finds that any provision of this amendatory ordinance is unconstitutional or invalid, the remainder shall stay in full force and effect.

SECTION 4. All ordinances, resolutions or orders in conflict herewith are repealed, effective thirty (30) days after passage of this amendment.

SECTION 5. This ordinance shall become effective on the thirtieth (30th) day following the adoption hereof. The City Council Clerk shall cause the ordinance to be published one (1) time in a local newspaper with a general circulation.

The foregoing ordinance was proposed in a motion by Council Member _____, seconded by Council Member _____, and after discussion, no council member having called for a reading, was brought to a vote as follows:

Council Member Chad Mims
 Council Member Lynn Bryan
 Council Member Travis Beard
 Council Member Nettie Davis
 Council Member Buddy Palmer
 Council Member Janet Gaston
 Council Member Rosie Jones

Aye
Aye
Aye
Aye
Aye
Aye
Aye

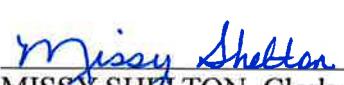
Whereupon, the motion having received a majority of affirmative votes, the President of the Council declared that the Ordinance had been passed and adopted on this the 18th day of October, 2022.

CITY OF TUPELO, MISSISSIPPI

BY: 

LYNN BRYAN, President

ATTEST:


 MISSY SHELTON, Clerk of the Council

APPROVED:


 TODD JORDAN, Mayor

DATE



CITY OF TUPELO

***Design Standards
And
Construction Specifications
For
Streets, Storm Water, Water Distribution
and Sanitary Sewer***

September 2011

***John Crawley PE, City Engineer
Sid Russell, Director, Public Works Department
Johnny Timmons, Director, Water & Light Department***

TABLE OF CONTENTS

- I. INTRODUCTION
- II. SECTION 1 – STREET / HIGHWAYS
 - 1. GENERAL NOTES
 - 2. CLASSIFICATIONS
 - 3. DESIGN GUIDELINES / CONSTRUCTION SPECIFICATIONS
- III. SECTION 2 – STORMWATER MANAGEMENT
 - 1. PURPOSE / GENERAL NOTES
 - 2. DESIGN GUIDELINES / CONSTRUCTION SPECIFICATIONS
- IV. SECTION 3 – WATER DISTRIBUTION SYSTEM DESIGN / CONSTRUCTION STANDARDS (PER TUPELO WATER & LIGHT DEPT.)
- V. SECTION 4 – SANITARY SEWER DESIGN / CONSTRUCTION STANDARDS (PER TUPELO WATER & LIGHT DEPT.)

I. INTRODUCTION

The purpose of this manual is to document the design and review policies set forth by the the City of Tupelo Department of Development Services. Policies and procedures contained herein may not be expressly covered by the Code of Ordinances, Development Code or other published documents by the City of Tupelo. These policies are intended to provide direction to designers and clarification of the department's interpretation of the various codes, regulations and ordinances and particularly to support and articulate the standards expressed in the Tupelo Development Code. They are also intended to provide minimum specifications for the construction of public infrastructure such as streets, storm water conveyance facilities, sanitary sewer and water distribution. The policies and guidelines set forth herein are based on accepted engineering principles and past practices of the Division of Engineering and Department of Development Services.

Review of proposed projects, both public and private, by the Division of Engineering will be based upon the policies set forth herein. Exceptions may be applied for in writing to the Division of Engineering where requests will be reviewed by the City Engineer. Exceptions may be granted in cases where adherence to these guidelines and specifications will cause excessive physical hardship and constraints on the project in question. Exceptions will not be granted in cases where financial hardship is the only reason for applying.

SECTION 1. STREETS / HIGHWAYS

GENERAL NOTES

The following guidelines regarding street design and construction pertain to newly constructed corridors and reconstructed existing facilities. The design guidelines and procedures contained herein are considered minimum standards and are not intended to relieve the designer of his/her duty to perform the applicable calculations to determine an adequate roadway structure. The designer is expected to make investigations necessary to ascertain the physical characteristics of the site and make the proper design recommendations based upon those findings. As an accompaniment to this manual, the designer is referred to the following sources for design and construction criteria that may be referenced herein but are not intended to supersede the guidelines of this manual unless expressly mentioned.

"A Policy On Geometric Design Of Highways And Streets," 2001 ed. American Association of State Highway and Transportation Officials (AASHTO).

"Guide for the Development of Bicycle Facilities," 1999 ed. American Association of State Highway and Transportation Officials (AASHTO).

"Guidelines For Geometric Design Of Very Low-Volume Local Roads," 2001 ed. Association of State Highway and Transportation Officials (AASHTO).

"Mississippi Roadway Design Manual," 2001 ed. Mississippi Department of Transportation (MDOT).

"Mississippi Standard Specifications for Road and Bridge Construction." 2004 ed. Mississippi Department of Transportation (MDOT).

Before construction begins on any street or highway project within the City of Tupelo, two sets of construction plans shall be submitted to the City Engineer's office for review in accordance with these policies. The plans should include at a minimum the following:

~A title sheet indicating the project name and a vicinity map clearly showing the location and construction limits of the project. The title sheet should also bear the signature and stamp of the registered professional engineer in charge of the design and plan preparation for the project. All plans, unless otherwise allowed by the city engineer, should be prepared and stamped by a registered professional engineer in the State of Mississippi.

~A typical section sheet showing the proposed street cross section. Details on base and pavement materials and thickness should be clearly shown. In projects where an existing street is being reconstructed or over-laid, an existing cross section should also be shown.

- ~Plan and Profile sheets depicting the projects horizontal and vertical alignments and the design details of the same. Details regarding drainage facilities, rights-of-way, easements and adjacent property owners affected should be clearly shown.
- ~Additional sheets as necessary to convey details of traffic control and safety measures, erosion control and mitigation procedures.

Plans not meeting these minimum standards may be rejected. All plans should be submitted well before construction is scheduled to begin so that the city engineer has time to review the drawings and issue the applicable permits.

All work that is to be dedicated to the City of Tupelo as public infrastructure shall be inspected by a representative from the city engineer's office to ensure compliance with the approved plans and specifications. Work that is not inspected by the city engineer's office will be rejected. Applicable permits that are obtained and copies of the plans and specifications for the project should be kept on site during construction at all times. Prior to acceptance of any portion of the work (i.e. subgrade, base, pavement), the City Engineer shall inspect the work for material quality, course thickness and workmanship. Any portion of the work or materials found to be unacceptable shall be removed and replaced.

STREET CLASSIFICATIONS

For purposes of identifying a street or highway's intended or actual use, the Division of Engineering has established three separate street classifications. These classifications generally adhere to nationally accepted standards but are defined here for clarity.

ARTERIALS

Arterials may be classified as either principal or minor, but for purposes of this manual and within the context of the City of Tupelo, no such separate distinction will be made. Arterials are defined as corridors generating the highest traffic volumes with the longest trip desires and are commonly referred to as major thoroughfares. The arterial system generally will consist of multiple lanes of traffic, will serve the major centers of activity and will be the primary routes entering and leaving the urban area as well as providing routes for intra-area travel, such as between business districts and outlying residential areas. Gloster Street, Main Street and McCullough Boulevard are examples of arterials within the City of Tupelo. For design considerations of this manual all arterials within the City of Tupelo will be assumed to carry 5% heavy truck traffic.

COLLECTORS

The collector system provides land service access and traffic circulation within business districts, residential neighborhoods and industrial areas. A collector gathers traffic from within specific land use zones and distributes it to the arterial system. Collectors within the City of Tupelo may be classified as either major or minor. Major collectors function as

primary routes between land use zones and tie directly into the arterial system. They will carry high volumes of traffic ($ADT > 2,000$) both commercial and residential. Green Street, Thomas Street and West Jackson Street are examples of major collectors within the City of Tupelo. For design purposes of this manual all major collectors within the City of Tupelo will be assumed to carry 2% heavy truck traffic unless the designer is directed to accommodate a higher or lower percentage by the city engineer. Minor collectors generally serve outlying residential and smaller confined business districts. They will distribute traffic between neighborhoods and major collectors carrying less volume ($ADT < 2,000$) than a major collector. They may or may not tie into the arterial system. Butler Road, Lakeshire Drive and Wilson Street are examples of minor collectors within the City of Tupelo. Heavy truck traffic will be considered negligible on minor collectors unless special consideration is ordered by the city engineer.

LOCAL STREETS

Local streets comprise of all facilities that cannot be categorized into one of the other two classifications. These include mainly residential streets within distinct neighborhoods and subdivisions. They function to distribute traffic to the collector system and beyond and will often carry very low traffic volumes ($ADT < 400$). Except for industrial districts, local streets will be assumed to carry no truck traffic. In newly developed subdivisions local streets shall be designed so that blocks do not exceed 1,500 feet in length in the Agriculture/Open Space zone, 1,000 feet in the low-density residential zone or 750 feet in other residential zones unless severe topographic constraints or other unusual features make an excessive length necessary. Connections between streets shall be created in such a way that they do not encourage the use of such streets by substantial through traffic. A local street open at only one end should have a cul-de-sac turn around at the closed end. Such dead end streets should be kept to minimum length as possible and in no instance should a dead end street exceed 600 feet in length. Minimum design criteria for cul-de-sacs is shown on Figure 1.E.

ALLEYS

Alleys are small, low volume streets that provide access to the side or rear of individual parcels of land in medium to high density residential and commercial areas. They are categorized separately from local streets in that they are intended, in many cases, to serve only a few individual parcels. In commercial districts they may be used primarily for loading and unloading of goods and other materials. In residential districts they may serve as few as two or three separate homes and provide a safer alternative to on street parking on the primary local and collector routes. Traditional housing developments with alleys will be allowed. They should be aligned parallel or perpendicular to adjoining street property lines and it is desirable to situate them where they connect to a local street or collector on both ends. Dead end alleys may be permissible in certain situations and where allowed should be equipped with a turn around if their length exceeds 600 feet. Minimum design criteria for turnarounds is shown on Figure 1.E. Because of their intended use the geometric criteria for their design will be somewhat less intrusive than that of a local street and is illustrated in Figure 1.D.

GENERAL STREET DESIGN CRITERIA

HORIZONTAL & VERTICAL ALIGNMENT

Horizontal and vertical alignments for all streets shall be designed in accordance with the following resources:

“A Policy On Geometric Design Of Highways And Streets” 2001 ed. Association of State Highway and Transportation Officials (AASHTO).

“Guidelines For Geometric Design Of Very Low-Volume Local Roads”, 2001 ed. Association of State Highway and Transportation Officials (AASHTO).

“Mississippi Roadway Design Manual”, 2001 ed. Mississippi Department of Transportation (MDOT).

The designer, unless otherwise instructed by the city engineer, shall utilize the following design requirements based upon the functional classification of the street in question:

Type of Street	ROW Width, Ft. (min)	Pavement Width, Ft. (min)	Design Speed, mph	*Sidewalks Req'd	Curb & Gutter Req'd
Arterial	50-**80	24	55	Yes	Yes
Major Collector	50-**80	24	45	Yes	Yes
Minor Collector	50	22	45	Yes	Yes
Local	40	20	30	Yes	Yes
Alley	15	10	n/a	No	No

*See exceptions to sidewalk requirements in “SIDEWALKS” section

**See Figure 1.A

Streets shall be designed to intersect at approximate right angles (90 degrees). Skewed intersections shall be avoided and in no case shall the angle of intersection be less than 75 degrees. Street intersections and approaches shall be designed on as flat a grade as possible. Street gradients within 100 feet of intersections shall not exceed 4% and every reasonable effort shall be made to keep the gradient below 2%. The minimum curb radius permitted at intersections shall be twenty (20) feet for local streets, and twenty five (25) feet for collector streets and arterials. No more than two (2) streets shall intersect at any one point, unless the City engineer certifies to the permit issuing authority that such an intersection can be constructed with no extraordinary danger to public safety. Turning lanes shall be provided at heavily traveled intersections as determined by the City engineer. Care should be taken by the designer to provide the maximum amount sight distance possible at all intersections.

In cases where existing streets, which are slated to be reconstructed or widened, do not meet the above recommended design criteria, every effort should be made to during the design process to make the necessary adjustments to bring the street within these parameters. In

instances where this is not feasible due to physical restraints or right-of-way restrictions the designer shall notify the city engineer in writing and request a design exception for the project.

BASE AND PAVING - DESIGN CRITERIA AND CONSTRUCTION REQUIREMENTS

The base and pavement structure shall be designed in accordance with the following structure number guidelines:

<u>CLASSIFICATION</u>	<u>STRUCTURE NUMBER (MINIMUM)</u>
Arterial (Major Thoroughfare)	4.10
Major Collector	3.82
Minor Collector	3.38
Local Street (Residential)	2.66
Alleys	N/A (See Fig. 1-D)

The following coefficients shall be used in structure number calculations:

<u>COMPONENT</u>	<u>COEFFICIENT (per inch)</u>
Crushed Limestone	0.14
Clay Gravel	0.11
Hot Mix Asphalt (Where used as a base material)	0.34
Hot Mix Asphalt	0.44
Portland Cement Concrete	0.44

The following minimum conditions are to be considered in the pavement structure design:

1. Course thickness of a granular base material will be a minimum of 8 inches
2. Total thickness of hot mix asphalt will be a minimum of 4.5 inches except on local residential streets and alleys.
3. Course thickness for Portland cement concrete pavement will be a minimum of 6 inches.

For street designs involving arterials and major collectors, the design engineer shall submit to the office of the city engineer the intended structure number to be used in pavement design and how the structure number was derived. The structure number for a street or highway shall be calculated using the standard operating procedures of the Mississippi Department of Transportation. For all local streets and minor collectors, the design engineer may use the above referenced minimums. In instances where a streets classification is in question, the city engineer shall make the final determination based on traffic counts for existing corridors and traffic flow and impact studies for new streets or highways.

SUBGRADE

The subgrade for all new and reconstructed streets shall be shaped to the lines and templates shown on the plans and specifications for the project. Grading of excavation, placement and compaction of embankment/fill material shall conform to the specific requirements of Section 203 of the Mississippi Standard Specifications For Road And Bridge Construction, 2004 Edition, unless superceded by these specifications. All areas requiring embankment/fill greater than 6" shall be compacted to an average minimum of 95% of the Standard Proctor for the material being used. A field compaction report for embankment/ fill areas signed and sealed by the project engineer shall be furnished to the office of the city engineer. All areas of subgrade will be inspected and proof-rolled by personnel from the city engineer's office or a designated representative thereof prior to the placement of the base course. Areas that are found to be soft or unsuitable for traffic loads will be undercut to a depth specified by the city or project engineer and backfilled with suitable material. In lieu of extensive undercutting and backfilling, the use of approved Geogrids or Geotextile Fabrics will be acceptable. The installation of geogrids and geotextiles shall conform to the specific requirements found in Sections 204 and 209 of the Mississippi Standard Specifications For Road And Bridge Construction, 2004 Edition, respectively. Prior to the installation of geogrids or geotextiles the project engineer shall notify the city engineer of intent to make use of said materials and shall furnish drawings detailing their installation in accordance with the referenced specifications. Chemical stabilization of subgrades may be considered where use of such methods will not adversely affect existing neighborhoods, business districts or other sensitive areas.

BASE

The base course material shall be shaped to the lines and templates shown on the plans and specifications for the project. Base course material shall consist of crushed limestone and shall meet the requirements listed below:

Gradation Requirements for Crushed Limestone Base Course

<u>Sieve Size</u>	<u>Percentage Passing</u>
1"	100
3/8"	50 - 85
No. 4	35 - 65
No. 10	25 - 50
No. 40	15 - 30
No. 200	5 - 15

Other base course materials may only be used with special permission from the City Engineer and shall be limited to the following:

Clay Gravel (Class 4B or C)
Granular Material (Class 9A)
Hot Mix Asphalt, Base Course, 19 mm Mixture

Chemical stabilization of granular bases may be considered where use of such methods will not adversely affect existing neighborhoods, business districts or other sensitive areas. Specific requirements for the placement and compaction of granular base courses shall conform to Section 304 of the *Mississippi Standard Specifications For Road And Bridge Construction*, 2004 Edition. Thickness of the base course will be developed using the appropriate structure number for the applicable street classification. A base course whose compacted thickness is designated to be more than 8 inches shall be constructed in two or more layers of approximate equal thickness. For crushed limestone, the average compacted density shall exceed or be equal to 99% of the standard proctor, with no single test below 95%. For clay gravel courses, the average compacted density shall be equal to 100% of the standard proctor, with no single test below 96%. A field compaction report signed and sealed by the project engineer shall be furnished prior to placement of the pavement courses. Base courses will be inspected and proof rolled by personnel from the office of the city engineer prior to placement of the pavement courses.

PAVEMENT

Pavement shall be placed to the lines and templates shown in the plans and specifications for the project. Design of pavements will be in accordance with the latest edition of *The Guide for The Design of Pavement Structures* published by the American Association of State Highway and Transportation Officials, AASHTO. Hot bituminous pavements will be mixed, placed and compacted in accordance with Division 400 of the *Mississippi Standard Specifications for Road and Bridge Construction*, 2004 Edition. Portland Cement Concrete pavements will be mixed and placed in accordance with Division 500 of the aforementioned reference. After placement of asphalt pavements, a field compaction report signed and sealed by the project engineer shall be furnished prior to acceptance of the street. Personnel from the office of the city engineer will be on site to inspect all paving operations.

TYPICAL SECTIONS

The typical sections shown on the following pages are examples of street cross section designs based upon the minimum guidelines discussed herein. For local streets and minor collectors, the design engineer may incorporate these typical sections into the design unless extenuating circumstances (i.e., heavy truck traffic) dictate the use of a higher structure number. Pavement structure designs for major collectors and arterials will be submitted to the office of the city engineer for approval.

CURB & GUTTER, DRIVEWAYS AND SIDEWALKS

CURB & GUTTER

Streets are normally designed with curb and gutter to allow for greater use of available width, control of drainage, protection of pedestrians, delineation and aesthetics. Use of curb and gutters should be considered for all streets and is required in medium to high density residential and commercial zones. Types of curbs and gutters allowed and corresponding dimensions are contained Figure 1.E

Concrete curbs and curbs and gutters may be constructed with forms or a curb forming extruding machine. Forms, except for the divider plates, may be either wood or metal. Forms used shall be set to the line and grade shown on the plans and rigidly held in place by stakes or braces. The depth of the forms shall be equal to the depth of the curb, gutter or combination curb and gutter. Concrete used for construction of curbs, gutters or combinations curbs and gutters shall be a minimum 3,000 psi mix design. The concrete shall be placed on a moist grade and consolidated by vibration or other approved methods. Expansion and tooled joints will be placed in accordance with the plans. Once the concrete has been placed and consolidated, the concrete surface shall receive a floated finish. Special consideration should be given to protect fresh concrete at least for the first 72 hours after initial placement. Refer to Section 609 of the *Mississippi Standard Specifications for Road and Bridge Construction, 2004 Ed.* for procedures on finishing and curing concrete used in curb and gutter construction.

DRIVEWAYS AND TURNOUTS

Driveways and turnouts that connect to public streets either concurrent with or after the time of construction of the street shall be built in accordance with the following: Residential driveways and turnouts shall be a minimum of 10 feet wide and have a curb radius of not less than 7.5 feet as measured to the back of the curb. Commercial driveways and turnouts shall be a maximum of 24 feet wide and have a curb radius of not less than 12 feet as measured to the back of the curb. Industrial driveways and turnouts shall be a maximum of 50 feet wide and have a curb radius of not less than 25 feet as measured to the back of the curb. Spacing between driveways on all streets shall be a minimum of twenty-five (25) feet as measured from outside edge to outside edge.

Driveways and turnouts shall be constructed with materials and workmanship equal to or better than the adjoining curbs and gutters. The owner of the lot at which the driveway turnout is being constructed shall be responsible for any violation of the above requirements. No material will be placed in the street gutter that will impair the flow of storm water. Refer to Section 614 of the *Mississippi Standard Specifications for Road and Bridge Construction, 2004 Ed.* for procedures on finishing and curing concrete used in driveway and turnout construction.

CONCRETE SIDEWALKS

Sidewalks will be required on all newly constructed and reconstructed roads and streets. Sidewalks shall be constructed along the entire distance of all street frontages and will be set back a minimum of three (3) feet from the back of curb. Handicapped access ramps, complying with the requirements of federal law, shall be provided for all sidewalks. Sidewalks shall not be installed in such a manner that they conflict with or are obstructed by power lines, telephone poles, fire hydrants, traffic/street signs, mailboxes, trees, buildings or any other structure. When there is an anticipated obstruction, the sidewalk shall be installed around the object and shall provide the required sidewalk width. When utility layouts are required as part of a plat, the location and extent of sidewalks within the subdivision shall be shown on the utility layout and shall be subject to the approval of the Director of Development Services and the utility agencies.

The planning commission may waive all or part of the sidewalk requirements in the following situations:

- When the Director of Development Services determines that the sidewalks will interfere with or disrupt drainage.
- When the Director of Development Services determines that public construction that requires sidewalk replacement will take place within three (3) years.
- In single or two family residential subdivisions with a density less than one dwelling unit per acre.
- In instances where the Director of Development Services determines that sidewalks would incur excessive costs to the developer due to topographic or natural resource constraints.

Where the requirement for sidewalk construction is waived, adequate right-of-way shall be provided for future installation of sidewalk if necessary.

Concrete sidewalks may be constructed by the use of forms (wood or metal) or an approved automatic extrusion type paving machine. Forms used shall be set to the line and grade shown on the plans and rigidly held in place by stakes or braces. The depth of the forms shall be equal to the depth of the sidewalk. Sidewalks shall be a minimum of five (5) feet in width. Excavation shall be made to the required depth of the sidewalk and wide enough to permit the placement of forms and braces. The subgrade shall be compacted and moistened prior to placement of any concrete. Any soft or spongy soil shall be removed and replaced with acceptable material. At no time will concrete be placed on top of mud. Concrete used for construction of sidewalks shall be a minimum 2,500 psi mix design. Tooled joints will be placed at a spacing of five (5) feet. Expansion joints are to be placed at intervals of twenty-five (25) feet. Once the concrete has been deposited and consolidated, the concrete surface shall receive a float and broom finish. Refer to Section 608 of the *Mississippi Standard Specifications for Road and Bridge Construction, 2004 Ed.* for procedures on finishing and curing concrete used in sidewalk construction.

SECTION 2. STORM WATER MANAGEMENT

PURPOSE

Proposed construction for commercial, industrial, governmental, residential, parks or recreational type developments that will result in an increase in runoff from the pre-developed or existing conditions shall be governed as specified herein. Existing and new developments that are constructed in phases and will increase runoff amounts from the pre-developed or existing conditions shall be governed as specified herein.

The intent of this section is to serve as a reference for the City staff and practicing professionals in designing storm drainage facilities within the City of Tupelo. Criteria listed herein are the general policy of the City of Tupelo and may not be applicable in every situation. Each project will be evaluated on a case-by-case basis with regard to site-specific characteristics, existing storm drain facilities, and how future development on and around the site might be affected.

GENERAL NOTES

Before beginning construction on any project, plans and specifications must be submitted for approval to the office of the City Engineer. The plans shall be accompanied by a stormwater report prepared by a professional engineer registered in the State of Mississippi. The report is to include, but not be limited to, the following:

1. A narrative describing how storm runoff entering, generating from and exiting the proposed site will be controlled and conveyed and to what extent the development will impact existing conditions both on and off site.
1. Pre and post development topographic map(s) showing all on site and off site contributing drainage areas.
2. Basis for determining runoff coefficients and times of concentration.
3. Inflow hydrographs with peak flows for the 10, 25 and 100-year storm frequencies.
4. Stage/storage/discharge tables for all proposed detention or retention facilities.
5. Details and calculations for all outlet control structures.
6. Hydraulic routing of the 10, 25 and 100 year storms through the proposed system(s).
7. Summary.

The stormwater report must also include an analysis of the offsite properties that may require anticipating future development in addition to addressing existing conditions. Where storm drainage facilities, particularly pipe culverts, serve basins that include areas likely to develop in the future, runoff calculations must assume higher values of runoff coefficients based on estimated increased impervious areas. All maps and other exhibits shall be shown at a satisfactory scale and sufficient in quantity and scope to define the boundaries of the site relative to any applicable watercourses, drainage divides, drainage structures and other pertinent features. The site plan, submitted in conjunction with the stormwater report, shall depict all streams, lakes, wetlands and other bodies of water as well as boundaries of the 100-

year flood plain. The floodplain boundary information must be obtained using Federal Emergency Management Agency (FEMA) guidelines. Proposed developments located in approximate A zones that will be greater than 50 lots or 5 acres, whichever is lesser, must provide 100-yr base flood elevation data. This data should be obtained using appropriate methodologies accepted by FEMA.

Methods used for computing runoff and generating hydrographs must be by one of the following methods: 1) Rational Method for drainage areas up to 100 acres or 2) Soil Conservation Service (SCS) Method (TR55) for small and medium size water sheds containing up to 10,000 acres. Other methods may be used upon prior approval of the City Engineer. All street and local drainage facilities shall be designed using the 25-year storm unless more stringent requirements apply.

Pipes used in the construction of drainage facilities shall have a minimum equivalent size of 15 inches in diameter. Inlet and outlet headwalls and toe walls are required for all pipe structures. Design velocities for pipes should be kept to a minimum and, if practical, should not exceed 5 feet per second when flowing full; however, if outlet velocities exceed 5 feet per second, then energy dissipation devices and/or channel protection must be provided.

Pipes and box culverts used for open cross drains shall be designed to convey at a minimum the 50-year storm discharge. Headwater and tailwater elevations resulting from the 100 year discharge should be checked to insure that water surface elevations do not encroach upon the traveling lanes of a roadway. If applicable, this requirement will be the controlling design criteria for open crossdrains.

Street catch basins may be designed for gutter spread using the 10-year storm provided a maximum **four (4)** minute time of concentration is used and the remainder of the system is designed for the 25-year storm. Inlet capacity at sags, where relief by curb overflow is not provided, shall allow for debris blockage by providing twice the computed opening for the 10-year storm. Curb inlets in the roadway shall be placed in such a way that the spread of water from the 10-year storm does not exceed one half of a lane width on 2 or 3 lane streets and one lane width on wider streets. When the typical section includes a full shoulder or parking lane, encroachment onto the travel lane is not to be accommodated.

All drainage structures that are to convey discharge from streams designated as Special Flood Hazard Areas (SFHA) as defined on the Flood Insurance Rate Maps (FIRM) must be designed using the 100-year (1% chance) flood event. Designs for structures lying within streams where a regulatory floodway exist shall be accompanied by a no-rise/impact analysis and certification by the designing professional engineer. All no-rise/impact studies shall be conducted in accordance with FEMA guidelines.

DETENTION/RETENTION

Whenever the stormwater report indicates that adverse stormwater runoff related impact is expected to result from the development of a property, that project shall be required to provide

a stormwater detention/retention facility or facilities so that peak flows from the developed site do not exceed those associated with the pre-developed site. The detention facility shall be designed to accommodate a 25-year post development event with the discharge structure designed to release the 10-year pre development flow. Larger projects, in excess of 15 acres, may be designed to release the 25-year pre development flow. Detention and retention ponds shall be designed with adequate freeboard to protect against overtopping of the dam or levee from the 100-year storm. A variety of methods of achieving stormwater management goals are acceptable in providing detention facilities. The type of facility provided shall be based on the following criteria:

1. The type of development for which the detention facility is intended to protect.
2. Volume of stormwater to be stored.
3. Origin and magnitude of the flows to be managed.
4. Topographic opportunities and limitations.
5. Safety considerations.
6. Maintenance requirements.
7. Aesthetic considerations.
8. Likelihood of facility operation interfering with access to public or private facilities.
9. Proximity of facility to property lines, utilities, buffers, etc.
10. Similar site-specific constraints as necessary.

When a detention structure is over 4 feet deep and in a location that constitutes a danger to human habitation, it shall be protected by a permanent fence or barrier and warning signs. Fences shall be at a minimum 6 feet high chain link or other approved material with a 10-foot wide gate. Fences shall be located on the outside edge of the perimeter easement.

Where a facility is to be dedicated to the City of Tupelo, drainage easements suitable for the construction, maintenance and access of the drainage system shall be provided. The acceptance of any detention facility will be the sole discretion of the City of Tupelo. A minimum of 15 feet in width will be required for any drainage easement along a drainage pipe, ditch, stream or other area that is designated for stormwater to flow. No obstruction shall be built, constructed or planted that would inhibit proper function of the drainage system. Fences and/or shrubbery may be placed within a drainage easement, provided an indemnification agreement is provided to the City of Tupelo.

PIPE CULVERTS

The following type pipe culverts are approved for use on drainage projects within the City of Tupelo. Specific requirements, considerations and guidelines may pertain.

Sidedrains, Laterals (No traffic loads)

1. Reinforced concrete pipe (RCP), reinforced concrete arch pipe (RCAP), reinforced concrete elliptical pipe (RCEP)
2. Corrugated metal pipe (CMP), polymer coated or aluminized only
3. Corrugated high density polyethylene (HDPE), ADS N-12 or approved equivalent
4. Corrugated poly vinyl chloride (PVC), Contech A-2000 or approved equivalent

Crossdrains (Structures under traffic loads)

1. Reinforced Concrete Pipe (RCP), Reinforced Concrete Arch Pipe, (RCAP), Reinforced Concrete Elliptical Pipe (RCEP)
2. *Corrugated Steel Pipe (CMP), Polymer Coated or Aluminized only
3. * **Corrugated High Density PolyEthylene (HDPE), ADS N-12 or approved equivalent

*For uses where a minimum of one (1) foot of cover is provided to the bottom of the pavement structure.

**For uses on collectors and local streets with ADT of $\leq 1,000$ and a maximum size of 36".

INLETS AND CATCH BASINS

The following materials may be used for the construction or placement of inlets and catch basins:

1. Reinforced Concrete (Class "B" Mix Design, Cast-in-Place or Precast)
2. *®Nyloplast PVC Inlets and Catch Basins, or equivalent

*®Nyloplast PVC inlets and catch basins are not to be used where heavy traffic loads will be encountered unless special permission is granted by the City Engineer. They may be used for curb inlets on streets of all classifications.

The specific requirements relating to laying of pipe and construction / placement of inlets is to be governed by Division 600 of the *Mississippi Standard Specifications for Road and Bridge Construction, 2004 Ed.*

EROSION CONTROL

Before beginning projects that will encompass a disturbed area greater than **five (5)** acres the developer/builder shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the Mississippi Department of Environmental Quality (MDEQ) for a Large Construction Storm Water General Permit. The permit certificate must be obtained and a copy provided to the city before work can begin. Projects that will have a total disturbed area of less than **five (5)** acres, but greater than **one (1)** acre shall be covered under a Small Construction Storm Water General Permit. Permits shall remain on site at all times for inspection by city or MDEQ personnel. Projects that disturb an area of less than **one (1)** acre shall not be required to obtain storm water permits, but shall be expected to follow best management practices regarding erosion and sediment control and will be required to submit a SWPPP to the city before beginning construction. Specific guidance and procedures for the preparation of a SWPPP can be obtained on the website of MDEQ. Minimum erosion control standards for projects within the city are contained hereafter.

Structural practices shall be implemented to divert flows from exposed soils, temporarily store flows, or otherwise control runoff in order to prevent pollutants from leaving the project rights of way. As a minimum, the Contractor shall provide straw bales or silt fences as a temporary structural practice to minimize erosion and sediment runoff. Straw Bales and silt fences shall

be properly placed to effectively retain sediment in each independent runoff area; then, as work progresses, shall be removed/replaced/relocated as needed. Bale rows used to retain sediment shall be turned uphill at each end of each row. Silt fences or rows of straw bales shall be provided as follows:

1. Along the downhill perimeter edge of areas disturbed.
2. Along the top of the slope or top bank of drainage ditches, channels, swales, etc. that traverse disturbed areas.
3. Along the toe of cut slopes and fill slopes of the construction areas.
4. Perpendicular to the flow in the bottom of existing drainage ditches, channels, swales, etc., that traverse disturbed areas or carry runoff from disturbed areas. Rows shall be spaced a maximum of 100 feet apart in such existing drains that are within the limits of the work.
5. Perpendicular to the flow in the bottom of new drainage ditches, channels, and swales. Rows shall be spaced a maximum of 200 feet apart in drains with slopes equal to 5 % or less and 100 feet apart in drains with slopes 5% or steeper.
6. At the entrance to culverts that receive runoff from disturbed areas.

The height of a silt fence shall be a minimum of 18 inches and a maximum of 34 inches above the ground surface. Filter fabric shall contain ultraviolet ray inhibitors and stabilizers to provide a minimum of 6 months of expected usable construction life at a temperature range of 0 degrees F to 120 degrees F. The filter fabric shall be purchased in a continuous roll cut to the length of the barrier to avoid the use of joints. When joints are unavoidable, filter fabric shall be spliced together only at a support post with a minimum 6-inch lap and securely sealed. Wooden posts shall have a minimum length of 5 feet and a minimum diameter of 2 inches when oak is used and 4 inches when pine is used. Steel posts (standard "U" or "T" section) shall have a minimum weight of 1.33 pounds per linear foot and a minimum length of 5 feet. Wire fence reinforcement for silt fences using standard strength filter fabric shall be a minimum of 14 gauge and shall have a maximum mesh spacing of 6 inches. When wire support is used, standard strength filter fabric may be used. Posts for this type of installation shall be placed a maximum of 10 feet apart. The wire mesh shall be fastened securely to the upslope side of the posts using heavy duty wire staples at least 1 inch long, tie wires or hog rings. The standard strength fabric shall be stapled or wired to the wire fence. When wire support is not used, extra strength filter fabric shall be used. Posts for this type of fabric shall be placed a maximum of 6 feet apart. A trench shall be excavated approximately 4 inches wide and 4 inches deep on the upslope side of the proposed location of the silt fence. The filter fabric shall be fastened securely to the upslope side of the posts using 1 inch long (minimum) heavy duty wire staples or tie wires. The fabric shall be extended into the trench a minimum of 8 inches; the trench backfilled and the soil compacted over the filter fabric. The fabric shall not be stapled to existing trees.

Bales shall be placed in a single row, lengthwise on the contour, with ends of adjacent bales tightly abutting one another. All bales shall be either wire bound or string tied. Straw bales shall be installed so that bindings are oriented around the sides rather than along the tops and bottoms of the bales in order to prevent deterioration of the bindings. The barrier shall be entrenched and backfilled. A trench shall be excavated the width of a bale and the length of the proposed barrier to a minimum depth of 4 inches. After the bales are staked the excavated soil shall be backfilled against the barrier. Backfill soil shall conform to the ground level on the downhill side and shall be built up to 4 inches against the uphill side of the barrier. Each bale shall be securely anchored by at least 2 stakes (minimum dimensions 2 inches x 2 inches x 36 inches) or standard "T" or "U" steel posts (minimum weight of 1.33 pounds per linear foot) driven through the bale. The first stake or steel post in each bale shall be driven toward the previously laid bale to force the bales together. Stakes or steel pickets shall be driven a minimum of 18 inches deep into the ground to securely anchor the bales. The gaps between bales shall be chinked (filled by wedging) with straw to prevent water from escaping between the bales. Loose straw may be scattered over the area immediately uphill from a straw bale barrier to increase barrier efficiency.

DIVERSION DIKES

Diversion dikes shall have a maximum channel slope of 2 % and shall be adequately compacted to prevent failure. The minimum height measured from the top of the dike to the bottom of the channel shall be 18 inches. The minimum base width shall be 6 feet and the minimum top width shall be 2 feet. Diversion dikes shall be located to minimize damages caused by construction operations and traffic.

The use of erosion control methods to contain all materials on each project site is mandatory. If a hazardous situation arises and control measures are not in place, the developer/builder will be given 24 hours to comply. If it is not of an urgent nature, the developer/builder will be allowed 7 calendar days to comply. If the clean up of material involves the City Streets and the developer/builder refuses to provide the clean up, the Public Works Department may perform the work and seek compensation from the developer/builder.

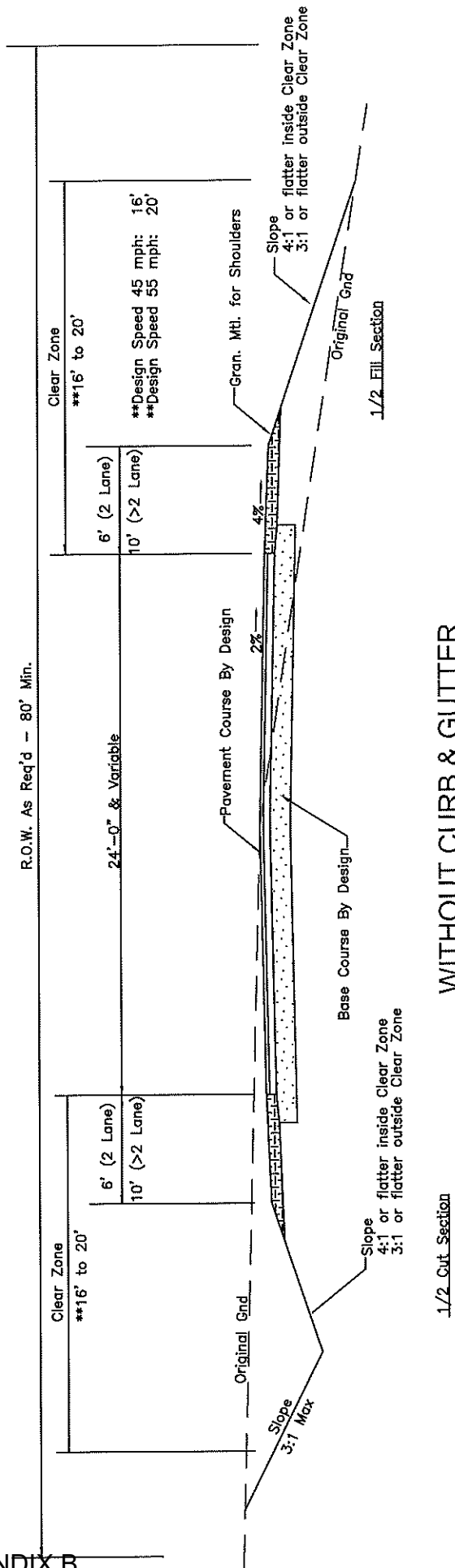
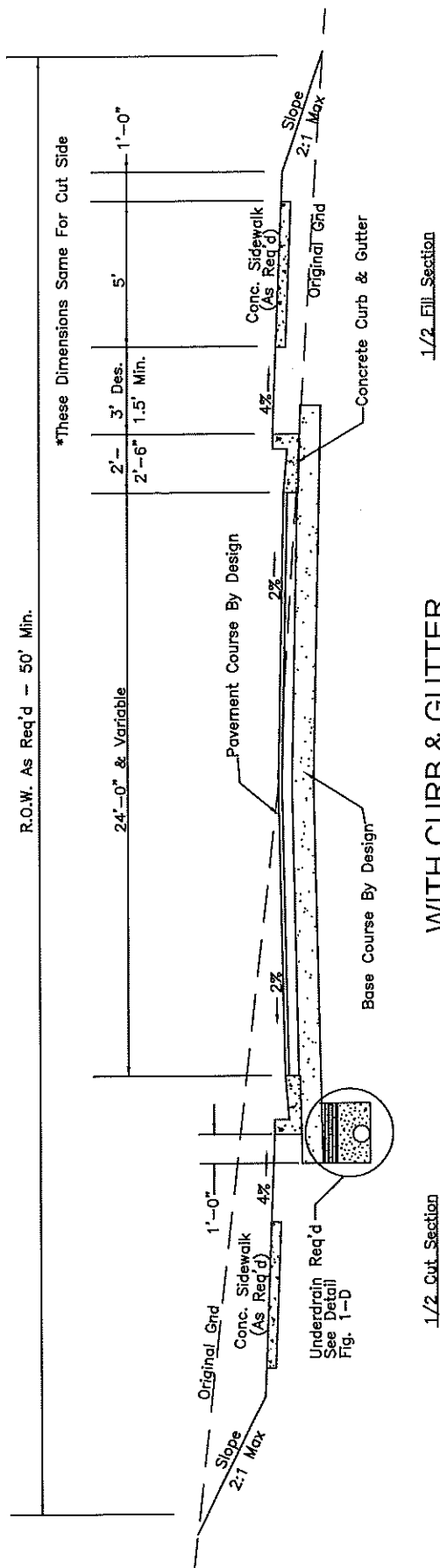


FIGURE 1.A

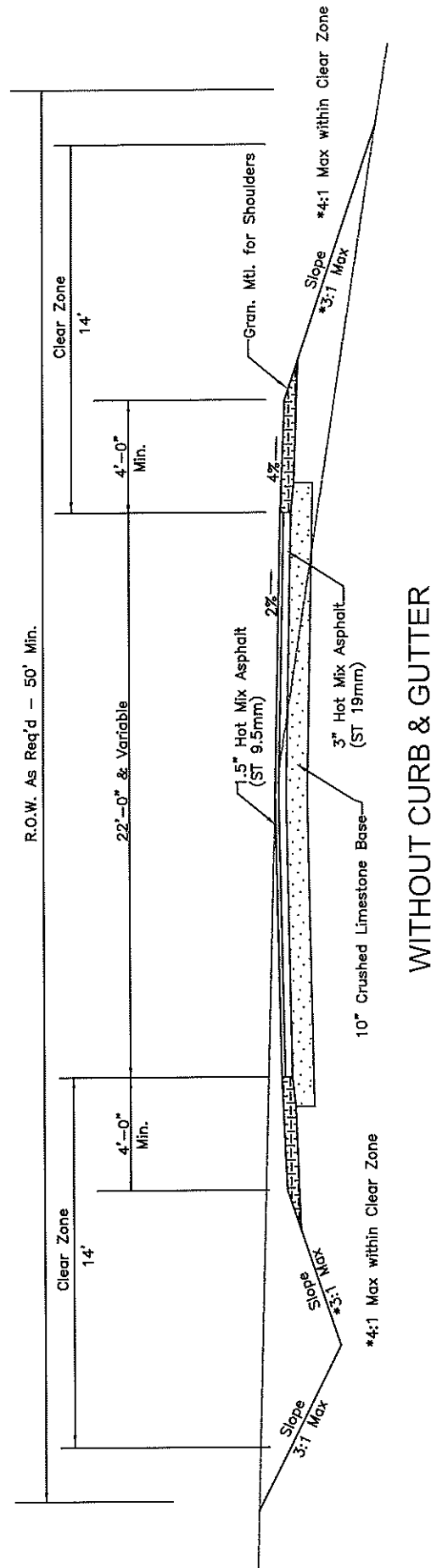
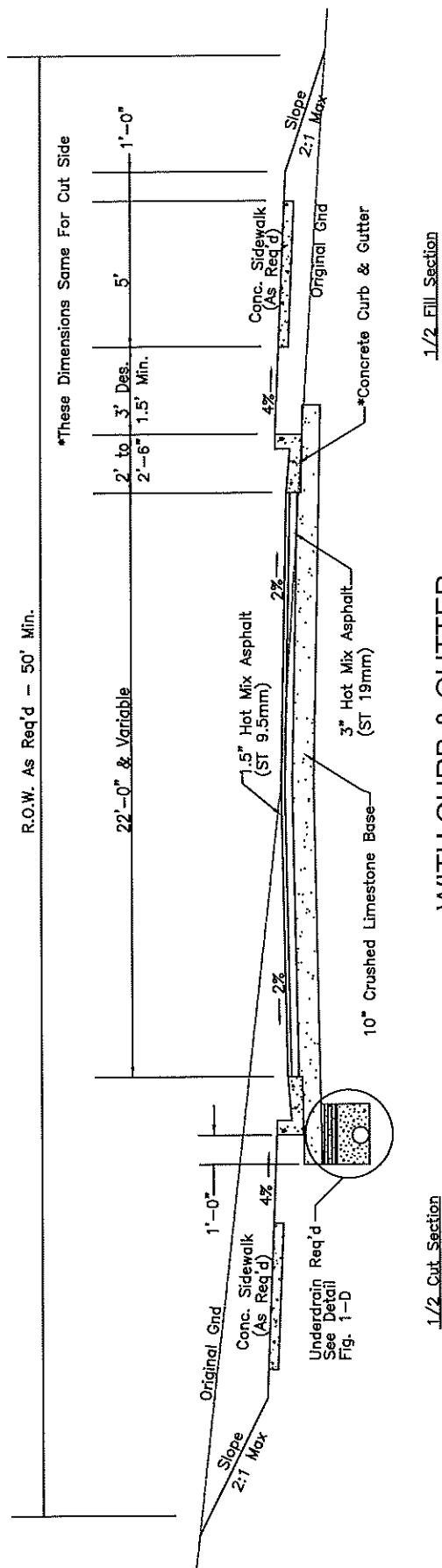
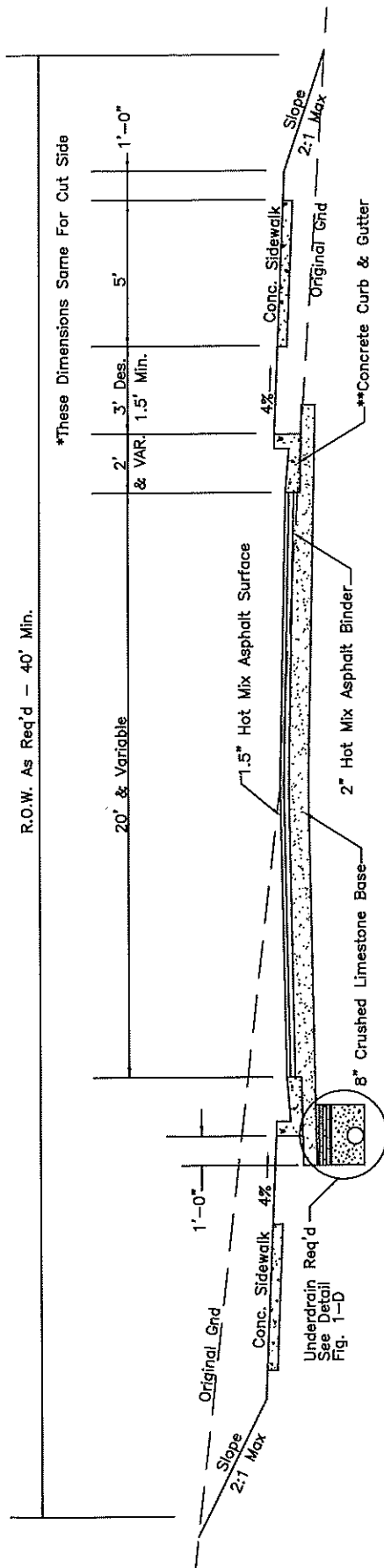


FIGURE 1.B

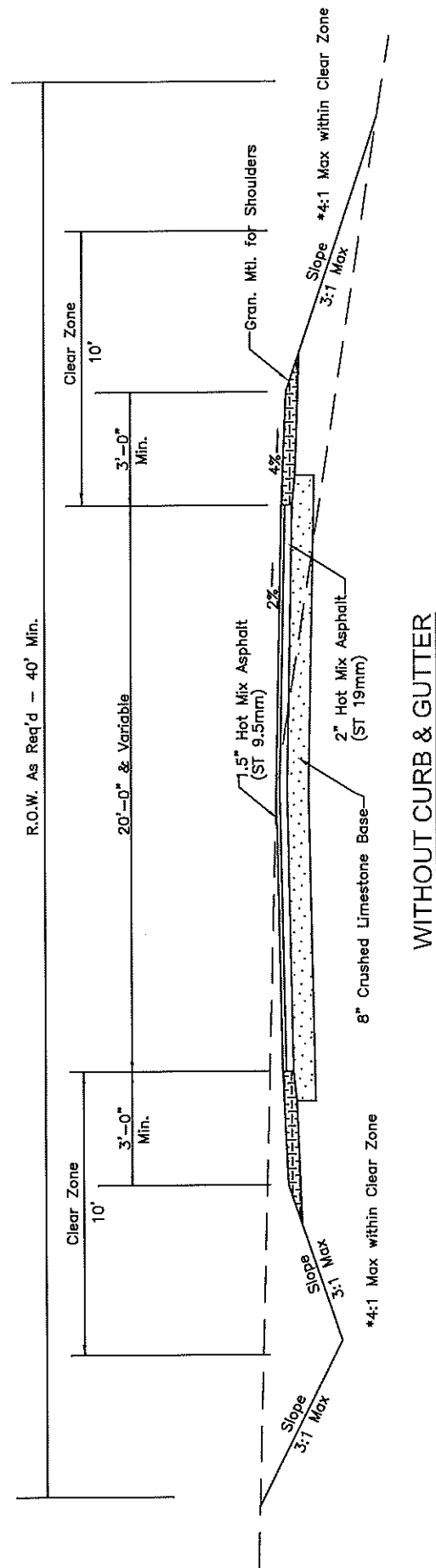
MINOR COLLECTOR / COMMERCIAL STREET
NOT TO SCALE



WITH CURB & GUTTER

1/2 Cut Section

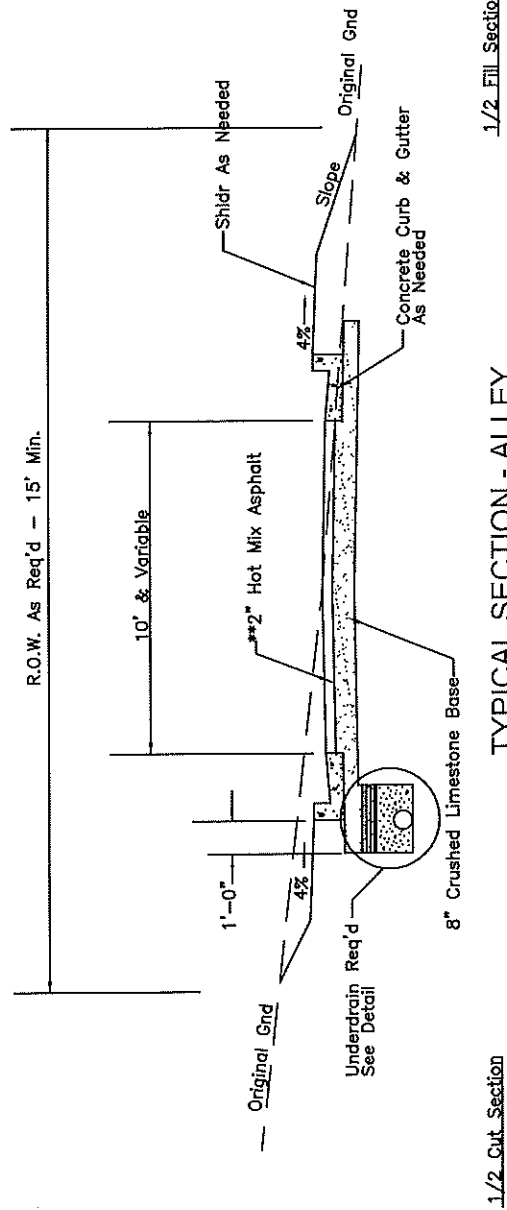
1/2 Fill Section



WITHOUT CURB & GUTTER

FIGURE 1.C

LOCAL / RESIDENTIAL STREET
NOT TO SCALE



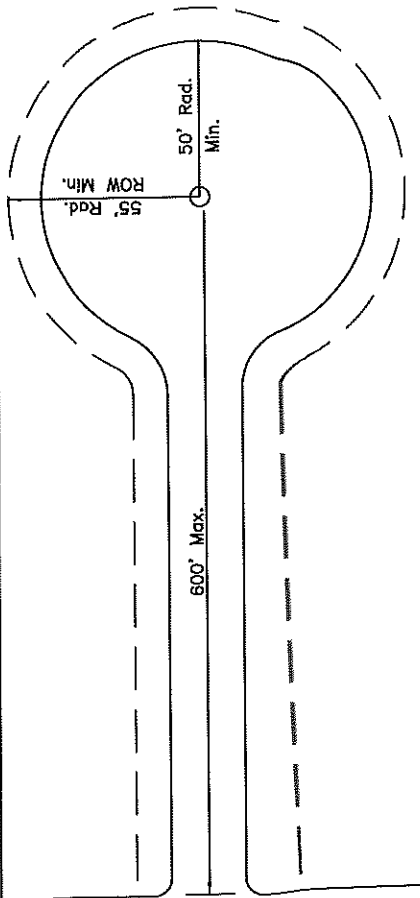
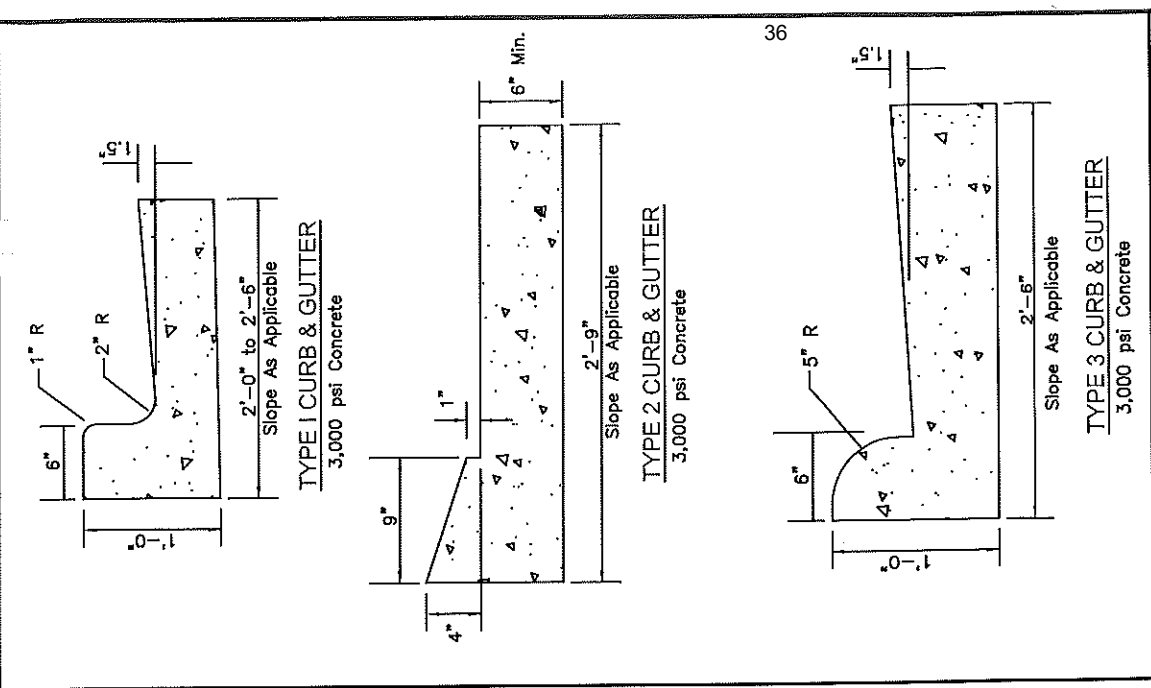
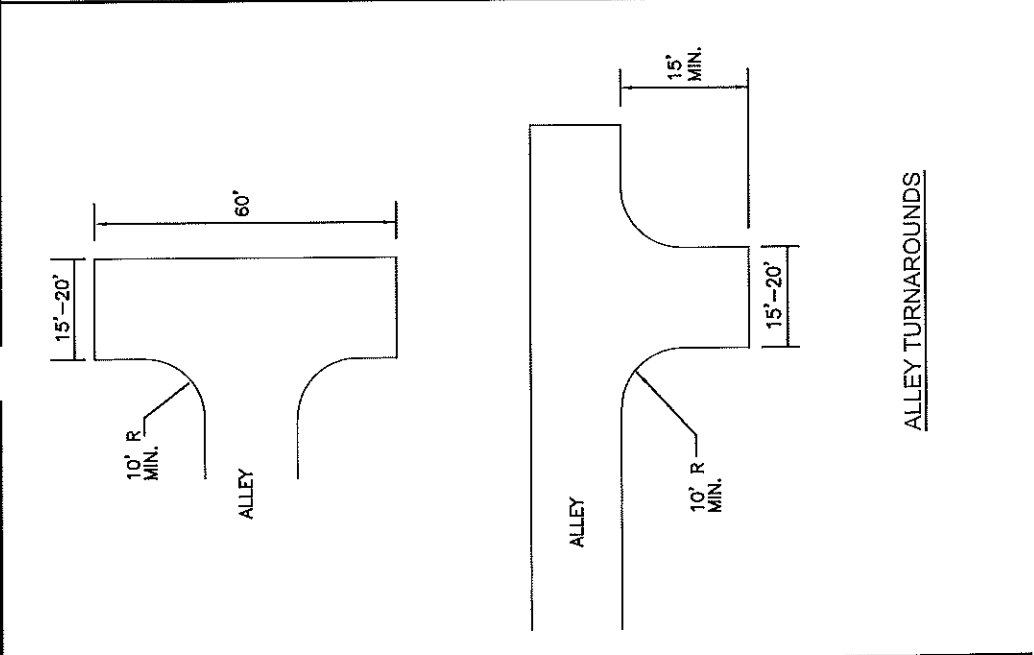
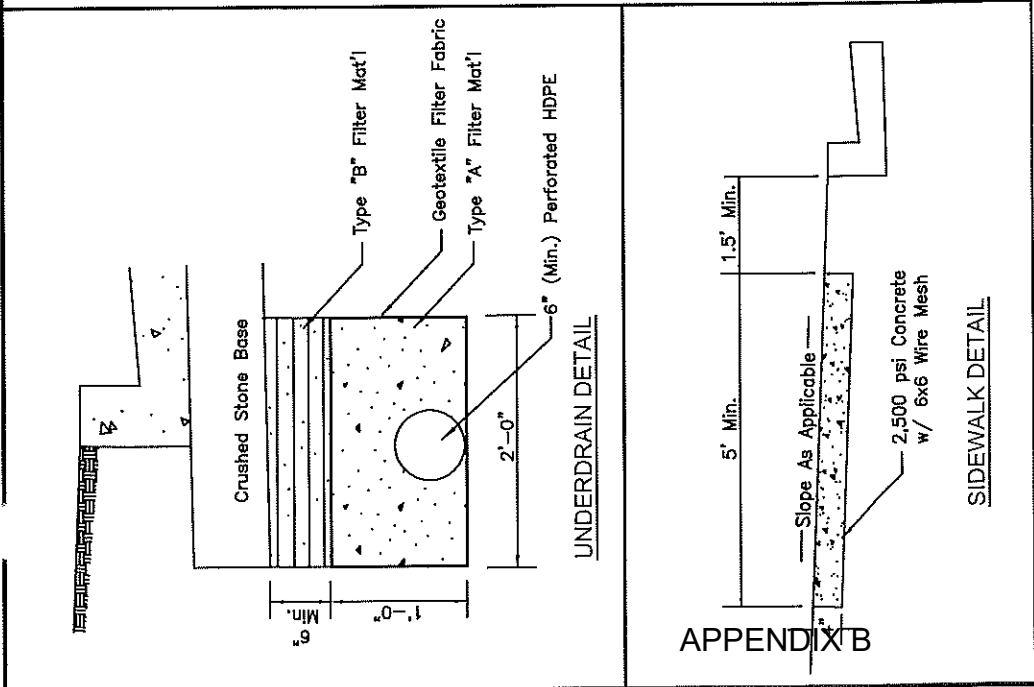
TYPICAL SECTION - ALLEY

FIGURE 1.D

SPECIAL CONSIDERATIONS

****Structure Thickness shown is minimum required.**
Consideration should be given to purpose and need of the alley in designing the pavement structure.

Widths shown are typical. In some instances, such as commercial applications, curbs may not be required. Sidewalks may be utilized where needed.



MISCELLANEOUS DETAILS
 NOT TO SCALE

FIGURE 1.E

**PHASE II and IV
FAIRPARK DISTRICT
RESIDENTIAL COMMUNITY
TUPELO, MISSISSIPPI**

**DESIGN GUIDELINES
CONSTRUCTION RULES AND REGULATIONS
DESIGN REVIEW PROCEDURES**

August 17, 2004

Revision 4- December 1, 2004

Revision 5 – December 19, 2019

Revision 6 – October 18, 2022

STATEMENT OF INTENT

These Guidelines are intended to reinforce the design concept developed by the Fairpark Master Plan. They address the quality of compatibility of the residences and the elements that comprise the public spaces as well as the commercial and mixed-use development of Phase I.

The Guidelines establish design criteria for owners, architects and builders that encourage design creativity while establishing a framework that promotes consistent design character.

The Design review Process is intended to establish a positive and harmonious working relationship between the Tupelo Redevelopment Agency (TRA), the Department of Development Services, Owners, Architects, Builders and the Design Review Committee of the Downtown Tupelo Main Street Association (DTMSA). Those participating in the design review process can expect a consistent approach by DTMSA to promote quality and compatibility throughout the Fairpark District.

DESIGN REVIEW REQUIREMENTS

Site Plan	<p>Must include the following information:</p> <ul style="list-style-type: none"> a) Drawn to a scale of $1/8'' = 1''$ b) North arrow c) Property lines d) Proposed contours a $1'-0''$ intervals e) Build-to/setback lines f) Driveways and walkways g) All applicable easements h) Dwelling outline with rook overhangs and porches Indicated by dashed lines i) General landscape ideas j) Screeding of utility meter centers and garbage areas k) Fencing
Floor Plans	<p>Illustrating indoor/outdoor relationships and including:</p> <ul style="list-style-type: none"> a) All floor levels drawn at $1/4''-1'-0''$ scale b) All interior partitions c) All rooms labeled as to use d) Location of all windows and doors e) Decks, balconies and other interior/exterior spaces f) Dimensions of overall plan g) Ground level plan to include immediate exterior treatment (i.e. walks, drives, landscape features, screening, etc.) h) Building area summary listing each floor level
Exterior Elevations	<p>Illustrating all four building facades and including:</p> <ul style="list-style-type: none"> a) Drawn at $1/4''$ or $1/8'' = 1'-0''$ scale b) Location of all windows, doors and shutters c) All finish materials illustrated and located d) Height of roof lines e) Roof pitches

Building

Section: Building section should be cut thru a location that best illustrates the general vertical relationship of the structure and must include:

- a) Height of finished floor above grade
- b) Floor to floor height of all levels
- c) Roof pitch

Landscape Plan

A general planting plan should illustrate trees, shrubs and landscape features and be drawn at a scale of 1/8"=1'0.

Material

Sample: Submit any materials that might be considered unusual in either texture, finish or make-up.

Design Review Submittal:

The following form should be completed by the applicant and submitted along with two (2) copies.

Design Review Report:

The three (3) page Design Review Report will be prepared by and the two (2) sets of the noted plans will returned to the TRA who shall retain on copy for the file, forward on copy to the Tupelo Development Services and distribute on copy to the Owner along with an authorization allowing commencement of construction upon receipt if a Building Permit from the City of Tupelo.

BULK REGULATIONS

MINIMUM AREA:

The following area represents the minimum square footage allowed for each lot grouping listed below:

Lots 2-1 thru 2-9	2,000 Sq. Ft.
Lots 2-10 thru 2-14	1,750 Sq. Ft.
Lots 2-15 thru 2-18	1,550 Sq. Ft.
Lots 2-19 thru 2-24	1,350 Sq. Ft.
Lots 4-1 thru 4-39	1,800 Sq. Ft. with maximum of 3,125 Sq. Ft.

MAXIMUM HEIGHT:

The maximum building height shall be thirty-five feet (35') measured from the average grade to the center of the roof plane. The home should not exceed 2- ½ exclusive of any basement.

AUTOMOBILE GARAGES:

A double garage is required with each home. Garages facing the street must be set back a minimum of twenty-two feet (22') from the property line and be at least six feet (6') behind the face of the home exclusive of any project porches. Garage doors that are visible from the street shall be recessed at least two feet or be shielded by an arbor, trellis or a second floor to place the garage door in shadow and shield them from view.

ARCHITECTURAL CHARACTER & INFLUENCES

Design Guidelines are not mandates but are in fact “guidelines” which are intended to address featured elements of each lot that will influence the character of the streetscape along with the character of the private residence,

The guidelines are intended to reinforce and clarify the intent of the design program while reducing the possibility of unacceptable conditions, forms and features being incorporated into the design. They are not intended to limit creativity. However, the architectural character of the building is very important and ultimately, it should represent an attitude consistent with the design of the master plan.

Appropriate precedents for building design are found in the regional architectural traditions. Residential architecture of the Mississippi region has been influenced primarily by the Greek Revival style. The gracious mansions as well as modest cottages that commonly represent architecture incorporate elements derived from the Greek Revival period as well as climactic influences. Elevated entries permit air to circulate and cool under the building. Large porches or galleries shade the building walls from the summer sun. Floor length windows, usually designed as operable doors, compensate for the lack of direct sunlight and extend the interior to the exterior. Most windows are designed with operable shutters. Roofs have generally low pitch, necessary to shed water only since it seldom snows in any concentrated amount. Dormers project from the roof of the house, indicating an upper level under the roof or allowing light inside. Cupolas often are incorporated to allow light into central space as well. Many of these elements, particularly the large porches, have come to represent a spirit of community.

Although the replication of large southern mansions is not a realistic or appropriate design solution for the Tupelo Fairpark District, elements of the regional architectural style should be consistently incorporated in the building design to tie this new residential community to its local history as well as provide a consistency within the district.

SITE CONSIDERATIONS

FENCES

A fence or hedge if provided in a front yard should be located within three (3') feet of the property line along street edges and should not exceed 3'-6" in height. The fence design shall be at least fifty percent (50%) open and be compatible with the character of the architectural design. Metal, PVC or wood pickets and decorative wrought iron would be considered appropriate materials for fences located in front yards.

Privacy fencing if provided shall be located in the rear and side yards only and should not exceed seven feet (7') in height. Wood, cement siding and panels or brick would be considered appropriate materials. Privacy fencing visible from the street shall be compatible with the design of the residence. Privacy fencing is not permitted in the front yard of any lot or in the side front yard of a corner lot.

Landscaping is encouraged as an alternative to privacy fencing.

Chain link fencing is not permitted anywhere in the Fairpark Residential District.

UTILITIES

Either electric transformers, cable TV and telephone pedestals and/or relay boxes may be located on some lots behind the building line and with the five (5') side yard setback. Landscaping should be used to screen and minimize their visual impact from the street.

LIGHTING

Outdoor light fixtures whether pole mounted or mounted on the residence shall be compatible with the architectural character of the residence. Security and accent lighting are allowed but care should be taken in the selection and placement so as not to negatively impact neighbors. Only incandescent lighting is allowed.

DRIVE CURB CUTS, DRIVEWAYS AND SIDEWALKS

A driveway, whether accessed from the front (Pond Lots) or rear (Alley Lots), shall be at least three feet (3') from the side property line. Where practical the width of the drive curb cut when accessed from the front of the lot shall be minimized in width. The drive curb cut apron shall slope up to the street side of the sidewalk and the drive shall commence on the lot side of the sidewalk. Under no circumstances should a driveway cut thru a sidewalk. The sidewalk ribbon is continuous and is not to be interrupted by either component of the driveway.

Driveway curb-cuts shall be broom finished concrete. The driveway commencing at the back of the sidewalk and extending to the garage may be decorative paving (i.e. brick, stone or other textured surface).

On front accessed corner lots, the driveway shall be located off of the secondary street. On lots served by alley, the driveway access shall be from the alley and parking areas should be within the building lot. (These lots include but are no limited to, Lots 2-15 through 28 and 2-19 through 2-24 as well as 4-20-4-26, 4-29-4-32, 4-33-4-39, 4-17-19). Garage door facing alleys shall by equipped with motion or infrared activated lights over or adjacent to the garage doors to illuminate the alley when a vehicle passes.

ENTRY WALK

An entry walk should connect the sidewalk along the public right-of-way to the front porch or stoop of the residence. Use of decorative paving such as brink or stone is encouraged.

LANDSCAPE

Landscaping should be used to enhance the design of the residence and soften the relationship between the building and the ground plane. Loose stone or like materials shall not be used as a substitute for lawn or planning beds. Landscaping is encouraged as an alternative to fencing to create privacy.

BUILDING CONSIDERATIONS

FOUNDATIONS/PORCH/ENTRY

Elevated entries are an important element in regional architectural tradition. The residence entry should be located on a front porch. A front porch should contain at least sixty-four (64) square feet and be a minimum of six (6) feet deep. The porch should be elevated a minimum of twenty-four (24) inches above the ground plane immediately adjacent to the building. The front porch should be covered and the slope of the roof and the roofing material should be consistent with the slope and materials used in the main roof. On corner lots, special consideration should be given to the design and location of the entry porch so as to further emphasize the corner location. Foundations should be conventional or other foundation construction method that allows for a minimum elevation of twenty-four (24) inches above the ground plane.

BALCONIES

Balconies are encouraged and should be consistent in design, proportion, material and detail to the front porch design.

WINDOWS

Floor length windows should be provided when opening onto a porch or balcony. Windows other than floor length windows should be vertically oriented. Shutters are encouraged and should be operable and of an appropriate scale, material and design compatible with the design of the residence and style of the window. The mounting of the shutters is important and should be mounted at the window jamb and not directly to the adjacent wall surface. Single shutters on double windows are not allowed.

FINISHES

Brick, wood, composite or cement siding should be primary building material. Stucco may be used as a primary building material if it is appropriate to the design and character of the residence. The use of vinyl or aluminum siding along with artificial stucco is discourage.

ROOF

Sloped roofs should be a minimum of 4/14 and a maximum of 12/12 pitch and should be consistent on all structures on the property including the garage and porches.

Acceptable roofing materials include wood shakes, quality wood-like composite shingles, octagonal shingles, slate and stand seam metal. If composite shingles are used, it is recommended that they be architectural grade.

A flat roof may be acceptable if the design of the residence warrants it.

DORMER/CUPOLA

Dormers should project from the roof plane and should not be “let in” to the roof in keeping with regional architectural tradition.

Cupolas are encouraged where appropriate and can add height to buildings located on corner lots and can provide variety to the roofscape on interior lots.

Fairpark District
Design Review Application
(To be completed by the Applicant)

Date: _____ Lot # _____

Owner's Name:

Owner's Address:

Telephone: _____

Email: _____

Architect: _____

Telephone: _____

Architect's Address _____

Email: _____

Builder: _____

Telephone _____

Builder's Address _____

Email: _____

Plans Dated: _____

Number of Sheets: _____

Applicant:

Fairpark District

Design Review Checklist

(To be completed by the Design Review Committee of Downtown Tupelo Main Street Association Architect)

Date: _____ Lot # _____

Property Address: _____

Owner's Name: _____

Site Issues:

Setbacks:

Front: _____ L. Side: _____ R. Side: _____ Rear: _____

Fences: Height _____ Materials _____ Open: _____ Solid: _____

Allowable Porch Encroachment into Setback: _____

Front Driveway Apron: _____ Curbcut: _____

Rear Driveway Apron @ Alley: _____

Infrared or motion activated light over garage doors: _____

Arbor or trellis over garage doors facing street: _____

Trash Receptacles shielded from street view: Yes _____ No _____ Req'd _____

A/C condensers shielded from street view: Yes _____ No _____ Req'd _____

Utility meters shielded from street view: Yes _____ No _____ Req'd _____

Building Issues:

Foundation height above finished grade: _____ Material: _____

Floor to floor height: 1st floor _____ 2nd floor _____ 3rd floor _____

Front Porch; _____ Side Porch: _____ Rear Porch: _____

Depth: _____ Open: _____ Covered: _____ Screened: _____

Ceiling Fans: _____

14

Fairpark District

Design Review Checklist

(To be completed by the Design Review Architect)

Date: _____ Lot # _____

Property Address: _____

Windows: _____

Location: _____ Size: _____ Transoms: _____

Material: _____ Type: _____

Shutters: _____ Mounting: _____

Roof: _____

Pitch: _____ Type: Gable: _____ Hip: _____

Dormers: _____

Materials: _____

Façade Materials: _____

Siding Type: _____ Brick: _____ Trim: _____

Stucco: _____ EIFS: _____ Other: _____

Landscaping Submitted: _____

Additional Comments: _____

By: _____

13

Fairpark District

Design Review Checklist

(To be completed by the Design Review Architect)

Date: _____ Lot # _____

Property Address: _____

Owner's Name: _____

Site Issues:

Setbacks:

Front: _____ L. Side: _____ R. Side: _____ Rear: _____

Fences: Height _____ Materials _____ Open: _____ Solid: _____

Allowable Porch Encroachment into Setback: _____

Front Driveway Apron: _____ Curbcut: _____

Rear Driveway Apron @ Alley: _____

Infrared or motion activated light over garage doors: _____

Arbor or trellis over garage doors facing street: _____

Trash Receptacles shielded from street view: Yes _____ No _____ Req'd _____

A/C condensers shielded from street view: Yes _____ No _____ Req'd _____

Utility meters shielded from street view: Yes _____ No _____ Req'd _____

Building Issues:

Foundation height above finished grade: _____ Material: _____

Floor to floor height: 1st floor _____ 2nd floor _____ 3rd floor _____

Front Porch; _____ Side Porch: _____ Rear Porch: _____

Depth: _____ Open: _____ Covered: _____ Screened: _____

Ceiling Fans: _____

14

Fairpark District

Design Review Checklist

(To be completed by the Design Review Architect)

Date: _____ Lot # _____

Property Address: _____

Windows:

Location: _____ Size: _____ Transoms: _____

Material: _____ Type: _____

Shutters: _____ Mounting: _____

Roof:

Pitch: _____ Type: Gable: _____ Hip: _____ Dormers: _____

Materials: _____

Façade Materials:

Siding Type: _____ Brick: _____ Trim: _____

Stucco: _____ EIFS: _____ Other: _____

Landscaping Submitted: _____

Additional Comments: _____

By: _____

15

Downtown Design Guidelines Tupelo, MS

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**The Downtown Tupelo Design Guidelines have been adopted by
the Downtown Tupelo Main Street Association**



These guidelines have been developed in partnership by:

The Main Street Design Committee

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Brandon Bishop, JBHM Architects

Carlton Wall, BancorpSouth

Charlie Watson, Charlie Watson Ice House

David Wammack, City of Tupelo

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TABLE OF CONTENTS

Chapter 1: Owning Property in Downtown Tupelo	Page Number
1.1 <i>Brief History of Tupelo's Development</i>	1
1.2 <i>Tupelo's Certified Local Government Program</i>	4
Chapter 2: Planning a Project in the Downtown District	
2.1 <i>Role of the Design Committee</i>	7
2.2 <i>Role of the Property Owner</i>	8
2.3 <i>Appeal Process</i>	9
Chapter 3: Site Design	
3.1 <i>Subdivision Layout</i>	10
3.2 <i>Setback</i>	13
3.3 <i>Landscaping</i>	13
3.4 <i>Driveways, Parking and Walk</i>	14
3.5 <i>Garages, Carports and Outbuildings</i>	15
3.6 <i>Fences, Gates and Walls</i>	15
3.7 <i>Outdoor Lighting</i>	16
3.8 <i>Appurtenances</i>	17
Chapter 4: Guidelines for Residential Building	
4.1 <i>Foundations</i>	18
4.2 <i>Windows</i>	19
4.3 <i>Entries and Porches</i>	21
4.4 <i>Doors</i>	22
4.5 <i>Paint and Color</i>	23
Chapter 5: Guidelines for Commercial Buildings	
Guidelines for Commercial Property Rehabilitation.....	27
5.1 <i>Façade Analysis</i>	27
5.2 <i>Commercial Architectural Forms</i>	30
5.3 <i>Planning Façade Improvements</i>	30
5.4 <i>Openings, Windows and Storefronts</i>	32
5.5 <i>Cornices, Parapets and Eaves</i>	32

5.6 Roofs.....	33
5.7 Secondary Elevations.....	34
5.8 Artificial Sidings.....	35
5.9 Paint and Color.....	35
5.10 Accessibility.....	36

New Commercial Property Construction

5.11 Setback and Spacing.....	38
5.12 Complexity and Form.....	39
5.13 Directional Expression.....	39
5.14 Height and Width.....	40
5.15 Scale and Orientation.....	40
5.16 Openings: Storefronts, Doors and Windows.....	41
5.17 Materials and Texture.....	42
5.18 Paint and Color.....	42
5.19 Decorative Elements.....	43
5.20 Public Art.....	43
5.21 New Commercial Buildings on Industrial Sites.....	43
5.22 Civic and Institutional Buildings.....	44

Additions

5.23 Design.....	45
5.24 Replication of Style.....	45
5.25 Materials and Textures.....	45
5.26 Attachment to Existing Buildings.....	46
5.27 Size.....	46
5.28 Location.....	46
5.29 Conversion of Residencies to Commercial Use.....	46

Chapter 6: Signs and Appurtenances

Commercial Signs

6.1 Types and Location of Signs.....	49
6.2 Number.....	50

6.3 Size.....	50
6.4 Materials.....	51
6.5 Color.....	51
6.6. Lighting.....	51
Awnings and Canopies	
6.7 Types of Awnings and Canopies.....	52
6.8 Design and Placement.....	53
6.9 Fabric and Color.....	53
6.10 Signs on Awnings or Canopies.....	53
Chapter 7: Guidelines for Streetscapes/Public Improvement	
7.1 Streets, Paving and Parking.....	54
7.2 Curbs and Sidewalks.....	55
7.3 Street Furniture and Lighting.....	56
7.4 Trees, Plantings and Open Spaces.....	56
7.5 Public Signs and Plaques.....	57
Appendices	
Appendix A: Downtown Main Street Association	
Design Committee Review Application.....	60
Appendix B: Downtown Design Project Checklist.....	62
Appendix C: Typical Residential Architectural Styles	
of the Central Business Overlay District.....	64
Appendix D: Guidelines for Main Street Design Committee	70
Appendix E: Tupelo Sign Permit Application	72

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Chapter 1: Introduction to Historic Downtown Tupelo

1. Brief History of Tupelo's Development –

Fortunately for the citizens of Tupelo, Mississippi, Oren F. Dunn, original founder and curator of the Tupelo City Museum, compiled two books, one The Story of Tupelo and the other, Chronology of Tupelo, Mississippi. Tupelo's own cartoonist, Van Bristow, created the cartoons for the stories.

There was a legend that the Chickasaw Indians happened to come to this area because the "Great Spirit" told them to erect a "magic" pole in the center of their camp. They were to follow how the pole directed them. Each morning, the pole leaned toward the east; then one morning the pole stood erect. They named this location, "lodging place," which in the Chickasaw language is translated, "To-pa-lo" or Tupelo as we know it. The Chickasaws were called the most civilized of all the Indian tribes. Their land consisted of the entire northeast Mississippi region. And the first capital was called "Old Town" or "Oklasepokny."

The Chickasaw Indians would meet three different people groups at differing times. Hernando De Soto, the Spanish explorer arrived in 1540. Even though the Chickasaw were already there, De Soto was given credit in discovering Tupelo. The Chickasaws ran them off the next year. The Indians would not have another such encounter until 1673, when Father Marquette explored the Mississippi River. In 1736, the Chickasaws would become allies with the British. They fought the French at the Battle of Ackia at King's Creek. The French and Spanish were very cruel to the Indians, but the English worked with the Chickasaws. One notable man, Colbert, married an Indian maiden. Their four children would be Indian chiefs.

The Natchez Trace was an important part of life in the Indians and settlers lives. The Trace, which began as a buffalo trail, would be used as a footpath for the Chickasaws to trade with the Natchez Indians. Andrew Jackson would actually work to make it a road. He utilized it to march troops during the Battle of New Orleans. In 1832, the Chickasaws would cede their land to the U.S. government. They moved out west to Oklahoma. When the Indians left, the settlers moved in. This led to the area being divided into ten new counties first Post Office was in Annsville in 1847, and then in 1850 it moved to Harrisburg.

In 1859, the Mobile and Ohio railroad came to Tupelo. Everyone moved to Tupelo from Harrisburg. The new post office was named "Gumpond Post Office." So the people changed the name from "To-pa-lo" to "Tupelo." The happy days would soon end with the coming of the Civil War.

In 1862, General Beauregard and his 50,000 troops occupied Tupelo after retreating from Shiloh. In 1864, General Nathan B. Forrest stopped the Union troops at the Battle of Brice's Crossroads. When Forrest threatened to stop Sherman's supply lines to the Union, General A.J. Smith would

inevitably meet Forrest at the Battle of Tupelo on July 14 and 15th of 1864. Tupelo became the county seat of Lee County due to the fact that she was the most central location. In 1870, Tupelo became incorporated on July 20, 1870. The first city limits were from Madison Street to Jackson Street, to the M & O Railroad and Main Street. By 1887, the Frisco Railroad came to Tupelo. The railroads were credited for putting Tupelo "on the map."

In 1901, Private John Allen, our illustrious congressman, acquired what is now the Pvt. John Allen Fish Hatchery. In his speech to Congress, he claimed that Tupelo was the "CENTER OF THE UNIVERSE" and that "...millions of unborn fish are clamoring to this congress today for an opportunity to be hatched in Tupelo." 1909 would mark the first Lee County Fair held in Tupelo. In 1913, the Tupelo Military Institute was founded.

Tupelo would withstand many disasters, whether natural or man-made. Oren Dunn wrote, "But like the mythological Phoenix who burned itself on a funeral pyre and rose again from its own ashes, Tupelo arose from the ashes of the Civil War, the Boll Weevil in 1916, and the economic depression, and from one of the world's worst tornadoes to become bigger and better!" These disasters were actually blessings in disguise. The Boll Weevil destroyed the cotton crops, but in turn, the farmers diversified, which brought other agriculture, industry, and people to Tupelo. Tupelo adopted a new motto, "The Cow, the Sow, and the Hen-A Factory on Every Farm." Monies were switched over to the livestock and dairy programs. Dairying came to the Cotton Belt. The hospital opened in the old YMCA building in 1918. In 1934, President Franklin Roosevelt visited Tupelo. In 1937, the Tupelo community dedicated the new hospital, called "Hospital on the Hill."

During the Great Depression, a New Deal program would help with the diversification process. Farmers would receive a subsidy for the "plow-up" program. Farmers would agree to plow up a part of their cotton crops in exchange for cotton checks. Lee County signed the Tennessee Valley Authority contract on October 11, 1933. Tupelo would have electricity.

In 1948, the Community Development Foundation was formally established. This organization was developed to solve the city's and county's problems. CDF was to sponsor the RCDC, or the Rural Community Development Council, and to sponsor a number of civic groups. The CDF focused on diversification. The first major industrial plant was Day-Brite Lighting Company.

Tupelo would come together to form a community, which forged together, united following the disasters. Many "FIRSTS" arose in Tupelo, such as:

- First TVA City of Tupelo
- First Drainage Laws written here
- First Library Bookmobile
- First Concrete Highway south of the Mason-Dixon Line
- First pure bred Jersey herd shipped to Tupelo from the Isle of Jersey
- First city in the deep south to be designated as an "All-America City"
- First self-service store, a forerunner of today's supermarkets
- First all-electric apartment house, the Kenilworth Apts. on Madison St.
- First among cities to celebrate Mother's Day
- First airplane in the state, flown by Moissant

- First Rural Community Development Program, called the Community Development Foundation or CDF

Tupelo also has some favorite people who lived in Tupelo:

- John Rankin, a fiery member of the House of Representatives
- Elvis Presley, the King. His birthplace is one of Tupelo's greatest draws in tourism.
- John Dye, an actor on *China Beach* and *Touched by an Angel*, graduated from Tupelo High School in 1981
- Guy Hovis, a featured singer on *The Lawrence Welk Show*
- Jumpin' Gene Simmons, Folk music singer-songwriter
- Alan Nunnelee, U.S. Congressman, born and raised in Tupelo
- Paul Thorn, Singer-songwriter
- Van Tiffin, American football place kicker, born in Tupelo

In order to keep this a "Brief" History, Tupelo's story must end here, but in reality, Tupelo's history goes on and on. Men and women with a spirit of community pride work together to make our city great. No matter what comes Tupelo's way, this great city will continue to exhibit the TUPELO SPIRIT, which cannot be dampened or quelled. The Tupelo Spirit will only grow stronger. This brief history is by no means exhaustive. Such a history takes the compilations of many a heroic character living ordinary lives. But no other city can boast the "SPIRIT OF TUPELO."



View of Spring Street, looking south circa 1939. The smokestack in the distance is Mississippi Power and Light.

Image 1.1



This 1907 postcard of Main Street, Tupelo, Mississippi, shows wagons filled with cotton bales and coal. Cotton was "king" in these days. Notice the Pound Kincannon-Elkin Drug Store, corner of Spring and Main.

Image 1.2



Image 1.3

2. Tupelo's Certified Local Government Program

The City of Tupelo became a Certified Local Government in March 2006. The Certified Local Government (CLG) program was created as a partnership of federal, state and local governments for the purpose of historic preservation. Certification of a local government recognizes that the local government has met the basic requirements of an effective local preservation program, including adopting the state model statute as a local historic preservation ordinance, establishing a preservation commission, meeting regularly, beginning a survey of local historic resources, and attending state training programs. CLG status means that the local government is eligible for state grants and technical assistance.

Central Business District Overlay

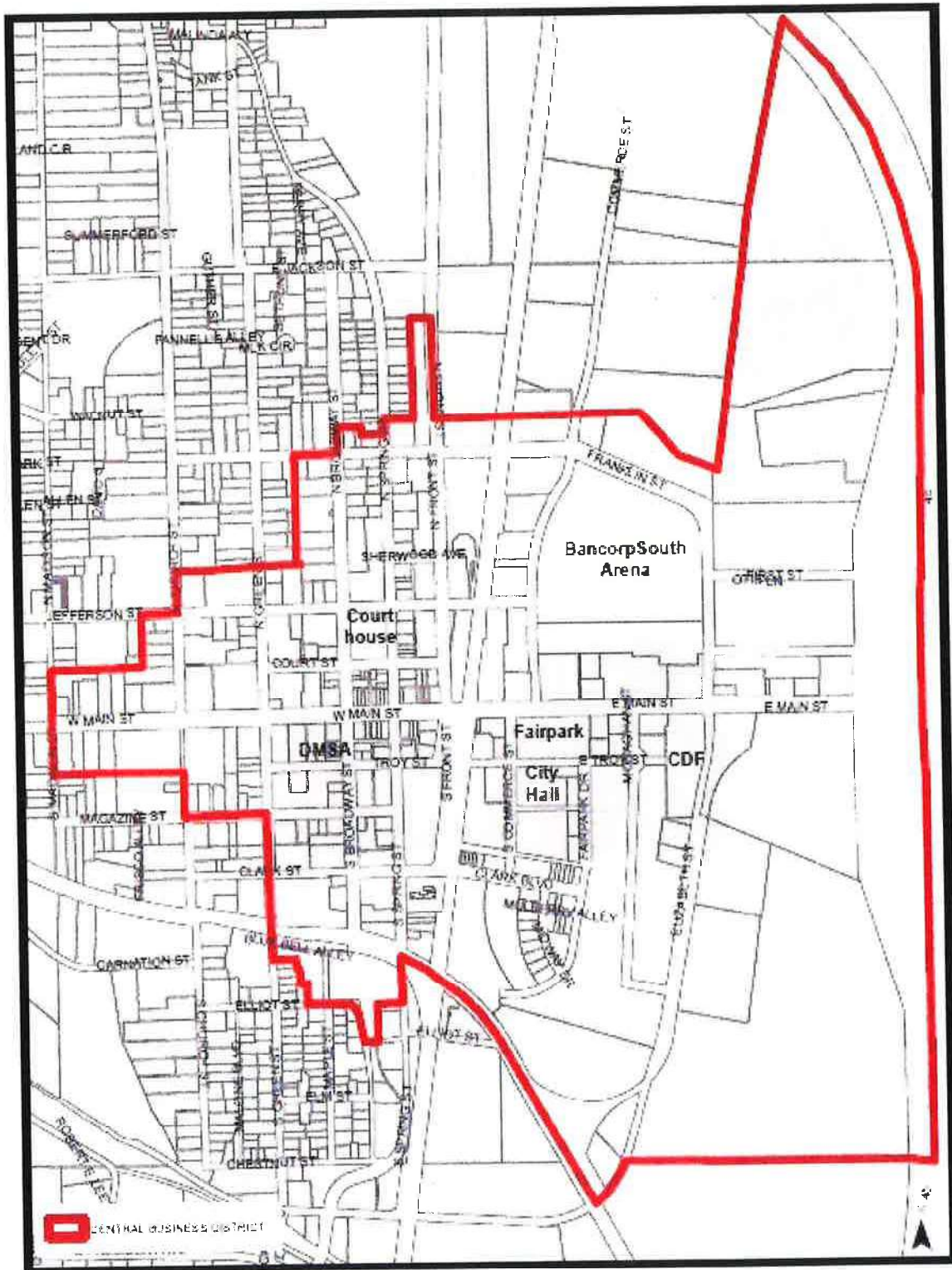


Diagram 1.1

Central Business District-Sub District Overlay

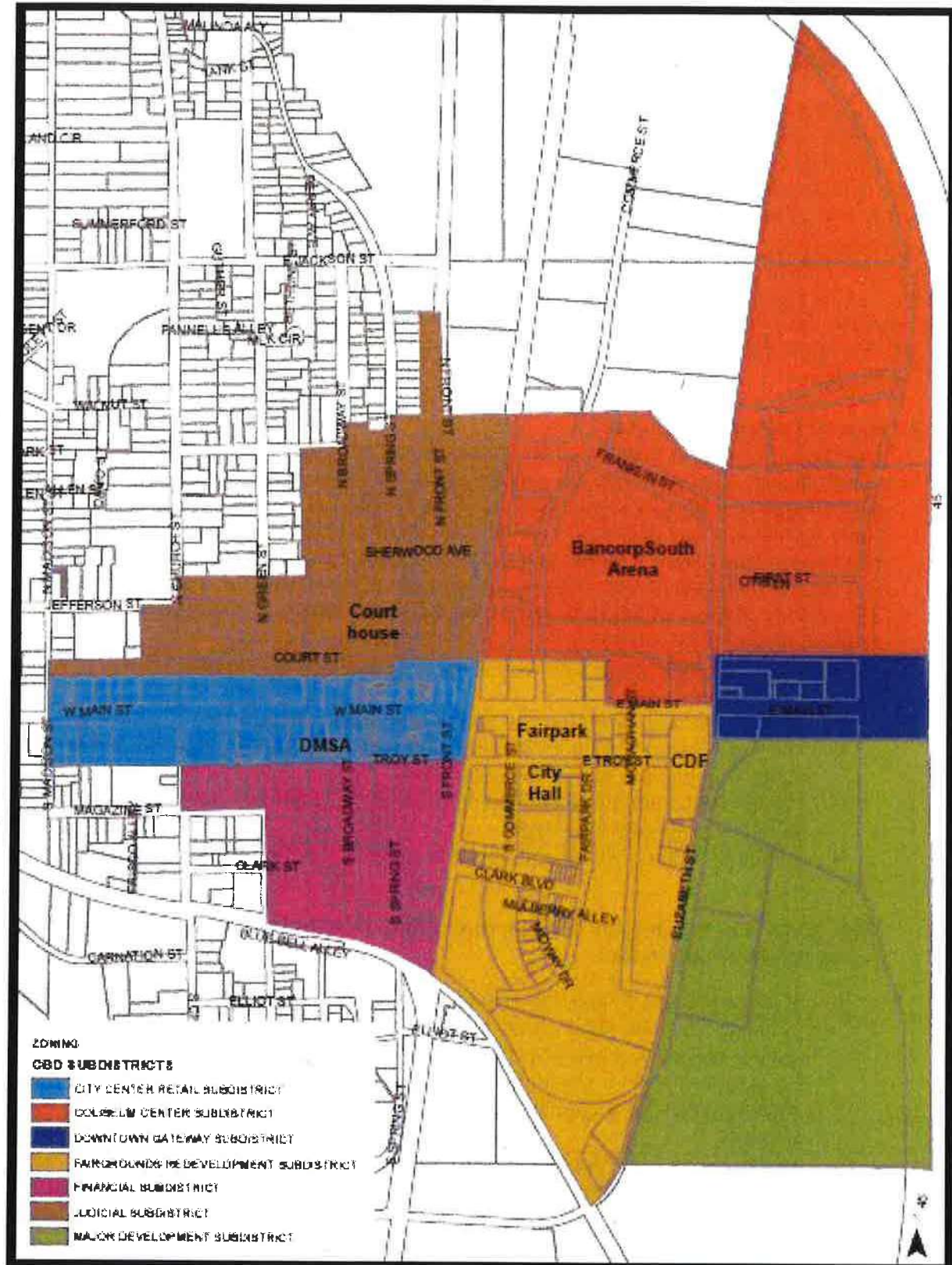


Diagram 2.2

Chapter 2: Planning a Project in the Central Business Overlay District

The City of Tupelo is granted authority to govern lands and buildings by Title 17, Chapter 1 of the Mississippi Code, 1972 Annotated. These guidelines serve as an extension of the Tupelo Zoning Ordinance, which has been formulated following a comprehensive plan for the future of the community. These guidelines are adopted for the purpose to preserve and promote the public health, safety and general welfare of the City and to encourage and facilitate the appropriate development and redevelopment within the Tupelo Central business overlay district.

The provisions of these guidelines shall apply to all land, buildings, and structures located within the Tupelo Central business overlay district, as identified on the Official Map of Zoning Districts and Sub-districts. All development that occurs within the Central business overlay district shall comply with the applicable guidelines herein, or as prescribed accordingly by the Main Street Design Committee.

2.1 Role of Design Committee

The Design Committee was created to ensure that proposed structures conform to proper design standards and the general character of the area, see Downtown Overlay Map. It also reviews all exterior building plans for all land use categories and final plans for planned unit developments, fences, signs and landscaping.

The Design Committee may request detailed construction plans and related data pertinent to thorough review of any proposal before the Downtown Tupelo Main Street Association. A letter of approval will be issued by the Design Committee to the owner after the project is approved.

The Design Committee gives prime consideration to the following criteria when reviewing projects:

- a. The historic and/ or architectural value of present structure
- b. The relationship of exterior architectural features of such structures to the rest of the structures of the surrounding area
- c. The general compatibility of exterior design, arrangement, texture and materials proposed to be used
- d. Any other factor, including aesthetics, which is deemed to be pertinent.

With respect to the district, it is the duty of the Design Committee to make the following determinations:

- a. Appropriateness of altering or demolishing any building or structure within the Downtown Tupelo Main Street Association. The Design Committee may require interior and exterior photographs, architectural measured drawings of the exterior, or other notations of architectural features to be used for historical documentation as a condition of any permission to demolish a building or structure.
- b. Appropriateness of the exterior architectural features including signs and other exterior fixtures of any new building and structures to be constructed within the Downtown.
- c. Appropriateness of exterior design of any new extension of any existing building or structure within the Downtown.

- d. Appropriateness of front yards, side yards, rear yards, off-street parking spaces, location of entrance drives into the property, sidewalks along public right-of-way, which might affect the character of any building or structure within the historic district.
- e. The general compatibility of exterior design, arrangement, texture and material of the building or other structure in question and the relation of such factors to similar features of buildings in the immediate surroundings.

The Downtown Tupelo Main Street Association does not consider interior arrangement or design, nor does it make any requirements except for the purpose of preventing extensions incongruous to the historic character of the surroundings.

2.2 Role of Property Owner

As a building owner, the first step is to determine if the project needs to go through the design review process as shown on the chart below and what types of approvals, permits, and certificates are needed for your project.

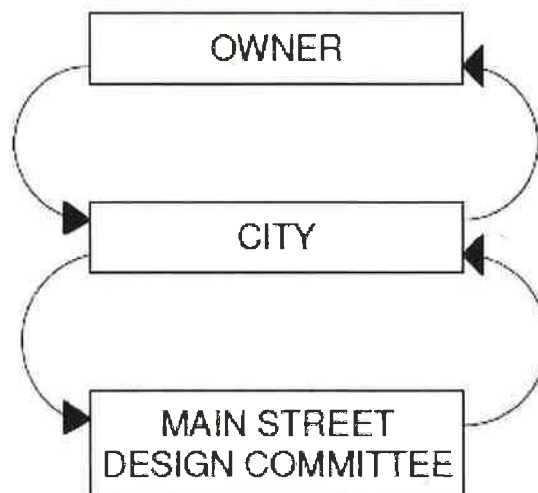


Diagram 2.1

The Design Committee must receive enough information on which to base its decision. The owner will need to fill out an application provided by the Downtown Tupelo Main Street Association (it is located on the next page or can be downloaded from our website – www.tupelomainstreet.com) In addition, the owner will be requested to provide photographs, drawings and plans or other documentation as required by the Design Committee. These submissions do not have to be prepared by a professional, but should be prepared in such a way as to be easily understood by the Design Committee members. The application spells out the requirements for submission to the Design Committee. There may be other types of permits or approvals required depending on the type of work involved. Examples could include zoning, sign

permits and asbestos removal. The City of Tupelo Development Services Department determines those permits. The owner is expected to be present at the Design Committee meeting to present their request and answer any questions that the Committee members may have.

2.3 Appeal Process

It is the responsibility of the owner to provide submittal documentation as needed by the Main Street Design Committee, and to cooperate with the Committee in determining the design of a new project or rehabilitation within the Tupelo Central business overlay district. If the owner believes he or she has been aggrieved by a decision of the Main Street Design Committee, the owner may appeal the decision to the Tupelo Planning Committee for review.

Chapter 3: Site Design

The character of Tupelo's Historic Downtown is made up not only of architecture, but also of the site that surrounds the building. While many of the following site elements do not come under the Downtown Tupelo Main Street Association review, much of the distinctive quality of the residential areas of the district comes from the landscaped borders, foundations plantings, tall shade trees, spacious lawns, and colorful flowerbeds. Outbuildings, walks, lighting, driveways, and parking areas also all play an important part in defining the setting or individual properties.

Site design guidelines addressed in this brochure apply to both new residential construction and rehabilitation. These guidelines also apply to commercial buildings. However, their designs often result in a lack of significant site elements since the building covers so much of the lots.

3.1 SUBDIVISION LAYOUTS

Tupelo is a unique historic district and retains much of its village feel through its variety, changes in scale, shaded lanes and open space. As it continues to attract new residents, there is additional pressure to develop large areas of open space into new subdivisions. These new forms may not be necessarily appropriate for the historic district and their presence may encourage other such developments.

While growth is not necessarily detrimental for Tupelo's Historic Downtown, it is important to maintain the traditional character that defines the district while accommodating additional new housing units. The following guidelines should help ensure that any new subdivisions are appropriate to the character of the Historic Downtown, and are good neighbors to existing structures.

- a. Create a hierarchy of the street grid to provide a sense of place and to distribute the flow of traffic. Streets that connect to the existing Downtown District should be the primary streets in a new subdivision; all other streets should be secondary.



Image 3.1

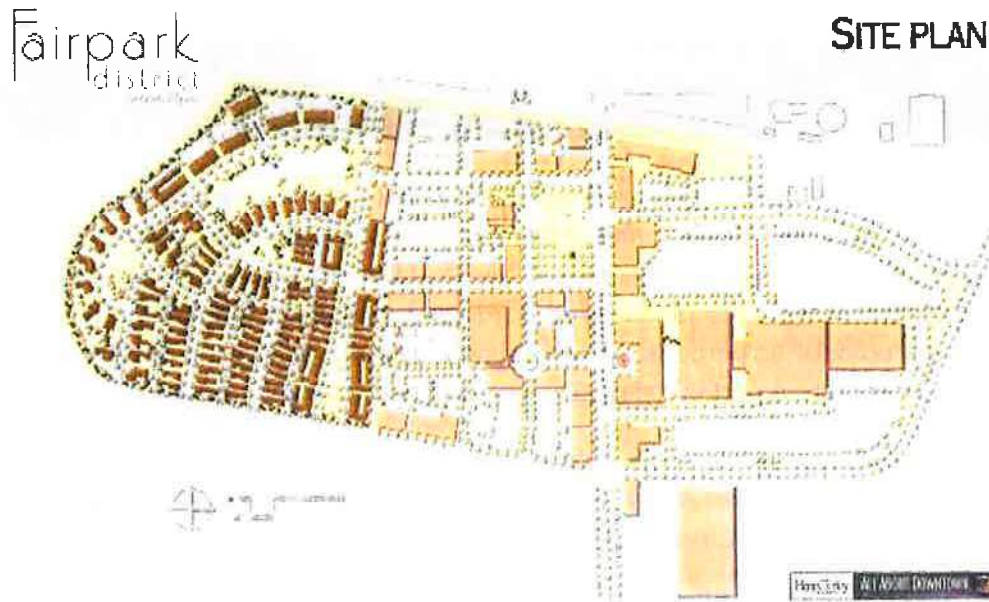
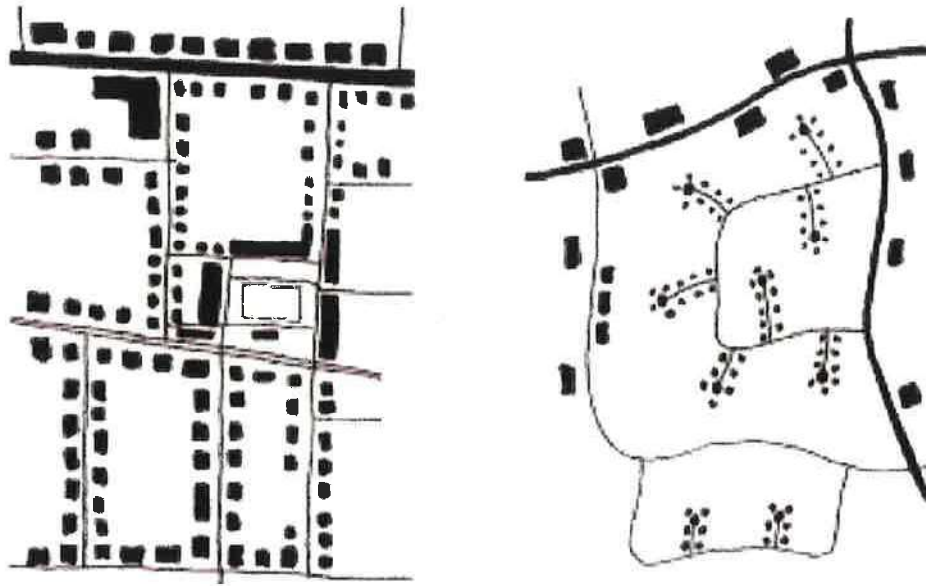


Diagram 3.1

- b. Create visible connections between new subdivisions and the Downtown District. New developments should not be walled off or be a gated community and they should be easily accessible by everyone in the Downtown District.
- c. Layout new subdivision streets in a grid pattern similar to surrounding neighborhoods. Lot sizes and shapes should be consistent with nearby existing patterns.
- d. Limit street width to maintain the scale of the district and to encourage slower automobile traffic
- e. Encourage on-street parking since it discourages large parking lots and provides a buffer between front yards of sidewalks and the street.
- f. Incorporate sidewalks in new developments to encourage pedestrian traffic and make them continuous to other areas in the district to maintain a physical link between the old and the new.
- g. Reduce the length of access roads close to the subdivision entrance.
- h. Provide better integration into the existing pattern by moving subdivision houses closer to existing neighborhoods.
- i. Minimize driveways and curb cuts.
- j. Avoid the use of cul-de-sacs. If a cul-de-sac is necessary, a minimum turn radius should be used. If a cul-de-sac is used, consider the placement of a pervious island of landscaping in the center. This island, covered with shrubs or ground cover, creates an aesthetically pleasing oasis in the middle of asphalt and also helps reduce storm water runoff.



Grided street networks are an historical precedent for road layout. Cul-de-sacs are newer forms that do not relate to the historic district.

Diagram 3.2

- k. Locate any garage to the rear or side of the new subdivision house, since it is usually the most noticeable feature on a new house and frequently is not architecturally integrated with the house.
- l. Preserve the architectural character of the adjoining Downtown District by using similar setbacks, spacing, directional expression, and orientations for new house design. Also use materials, roof forms, window patterns and other elements that reflect the traditional character of the district.
- m. Use the similar streetscape elements in new subdivisions as in existing historic surroundings. These elements may include sidewalks, planting strips, lighting and signs. Human scale and pedestrian proportions should be considered when designing streetscape elements.
- n. Preserve any older, larger trees within the new subdivision in order to blend in with the rest of the Downtown District.
- o. Plant new trees to create a canopy over the road like many lanes within the district.

While the architectural styles, sizes and shapes of these houses vary, they all have the same setback.

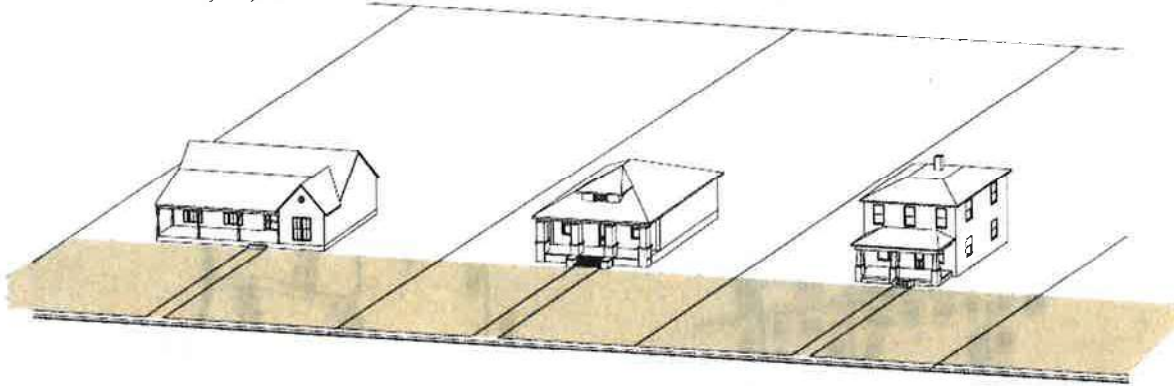


Diagram 3.3

3.2 SETBACK

Setback is the distance between the building wall and the property line or right-of-way boundary at the front of the lot.

- Setbacks are established in the Tupelo Development Code.



Image 3.2

3.3 LANDSCAPING

Landscaping is a critical part of the historic appearance of many of the residential areas of the District, and the character of the landscaping treatments changes throughout the District. Many properties have extensive plantings in the form of trees, foundations plantings, shrub borders, and flowerbeds. On some streets, the dominant condition is open front lawns with large trees while other streets with more shallow setbacks have smaller yards with limited plantings.

- a. Retain existing trees and plants that help define the character of the District. Replace diseased or dead plants and trees with appropriate species.
- b. Install new landscaping that is compatible with the existing neighborhood and indigenous to the area.
- c. When constructing new buildings, identify and take care to protect significant existing trees and other plantings.

- d. When planning new landscaping, repeat the dominant condition of the street in terms of landscaped borders and heights of screening.
- e. Limit the amount of landscaping in the front yard of small lots in order to retain the neighborhood scale of landscaping to the size of the house.

3.4 DRIVEWAYS, PARKING AND WALKS

The majority of houses in the District have driveways beside the house, with a garage or carport to the rear of the site. Street side parking is common in Downtown Tupelo. Many lots have a central walk leading up to the house. In the residential areas with larger lots, the use of appropriate paving materials for both driveways and private walks can help reinforce the character of the District or detract from it. Strategically placed landscaped screening can also help reduce the strong visual impact that onsite parking areas can create.

- a. Large paved areas for parking should not be places in the front yard of any sized properties except extremely large lots with deep setbacks.
- b. Semicircular driveways with two entry points on the front of the lot are not appropriate for single-family residences in the District.
- c. Retain any existing paving materials used in walks and driveways, such as brick, stone and examples of the early use of patterned concrete.
- d. Replace damaged areas with materials that match the original paving
- e. Ensure that new paving materials are compatible with the character of the area. Brick pavers in traditional patterns and scored concrete are examples of appropriate applications. Color and texture of both surfaces should be carefully reviewed prior to installation. Avoid large expanses of bright white or gray concrete surfaces and asphalt in visible areas.
- f. Use identical or similar materials or a combination of materials in both walks and driveways.
- g. Do not demolish historic structures to provide areas for parking.



Image 3.3

3.5 GARAGES, CARPORTS AND OUTBUILDINGS

Many houses in the Downtown District have garages, carports and outbuildings. Some typical outbuildings may include garages or carriage houses or small residences built at the same time as the house.

- a. Retain existing historic garages, carports, outbuildings and site features.
- b. Design new garages, carports or outbuildings to be compatible with the style of the major buildings on the site, especially in materials and roof slope.
- c. New garages, carports or outbuildings should be located to the rear of the main house or they should be placed to the side of the main house without extending in front of its centerline.
- d. The scale of new garages, carports or outbuildings should not overpower the existing house or the size of the existing lot.
- e. Avoid closing in original carports, and if they must be closed in, use materials and elements that relate to the rest of the house.
- f. The design and location of any new site features should relate to the existing character of the property.
- g. Refer to the City of Tupelo Development Code for Specifics.

3.6 FENCES, GATES AND WALLS

There are a great variety of fences and low retaining walls in the District, particularly in some of the residential areas. Low height walls are found, but otherwise fences and retaining walls are rarely found in the commercial area of the District. In residential areas, most rear yards and some side yards have some combination of fencing, low retaining walls or landscaped screening, but the use of such features in the front yard, especially fencing, varies. Materials may relate to those used on other structures on the site and may include brick, stone, wrought iron, or wood pickets. Reference the city of Tupelo Development Code for Specifics.

- a. Retain traditional fences, low retaining walls and hedges. When a portion of a fence needs replacing, salvage original parts for a prominent location from a less prominent location if possible. Match old fencing in material, height, and detail. If it is not possible, use a simplified design of similar materials and height.
- b. Respect the existing condition of the majority of the lots on the street in planning new construction or a rehabilitation of an existing site using fences and gates.
- c. The design of new fences should blend with materials and designs found in the District. Commonly used materials are iron, wood and plantings. Often the materials relate to the materials used elsewhere on the property and on the structures. Wooden picket fences were popular throughout the late 19th and early 20th century and their different designs and forms may relate to various architectural styles. Vinyl fencing may be appropriate in certain circumstances in the District.

- d. The scale and level of ornateness of the design of any new fences should relate to the scale and ornateness of the existing house. Simpler and smaller designs are most appropriate on smaller sized lots.
- e. Avoid the use of solid masonry walls that visually enclose the property from surrounding more open neighboring sites.
- f. Do not use materials such as wide board fencing and concrete block walls where they would be visible from the street. These materials may be used in rear yards. If a portion of a rear fence is visible from the street, it should be camouflaged by landscaping. New chain-link fencing is prohibited in the front yard.



Image 3.4

3.7 OUTDOOR LIGHTING

Tupelo's residential areas have few examples of private site lighting. Most houses have attractive fixtures located on the house at various entry points. Most of these fixtures are electrified but some are illuminated using natural gas. Very few properties have individual lamp poles.

- a. Retain and refurbish historic light fixtures where possible.
- b. New lighting fixtures that are understated and complement the historic style of the building while providing subdued illumination are recommended.
- c. Avoid using bright floodlights and avoid lighting a site with rows of closely spaced lights along driveways and walks.

3.8 APPURTENANCES

Site appurtenances, such as overhead wires, fuel tanks, utility poles and services, antennae, exterior mechanical units and trash containers, are a necessary part of contemporary life. However, their placement may detract from the character of the site and building.

- a. Place appurtenances in inconspicuous areas on the side and rear of the building.
- b. Site screen appurtenances with compatible screenings or plantings as needed.

Chapter 4: Guidelines for Residential Buildings

There are a wide range of building styles and types in Downtown Tupelo that give the District its distinctive character. In order to evaluate the appropriateness of a design change, it is necessary to understand the characteristics of the styles of the buildings as shown in Appendix C.

The following guidelines are designed to ensure that any rehabilitation project respects the overall appearance of the existing building as well as the details that give it so much of its character. These guidelines are based on the ***Secretary of the Interior's Standards for Rehabilitation***. In general, these guidelines shall apply only to the exteriors of buildings and to areas of lots visible from public rights-of-way. Proposals for exterior work to be done on public facades (front and street related elevations) shall be more carefully reviewed than that to be done on other facades. For more detailed information about many of the following rehabilitation issues, visit the City of Tupelo Department of Development Services.

4.1 FOUNDATIONS

The foundation forms the base of a building. On many buildings it is indistinguishable from the walls of the building while on others it is a different material or texture or is raised well above ground level.

- a. Keep crawl space vents open so that air flows freely.
- b. Retain any decorative vents that are original to the building.
- c. Ensure that land is graded so that water flows away from the foundation, and if necessary, install drains around the foundation.
- d. Remove any vegetation that may cause structural disturbances at the foundation.
- e. Where masonry has deteriorated, take steps as outlined in the guidelines for proper maintenance.



Image 4.1

4.2 WINDOWS

Windows add light to the interior of a building, provide ventilation, and allow a visual link to the outside. They also play a major role in defining a building's particular style. Because of the wide variety of architectural styles and periods of construction within the District, there is a corresponding variation of styles, types and sizes of windows.

Windows are one of the major character-defining features on residential buildings and can be varied by different designs of sills, panes, sashes, lintels, decorative caps, and shutters. They may occur in regular intervals or in asymmetrical patterns. Their size may highlight various bay divisions in the building. All of the windows may be the same in one house or there may be a variety of types that give emphasis to certain parts of the building.

- a. Retain original windows if possible. Ensure that all hardware is in good operating condition. Ensure that caulk and glazing putty are intact and that water drains off the sills.
- b. Repair original windows by patching, splicing, consolidating or otherwise reinforcing. Wood that appears to be in bad condition because of peeling paint of separated joints often can in fact be repaired.
- c. Uncover and repair covered-up windows and reinstall windows with their original dimensions where they have been blocked in. If the window is no longer needed, the glass should be retained and the backside frosted, screened or shuttered so that it appears from the outside to be in use.
- d. Replace windows only when they are missing or beyond repair. The original size and shape of windows should be maintained. Reconstruction should be based on physical evidence or old photographs.
- e. Do not use materials or finishes that radically change the sash, depth of reveal, muntin configuration, the reflective quality or color of the glazing, or the appearance of the frame.
- f. Use true divided lights to replace similar examples and do not use false muntins in the replacements.
- g. The original number and arrangement of panes should be maintained. Do not change the number, location, size or glazing pattern of windows on primary elevations by cutting new openings, blocking in windows, or installing replacement sash that does not fit the window opening.

Elements of a Window

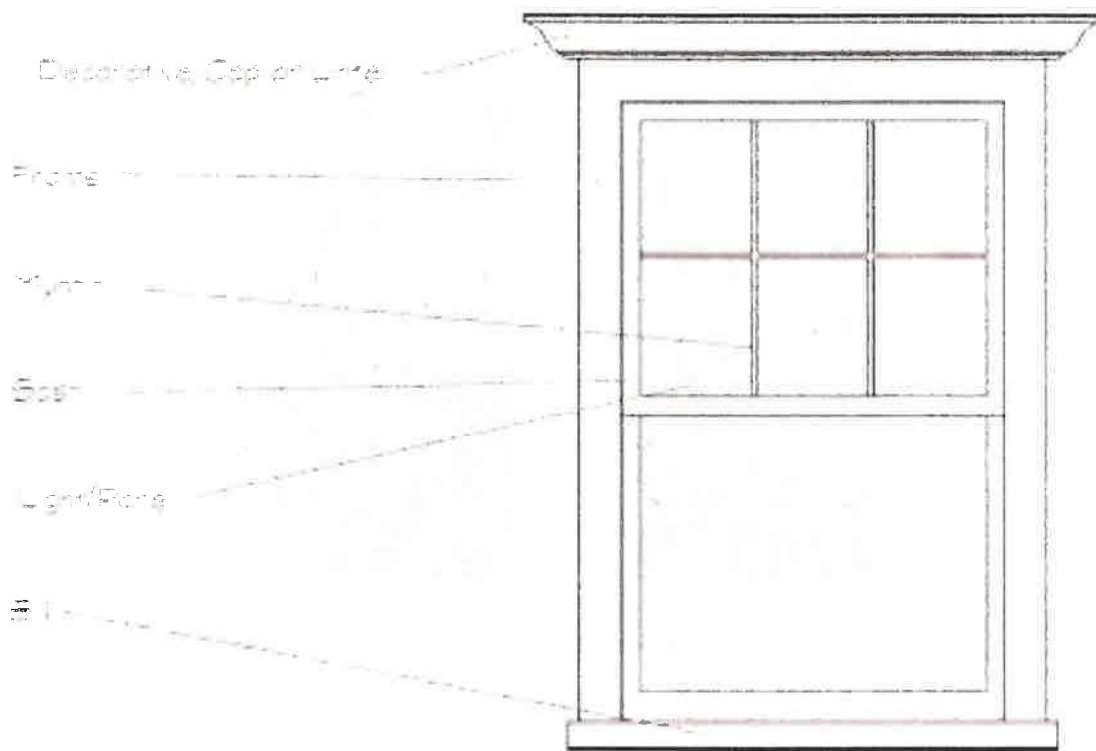


Diagram 4.1

- h. The characteristic window shape in the area is vertically higher than it is wide. Horizontal windows and picture windows are generally not appropriate.
- i. Improve thermal efficiency with weather stripping, storm windows (preferably interior), caulking, interior shades, and if appropriate for the building, blinds and awnings.
- j. If using awnings, ensure that they align with the opening being covered. Use colors that relate to the colors of the building.
- k. Use shutters only on windows that show evidence of their use in the past. They should be wood (rather than metal or vinyl) and should be mounted on hinges. The size of the shutters should result in their covering the window opening when closed. Avoid shutters on composite or bay windows.

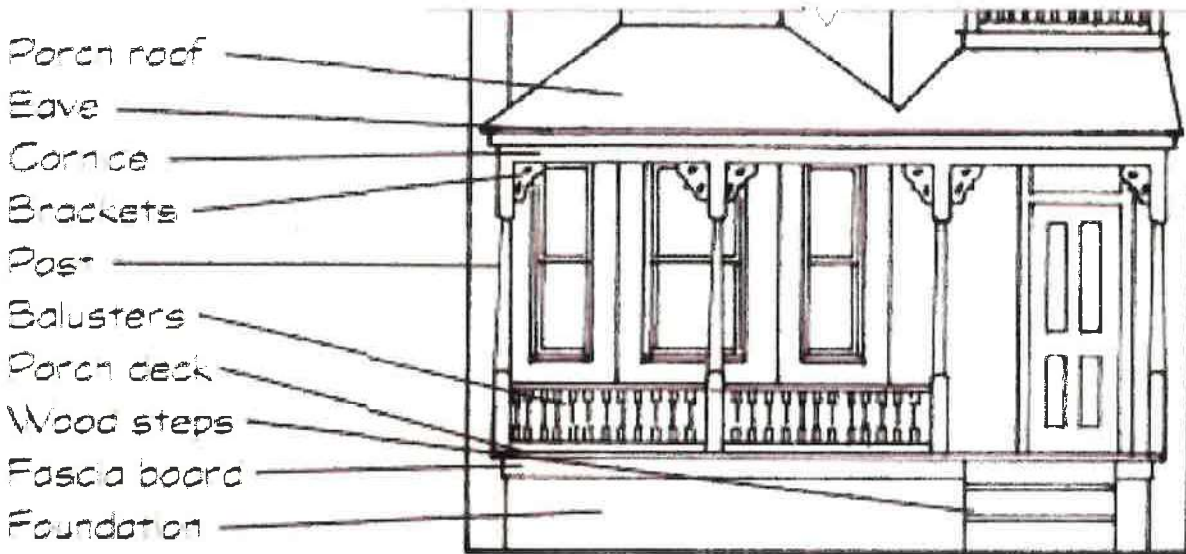


Image 4.2

4.3 ENTRIES AND PORCHES

Entrances and porches are often the primary focal points of a historic building and because of their decoration and articulation; help define the style of the building. Entrances are functional and ceremonial elements for all buildings. Porches have traditionally been a social gathering point as well as a transition area between the exterior and interior of the residence. The important focal point of an entrance porch is the door. Tupelo's Downtown District has a very rich variety of these elements.

- a. The original details and shape of porches should be retained. This includes the outline, roof height and roof pitch. Replace an entire porch only if it is too deteriorated to repair or is completely missing. The new porch should match the original as closely as possible in materials, size, and detail. Addition of new porches is not recommended unless there is pictorial documentation or physical evidence.



Elements of a Porch

Diagram 4.2

- b. Avoid removing or radically changing entrances and porches important in defining the building's overall historic character. If altering the porch and/or entrance is unavoidable, ensure that the new treatment matches or blends with the original style or character of the house.
- c. Inspect masonry, wood, and metal of porches and entrances for signs of rust, peeling paint, wood deterioration, open joints around frames, deteriorating putty, inadequate caulking, and improper drainage. Correct any of these conditions.
- d. Do not strip entrances and porches of historic material and details. Give more importance to front or side porches than to utilitarian back porches.
- e. Do not enclose porches on primary elevations and avoid enclosing porches on secondary elevations in a manner that radically changes its historic appearance, such as screen or glass enclosures.

4.4 DOORS

The important focal point of an entrance or porch is the door.

- a. The original size and shape of door openings should be maintained.
- b. New door openings should not be introduced on facades visible from the street.
- c. Original door openings should not be filled in.
- d. Repair damaged elements and match the detail of the existing original fabric. Reuse hardware and locks that are original or important to the historical evolution of the building.

- e. Avoid substituting the original doors with stock size doors that do not fit the opening properly or do not blend with the style of the house. Retain transom windows and sidelights.
- f. When installing storm or screen doors, ensure that they relate to the character of the existing door. They should be a simple design where lock rails and styles are similar in placement and size. Avoid using aluminum colored storm doors. If the existing storm door is aluminum, consider painting it to match existing door. Use a zinc chromate primer before painting to ensure adhesion.
- g. Doors shall be clad or protected with weather resistant materials and be maintained.

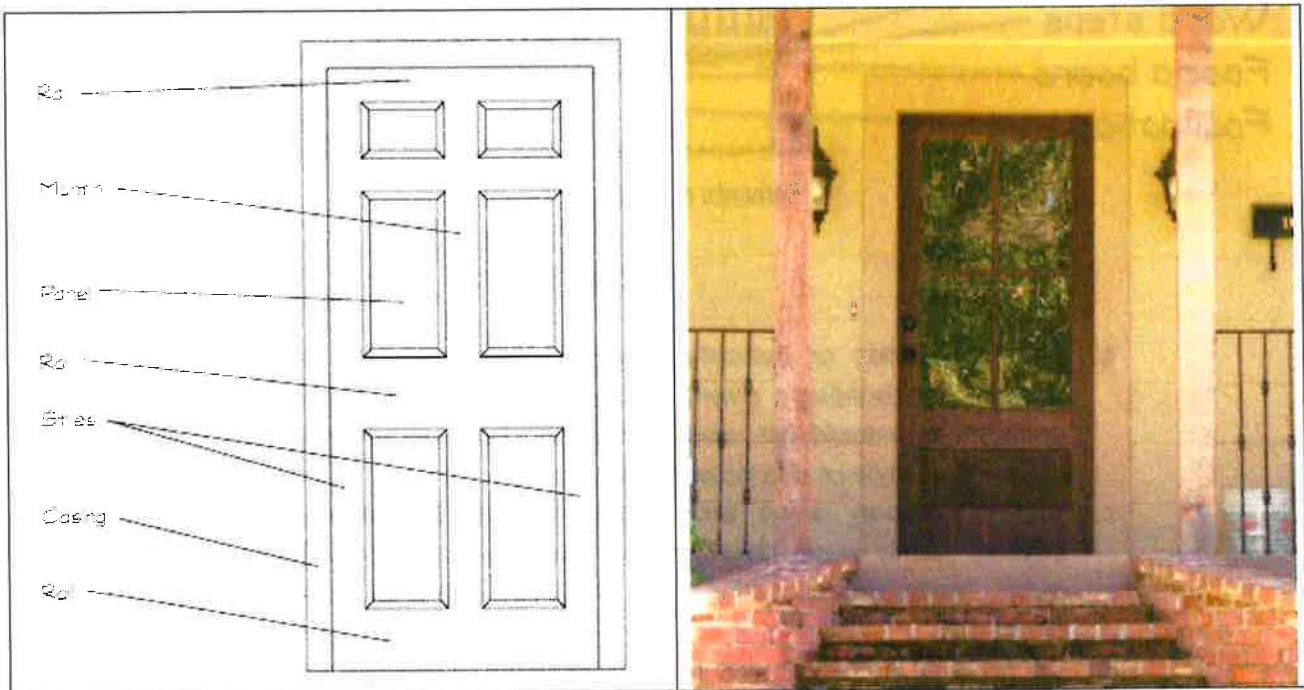


Diagram 4.3

4.5 PAINT AND COLOR

A properly painted building accentuates its character-defining details. Painting is one of the least expensive ways to maintain historic fabric and make a building an attractive addition to an historic district. Many times, however, buildings are painted inappropriate colors or colors are placed incorrectly.

Some paint schemes use too many colors but more typical is an approach in which one color is used as a base for the entire building, and complementary accent and trim colors are added. On particularly significant historic buildings, there is the possibility of conducting paint research to determine the original color and then recreating that appearance.

- a. Remove loose and peeling paint down to the next sound layer, using the gentlest method possible: hand scraping and hand sanding (wood and

masonry) and wire brushes (metal). A heat gun or plate on certain types of sanders can be used on wood for heavy build-up of paint. Take precautions when removing older paint layers since they may contain lead.

- b. Do not use sandblasting, open flames, or high-pressure water wash to remove paint from masonry, soft metal or wood. Take precautions when removing older paint layers since they may contain lead.
- c. The painting of brick and other masonry is inappropriate unless it is mismatched or so deteriorated that it cannot withstand weather. If painting is necessary, original neutral color is recommended.
- d. Choose colors that blend with and complement the overall color schemes on the street. The numbers of colors should be limited and individual details, such as brackets, should not be painted with an additional accent color. Doors and shutters can be painted a different accent color than the walls and trim. Follow color recommendations of particular architectural styles on the following pages.

Paint Placement diagram

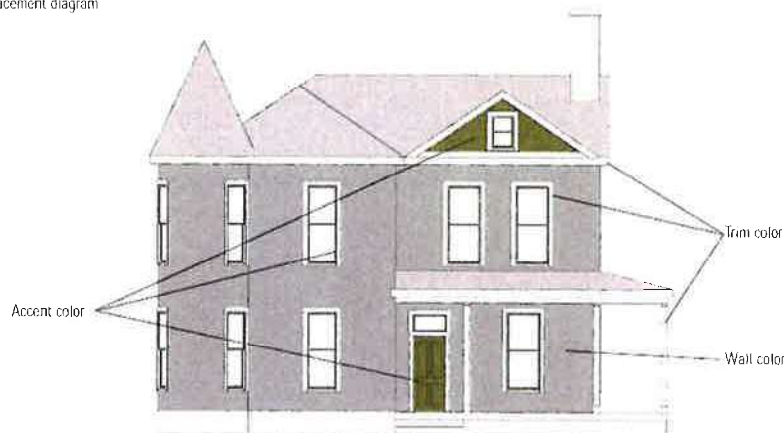


Diagram 4.4

GUIDE TO COLOR PLACEMENT AND SELECTION Placed correctly, color accentuates details of the building. Generally for residential buildings, walls and trim can be painted contrasting colors, with doors and shutters a third, accent color. A fourth color may be appropriate for very elaborate Queen Anne houses, but even then, individual details generally should not be highlighted since this may give a disjointed appearance to a house.

QUEEN ANNE: Deep, rich colors such as greens, rusts, reds and browns may be used on the exterior trim and walls of late-Victorian-era houses. Keep in mind that some darker colors may chalk and fade more quickly than lighter colors. The important objective is to emphasize the many textures of these highly ornate structures. Decorative wood shingles may be painted a different color from the siding on the same building. It is best to treat similar elements with the same color to achieve a unified rather than an overly busy and disjointed appearance. On very ornate houses, more colors can be used.

COLONIAL REVIVAL: Softer colors should be used on these buildings, with the trim painted white or ivory, since this style reflects a return to classical motifs.

AMERICAN FOURSQUARE: Use similar color schemes as the Colonial Revival.

TUDOR REVIVAL/ENGLISH COTTAGE: The Tudor Revival style features half timbering members, which are accentuated through the use of a dark brown paint color as its trim. The stuccoed walls in the background are also in the earth tone ranges, but much lighter.

BUNGALOW: Natural earth tones and stains of tans, greens and grays are most appropriate for this style, using color to emphasize the many textures and surfaces.

MINIMAL TRADITIONAL AND RANCH: These styles usually are masonry and use white or light colors for trim. Accent colors may be used on doors and shutters.

Chapter 5: Guidelines for Commercial Buildings

Historic preservation has played a major part in the economic revitalization of many of Mississippi's older downtowns including Tupelo. Appropriately rehabilitated facades located within the downtown historic district create a natural setting for commercial activities. Customers and visitors expect an attractive and well-maintained central business district. Each building improvement helps generate the next project. These guidelines reflect the pragmatic approach that historic downtowns continue to evolve and adapt with each new generation. Physical changes to historic assets are managed in a careful way but no attempt is made to stop change. Over time the framework of historic preservation and economic development can work together to keep downtown viable and help it to continue to play its important role as the historic heart of the community. The guidelines for certain types of institutional buildings such as schools, libraries, and churches may vary from commercial building guidelines. These buildings, due to their function and community symbolism, usually are of a distinctive design. Their scale is often more monumental and massing and orientation relate to the particular use within the building. For this reason, the design of any new such institutional building in the district should follow the guidelines listed in the Civic and Institutional Buildings section of Commercial Buildings. Commercial site design issues are not covered individually in a separate section. Rather, they can be referenced in different chapters throughout these guidelines. Issues such as setback, spacing and the commercial street edge are covered under the section titled Façade Analysis. Issues such as parking, curbs, sidewalks lighting and appurtenances in the commercial district are covered under Guidelines for Streetscape/Public Improvements. Accessibility issues for commercial buildings are covered under the Rehabilitation section of this chapter. These historic structures have highly decorative brick corbelling, cornices and copings. Tupelo has a variety of original and retrofitted storefronts.

GUIDELINES FOR COMMERCIAL PROPERTY REHABILITATION

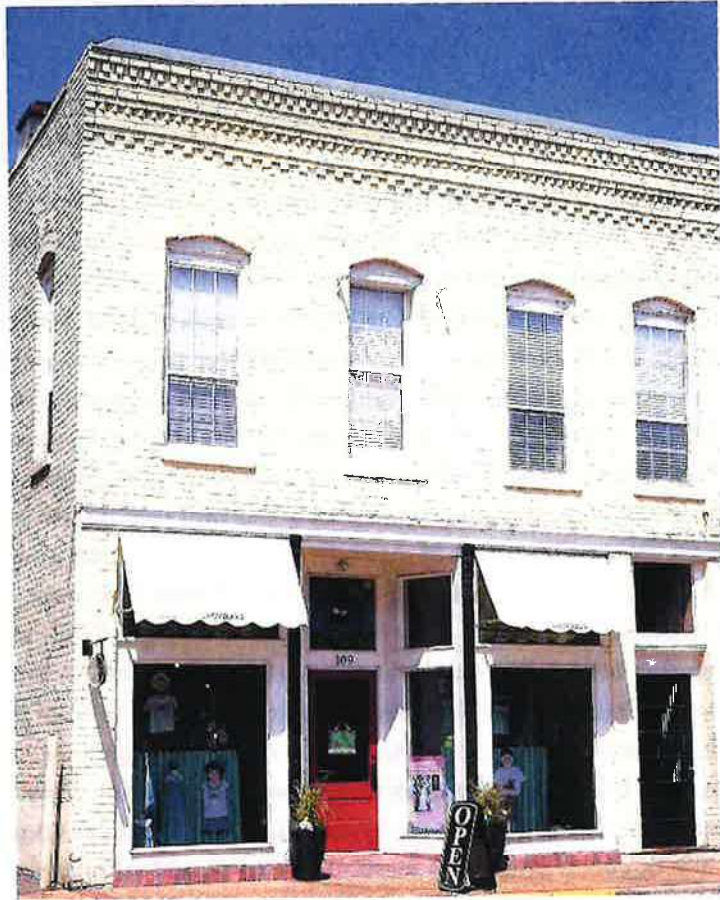
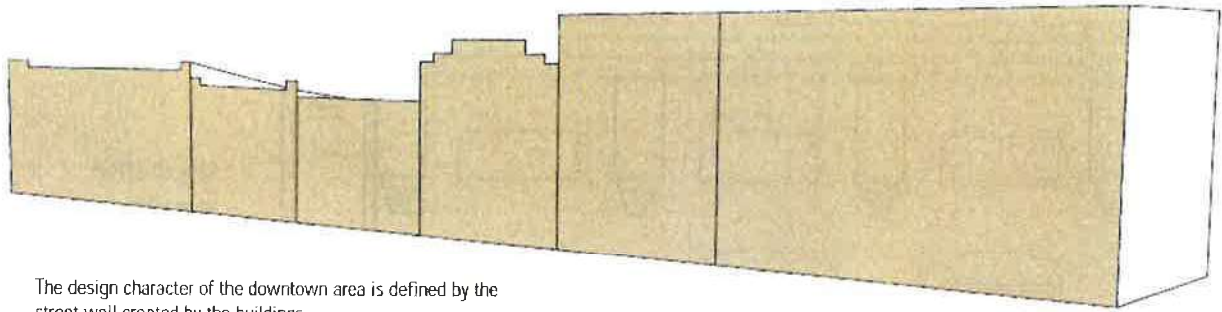


Image 5.1

5.1 FACADE ANALYSIS

Several commercial buildings in downtown Tupelo contain ground floor retail businesses that require display windows and upper-story space for housing, storage, or offices. As a result, the primary elevations—or facades—of historic commercial buildings have a predictable appearance. Generally, commercial buildings average two to four stories and nearly all have flat or shed roofs.

Tupelo also has a number of one story commercial buildings. No matter how many stories, traditional commercial buildings have three distinct parts that give the facade an overall unified appearance: storefront, upper floor(s) and cornice. The street wall created by the buildings defines the design character of the downtown area. The cornice area and parapet wall at the top of the building defines the design character of the downtown area.



The design character of the downtown area is defined by the street wall created by the buildings.



The design character of the downtown area is defined by the cornice area and parapet wall at the top of the building.

Diagram 5.1

Cornice

The cornice decorates the top of the building and may be made of metal, masonry, or wood. Some decorative cornices project from the building while an ornamental band delineates others. The top of the wall may have a patterned brick band or may have a coping of brick, concrete, or metal.

Upper Floor

Upper floors are characterized by smaller window openings that repeat on each floor. These windows may vary in size, type, and decoration but usually are the same for each floor. Other facade details may be present on the upper level facades such as brick banding, corbelling, metal grilles or decorative panels.

Storefront

The first-floor storefront is transparent and is framed by vertical structural piers and a horizontal supporting beam, leaving a void where the storefront elements fit. The storefront elements consist of an entrance (often recessed), display windows, a bulkhead under the display windows, transom windows over the storefront, and a cornice which covers the horizontal beam. The first floor also may contain an entrance to the upper floors. Later buildings may lack several elements of traditional storefronts such as transom windows, or decorative details.

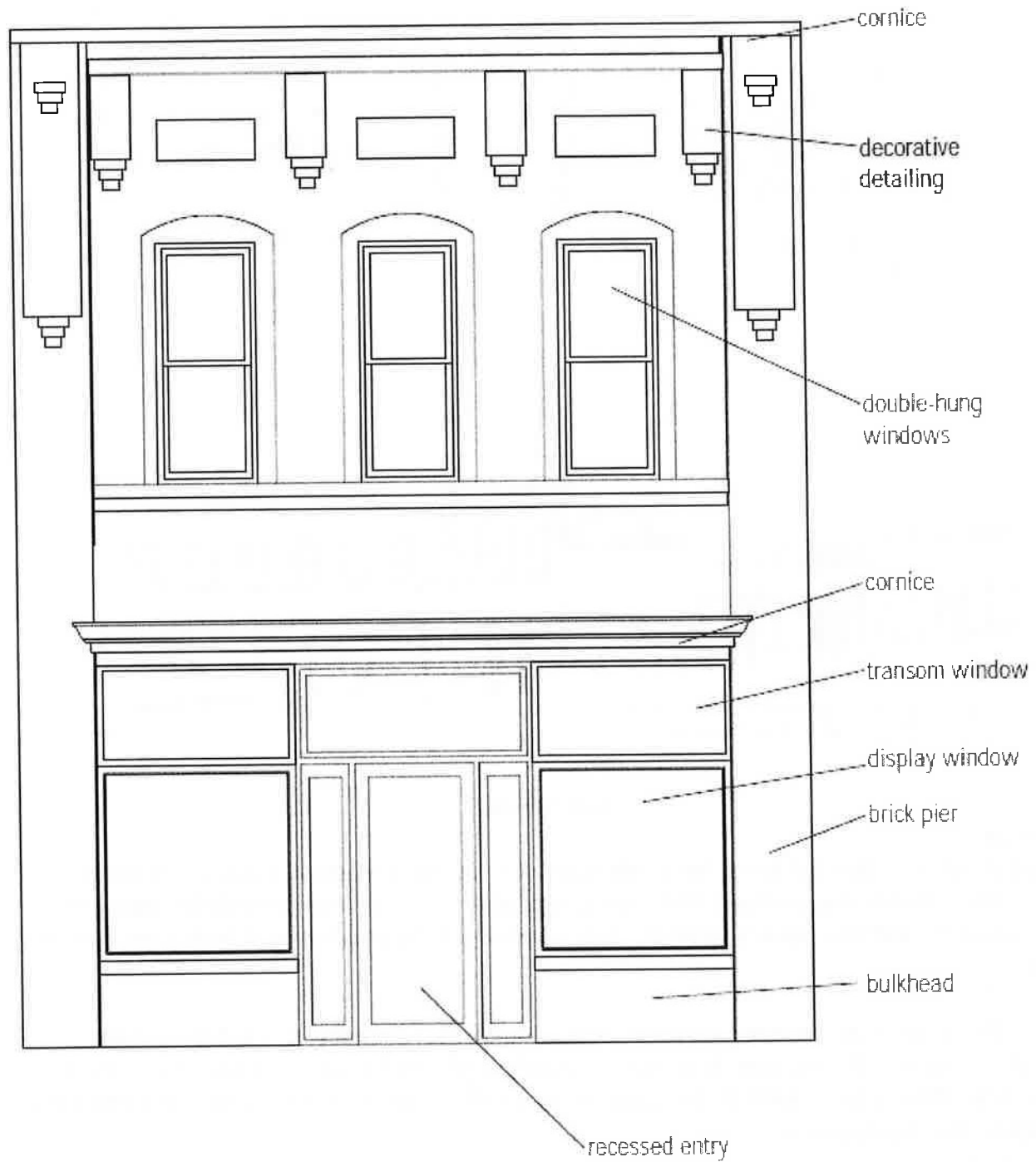


Diagram 5.2

5.2 COMMERCIAL ARCHITECTURAL FORMS



Diagram 5.3



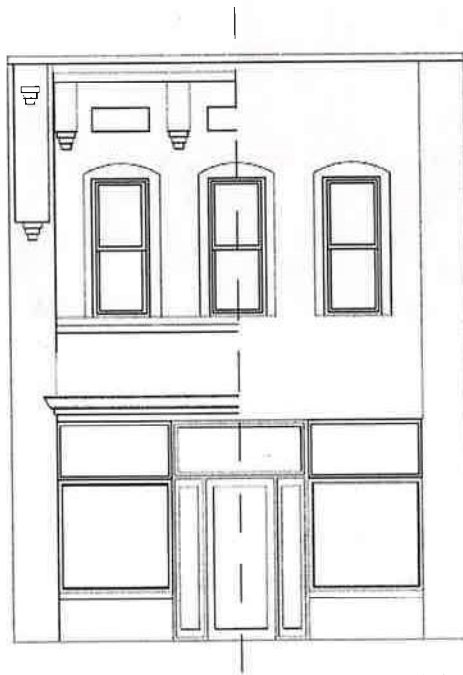
Image 5.1

5.3 PLANNING A FACADE IMPROVEMENT

Over time commercial buildings are altered or remodeled to reflect current fashions or to eliminate maintenance problems. Often these improvements are misguided and result in a disjointed and unappealing appearance. Other improvements that use good materials and sensitive design may be as attractive as the original building and these changes should be preserved. The following guidelines will help to determine what is worth saving and what should be rebuilt.

- Conduct pictorial research to determine the design of the original building or early changes.
- Conduct exploratory demolition to determine what remains and its condition. (This work would require approval from the DTMSA Design Committee.)
- Remove any inappropriate materials, signs, or canopies covering the facade.
- Retain all elements, materials, and features that are original to the building, or are sensitive remodeling, and repair as necessary.

- e. Restore as many original elements as possible, particularly the materials, windows, decorative details, and cornice.
- f. When designing new elements, conform to the configuration and materials of traditional storefront design. Reconstruct missing original elements (such as cornices, windows and storefronts) if documentation is available, or design new elements that respect the character, materials, and design of the building.
- g. Avoid using materials whose appearance is incompatible with the building or district, including aluminum-frame windows and doors, aluminum panels or display framing, enameled panels, textured wood siding, unpainted wood, artificial siding, and wood shingles. False historical appearances such as "Colonial," "Olde English," or other theme designs should not be used.
- h. Avoid using inappropriate elements such as mansard roofs, metal awnings, coach lanterns, small-paned windows, plastic shutters, inoperable shutters, or shutters on windows where they never previously existed.
- i. Maintain paint on wood surfaces and use appropriate paint placement to enhance the inherent design of the building. See Paint and Color in the section for further information about painting.



The original character of a historic commercial building is often lost when features and elements are covered up or removed from a facade.

Diagram 5.4

5.4 OPENINGS: WINDOWS AND STOREFRONTS

Traditionally designed commercial buildings found in Tupelo have distinctive rows of upper story windows and storefronts on the first level. The windows typically have vertical proportions and may have a decorative lintel or cap over them. Their light (pane) configuration varies with the style and age of the building. The upper floor windows are very important as they provide light and ventilation to the interior of the upper floors. They can also help define the character of the building and can provide a pattern of openings with neighboring buildings for the street wall of the entire block.

- a. Retain the original windows and keep painted surfaces well painted.
- b. If the panes have been painted over, remove paint from the glass.
- c. Reuse as many of the original parts of the window as possible. Replace missing or damaged frames, sash, muntins and glass with materials that match the original. Reuse serviceable hardware and locks.
- d. Do not change the architectural appearance of windows by using inappropriate materials or finishes which radically change the sash, depth of reveal, and muntin configuration or the appearance of the frame.
- e. Do not change the number, location, size or glazing pattern of windows by cutting new openings, blocking in windows, or installing a replacement sash that does not fit the window opening.
- f. If windows were filled in with masonry under a previous renovation you should re-establish the window opening.

5.5 CORNICES, PARAPETS AND EAVES

Cornices and parapets add architectural interest to an old building. On many commercial buildings, cornices and parapet brickwork are highly visible elements. Cornices and parapets may be difficult to maintain because they are located high up on the building and cover a large expanse. However, these two elements are very important to maintain, as water penetration through a rotted or damaged element could severely damage a building wall or roof.

- a. Inspect your cornice and parapet for loose or missing pieces, signs of water damage, overall sagging and separation of the cornice from the building. Look for cracks or deflecting bricks in the parapet wall. This may indicate the cornice is leaning or loose, creating an unsound structural condition.
- b. Any structural problems, such as a failing parapet wall or a loose cornice, need to be stabilized and repaired or replaced. This is dangerous work and should be done only by a professional.
- c. If the building is missing its original cornice, look for historic evidence before replacing it with a new one. A new cornice should be architecturally compatible with the building and the surrounding area.
- d. New cornices and eaves should be properly flashed and sloped to ensure against water entry. Proper ventilation is also important to protect against moisture buildup.
- e. For information on painting cornices and eaves, refer to Paint and Color of this section.

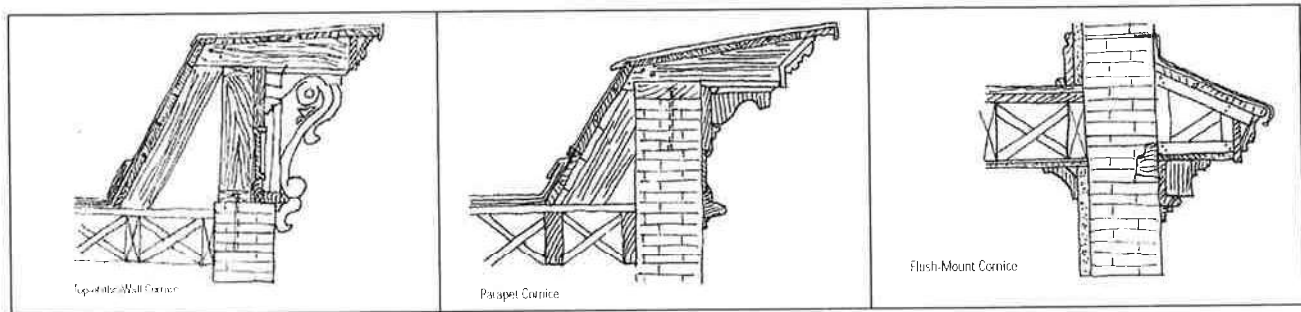


Diagram 5.5

5.6 ROOFS

The roof is not a prominent element in many of the commercial buildings found in the historic district since most are hidden from public view. Common roof materials in the historic district include metal, composition shingles or built-up roofs with tar and gravel.

- a. When trouble with roofing occurs, contact a professional, such as an architect or roofing contractor, who is familiar with the characteristics of the roofing system involved.
- b. The original roof pitch and configuration of the roof should be maintained.
- c. If you can see it, the original roof color and materials should be retained. If replacement is necessary, match the material as closely as possible. Evaluate roof replacement projects in the light of the prominence and visibility of the roof.
- d. Retain elements, such as chimneys, skylights and light wells that contribute to the style and character of the building.
- e. Maintain critical flashing around joints and ensure proper functioning of the gutter system.
- f. Ventilate any attic space to prevent condensation.
- g. Do not add new elements, such as vents, skylights or additional stories that would be visible on the primary elevations of the building.
- h. Fairpark District has its own guidelines for Roofs. See Appendix B.

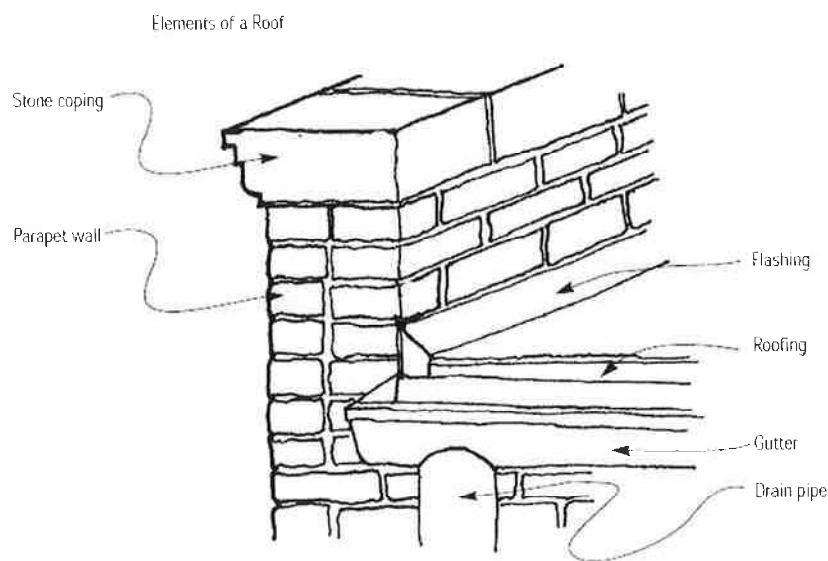


Diagram 5.6

5.7 SECONDARY ELEVATIONS

Secondary elevations on commercial buildings are often forgotten and neglected.

Side elevations on corner buildings can be just as important to the public view as the front one.

The area behind a building may be a utilitarian space for deliveries and storage of discarded goods. However in some cases the rear of the building may provide the opportunity for a secondary entrance, particularly if oriented to a public alley. The appearance of the back area then becomes important to the commercial district and to the individual business. Customers may be provided with direct access from any parking area behind the building. In these cases the back entrance becomes a secondary entrance to the store and is the first contact the customer makes with the business. Care should be taken to maintain secondary elevations as properly as primary ones.

- a. Keep rear entrances uncluttered and free from unsightly items such as trash or recycling materials not in containers.
- b. Consolidate and screen mechanical and utility equipment in one location as much as possible.
- c. Consider adding planters or a small planting area to enhance and highlight the rear entrance and create an adequate maintenance schedule for them.
- d. Retain/Maintain any historic door or select a new door that maintains the character of the building.
- e. Maintain the original windows and window openings when possible.

Windows define the character and scale of the original facade and should not be altered.

- f. Review considered design changes with the DTMSA Design Committee prior to contracting or performing work. Assistance is available with determining the appropriate design.



Image 5.2

- g. Repair existing windows when possible and avoid replacement. If they are replaced, ensure that the design of the new window matches the historic window and has true divided lights instead of the clip-in muntin bar type.
- h. If installation of storm windows is necessary, see windows section on (insert correct page number) regarding proper procedures.
- i. Remove any blocked-in windows and restore windows and frames if missing.
- j. If security bars need to be installed over windows, choose a type appropriate for the window size, building style and required level of security. Avoid using chain link fencing for a security cover over windows.
- k. If the rear window openings need to be covered on the interior for merchandise display or other business requirements, consider building an interior screen and maintain the character of the original window's appearance from the exterior.
- l. Install adequate lighting for customer and store security. Ensure that the design of the lighting relates to the historic character of the building.
- m. Consider installing signs and awnings that are appropriate for the scale and style of building
- n. Install adequate security including alarm systems and hardware for doors and windows. Design and select systems and hardware to minimize impact on historic fabric of building.
- o. Ensure that any rear porches are well maintained; and if used as upper floor entrance(s), are well lit and meet building codes while retaining their historic character.

5.8 ARTIFICIAL SIDING

Artificial sidings are not appropriate for traditional commercial buildings. In addition to changing the original appearance of the building, artificial sidings may make maintenance more difficult if used inappropriately. They may cover up potential moisture problems that can become more serious. Remove artificial siding and restore original building material, if possible.

5.9 PAINT AND COLOR

A properly painted building accentuates its character-defining details. Painting is one of the least expensive ways to maintain historic fabric and make a building an attractive addition to a historic district. Many times, however, buildings are painted inappropriate colors or colors are placed incorrectly.

Some paint schemes use too many colors but more typical is a monochromatic approach in which one color is used for the entire building. On particularly significant historic buildings there is the possibility of conducting paint research to determine the original color and then recreating that appearance.

- a. Remove loose and peeling paint down to the next sound layer, using the gentlest means possible: hand scraping and hand sanding (wood and masonry) and wire brushes (metal). A heat gun or plate or special sander can be used on wood for heavy build-up of paint. Take precautions when removing older paint layers since they may contain lead.
- b. Do not use sandblasting, open flames, or high-pressure water wash to remove paint from masonry, soft metal, or wood. Take precautions when removing older paint layers since they may contain lead.
- c. The painting of brick is inappropriate unless it is mismatched or so deteriorated that it

cannot withstand weather. If painting is necessary, an original natural color should be used. It is appropriate to re-paint a brick building only if it has been previously painted. Painting of stone is inappropriate.

d. Choose colors that blend with and complement the overall color schemes on the street. Do not use bright and obtrusive colors. The numbers of colors should be limited. Follow the tips on the next page to ensure an appropriate paint scheme for your commercial building. The Design Committee is available to assist in selecting paint color.



Image 5.3

5.10 ACCESSIBILITY

Access ramps and lifts are a necessity for many older historic buildings, which were not built with at-grade entrances. The Americans with Disabilities Act (ADA) requires that all commercial entities, which are places of public accommodation, be accessible to disabled users, or provide alternative accommodations. Access ramps and lifts can usually be added to historic buildings without substantially altering their historical significance if designed carefully and sensitively.

Designs for ramped access are controlled by the building code and can involve issues such as design for emergency exiting (or egress) and general safety. Applicants are encouraged to consult with an architect and the City of Tupelo Department of Development Services to determine how best to design safe ramps, which will provide wheelchair access.

NEW COMMERCIAL PROPERTY CONSTRUCTION

The following guidelines include general recommendations for the design of new commercial buildings in Tupelo's Historic Downtown. The intent of these guidelines is not to be overly specific or to dictate certain designs to owners and designers. The intent is also not to encourage copying or mimicking particular historic styles, although some property owners may desire a new building designed in a form that respects the existing historic styles of the district.

These guidelines are intended to provide a general design framework for new construction. Good designers can take these clues and have the freedom to design appropriate, new commercial architecture for Downtown Tupelo. These criteria are all important when considering whether proposed new buildings are appropriate and compatible; however, the degree of importance of each criterion varies within each area as conditions vary. For instance, setback, scale and height may be more important than roof forms since the sloping roofs of most buildings are not visible in the downtown area.

There is limited opportunity to build new structures in the downtown area since existing historic buildings already occupy most of the land. For this reason, buildings that contribute to the historic character of Downtown Tupelo generally should not be demolished for new construction.



Image 5.4

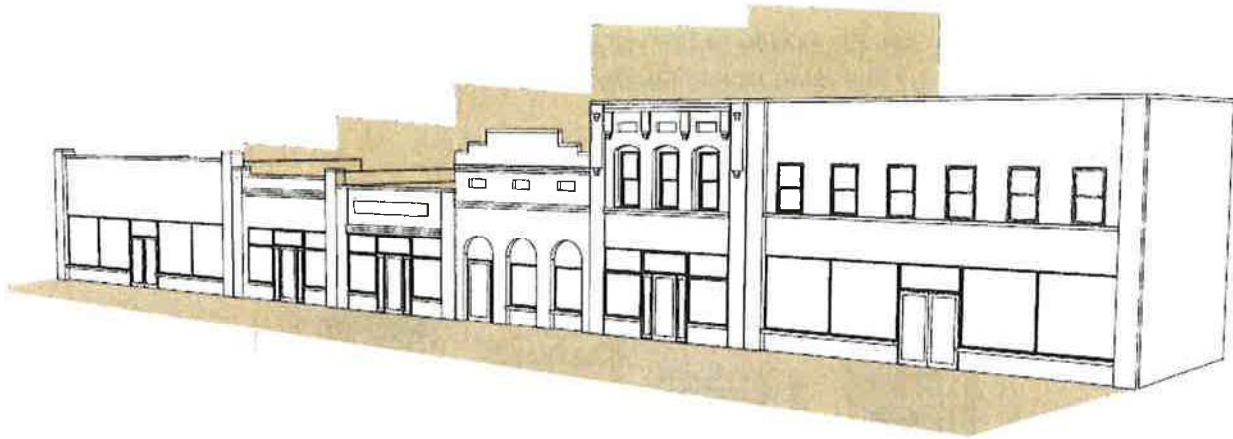
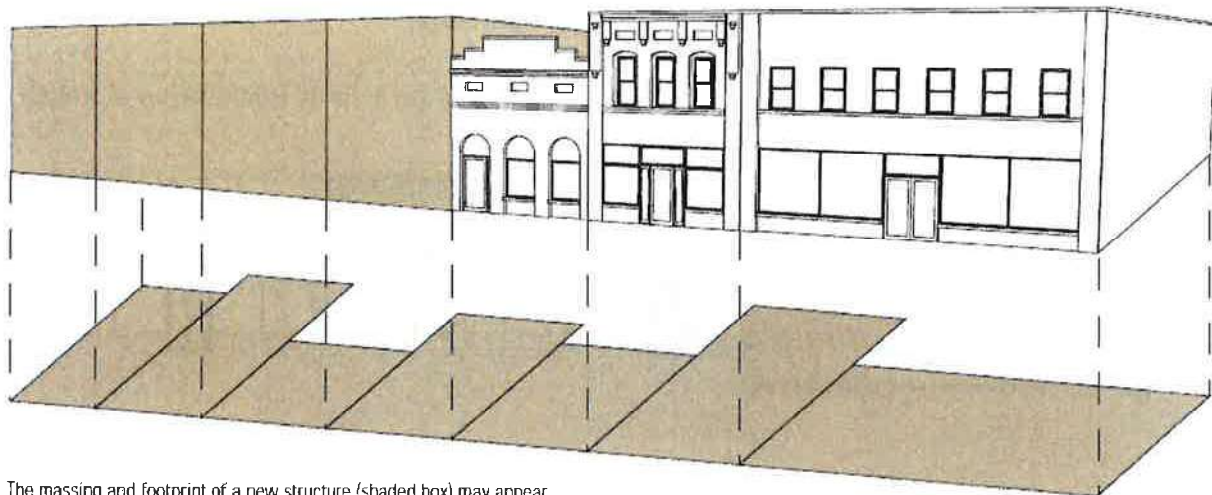


Diagram 5.7

5.11 SETBACK AND SPACING

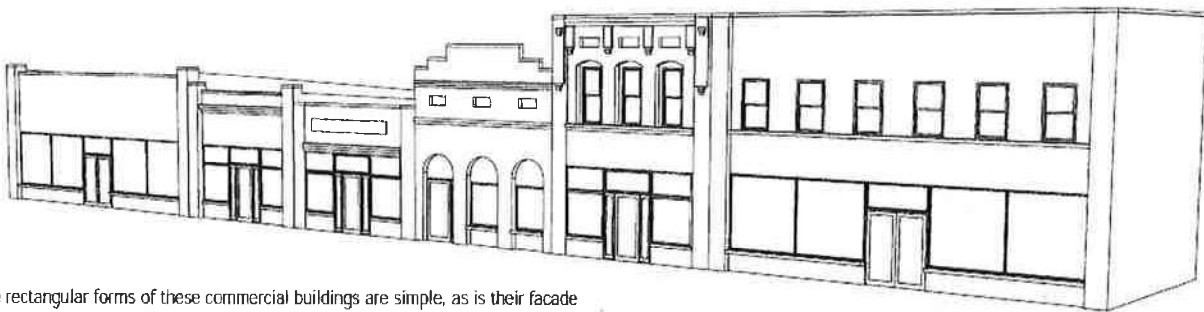
Setback is the distance between the building wall and the property line or right-of-way at the front of the lot. Spacing refers to the distances between buildings.

- a. Setback and spacing for new construction in downtown should relate to the majority of surrounding historic commercial buildings.



The massing and footprint of a new structure (shaded box) may appear too large for this block unless its facade is divided into several bays.

Diagram 5.8



The rectangular forms of these commercial buildings are simple, as is their facade organization. Decoration, cornices and openings add interest and complexity.

Diagram 5.9

5.12 COMPLEXITY OF FORM

A building's form, or shape, can be simple (a box) or complex (a combination of many boxes or projections and indentations.) The level of complexity usually relates directly to the style or type of building.

- a. In general, use simple rectangular forms for new construction that relate to the majority of surrounding commercial buildings.



The majority of commercial structures in the district are horizontal or square in their expression although there are also some vertical ones.

Diagram 5.10

5.13 DIRECTIONAL EXPRESSION

This guideline addresses the relationship of height and width of the front elevation of a building mass. A building is horizontal, vertical, or square in its proportions.

- a. In new construction, respect the directional expression (or overall relationship of height to width) of surrounding historic buildings.



The new building (shaded box) reflects the average height of the block and its three vertical bays relate better to the existing buildings than one large facade as seen below.

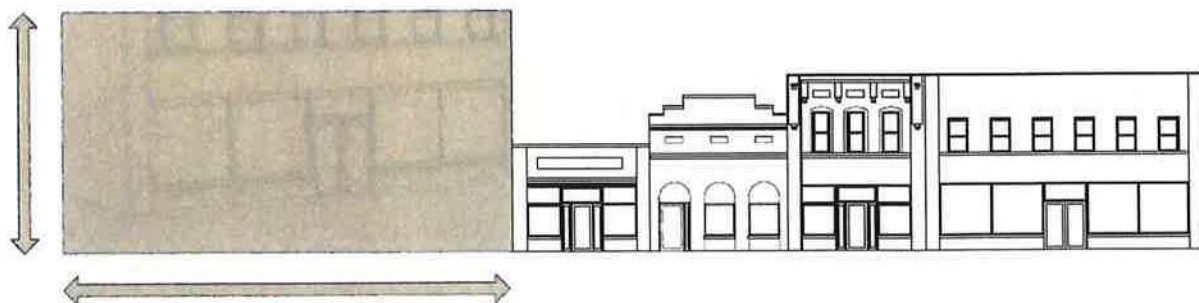
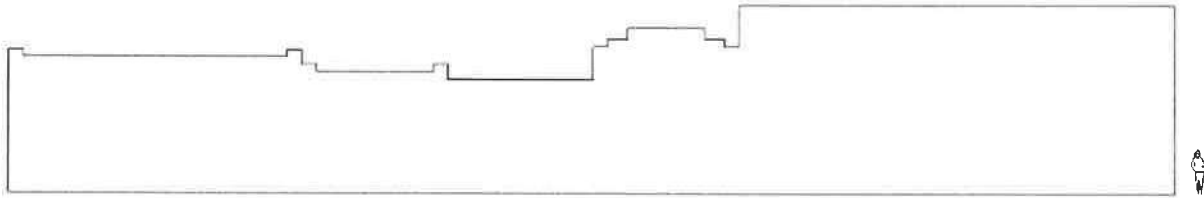
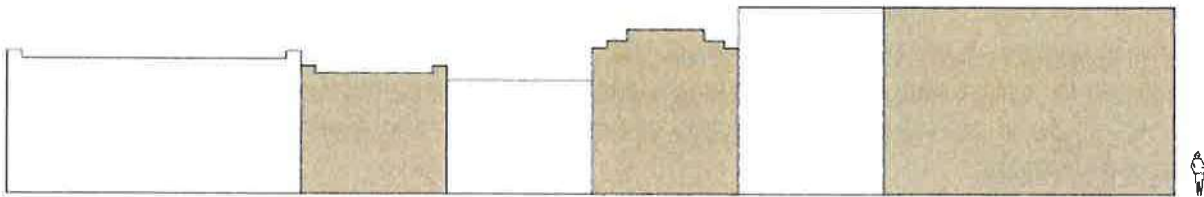


Diagram 5.11**5.14 HEIGHT AND WIDTH**

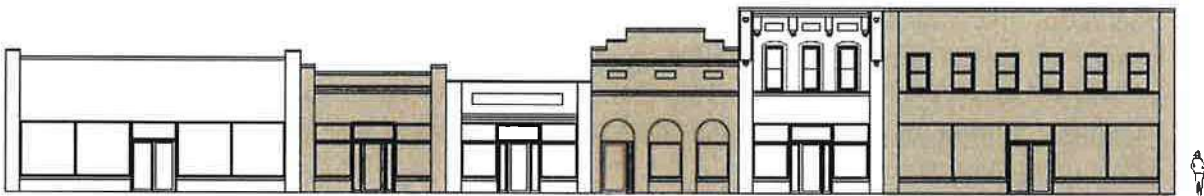
The actual size of a new building can either contribute to or be in conflict with a historic area. New construction proportions should respect the average height and width of the majority of existing neighboring commercial buildings in the district.



A large building overwhelms the scale of a human.



Dividing the facade into bays helps reduce the scale.



Adding elements and separate facades creates a human scale for the entire block.

Diagram 5.12**5.15. SCALE AND ORIENTATION**

Height and width also create scale, or the relationship between the size of a building and the size of a person. Scale also can be defined as the relationship of the size of a building to neighboring buildings and of a building to its site. The design features of a building can reinforce a human scale or can create a monumental scale. In Tupelo, there is a variety of scale. For instance, an institutional building like a church or library may have monumental scale due to its steeple or entry portico while a more human scale may be created by a storefront in a neighboring commercial building. Orientation refers to the direction in which the front of a building faces.

- a. Provide features on new construction that reinforce scale and character of the surrounding area, whether human or monumental, by including elements such as storefronts, vertical and horizontal divisions, upper stories windows and decorative features.

- b. New commercial construction should orient its facade in the same direction as adjacent historic buildings, that is, to the street.
- c. Front elevations oriented to side streets or to the interior of lots should be discouraged.

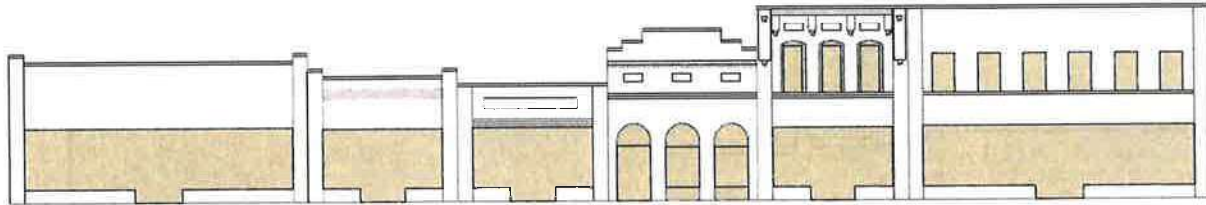


Diagram 5.13

5.16 OPENINGS: STOREFRONTS, DOORS AND WINDOWS

Commercial buildings in Tupelo have a variety of storefronts and some upper story windows. A number of storefronts have been reconfigured, but not all of are appropriate for a historic district. When looking to build a new infill commercial building, follow the guidelines below for appropriate design. Also refer to the rehabilitation section of this chapter for information on correct storefront proportion and design.

- a. The rhythm, patterns, and ratio of solids (walls) and voids (windows and doors) of new buildings should relate to and be compatible with adjacent facades. The majority of existing commercial buildings in Downtown Tupelo have a higher proportion of openings to wall area. This factor suggests that new buildings should also share that general proportion of openings to wall, particularly in regard to the storefront on the first level.
- b. The size and proportion, or the ratio of width to height of window openings of new buildings' primary facades, should be similar and compatible with those on facades of surrounding historic buildings.
- c. Window types should be compatible with those found in the district, which are typically some form of double-hung sash.
- d. Traditionally designed openings generally have a recessed jamb on masonry buildings and have a surface mounted frame on frame buildings. New construction should follow these methods in the historic district as opposed to designing openings that are flush with the rest of the wall.
- e. Many storefronts of Tupelo's historic buildings have typical elements such as transoms, cornices, bulkheads, and sign areas. Consideration should be given to incorporating such elements in the design of storefronts on new buildings.
- f. If small-paned windows are used in a new construction project, they should have true divided lights and not use clip-in fake muntin bars. Most major window manufacturers make a wide variety of windows that still have true divided lights.

5.17 MATERIALS AND TEXTURE

Almost all of the buildings in Tupelo's downtown commercial area are brick masonry, and a few have wood siding.

- a. The selection of materials and textures for a new commercial building should be compatible with and complement neighboring historic buildings.
- b. In order to strengthen the traditional image of the commercial area of the historic district, brick is the most appropriate material for new buildings.
- c. Synthetic sidings, such as vinyl, aluminum and synthetic stucco (EIFS products), are not historic cladding materials in the historic district and their use is not recommended.

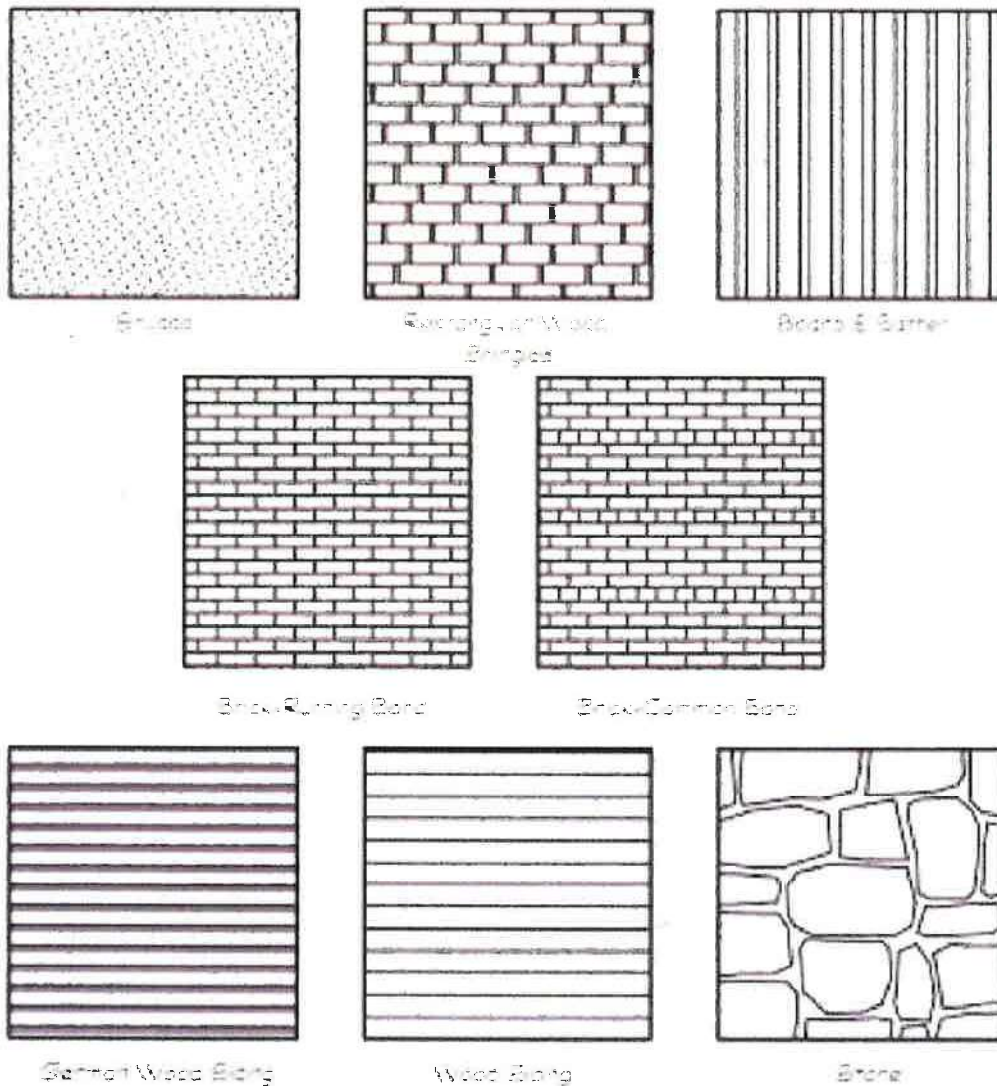


Diagram 5.14

5.18 PAINT AND COLOR

The selection and use of colors for a new commercial building should be coordinated and compatible with adjacent buildings. For further information, see the general painting guidelines

and illustrations.

5.19 DECORATIVE ELEMENTS

The details and decoration of Tupelo's commercial historic buildings vary tremendously with the different styles, periods, and types. Such details include cornices, roof overhang, lintels, sills, brackets, masonry patterns, shutters, entrance decoration, and storefront elements. The important factor to recognize is that many of the older commercial buildings in the district have decoration and noticeable details.

It is a challenge to create new designs that use historic details successfully. One extreme is to simply copy the complete design of a historic building and the other is to "paste on" historic details on a modern unadorned design. Neither solution is appropriate for designing architecture that relates to its historic context and yet still reads as a contemporary building. More successful new buildings may take their clues from historic images and reintroduce and reinterpret designs of traditional decorative elements.

5.20 PUBLIC ART

All public art must have Design Committee Approval.

5.21 NEW COMMERCIAL BUILDINGS ON INDUSTRIAL SITES

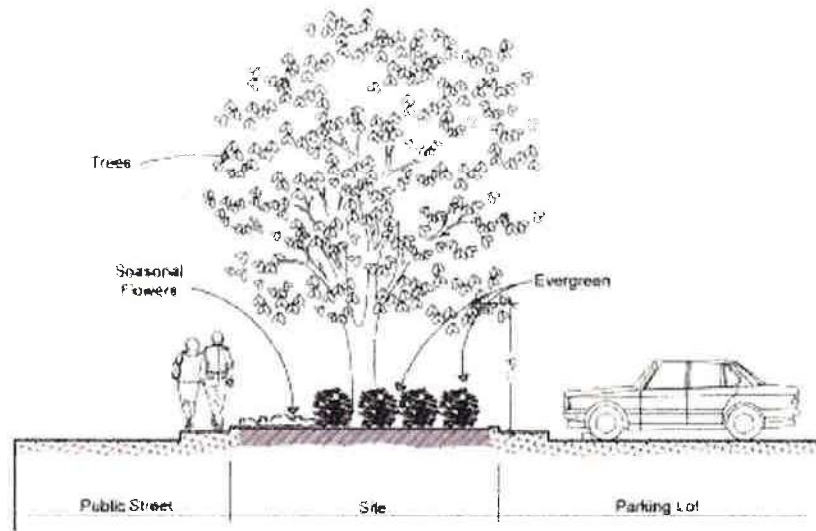
New commercial construction in Tupelo's Historic Downtown may occur on redevelopment of industrial sites. Redeveloping these sites encourages more building density in the historic district and allows an opportunity for a diversified commercial market. These new commercial buildings are another opportunity to create designs that respect the historic character in the surrounding areas. The following guidelines relate specifically to building being developed on former industrial sites.

a. Building Placement and Form

- i. New construction should relate in footprint and mass to the majority of surrounding historic dwellings.
- ii. In general, use simple rectangular forms that relate to the majority of surrounding commercial buildings.
- iii. Respect the expression of surrounding historic buildings.
- iv. If there are no surrounding commercial buildings, the new building should relate to existing commercial building forms in the historic downtown.
- v. New commercial construction should orient its facade in the same direction as adjacent historic buildings, that is, to the street.
- vi. Front elevations oriented to side streets or to the interior of lots should be discouraged.
- vii. Office or commercial parks should be designed using the same guidelines as for individual buildings. This includes issues such as street frontages, siting, signage, building materials and parking.

b. Building Materials and Details

- i. Building materials shall be compatible with existing commercial buildings in the historic district. Industrial materials, such as corrugated siding, are not appropriate for commercial buildings.
- ii. Provide features on new construction that reinforce scale and character of the surrounding area, whether human or monumental, by including elements such as storefronts, vertical and horizontal divisions, upper stories windows and decorative features.



Landscaped medians can screen large parking lots from view and provide nice shade for passing pedestrians.

Diagram 5.15

c. Parking

- i. New parking should be located to the sides and rears of buildings and should be screened with landscaping if the area is prominently visible from a public right-of-way.



Image 5.5

5.22 CIVIC AND INSTITUTIONAL BUILDINGS

The symbolism and function of town halls, courthouses, libraries, schools, churches and other civic and institutional buildings usually result in distinctive designs. These structures are the visual landmarks scattered throughout the community. They usually have a larger surrounding site and their architectural design reflects their importance in the life of the community.

- a. Recognize that the scale of these buildings may not visually relate to nearby buildings within the historic district.
- b. Design such buildings so that their materials and forms attempt to relate to surrounding structures if possible.

ADDITIONS

There are limited opportunities to make additions to many of Tupelo's commercial buildings. An exterior addition to a historic building may radically alter its appearance. Before an addition is planned, every effort should be made to accommodate the new use within the interior of the existing building. When an addition is necessary, it should be designed and constructed in a manner that will complement and not detract from the character defining features of the historic building.

These guidelines for additions apply to schools, churches, and other institutional buildings as well as commercial buildings in Tupelo's Historic Downtown

The design of new additions should follow the guidelines for new construction on all elevations that are prominently visible (as described elsewhere in this section.) There are several other considerations that are specific to new additions in the historic district listed below.

5.23 DESIGN

New additions should not destroy historic materials that characterize the property. The new work should be differentiated from the old and should be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

5.24 REPLICATION OF STYLE

A new addition should not be an exact copy of the design of the existing historic building. If the new addition appears to be a part of the existing building, the integrity of the original historic design is compromised and the viewer is confused over what is historic and what is new. The design of new additions can be compatible with and respectful of existing commercial buildings without being mimicry of their original design.

5.25 MATERIALS AND TEXTURES

Use materials, windows, doors, architectural detailing, roofs, and colors, which are compatible with the existing commercial historic building.

5.26 ATTACHMENT TO EXISTING BUILDING

Wherever possible, new additions or alterations to existing commercial buildings and structures shall be done in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the building or structure would be unimpaired.

Therefore, the new design should not use the same wall plane, roof line or cornice line of the existing structure.

5.27 SIZE

Limit the size of the addition so that it does not visually overpower the existing commercial building.

5.28 LOCATION

Attempt to locate the addition on the rear elevations or in a manner that makes them visually secondary to the primary elevation of the commercial structure. If the addition is located on a primary elevation facing the street or if a rear or side addition faces a street, parking area, or an important pedestrian route, the visible elevation of the addition should be treated under the new construction guidelines.

5.29 CONVERSION OF RESIDENCES TO COMMERCIAL USE

Several historic residences in Downtown Tupelo have been converted to commercial uses over the years. Conversion of residential buildings to commercial uses places new demands on these historic dwellings. These buildings require special care and consideration if their historic features are to be retained. The following are guidelines for preserving and rehabilitating residential buildings, which are in a commercial use.

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CHAPTER 6: SIGNS AND APURTENANCES

SIGNS

You must apply for a sign permit and receive approval before purchasing.

Signs are a vital part of the downtown scene. A balance should be struck between the need to call attention to individual businesses and the need for a positive image of the entire district. Signs can complement or detract from the character of a building depending on their design, placement, quantity, size, shape, materials, color and condition. Historically significant signs should be retained if possible on buildings, even if the business is no longer in existence.

Signs shall comply with Tupelo's sign ordinance except where stated otherwise.

The following guidelines apply to commercial and business uses in the Historic District. For complete information about Tupelo's Sign Regulations, reference the City of Tupelo Development Code.

- a. For residential buildings converted to commercial uses, flat signs attached to the wall at the first floor or suspended from the fascia between porch columns are appropriate. Signs attached to the structure should not cover any architectural detail.
- b. For residential buildings small projecting signs attached to the wall at the first floor or porch column are appropriate and should not be located higher than the top of the porch.
- c. Freestanding signs should be no higher than six (6) feet.
- d. Lighting of signs should be provided only by direct external lighting, such as flood lights or spot lights. External lighting sources should be shaded, shielded or directed so that the light intensity will not be objectionable to surrounding areas.
- e. Must apply for sign permit with Department of Development Services



Image 6.1

COMMERCIAL SIGNS

6.1 TYPES AND LOCATIONS OF SIGNS

- a. Place signs so that they do not obstruct architectural elements and details (including vents) that define the design of the building. Respect signs of adjacent businesses.
- b. Flat wall signs for commercial buildings can be located above the storefront, within the frieze of the cornice, on covered transoms, or on the pier that frames display windows or generally on flat, unadorned surfaces of the facade or in areas clearly suitable as sign locations.
- c. Projecting signs for commercial buildings should be at least 10 feet above the sidewalk and project no more than 3 feet from the surface of the building. They should not be placed above the cornice line of the first floor level unless they have a clearance of less than 10 feet. Wall signs shall not be higher than the roof line of the building.
- d. Window signs (interior and exterior) should be approximately 5.5 feet above the sidewalk at the center point for good pedestrian visibility. Optional locations could include 18 inches from the top or bottom of the display window glass.
- e. Window signs are also appropriate on the glazing of doors.
- f. Awning and canopy signs should be placed on the valance area only. The minimum space between the edge of the letter and the top and bottom of the valance should be 1.5 inches.



Image 6.2

6.2 NUMBER

- a. Each ground floor occupant of a business structure is permitted two business signs facing each street upon which his business fronts.
- b. The number of signs used should be limited to encourage compatibility with the building and discourage visual clutter.
- c. Of the two signs for a business, each should be a different type. A building should have only one wall sign per street frontage. Buildings on corner lots are allowed signs on both frontages.
- d. Businesses on the upper floors of a building are permitted one wall sign adjacent to the entrance.
- e. If customer access is provided at the rear of the building, property owners should consider reserving some of the building mounted sign allocation for identification of the business at that entry.



Image 6.3

6.3 SIZE

- a. In general, signs should be proportional to the building they are placed on. A sign that meets the Sign Ordinance requirements may not be appropriate given the scale of the building and the character established by the adjacent storefronts.
- b. The area of business signs upon a structure should not exceed one and one half (1 1/2) square feet of sign for every foot of front frontage of the building. The maximum square footage sign allotment should not exceed 150 square feet, except as approved by Design Committee.
- c. Flat wall signs should not exceed 18 inches in height and should not extend more than 6 inches from the surface of the building.
- d. Projecting signs should be a maximum of 6 square feet per face.
- e. Average height of letters and symbols should be no more than 12 inches on wall signs,

9 inches on awning and canopy signs, and 6 inches on window signs. When measuring letter signs the surface area of an attached sign shall be measured by finding the area of the minimum imaginary rectangle, which fully enclosed all words, copy or messages on the sign.

f. Window signs should obscure no more than 30 percent of the window glass.

6.4 MATERIALS

Use traditional sign materials such as wood, glass, gold leaf, raised individual metal or painted wood letters, and painted letters on wood, metal, or glass. Avoid the use of foam-molded letters. Plastic individual letters are discouraged. Wall signs should not be painted directly on the surface of masonry walls if the wall has not been previously painted. Window signs should be painted or have decal flat letters and should not be three-dimensional.

6.5 COLOR

Use colors that complement the materials and color scheme of the building, including accent and trim colors. Three colors are recommended, although more colors can be appropriate in exceptional and tastefully executed designs.

6.6 LIGHTING

Illuminated signs shall adhere to the following provisions and restrictions in addition to those stated in the sign ordinance.

- a. The light for or from any illuminated sign shall be so shaded, shielded or directed that intensity will not be objectionable to surrounding areas.
- b. No sign shall have blinking, flashing or fluttering lights or other illuminating device which has a changing light intensity, brightness or color.
- c. No colored lights shall be used at any location in any manner so as to be confused with or construed as traffic control devices.
- d. Neither the direct nor reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares.
- e. Neon signs must be approved.
- f. Canopies and awnings shall not have backlighting.

AWNINGS AND CANOPIES

Awnings can contribute to the overall image of downtown by providing visual continuity for an

entire block; helping to highlight specific buildings, and covering any unattractively remodeled transom areas above storefronts. They also protect pedestrians from the weather, shield window displays from sunlight and conserve energy.



Image 6.4

6.7 TYPES OF AWNINGS AND CANOPIES

- a. Standard Sloped Fabric Awnings: Whether fixed or retractable, sloped awnings are the traditional awning type and are appropriate for most historic buildings, both residential and commercial.
- b. Boxed or Curved Fabric Awnings: A more current design treatment, this type of awning may be used on non-historic or new commercial buildings on a case by case basis..
- c. Canopies and Marquees: Appropriate on some commercial buildings, canopies and marquees must fit the storefront design and not obscure important elements such as transoms or decorative glass.
- d. Aluminum or Plastic Awnings: These awnings are inappropriate for any buildings within the historic district.
- e. Pent, Eyebrow, and Mansard roofs are not allowed.

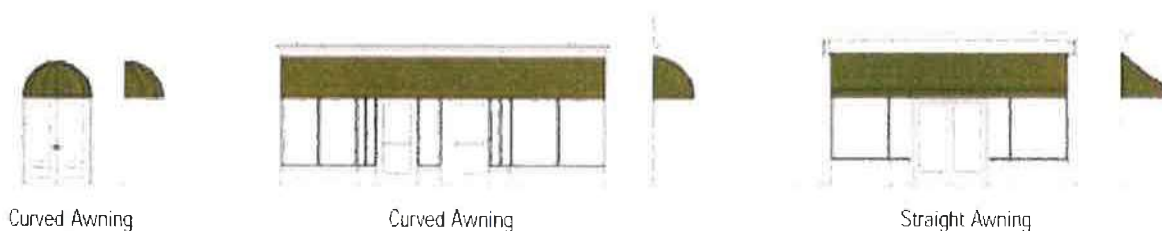


Diagram 6.1

6.8 DESIGN AND PLACEMENT

- a. Place awnings carefully within the storefront, porch, door, or window openings so they

do not obscure elements and do not damage materials.

- b. Choose designs that do not interfere with existing signs or distinctive architectural features of the building or with street trees or other elements along the street.
- c. Choose an awning shape that fits the opening in which it is installed.
- d. Make sure the bottom of the awning valance is at least eight (8) feet high.
- e. Avoid using metal or plastic awnings.
- f. Backlit awnings or canopies are prohibited.

6.9 FABRIC AND COLOR

- a. Coordinate colors with the overall building color scheme. Solid colors, wide stripes, and narrow stripes may be appropriate, but not overly bright or complex patterns.
- b. Avoid using shiny plastic-like fabrics.

6.10 SIGNS ON AWNINGS OR CANOPIES

- a. As appropriate, use the front panel or valance of an awning for a sign. Letters can be sewn, screened, applied or painted on the awning fabric; avoid hand-painted or individually made fabric letters that are not professionally applied.
- b. See the sign section for size and placement requirements for awning signs.

Chapter 7: Guidelines for Streetscape/Public Improvements

The publicly owned parts of Downtown Tupelo are as important as the private structures in helping define the unique character of the area. Probably the most distinctive aspect of downtown is Fairpark. This public area within the district has a dancing fountain, playground, public art, distinctive street furniture, and colorful banners. Fairpark is the town green, an area where citizens can gather for concerts, movies and birthday parties. The following streetscape guidelines encourage retaining such character defining features, expanding their use when the opportunity arises, and making additional improvements to create a streetscape that complements the downtown.

7.1 STREETS, PAVING AND PARKING

- a. Avoid widening existing streets without providing sidewalks, street trees, and other elements that maintain the street wall and emphasize the human scale.
- b. Any traffic improvements, such as traffic calming devices, should be designed to be compatible with the district, especially in the materials and colors used.
- c. Retain any remaining historic paving or curbing; and if any such material is uncovered in future public projects, consider reusing it or parts of it in the new project.
- d. Make street paving consistent throughout the district. Avoid the cosmetic patching of surfaces when more substantial repair is needed.
- e. Avoid paving over areas that could be used for plantings.
- f. Screen parking lots from streets and sidewalks with trees and shrubs and include interior planting islands to provide shade and visual relief from large expanses of asphalt.



Image 7.1

- g. Select fixtures that are appropriate to Downtown Tupelo.
- h. Avoid demolishing historic buildings for any parking areas or facilities.
- i. Attempt to provide sufficient parking on streets to prevent conversions of yards into parking lots.
- j. Ensure that the design of any new parking structure relates to the design guidelines.
- j. Attempt in the street-level design of any such facility to relate to pedestrians through the use of storefronts or display windows or other visual features.

7.2. CURBS AND SIDEWALKS

- a. Retain historic paving materials such as scored concrete and brick sidewalks.
- b. When sidewalks must be repaired, match adjacent materials (except for modern concrete) in design, color, texture, and tooling. Avoid extensive variation in sidewalk and curb materials.
- c. When sidewalks need replacement, use a paving unit such as brick or patterned concrete that relates to the scale of the district. Curbs likewise should be a material such as stone or exposed concrete aggregate. Avoid pouring concrete in continuous strips.
- d. Make sure sidewalks are continuous. Consider installing sidewalks where there currently are none.
- e. Expand brick crosswalks throughout the district to encourage more pedestrian activity.
- f. Avoid excessive curb cuts for vehicular access across pedestrian ways. Where curb cuts are necessary, mark them with a change in materials, color, texture, or grade.
- g. Avoid blocking the sidewalk with too many street furniture elements and remove obsolete signs and poles.
- h. Maintain a distinction between sidewalks and streets. Avoid paving sidewalks with asphalt and retain the curb strip.
- i. Continue to expand the installation of accessible ramps throughout the district.



Image 7.2

7.3 STREET FURNITURE AND LIGHTING

- a. Continue to use traditional designs for trash containers in the district, possibly matching other street furniture.
- b. Continue to place benches at key locations in the district. Continue to use traditional designs.
- c. Continue to make any existing or future street furniture, such as newspaper boxes, telephone booths, bicycle racks, drinking fountains, planters, and bollards compatible in design, color, and materials with existing elements.
- d. Avoid placing too many elements on narrow sidewalks.



Image 7.3

7.4. TREES, PLANTINGS AND OPEN SPACE

- a. Maintain the canopy effect of mature deciduous shade trees.
- b. Maintain existing plantings in all public areas, especially indigenous species. Plantings areas are especially appropriate in medians and curb strips.
- c. Consider installing street trees along more of the main streets in the district. Use indigenous and hardy species that require minimal maintenance.
- d. Consider installing landscaping, including trees, in areas like medians, divider strips and traffic islands. Site plantings so that they are protected from pedestrian and vehicular traffic, do not block views of storefronts and meet necessary traffic-safety standards.
- e. Expand the use of the existing portable planters. Site them so that they do not block narrow sidewalks and remove them in winter months when they are empty.



Image 7.4**7.5 PUBLIC SIGNS AND PLAQUES**

- a. Public Signs should be consistent in design, color and material.
- b. Promote the installation of local historical plaques commemorating significant events, buildings, and individuals in the district. These place-making elements play an important role in celebrating and communicating the history of the district.
- c. Avoid placing signposts in locations where they can interfere with the opening of vehicle doors; use the minimum number of signs necessary.

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Appendix A
Downtown Main Street Association
Design Committee Review Application



**Downtown Tupelo Main Street Association
Design Review Application**

Date: _____

Name: _____

Business Name: _____

Address: _____

Telephone: _____

Email Address: _____

Do you own the building? _____

If no, who owns the building: _____

A brief description of your project: _____

Supporting Materials Submitted: _____

Appendix B

Downtown Design Project Checklist

Project Checklist

- ___ Begin permit application with City of Tupelo's Development department
- ___ Based on the address of the property the Development department will determine Tupelo Main Street's Design Committee involvement
- ___ Submit application for Design Committee Review
- ___ The Downtown Main Street Association shall consider only such items of business at the meeting that have been presented to the Members three (3) weeks prior to the meeting.
- ___ Design Committee Review
- ___ Pending approval from the Design Committee, the application is forwarded to the city for the permit process. The Owner is sent a response from the Design Committee.
- ___ Complete city permit process with Development Services

Note: Changes, alterations, and modifications to the design approved from the Tupelo Main Street's Design Committee will need to be resubmitted to the Design Committee for approval.

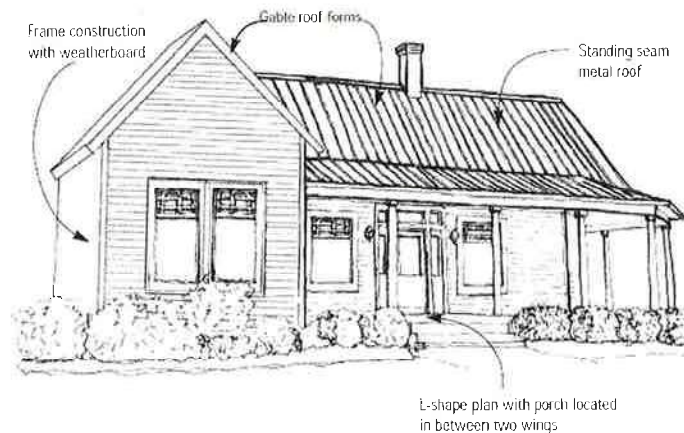
Appendix C
Typical Residential Architectural Styles
of the Central Business Overlay District

ARCHITECTURAL STYLES

The following drawings and photographs illustrate the most common architectural styles in Tupelo's Downtown District. Many of the buildings actually are simplified, or vernacular, versions of these more ornate styles. Some buildings exhibit elements from several styles. In other instances the style may be present in individual residences of commercial structures. The stylistic features identified in these drawings and photographs are examples of the kinds of distinctive elements that should be preserved when you rehabilitate your building and should be considered when designing new residences. Additional examples of commercial buildings styles may be found in *Chapter Three: Guidelines for Commercial Buildings*.

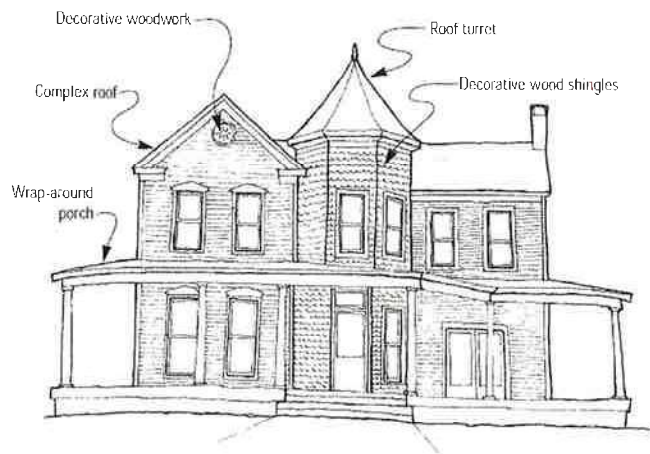
GABLE FRONT HOUSE (1870-1930)

These houses are often two stories though they can be one or one-and-one-half stories. They are generally frame construction and have weatherboards, although some may be brick veneer. Windows are double-hung and there may be a one-story half-hip porch that covers the façade of three-quarters of it. Occasionally there are two-story porches. Later versions of this form may have Craftsman influences, simple sawn or milled wood details, or Colonial Revival details.



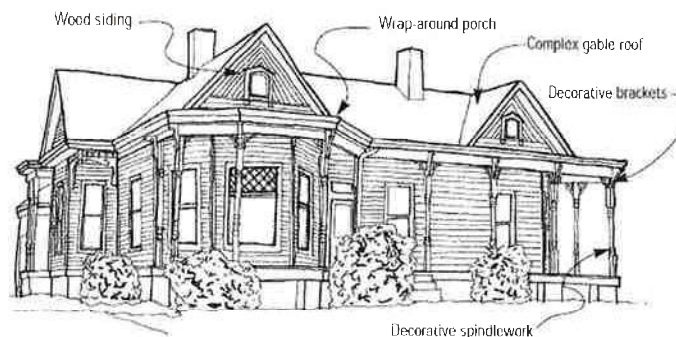
GABLED ELL HOUSE (1870-1910)

The Gabled Ell House, or Tri-Gabled House, consists of a gable front section with a side gable attached at right angles. This results in a L-plan or a T-plan, depending on where the two sections are attached. The house may have been originally constructed as a Gable Front House and added onto, forming a Gabled Ell House, or it may have been built this way originally. A one or two-story house is usually frame construction with weatherboarding but can have a brick or stone veneer. Porches are located in the "L" formed where the two wings meet and may wrap around to the side elevation. Double-hung windows are common. This form has Classical, Italianate, sawn or milled trim, or Queen Anne details. Sawn or milled wood details are seen on porches, windows or door surrounds. When the wing's roof is lower than that of the gabled section, the Gabled Ell House is sometimes called an Upright and Wing House.



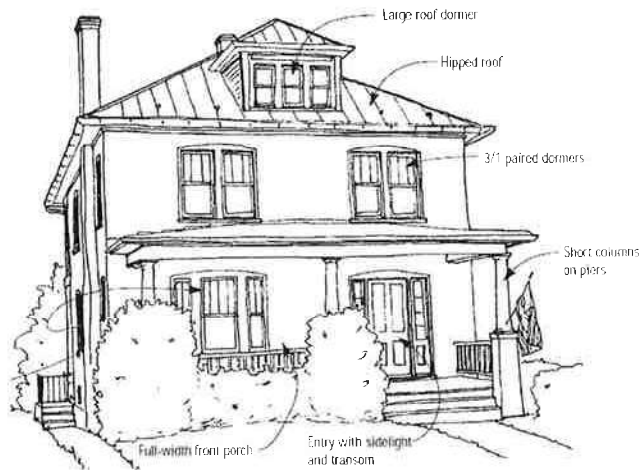
QUEEN ANNE (1880-1910)

These dwellings, commonly known as "Victorian," are characterized by a complex roof, vertical proportions, asymmetrical facades, and a wraparound porch. More elaborate examples are richly decorated with brackets, balusters, window surrounds, and other sawn millwork and use a variety of surface materials like shingles, wood siding, and brick. Roof turrets, decorative tall brick chimneys, and a variety of gable roofs highlight the skylines of these large-scale residences. Small cottage examples, seen frequently in Tupelo's Historic Downtown District, are only one or one-and-one-half stories in height. These cottages have a simpler form and vertical proportions. They are mostly identified by their complex roof forms and decorative detailing as shown below.



AMERICAN FOUR-SQUARE (1910-1930)

Another common form found in Tupelo in both large-scale and smaller, simpler version is the American Four-Square. It has a trademark hipped roof with a deep overhang, a dominant central dormer, and a full-width front porch, often with classical details. Its name comes from its square shape and four room plan. The exterior materials may be brick, wood or stucco. Some versions of this house were sold in pre-fabricated form from companies like Sears and Roebuck.



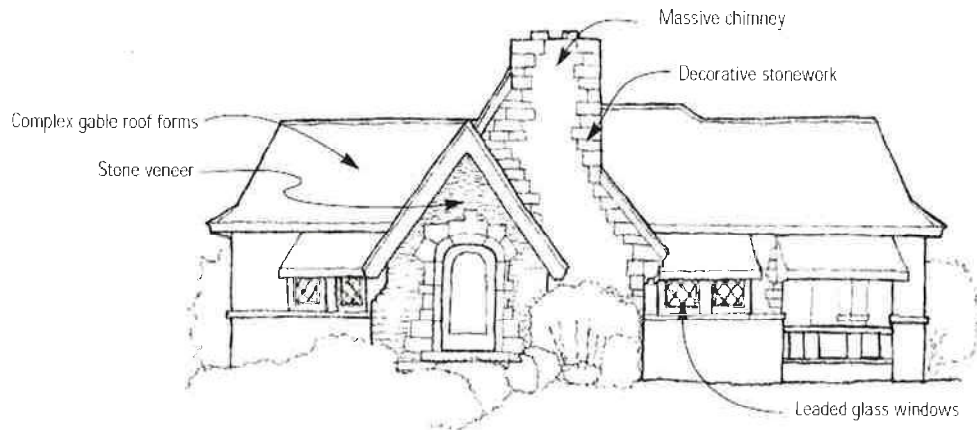
BUNGALOW (1910-1940)

Another house form that was often sold in prefabricated packages was the Bungalow style home. It is usually one or one-and-one-half stories, often with a large central roof dormer. Front porches frequently are contained within the overall roof form. Materials vary for bungalows, and include wood siding, wood shingles, brick, stone, stucco, and/or a combination of the above. The selection of materials and the decorative details often relate to the stylistic version of the bungalow design. Variations include **Craftsman**, **Tudor**, or simple vernacular.



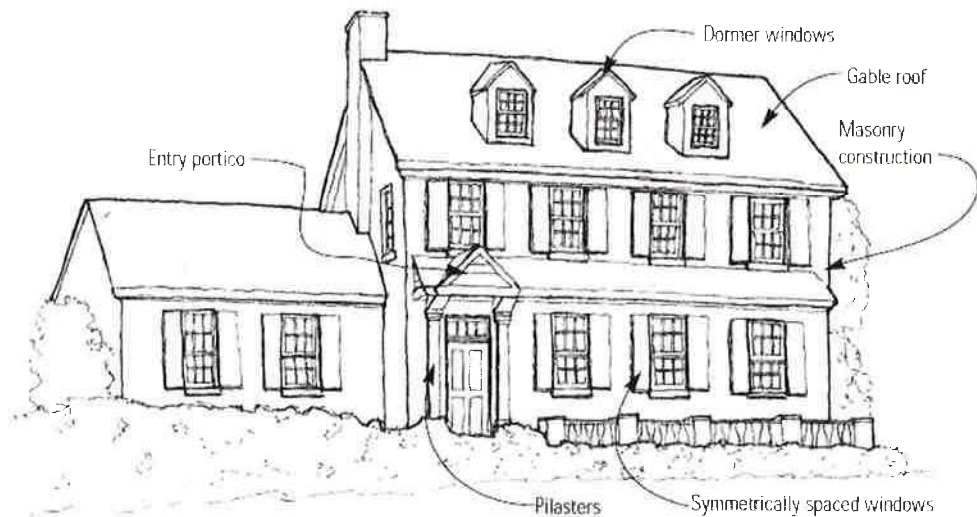
TUDOR REVIVAL/ENGLISH COTTAGE (1920-1940)

These dwellings are one or one-and-one-half stories with complex gable roof lines, roofed in slate, terra cotta or shingles. Multi-light windows used on this house can be casement, double hung or leaded glass. Chimneys are often massive and are sometimes crowned by decorative chimney pots. Tudor Revival houses tend to be frame with brick veneer or stucco and have false half-timberings as its dominant feature. English Cottage versions of this house usually have stone or brick veneer, with decorative stone quoins but no half-timbering.



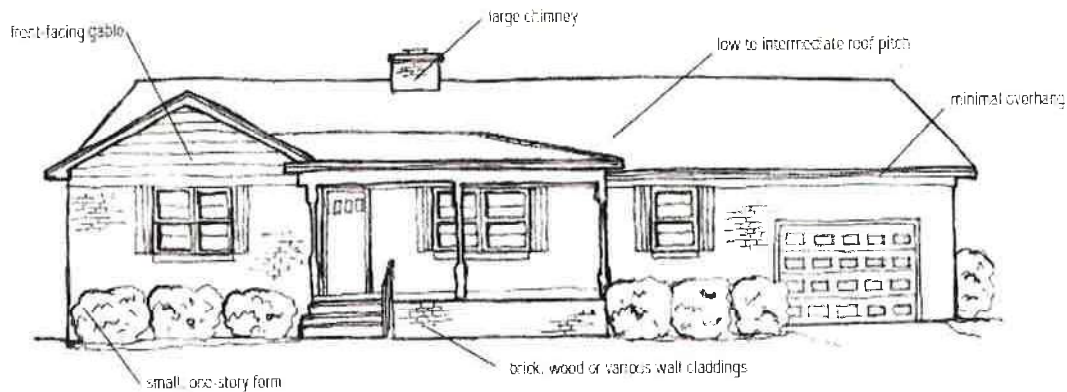
COLONIAL REVIVAL (1920-1960)

A very popular twentieth-century style found in Tupelo's Historic District is the Colonial Revival. Based loosely on Georgian and Federal precedents, this style is constructed usually of brick or wood with gable or hipped roofs. Windows have more horizontal proportions than the original styles. The typical Colonial Revival has a symmetrical façade, a classically inspired small portico, and a center-hall plan.



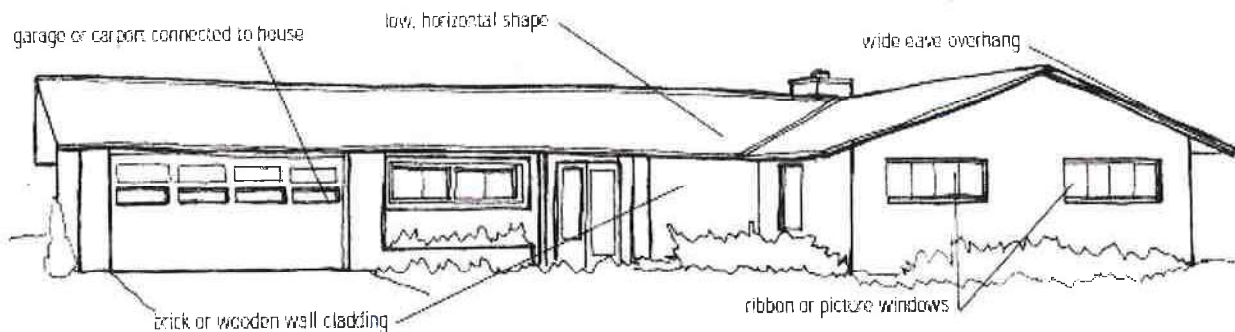
MINIMAL TRADITIONAL (1940-1960)

Many of these houses were built immediately preceding and following World War II. Materials are wood, brick, stone or a mixture. Most are one-story, but occasionally two-story examples are also seen. Roof pitches are low or intermediate, with no over-hanging eaves. Usually there is a large chimney and a front-facing gable, echoing Tudor cottage features. Detailing is simplified and often represents an earlier style, such as Colonial Revival.



RANCH (1950-1975)

The Ranch style was created in the mid-1930s by California architects and is loosely based on the Spanish Colonial style and Prairie elements, such as its low, horizontal shape with the rise of the automobile, the "rambling" form of the ranch style house was created. It maximizes the front façade width and uses a built-in garage as an extension of the house. Roof forms may be hipped, cross-gabled, and sometimes side-gabled. Eaves may have a moderate to wide overhang. Wood and brick cladding is prevalent and may be combined. Decorative iron porch supports and shutters are also common elements.



Appendix D

Guidelines for Main Street Design Committee

ARTICLE I

PURPOSE

SECTION 1. As part of the 4 Point Main Street Approach The Downtown Main Street Association (DTMSA) of the City of Tupelo, Mississippi created the Main Street Design Committee in December 2010. Hereinafter referred to as the Design Committee.

SECTION 2. The Design Committee is organized for the purposes of preserving historic and/or architectural value, creating an aesthetic atmosphere, strengthening the economy, promoting cultural welfare, stabilizing and improving property values, encouraging rehabilitation and compatible new construction and development, protecting and enhancing the City's attractions to tourists and visitors, and promoting education and patriotic heritage.

ARTICLE II

MEMBERSHIP

SECTION 1. The Design Committee Chairperson is nominated by the Organization Committee of DTMSA and confirmed by the Board of Directors. The Design Committee shall consist of a minimum of five (5) members (hereinafter referred to as "Members" or as a "Member") nominated by the Chairperson and confirmed by the Downtown Tupelo Main Street Association Board of Directors. The Design Committee shall consist of an architect, a representative of a local patriotic or historic organization, at least one member of the City of Tupelo Development Services Department, and one property owner. At least one (1) of the following disciplines shall also be represented on the Design Committee if individuals satisfying these categories are available:

1. Architect;
2. Law;
3. History;
4. Archeology;
5. Landscape architecture;
6. Real estate; or
7. Development services (i.e. zoning/planners/building inspectors)
8. Member of local artist community;
9. Engineer;
10. Public works.

SECTION 2. All Members shall serve without compensation.

SECTION 3. Any vacancy by reason of death, resignation, or other cause shall be filled for the unexpired term of the Member through appointment by the Committee

Chairperson within sixty (60) days of the vacancy, subject to confirmation by the Downtown Main Street Association Board of Directors.

ARTICLE III

MEETINGS

SECTION 1. Meetings shall be held monthly if a quorum is available.

SECTION 2. Five (5) Members shall constitute a quorum. A quorum shall be present before any business is transacted.

SECTION 3. Each Member is entitled to cast a vote. The concurring vote of a majority of those Members present shall constitute final action of the Design Committee on any matter before the Downtown Tupelo Main Street Association.

SECTION 4. A record of the vote on each question shall be kept as a part of the minutes of the Design Committee. If a Member is absent or if a Member does not vote, the record shall indicate such fact.

SECTION 5. Each Member will also be afforded the opportunity to cast their vote electronically via e-mail with a 'Read Receipt' attached to such e-mail. There is a 24-hour window to cast such votes electronically. A minimum of 5 electronic votes must be received to constitute actions.

SECTION 6. If any Member shall have a direct or indirect personal interest in any business before the Main Street Design Committee, such Member shall disclose the interest to said Committee and shall be disqualified from voting upon this business.

SECTION 7. The Downtown Main Street Association shall consider only such items of business at the meeting that have been presented to the Members three (3) weeks prior to the meeting. As an exception to the above, business not on the agenda may be considered only on the following basis:

- a. After the Chairperson considers additional business not on the agenda deserving of special consideration and presents the general nature of the business without going into specific details, all according to Robert's Rules of Orders, Revised; and
- b. After a motion for consideration of the business in question has been made and has received a majority vote of the Members present, all according to Robert's Rules of Orders, Revised.

SECTION 8. The order of business at a meeting shall be:

- a. Roll call to determine that a quorum is present;

- b. Reading and approval of the minutes of previous meeting;
- c. Old Business;
- d. New Business;
- e. Committee reports;
- f. Other Business; and
- g. Adjournment

SECTION 9. During a meeting, the case before the Main Street Design Committee shall be presented by the Chairperson, by a Member designated by the Chairperson, or other such persons as designated by the Chairperson. Interested parties shall then have the opportunity to submit comments either in person or in writing.

SECTION 10. A public record shall be kept of those speaking before the Main Street Design Committee at all public hearings or presenting comments in writing. All decisions shall be put in writing to develop services, applicants, and monthly reports to the Downtown Main Street Association Board of Directors.

ARTICLE IV

MEETING ATTENDANCE

SECTION 1. Members may be removed from membership for three (3) consecutive or more meeting absences in a 12-month period with a vote of the quorum of the committee.

SECTION 2. Absences due to personal sickness, family death, business travel or emergencies of like nature, shall be recognized as approved absences and shall not affect the Member's status on the Design Committee, except that in the event of a long illness or such other cause for a prolonged absence, the Member shall be replaced.

ARTICLE V

ADOPTION AND AMENDMENTS

SECTION 1. These by-laws shall be in full force and effect at the first meeting of the Main Street Design Committee and all subsequent meetings of the Main Street Design Committee that follow the adoption of a Resolution approving these by-laws.

SECTION 2. These by-laws may be amended or repealed only by the Downtown Main Street Association Board of Directors

ARTICLE VI

ORDER OF BUSINESS

Roberts Rules of Order, Revised, shall apply at all meetings, unless in conflict with provisions set forth in these by-laws as adopted and/or amended.

CERTIFICATION

I, BRANDON BISHOP, do hereby certify that I am the duly appointed, qualified and acting Chairperson of the **DOWNTOWN TUPELO MAIN STREET ASSOCIATION DESIGN COMMITTEE**, and that attached hereto is a true and correct copy of the duly adopted By-Laws of the Design Committee. I do further certify that said By-Laws have not been amended or rescinded and are in full force and effect on and as of the date hereof.

Brandon Bishop

Chairperson

Dated: July 5th, 2012

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Appendix E
City of Tupelo Sign Permit Application

CITY OF TUPELO SIGN PERMIT APPLICATION
 TUPELO ONE-STOP Department of Development Services
 PO Box 1435, Tupelo, MS 38802-1435
 1st Floor Phone: (662) 841-5414 FAX: (662) 841-5825
 3rd Floor Phone: (662) 841-5510 FAX: (662) 841-5550
 E-mail address: ou@tupelo.ms.us



NAME OF PROJECT	PROJECT STREET ADDRESS	TAX PARCEL NUMBER
OWNER'S NAME	ADDRESS	BUSINESS PHONE
SIGN CONTRACTOR	ADDRESS	BUSINESS PHONE
ELECTRICAL CONTRACTOR	ADDRESS	BUSINESS PHONE

PROJECT DESCRIPTION:

WRITE A DESCRIPTION OF WHAT YOU ARE DOING.

HAVE YOU OBTAINED YOUR CERTIFICATE OF OCCUPANCY OR BUILDING PERMIT? ☐ (yes or no)
 (A sign permit may not be issued unless a Certificate of Occupancy or Building Permit has been issued.)

DO YOU NEED AN ELECTRICAL PERMIT? ☐ HAVE YOU APPLIED FOR YOUR MATERIAL PURCHASE CERTIFICATE? ☐

GROUND SIGN

# OF SQ FT OF EXISTING SIGN:	PROPOSED # OF SQ FT FOR NEW SIGN:	HEIGHT OF NEW SIGN:	DISTANCE OF NEW SIGN FROM THE STREET:
NAME OF SIGN & INSTALLATION:			

WALL SIGN

# OF SQ FT OF EXISTING SIGN:	PROPOSED # OF SQ FT FOR NEW SIGN:	LINEAR WIDTH OF BUILDING SIDE WHERE SIGN IS TO BE PLACED:
NAME OF SIGN & INSTALLATION:		

TEMPORARY SIGNS (BANNERS, STREAMERS OR INFLATABLE)
 (Banners Or Streamers May Be Use For 2 Weeks Each Quarter. An Inflatable May Be Used For One Week.)

DATE OF LAST BANNER:	PROPOSED # OF SQUARE FEET FOR BANNER:	WHEN WILL BANNER BE USED?
NAME OF SIGN AND INSTALLATION:		

CERTIFICATION

I hereby certify that I have read and examined this application and know the contents to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified or not. I further agree to submit any revisions of this application or plans that are made during construction for approval from the Department of Planning and Community Development.

SIGN PERMITS ARE NULL AND VOID IF THE SIGN IS NOT INSTALLED WITHIN ONE YEAR OF PERMIT ISSUANCE

DATE:

SIGNATURE:

Submit

FOR OFFICE USE

PARCEL NUMBER:	ABLE TO COMPLY WITH 100 FEET SEPARATION REQUIREMENT:	BUILDING DISTANCE FROM RIGHT-OF-WAY:
DATE:	APPROVED:	
NOTE:		

Download the Sign Permit -

http://www.tupeloms.gov/development/files/2010/09/SIGN_PERMIT_APPLICATION.pdf

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EXHIBIT "D"



TUPELO HISTORIC PRESERVATION COMMISSION

Design Guidelines
for Local Historic Districts
Prepared by the
Historic Preservation Commission
Revised February 2010



City of Tupelo
County of Lee
State of Mississippi

Table of Contents

Goals of City Preservation Commission.....	9
• General Purpose of City Preservation Commission.....	9
• The Concept of Historic Significance.....	10
Preservation Practices.....	13
Secretary of Interior's Standards.....	14
• Guidelines for Preserving Historic Buildings	14
• Guidelines for Rehabilitating Historic Buildings	17
• How to Use the Guidelines	19
• Design for Missing Historic Features	22
• Alterations/Additions to Historic Buildings	22
• Energy Efficiency/Accessibility/Health and Safety	23
Important note on Accessibility.....	24
Applying the Standards Introduction and Use of Design Guidelines.....	25
• Certificate of Appropriateness Process	25
• Application and Review Procedures	26
• Application Checklist	30
Determination of the Commission.....	31
Maintenance or Repair.....	34
General Maintenance.....	35
• Introduction to Maintenance	
• Maintenance and Inspection Checklist	
Design Review General Standards.....	47
• General Design Guidelines	37
• Façade Treatments	45
• New Constructions/Additions	47
• Site Improvements	51
○ Accessory Building	
○ Signage	
○ Landscape and Plant Materials	
○ Fences and Walls	
○ Sidewalks, Drives, Parking, and Paving	
○ Exterior Lighting	
• Rehabilitations/Alterations.....	55
○ Primary Objectives	
○ General Standards	
○ Replacing Original Features	
○ Existing Alterations	
○ Materials	

○ Trim and Ornament	
○ Roofs	
○ Windows	
▪ Appropriate/Inappropriate	
▪ Storm Windows	
○ Entrances and Doorways	
○ Porches	
○ Signage	
○ Foundations	
○ Surface Cleaning	
• Additions.....	61
○ Standards	
○ Original Design Character	
• New Construction.....	64
• Public and Common Areas.....	66
• Demolition of Structures.....	69
• Storefronts.....	70
Acknowledgments.....	77
Appendix A.....	79
Copy of City of Tupelo Preservation Ordinance	
Appendix B Glossaries.....	94
• B 1 Glossary of Architectural Terms	
• B 2 Glossary of Preservation Terms	
Appendix C.....	107
Sample Documents	
Appendix D.....	115
Resources	
Appendix E	121
History of City of Tupelo	
Timeline of Tupelo History	
Local Historic Districts	
Mill Village	
Location/Verbal Description	
Map of Mill Village Historic District	
History and Architecture	

Joyner Historic District
Location/Verbal Description
Map of Joyner Historic District
History and Architecture

Future Districts



TUPELO HISTORIC PRESERVATION COMMISSION

Goals of the Historic Preservation Commission

General Purpose of City Preservation Commission

Preservation is saving for future generations what is unique about our community; therefore the purpose of the Tupelo Historic Preservation Commission is to acknowledge the historic significance of local resources and to:

- Protect, enhance, and perpetuate resources that represent distinctive and significant elements of the city's historical, cultural, social, economic, political, archaeological, and architectural identity;
- Insure the harmonious, orderly, and efficient growth and development of the City
- Strengthen civic pride and cultural stability through neighborhood conservation;
- Stabilize the economy of the City through the continued use, preservation, and revitalization of its resources;
- Protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided;
- Promote the use of resources for the education, pleasure and welfare of the people of the City of Tupelo
- Provide a review process for the preservation and appropriate development of City resources.

The Concept of Historic Significance

What makes a property historically significant?

In general, properties must be at least 50 years old before they can be evaluated for potential historic significance, although exceptions do exist when a more recent property clearly has historical value. A property may be significant for one or more of the following reasons:

- Association with events that contributed to the broad patterns of history, the lives of significant people or the understanding of a community's prehistory or history
- Construction and design associated with distinctive characteristics of a building type, period or construction method
- An example of an architect or master craftsman or an expression of particularly high artistic values
- Integrity of location, design, setting, materials, workmanship, feeling and association that form a district
- An established and familiar natural setting or visual feature of the community

Period of Significance

In most cases, a property is significant because it represents or is associated with a particular period in its history. Frequently, this begins with the construction and continues through the peak of its early occupation. Building fabric and features that date from the period of significance typically contribute to the defining character of the structure.

Historic districts also have a period of significance. Specifically to each district, there is a more concise "period of significance" noted in the development. Throughout each of these periods the historic districts have been witness to a countless number of buildings and additions, which have become an integral part of the neighborhood. Conversely, several structures have been built or alterations have been made after this period, which are generally considered non-contributing and may be considered for removal or replacement. In general keep this in mind.

Introduction and Use of the Design Guidelines

Interest in historic preservation and rehabilitation of historic structures has widely increased in past fifty years. Historic structures and districts contribute to the character of a city not only economically and aesthetically, but provide a sense of pride for the past endeavors of area citizens as well as provide knowledge of surroundings to current citizens. Historic structures represent a visual record of the architectural, economic, and social history of our area.

As part of the projected program for the use and protection of historic resources, a preservation ordinance was enacted by the City Council in June 2005. By November of the same year, the Tupelo Historic Preservation Commission had been formed to provide guidance and assistance to individuals and groups in protecting our cultural heritage in historic structures. [See Ordinance, Appendix A]

Working along with the Mississippi Department of Archives and History, the city became a Certified Local Government (CLG) in March 2006.

In part, the Historic Preservation Commission plans to use the CLG program and Local Historic Districts (LHD) as marketing tools to revive and protect historic areas of our city.

Why Guidelines? And How to Use Them!

Guidelines are meant to serve as encouragement for preservation, to protect, and promote. Guidelines offer general recommendations for preservation, rehabilitation, alteration, and new construction in local historic districts.

Guidelines address the restoration/rehabilitation of existing buildings such as additions and accessory structures. All exterior work, including maintenance, which affects the historic character of the building, must be submitted to the respective Review Board in order to receive a building permit in the form of a Certificate of Appropriateness (COA). Broad measures of landscaping, parking, and signage are also reviewed.

Property owners, architects, contractors, public officials, and other members of the community will experience benefits for use of design guidelines. The guidelines will affect only the exterior of historic buildings. Principles of use are consistent with those of the United States Department of the Interior and are compiled for use in the *Secretary of the Interior's Standards for the Preservation Historic Structures and the Rehabilitation of Historic Structures*.

These guidelines are tailored to the community. They are based on a study of the older and historic areas of the city; the types of buildings found the districts, preservation uses and challenges, and the current policies and goals of the City of Tupelo. The town is divided into sub-areas or local districts, and the district character of each of these smaller segments is described.

All tenants, property owners, design professionals, and contractors within the district boundaries should use guidelines.

Preservation Practices

Introduction to Preservation Practices

Restoration, Renovation, and Rehabilitation

Restoration is the process of returning a property to either the original or to a specific timeframe in the history of the structure. Use of period materials and removal of any improper materials or alterations are required.

Renovation is the process of repairing the historic property not necessarily to the exact original but often to an upgraded version using easily obtained contemporary materials and plans.

Rehabilitation or Adaptive Reuse as is often referred to is the “process of returning a property to a state of utility, through repair or alteration which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values,” as stated by the federal government guidelines.

Respecting the historic character of structures and preserving as many of the original historic materials and details as possible will make for a successful rehabilitation. The ability to return the structure to its original configuration should be a high consideration in the rehabilitation of historic properties.

The Preservation Commission of Tupelo will use the Secretary of the Interior's Standards for the basic and broader preservation tool with expanded suggestions and examples of preservation practices suitable for the local area and for the specific historic significance of the city's resources.

Secretary of Interior's Standards

Standards for Preserving Historic Buildings

Preservation: The Approach

When the property's distinctive materials, features, and spaces are essentially intact and thus convey the historic significance without extensive repair or replacement; when depiction at a particular period of time is not appropriate; and when a continuing or new use does not require additions or extensive alterations, Preservation may be considered as a treatment. Prior to undertaking work, a documentation plan for Preservation should be developed.

Choosing Preservation as a Treatment

In Preservation, the options for replacement are less extensive than in the treatment, Rehabilitation. This is because it is assumed at the outset that building materials and character-defining features are essentially intact, i.e., that more historic fabric has survived, unchanged over time. The expressed goal of the **Standards for Preservation and Guidelines for Preserving Historic Buildings** is retention of the building's existing form, features and detailing. This may be as simple as basic maintenance of existing materials and features or may involve preparing a historic structure report, undertaking laboratory testing such as paint and mortar analysis, and hiring conservators to perform sensitive work such as reconstituting interior finishes. Protection, maintenance, and repair are emphasized while replacement is minimized.

Identify, Retain, and Preserve Historic Materials and Features

The guidance for the treatment **Preservation** begins with recommendations to identify the form and detailing of those architectural materials and features that are important in defining the building's historic character and which must be retained in order to preserve that character. Therefore, guidance on ***identifying, retaining, and preserving*** character-defining features is always given first. The character of a historic building may be defined by the form and detailing of exterior materials, such as masonry, wood, and metal; exterior features, such as roofs, porches, and windows; interior materials, such as plaster and paint; and interior features, such as moldings and stairways, room configuration and spatial relationships, as well as structural and mechanical systems; and the building's site and setting.

Stabilize Deteriorated Historic Materials and Features as a Preliminary Measure

Deteriorated portions of a historic building may need to be protected thorough preliminary stabilization measures until additional work can be undertaken. ***Stabilizing*** may include structural reinforcement, weatherization, or correcting unsafe conditions. Temporary

stabilization should always be carried out in such a manner that it detracts as little as possible from the historic building's appearance. Although it may not be necessary in every preservation project, stabilization is nonetheless an integral part of the treatment. Preservation; it is equally applicable, if circumstances warrant, for the other treatments.

Protect and Maintain Historic Materials and Features



Preservation of the exterior of the Hale House, Los Angeles, California, involved repainting the exterior walls and decorative features in historically appropriate colors. An excellent example of the Preservation treatment focused upon the ongoing maintenance of historic materials and features. Photo: Before, NPS files; After: Bruce Boehner.

After identifying those materials and features that are important and must be retained in the process of **Preservation** work, then *protecting and maintaining* them are addressed. Protection generally involves the least degree of intervention and is preparatory to other work. For example, protection includes the maintenance of historic materials through treatments such as rust removal, caulking, limited paint removal, and re-application of protective coatings; the cyclical cleaning of roof gutter systems; or installation of fencing, alarm systems and other temporary protective measures. Although a historic building will usually require more extensive work, an overall evaluation of its physical condition should always begin at this level.

Repair (Stabilize, Consolidate, and Conserve) Historic Materials and Features

Next, when the physical condition of character-defining materials and features requires additional work, *repairing by stabilizing, consolidating, and conserving* is recommended. **Preservation** strives to retain existing materials and features while employing as little new material as possible. Consequently, guidance for repairing a historic material, such as masonry, again begins with the least degree of intervention possible such as strengthening fragile materials through consolidation, when appropriate, and repointing with mortar of an appropriate strength. Repairing masonry as well as wood and architectural metal features

may also include patching, splicing, or otherwise reinforcing them using recognized preservation methods. Similarly, within the treatment **Preservation**, portions of a historic structural system could be reinforced using contemporary materials such as steel rods. All work should be physically and visually compatible, identifiable upon close inspection and documented for future research.

Limited Replacement In Kind of Extensively Deteriorated Portions of Historic Features

If repair by stabilization, consolidation, and conservation proves inadequate, the next level of intervention involves the ***limited replacement in kind*** of extensively deteriorated or missing parts of features when there are surviving prototypes (for example, brackets, dentils, steps, plaster, or portions of slate or tile roofing). The replacement material needs to match the old both physically and visually, i.e., wood with wood, etc. Thus, with the exception of hidden structural reinforcement and new mechanical system components, substitute materials are not appropriate in the treatment **Preservation**. Again, it is important that all new material be identified and properly documented for future research. If prominent features are missing, such as an interior staircase, exterior cornice, or a roof dormer, then a Rehabilitation or Restoration treatment may be more appropriate.

Energy Efficiency/Accessibility Considerations/Health and Safety Code Considerations

These sections of the **Preservation** guidance address work done to meet accessibility requirements and health and safety code requirements; or limited retrofitting measures to improve energy efficiency. Although this work is quite often an important aspect of preservation projects, it is usually not part of the overall process of protecting, stabilizing, conserving, or repairing character-defining features; rather, such work is assessed for its potential negative impact on the building's historic character. For this reason, particular care must be taken not to obscure, damage, or destroy character-defining materials or features in the process of undertaking work to meet code and energy requirements.

Standards for Rehabilitation

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

- 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.**
- 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.**
- 3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.**
- 4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.**
- 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.**
- 6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.**

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Guidelines for Rehabilitating Historic Buildings

Introduction to the Guidelines

The **Guidelines for Rehabilitating Historic Buildings** were initially developed in 1977 to help property owners, developers, and Federal managers apply the Secretary of the Interior's **Standards for Rehabilitation** during the project planning stage by providing general design and technical recommendations. Unlike the Standards, the Guidelines are not codified as program requirements.

Together with the Standards for Rehabilitation they provide a model process for owners, developers, and Federal agency managers to follow.

The Guidelines are intended to assist in applying the Standards to projects generally; consequently, they are not meant to give case-specific advice or address exceptions or rare instances. For example, they cannot tell owners or developers which features of their own historic building are important in defining the historic character and must be preserved—although examples are provided in each section—or which features could be altered, if necessary, for the new use. This kind of careful case-by-case decision-making is best accomplished by seeking assistance from qualified historic preservation professionals in the planning stage of the project. Such professionals include architects, architectural historians, historians, archeologists, and others who are skilled in the preservation, rehabilitation, and restoration of the historic properties.

The Guidelines pertain to historic buildings of all sizes, materials, occupancy, and construction types; and apply to interior and exterior work as well as new exterior additions. Those approaches, treatments, and techniques that are consistent with the Secretary of the Interior's "Standards for Rehabilitation" are listed in **bold-face type** under the "**Recommended or Acceptable**" section in each topic area; those approaches, treatments, and techniques which could adversely affect a building's historic character are listed in the "**Not Recommended or Not Acceptable**" section in each topic area.

To provide clear and consistent guidance for owners, developers, and Federal agency managers to follow, the "Recommended" courses of

action in each section are listed in order of historic preservation concerns so that a rehabilitation project may be successfully planned and completed—one that, first, assures the preservation of a building's important or "character-defining" architectural materials and features and, second, makes possible an efficient contemporary use.

- A. Rehabilitation guidance in each section begins with **protection and maintenance**, that work which should be maximized in every project to enhance overall preservation goals.
- B. Next, where some deterioration is present, **repair** of the building's historic materials and features is recommended.
- C. Finally, when deterioration is so extensive that repair is not possible, the most problematic area of work is considered: **replacement** of historic materials and features with new materials.

To further guide the owner and developer in planning a successful rehabilitation project, those complex design issues dealing with new use requirements such as alterations and additions are highlighted at the end of each section to underscore the need for particular sensitivity in these areas.

How to Use The Guidelines

Identify, Retain, and Preserve

The guidance that is basic to the treatment of all historic buildings—*identifying, retaining, and preserving* the form and detailing of those architectural materials and features that are important in defining the historic character—is always listed first in the "Recommended" area. The parallel "Not Recommended" area lists the types of actions that are most apt to cause the diminution or even loss of the building's historic character. It should be remembered, however, that such loss of character is just as often caused by the cumulative effect of a series of actions that would seem to be minor interventions. Thus, the guidance in *all* of the "Not Recommended" areas must be viewed in that larger context, e.g., for the total impact on a historic building.

Protect and Maintain

After identifying those materials and features that are important and must be retained in the process of rehabilitation work, then ***protecting and maintaining*** them are addressed. Protection generally involves the least degree of intervention and is preparatory to other work. For example, protection includes the maintenance of historic material through treatments such as rust removal, caulking, limited paint removal, and re-application of protective coating; the cyclical cleaning of roof gutter systems; or installation of fencing, protective plywood, alarm systems and other temporary protective measures. Although a historic building will usually require more extensive work, an overall evaluation of its physical condition should always begin at this level.

Repair

Next, when the physical condition of character-defining materials and features warrants additional work ***repairing*** is recommended. Guidance for the repair of historic materials such as masonry, wood, and architectural metals again begins with the least degree of intervention possible such as patching, piecing-in, splicing, consolidating, or otherwise reinforcing or upgrading them according to recognized preservation methods. Repairing also includes the limited replacement in kind—or with compatible substitute material—of extensively deteriorated or missing parts of features when there are surviving prototypes (for example, brackets, dentils, steps, plaster, or portions of slate or tile roofing). Although using the same kind of material is always the preferred option, substitute material is acceptable if the form and design as well as the substitute material itself convey the visual appearance of the remaining parts of the feature and finish.

Replace

Following repair in the hierarchy, guidance is provided for ***replacing*** an entire character-defining feature with new material because the level of deterioration or damage of materials precludes repair (for example, an exterior cornice; an interior staircase; or a complete porch or storefront). If the essential form and detailing are still evident so that the physical evidence can be used to re-establish the feature as an integral part of the rehabilitation project, then its replacement is appropriate. Like the guidance for repair, the preferred option is always replacement of the

entire feature in kind, that is, with the same material. Because this approach may not always be technically or economically feasible, provisions are made to consider the use of a compatible substitute material.

It should be noted that, while the National Park Service guidelines recommend the replacement of an entire character-defining feature under certain well-defined circumstances, they never recommend removal and replacement with new material of a feature that—although damaged or deteriorated—could reasonably be repaired and thus preserved.

Design for Missing Historic Features

When an entire interior or exterior feature is missing (for example, an entrance, or cast iron facade; or a principal staircase), it no longer plays a role in physically defining the historic character of the building unless it can be accurately recovered in form and detailing through the process of carefully documenting the historical appearance. Where an important architectural feature is missing, its recovery is always recommended in the guidelines as the *first* or preferred, course of action. Thus, if adequate historical, pictorial, and physical documentation exists so that the feature may be accurately reproduced, and if it is desirable to re-establish the feature as part of the building's historical appearance, then designing and constructing a new feature based on such information is appropriate. However, a second acceptable option for the replacement feature is a new design that is compatible with the remaining character-defining features of the historic building. The new design should always take into account the size, scale, and material of the historic building itself and, most importantly, should be clearly differentiated so that a false historical appearance is not created.

Alterations/Additions to Historic Buildings

Some exterior and interior alterations to historic building are generally needed to assure its continued use, but it is most important that such alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, or finishes.

Alterations may include providing additional parking space on an existing historic building site; cutting new entrances or windows on secondary elevations; inserting an additional floor; installing an entirely new mechanical system; or creating an atrium or light well. Alteration may also include the selective removal of buildings or other features of the environment or building site that are intrusive and therefore detract from the overall historic character.

The construction of an exterior addition to a historic building may seem to be essential for the new use, but it is emphasized in the guidelines that such new additions should be avoided, if possible, and considered only after it is determined that those needs cannot be met by altering secondary, i.e., non character-defining interior spaces. If, after a thorough evaluation of interior solutions, an exterior addition is still judged to be the only viable alternative, it should be designed and constructed to be clearly differentiated from the historic building and so that the character-defining features are not radically changed, obscured, damaged, or destroyed.

Additions to historic buildings are referenced within specific sections of the guidelines such as Site, Roof, Structural Systems, etc., but are also considered in more detail in a separate section, New Additions to Historic Buildings.

Energy Efficiency/Accessibility Considerations/Health and Safety Considerations

These sections of the rehabilitation guidance address work done to meet accessibility requirements and health and safety code requirements; or retrofitting measures to conserve energy. Although this work is quite often an important aspect of rehabilitation projects, it is usually not a part of the overall process of protecting or repairing character-defining features; rather, such work is assessed for its potential negative impact on the building's historic character. For this reason, particular care must be taken not to radically change, obscure, damage, or destroy character-defining materials or features in the process of rehabilitation work to meet code and energy requirements.

**IMPORTANT NOTE on ACCESSIBILITY:
SECRETARY OF THE INTERIOR'S STANDARDS—ACCESSIBILITY**

Recommended:

Identifying the historic building's character-defining spaces, features, and finishes so that accessibility code-required work will not result in their damage or loss.

Not Recommended:

Undertaking code-required alterations before identifying those spaces, features or finishes that are character-defining and must therefore be preserved.

Recommended:

Complying with barrier-free access requirements, in such a manner that character-defining spaces, features, and finishes are preserved.

Not Recommended:

Altering, damaging, or destroying character-defining features in attempting to comply with accessibility requirements.

Recommended:

Working with local disability groups, access specialists, and historic preservation specialists to determine the most appropriate solution to access problems.

Not Recommended:

Making changes to buildings without first seeking expert advice from access specialists and historic preservationists, to determine solutions.

Recommended:

Providing barrier-free access that promotes independence for the disabled person to the highest degree practicable, while preserving significant historic features.

Not Recommended:

Providing access modifications that do not provide a reasonable balance between independent, safe access and preservation of historic features.

Recommended:

Designing new or additional means of access that are compatible with the historic property and its setting.

Not Recommended:

Designing new or additional means of access without considering the impact on the historic property and its setting.

For more information check website:

<http://www.cr.nps.gov/hps/tps/tax/rhb/index.htm>

Applying the Standards

Certificate of Appropriateness Process Authority of the Commission

The Local Preservation Ordinance was established along with the Tupelo Historic Preservation Commission and provided that, for private and public properties alike:

- The Commission may recommend buildings, structures, sites and districts to the Tupelo City Council for designation as historic properties or districts.
- No historic property may be demolished without first having received a Certificate of Appropriateness from the Commission.
- No building or structure in a historic district may be erected, demolished or moved, and no material change in the exterior appearance of such historic property (including signs) shall be made or permitted to be made without first having received a Certificate of Appropriateness from the Commission.
- Demolition by neglect and the failure to maintain an historic property or a structure in an historic district shall constitute a change for which a Certificate of Appropriateness is necessary.
- No new construction within a historic district shall commence without first having received a Certificate of Appropriateness from the Commission.

The Commission shall issue a Certificate of Appropriateness if it determines the proposed changes would not have a substantial adverse effect on the aesthetic, historic or architectural significance and value of the property or historic district. In making this determination, the Commission shall consider, in addition to any other pertinent factors, the historical and architectural value and significance, architectural style, general design arrangement, texture and materials of the architectural features involved and their relationship to the exterior

architectural style and pertinent features of the other structures in the immediate neighborhood.

The Commission shall deny a Certificate of Appropriateness if it finds that the proposed changes would have a substantial adverse effect on the aesthetic, historic or architectural significance and value of the property or historic district.

The Commission shall not grant a Certificate of Appropriateness for demolition or relocation without reviewing at the same time specific post-demolition and/or post-relocation plans for the site.

Application and Review Procedures:

Applications for Certificates of Appropriateness shall be reviewed by the Commission and afforded a public hearing, with notice given as provided in the Commission's rules and procedures. The Commission shall approve or reject the application at the hearing and shall notify by mail the applicant, the chief building official of the City of Tupelo and all other persons having requested notice in writing. Such notification shall include any conditions agreed to by the applicant or, in the case of denial, reasons for same. The application and all supporting information provided to the Commission shall be maintained in the files of the Commission as a public record.

The following are the steps in the Certificate of Appropriateness application and review process:

1. Determine if the Project Requires Commission Approval

Other permitting agencies require a Certificate of Appropriateness from the Commission before they will act on any permit application in a designated local historic district. Therefore an applicant should contact the Commission as early as possible in the planning of the project.

2. Meet with the Commission staff before filing an Application

The Commission staff may arrange a pre-application meeting, to include staff representatives from other affected boards, agencies, departments and commissions. This should be accomplished prior to design of any proposed changes to the exterior of a property to assist the applicant to determine what

coordination with other agencies may be necessary. The meeting also will help determine the appropriate level of detail for the attachments to the application form—and information and material from other permitting agencies.

3. File an Application

If a Certificate of Appropriateness is required, the Commission staff will advise regarding completion of an application and in determining what documentation will be needed for the project to be evaluated. Because the circumstances of each application and each property are different, the necessary documentation can vary considerably. All proposed projects require a completed application form. Most proposals will require some form of drawings, the detail determined by the scope of the project. A checklist is attached to the application, which the applicant and Commission shall use to determine what will be required to adequately document and support the project application. For major work, as defined in the Appendix, involving new construction, additions, and significant exterior alterations, the application should include at least the following drawings:

a. **Dimensioned site plans**—one with existing site conditions, one with proposed site conditions—at a scale not less than 1"=10' showing the location of all buildings, additions, drives, sidewalks, fences, exterior lighting, large trees, landscaping, and other site work in context with the same information (except lighting) on adjoining properties within fifty feet of the subject property.

b. **Dimensioned exterior elevations of all sides of new buildings.** For additions and other significant alterations, elevations should be provided of all sides of the building from which new work. Drawings for additions and alterations should include elevations of both existing and proposed construction ("before and after" elevations), with each condition labeled appropriately. All elevations should be at a scale not less than ¼"=1'-0", and all should be of sufficient detail, both graphic and written, to describe all exterior design features and materials to the satisfaction of the Commission. Note that the Commission may require exterior elevations to include elevations of adjacent

buildings if, for example, there is concern the scale or massing of a proposed new building or alteration might adversely affect other nearby properties or the street or district as a whole.

The Commission may require other drawings, illustrations, descriptions, and/or specifications, as required on a case-by-case basis, when the Commission considers such additional information necessary to make informed decisions. *For example, three-dimensional drawings (perspectives or isometrics), though not generally required, are recommended for additional clarity and may be required by the Commission as necessary on a case-by-case basis.* Submit electronic files of required exhibits when available.

4. Review by Commission

Upon receiving an application for a Certificate of Appropriateness, the Commission will review the application material to ensure there is adequate information available to evaluate the proposal. Complete applications will be placed on the agenda of the next available monthly Commission meeting. **These meetings are held on the second Thursday of each month, and application deadlines for each monthly meeting are 10 business days** prior to each meeting. A report is prepared for each project, an outline of which is provided to Commission members and to the applicant prior to the meeting at which the application is to be reviewed. The staff is charged with documentation of the applications to be reviewed, reviewing the subject site and surroundings, obtaining opinions of the members of the Commission, notifying owners of property likely to be affected and consulting with relevant public officials.

5. Meet with the Commission

The Commission has prescribed the following typical project presentation format for public hearings to assure adequate information is available to the Commission and to the public:

1. Applicant (and company or representative, if applicable) introduction.
2. General overview of the proposed action.
3. Location of the project:
 - a) Address (and property name, if any);
 - b) Indication on the historic district map.

4. Introduction by staff of site and situation, to include an overview of:
 - a) Style of existing structure(s) and those adjacent;
 - b) Nature and significant aspects of the surrounding neighborhood;
 - c) Contribution of the property to the historic district.
5. Presentation by applicant or representative of proposed plans to materially change in appearance the subject property.
6. Report of staff regarding conformity of proposed action to the Design Review Standards.
7. Comments by other interested parties.
8. Consideration by the Commission:
 - a) Questions by the Commission to applicant and others
 - b) Discussion by the Commission
 - c) Adoption of a Finding of Fact by the Commission
 - d) Commission review and discussion of the appropriateness of the proposed project.
9. Commission determination (motion, second, vote) regarding the application.

A copy of the application checklist on the following page will be in the application packet.

Application Checklist

A complete application requires support materials.
Please check the list below for required materials.

New Building and New Additions

- ☐ Site plan
- ☐ Architectural elevations
- ☐ Floor plan
- ☐ Landscape plan
- ☐ Description of materials
- ☐ Photographs of proposed site

Major Restoration, Rehabilitation or Remodeling

- ☐ Architectural elevations or sketches
- ☐ Description of proposed changes
- ☐ Description of materials
- ☐ Photographs of existing building
- ☐ Documentation of earlier historic appearance (restoration only)

Minor Exterior Changes

- ☐ Description of proposed changes
- ☐ Description of materials
- ☐ Photographs of existing building

Site Changes-trees, walks, drives, parking

- ☐ Site plan or sketch of site
- ☐ Description of materials
- ☐ Photographs of site

Site changes-fences and walls

- ☐ Site plan or sketch of site
- ☐ Architectural elevations or sketches
- ☐ Description of materials
- ☐ Photographs of site

Site Changes-signs

- ☐ Site plan or sketch of site
- ☐ Description of materials and illumination
- ☐ Sketch or sign, dimensions

Determination of the Commission

Approval or Approval with Conditions Accepted by the Applicants

Once the Commission grants approval, the Commission will issue a Certificate of Appropriateness, and a building permit, if necessary, may be obtained by the applicant. It should be noted that approval with conditions might require submittal and Commission checking of a revised set of plans prior to issuance of a Certificate of Appropriateness. It is important to remember also that any changes to the plans approved by the Commission must be referred anew to the Commission. Should the Commission determine that change to the plans constitutes a substantive difference from the approved plans, the project must go back before the Commission as a new application.

Denial. Should the Commission find that there is no way to accommodate a project proposal within the guidelines contained in state and local law or within the Design Review Standards, there may be no choice but to deny the application and to report the reasons for such denial on the application form. A denial by the Commission means that the proposed project cannot be undertaken.

Reconsideration of Applications

The following is the order of business for reconsideration of applications that previously have been denied:

1. The Commission staff shall first have ascertained whether there has been a substantial change in the facts, evidence or conditions relating to the application in order for the application to be placed on the agenda for reconsideration.
2. The Commission shall deliberate whether there has been a substantial change in the facts, evidence or conditions relating to the application that would warrant reconsideration. If the Commission finds there has been a substantial change, it shall thereupon treat the request as a new application received at that time for consideration at the next meeting of the Commission. If the Commission finds there has not been a substantial change, then no application for the subject property shall be accepted by the Commission for a period of six months from the date of such decision.

Expedited Review Procedures

Routine Maintenance.

The Commission staff may receive applications for expedited approval of a Certificate of Appropriateness for routine maintenance and shall be entitled to grant such certificate upon ascertaining that the proposed work includes only ordinary maintenance or repair to exterior, architectural or environmental features to correct deterioration, decay or damage and does not involve a material change in design, material or outer appearance. Such expedited review shall not require an application for a Certificate of Appropriateness, a public hearing or notice to adjoining owners.

Minor Work.

The Commission, on a case-by-case basis, may approve those projects listed Minor Work category, provided that a complete application for a Certificate of Appropriateness, including exhibits and any applicable fees, is submitted, and that the proposal also meets all relevant current policies and standards adopted by the Commission. Such review and approval shall not require a public hearing or notice to adjoining owners.

Matters Affecting Immediate Safety or Welfare.

In instances where there is demonstrated a clear present and imminent danger to the public by the existence of any set of facts pertaining to a historic district, which shall be certified by the chief building official of the city, the Chairman and the Secretary *ex officio* may, upon their joint concurrence, grant an expedited Certificate of Appropriateness only to the extent necessary to remove the imminent danger. Such expedited review shall not require an application for a Certificate of Appropriateness, a public hearing or notice to adjoining owners.

Variances

The Commission may authorize, an application in specific cases, a variance from the design standards such as will not be contrary to the public interest, where owing to special conditions applying to the property in question and not applicable generally to other buildings, structures or properties, a literal enforcement of the standard would result in unnecessary hardship, but where the spirit of the policies, guidelines and standards of the Commission shall be observed and substantial justice done. Such special conditions shall be limited to those which the Commission finds that the granting of the application for a variance is necessary, does not merely serve as a convenience to the applicant, and that the standard from which variance is sought would:

1. Result in peculiar, extraordinary or practical difficulties to the subject property (as opposed to the applicant); or
2. As applied to an existing building, structure or other condition on the property, serve to decrease the historic or aesthetic value or condition of the district in which the property is located.

Appeals of Decisions of the Commission

Any person having a request for a Certificate of Appropriateness denied by the Commission may appeal such denial to the Tupelo City Council.

All work performed pursuant to an issued Certificate of Appropriateness shall conform to requirements of such certificate.

In the event work is performed not in accordance with such certificate, the Director of City Planning shall investigate and take appropriate action. The City Council or the Commission shall be authorized to institute any appropriate action or proceeding in a court of competent jurisdiction to prevent any material change in appearance of a designated historic property or historic district, except those changes made in compliance with the provisions of this ordinance or to prevent any illegal act or conduct with respect of such historic property.

Failure to Provide Ordinary Maintenance or Repair:

The Commission shall monitor the condition of historic properties and existing buildings in historic districts. The City Community Planning and Development Department Director or designated person shall investigate maintenance complaints. Property owners in violation will be notified in writing by the Director and will have thirty (30) days, in which to take the necessary measures required. In any event that the condition is not met in thirty (30) days, the owners shall be punished as provided in **Section XV of the Tupelo Preservation Ordinance of 2005** and, or either the Commission or the City of Tupelo may institute a legal action or proceeding in a court of competent jurisdiction to prevent deterioration and/or require maintenance. In the event the Director does not find any violation, any person logging the complaint may appeal this decision to the Historic Preservation Commission within fifteen days from receiving written notice. The Commission decisions are final and no complaint will be revisited before 6 months unless circumstances change in a drastic way. Immediate attention will be given to emergency cases.

General Maintenance

Introduction

Historic buildings generally require more maintenance than modern commercial or residential structures. Yet a bonus in historic buildings is rich detailing and materials rendered unaffordable in new construction. The key to maintaining a historic building is regular inspection and immediate correction of problems. Deferred maintenance can only lead greater and more costly repairs at some point in the future.

Commonly recognized as the main destructive force in any building is moisture and water damage.

Maintenance and Inspection Checklist:

1. Roof– Inspect every 6 months, check for loose, broken, torn, or missing shingles and ridge caps, and check flashing for valleys, chimneys, dormers and vents
2. Gutters & Downspouts– Inspect every 3 months for sagging, bent or loose, deteriorated, or clogged gutters
3. Siding–Inspect every 6 months for cracking blistering, or peeling paint, loose cracked boards or bricks, deteriorated mortar, and excessive buildup of mold and mildew on surface areas
4. Doors & Windows–Inspect every 6 months for missing loose caulking, missing panes or deteriorated glazing, cracked or loose glass
5. Porches–Inspect every 6 months for rotting beams or joists, rotted fascia boards, rotting, loose or warped floorboards, water stains; rotting or infested columns or posts
6. Foundation– Inspect every 12 months for signs of water damage at bases of piers or foundation walls; shifting or Tilting; cracks in mortar joints of brick, concrete or concrete blocks; growth or green staining indicating possible moisture retention

Design Review Standards

To provide specific guidance regarding practical review and approval of applications for a Certificate of Appropriateness, the Commission has prepared and adopted design review standards. The Commission strives to apply these standards, tempered by their underlying philosophy, to each application for a Certificate of Appropriateness application, **evaluating each application on a case-by-case basis, giving full consideration to the unique circumstances and characteristics presented.**

The standards are organized into several sections, beginning with those pertaining to site design (which the Commission shall apply in its review of all applications). Sections following deal with rehabilitation and alterations, additions, new construction, and elements of public streets and common open spaces. If a contributing structure is relocated within the district, all design review standards for rehabilitation, alterations and additions shall apply. If a non-contributing structure is relocated within the district, all design review standards for new construction shall apply. It should be noted that the standards are necessarily general so they may be used by the Commission as a guide to decisions in a variety of circumstances. In this way, each application for a Certificate of Appropriateness may be considered on its own merits, fully aware of the individual nature of each property and its context within the historic district.

General Design Guidelines

The design of buildings is determined by the way in which various basic design concepts and elements are utilized: **building orientation and setback, shape, proportion, scale/height, directional emphasis, massing, rhythm, architectural and site elements**. These concepts form the basis for visual relationships among buildings, which in turn influence the ways in which the public perceives buildings.

When new work is added or a new structure is built among existing buildings, the level of success with which it relates to those existing buildings—and whether it contributes to or detracts from the area in which it is to be located—will be determined by the ways in which its design recognizes the prevailing design expression in the area of

influence. The following identify and define several principal concepts of design and offer guidelines for referencing predominant design characteristics in evaluating the appropriateness of a proposed new building or addition. The *illustrations* are intended only to point out the types of relationships between new buildings and existing buildings of importance and are not meant to serve as specific design solutions. The Commission reserves the right to amend or append these guidelines at any time. Accompanying the illustrations are written *guidelines*, such as the following:



Guideline: Identify and respect the prevailing character of adjacent buildings and surrounding development.

Building Orientation and Setback

Building orientation refers to the directional placement of the building on the site, while setback refers to how far back the building is from the street and side lots lines.

Guideline: The orientation of a new building and its site placement shall appear consistent with dominant patterns within the area of influence, if such patterns are apparent.

Directional Emphasis

Most buildings are either vertical or horizontal in their directional emphasis, which is determined by the size and placement of elements and openings on a building's front façade as well as by the building's overall shape. Surface materials and architectural detailing may also influence directional emphasis.



This building has a vertical emphasis.



This building has a horizontal emphasis.

Guideline: A new building's directional emphasis should be consistent with dominant patterns of directional emphasis within the area of influence, if such patterns are present.

Directional Emphasis—Consistent:



Shape

A building's surfaces and edges define its overall shape. This overall shape, in concert with the shapes of individual elements (such as roof pitch, porch form, and window and door openings), is important in establishing rhythms in a streetscape. Shape can also be an important element of style.

Guideline. Roof Pitch: The roof pitch of a new building should be consistent with those of existing buildings within the area of influence, if dominant patterns are apparent.



The new construction on the right is inconsistent and unacceptable with the existing structures on the left.

Shape—Roof Pitch—Inappropriate/Appropriate **Examples:** **see inappropriate examples above**

Guideline. Porch Form: The shape and size of a new porch should be consistent with those of existing buildings within the area of influence, if dominant patterns are apparent.

Guideline. Building Elements: The principal elements and shapes used on the front facade of a new building should be compatible with those of existing buildings in the area of influence, if dominant patterns are apparent.



New construction on left is incompatible with existing dwelling on right

Massing

Massing has to do with the way in which a building's volumetric components (i.e., main body, roof, bays, overhangs, and porches) are arranged and with the relationship between solid wall surfaces and openings.

Guideline. Building Elements: *The principal elements and shapes used on the front facade of a new building should be compatible with those of existing buildings in the area of influence, if dominant patterns are apparent. (see images for massing, building elements are consistent)*



Guideline: *The massing of a new building should be consistent with dominant massing patterns of existing buildings in the area of influence, if such patterns are apparent.*

Proportion

Shape—Porch Form—Inappropriate/Appropriate Examples:



Appropriate Examples:



Inappropriate Example:

Massing—Incompatible New Development:



Proportion is the relationship of one dimension to another; for example, the relationship of the height to the width of a building, or the height and width of windows and doors. Individual elements of a building should be proportional to each other and the building.

Guideline. *The proportions of a new building should be consistent with dominant patterns of proportion of existing buildings in the area of influence, if such patterns are apparent.*

Rhythm

Rhythm is the recurring patterns of lines, shapes, forms, or colors (materials) on a building or along a streetscape. For example, the rhythm of openings on a house refers to the number and placement of windows and doors on a façade. Rhythm also occurs on the larger scale of streetscapes as created by development patterns (orientation and setback) and details of individual buildings (directional emphasis, scale, height, massing, etc.)

Guideline. New construction should respect and not disrupt existing rhythmic patterns set in the area of influence, if such patterns are apparent.

Note existing rhythmic pattern on this street

One story dwellings, same setbacks, brick, front entries, side carports



Rhythm—Symmetrical/Asymmetrical:

These two houses illustrate different asymmetrical rhythms created by individual building elements (entry steps, porch, gable roof, bay window).



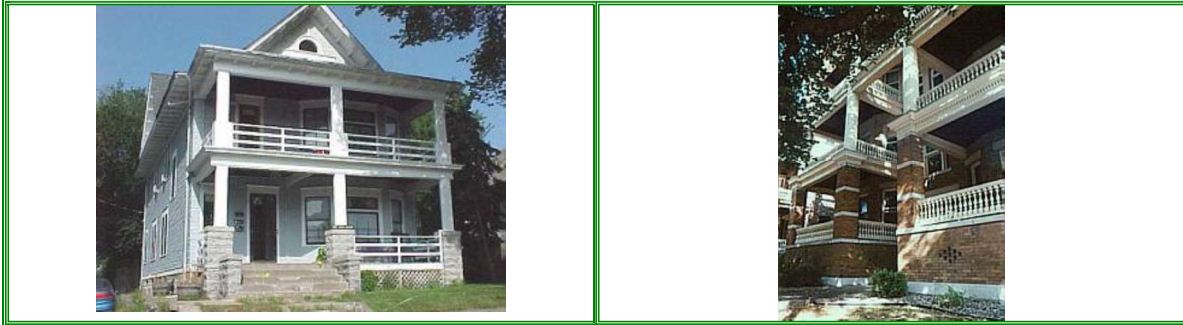
Scale and Height

Scale refers to the apparent relationship between two entities, such as the relationship of a building's height to human height, the relationship between different buildings' heights and sizes, or the relationship between the size of an addition and the building to which it is attached. In the Historic Districts the two most important issues are:

- (1) the relationship of new construction to structures in the area of influence, and

- (2) the relationship of additions to the building to which they are being added.

Guideline: *A proposed new building should appear to conform to the floor-to-floor heights of existing structures if there is a dominant pattern within the established area of influence.*



Guideline: *New construction should be consistent with dominant patterns of scale within the area of influence, if such patterns are present. Additions should not appear to overwhelm the existing building.*

Rhythm—Established Setback Rhythm

Ex:



Façade Treatments

Materials

Original Materials

- Brick or stone that was originally unpainted should remain so, since irreversible damage can result from attempts to remove paint by methods such as sandblasting. Painting or covering original brick or stone is discouraged.



Example: Picture shows dwelling returned to original materials carefully duplicating siding.

- Retain significant character defining wooden or metal façade elements. Examples include cornice brackets, gingerbread, decorative trim elements, ornamental barge/fascia board, and soffit.



Example: Protect and retain stylistic features and proportions of historic facades.

Maintenance

- Advisable to use The United State's Department of the Interior's publication Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.
- Avoid sandblasting or other methods that use abrasives/chemicals.
- Masonry should be repointed to duplicate the original strength and color so as not to damage the brick or stone face.

Roofs

- Existing roofs that are visible from public view should retain their profile as it relates to shape and slope. Use of suitable shingles, shakes or standing seam metal should be approved.
- Historic systems (flashing leader/conductor boxes, built-in gutters, downspouts) should be retained and maintained.
- Any decorative elements to roof that feature cresting, ridge caps, chimney caps, finials or other incorporated design elements should be retained.

Doors

- Replacement doors should be sized to fit the existing opening and the opening should not be altered so as to accept either a smaller door or to facilitate a larger door or doors.

Windows

- Window opening should not be altered to accommodate windows not in keeping with the original design elements.
- Replacement windows should relate to and be appropriate for the age and architectural style of the structure.
- Every effort should be made to repair windows, rather than replace them.
- Storm windows are allowed to help insulate the original, single-paned windows.

Porches

- Character defining details should be retained. Careful repair should be used to retain original elements.
- Porch roofs and their original character defining features, such as shed roofs or gables roofs should be retained
- Original porch flooring or ceiling materials should be preserved and retained wherever possible or replaced in kind.

New Construction/Additions

Materials to be used for repairs to, or new additions to, existing buildings should harmonize with existing materials. Appropriate wall material shall include, but not be limited to brick, stone, stucco, natural wood or cementitious siding. Any side, front or rear addition that is visible from the primary street, and which increases the footprint of the main building, should be reviewed for suitability.

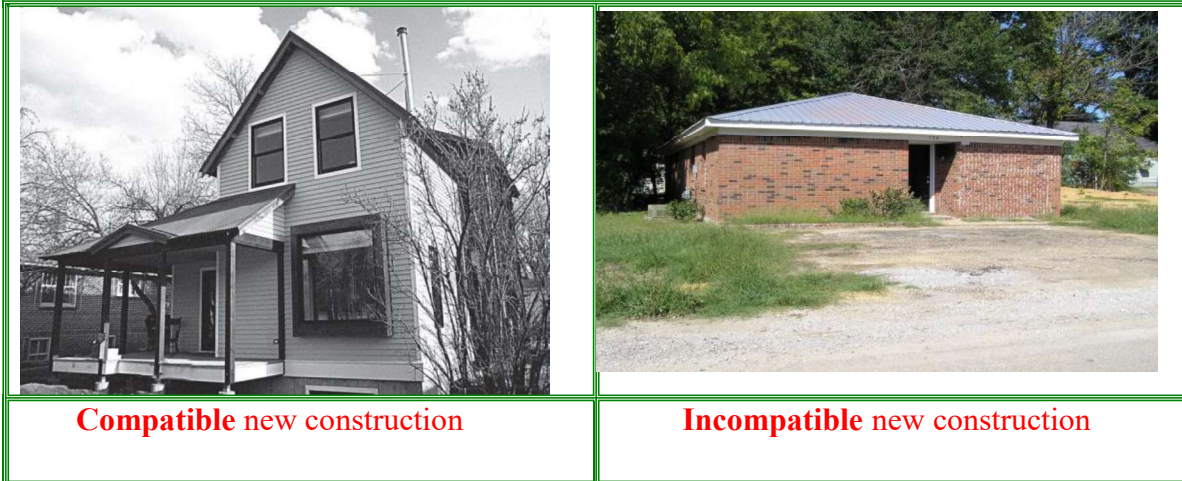
New Construction

After identifying the area of influence and assessing the prevailing character of the development within that area, the next step is to begin the design of the project. Each project is unique and needs to be taken on a case-by-case basis to meet the needs of the owner while at the same time protecting the character of the property and area. There are some general concepts, however, that can assist with the design of the new development.

Scale/Height—Inappropriate Addition: PICTURE



Guideline. New construction should reference and not conflict with the predominant site and architectural elements of existing properties in the area of influence.



To be compatible with its context, new construction should respect established design patterns within the area of influence. Following are some additional guidelines for new construction.

Guideline: New construction should reference predominant design characteristics that make an area distinctive in order to achieve creative and compatible design solutions that are more than just mere imitations of existing buildings.* However, new construction is not limited to historical styles, and new buildings should not be imitations of earlier styles.

***The imitation of older historic styles is discouraged for newer structures.** One should not replicate historic styles, because this blurs the distinction between old and new buildings, as well as making it more difficult to visually interpret the architectural evolution of the district.

****Contemporary interpretations of traditional details are encouraged.** Interpretations of historic styles may be considered, if they are subtly distinguishable as being new. New designs for window moldings and door surrounds, for example, can provide visual interest while helping to convey the fact that the building is new. Contemporary details for porch railings and columns are other examples. New soffit details and dormer designs also could be used to create interest while expressing a new, compatible style.

Additions to Existing Buildings

New additions to existing buildings are common, but there are certain guidelines that should be followed in order to respect the architectural integrity of the individual building and the district as a whole. Property owners considering making an addition to an existing building, should ask themselves three questions:

- Does the proposed addition preserve significant existing materials and features?
- Does the proposed addition preserve the character of the building and the surrounding context?
- Does the proposed addition protect the significance of the building by making a visual distinction between old and new?

Guideline: *In most cases, additions to existing buildings should not be placed on the main façade(s) of a building. Locate the proposed addition away from the principal public view, ideally to the rear or side of the building. Additions that are flush with the front façade of the building are highly discouraged. Respect the proportions of the building to which it is being added so the addition does not dominate its environment. Whenever possible, an addition should be made so that at a later date it could be removed without compromising the character of the building.*

Guideline: *Additions should respect the design characteristics and architectural integrity of original buildings. However, the design of the addition should be clearly differentiated so that the addition is not mistaken for part of the original building. While the addition should be compatible, it is acceptable and appropriate for the addition to be clearly discernible as an addition rather than appearing to be an original part of the building. Consider providing some differentiation in material, color, and/or detailing and setting additions back from the existing building's wall plane. The new addition should be designed so that a minimum of existing materials and character-defining elements are obscured, damaged, or destroyed.*

Guideline: *In most cases, an added structure should be located to the rear of the existing building, where it will have little or no impact on the streetscape. If the new building will be visible from the street, respect the established setbacks and orientations of the buildings in the area. Landscaping is also an important component.*

Site Improvements

Site improvements are critical to the character of the district, regardless of the contributing or noncontributing nature of the structures in any particular part of the district. Much of the character of an historic district is attributable to the continuity of its open space, distinctive tall shade trees and richly textured lawns and landscape planting. Outbuildings, walks, driveways, and parking areas also play an important part in defining not only the setting for individual structures, but also the district as a whole.

Standards for Site Improvements

The following standards for site improvements shall be applied to all construction in the district, including rehabilitation, alterations, additions, or new construction.

Overall Continuity

- Maintain the overall continuity of the district and its aspect and character, especially as viewed from public rights-of-way.

Building Orientation and Setbacks

- Maintain the pattern and orientation of building entrances in the district.
- Maintain the pattern and alignment of buildings established by setbacks of nearby contributing buildings.

Accessory Buildings, Structures and Appurtenances

- Locate garages and other accessory structures to the rear of the main building, and behind the side yard setback of any structure adjacent to a side street or common alleyway.
- Place site and building appurtenances to the side and rear of the main building, and screen service and mechanical and electrical equipment and trash containers and permanent dumpsters from public view with walls, fences, or plant materials.
- Locate handicapped ramps to the side or rear of the main building, insofar as practicable and in conformance with the Americans with Disabilities Act, designed and constructed so the required slope is confined to as small an area as practicable and installed so as to be removed without damage to the structure.

Signage

- Design and install all signs to a size and scale and of types that conform to the historic context of the district and its structures and in a manner to focus only on the intended audience.

Landscape and Plant Materials

- Design and install landscape plantings to maintain the overall continuity and aspect of the district. Look at patterns that exist and work with those patterns.
- Maintain and/or enhance the historic plant materials, mindful of the differences in scale and types of landscaping relative to the size, age and use of the buildings, insofar as practicable.
- Specify and locate trees to avoid conflict with or damage to buildings, sidewalks and driveways.
- When appropriate, retain and preserve the building and landscape features that contributes to the overall historic character of the district, including trees, gardens, yards, arbors, groundcovers, fences, accessory buildings, patios, terraces and fountains, fish ponds, and significant vistas or views.
- Retain and preserve the historic relationship between buildings and landscape features on the site. It is not recommended to alter the topography of substantially through grading, filling or excavation.
- Replace seriously diseased or severely damaged trees or hedges with new tree or hedge of equal or similar species.

Fences and Walls

- Design fences and walls to maintain the overall continuity of the district as viewed from public rights-of-way.
- Complement the buildings and do not detract from their character and relation to their neighbors with the design, scale, placement, and materials of fences, walls, and gates.
- Locate fences and walls no closer to the street than the side yard setback of any structure adjacent to a side street.
- Do not exceed the average height of fences and walls of comparable type and location found on adjacent properties, generally not to exceed six feet.
- Present the finished side of all fences to the exterior of the property being fenced.
- Relate scale, height, materials and level of ornateness of the design of new fences and walls to that of the existing structure and/or its neighbors.

Examples of Appropriate Fence Materials and Styles:

- Wood picket
- Wood slat
- Wood lattice
- Iron
- Brick
- Stone
- Stucco over masonry
- Historically appropriate wire
- Aluminum that appears to be iron

Examples of Inappropriate Fence Materials and Styles:

- Chain link
- Stockade
- Post and rail
- Unstuccoed concrete block
- Masonite
- Plastic
- Plywood or asbestos panels

Sidewalks, Drives, Parking and Paving

- Use only materials that have historic precedent in the district, taking care to preserve historic paving materials by saw cutting when inserting new materials or repairing damaged areas.
- Situate, design and install paving materials of a color and texture and in a manner to be compatible with the historic character of the property and its neighbors.
- Screen new parking areas through use of low walls, iron fences or landscape plantings, mindful of the need to maintain the overall continuity of the district as viewed from public rights-of-way.
- Locate driveways to the side and rear of the main building.
- Extend all driveways at least to the rear of the main building.
- Install residential driveways in a manner and width compatible with those historically installed, and generally not wider than ten feet.
- Install no parking between the front face of the primary structure and the front right of way line of the property.
- Set back from the front property line all parking a distance that will maintain the pattern and alignment of primary building setbacks in the neighborhood.
- Minimize the presence and appearance of all parking areas visible from a public street through site planning and design.
 - A parking area should be located to the rear of a site.
 - Do not use a front yard for parking. Instead, use a long driveway, or alley access, that leads to parking located behind a building.

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Exterior Lighting

- Design, install, and maintain exterior lighting to focus only on intended areas within the property, and to avoid invading surrounding areas.

Rehabilitation and Alteration

The **primary objectives** of rehabilitation in the district should be to **preserve** all important, character-defining architectural materials and features of the structure, designed and executed in a manner that provides for a safe and efficient contemporary use compatible with the particular location within the district. To assure these objectives are met, there should be prepared for any rehabilitation effort an *overall plan for rehabilitation* that contains strategies for:

- **Protection and maintenance** of historic features that survive in generally good condition.
- **Repair** of historic materials and features that may be deteriorated.
- **Replacement** of historic materials and features with new materials where deterioration is so extensive that repair is not possible

To provide overall guidance to property owners, the Commission has adopted the *Secretary of the Interior's Standards for Rehabilitation* as general guidelines for planning, design, and execution of all rehabilitation projects, taking into reasonable consideration economic and technical feasibility.

Standards for Rehabilitation and Alteration

The following standards shall be applied to all rehabilitation or alteration of contributing buildings and structures in the district.

Design Character

- **Respect the original design** character of the structure.
- **Express the character of the structure**—do not attempt to make it appear older or younger than it is.
- **Do not obscure or confuse the essential form** and character of the original structure.
- **Do not allow alterations to hinder** the ability to interpret the design character of the historic period of the district.

Repairing Original Features

- **Avoid removing or altering any historic material** or significant architectural features.

- **Preserve original materials** and details that contribute to the historic significance of the structure.
- **Do not harm the historic character** of the property or district.
- **Protect and maintain** existing significant stylistic elements.
- **Minimize intervention** with historic elements.
- **Repair, rather than replace**, deteriorated architectural features.
- **Use like-kind materials**, and utilize a substitute material only if its form and design conveys the visual appearance of the original.
- **Disassemble historic elements only as necessary for rehabilitation**, using methods that minimize damage to original materials, and use only methods of reassembly that assure a return to the original configuration.

Replacing Original Features

- Base replacement of missing architectural elements on accurate duplications of original features, substantiated by physical or pictorial evidence.
- Use materials similar to those employed historically, taking care to match design, color, texture, and other visual qualities.
- Employ new design that relates in style, size, scale and material wherever reconstruction of an element is not possible due to lack of historical evidence.

Existing Alterations

- Preserve older alterations that have achieved historic significance in themselves in the same manner as if they were an integral part of the original structure.

Materials

- Maintain original materials and finishes.
- Retain and repair original siding, generally avoiding the use of synthetic siding. When replacement is required, use like-kind materials that conform to the original in profile and dimension, unless such materials are not available.

Trim and Ornament

- Maintain historic trim and ornament in place.
- Replace missing original trim and ornament with like-kind materials whose designs, proportions and finishes match those of the original.

Roofs

- Preserve the original roof form, pitch and overhang of all structures, and use roof materials appropriate to the form and pitch of the roof.
- Preserve the character of the original roofing materials and details.
- Retain elements such as chimneys, skylights, and light wells that contribute to the style and character of the structure.
- Place appurtenances such as antennae, satellite dishes, and solar collectors only on roof surfaces that are not visible from public rights-of-way.

Examples of Appropriate Roof Materials:

- Slate
- Tile
- Metal
- Wood shingle
- Cement fiber shingle
- Asphalt or fiberglass shingle
- Built-up or membrane on slopes greater than 3-and-12 where hidden by parapets

Examples of Inappropriate Roof Materials:

- Corrugated fiberglass
- Asphalt roll roofing
- Build-up or membrane on slopes greater than 3-and-12

Windows

- Maintain the original number, location, size, and glazing pattern of windows on primary building elevations.
- Maintain historic window openings and proportions.

Appropriate:

Wood sash windows in double-hung, single-hung and casement styles
Steel, if original to structure

Inappropriate:

Aluminum or vinyl
Snap-in or artificial muntins
Reflective or tinted glass

Storm Windows

- Permit storm windows and screens so long as they do not obscure windows with inappropriate materials, finishes, colors or other elements.

Appropriate:

- Wood
- Metal with baked enamel or anodized finish to sash colors

Inappropriate:

- Mill finish aluminum
- Vinyl

Exterior Blinds and Shutters

- Use exterior blinds and shutters only as appropriate to the style, proportion and character of the structure, and sized to cover the window.

Appropriate:

- Wood: louvered or solid panel
- Fabric awnings

Inappropriate:

- Plastic blinds, shutters, awnings
- Metal awnings (unless original)

Entrances and Doorways

- Maintain the historic character of the building entrance.
- Retain historic doors and openings, together with any moldings, transoms or sidelights.

Appropriate:

- Wood panel
- Wood panel with glass lights
- Leaded glass with lead cams

Inappropriate:

- Metal

Storm Doors

- Permit storm doors and screens so long as they do not obscure doors with inappropriate materials, finishes, colors or other elements.

Appropriate:

- Wood

- Metal with baked enamel or anodized finish to match frame color

Inappropriate:

- Mill finish aluminum
- Vinyl

Porches

- Maintain and repair historic porches to reflect their historic period and the relationship to the structure.
- Use materials that blend with the style of the structure. Balustrades of stairs should match the design and materials of the porch.
- Do not permit enclosure of front porches. Where rear or side porches are to be enclosed, the enclosure shall preserve the original configuration of columns, handrails and other important architectural elements.

Signage

- Design and install all signs to a size and scale and of types that conform to the historic context of the district and its structures.

Foundations

- Keep cellar and crawl space vents open so that air may flow freely, being sure to retain any vents that are original to the building.
- Ensure that land is graded so that water flows away from the foundation and, if necessary, install drains around the foundation.

Examples of Appropriate Foundations:

- Stucco piers or infill
- Brick piers or infill
- Wood lattice

Examples of Inappropriate Foundations:

- Metal infill
- Plywood panels
- Mineral board panels
- Vertical picket infill
- Plastic or vinyl sheeting
- Unfinished concrete block
- Imitation brick or stone
- Vinyl lattice

Surface Cleaning

- Use no abrasive cleaning methods on exterior surfaces, such as those involving grit, sand, high-pressure water blasting, or mechanical sanding.
- Use only those cleaning techniques that have proved effective while having little or no adverse impact on the underlying materials (these include low-pressure water cleaning and gentle chemical washes, scrubbing with a brush and detergent, and hand sanding and scraping to remove paint).

Additions

An exterior addition to a historic building can significantly alter its appearance and thereby adversely affect both adjacent properties and the character of the entire district. Additions to existing structures in the district have a responsibility to complement and reflect the design, scale and architectural type of the original structure. Before an addition is planned, every effort should be made to accommodate the new use within the existing structure. When an addition is necessary, it should be designed and constructed so that it will complement the original and not confuse the viewer or detract from the character-defining features of the building. *It should be noted* that all additions shall be designed and constructed in accord with the following standards *and* with the standards for new construction that follow.

Standards for Additions

The following standards shall be applied to all construction in the district that involves additions to existing buildings and structures.

Original Design Character

- Maintain the size, scale, materials, and character of additions, including their foundations, in a manner compatible with the main building and its context.
- Design and construct additions in such a manner that, if the change were to be removed in the future, the essential form and integrity of the original structure would not be impaired.
- Limit the size of additions to those that do not visually overpower the existing structure.
- Do not allow additions to hinder the ability to interpret the historic character of the structure or district.

Location

- Maintain the pattern created by the repetition of building fronts, bays and sections in the particular area of the district.
- Locate additions so they will not obscure or damage significant architectural features, ornament or detail.
- Place additions to the side or rear, or set back slightly from the building front.

Materials

- Use materials that are inspired by and compatible with those of the general character of the original structure.

- Do not obscure window proportions with inappropriate storm windows.



Many visible mistakes were made with inappropriate alterations to these vernacular dwellings.



Inappropriate additions to this vernacular dwelling.



Inappropriate changes were made to the facade of this craftsman style dwelling now a commercial office.



This renovation/addition of this dwelling for commercial use was done appropriately maintaining the historic character of the district.



The addition maintained the character and details of this dwelling.

New Construction

New construction has an obligation to harmonize with the historic character and scale of the district. Designs for infill and other new construction must be designed with the surroundings in mind. The setback, scale, mass, and size of a structure are as important as the style or decorative details. However, style, decoration, building materials and landscape treatment and planting shall be utilized in the design to provide the attributes necessary for new construction to be compatible with the district, while creating a distinctive character for the new structure.

Standards for New Construction

The following standards shall be applied to all new construction, *including additions*, in the district.

Massing and Orientation

- Respect the site planning, massing and building orientation precedents set by nearby similar-size contributing buildings of the district.
- Align the facade of the new building with the predominant setbacks of nearby buildings within the district.
- Orient the main entrance of the building in a manner similar to established patterns in the particular part of the district.

Form and Scale

- Design new buildings to be compatible with and appear similar to contributing buildings in that particular part of the district, yet retain enough of the individuality in form, scale, or level of complexity to avoid confusing the viewer as regard to the age of the new structure.
- Design new buildings to respect the overall relationship of height to width of surrounding contributing structures.
- Proportion new construction to the size of the lot in a manner similar to typical examples of contributing structures within the particular part of the district.
- Provide features on new construction that reinforce the scale and character of the surrounding area by including elements such as porches, porticos, and decorative features, as appropriate.

Use roof forms and pitches appropriate for and that harmonize with those used historically in the particular part of the district.

- Design all new garage(s) and outbuilding(s) to be compatible with the style of the major buildings on the property and scaled to be subordinate to the main building and the lot.

Foundations

- Use foundations that harmonize with those in the surrounding part of the district.

Signage

- Design and install all signs to a size and scale and of types that conform to the historic context of the district and its structures and in a manner to focus only on the intended audience.

Materials

- Use materials and finishes for all major building surfaces, including roofs, that are similar to those employed historically in the particular location in the district and appropriate to their form and location.

Color: Suggestion

- Choose colors that blend with and complement the overall color schemes of the district, keeping the number of colors appropriate to the style of the architecture.

Doors and Windows

- Design new construction so that the rhythm, patterns, and ratio of solid to void (walls to windows and doors) on public facades are compatible with those of adjacent contributing buildings.
- Design new construction so that the size and proportion (ratio of width to height) of window and door openings of primary facades are similar to and compatible with those on facades of adjacent contributing buildings.
- Use doors and windows whose size, proportions and degree of setback from the exterior wall are similar to those of historic designs used in the district.

Public and Common Areas and Facilities

The public rights-of-way and other parts of the public realm are critically important in helping to define the unique character of an historic district. The following standards are aimed at retaining important character-defining features, expanding their use as the opportunity arises, and making additional improvements to open space and streetscape trees and landscape planting that will complement the historic character of the district.

Standards for Public and Common Areas and Facilities

The following standards shall be applied to all installation, maintenance or modification of streetscapes, street furnishings, signage, trees and landscape planting within the public rights-of-way and properties owned or maintained by the City of Tupelo.

- Maintain the overall continuity of the district and its character.
- Maintain and enhance over time the canopy effect of mature deciduous shade trees, and replace damaged or missing trees with appropriate species, especially indigenous, hardy species that require minimal maintenance.
- Retain and enhance historic plant materials, mindful of the differences in scale and types of landscaping relative to various parts of the district and to the size, age and use of the buildings, insofar as practicable.
- Design fences and walls to maintain the overall continuity of the district as viewed from public rights-of-way and properties owned or maintained by the City of Tupelo.
- Do not exceed the average height of fences and walls of comparable type and location found on adjacent properties.
- Use only materials that have historic precedent in the district, taking care to preserve historic paving materials by saw cutting when inserting new materials or repairing damaged areas.
- Situate and design paving in a manner and of material, color and texture to be compatible with the historic character of the property and its neighbors.
- Screen new parking areas through use of low walls, iron fences or landscape plantings, mindful of the need to maintain the overall continuity of the district, and especially as it may be viewed from public rights-of-way and properties owned or maintained by the City of Tupelo.

- Design, install, and maintain exterior lighting to maintain the character of the district and to direct light only on intended areas.
- Design and install all signs to a size and scale and of types that conform to the historic context of the district and its structures and in a manner to focus only on the intended audience.
- Screen service, mechanical, and electrical equipment and trash containers and permanent dumpsters from public view with walls, fences, or plant materials that conform to all pertinent provisions set forth elsewhere in these standards.

Approval of Signs within a designated Historic District

- Retain and preserve original signs that contribute to the overall historic character of the building or district.
- Introduce new signage that is compatible in material, size, scale and character with the building or the district. Design signage to enhance the architectural character of a building.
- If desired install small identification signs and historic plaques for residential buildings so that no architectural features or details are obscured or damaged.
- Construct new signs of traditional sign materials, such as wood, stone, and metal. Avoid introducing incompatible sign material such as plastic, in the historic districts.
- Mount flush signboards in appropriate locations on facades so that no architectural details or features are obscured or damaged. On masonry buildings, holes for fasteners should be placed in the mortar joints, not the masonry units
- Install freestanding signs in appropriate locations on low standards or grown bases. Consider screening the base of ground signs with plantings to enhance its appearance.
- Light signs in a manner compatible within the historic character and the pedestrian scale of the historic district. Internally illuminated awnings and signs are not appropriate in the historic districts.
- For commercial and institutional buildings, design signs to be integral to the overall building façade. Avoid covering a large portion of the façade, or front yard or any significant architectural features with signage.
- Temporary signs, including sales advertizing, banners, and real estate signs should be located so as not to damage or obscure

significant architectural features, and shall be removed upon completion of work, sale, campaign etc. The maximum number of allowable signs shall be one per street frontage.

- Signs directing users to an accessible entrance or parking space should be installed to avoid damaging or obscuring significant architectural features, while conforming to Accessibility Standards (ADAAG).

Demolition of Structures

Proposed demolition of a building must be brought before the Board for consideration. The Board may deny a demolition request if the building's loss will impair the historic integrity of the district. This denial results in a stay of demolition for up to six months.

Storefronts

The storefront is usually the most prominent feature of a historic commercial building, playing a crucial role in a store's advertising and merchandising strategy. Although a storefront normally does not extend beyond the first story, the rest of the building is often related to it visually through a unity of form and detail. Planning should always consider the entire building; window patterns on the upper floors, cornice elements, and other decorative features should be carefully retained, in addition to the storefront itself.

The earliest extant storefronts in the U.S., dating from the late 18th and early 19th centuries, had bay or oriel windows and provided limited display space. The 19th century witnessed the progressive enlargement of display windows as plate glass became available in increasingly larger units. The use of cast iron columns and lintels at ground floor level permitted structural members to be reduced in size. Recessed entrances provided shelter for sidewalk patrons and further enlarged display areas.

In the 1920s and 1930s, aluminum, colored structural glass, stainless steel, glass block, neon, and other new materials were introduced to create Art Deco storefronts.

According to the Secretary of the Interior Recommendations:

Storefronts **Identify, retain, and preserve**

Recommended:

Identifying, retaining, and preserving storefronts—and their functional and decorative features—that are important in defining the overall historic character of the building such as display windows, signs, doors, transoms, kick plates, corner posts, and entablatures.

The removal of inappropriate, non-historic cladding, false mansard roofs, and other later alterations can help reveal the historic character of a storefront.

Not Recommended:

- Removing or radically changing storefronts—and their features—which are important in defining the overall historic character of the building so that, as a result, the character is diminished.
- Changing the storefront so that it appears residential rather than commercial in character.
- Removing historic material from the storefront to create a recessed arcade.
- Introducing coach lanterns, mansard designs, wood shakes, nonoperable shutters, and small-paned windows if they cannot be documented historically.
- Changing the location of a storefront's main entrance.

Storefronts **Protect and Maintain**

Recommended

- Protecting and maintaining masonry, wood, and architectural metals which comprise storefronts through appropriate treatments such as cleaning, rust removal, limited paint removal, and reapplication of protective coating systems.
- Protecting storefronts against arson and vandalism before work begins by boarding up windows and installing alarm systems that are keyed into local protection agencies.

- Evaluating the overall condition of storefront materials to determine whether more than protection and maintenance are required, that is, if repairs to features will be necessary.

Not Recommended

- Failing to provide adequate protection of materials on a cyclical basis so that deterioration of storefront features results.
- Permitting entry into the building through unsecured or broken windows and doors so that interior features and finishes are damaged through exposure to weather or through vandalism.
- Stripping storefront of historic material such as wood, cast iron, terra cotta, carrara glass, and brick.
- Failing to undertake adequate measures to assure the preservation of the historic storefront.

Storefronts

Repair

Recommended:

Repairing storefronts by reinforcing the historic materials.



Example of recommended repair/restoration.



Not recommended

Repairs will also generally include the limited replacement in kind—or with compatible substitute materials—of those extensively deteriorated or missing parts of storefronts where there are surviving prototypes such as transoms, kick plates pilasters, or signs.

Not Recommended:

- Replacing an entire storefront when repair or materials and limited replacement of its parts are appropriate.
- Using substitute material for the replacement parts that does not convey the same visual appearance as the surviving parts of the storefront or that is physically or chemically incompatible.



Example of Inappropriate Renovation

Storefronts

Replace

Recommended:

Replacing in kind an entire storefront that is too deteriorated to repair—if the overall form and detailing are still evident—using the physical evidence as a model. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.



Appropriate Storefront Preservation



Inappropriate

Not Recommended:

Removing a storefront that is unrepairable and not replacing it; or replacing it with a new storefront that does not convey the same visual appearance

Design for Missing Historic Features

The following work is highlighted to indicate that it represents the particularly complex technical or design aspects of rehabilitation projects and should only be considered after the preservation concerns listed above have been addressed.

Recommended:

Designing and constructing a new storefront when the historic storefront is completely missing. It may be an accurate restoration using historical, pictorial, and physical documentation; or be a new design that is compatible with the size, scale, material, and color of the historic building.

Not Recommended:

- Creating a false historical appearance because the replaced storefront is based on insufficient historical, pictorial, and physical documentation.



- Using inappropriately scaled signs and logos or other types of signs that obscure, damage, or destroy remaining character-defining features of the historic building.

Similar Specific suggestions for Masonry, Wood, Metals, Roofs, Windows, Entrances and Porches, Structural Systems, Spaces, and Finishes may be found on the following website:

<http://www.cr.nps.gov/hps/tps/tax/rhb/index.htm>

Acknowledgments

Todd Sanders, Mississippi Department of Archives and History

Tupelo Apartment Finders Guide

Create, Inc.

Tupelo Planning Department

City of Hattiesburg, Design Guidelines

National Trust for Historic Preservation

National Park Service, Department of Interior

Secretary of Interior's Standards

City of Bozeman, Montana

City of Frederick Town, Maryland

City of Arroyo Grand, California

City of Oxford, Ohio

City of Chesapeake, Virginia

City of Hillsborough, North Carolina

University of Georgia

Appendix A

Preservation Ordinance, Tupelo, Mississippi

AN ORDINANCE TO CREATE A PRESERVATION COMMISSION: TO ESTABLISH THE MEMBERSHIP, OFFICERS, TERMS OF OFFICE OF ITS MEMBERS AND DUTIES OF SUCH COMMISSION; PROVIDING A PROCEDURE FOR ADOPTION OF ORDINANCES TO ESTABLISH HISTORIC DISTRICTS AND TO DESIGNATE ARCHAEOLOGICAL, ARCHITECTURAL, CULTURAL, AND HISTORICAL LANDMARKS AND LANDMARK SITES; PROVIDING THAT THE PRESERVATION COMMISSION SHALL SERVE AS A REVIEW BODY TO REVIEW PROPOSED WORK IN HISTORIC DISTRICTS AND ON LANDMARKS AND LANDMARK SITES; PROVIDING THE CRITERIA FOR EVALUATING A PROPOSED ACTIVITY; PROVIDING STANDARDS AND A PROCEDURE TO PREVENT DEMOLITION OF LANDMARKS BY INTENT OR NEGLECT; PROVIDING A PROCEDURE FOR THE ISSUANCE OF CERTIFICATES OF APPROPRIATENESS AND RELATED PURPOSES.

SECTION I STATEMENT OF PURPOSE

The city/town/county hereby recognizes that the City of **TUPELO** is known for its extensive and concentrated collection of *vernacular houses, as well as urban groupings of historic public, commercial, and residential buildings*, whose unique qualities have proven increasingly attractive to residents, business interests, and tourists.

As a matter of public policy the city/town/county aims to preserve, enhance, and perpetuate those aspects of the city/town/county having historical, cultural, architectural, and archaeological merit. Such historic activities will promote and protect the health, safety, prosperity, education, and general welfare of the people living in and visiting **TUPELO**.

More specifically, this historic preservation ordinance is designed to achieve the following goals:

- A. Protect, enhance and perpetuate resources, which represent distinctive and significant elements of the city/town/county's historical, cultural, social, economic, political, archaeological, and architectural identity;
- B. Insure the harmonious, orderly, and efficient growth and development of the city/town/county;
- C. Strengthen civic pride and cultural stability through neighborhood conservation;
- D. Stabilize the economy of the city/town/county through the continued use, preservation, and revitalization of its resources;
- E. Protect and enhance the City/town/county's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided;
- F. Promote the use of resources for the education, pleasure, and welfare of the people of the city of **TUPELO**.
- G. Provide a review process for the preservation and appropriate development of the city/town/county's resources.

SECTION II DEFINITIONS

Unless specifically noted otherwise, the following definitions are standard throughout this ordinance:

Alteration: Any change in the exterior appearance or materials of a landmark or a structure within a historic district or on a landmark site.

Applicant: The owner of record of a resource; the lessee thereof with the approval of the owner of record in notarized form; or a person holding a "bona fide" contract to purchase a resource.

Appurtenance: An accessory to a building, structure, object, or site, including, but not limited to, landscaping features, walls, fences, light fixtures, steps, paving, sidewalks, shutters, awnings, solar panels, satellite dishes, and signs.

Building: A structure created to shelter any form of human activity, such as a house, garage, barn, church, hotel, or similar structure.

Certificate of appropriateness: An official signed and dated governmental document issued by either a local historic preservation commission or a governing authority to permit specific work in a historic district or at a landmark site or landmark which has been reviewed and approved.

Certified Local Government (CLG): A federal program authorized by the National Historic Preservation Act 16 U.S.C. 470 et seq., that provides for the participation of local governments in a federal/state/local government preservation partnership. The federal law directs the State Historic Preservation Officer of Mississippi and the Secretary of the Interior to certify local governments to participate in this partnership. Specific Mississippi requirements for the program are published in "State of Mississippi, Procedures for the Certified Local Government Program."

City/town/county: The City of **Tupelo** as represented by the Mayor and City Council.

Construction: Work which is neither alteration nor demolition. Essentially, it is the erection of a new structure, which did not previously exist, even if such a structure is partially joined to an existing structure.

Demolition: The intentional removal of a structure within a local historic district or on a landmark site or which has been designated as a landmark.

Demolition by neglect: Substantial deterioration of a historic structure that results from improper maintenance or a lack of maintenance.

Design review guidelines: As adopted by the local historic preservation commission, shall be in a written form designed to inform local property owners about historical architectural styles prevalent in a community and to recommend preferred treatments and discourage treatments that would compromise the architectural integrity of structures in a historic district or on a landmark site or individually designated as landmarks.

Exterior Features: Exterior features or resources shall include, but not be limited to, the color, kind, and texture of the building material and the type and style of all windows, doors, and appurtenances.

Historic district: A group of two (2) or more tax parcels and their structures, and may be an entire neighborhood of structures linked by historical association or historical development. It is not necessary that all structures within a historic district share the same primary architectural style or be from the same primary historical period. A historic district may also include both commercial and residential structures, and may include structures covered by two (2) or more zoning classifications. A historic district may include both contributing and noncontributing structures. A historic district is designated by the commission and approved by the city/town/county through an ordinance.

Historic landmark: A structure of exceptional individual significance, and its historically associated land, which typically could not be included within a local historic district or other appropriate setting. A historic landmark is designated by the commission and approved by the city/town/county through an ordinance.

Historic preservation commission: The **Tupelo Historic Preservation Commission**, is a local historic preservation commission established to advise the local government on matters relating to historic preservation, including the designation of historic districts, landmarks and landmark sites, and which may be empowered to review applications for permits for alteration, construction, demolition,

relocation or subdivision for structures in historic districts or on landmark sites or designated as landmarks.

Improvement: Additions to or new construction on landmarks or landmark sites, including, but not limited to, buildings, structures, objects, landscape features, and manufactured units, like mobile homes, carports, and storage buildings.

Landmark site: A location where a primary architectural or historical resource formerly stood or a significant historic event took place or an important archeological resource remains. For the purposes of this ordinance, a landmark site encompasses prehistoric or historic sites on unimproved or improved land. A historic landmark is designated by the commission and approved by the city/town/county through an ordinance

Landscape: Any improvement or vegetation including, but not limited to: Shrubbery, trees, plantings, outbuildings, walls, courtyards, fences, swimming pools, planters, gates, street furniture, exterior lighting, and site improvements, including but not limited to, subsurface alterations, site regarding, fill deposition, and paving.

National Historic Landmark: A district, site, building, structure, and/or object that has been formally designated as a National Historic Landmark by the Secretary of the Interior and possesses exceptional value or quality in illustrating or interpreting the heritage of the United States in history, architecture, archaeology, engineering, and culture and that possesses a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association. National Historic Landmarks are automatically listed in the National Register.

National Register of Historic Places: A federal list of cultural resources worthy of preservation, authorized under the National Historic Preservation Act of 1966 as part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect the nation's historic and archaeological resources. The National Register Program is administered by the Commission, by the State Historic Preservation Office, and by the National Park Service under the Department of the Interior. Significant federal benefits may accrue to owners of properties listed or determined eligible for listing in the National Register.

Object: A material thing of functional, cultural, historical, or scientific value that may be, by nature or design, movable, yet related to a specific setting or environment.

Ordinary Repair or Maintenance: Work done to prevent deterioration of a resource or any part thereof by returning the resource as nearly as practical to its condition prior to such deterioration, decay, or damage.

Owner of Record: The owner of a parcel of land, improved or unimproved, reflected on the city/town/county tax roll and in county deed records.

Period of greatest historic significance for a landmark: The time period during which the landmark had been essentially completed but not yet altered. It is also the period during which the style of architecture of the landmark was commonplace or typical. If a landmark also achieved historical importance in part because of designed landscape features, the period of greatest historic significance includes the time period during which such landscape features were maintained.

Relocation: The moving of a structure to a new location on its tax parcel or the relocation of such a structure to a new tax parcel.

Resource: Parcels located within historic districts, individual landmarks, and landmark sites, regardless of whether such sites are presently improved or unimproved. Resources can be separate buildings, districts, structures, sites, and objects and related groups thereof.

Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings: A federal document stating standards and guidelines for the appropriate rehabilitation and preservation of historic buildings.

Site: The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing buildings, or objects.

State Historic Preservation Office: The Historic Preservation Division of the Mississippi Department of Archives and History.

State Historic Preservation officer: The director of the Mississippi Department of Archives and History.

Structure: A man-made object and typically will be visible because of portions which exist above grade. Structures built during the historic period, 1700 forward, may in some instances not be visible above grade if they are cellars, cisterns, icehouses or similar objects which by their nature are intended to be built into the ground. A structure includes both interior components and visible exterior surfaces, as well as attached elements such as signs and related features such as walks, walls, fences and other nearby secondary structures or landmark features.

Sub districts: Discrete areas within a larger historic district within which separate design guidelines are appropriate and that may be created to recognize different zoning classifications or historic development patterns which have caused adjacent historic areas to develop at different times.

Subdivision: Any change in the boundaries of a single tax parcel, whether the change results in expansion or reduction or a boundary relocation.

Substantial deterioration: Structural degradation of such a nature that water penetration into a historic structure can no longer be prevented, or structural degradation that causes stress or strain on structural members when supports collapse or warp, evidence of which includes defective roofing materials, broken window coverings and visible interior decay.

Survey of resources: The documentation, by historical research or a photographic record, of structures of historical interest within a specified area or jurisdiction or of existing structures within a proposed historic district.

Unauthorized demolition: The deliberate demolition of a historic structure without prior review and approval by a local historic preservation commission or a governing authority to which such a commission has made a recommendation.

Unreasonable economic hardship: The definition under constitutional standards used to determine whether a "taking" exists.

SECTION III TUPELO PRESERVATION COMMISSION, COMPOSITION, AND TERMS

By virtue of Miss. Code Ann. 1972, Sec. 39-13-5, 39-15-7 AND 39-13-9 as amended, the city/town/county is authorized to establish a preservation commission to preserve, promote, and develop the city/town/county's historical resources and to advise the city/town/county on the designation of historic districts, landmarks, and landmark sites and perform such other functions as may be provided by law.

All members of the commission are appointed by the city/town/county and shall serve at the will and pleasure of the city/town/county and shall serve staggered terms. The commission shall consist of _____ members *(not fewer than five (5) nor more than nine (9); see Section 39-13-5, Mississippi Code of 1972, as amended)* resident in the City of **TUPELO**. All members of the commission shall serve for terms established by the city and shall be eligible for reappointment. All commission members shall have a demonstrated knowledge of or interest, competence, or expertise in historic preservation. To the extent

available in the community, the city shall appoint professional members from the primary historic preservation-related disciplines such as urban planning, American studies, American civilization, cultural geography, cultural anthropology, interior design, law, and related fields. The city shall document a good faith effort to locate professionals to serve on the commission before appointing lay members. Also the city shall document a good faith effort to locate residents of the municipality (*or county or both*) to serve on the commission before appointing individuals who own property within the boundary of the municipality (*or county or both*) or are in the service of an employer located within the boundary of the municipality (*or county or both*) (see Section 39-13-5, Mississippi Code of 1972, as amended).

- A. The city/town/county shall publish at least one notice in a newspaper in its jurisdiction to solicit responses from citizens who are professionals in the related fields of historic preservation and who are interested in serving on the commission. The city/town/county may contact known professionals and interested laypersons and invite submission of their qualifications in written resume form.
- B. The city/town/county shall provide three (3) weeks (15 working days) for responses. Respondents shall submit, in written resume form, information concerning their demonstrated interest, competence, knowledge, or expertise. Such information should include, but is not limited to, educational and professional background, membership in appropriate preservation organizations, subscriptions to suitable professional publications, volunteer work, attendance at workshops and seminars, and other relevant experience
- C. When the city/town/county has collected adequate information concerning the potential appointees to the commission, it shall decide, with the assistance of the State Historic Preservation Office, if desired, which candidates are qualified for appointment to the commission.

SECTION IV POWERS OF THE COMMISSION

In order to preserve, promote, and develop the distinctive appearance and the historic resources of **TUPELO** and to accomplish the purposes set forth in Miss. Code Ann. 1972, Sec. 39-13-5 as amended, and in this ordinance:

- A. The commission shall conduct or cause to be conducted a continuing study and survey of resources within the City/town/county of **TUPELO**.
- B. The commission shall recommend to the city of **TUPELO**, the adoption of ordinances designating historic districts, landmarks, and landmark sites.
- C. The Commission may recommend that the city of **TUPELO**, recognize sub- districts within any historic district, in order that the commission may adopt specific guidelines for the regulation of properties within such a sub-district.
- D. The commission shall review applications proposing construction, alteration, demolition, or relocation of any resource as defined in Section II above.
- E. The Commission shall grant or deny certificates of appropriateness, and may grant certificates of appropriateness contingent upon the acceptance by the applicant of specified conditions.
- F. The commission shall not consider interior arrangements of buildings and structures except that it shall advise the Mississippi Department of Archives and History on questions relating to the interiors of publicly owned resources.
- G. The commission, subject to the requirements of the city of **TUPELO**, is authorized to apply for, receive, hold and spend funds from private and public sources, in addition to appropriations made by the city of **TUPELO**, for the purpose for carrying out the provisions of this ordinance.

- H. The commission is authorized to employ such staff or contract with technical experts or other persons as may be required for the performance of its duties and to obtain the equipment, supplies, and other materials necessary for its effective operation.
- I. The commission is authorized, solely in the performance of its official duties and only at reasonable times, to enter upon private land for the examination or survey thereof. No member, employee, or agent of the commission shall enter any private dwelling or structure without the express consent of the owner of record or occupant thereof.
- J. Paint color changes are outside the jurisdiction of the commission.

SECTION V RULES OF PROCEDURE

To fulfill the purposes of this ordinance and carry out the provisions contained therein:

- A. The commission annually shall elect from its membership a chairman and vice-chairman. It shall select a secretary from its membership or its staff. If neither the chairman nor the vice-chairman attends a particular meeting, the remaining members shall select an acting chairman from the members in attendance at such meeting.
- B. The commission shall develop and adopt rules of procedure, which shall govern the conduct of its business, subject to the approval of the city/town/county. Such rules of procedure shall be a matter of public record.
- C. The commission shall develop design review guidelines for determining appropriateness as generally set forth in Section VII of this ordinance. Such criteria shall insofar as possible be consistent with local, state, and federal guidelines and regulations, including, but not limited to, building safety and fire codes and the Secretary of the Interior's Standards For Rehabilitation.
- D. The commission shall keep minutes and records of all meetings and proceedings including voting records, attendance, resolutions, findings, determinations, and decisions. All such material shall be a matter of public record.
- E. The commission shall establish its own regular meeting time; however, the first meeting shall be held within thirty (30) days of the establishment of the commission by the local government and regular meetings shall be scheduled at least once every three (3) months. The chairman or any two (2) members may call a special meeting to consider an urgent matter.

SECTION VI DESIGNATION OF LANDMARKS, LANDMARK SITES, AND HISTORIC DISTRICTS

By ordinance, the city/town/county may establish landmarks, landmark sites, and historic districts within the area of its jurisdiction. Such landmarks, landmark sites, or historic districts shall be designated following the criteria as specified in Section II.

- A. The commission shall initiate a continuing and thorough investigation of the archaeological, architectural, cultural, and historic significance of the city/town/county's resources. The findings shall be collected in a cohesive format, made a matter of public record, and made available for public inspection. The commission shall work toward providing complete documentation for locally designated historic districts, which would include:
 - 1. An inventory of all property within the boundary of the district, with photographs of each building and an evaluation of its significance to the district. Building evaluations are to be used only as a reference or guide and shall not be used as the determining factor for issuing or denying a certificate or appropriateness.
 - 2. An inventory, which would be in format consistent with the statewide inventory format of the Historic Preservation Division of the Mississippi Department of Archives and History (SHPO).

- B. The commission shall advise the city/town/county on the designation of historic districts, landmarks, or landmark sites and submit or cause to be prepared ordinances to make such designation.
- C. A resource or resources may be nominated for designation upon motion of three members of the commission or by an organization interested in historic preservation or by an owner of the property being nominated. A nomination shall contain information as specified by the commission. The commission must reach a decision on whether to recommend a proposed nomination to the city/town/county within six months in the case of a historic district and two months in the case of either a landmark or landmark site.
- D. If the commission votes to recommend to the city/town/county the designation of a proposed resource, it promptly forwards to the city/town/county its recommendation, in writing, together with an accompanying file.
- E. The commission's recommendations to the city/town/county for the designation of a historic district shall be accompanied by:
 - 1. A map of the historic district that clearly delineates the boundaries.
 - 2. A verbal boundary description and justification.
 - 3. A written statement of significance for the proposed historic district.
- F. After the nomination of a resource to the city/town/county for possible local designation, the resource shall be fully protected by the provisions of this ordinance for a period of six months, as if it were already designated.
- G. Any property designated under a previous city/town/county ordinance shall remain designated.
- H. No historic district or districts shall be designated until the Mississippi Department of Archives and History has been notified by certified letter by the city/town/county and invited to make recommendations concerning the proposed district boundaries. The Mississippi Department of Archives and History may comment by letter, telephone, e-mail or in person through designated staff. The city/town/county shall provide to the Mississippi Department of Archives and History the dates of the next two (2) public meetings at which action on the designation of such a district might be taken so that the Mississippi Department of Archives and History may comment in a timely manner. Failure of the Mississippi Department of Archives and History to comment by the date of the second such meeting shall relieve the city/town/county of any responsibility for awaiting and responding to such analysis, and the city/town/county may at any time thereafter take any necessary action to create the proposed historic district.
- I. If a proposed ordinance is to designate a landmark or landmark site, it may be presented to the city/town/county with a recommendation that it be adopted without submission to the Mississippi Department of Archives and History.
- J. The city/town/county shall conduct a public hearing, after notice, to discuss the proposed designation and boundaries thereof. A notice of the hearing shall be published once a week for at least three (3) consecutive weeks in at least one (1) newspaper published in the city/town/county. If a newspaper is not published in the city/town/county, then the notice shall be published in a paper published in the county. The first publication of such notice shall be made not less than twenty-one (21) days prior to the date fixed in the resolution for the public hearing and the last publication shall be made not more than seven (7) days prior to such date.
- K. Within sixty (60) calendar days after the public hearing held in connection herewith, the city/town/county shall adopt the ordinance as proposed, reject it entirely, or adopt the ordinance with modifications.

- L. Furthermore, the commission shall notify, as soon as is reasonably possible, the appropriate state, county, and municipal agencies of the official designation of all landmarks, landmark sites, and historic districts. An updated list and map shall be maintained by such agencies and made available to the public.

SECTION VII CERTIFICATES OF APPROPRIATENESS

No exterior feature of any resource shall be altered, relocated, or demolished until after an application for a certificate of appropriateness of such work has been approved by the commission. Likewise, no construction, which affects a resource, shall be undertaken without a certificate of appropriateness. Therefore,

- A. The commission shall serve as a review body with the power to approve and deny applications for certificates of appropriateness.
- B. In approving and denying applications for certificates of appropriateness, the commission shall seek to accomplish the purposes of this ordinance.
- C. A certification of appropriateness shall not be required for work deemed by the commission to be ordinary maintenance or repair of any resource.
- D. All decisions of the commission shall be in writing and shall state the findings of the commission, its recommendations, and the reasons therefore.

SECTION VIII CRITERIA FOR ISSUANCE OF CERTIFICATES OF APPROPRIATENESS

The commission and the city/town/county shall use the following criteria in granting or denying certificates of appropriateness:

- A. General Factors:
 - 1. Architectural design of existing building, structure, or appurtenance and proposed alteration;
 - 2. Historical significance of the resource;
 - 3. General appearance of the resource;
 - 4. Condition of the resource;
 - 5. Materials composing the resource;
 - 6. Size of the resource;
 - 7. The relationship of the above factors to, and their effect upon the immediate surroundings and, if within a historic district, upon the district as a whole and its architectural and historical character and integrity.
- B. New construction:
 - 1. In advance of new construction, steps shall be taken to insure evaluation of possible archaeological resources, as set forth in the Mississippi Antiquities Act.
 - 2. The following aspects of new construction shall be visually compatible with the buildings and environment with which the new construction is visually related, including but not limited to: the height, the gross volume, the proportion between width and height of the facade (s), the proportions and relationship between doors and windows, the rhythm of solids to voids created by openings in the facade, the materials, the textures, the colors, the patterns, the trims, and the design of the roof.
 - 3. Existing rhythm created by existing building masses and spaces between them shall be preserved.

4. The landscape plan shall be compatible with the resource, and it shall be visually compatible with the environment with which it is visually related. Landscaping shall also not prove detrimental to the fabric of a resource, or adjacent public or private improvements like sidewalks and walls.

5. No specific architectural style shall be required.

C. Exterior alteration:

1. All exterior alterations to a building, structure, object, site, or landscape feature shall be compatible with the resource itself and other resources with which it is related, as is provided in Section VIII A and B, and the original design of a building, structure, object, or landscape feature shall be considered in applying these standards.

2. Exterior alterations shall not affect the architectural character or historic quality of a landmark and shall not destroy the significance of landmark sites.

D. In considering an application for the demolition of a landmark or a resource within a historic district, the following shall be considered:

1. The commission shall consider the individual architectural, cultural, and/or historical significance of the resource.

2. The commission shall consider the importance or contribution of the resource to the architectural character of the district.

3. The commission shall consider the importance or contribution of the resource to neighboring property values.

4. The commission shall consider the difficulty or impossibility of reproducing such a resource because of its texture, design, material, or detail.

5. Following recommendation for approval of demolition, the applicant must seek approval of replacement plans, set forth in Section VIII, B, prior to receiving a demolition permit and other permits. Replacement plans for this purpose shall include, but shall not be restricted to, project concept, preliminary elevations and site plans, and completed working drawings for at least the foundation plan which will enable the applicant to receive a permit for foundation construction.

6. Applicants that have received a recommendation for demolition shall be permitted to receive such demolition permit without additional commission action on demolition, following the commission's recommendation of a permit for new construction. Permits for demolition and construction shall be issued simultaneously if requirements of Section VIII B, are met, and the applicant provides financial proof of his ability to complete the project.

7. When the commission recommends approval of demolition of a resource, a permit shall not be issued until all plans for the site have received approval from all appropriate city/town/county boards, commissions, departments and agencies.

SECTION IX PROCEDURES FOR ISSUANCE OF CERTIFICATES OF APPROPRIATENESS

Anyone desiring to take action requiring a certificate of appropriateness concerning a resource for which a permit, variance, or other authorization from either the city/town/county building official or the city/town/county is also required, shall make application therefore in the form and manner required by the applicable code section or ordinance. Any such application shall also be considered an application for a certificate of appropriateness and shall include such additional information as may be required by the commission. After receipt of any such application, the city/town/county building official shall be assured that the application is proper and complete. No building permit shall be issued by the city/town/county building official, which affects a resource without a certificate of appropriateness. In the event that a building permit need not be obtained for a building, structure, or object to be erected within a historic district or on a landmark or landmark site, a certificate of appropriateness is still required before such

building, structure, or object may be erected. Thereafter such application shall be reviewed in accordance with the following procedure:

- A. When any such application is filed, the city/town/county building official shall immediately notify the commission chairman or vice-chairman, if the chairman is unavailable, of the application having been filed.
- B. If at the time of filing of an application, there is not a commission meeting already scheduled within thirty (30) days of this filing, the chairman or vice-chairman shall set a time and date, which shall be not later than fifteen (15) days after the filing of the application for a hearing by the commission, and the city/town/county building official shall be so informed.
- C. The applicant shall, upon request, have the right to a preliminary conference with commission staff for the purpose of making any changes or adjustments to the application, which might be more consistent with the commission's standards.
- D. Not later than eight (8) days before the date set for the said hearing, the city/town/county building official shall mail notice thereof to the applicant at the address in the application and to all members of the commission.
- E. Notice of the time and place of said hearing shall be given by publication in a newspaper having general circulation in the community at least ten (10) days before such hearing and/or by posting such notice on the bulletin board in the lobby of city/town/county hall.
- F. At such hearing, the applicant for a certificate of appropriateness shall have the right to present any relevant evidence in support of the application. Likewise, the governing body shall have the right to present any additional relevant evidence in support of the application.
- G. The commission shall have the right to recommend changes and modifications to enable the applicant to meet the requirements of the commission.
- H. Within not more than twenty-one (21) days after the hearing on an application, the commission shall act upon it, either approving, denying, or deferring action until the next meeting of the commission, giving consideration to the factors set forth in section VIII hereof. Evidence of approval of the application shall be by certificate of appropriateness issued by the commission and, whatever its decision, notice in writing shall be given to the applicant and the city/town/county building official. Whenever a local historic preservation commission shall deny or recommend denial of a certificate of appropriateness, the commission must state the reasons for such denial in writing. Thereafter, an applicant may resubmit a new application at any time, except that an applicant must wait six (6) months whenever an application for a certificate of appropriateness is denied for a landmark property of statewide or national significance and notice of any second or subsequent application must be sent to the Mississippi Department of Archives and History as well as to the local historic preservation commission.
- I. In all cases of applications affecting National Historic Landmarks, at least two-thirds of the members of the commission must approve a certificate of appropriateness in order for it to be granted.
- J. The issuance of a certificate of appropriateness shall not relieve an applicant for a building permit, special use permit, variance, or other authorization from compliance with any other requirement or provision of the laws of the city/town/county concerning zoning, construction, repair, or demolition.
- K. Denial of a certificate of appropriateness shall be binding upon the city/town/county building inspector or the agency responsible for issuing building permits and shall prevent the issuance of other building permits for the same parcel until a certificate of appropriateness is approved. A certificate of appropriateness may be required for work, which does not require a building permit. A certificate of appropriateness may be evidenced by either a written and dated letter to an owner or applicant or such a letter accompanied by a signed and dated stamp on the face of any and all architectural or project drawings prepared for a project.

- L. A certificate of appropriateness shall expire after six (6) months if work has not begun.

SECTION X UNREASONABLE ECONOMIC HARDSHIP

When a claim of unreasonable economic hardship is made due to the effect of this ordinance, the owner of record must present evidence sufficient to prove that as a result of the preservation commission's action he is unable to obtain a reasonable return or a reasonable beneficial use. The owner of record shall submit by affidavit to the commission for its review at least the following information:

- A. Date the property was acquired by its current owner;
- B. Price paid for the property (if acquired by purchase) and the relationship (if any) between the buyer and the seller of the property;
- C. Mortgage history of the property, including current mortgage;
- D. Current market value of the property;
- E. Equity in current use and in alternative uses;
- F. Past and current income and expense statements for a two-year period;
- G. Past capital expenditures during ownership of current owner;
- H. Appraisals of the property obtained within the previous two years; and
- I. Income and property tax factors affecting the property.

The preservation commission may require that an applicant furnish additional information relevant to its determination of unreasonable economic hardship.

The preservation commission may receive and consider studies and economic analyses from other city/town/county agencies and from private organizations relating to the property in question.

Should the commission determine that the owner's present return is not reasonable, it must consider whether there are other uses currently allowed that would provide a reasonable return and whether such a return could be obtained through investment in the property for rehabilitation purposes.

Should the applicant satisfy the commission that he will suffer an unreasonable economic hardship if a certificate of appropriateness is not approved, such certificate must be approved.

SECTION XI APPEALS

The applicant who desires to appeal a decision by the commission shall file an appeal to the Tupelo City Council within thirty (30) days after the determination of the issue by the commission in the manner provided by law. Any such appeal shall be reviewed upon the record established before the local historic preservation commission. Any local property owner or organization aggrieved or damaged by such a decision may appeal in the same manner.

SECTION XII MINIMUM MAINTENANCE REQUIREMENTS

In order to insure the protective maintenance of resources, the exterior features of such properties shall be maintained to meet the requirements of the city/town/county's minimum housing code and the city/town/county's building code.

SECTION XIII DEMOLITION BY NEGLECT

- A. Any resource which is a landmark and all resources within a historic district shall be preserved by the owner or such other person or persons as may have the legal custody or control thereof against decay and deterioration and free from unreasonable structural defects. The owner or other person having legal

custody and control thereof shall repair such resource if it is found to have one or more of the following defects:

1. Deterioration to the extent that it creates or permits a hazardous or unsafe condition as determined by the city/town/county's building inspector.
2. Deterioration, as determined by the building inspector, of a building characterized by one or more of the following:
 - a. Those buildings, which have parts thereof, which are so attached that they may fall and injure persons or property;
 - b. Deteriorated or inadequate foundations;
 - c. Defective or deteriorated floor supports or floor supports inefficient to carry imposed loads with safety;
 - d. Members of walls or other vertical supports that split, lean, list, or buckle due to defective material, workmanship, or deterioration.
 - e. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety;
 - f. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members, which sag, split, or buckle due to defective material, workmanship, or deterioration.
 - g. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety;
 - h. Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration; or
 - i. Any fault, defect, or condition in the building, which renders the same structurally unsafe or not properly watertight.

B. If the commission makes a preliminary determination that a resource is being demolished by neglect, it shall direct the city/town/county building official to notify the owner or owners of the resource of this preliminary determination, stating the reasons therefore, and shall give the owner of record thirty (30) days from the date of mailing of such notice or the posting thereof on the property, whichever comes later, to commence work to correct the specific defects as determined by the commission. Said notice shall be given as follows:

1. By certified mail, restricted delivery, mailed to the last known address of the record owner or owners as listed on the city/town/county and/or county tax rolls; or
2. If the above mailing procedure is not successful, notice shall be posted in a conspicuous, protected place on the resource.

C. If the owner or owners fail to commence work within the time allotted as evidenced by a building permit, the commission shall notify the owner or owners in the manner provided above to appear at a public hearing before the commission at a date, time, and place to be specified in said notice, which shall be mailed or posted at least thirty (30) days before said hearing. For the purpose of insuring lawful notice, a hearing may be continued to a new date and time. The commission shall receive evidence on the issue of whether the subject resource should be repaired and the owner or owners may present evidence in rebuttal thereto. If, after such hearing, the commission shall determine that the resource is being demolished by neglect, it may direct the city/town/county building official to bring misdemeanor charges against the owner or owners if the necessary repairs are not completed within ninety (90) days of the determination by the commission that the subject building or structure is being demolished by neglect.

D. The City/town/county, in addition to the powers specified in Section 21-19-11(1) of the Mississippi State Code of 1972, as amended, if the Historic Preservation Division of the Department of Archives and History concurs, may make repairs necessary to correct demolition by

neglect, and the cost of such repairs shall become a lien against the property in accordance with the Mississippi State Code of 1972 as amended.

SECTION XIV PUBLIC SAFETY EXCLUSION

None of the provisions of this ordinance shall be construed to prevent any action of construction, alteration, or demolition necessary to correct or abate the unsafe or dangerous condition of any resource, or part thereof, where such condition has been declared unsafe or dangerous by the city/town/county building official or the fire department and where the proposed actions have been declared necessary by such authorities to correct the said condition; provided, however, that only such work as is necessary to correct the unsafe or dangerous condition may be performed pursuant to this section. In the event any resource designated as a landmark or located within a historic district, shall be damaged by fire or other calamity to such an extent that it cannot be repaired and restored, it may be removed in conformity with normal permit procedures and applicable laws, provided that:

- A. The city/town/county building official concurs with the property owner that the resource cannot be repaired and restored and so notifies the commission in writing.
- B. The preservation commission, if in doubt after receiving such notification from the city/town/county building official, shall be allowed time to seek outside professional expertise from the State Historic Preservation Office and/or an independent structural engineer before issuing a certificate of appropriateness for the demolition. The commission may indicate in writing by letter to the city/town/county building official that it will require a time period of up to thirty days for this purpose, and, upon such notification to the city/town/county building official, this section shall be suspended until the expiration of such a delay period.

SECTION XV ENFORCEMENT AND PENALTIES

The following civil and criminal penalties may be imposed upon those persons, firms, or corporations found to have violated requirements or prohibitions contained within this ordinance.

A. Civil Penalty:

1. Any person who constructs, alters, relocates, or demolishes any resource in violation of this ordinance shall be required to restore the resource to its appearance or setting prior to the violation. Any action to enforce this provision shall be brought by the City of **TUPELO**. This civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty.
2. If construction, alteration, or relocation of any resource occurs without a certificate of appropriateness, then the license of the company, individual, principal owner, or its or his successor in interest performing such construction, alteration, or relocation shall be revoked for a period of three (3) years.
3. If demolition of a resource occurs without a certificate of appropriateness, then any permits on subject property will be denied for a period of three (3) years. No permit will be issued for any structure or structures proposed for the same parcel which would require a footprint larger than the footprint of the demolished structure or structures. In addition, the owner must rebuild on the site using as much of the original building material as possible, and in general following the same form. In addition, unauthorized demolition of a portion of a structure shall not serve as justification for a demolition permit whenever it can be shown that restoration or rehabilitation would still be feasible. In addition, the applicant shall not be entitled to have issued to him by any city/town/county office a permit allowing any curb cuts on subject property for a period of three (3) years from and after the date of such demolition.
4. If a historic landmark or landmark site of statewide or national significance is demolished without review and approval by a local historic preservation commission, no

permit for any construction on the parcel from which the landmark or landmark site has been removed may be issued for a period of up to twenty-four (24) months.

5. If demolition of a resource occurs without a certificate of appropriateness, then the license of the company, individual, principal owner, or its or his successor in interest performing such demolition shall be revoked for a period of five (5) years.

B. Criminal Penalty:

Any persons, firm or corporation violating any provision of this ordinance shall be guilty of a misdemeanor, and each shall be deemed guilty of a separate violation for each day during which any violation hereof is committed. Upon conviction, each violation shall be fined not less than Ten Dollars (\$10.00) nor more than Five Hundred Dollars (\$500.00). Each day that a violation continues to exist shall constitute a separate offense.

SECTION XVI APPROPRIATIONS

The city/town/county is authorized to make appropriations to the commission necessary for the expenses of the operation of the commission and may make additional amounts available as necessary for the acquisition, restoration, preservation, operation, and management of historic properties.

SECTION XVII TITLE TO PROPERTY ACQUIRED

All property acquired by funds appropriated by the city/town/county shall be acquired in the name of the city/town/county unless otherwise provided by the city/town/county. So long as owned by the city/town/county, properties may be maintained by or under the supervision and control of the city/town/county. However, all property acquired by the commission from funds other than those appropriated by the city/town/county may be acquired and held in the name of the commission, the city/town/county, or both. Whenever the commission shall hold title to properties in its own name, such properties shall be administered in accordance with this and other city/town/county ordinances.

SECTION XVIII NON RESTRICTIVE CLAUSE

Nothing in this ordinance shall be construed to prevent the regulation or acquisition of property, improved or unimproved, by the State of Mississippi or any of its political subdivisions, agencies, or instrumentalities or by the United States of America or any of its political subdivisions, agencies, or instrumentalities.

Furthermore, the City of **TUPELO** hereby acknowledges that the Mississippi State Antiquities Law (39-7-1 et. seq. of the Mississippi Code of 1972, as amended in 1983), provides for the sensitive treatment of publicly owned property, improved or unimproved, shown to possess certain architectural, historical, or archaeological significance, which are designed by the Board of Trustees of the Mississippi Department of Archives and History as Mississippi Landmarks. Whenever the city/town/county proposes to rehabilitate, alter, or enlarge a Mississippi Landmark (or proposes similar actions which would affect a Mississippi Landmark), the city/town/county shall submit its plans to the Mississippi Department of Archives and History for review and compliance.

SECTION XIX DISQUALIFICATION OF MEMBERS BY CONFLICT OF INTERESTS

Because the city/town/county may possess few residents with experience in the individual fields of history, architecture, architectural history, archaeology, urban planning, law, or real estate, and in order not to impair such residents from practicing their trade for hire, members of the commission are allowed to contract their services to an applicant for a Certificate of Appropriateness, and, when doing so, must expressly disqualify themselves from the commission during all discussions for that application. In such cases, the city/town/county shall, upon the request of the chairman of the commission or the vice-chairman in his stead, appoint a substitute member who is qualified in the same field as the disqualified member, and who will serve for that particular case only. If no qualified resident of the city/town/county is able to substitute for the disqualified member, the city/town/county may appoint, in this case only, a qualified

substitute who is a resident of Mississippi but not a resident City of **TUPELO**. If any member of the commission must be disqualified due to a conflict of interest on a regular and continuing basis, the chairman or the vice-chairman, in his stead, shall encourage the member to resign his commission seat. Failing this resignation, and, if the commission member continues to enter into conflict of interest situations with the commission, the chairman or vice-chairman of the commission shall encourage the city/town/county to replace the member. Likewise, any member of the commission who has an interest in the property in question or in property within three hundred feet of such a property, or who is employed with a firm that has been hired to aid the applicant in any matter whatsoever, or who has any proprietary, tenancy, or personal interest in a matter to be considered by the commission shall be disqualified from participating in the consideration of any request for a certificate of appropriateness involving such a property. In such cases, a qualified substitute shall be appointed as provided above.

SECTION XX SEVERABILITY

The requirements and provisions of this ordinance are separable. If any article, section, paragraph, sentence, or portion thereof, be declared by any court of competent jurisdiction to be void, invalid, or inoperative, the decision of the court shall not affect the validity or applicability of the ordinance as a whole or of any part thereof other than the part held void, invalid, or otherwise inoperative.

SECTION XXI CONFLICTING ORDINANCES

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION XXII CONFLICT WITH THE MISSISSIPPI ANTIQUITIES ACT

Likewise, all ordinances and part of ordinances in conflict with the Mississippi Antiquities Act (39-7-1 et. seq. of the Mississippi Code of 1972, as amended in 1983) are hereby repealed.

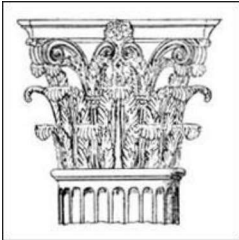
SECTION XXIII EFFECTIVE DATE

This ordinance shall become effective one month after its passage.

Appendix B1

Glossary

Architectural Terms



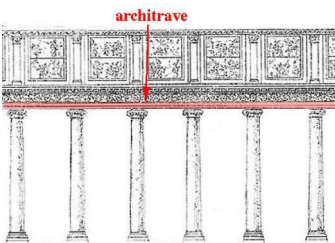
Acanthus a plant of the Mediterranean region characterized by thick, fleshy, scalloped leaves; used as a decorative element on Corinthian and composite capitals as well as on moldings.



Arcade a series of arches supported by columns or pillars; a covered passageway.



Arch a curved and sometimes pointed structural member used to span an opening. Arches are usually classified according to historical criteria (e.g. Tudor arch, Moorish arch, Gothic arch, etc.) or according to the curve of the underside of the arch.



Architrave in classical architecture, the lowest of the three main parts of the entablature. Also, the ornamental moldings around doors, windows, or other openings.



Art Deco (1920-1940) an architectural style characterized by an overall linear, angular, vertical appearance, stepped façade, extensive use of zig-zags, chevrons, lozenges, and volutes as decorative elements, and vertical projections above the roofline.



Art Moderne (1930-1945) an architectural style characterized by an overall streamlined appearance, asymmetrical façade, smooth wall surfaces with rounded corners, sparse ornamentation, flat roof, windows that frequently wrap around corners, and a curved canopy over the front door.

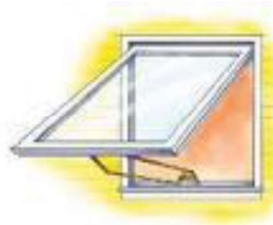


Ashlar squared building stone characterized by a high quality of finish and thin mortar joints.



Awning usually a movable canvas sunscreen over a window or doorway; affixed cover, typically comprised of cloth over a metal armature, that is placed over windows or building openings as protection from the sun and rain

(hopper type).



Awning window one or more sash hinged horizontally; the bottom swings outward (awning type), or the top swings outward



Balcony a railed projecting platform found above ground level on a building.

in the early 1830s.

Balloon Framing a building system featuring studs that extend in one piece from the top of the foundation sill plate to the top plate; floor joists are nailed to studs and are supported by ledger (horizontal) boards. Introduced



Baluster, balustrade (pl.) a shaped vertical member (usually wooden) or series of members supporting a railing.



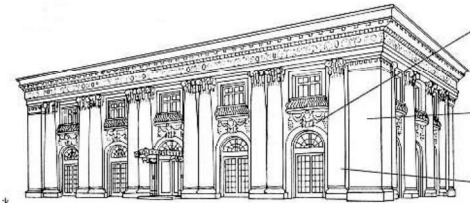
Bargeboard a board, typically decorated, on the projecting edge of an overhanging gable roof, used to conceal the ends of rafters

Batten a narrow board used to cover gaps between siding boards or sheathing (see *Board & Batten* for image)

Bay a regularly repeated main division of a building design



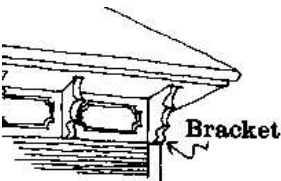
Bay window a window structure projecting beyond the main wall plane; if attached to the building above ground level, properly called an oriel



Beaux Arts (1885-1925) an architectural style characterized by monumental and imposing appearance, symmetrical façade, floral patterns on wall surfaces, quoins, pilasters, paired colossal columns, and flat or low-pitched (often Mansard) roofs



Board and Batten vertical siding composed of wide boards that do not overlap and narrow strips, or battens, nailed over the spaces between the boards



Bracketed cornice
with paneled frieze

Bracket the plain or decorative supports under a roof eave or bay window

Brick Bonding the repeated arrangement of bricks into various patterns

Bridging a brace, or series of braces, placed between joists, studs, or other structural members

Building elements the parts of a building such as windows, doors, trim, dormers, etc



Bungalow (1890-1940) an architectural style characterized by small size, overall simplicity, broad gables, dormers, porches with large square piers, and exposed structural members

Canopy a projecting cover protecting a doorway or entrance

Cantilever a projecting over hang or beam supported only at one end



Capital the decorative top portion of a column

Casement a window sash that swings open along its entire length; usually hinged on the side of the window opening

Casing the exposed architectural framework or trim around a wall opening

Casement window a window with hinges to the side and a vertical opening either on the side or in the center

Clapboards narrow, overlapping boards applied horizontally to an exterior wall

Clearstory an upward extends of a single storied space used to provide windows for lighting and ventilation

Column a long vertical structural member that supports a load; in classical terms, a cylindrical support having a base, shaft, and capital; also see *orders*

Coping the flashing or cap, usually metal or tile, on top of an exterior wall

Course a single line of bricks in masonry

Cornice decorative trim at a wall and roof junction; the uppermost part of a classical entablature



Cupola a small surmounting structure mounted on a roof; a common feature of Italianate Style dwellings

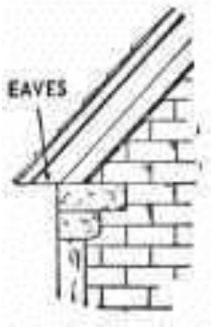
Deck an outdoor platform and its supporting members; may be attached or unattached to a building

Dentil one of a series of small rectangular blocks on architectural molding; commonly used on Greek Revival or Colonial Revival architecture



Dormer a roofed structure with a vertical window that projects from a pitched roof and has a roof of its own

Double-hung sash a window consisting of two vertical sliding sash, each comprising half of the window opening



Eave the lower part of a roof that projects beyond the wall

Elevation a scale drawing of the side, front, or rear of a building; the perpendicular view of a particular side

Ell A wing or addition at right angles to the main building or structure.

Entablature the upper part of a classical architectural order including the architrave, frieze, and cornice

Façade the face of a building; generally the most ornate side facing the street

Fascia a flat horizontal band or member such as the face of a cornice

Fenestration the arrangement and design of windows in a building

Flashing sheet metal, copper, lead or tin used to cover joints of exterior construction such as roof-valley joints or roof parapet joints to make them waterproof



Gable the triangular wall sections at the ends of a pitched roof formed by the two sloping roof planes

Gambrel a double-pitched gable roof usually associated with Dutch Colonial architecture

Glazing fitting the glass in windows and doors



Hip the external angle at the intersection of two roof planes; a hip roof has sides that slope upward toward the center from all sides

Hood a projecting cover located over a wall opening such as a door.

Leader a rainwater downspout

Light a pane of glass installed in a window; or the window itself.

Lintel a horizontal structural member that bridges an opening; generally used to describe the top of a window

Lot a platted parcel of land intended to be separately owned, developed, and otherwise used as a unit



Mansard a flat roof with steeply sloping sidewalls that can be concave or convex; the sidewalls are often pierced by dormer openings; usually associated with Second Empire buildings

Masonry wall construction of such material as stone, brick, and adobe

Massing the collective visual form created by a group of buildings

Molding a decorative band or strip of material with a profile generally used on cornices and as trim around window & door openings. Also used to delineate the wall and ceiling juncture in interior spaces

Mullion a vertical member separating window lights (for multi-paned windows)

Orders different styles of classical architecture, each based on a particular design of column and entablature; the Greek orders are Doric, Ionic, and Corinthian; the later Roman orders are Tuscan, Roman Doric and Composite

Parapet the portion of a wall extending above the roof

Parge to coat masonry with cement mortar or stucco, usually containing damp-proofing ingredients

Pavers solid brick, stone or concrete units used for sidewalks or driveways, usually thinner than a standard brick and without core holes



Pediment In classical architecture, the triangular gable end above a horizontal cornice

Pendant a hanging ornament usually found projecting from the bottom of a bargeboard or wall overhang



Pilaster a rectangular decorative column or shallow pier attached to a wall

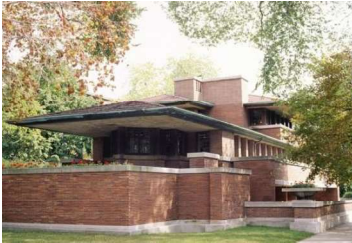
Pitch slope of a roof expressed in terms of a ration of height to span

Pointing the repair of masonry joints by filling with a high quality mortar

Porte-Cochere a covered porch projecting far enough across a driveway so that automobiles or other wheeled vehicles may easily pass through



Portico a covered walk or porch supported by columns or pillars



Prairie Style (1900-1920) an architectural style characterized by its overall horizontal appearance which is accomplished through the use of bands of casement windows, long terraces or balconies, flanking wings, low-pitched roofs with wide overhangs, and darkly colored strips or bands on exterior walls

Pueblo Revival (1905-present) a predominantly southwestern architectural style characterized by flat roofs with projecting rounded roof beams, stucco walls with rounded corners, windows set deeply into walls, and stepped or terraced upper stories

Queen Anne (1880-1910) an architectural style characterized by irregularity of plan and massing, variety of color and texture, and multiple window treatments. Walls are characterized by the use of different materials

Quoins large stones, or rectangular pieces of wood or brick, used to decorate and accentuate the corners of buildings.

Rafters the sloping members of a roof upon which the roof covering is placed

Rake the slope of a gable, pediment, stair string, etc

Retaining Wall a braced or freestanding wall that bears against an earthen backing

Return the continuation of a molding from one surface onto an adjacent surface

Reveal the vertical retreating surface of a window or door between the frame and the front of the wall

Ridge the horizontal line formed when two roof surfaces meet

Ridge Board the topmost horizontal member of a roof frame into which rafters are connected

Saltbox a house design characterized by a roof with a short front slope and a longer rear slope

Sash the framework into which windowpanes are set

Scrollwork any kind of ornamental work that is scroll-like in character

Second Empire (1855-1890) an architectural style characterized by multiple stories, mansard, with multicolored slate or metal shingles, bracketed windows, ornate moldings, and arched double doors

Segmental Arch an arch formed by an arc or segment of a circle; often forms the top of a window

Setback the minimum horizontal distance between the lot or property line and the nearest front, side or rear line of the building (as the case be), including terraces or any covered projection thereof, excluding steps

Setting the physical environment in which a historic property is located

Shakes split wood shingles

Shed Roof a sloping, single planed roof as seen on a lean-top

Shiplap Siding early siding consisting of wide horizontal boards with “U” or “V” shaped grooves

Side Light a long fixed sash flanking a door or window

Sill the horizontal lower member of a window or other frame

Site Plan an accurate scaled drawing of a site as if seen from above

Stoop an uncovered platform with steps at an entrance

Stringcourse a continuous horizontal band of brick, stone or wood on the exterior wall of a building

Terra Cotta a fine-grained fired clay product used ornamentally on the exterior of buildings

Texture the appearance and feel of a material's surface

Threshold a wood, stone or metal strip under a door

Tile a piece of fired clay that is thinner than a brick

Tongue and Groove a joint composed of a rib (tongue) received by a groove

Tracery the ornamental work in the upper part of an arched Gothic window consisting of interlacing lines

Transom Window a small window or series of panes above a door

Truss a rigid, structural triangle formed to span between two load bearing walls; generally supports the roof



Tudor Style (1890-1940) an architectural style characterized by steeply pitched gable roofs, gabled entryway, narrow windows, tall chimneys, and decorative half timbering

Valley the depressed angle formed at the meeting of two roof slopes

Veranda a roofed space attached to the exterior wall of a house supported by columns, pillars, or posts; sometimes called a *piazza*

Vernacular Architecture local building practices derived from adaptation to functional needs; utilizes materials and methods available to local artisans without precise regard for stylistic nuances

Voussoir a wedge-shaped stone or brick used in forming an arch

Water Table a plain or molded ledge that protects a foundation from water running down the side of a building

Weather Stripping material installed around door and window openings to prevent air and moisture infiltration

Wheel Window a round window with glazing bars radiating from its center

Appendix B2

Preservation Terms

Alteration - Any permanent exterior change in a historic resource

Certificate of Appropriateness - A permit to proceed with new construction or alterations to a designated historic property after the Historic Preservation Commission has reviewed the proposed changes

Contributing Building - A building within in a Historic District that is significant within the defined historic context and period of significance

Historic Context Statement - A narrative description of the broad patterns of historical development in a community or its region that is represented by historic resources. A historic context statement is organized by themes such as economic, residential and commercial development

Historic District - A significant neighborhood containing a collection of historical buildings, the majority of which are 50 years old or older, that may have been part of one settlement, architectural period, or era of development

Historic Preservation Board A seven-nine member citizen board of the City of Tupelo appointed by the Mayor and approved by the City Council to assist in administering the City's historic preservation program.

Historic Resource - A general term that refers to buildings, areas, districts, streets, places, structures, outdoor works of art, natural or agricultural features and other objects having a special historical, cultural, archaeological, architectural, community or aesthetic value, and are usually 50 years old or older

Infill - Descriptive of buildings that have been designed and built to replace missing buildings or otherwise fill gaps in the streetscape

In-kind Replacement - To replace a feature of a building with materials of the same materials, texture, color and other characteristics

Integrity - Integrity means that a building retains the physical characteristics it possessed during the period of significance. Integrity generally includes location, design, setting, materials, workmanship, feeling, and association. Properties that do not retain sufficient integrity are considered non-contributors to a district

National Register of Historic Places - The nation's official inventory of districts, sites, buildings, structures and objects significant in national, regional or local American history, architecture, archaeology and culture, maintained by the U.S. Secretary of the Interior.

Non-Contributing Building - A building within a Historic District that does not contribute to the significance of the district because it has been extensively altered or it outside the defined period of significance or historic context

Period of Significance - Span of time in which a property has attained significance

Preservation - The act of saving from destruction or deterioration old and historic buildings, sites, structures and objects without changing or adversely affecting their fabric or appearance

Reconstruction - The process of reproducing by new construction the exact form and detail of a vanished building as it appeared at a specific period of time, based upon archaeological, historical, documentary and physical evidence

Rehabilitation - The process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural and cultural values

Remodeling - Any change or alteration to a building which substantially alters its original state

Renovation - Modernization of an old or historic building that may produce inappropriate alterations or elimination of important features and details

Restoration - The careful and meticulous return of a building to its appearance at a particular time period, usually on its original site, by removal of later work and/or replacement of missing earlier work

Style - A type of architecture distinguished by special characteristics of structure and ornament and often related in time

Architrave in classical architecture, the lowest of the three main parts of the entablature. Also, the ornamental moldings around doors, windows, or other openings.

Art Deco (1920-1940) an architectural style characterized by an overall linear, angular, vertical appearance, stepped façade, extensive use of zig-zags, chevrons, lozenges, and volutes as decorative elements, and vertical projections above the roofline.

Art Moderne (1930-1945) an architectural style characterized by an overall streamlined appearance, asymmetrical façade, smooth wall surfaces with rounded corners, sparse ornamentation, flat roof, windows that frequently wrap around corners, and a curved canopy over the front door.

Ashlar squared building stone characterized by a high quality of finish and thin mortar joints.

Awning usually a movable canvas sunscreen over a window or doorway; affixed cover, typically comprised of cloth over a metal armature, that is placed over windows or building openings as protection from the sun and rain

Awning window one or more sash hinged horizontally; the bottom swings outward (awning type), or the top swings outward (hopper type).

Balcony a railed projecting platform found above ground level on a building.

Pendant a hanging ornament usually found projecting from the bottom of a bargeboard or wall overhang

Appendix C**Sample Documents**

Application for Proposed Work

City Ordinance requires that all applications for proposed work in historic districts include the following information:

Date of Application: _____
 Date Received _____
 Address of Property: _____
 Name of Owner: _____
 Owner's Address: _____
 Name of Applicant: _____
 _____ Owner _____ Owner Representative
 Applicant's Address: _____
 Applicant's Phone Number: _____

Refer to the Checklist on the back of this application for requirements for specific work items to be performed.

Refer to the Review Board Guidelines for assistance with appropriate treatment for structures in Tupelo's Historic Districts. Members are available to assist with application preparation. For large projects, such as new construction or substantial additions or renovations, consultation with Board is strongly encouraged.

NOTE: Incomplete applications will not be placed on the Review Board Agenda.

Describe the Proposed Work:

If major, attach description on separate sheet of paper.

Does the proposed work involve demolition? ____ Yes ____ No

If Yes, attach a completed Demolition Application.

Does the proposed work involve signage? ____ Yes ____ No

If Yes, attach a completed Sign Application.

Will the proposed work require the removal of any trees from the site? ____ Yes ____ No

A sign will be placed on the exterior of the property prior to the Review Board meeting to notify surrounding property owners of a pending application. Attendance at the meeting is strongly advised in order for the applicant to respond to any questions.

Circle the Categories (A-E) Below Which Best Represent Your Request

Use the Following Checklist to Ensure a Complete Application

A. FOR NEW CONSTRUCTION, ADDITIONS, OR FOR EXTENSIVE RENOVATION OR REPAIR TO EXISTING STRUCTURES

1. Two sets of scaled drawings that shall include:

- a. ____ A site plan illustrating location, with dimensions, required setbacks, landscaping and other site facilities;
- b. ____ A floor plan, with dimensions, as it impacts the exterior of the building;
- c. ____ A drawing, with dimensions, of all affected exterior elevations;

- d. ___ Notes describing materials to be used on the exterior (i.e. walls, roof, trim, cornice, windows, etc.) In some cases, sample materials may be required.
- e. ___ Detailed drawings or photographs of any decorative architectural details (i.e. columns, balustrades, modillions, etc.)
- f. ___ Paint samples and plan keyed to location of each color.

2. Photographs of the subject property to be worked on and surrounding buildings are required.

- ___ Subject Property photographs
- ___ Surrounding Buildings photographs

B. FOR MINOR RENOVATION OR REPAIR TO EXISTING BUILDINGS

For work that includes changes to the exterior of existing buildings, the following is required:

- a. ___ Elevations
- b. ___ Floor plans
- c. ___ Photographs of each face of the building to be renovated with details of the areas of work.

C. EXTERIOR PAINTING

Period color schemes are encouraged. However, other colors may be acceptable. Submit color samples for:

- ___ main body color
- ___ trim or decorative features
- ___ accent areas, such as lattice shutters, porch deck, etc.

D. FENCES, DRIVES AND GATES

- a. ___ A drawing or photograph of the type of fence, wall or gate with the height and scale noted.
- b. ___ A site plan, with dimensions, showing the placement of any proposed change to the property as it relates to property boundaries and all other building or site facilities.
- c. ___ A description of the materials to be used.
- d. ___ Paint samples, if the fence, wall or gate is to be painted.

For demolition of existing structures, either historic or non-historic, submit a Demolition Application.

For Signage Requests, submit a Sign Application.

NOTE: INCOMPLETE APPLICATIONS WILL NOT BE PLACED ON THE AGENDA

HISTORIC COMMISSION
LETTER OF COMPLIANCE

Historic District:

Address of Property:

Property Owner:

Mailing Address:

City:

State:

Zip:

A Certificate of Appropriateness is not required for the following items of work. I understand that the repairs listed below are intended to maintain the original historic architectural features with no changes to design or materials.

- ☐ Painting exterior or remodeling interior
- ☐ Routine maintenance – no changes to design or materials
- ☐ Re-roofing – no change to design or materials
- ☐ Other _____

It is the responsibility of the property owner to obtain other permits and variances as required by the City.

Property Owner/Contractor

Date

Preservation Commission Representative

Date

Building Inspector

Date



UPELO HISTORIC PRESERVATION COMMISSION

HISTORIC PRESERVATION COMMISSION CERTIFICATE OF APPROPRIATENESS

Date

Mr. John Smith
121 Main Street
Wherever, MS 12345

Dear Mr. Smith:

On behalf of the *(name of municipality)* Historic Preservation Commission, I am pleased to inform you that the following was approved for work at *(address of property affected by the COA)* on *(date of the commission meeting when work was approved)*:

(State the scope of the work approved by the commission and any conditions added by the commission).

(If the project requires a building permit, state so in this letter here.)

Attached is the Certificate of Appropriateness as required by the Historic Preservation Ordinance of the *(name of municipality)*. If you have any questions, you may contact me at ***-****. Please be advised that this Certificate of Appropriateness expires six months from date of issuance if work has not begun *(check local ordinance)*.

Please sign the copy of this letter stating that you have received it and understand the approved action and return to me at the following address:

(name and address of historic preservation commission representative)

You must post the attached Certificate of Appropriateness on the location of the work along with your building permit, if one is required.

PERMISSION IS HEREBY GRANTED TO TAKE THE ACTION DESCRIBED IN YOUR APPLICATION, ON FILE WITH THE CITY, SUBJECT TO ANY QUALIFICATIONS OR LIMITATIONS SET FORTH ABOVE. PLEASE BE ADVISED THAT ANY DEVIATION FROM THE PLANS, SPECIFICATIONS, AND/OR INFORMATION CONTAINED IN, OR ATTACHED TO, YOUR APPLICATION, OR LIMITATIONS SET FORTH ABOVE, WILL BE IN VIOLATION OF THE HISTORIC PRESERVATION ORDINANCE OF THE CITY. NO CHANGES FROM THE APPROVED PLAN OF WORK WILL BE ACCEPTED BY THE HISTORIC PRESERVATION COMMISSION IF THE WORK IS PERFORMED BEFORE THE CHANGES ARE DISCUSSED WITH THE COMMISSION AND ANY CHANGES MADE WITHOUT PRIOR APPROVAL OF THE COMMISSION WILL HAVE TO BE REVERSED AND PERFORMED ACCORDING TO THE SPECIFICATIONS OF THE APPROVED CERTIFICATE OF APPROPRIATENESS.

Sincerely,

(Historic Preservation Commission Representative)

C: Building Inspector

I, (applicant), have read this letter and understand the approved actions of the Historic Preservation Commission. Upon the receipt by the (municipality) of the signed letter, I will receive the Certificate of Appropriateness.

(Name of Applicant)

Appendix D

Resources:

- **HISTORIC PROPERTIES RESOURCES**

With the passage of the 1990 Americans with Disabilities Act (ADA), access for people with disabilities to all public spaces is now a civil right. For over the last decade there has been a focus on preserving historically significant properties and on making their buildings and activities more accessible to people with disabilities. Historic property owners, design professionals and administrators should evaluate properties thoroughly, to identify the applicable federal and state accessibility requirements, to explore alternatives and to implement solutions that provide independent access and are consistent with accepted historic preservation standards. According to the Department of Justice's Title III Technical Assistance Manual, p. 32 and following:

[The ADA requires barrier removal in historic buildings] if it is readily achievable. However, the ADA takes into account the national interest in preserving significant historic structures. Barrier removal would not be considered "readily achievable" if it would threaten or destroy the historic significance of a building or facility that is eligible for listing in the National Register of Historic Places under the National Historic Preservation Act (16 U.S.C. 470, et seq.), or is designated as historic under State or local law.

Establishing a written record of planning and evaluation will be a good beginning and serve as a good faith effort to comply with the spirit of the ADA, thus reducing the risk of complaints. If, during the process, an owner believes that it is necessary to use either the alternative minimum requirements, or the alternative methods to achieve accessibility because full compliance with accessibility requirements would "threaten or destroy" a building's significance, then the State Historic Preservation Officer (<http://www.achp.gov/shpo.html>) (SHPO) should be consulted. However, before consultation, specific information should be gathered to enable the SHPO to determine whether a proposal would threaten or destroy a property's historic significance. Owners should be prepared to submit: interior and exterior photographs; architectural plans and elevations for both existing and proposed conditions; explanations of all alternatives considered; and documentation of consultation with local preservation and accessibility officials and any interested persons, including individuals with disabilities and organizations representing such individuals. It is important to follow the required consultation process and not proceed without written documentation. Alterations made for accessibility should conform to requirements in ADAAG to ensure compliance. Finally, owners should plan carefully and consider accessibility solutions that provide the highest level of accessibility and preserve the features and materials that convey a property's historic significance. For example, a lift should only be used as a last resort, as lifts require frequent maintenance and are awkward to use.

There is a wealth of guidance available on making historic properties accessible while preserving their historic character. Access can be achieved in most all instances with careful planning, consultation and sensitive design.

The Making Historic Properties Accessible Preservation Brief produced by the U.S. Department of the Interior National Park Service Preservation Assistance Division is a valuable resource concerning accessibility and historical properties and is available at: <http://www2.cr.nps.gov/tps/briefs/brief32.htm> This Brief introduces the complex issue of

providing accessibility at historic properties, and underscores the need to balance accessibility and historic preservation. It provides guidance on making historic properties accessible while preserving their historic character; the Brief also provides examples to show that independent physical accessibility at historic properties can be achieved with careful planning, consultation, and sensitive design.

- **Historic Properties Resource Directory**

Access Board

1331 F Street, N.W. Ste. 1000

Washington, DC 20004-1111

Phone: (800) USA-ABLE

(202) 272-0080

TDD: (202) 272-0082

Internet: <http://access-board.gov>

Description: The Access Board is an independent federal agency devoted to accessibility for people with disabilities. Key responsibilities of the Access Board include:

1. Developing and maintaining accessibility requirement for the built environment, transit vehicles, telecommunications equipment, and for electronic and information technology
2. Providing technical assistance and training on these guidelines and standards
3. Enforcing accessibility standards for federally funded facilities.

- **Adaptive Environments Center**

374 Congress Street, Ste. 301

Boston, MA 02210

Phone: (617) 695-1225

Fax: (617) 482-8099

Email: info@adaptiveenvironments.org

Internet: <http://www.adaptiveenvironments.org>

Description: Adaptive Environments Center provides architectural consulting services, conducts educational seminars, and produces publications on accessibility, including award-winning design guidelines. Publications list available.

- **Advisory Council on Historic Preservation**

1100 Pennsylvania Ave., N.W., Ste. 809

Washington, DC 20004

Phone: (202) 606-8503

Fax: (202) 606-8672

Email: achp@achp.gov

Internet: <http://www.achp.gov>

Description: The Advisory Council on Historic Preservation is an independent federal agency that promotes historic preservation nationally by providing a forum for influencing Federal activities, programs, and policies that impact historic properties. It provides directory of State Historic Preservation Officers and Deputies. It lists all 50 State Historic Preservation Officers, which administer the national historic preservation program at the state level and can provide guidance on accessibility issues. An independent Federal agency, the ACHP promotes historic preservation nationally by providing a forum for influencing Federal activities, programs, and policies that impact historic properties.

- **American Cultural Resources Association (ACRA)**

6150 East Ponce De Leon Ave.

Stone Mountain, GA 30083

Phone: (520) 721-4309

Fax: (520) 298-7044

Email: cdore@srcrm.com

Internet: <http://www.acra-crm.org>

Description: ACRA's mission is to promote the professional, ethical and business practices of the cultural resources industry, including all of its affiliated disciplines, for the benefit of the resources, the public, and the members of the association by:

- Supporting the business needs of cultural resources practioners
- Promoting professionalism in the cultural resources industry
- Providing educational and training opportunities for the cultural resources industry
- Influencing public policy
- Promoting public awareness of cultural resources consulting and its diverse fields

- American Institute of Architects

1735 New York Ave., N.W.

Washington, DC 20006-5292

Phone: (202) 626-7300

Fax: (202) 626-7547

Email: infocentral@aia.org

Internet: <http://www.aia.org>

Description: The American Institute of Architects is the voice of the architecture profession dedicated to serving members, advancing their value, and improving the quality of the built environment.

- Government Printing Office

Superintendent of Documents

732 North Capitol Street, N.W.

Washington, DC 20401

Email: admin@gpo.gov

Internet: <http://bookstore.gpo.gov>

Description: The Government Printing Office sells Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and Preservation Brief 32: Making Historic Properties Accessible by Thomas C. Jester and Sharon C. Park of the National Park Services, which introduces the complex issue of providing accessibility at historic properties. It provides guidance on making historic properties accessible while preserving their historic character.

- Historic Windsor, Inc.

P.O. Box 1777

Windsor, VT 05089-0021

Phone: (802) 674-6752

Fax: (802) 267-6179

Email: histwininc@vallie.net

Internet: <http://www.preservationworks.org>

Description: Historic Windsor, Inc., distributed, "Entrances to the Past," a U.S. Park Service video produced on accessibility and historic preservation that focuses on the dual need to achieve reasonable access solutions for disabled people and the need to preserve historic buildings for future generations.

- **National Center on Accessibility (NCA)**

501 North Morton Street Ste. 109

Bloomington, IN 47404

Phone: (812) 856-4422

TTY: (812) 856-4421

Fax: (812) 856-4480

Email: nca@indiana.edu

Internet: <http://www.indiana.edu/~nca/>

Description: The NCA provides training, technical assistance, and research on the inclusion of people with disabilities in parks, recreation and tourism.

- **National Conference of State Historic Preservation Officers**

Halls of the States

444 North Capitol Street, N.W., Ste. 342

Washington, DC 20001

Phone: (202) 624-5465

Fax: (202) 624-5419

Internet: <http://www.ncshpo.org>

Description: The National Conference of State Historic Preservation Officers is the professional association of the state government officials—called State Historic Preservation Officers or SHPOs—who carry out the national historic preservation program as delegates of the Secretary of the Interior, pursuant to the National Historic Preservation Act. SHPOs have a statutory responsibility to foster the enactment and enforcement of historic preservation ordinances by local government.

**National Park Service
Preservation Assistance Division**

1849 C. Street N.W.

Washington, DC 20240

Phone: (202) 354-2054

TTY: (202) 343-3679

Internet: <http://www.nps.gov>

Description: The National Park Service publishes, Preserving the Past and Making it Accessible for People with Disabilities, Preservation: Tax Incentives for Historic Buildings, and Accessibility Checklist for Historic Properties.

- **National Trust for Historic Preservation**

1785 Massachusetts Ave., N.W.

Washington, DC 20036-2117

Phone: (202) 588-6000

Fax: (202) 588-6038

Internet: <http://www.nationaltrust.org>

Description: The National Trust for Historic Preservation publishes, The Impact of the Americans with Disabilities Act on Historic Structures by David Battaglia. This is a guide that reviews how a number of organizations have taken innovative approaches to preserving the past while making it accessible to everyone.

- **Preservation Action**

1054 31st Street N.W., Ste. 526

Washington, DC 20007

Phone: (202) 298-6180

Fax: (202) 298-6182

Email: mail@preservationaction.org

Internet: <http://www.preservationaction.org>

Description: Preservation Action advocates federal legislation to further the impact of historic preservation at the local, state, and national level.

- **Sachs Morgan Studio**

224 West 30th Street, Ste. 1400

New York, NY 10001

Phone: (212) 765-4144

Fax: (212) 765-4142

Email: info@sachsmorganstudio.com

Internet: <http://www.sachsmorganstudio.com/>

Description: Sachs Morgan Studio (SMS), Theatre Design Specialists provides comprehensive services for the planning and design of theatres, including space planning and programming, conceptual design and specification of theatre equipment, and stage technology and interior design. SMS has specific expertise in developing solutions to the problems of poor access. Experts in historic properties, SMS renovated the historic Opera House at the Kennedy Center for the Performing Arts, receiving the 1997 American Institute of Architects Award.

- The Association for Preservation Technology International (APT)

4513 Lincoln Ave., Ste. 213

Lisle, IL 60532-1290

Phone: (630) 968-6400

Fax: (888) 723-4242

Email: info@apti.org

Internet: <http://www.apti.org/indexmain.htm>

Description: APT is the premier cross-disciplinary organization dedicated to promoting the best technology for conserving historic structures and their settings. APT connects a network of architects, conservators, trades people, consultants, planners, curators, landscape architects, engineers, developers, educators, and students.

- The Preservation Trades Network, Inc. (PTN)

P.O. Box 10236

Rockville, MD 20849-0236

Phone: (866) 853-9335

Fax: (866) 853-9336

Email: info@ptn.org

Internet: <http://www.ptn.org>

Description: PTN is a non-profit organization that brings together the building trades in the field of historic preservation, restoration and conservation of heritage, buildings, architecture, engineering and historic structures.

See also: The following resource directories are from the National Arts and Disability Center at UCLA.

- Assistive Devices, Services and Products for Physical and Program Accessibility

(<http://www.nadc.ucla.edu/ACCESSIBLESERVICES.cfm>)

- Americans with Disabilities Act and the Arts

(<http://www.nadc.ucla.edu/ADAArts.html>)

Appendix E

History of Tupelo and Local Historic Districts

History of Tupelo

History of Tupelo, Mississippi:

The Tupelo Story Written in the 1970's by Elizabeth Holcomb, Lee County Librarian

Long ago the Chickasaw Indians began their migration from the far West, carrying with them a long pole-so Indian tradition goes. Each night the pole was stuck in the ground erect. The next day the Chickasaws traveled in the same position they had placed it, their leader proclaimed this place their home. The spot where they built one of their chief villages was known first as the Chickasaw Old Fields. Later it became Pontotoc County. Today it is Tupelo, in Lee County.

The Indians remained until 1832, when the government obtained the land by the Treaty of Pontotoc. During this time DeSoto spent a winter in the area; Bienville led the French in a battle against the Chickasaws at Ackia; and the Natchez Trace, at first an old Indian trail, was opened as a military road by the government to become Mississippi's first historic road.

The Chickasaw exodus was followed by a land sale. Settlers from eastern seaboard states moved in. Itawamba and Pontotoc counties were formed in 1836. By the end of a decade these settlers had established themselves as well-to-do farmers. A store was built on land owned by Judge Harris and the site was named Harrisburg. Other stores followed and the village continued to grow until 1859.

When the Mobile and Ohio Railroad wanted a right-of-way through the aristocratic town of Verona, some five miles south the Veronans refused. When the tracks were laid two miles east of Harrisburg, the people of Harrisburg moved over, and gradually the families of Verona moved up to this marshy land covered with Tupelo gum trees. There Tupelo, named for the gum trees, had its beginning with a store, two saloons and a temporary railroad station.

The War Between the States interrupted the progress of the area, an area important because of the railroad and of the supply of grain. General Nathan Bedford Forrest made his headquarters in the Tupelo area for a while, during which he achieved a brilliant victory in the battle of Brice's Crossroads. In the last major battle at Harrisburg, Stephen D. Lee was defeated, and Harrisburg was burned.

The year 1866 brought a new day for Tupelo, when Lee County was formed from portions of Itawamba and Pontotoc Counties and named in honor of General Robert E. Lee with Tupelo selected as the county seat. In 1870, the town was incorporated; a free school system was adopted and cultural progress was manifested.

A quarter of century of rapid progress followed: a second railroad; a second railroad; electric lights; and a city charter. By 1891 King Cotton was in full reign. By then Tupelo had two newspapers, two schools, three hotels, seven churches, five factories, thirty business houses, an icehouse, a tin shop, six brickyards, an opera house, a cotton compress, and cotton warehouses. Included in its population of 1525 were five doctors, twelve lawyers, twenty-five brick masons, fifty mechanics, a number of wealthy merchants and two firms of cotton buyers. Also, Tupelo boasted cash cotton buyers from Liverpool and Manchester, England.

In the early days much of Tupelo was a boggy swamp. In 1886 the first drainage laws in the nation were passed in the Lee County courthouse in Tupelo. Drainage bonds were issued and subscribed to, resulting in thousands of acres of bottomland being reclaimed. Citizens helped to cut expenses by pushing wheelbarrows themselves.

When the growing town needed jobs in 1899, businessmen subscribed \$150,000 to open the first cotton mill in the area, one of the first the state. Other industries followed. First there were the "homegrown" ones that had a special significance: an oil mill, a fertilizer factory, a work shirt factory, a dress factory, and a baby clothes factory. Later industries were started with outside capital. In 1936 Tupelo pioneered in the state-sponsored Balance Agriculture With industry program, which encouraged special bond issues for desirable industries. Daybrite and Rockwell, the first to come in under this program, were soon followed by scores of others.

Tupelo received national recognition in 1901-the first of three times-when it was chosen as the location for the first U.S. Fish Hatchery. Private John Allen, congressman who became known for his humor, focused attention on his hometown when he made his famous Fish Hatchery speech in which he described Tupelo as the garden spot of the world, very nearly in the center of the universe; and he made his plea in behalf of millions of little fish who were clamoring for an opportunity to be born in Tupelo.

In 1914 Lee County had the distinction of having a stretch of forty-nine miles of paved highway, the first concrete road south of the Mason-Dixon line.

When the boll weevil wiped out the cotton fields in 1916, economic disaster struck. Farmers and merchants were hard hit. A banker named S. J. High met with a group of bankers. He had a motto: "The Cow, the Sow, and the arm". Together these men worked out a plan, which was to revolutionize the farm, to bring "the Hen-A Factory on Every Farm." Together these men worked out a plan, which was to revolutionize the farm, to bring diversification and balance. These bankers arranged to take the \$5000 spent annually for calendars to underwrite a livestock program. A dairying expert was hired, and there was a concerted effort to introduce dairying to the cotton belt. As a result, a Carnation milk plant was located in Tupelo in 1926-the first in the south-to provide and outlet for the large supply of milk produced in the

area. In 1927 Tupelo imported the south's first pure bread heifer from the Isle of Jersey to improve the area's herds.

More than 2000 citizens contributed at least one dollar each in 1921 to build with the aid of the Commonwealth Fund, the North Mississippi Community Hospital.

The spotlight was turned Tupelo again in 1933 when Tupelo became the first city in the U. S. to purchase TVA power. John Rankin, Congressman from Tupelo, had co-authored the bill.

Among the many difficulties that had to be faced during the years the violent tornado in 1936 remains indelible in the memories of Tupeloans. With courage undaunted the citizens banded themselves together with a determination to build an even better city.

It was through the efforts of Mrs. Helen Foster that the Lee County Library bookmobile—the first countywide bookmobile in Mississippi—began service in 1941.

When the Community Development Council was organized in 1948, attention was turned to the area a third time. Credit goes to George McLean, publisher of the Tupelo Daily Journal, who conceived the idea and carried out plans designed to bring betterment not only in Tupelo but throughout the smaller communities and rural areas. This program, which emphasizes community effort rather than individual effort, is used as a pattern throughout the United States and in many foreign countries. The best-known agency operating under this program is the Rural Community Development council, whereby the communities are organized and sponsored by area civic clubs. The keynote is cooperation between town and rural people.

In 1967 Tupelo was one of the first cities in the Deep South to be named an "All American City."

Timeline of Tupelo History

1540: Spanish explorer Hernando De Soto passes through this area and encounters an established Chickasaw Indian civilization nestled in the wooded hills and valleys. The Chickasaws, fierce fighters, drive De Soto westward to his discovery of the Mississippi River.

1736: At the height of the French and Indian War, a bloody battle erupts near what will become Tupelo between the British-armed Chickasaws and the combined invading forces of the French and the Choctaw Indians. Known as the Battle of Ackia, the engagement leaves the area in firm British control and contributes to the Crown's eventual domination of North America.

1864: The Battle of Tupelo takes place, pitting Union troops against Confederate cavalry intent on controlling railroad traffic supplying the Union campaign against Atlanta.

July 20, 1870: Tupelo is incorporated, four years after Lee County was carved out of Itawamba and Pontotoc counties. The town's population is 618. Henry Clay Medford is the first mayor.

1870: Lee County Journal is established. George Herndon is the first owner-editor. The present-day Northeast Mississippi Daily Journal is a direct descendant of this newspaper.

Sept. 1, 1871: Tupelo Male Academy opens its doors for both public and private school students.

Sept. 11, 1871: Tupelo Female Seminary is founded.

1872: S.J. High is born. High will become one of Tupelo's most influential civic and business leaders.

Feb. 6, 1873: Lee County Courthouse burns down.

1874: New Lee County Courthouse is erected.

1885: Private John Allen is first elected to Congress.

Oct. 7, 1886: Private John Allen drives the last spike in the Kansas City, Memphis and Birmingham Railroad near Guin, Ala. The railroad becomes the second to serve Tupelo.

1887: The 900-seat Tupelo Opera House opens. It lasts 25 years.

1887: First train on the Kansas City, Memphis and Birmingham Railroad passes through Tupelo. Banks and other business begin to relocate to Tupelo from nearby communities

Sept. 1891: Tupelo's first public school, Tupelo Graded School, opens on property previously known as Freeman's Grove on Jefferson and Gloster streets

December 1892: Board of Trade, Tupelo's first economic development group, is formed.

1902: The Lee County Courthouse burns. It is replaced in 1904 by the structure still in use today.

1914: Lee County builds the first concrete road south of the Mason-Dixon Line. The road still exists and is traveled upon.

1920: Tupelo's population is listed at 5,055; Lee County's at 29,618.

1925: The Library Association establishes a small library on the second floor at Tupelo City Hall. The library is launched with 300 donated books.

1933: Tupelo signs the contract for electricity to become the first TVA City.

1934: George McLean buys the bankrupt Tupelo Journal.

January 8, 1935: Elvis Presley is born in a small house in East Tupelo.



The devastating tornado of 1936 wiped much of then Tupelo off the map. This view of the destruction is looking southeast from the corner of Church and Walnut streets.

April 5, 1936: A massive tornado rips through Tupelo, killing more than 200 people and injuring thousands. Much of Tupelo's landscape is destroyed.

1937: Construction officially begins on the Natchez Trace Parkway.

1948: The Community Development Foundation is incorporated in Tupelo.

July 6, 1948: Tupelo is divided into six wards.

1949: Tupelo purchases the former home of Pvt. John Allen at corner of Madison and Jefferson streets and converts it to use as the county's first freestanding library.

1950: At the North Mississippi Community Hospital, a three-story wing that increases the bed capacity to 95 is constructed and joined to the south side of the original building.

June 21, 1951: The first commercial passenger plane, a Southern Airways flight, lands in Tupelo.

1954: Tupelo native Elvis Presley cuts his first record for Sam Phillips of Sun Records Studio in Memphis. "That's All Right (Mama)" was on the A-side of the single and "Blue Moon of Kentucky" was on the flip side.

1956: New rock 'n' roll sensation Elvis Presley agrees to perform at the Mississippi Alabama Fair and Livestock Show on the Tupelo fairgrounds.



Elvis Presley performs at the 1956 Mississippi-Alabama Fair and Livestock Show at the Tupelo Fairgrounds in 1956.

1957: Elvis Presley, legendary status in music history confirmed, returns to the fair and donates his \$10,000 in earnings to the city for the founding of a public park in East Tupelo.

1961: A new Tupelo High School is built and dedicated on Varsity Drive.

1961: Natchez Trace Visitors Center is built in Tupelo.

1964: Itawamba Junior College offers classes in Tupelo for the first time. Warehouse space is used for classrooms until a campus is established on Eason Boulevard in 1966.

1965: Tupelo Public Schools are peacefully integrated for the first time under the "freedom of choice" plan. Two black students from Carver High School volunteer to attend Tupelo High School for their senior year. Black teachers from Carver also "switch" places with white educators.

1966: A joint venture between the schools and the city results in the construction of the Tupelo Civic Auditorium on the site of the new Tupelo High School.

1967: North Mississippi Community Hospital's name is changed to North Mississippi Medical Center.

April 5, 1968: Official announcement is made that Tupelo has been named an All America City, one of 10 in the nation.

1969: Tupelo Community Theater is organized.

1970: Tupelo Mall on South Gloster and Downtown Mall on East Main Street open.

1971: Elvis Presley's Birthplace in East Tupelo is opened to the public.

1971: The present Lee County Library is constructed and opened at the corner of Madison and Jefferson streets.

1971: Tupelo Symphony Orchestra premieres in concert at Civic Auditorium.

1974: CREATE (Christian Research Education Action Technical Enterprises, Inc.) is founded.

1975: University of Mississippi branch opens on the Itawamba Junior College Tupelo campus.

1976: North Mississippi Medical Center increases its capacity to 550 beds and the hospital's medical staff grows to 76 physicians.

Aug. 16, 1977: Elvis Presley is found dead in his Memphis mansion, Graceland.

1978: The Elvis Presley Birthplace is designated as a Mississippi Historical site by the state Department of Archives and History.

Aug. 17, 1979: Elvis Presley Memorial Chapel is opened to the public.

1980: NMMC grows to 600 beds and earns the distinction of being the largest hospital in the state, both in facilities and services.

1980: Tupelo's population is listed at 23,905.

February 1984: The first commercial jet, a Southern Airways DC9, lands in Tupelo.

1985: Tupelo Art Gallery opens.

1987: The 1987 AHEAD Highway Construction program overrides a gubernatorial veto, paving the way for the quicker completion of U.S. Highway 78 and U.S. Highway 45.

1987: The first Tupelo Furniture Market is held in 30,000 square feet of rented space and draws 77 exhibitors.

1988: Tupelo voters, with 96 percent approval, pass a \$21 million bond issue to finance construction of a system to pump water from the Tombigbee River, treat it, and move it 18 miles to the city. This ends the city's reliance upon a rapidly depleting groundwater supply.

May 16, 1989: Tupelo is named an All America City for the second time.

1990: The Mall at Barnes Crossing opens. The \$65 million, 700,000-square-foot building houses some 80 stores.

1990: Tupelo purchases the Downtown Mall property for \$2.9 million for the purpose of constructing a 9,000-seat coliseum and convention center.

1991: Phase I of the Tupelo Major Thoroughfare Program is approved by city voters. This first phase calls for improvements to various intersections in town, and the widening of Gloster Street to five lanes.

Aug. 8, 1992: The Elvis Presley Museum is opened on the park site.

1992: The new Tupelo High School campus off Cliff Gookin Boulevard is completed and opened for classes.

1992: Last Mississippi/Alabama Fair and Livestock Show is held on the Tupelo fairgrounds. Tupelo officially re-acquires the property.

1994: Major ice storm hits Tupelo and Northeast Mississippi. Power to more than 180,000 people in the state is knocked out for days.

August 1994: A four-lane U.S. Highway 78 is completed and opened from the Alabama state line to the Tennessee state line.

1994: The Lee County Agri-Center fairgrounds in Verona is completed and plays host to the first Lee County-sponsored regional fair.

1995: NMMC, the largest rural hospital in the nation, is now licensed for 647 beds. About 200 physicians representing more than 40 medical specialties are on staff.

1999: Bond sales begin for the redevelopment of the old fairgrounds.

June 1999: Tupelo is named an All America City for the third time.

November 1999: Tupelo Mayor Glenn McCullough Jr. is appointed to the TVA board of directors.

2000: First Baptist Church, Tupelo's oldest church, celebrates its 150th anniversary.

2000: Tupelo Mayor Glenn McCullough Jr. is named the director of the Tennessee Valley Authority.

August 2001: Lee County Sheriff Harold Ray Presley is killed in the line of duty.

February 2002: City leaders celebrate the opening of the new City Hall building in the old fairgrounds.

June 2002: The Tupelo Fairgrounds redevelopment area is officially renamed Fairpark District.

December 2002: The Tupelo Automobile Museum opens. It houses more than 120 antique and collectors cars owned by Tupelo broadcasting businessman Frank Spain.



The new City Hall building in Fairpark District in Tupelo opened in 2002. It heralded a new era of development and life for the Downtown Tupelo area.

March 2003: Delta International, one of the first major industries lured by the Community Development Foundation, announces it plans to close its facility on South Gloster Street and move production to its Jackson, Tenn., plant.

November 2004: Officials break ground on a new facility in the Tupelo-Lee Industrial Park South for San Diego-based General Atomics. The company

will build Electromagnetic Aircraft Launch System, or EMALS, for the Navy's next generation of aircraft carriers at the Tupelo location.

May 2005: Area leaders attend an auto industry show in Barcelona, Spain, to tout the newly developed Wellspring Project near Blue Springs, about 10 miles west of Tupelo. Leaders hope the 1,000-acre megasite will become home in the future to an automobile manufacturer.

March 2007: The announcement of a new Toyota assembly plant to be built about ten miles from Tupelo. Anticipation of many ancillary businesses and additional jobs for the broader area surrounding Tupelo promises to keep the economy growing.

Mill Village Historic District

Location/Verbal Description

Mill Village Historic District is comprised of two distinct types of residential neighborhoods and incorporates an additional industrial section of the city. The northern boundary of the district begins on the west end of Magazine Street at South Madison extending to the eastern boundary of south Front Street and Magazine. The east boundary is delineated by the KCS Railroad running south to King's Creek then following King's Creek west to an area in line with South Madison Street. The district encompasses areas of South Church Street, South Green Street, South Broadway, South Spring Street, Maple Street, and Malone Street from the west to east in a north to south pattern. East to west streets include Carnation, Elliot, Elm Street and Chestnut Street from the north to the south, with the BNSF Railroad dissecting the upper third of the district in a west to east pattern. Other smaller streets or alleys also make up the area of the district. The district encompasses the existing buildings of the Tupelo Cotton Mills and the core of the mill worker's housing known as either Mill Town or Mill Village. The local district also includes the middle class neighborhood of South Church. Bordering the district on the north is Historic Main Street, the new city government area known as the Fair Park District to the east, industrial facilities and businesses to the south, and a mixture of business, industrial, and residential sites to the west.

[See Map of area within Appendix E]

Period of Significance: 1900-1940



District Character:

Residential neighborhood
Similar front yard setbacks
Sidewalks and trees

Simple one-story to 1 ½ story wood frame, vernacular, residential buildings

Porches address the street

Original secondary structures to rear of property



Industrial sites and railway structures

Guidelines:



Maintain original period and character and structures by using compatible design features. This duplex displays well maintained structure and yard.



Doors, windows, porch columns, railing are all compatible to original design

Avoid additions and materials not in keeping with the original form and character.



Design elements on this renovation are incompatible with the original structure.



Retain the character of the district when adding new construction.

This apartment complex does not follow the general shapes or materials consistent with the Mill Village Historic District.



This vernacular dwelling could easily be returned to the original design by replacing 6/6 aluminum windows with 1/1 double hung sash in the correct size openings, using a suitable period door and adding fresh paint with a contrasting trim color.

History of Mill Village

Development of Mill Village began around the turn of the century with the establishment of the first mills in the city. Situated along the relatively new rail tracks facilitating wide spread distribution, the mills grew to become known as “one of the largest cotton producing units in the South.”

Housing for the mill workers known as Mill Village sprang up in a former cotton field on the Black Prairie just a few blocks to the south of the main commercial area of the city. Laid out in elongated city blocks without sidewalks or public landscaping, housing lots are irregularly shaped and vary in size, and are considered rather small. Residents informally landscaped the lots, adding lawns, flowers, and occasionally shrubs and trees.

Most of the village houses were sited close to the front of the lots with uniform setbacks. Few had driveways at the time since the automobile was still in development and tended to be a luxury of the time.

Designed very conservatively as were most mill town’s three primary streets developed for mill worker housing by 1909 were, Elliot Elm and Chestnut. Infill housing continues to be built into the 1930’s. Most of the house designs were the same and drab colors were the norm, with shades of dark gray, brown, slate and dull red used as the preferred colors. Occasionally houses were painted yellow with white trim breaking up the monotony.

The Tupelo Cotton Mills also provide its workers with educational, religious, social and recreational advantages through the construction of a church, a school, at least one clubhouse and a playground. Mill Village was a distinct neighborhood within the larger context of Tupelo. Setting the area apart from the other neighborhoods in the city was the association with the mill and the socioeconomic status for its residents. The Mill Village district is an example of the contemporary ideas of the period and effects of industrialization in the New South.

Almost all of the houses were single story and of wood frame construction. Styles for housing varied little in the mill housing with southern vernacular house forms such as shotgun and eave-oriented, L-shaped cottages along with the addition of a few square hip-roofed bungalows added in the 1920’s.

South Church Street on the western boundary of the district was distinctly more middle class with predominantly single family houses, larger story and half Craftsman style bungalows and several four square two storied residences. Others had Colonial and Queen Anne influences relegating the houses to more elevated styles in terms of social opinions. Quite a number of city officials and prominent families occupied the South Church Street neighborhood.

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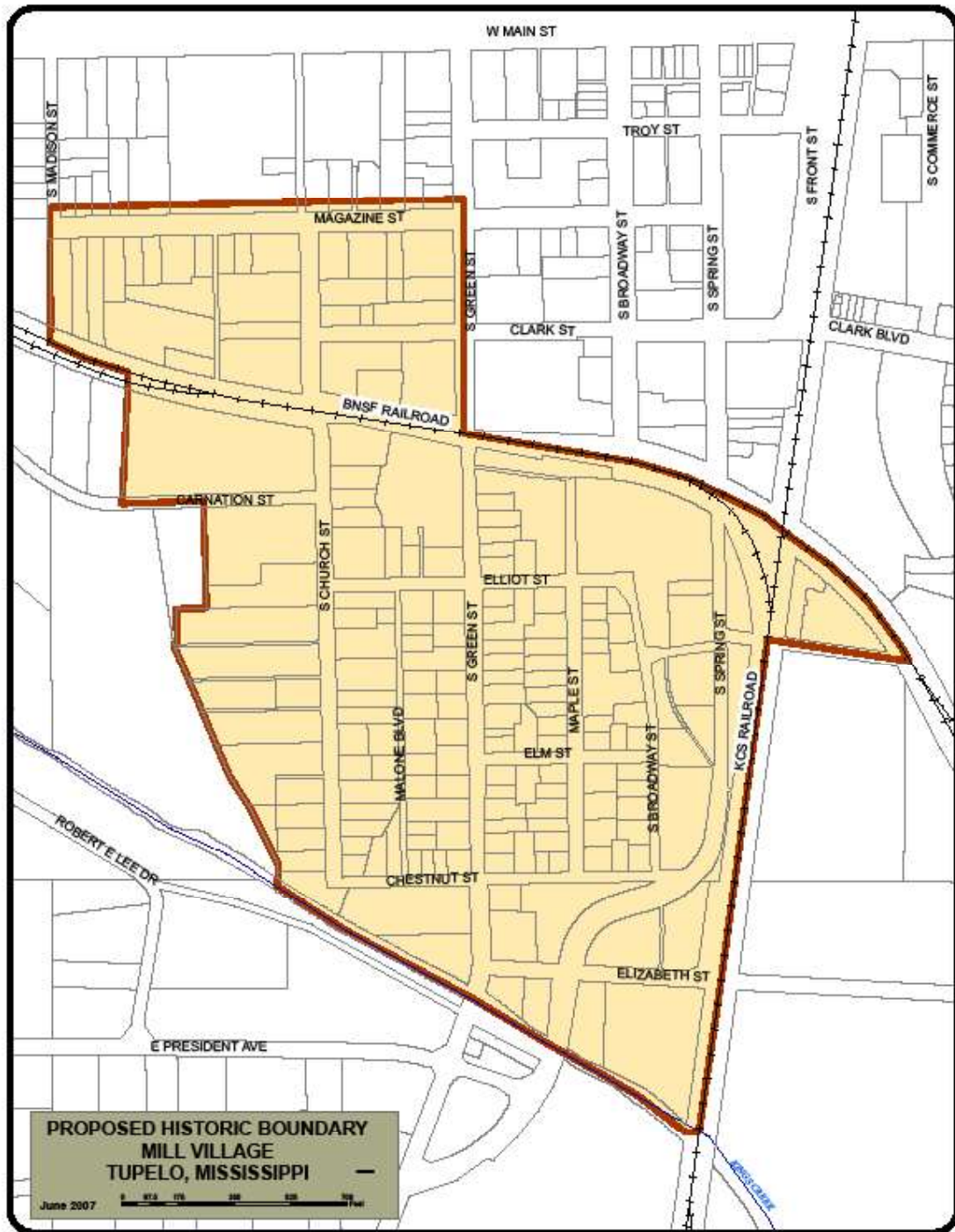
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See Ordinance

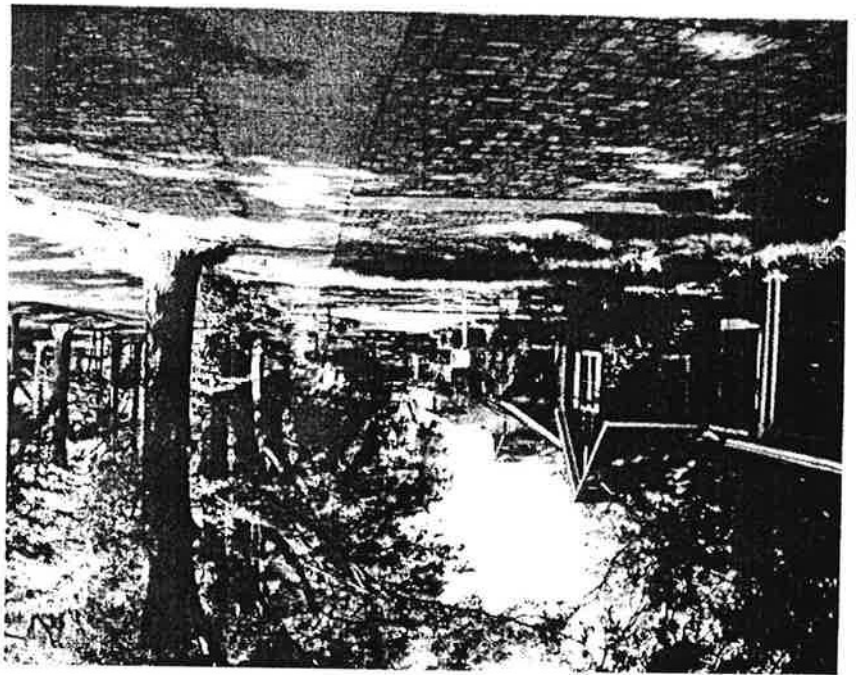
Map of Mill Village Historic District



**History of Joyner Neighborhood
Ordinance
Map of Joyner Historic Neighborhood District**

Prepared by
Letitia Parham Wright, Vice-Chairman
Assisted by
Karen Keeney & Michael Jones
And
The Historic Preservation Commission
City of Tupelo
2007

β Testing Version
July 22, 1998



Architectural Design Guidelines
For the Historic Downtown Conservation
Overlay District in Tupelo, Mississippi

Acknowledgements

APPENDIX B

This document is the result of many hands working together.

We would first like to thank Larry Otis of CEI for bringing the project to our attention and helping to secure funding for the project. We would like to thank the Appalachian Regional Commission and the Mississippi Department of Economic and Community Development for major funding of the project. We would also like to thank the Mississippi State University Office of Research for providing matching funding.

The project would not be possible without the input and support of the Downtown Neighborhood Association. We thank all the neighbors who came to the workshops and past president Larry Otis.

We would like to thank the City of Tupelo for its unwavering support, especially Mayor Glenn McCullough, Shane Homan and Debbie Brangenberg of the Planning Department gave us valuable suggestions for the guidelines.

Dan Camp also gave us encouragement and an enlightened developer's perspective on design guidelines. Thanks also to Phyllis Bleiweis of the Seaside Institute for arranging meetings with officials during our Seaside trip.

Thanks to School of Architecture Dean John McRae and SARC Director of Research Charles Calvo for their strong support. Liesel Ritchie of the Social Science Research Center at MSU helped us formulate the questionnaires for the neighborhood residents. Finally, we would like to thank Brian Bassett and Jennifer Dobson for their work in assembling this document and the entire seminar class for their important research and hard work throughout the semester.

The Small Town Center

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Part 1: Overview

Part 2: Design Guidelines

Part 3: Types

Part 4: Application Form

Contents

APPENDIX B

6	Introduction
10	History of Tuh Pu Lah Read a brief history of the city of Tupelo
18	Landmarks Learn about the importance of landmarks in and around the Historic District of Tupelo.
22	Landscape Read about unique landscape conditions found in the Overlay District and how they affect the character of the district.
24	Streetscape Divisions and Sections Look at studies of street sections throughout the district which reveal different conditions of terrain, landscape, and spacing of houses.
28	Districts and Boundaries Learn how the Overlay District was divided into smaller subdistricts.
32	Church District
40	Highland District
48	Madison District
56	Magazine District
64	Mill Village District
72	Robins District
80	Find out which house types are appropriate to your district.
94	Read and fill out the application form to submit your proposal.
98	Glossary Refer to the glossary for illustrations and definitions of some of the terms used in this document.

Introduction

What are Design Guidelines?

Architectural Design Guidelines are a series of rules and recommendations which preserve the existing positive visual characteristics of an area and promote appropriate change and development. The guidelines are not meant to inhibit growth or new uses, but insure that new development harmonizes with what exists.

What are the advantages of Design Guidelines?

Instituting design guidelines have a number of advantages for residents.

- 1) Design guidelines promote a more beautiful environment to live in.
- 2) Design guidelines are a starting point in helping a community to think about its visual environment.
- 3) Design guidelines can help to protect property values. Similar to the way zoning prevents incompatible uses from being built adjacent to one another, design guidelines help homeowners to plan new developments compatible with what exists and promote positive characteristics.
- 4) Design guidelines help all residents understand the history and unique characteristics of the area they live in.

Who is required to follow these guidelines?

Any property owner in the historic conservation overlay district who is planning a significant change to the exterior of their property or planning to build on previously undeveloped property or property cleared by demolition. See the "Application Form" section and the "Design Guidelines" section for further details.

What is the process for approval?

The process begins with the owner reading through this booklet and filling out the application form in the back. The application form is then returned to the Tupelo Planning Department for review by code officials. The application form is designed to let owners know right away if their proposal passes the guidelines. If the application is approved, the Department will issue a Certificate of Appropriateness allowing the owner to begin work. If the application is denied, the owner may revise and reapply or apply for a variance to the Design Review Board which meets on a quarterly basis.

What is in this document?

The document is divided into three main sections:

- 1) Overview
The overview describes the history of the downtown district, the landscape and landmarks found in the district, the streetscapes and how all these factors determined the boundaries drawn to create subdistricts within the district.
- 2) Design Guidelines
The design guidelines are organized by subdistrict in this next section. The guidelines cover issues such as setbacks, lot coverage, accessory buildings, landscape and architectural elements.

- 3) Types
This section identifies common house types found in the historic district and outlines the important characteristics of each.
- 4) Application Form
This section contains instructions on using the guidelines and preparing an application for review. Following the application form is a glossary that defines and illustrates many terms used in the design guidelines.

Who do I call with questions?

The Tupelo Planning Department administers these guidelines. Questions should be directed to the department.

What are Districts?

The historic conservation overlay district is divided into six smaller districts: Highland, Robins, Madison, Church, Magazine and Mill Village. These smaller districts are each defined by similar visual characteristics. See "Overview" section for further detail.

How were the guidelines written?

The Small Town Center of Mississippi State University was contacted by the Planning Department of the City of Tupelo and Community Enterprises Inc., a non-profit development corporation, to develop these design guidelines. The guidelines are a step in the downtown neighborhood plan prepared for the Downtown Neighborhood Association by Community Planning & Research, Inc. to revitalize and conserve the neighborhood.

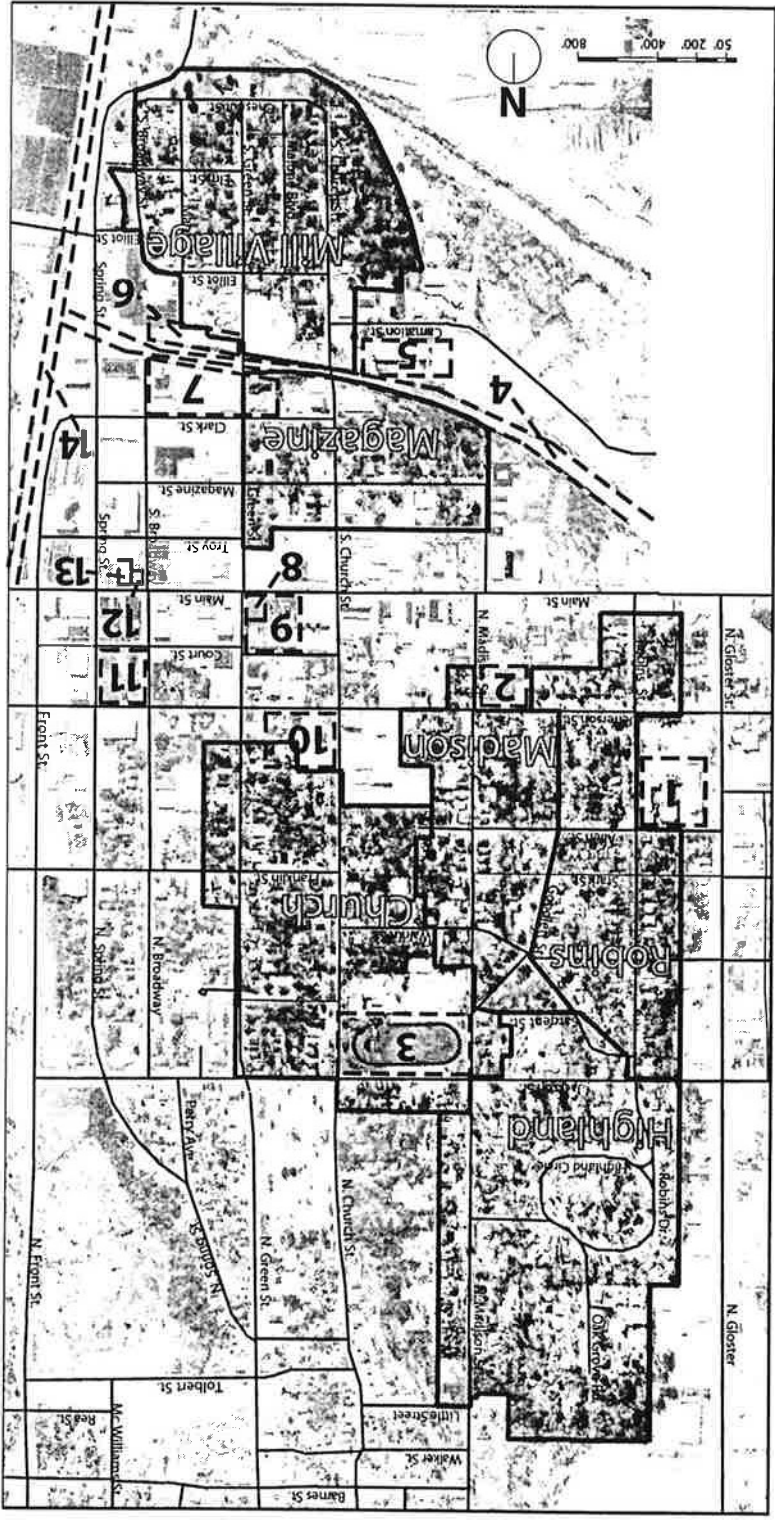
The Small Town Center held a seminar with nine students to study current theory and practice of architectural design guidelines and then develop guidelines for the Downtown Neighborhood Overlay District. Students photographed, measured and analyzed the neighborhood. A first neighborhood meeting was held in March of 1998 to present this analysis and, most importantly, to gather the residents' perceptions of their neighborhoods. The neighbors answered questionnaires, drew maps, and talked with students about different aspects of the neighborhood. After gathering this information, the seminar examined existing models for guidelines and visited Ocean Springs, Mississippi. The seminar also visited Seaside, Florida, to see how design guidelines shape new developments. Preliminary design guidelines were developed and presented at a further neighborhood meeting for the neighbor's input and suggestions. Finally, the guidelines were revised and collected in this document.

Throughout the process, the Small Town Center met with neighborhood residents, city officials, developers and state officials to make these guidelines as responsive and workable as possible. The guidelines, however, should not be set in stone. As the neighborhood changes, the objectives will change as well. The guidelines only become useful if they are responsive to the objectives of the residents.

Overview

HISTORY LEGEND

- 1--William Junior Highschool
- 2--Lee County Library and former site of Private John Allen's Home
- 3--Robins-Noble Field
- 4--Frisco (Memphis & Birmingham) Railroad
- 5--Carnation Milk Plant
- 6--Blue Bell Factory
- 7--Cotton mill
- 8--Former site of the YMCA building and the first hospital
- 9--First United Methodist Church
- 10--First Presbyterian Church
- 11--Lee County Courthouse
- 12--Create
- 13--Tupelo Art Gallery
- 14--Mobile & Ohio Railroad



History of Tuh Pu Lah

(Indian origin with contemporary spelling, Tupelo)

Early Settlement

The land of Tupelo and its surrounds was obtained from the Chickasaw Indians by the Treaty of Pontotoc in 1832. In 1836 a land office in the town of Pontotoc was established and the recently annexed territory was opened for settlement. "The Tupelo area, however, was not without its merits as a town site. The Chickasaws had used as the site of their capital the nearby highland ridges which overlooked the area's broad rich valleys. Subsequently the old Indian trails were improved to form a primitive road system. Nearby overland transportation routes, of a poor quality in all of North Mississippi, were in many ways better than those of existing towns... Old Town Creek, which formed the eastern boundary of the original town site, was a navigable stream from a point just south of Tupelo." ¹ By 1848, settlers from the eastern seaboard states, mostly Scotch-Irish many of which were devout Protestants², moved in and established themselves as planters. "...by 1848 the countryside that surrounds what is now Tupelo had only one inconsequential settlement, a small cluster of houses and two stores located on a low ridge and named Harrisburg in honor of a prosperous prairie farmer."³

"(T)own-building received a vital lift when businessmen in Mobile and New Orleans revised long standing plans to construct rail lines into the newly opened territory. As soon as the news reached North Mississippi it prompted a new flurry of town construction."⁴ In 1859 the Mobile and Ohio Railroad was laid in an area where nothing but cypress and tupelo gum trees could survive. In 1860, two settlers, William R. Harris and Christopher Orr⁵ filed their plat and wanted a lyrical name to attract prospective immigrants, and hence the name Tupelo was adopted.

Effects of the War Between the States

The War Between the States interrupted the progress of the area, an area important because of the railroad and supply of grain. General Nathan Bedford Forrest made his headquarters in the Tupelo area for awhile, during which he achieved a brilliant victory in the battle of Brice's Crossroads. "In 1863, on the slope above Tupelo where Harrisburg stood, a retreating Confederate army paused to fight—and lose—the last and one of the bloodiest of the Civil War battles fought in Mississippi... Two days after the battle, the Federal troops burned the community and for inexplicable reasons retreated, leaving behind 250 of their wounded."⁶ "The sordid

¹ Grisham, Vaughn L., "Paper Towns & Promises," (reference unknown)

² Hodding Carter, "Tupelo, Miss.," *Saturday Evening Post*, 17 Feb. 1951.

³ Carter, *Saturday Evening Post*.

⁴ Grisham, "Paper Towns & Promises,"

⁵ "Tupelo Started As Gum Pond, Got Name By 1868," *Daily Journal*, vol. 80, no. 310. (author unknown)
[This document stated that James P. Boyce and Judge James L. Orr came up with the name "Tupelo"]

⁶ Carter, *Saturday Evening Post*.

stories and the notorious buildings (of Tupelo) were both overshadowed by the horrors and physical destruction of the war. By the conflict's end, tumble-down ruins marked the location of recently built structures...The railroad, which served as the lifeline in the cotton economy, was in desperate straits. All of the railroad's bridges, trestleworks, warehouses and station buildings both north and south of Tupelo were destroyed by Union forces over a 180-mile distance."⁸

Expanded Development in the Historic District

On October 6, 1866, Lee County was formed and on April 15, 1867 Tupelo was selected as the county seat raising Tupelo from "the status of village to town and later into an industrial city."⁹ On July 20, 1870, Tupelo was granted its charter of incorporation. Like most of the south, the following fifteen years was a period of overcoming the destructive aftermath of the Civil War with little capital. In 1875, the town of 100 people consisted of three stores, a bank, a courthouse and several business houses with no sidewalks or paved streets. The large area between Main Street and the Courthouse Square served as a hitching yard for the farm people coming to town to trade.

John Allen was an important character in the history of Tupelo. He resided in the Historic District, and sought election to the national House of Representatives in 1885. It has been written about him,

"His principal opponent was a General Tucker, late of the Army of the Confederacy, in which John Allen had served as private...in one memorable debate, the general contrasted his own high rank with Allen's lowly military status. The erstwhile private's rebuttal made political history—and completely revised political tactics in the South.

"'Yessir,' he said, 'I admit I was only a private. In fact, I was just a picket who stood guard over the general when he slept. And now, all you fellows who were generals and had privates standing guard over you, you vote for General Tucker. All you boys who were privates and stood guard over the generals, you vote for Private John Allen.'

"For the next sixteen years, Private John Allen—he was never again called anything else—provided the House of Representatives with an ingredient it could use today. That ingredient was a saving humor. And he employed it not only to win debates or to soothe ruffled feelings but also—and more often—to eulogize with whimsical exaggeration the little town from which he came. In so doing, he became the first of the succession of Tupelo's indefatigable boosters and an example for all loyal Tupoilans to come."¹⁰

After a period of rivalry between towns, in 1887, the Memphis and Birmingham Railroad (later called the Frisco) joined the Mobile and Ohio track in Tupelo, providing expanded opportunities to link with other major centers and allowed Tupelo to rapidly develop. The town installed electric lights in 1890. As the economic depression of the 1890's came about, cotton prices dipped to a low five cents a pound. "Bitter farmers who faced financial ruin blamed town merchants in the area for their economic misery. Lee County became the center of the Populist movement as farmers banded together in a political unity designed to gain concessions from the townsmen. Economic boycotts were common and two local newspaper

An interesting note about the formation of the county seats is that "the rule of thumb for county boundaries was to have no part of the county more than a half day's wagon ride from the most remote spot in the county to the seat of county government. In this way all legal business could be transacted and a person could return home by nightfall. The most desirable trait in a county seat town, therefore, was a central location in the county."⁷



It is said that Private John Allen's home was located where the current Lee County Library is located. In fact, this house contained the library, then was torn down for construction of the current library. (photograph taken from Daily Tupelo Journal Centennial Issue)

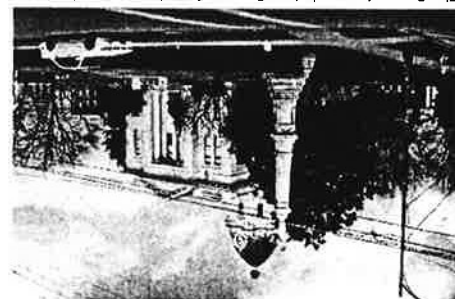
⁷ Grisham, "Paper Towns & Promises"

⁸ Grisham, "Paper Towns & Promises"

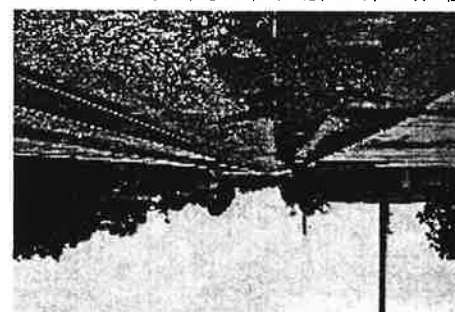
⁹ "The History of Tupelo? History of Tupelo, Internet, <<http://www.ankin.tupelo.k12.ms.us/CF/TupHist.html>>, 16 February 1998, p. 1-4.

¹⁰ Carter, Saturday Evening Post.

¹¹ "The History of Tupelo? Internet.



The Beaux Arts style Lee County Courthouse was built in 1902, and today is listed on the National Register of Historic Places.



The Memphis and Birmingham Railroad

editors were driven from town by angry farmers....The ruinous agricultural conditions compounded by the boycotts forced local merchants to seek alternative bases for the town's economy. By the end of the decade in 1899 Tupelo began the biggest industrial boom in its history prior to the 1950s." ¹²

Between 1899 and 1904, Tupelo added nine new industries. Businessmen controlled the industrialization efforts to maintain the labor necessary to operate the local farms. As the town grew, more jobs were needed, which prompted a group of businessmen to contribute \$150,000 to open the first cotton mill in the area. Other industries that followed were: a mill, a fertilizer factory, a work shirt factory, a dress factory and a baby clothes factory. The area south of Main Street known as Mill Village was developed as housing for workers at the cotton mill. The density and scale of this district is a result of the need for a large number of single family homes in a small area near the mill. This area has always been separated from the rest of the town by the railroad. At the turn of the century, "Private John" Allen in his jovial manner to the House of Representatives said, "This Mr. Chairman, is a proposition to establish there (in Tupelo) a fish hatchery. Why, sir, a fish will travel over land for miles to get into the water we have at Tupelo. Thousands and millions of unborn fish are clamoring to this Congress today for an opportunity to be hatched at the Tupelo hatchery." ¹⁴ Tupelo got the hatchery and in 1901, Tupelo received national recognition for the first U.S. fish hatchery, which is believed to have been near Main Street.

Community Expands Beyond its Original Settlement

"In 1914, Lee County had the distinction of having a stretch of forty-nine miles of paved highway which was the first concrete road South of the Mason-Dixon line." ¹⁵ It is believed that a portion of this road was located where Green Street currently is. It was the belief of this community that, "it has paid for itself 10 times over and has proved its worth time and again in furthering good roads work throughout North Mississippi....Good roads make good markets, and good markets lead to other things." ¹⁶ Along with the new roads, the community worked together to reclaim their bottom lands by issuing and subscribing to ditching bonds issued in Mississippi, and "the citizens cut expenses of digging the drainage canals by trundling wheelbarrows themselves." ¹⁷

The effects of the boll weevil in 1916 and the change of the foreign market consumption of cotton, virtually destroyed the cotton industry and left town merchants with outstanding debts that could not be collected. Bankers worked with farmers to establish livestock programs that were to revolutionize the farm, bringing about diversification and balance. "And in that year little Tupelo first became a pilot town for a newer South, a bright signpost on the long road to diversification, industrial balance and self-help. The man who acted as the catalyst of that change was, by happy coincidence, the son-in-law of Private John. He was S.J. High, the president of the People's Bank and Trust Company, a bright-eyed, cheery man with enormous energy and the calm assurance that Tupelo is the best place in the world to live." ¹⁸ Jim High urged farmers to place less reliance on cotton and promote agriculture interest in livestock and dairying. Mr. High said, "...I woke up to the fact that betting everything on cotton was a big mistake. One night I worked out a slogan: 'The cow, the sow and the

APPENDIX B



The First United Methodist Church of Tupelo was built in 1899. It is the oldest brick building in Tupelo and is listed on the National Register of Historic Places. "The tornado of 1936 caused some damage to the church and the loss of the steeple, but renovations restored the building. Immediately following the tornado, the church building was used as a makeshift hospital, as were several other structures in the area." ¹¹



In 1899, the First Presbyterian Church was built. In 1936, the sanctuary was destroyed by the tornado and was rebuilt with Tishomingo stone. ¹³

12 Grisham, "Paper Towns & Promises"

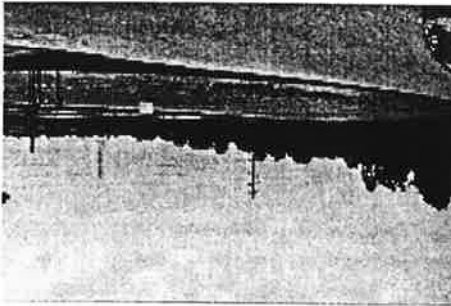
13 "The History of Tupelo"; Internet.

14 Carter, Saturday Evening Post.

15 "The History of Tupelo"; Internet. (the fact of Lee county having the first concrete road in the south has never been clearly established according to Ms. Dept. of Archives & History)

16 Thomas Fauntleroy, "Tupelo Sets Pace in Splendid County," 28 March 1920.

17 Carter, Saturday Evening Post.



Fish Hatchery

hen—a factory on every farm. I couldn't get it out of my head that dairy-ing could save us, and I knew we could do something about it." 19 In 1927, Tupelo became a home to the Carnation Milk Company, the first in the South. It became the site of a processing plant as a result of this interest in dairying. Later, in the 1940's, the county produced a reputable Jersey cattle program by importing bred heifers from the Isle of Jersey. 20

In 1920, according to *The Daily Journal*, the first community hospital was established in the YMCA building. In 1921, more than 2000 citizens each contributed at least one dollar, with the aid of the Commonwealth Fund, to build the North Mississippi Community Hospital. In 1933, Tupelo became the first U.S. city to purchase Tennessee Valley Authority power with Congressman John Rankin's assistance in co-authoring the bill. In celebration of this milestone purchase, on November 18, 1934, President F.D. Roosevelt visited Tupelo and gave a speech to 75,000 people at the City Park (now Robins-Noble Field). 21

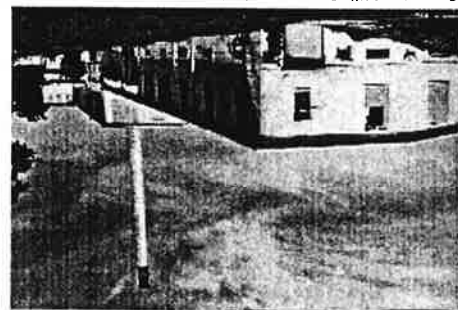
1936 Tornado Affects District

On April 5, 1936, a tornado struck a couple of subdivisions and the heart of Tupelo. "In 33 seconds, 201 people were killed and 1,000 injured. In half a minute, Tupelo received the most disastrous blow ever delivered to a Mississippi town up to that time. Within six months, however, Tupelo had built new homes, repaired the churches, and designed new schools." 22 In rebuilding, brick became the popular construction material. A statement was made about the tornado much later, in 1985, by Jack Reed, owner of a Tupelo department store, said that the tradition of community involvement was strengthened by the tornado, "The tragedy of the tornado was a cohesive factor...and there was no old money in Tupelo. It didn't have a planter society. Everybody had to hustle. And they did." 23

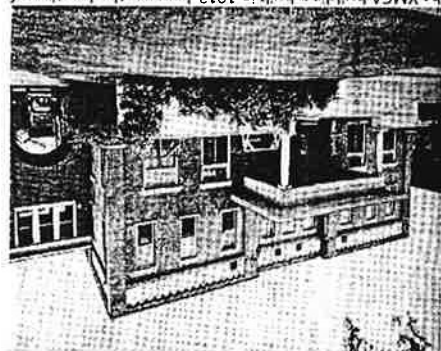
Important Values and Businesses Established with Community Development Foundation

The Rural Community Development Council (RCDC) was organized in 1946 by George McLean, the onetime college instructor, and then, publisher of the *Tupelo Daily Journal*. This organization not only carried out plans to improve the community of Tupelo but also other surrounding small communities and rural areas. "This program, which emphasizes community effort rather than individual effort, is used as a pattern throughout the U.S. and many foreign countries." 24 In 1948, the Community Development Foundation (CDF) was formed to expand the RCDC organization, becoming the Chamber of Commerce. "Being, at the time, a town of only 11,000 people, Tupelo recognized that its future lay not within its own municipal limits but among its 120,000 neighbors who lived within a radius of 25 miles." 25

By 1957, Tupelo businessmen and industrialists had poured nearly \$400,000 into the CDF program working towards developing the skills of its rural residents. Between 1947 and 1957, 1,700 industrial jobs were added in the city and nearly every industrial plant within the town had



Carnation Milk Company which is located on Carnation Road in Mill Village.



The YMCA building, built in 1912, became the location of the first hospital. It later was an education building for the first United Methodist Church. (photograph taken from Tupelo Daily Journal Centennial Issue)

21 "President Roosevelt's Visit to Tupelo," *Daily Tupelo Journal Centennial Issue 1870-1970*, vol 97, no. 102, p. 10-D. (author unknown)

22 "The History of Tupelo," internet.

23 Steve Riley, "In Tupelo, the people make a difference," *Station Ledger*, 15 Dec. 1976.

24 "The History of Tupelo," internet.

25 Harry Ruthenford, "A City Without City Limits," *Mississippi Magic*, May 1957, p. 13-14.



City Park, which is now Robins-Noble Field.



A view of the destruction caused by the tornado of 1936. (photograph taken from The Commercial Appeal)

expanded its facilities. Rockwell Manufacturing Company, the makers of power tools, expanded their program and facilities at this time, with Col. Rockwell of Pittsburgh stating, "it would be impossible for any community to exceed the cordial and kindly co-operation extended to us."²⁶ Blue Bell, Inc., at the time the world's largest manufacturer of work clothes chose to establish their headquarters for the firm's operations in the area with a 200,000 square foot building.

The Daily Journal newspaper consistently promoted community involvement and brought forward issues that the CDF was undertaking. For example, in 1961, the board of aldermen, the planning commission, the local housing authority and the mayor recognized the need for "constant watchcare and early preventive measures to keep any section of our city from deterioration."²⁷ The Community Renewal Program was formed which was basically the making of a very thorough study of community needs, both long term and current. "But the really significant results of the study will come from the interest and the ideas developed by the Citizens Advisory Committee which works with our governing bodies in selecting and emphasizing the phases of community life which need improvement. For whenever a city's governing body can get the whole population interested in community improvement, the job of finding solutions to problems is rendered much easier."²⁸ In 1968, as a result of the outstanding progress made in development and in people care programs, Tupelo was awarded the "All American City" Award co-sponsored by Look magazine and the National Municipal League.

With growing racial tension in the 1970's, Tupelo citizens were forced to confront the issue when local organization efforts by the Ku Klux Klan, "an organization," that the CDF Chairman Jim High told an audience of 1,200 at an annual meeting, was "representing the worst possible form of racism and hatred....the Klan's presence in Tupelo is intolerable and must be discouraged and condemned by Tupelo citizens concerned with the well-being and best interests of all our people—black and white. The Community Development Foundation stands in absolute, unalterable opposition to the Ku Klux Klan and its presence in Tupelo." Chairman High continued to say, "We can, we must, we will solve this problem, the CDF asks your help, as the business (and) professional community, and every individual here tonight, in reaching this goal." The audience responded to the statement with a prolonged standing ovation.³²

Outside of the Madison Historic District the city has greatly expanded in the past forty years. "From 1950 to 1980, the area's manufacturing employment increased 530 percent, compared to the state average of 150 percent."³³ Transportation systems were improved with a four-lane highway system running in the east-west and north-south directions, completed in 1983. A multi-million dollar improvement program provided Tupelo with a commercial airport capable of handling jet aircraft and providing a terminal building. Also, the Tennessee-Tombigbee Waterway was built eighteen miles east of Tupelo which provides a fresh water outlet to the Gulf of Mexico for added transportation opportunities.



Blue Bell Factory located on Bluebell Alley in Mill Village.

²⁶ Rutherford, *Mississippi Magic*.

²⁷ "Another Valuable 'First' For Our Community," *Daily Journal*, 91, No. 6 (April 1961).

²⁸ *Daily Journal*, "Another Valuable 'First' For Our Community"; *Community*.

²⁹ Norma Field, "All-American City Hardly An Accident," *Jackson Daily News*, 3 April 1968.

³⁰ Thomas Fauntleroy, "Tupelo Sets Pace in Splendid County," 28 March 1920. (reference unknown)

³¹ Sylvia Higginbotham, "Tupelo: This busy city offers sightseers more than Elvis Presley's birth-place," *Clarion Ledger*, 14 Sept. 1986.

³² "CDF Chairman Speaks About Racial Unrest," *Daily Journal*, 5 May 1978.

³³ Riley, *Clarion Ledger*.

³⁴ Dwight Gentry, "Superblock Proves Commitment To Downtown," *Daily Journal*, 5 May 1973, p. 1.

1900: population of 2,118
1920: population of 8,000 ³⁰
1940: population of 8,212
1950: population of 11,527, 11 square miles
1960: population of 17,247
1968: estimated population of 24,000, 22 square miles
1986: estimated population of 24,000 ³¹
[All information is from ²⁹ except where noted otherwise]

In 1973, developers and the city discussed the development of a downtown mall (near the railroad tracks, see map). "redevelopment will come in the form of what planners label a 'superblock.'" It was intended that this 'superblock' would include a multi-story bank and a shopping mall improving the downtown area and requiring developers to share in the cost of the building and the structure would belong to an Urban Renewal project. ³⁴

Importance of Public Education

Tupelo is known in Mississippi for its high standards for public education and the community support towards maintaining those standards. "In the early 1960s, Lee County was the first county in Mississippi to integrate its schools. By doing so, it avoided the public-relations debates that for years shadowed Little Rock, Oxford and other Southern cities that resisted the civil-rights movement."³⁵ In 1984, "Tupelo High School was one of two state public schools on the U.S. Department of Education's list of the top 142 schools....Tupelo students average 19.24 on the American College Test, compared to a national average of 18.6 and a state average of 15.5."³⁶ "In May of 1985, the Tupelo School District was cited by the Education Commission of the States as one of the five national models for performance-based schools."³⁷ Local industries and companies are requiring more educated employees and because of that are helping to support the local schools in substantial ways. For example, during the 1970's, George McLean, owner of the Northeast Mississippi Daily Journal, established CREATE Inc., a non-profit organization through which he gave \$1 million to pay for reading aides in county schools. "The organization now plows \$500,000 a year from the newspaper's profits back into education, health care and leadership programs."³⁸

In 1983, Lewis Whitfield, president of First Citizens National Bank, organized the Association for Excellence in Education, a private committee that in two years has contributed nearly \$200,000 into city schools. In 1991, L.D. Hancock, founder of Hancock Fabrics, donated \$3.5 million to Tupelo schools, which was "one of the largest gifts to public schools from an individual in the state's history."³⁹ "And two years later, a \$17 million bond issue for a new high school passed with 89 percent voter approval."⁴⁰ In the April, 1996 issue of Redbook recognized Tupelo High School as one of the top 65 high schools in the country, recognized for both its academic achievements as well as its outstanding extracurricular programs. "Tupelo's heavy investment in worker training has been a major factor in bringing the black community within the gambit of the town's economic success. Throughout the South, cheap labor is a big investment draw. But cheap labor often is poorly educated labor, meaning that many communities can draw only low-wage, low-skill industries....Here, vocational training forms a big part of college curricula, which are heavily weighted toward topics like advanced machining processes, computer aided drafting and furniture design."⁴¹



The Create Foundation



William Junior High School

³⁵ Helana Cooper, "What 'The Wall Street Journal' is saying about Tupelo," *Clarion Ledger*, 13 March 1994.

³⁶ Steve Riley, "In Tupelo, the people make a difference," *Clarion Ledger*, 15 Dec. 1976.

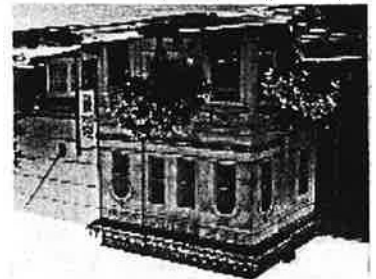
³⁷ Sylvia Higginbotham, "Tupelo: This busy city offers sightseers more than Elvis Presley's birthplace," *Clarion Ledger*, 14 Sept. 1986.

³⁸ Riley, *Clarion Ledger*.

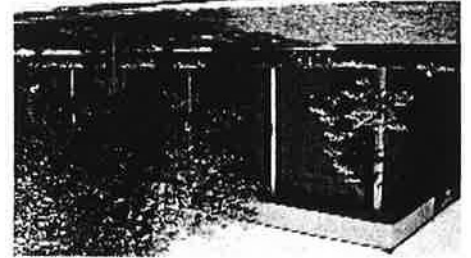
³⁹ "The History of Tupelo," Internet.

⁴⁰ Cooper, *Clarion Ledger*.

⁴¹ Cooper, *Clarion Ledger*.



The Tupelo Art Gallery is located on Main Street in the historic Peoples Bank Building that is listed in the National Register of Historic Places. It attracts visitors from out of town.



Lee County Library has extensive collections with its geology section drawing visitors from outside of Tupelo.

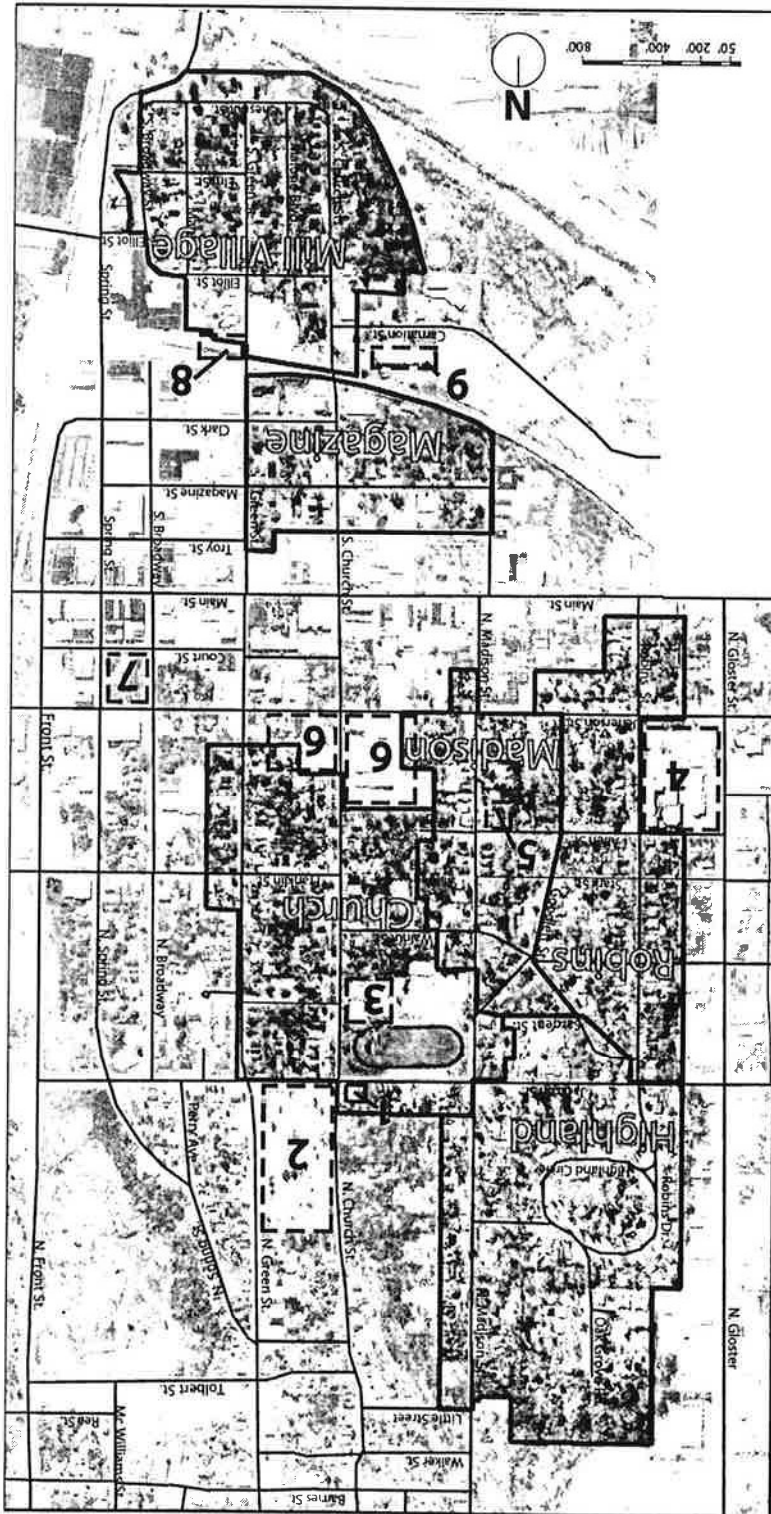
APPENDIX B

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- Riley, Steve, "In Tupelo, the people make a difference," Clarion Ledger, 15 Dec. 1976.
- Rutherford, Harry, "A City Without City Limits," Mississippi Magic, May 1957, p. 13-14.
- "Tupelo Started As Gum Pond, Got Name by 1868," Daily Journal, vol. 80, no. 310, (author unknown)

LANDMARKS LEGEND

- 1-White House
- 2-Glenwood Cemetery
- 3-Church Street School
- 4-Miriam Junior Highschool
- 5-McCarthy House
- 6-First Baptist and
First Presbyterian
Churches
- 7-Lee County Courthouse
- 8-Blue Bell Factory
- 9-Carnation Milk Company



Landmarks

The Historic District of Tupelo has many distinct landmark buildings as a result of its history and the recent interest in renewing life of some of the buildings that had been deteriorating. Landmarks are critical to a place as they reflect the historical, political, and social attitudes of its culture.

The White House

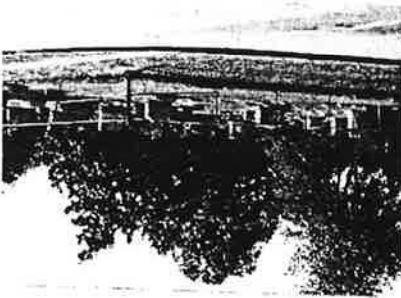
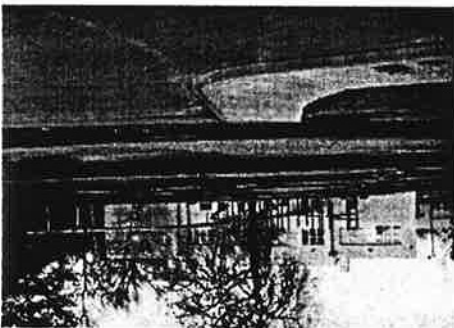
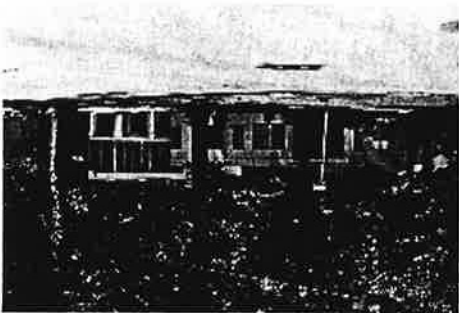
This house serves as a distinct landmark as it is unique to its neighbors. It has modern-style detailing, a flat roof and an expressive and exposed porch. We have found that in giving directions to others this house is useful in orientating one. Other contributing factors are that it is on a corner site, across from the Glenwood Cemetery and Robins-Noble Field. Jackson Street is also an important and busy street that makes this house very visible to all of Tupelo.

Church Street School

This school was designed by the well-known architectural firm, Overstreet and Town, whose work was recognized internationally. This school is one of the best examples of the Modern style of architecture in Mississippi. As was typical of this firm's school designs in the late 1930's, the building has a utilitarian rear elevation, which faces Robins-Noble Field, and an expressive front facade. This building, which replaced an earlier school destroyed by the 1936 tornado, has great presence on the block with its size, concrete material and unique detailing. Not only does this building serve as a visual landmark, but also as a building that serves its community with K-6 primary education and community meetings.

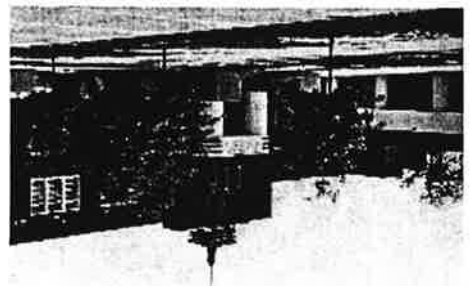
Glenwood Cemetery

This historic cemetery is large in size and located in a prominent position along well-traveled Jackson and Church streets. It is also opposite the Robins-Noble Field park which increases its presence with the shared open landscape. Not only does the physical nature of this open ground transform the surrounding area, the cemetery also has an enormous presence among the citizens of Tupelo as the final resting place of many cherished relatives and friends. As it is located, it provides an important "edge" to the district, however, as it is surrounded by a chain-link fence, it seems to be a divider separating the residential neighborhoods on the west and the east sides of it.



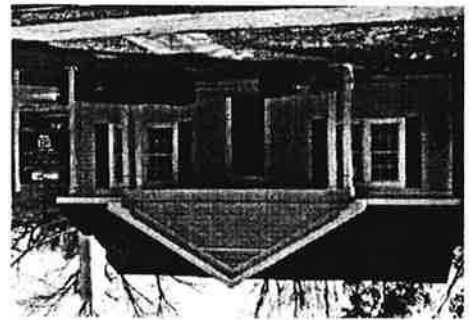
APPENDIX B

William Junior High School



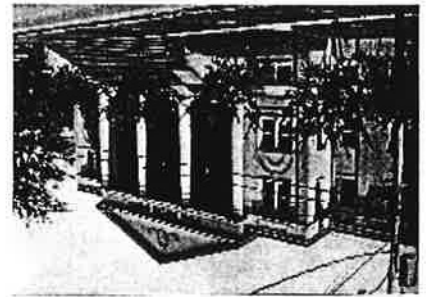
The school is located between Robins and Gloster streets. It lies along Robins Street with a close series of bungalow style houses to the north of it and larger residential and commercial buildings to the south. Gloster Street runs west of it with a great deal of traffic and commercial activity. This building serves as an important element along this edge of the historic district. The building with its new addition, is substantive in size and shelters an outdoor area and parking lot. This building also serves as a visual and spatial landmark while also providing meeting space for the community and a good facility for educating junior high students.

The McCarty House



This older, small house has recently been renovated by Community Enterprises, Inc. and will serve as an example to other property owners to invest and redevelop their properties. Currently, it is very visible as it is located along a well-traveled street, Madison Street, and is the first house to be completely renovated in the neighborhood by this organization. By its location, being central to the district area, it provides a unique landmark condition.

First Baptist and First Presbyterian Churches

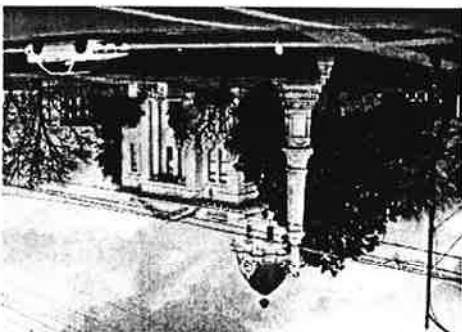


The two churches, together on either side of Church Street, spatially serve as a gateway into the north part of this district. Both churches have an important presence along heavily-traveled Jefferson Street given their size, materials and detailing. Both were built at the turn-of-the-century and suffered some damage from the 1936 tornado, but with renovations the buildings were restored and have grown over time. Both churches are heavily attended from citizens all over the city, making the presence of these landmark buildings significant for their support of community gathering as well as physical markers.

APPENDIX B

The Courthouse

Undoubtedly, this landmark achieves recognition as an important landmark given its role as the county seat, its age and its physical presence. Factors which contribute to its physical presence are its size, materials, and detailing, and its relationship to the city with the landscaped square and the ordering of the streets. The location of this building is set back one block from Main Street, immersed in the fabric of the downtown buildings, making it more of a discovered building than a building that commands its presence along the Main Street as found in most towns. This building provides an important "edge" to the historic district.



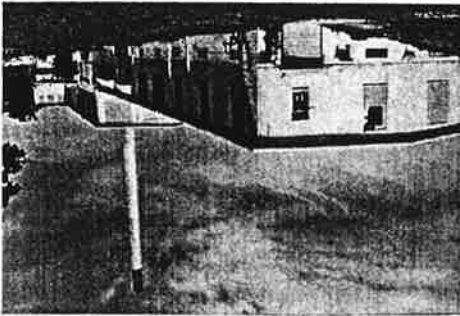
Blue Bell Factory

This long industrial building from the 1950's was built in an important era of the city with 1,700 industrial jobs created in the period. To support such a large production this building was constructed with its long elevations along the railroad. The building provides a spatial and visual edge to the downtown area separating Mill Village from the rest of the district. This building holds great possibilities of a future life with its distinct character and location.



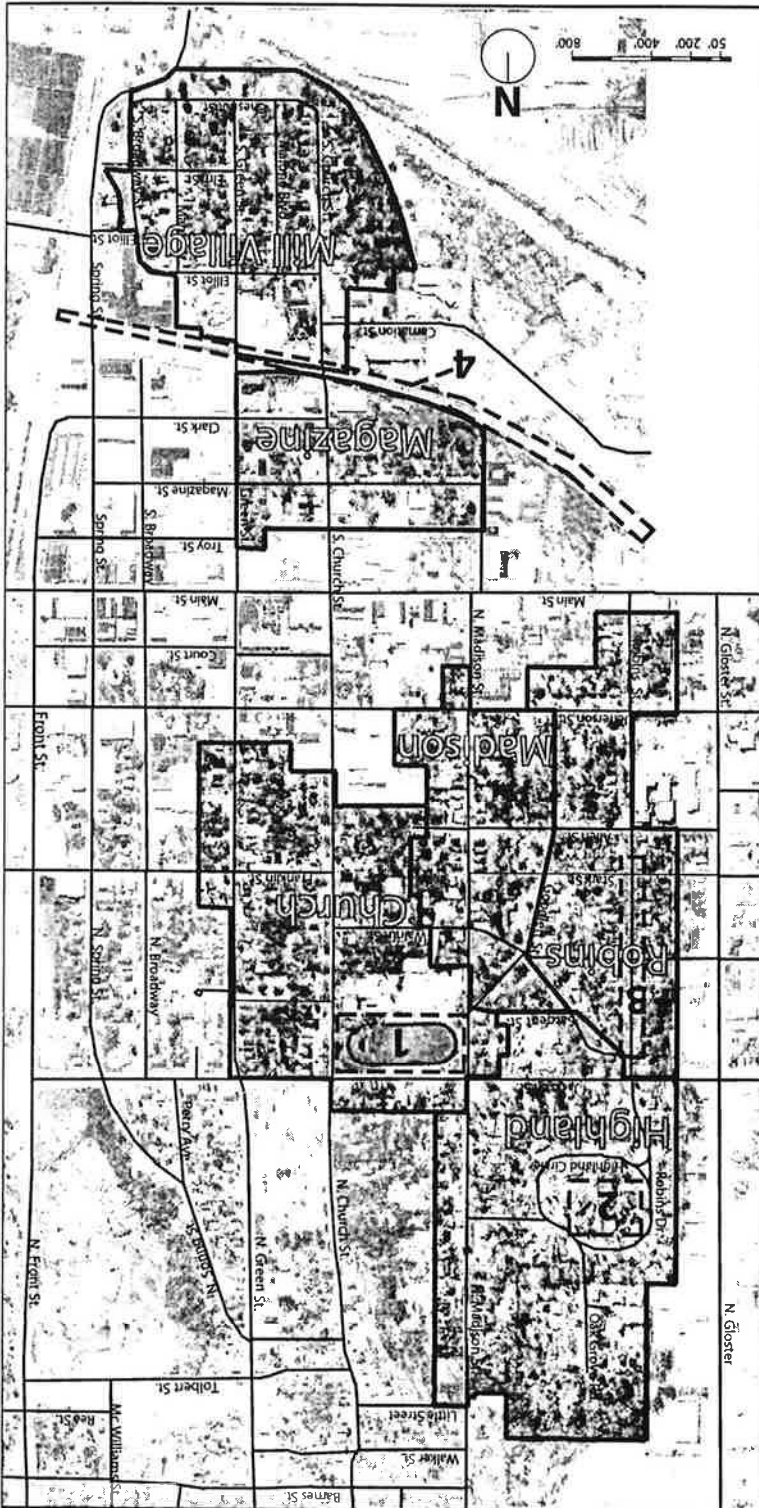
Carnation Building

This building with its smokestack has an important presence with its large size and building type which is separate from its neighboring houses. With its presence it provides a sense of boundary to the west side of the Mill Village residential area. This building is a product of important changes in the history of Tupelo's agricultural interests. In the 1920's farmers were urged to place less reliance on cotton and promote agriculture interest in livestock and dairying; Tupelo became a home to the Carnation Milk Company, the first in the South.



LANDSCAPE LEGEND

- 1-Robins-Noble Field
2-Highland Hill
3-Robins Street
4-Frisco (Memphis & Birmingham Railroad)



The landscape with its landforms, waterways and vegetation shapes the character of the district as much as the landmark buildings and roadways. In some places the landmarks highlight the landscape features and vice versa; in other places, the landscape is second to the built environment or even missed as an opportunity to add to the character of the place.

Robins-Noble Field Park

This newly renovated park has had an enormous impact upon the neighborhood with its new improvements. By eliminating some of the vegetation that had surrounded its edge, increasing its visibility and thus safety, the park is now used throughout the day and evenings. Also, with the improved landscaping, improved track and planned public events, the park is serving the community successfully. The park also holds historical importance with the visit from President Roosevelt in 1934, when he spoke about his presidential campaign. Robins-Noble Field Park may be one of the greatest positive contributing factors towards a promising future in the district.

Highland Hill

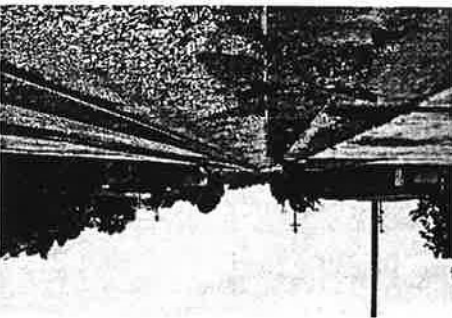
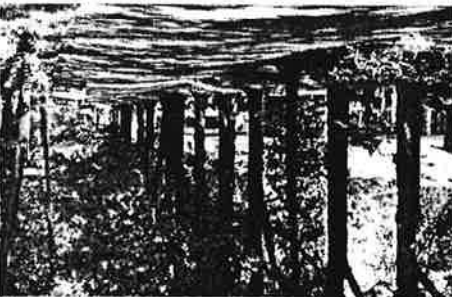
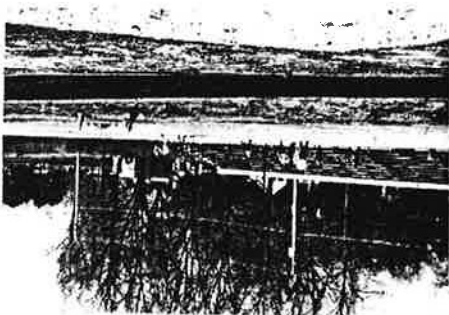
The land rises fairly significantly in this part of the district. Highland Circle is a street which remains fairly level circumscribing the top of this hill. The yards in front of the houses slope significantly also accentuating the presence of the hill. This land feature and how it has affects the manner in which streets and houses are developed plays an important and unique role relative to the remaining district.

Robins Street

The large trees which line this street are very distinct in this district. The height, spacing, shade, and canopies of these trees are very present and serve to orient visitors in the area. The residents who had the foresight to plant these trees many years ago are commendable. This landscape feature should serve as a model to other areas of the district.

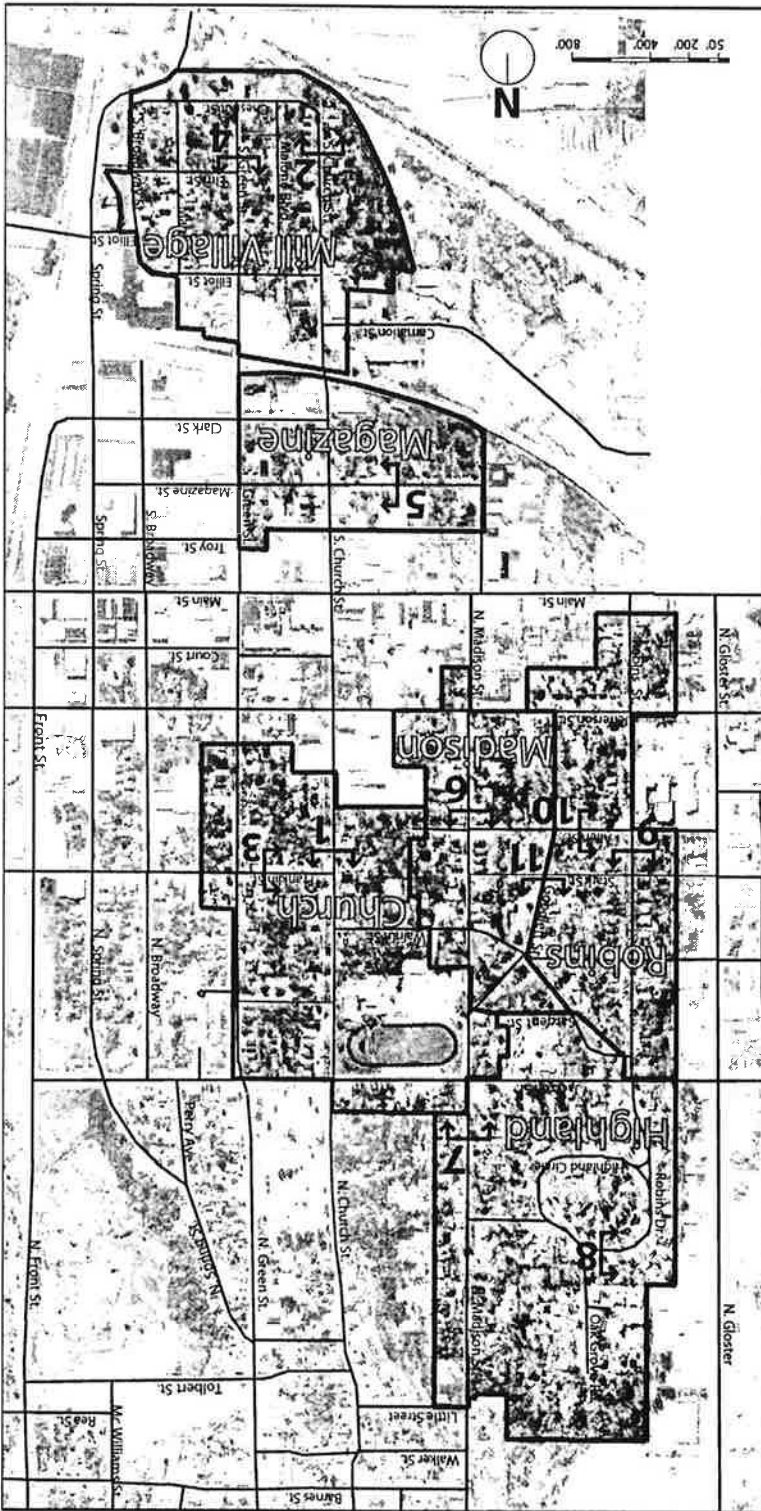
Railroad Tracks

The infrastructure which was a major impetus of this community was laid in 1859 in an area where nothing but Cyprus and tupelo gum trees could survive. Of course, at its time the railroad was well-used and a major draw of activity in the town. It had a large impact upon how the downtown area and surrounding industry and residential districts were developed. Today, it mostly remains inactive with only an occasional train running along its tracks, but still holds an important presence in the district separating the Mill Village residents from the rest of the district.



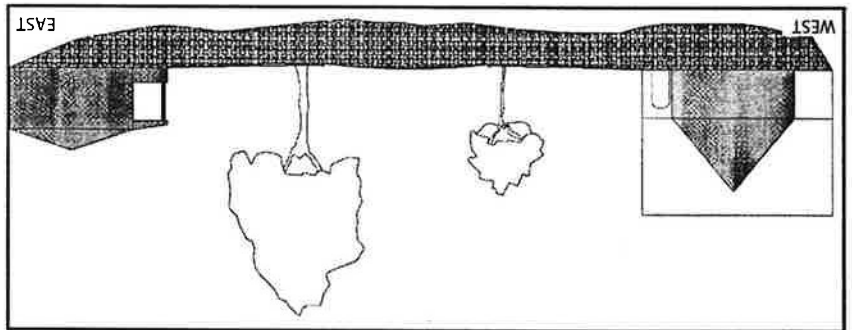
SECTION LEGEND

- 1--North Church Street
- 2--South Church Street
- 3--Franklin Street
- 4--Green Street
- 5--Magazine Street
- 6--South Madison Street
- 7--North Madison Street
- 8--Highland Circle
- 9--Robins Street
- 10--Allen Street
- 11--Goodlett Street

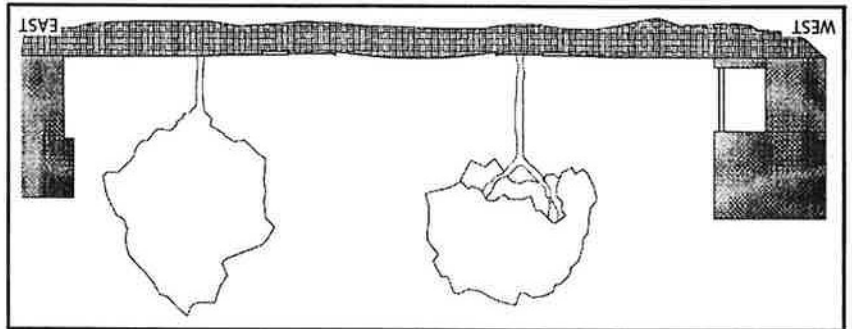


Streetscape Divisions and Sections

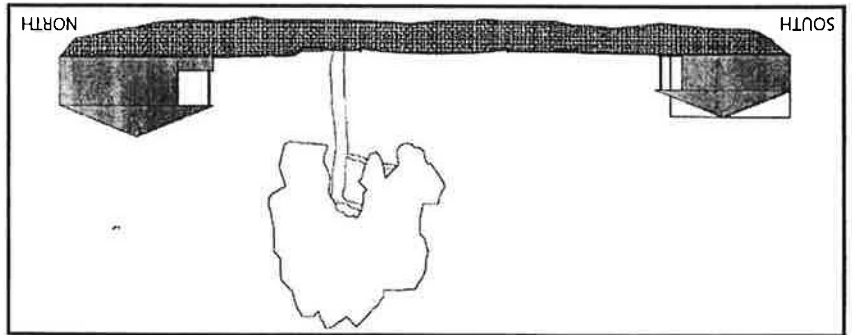
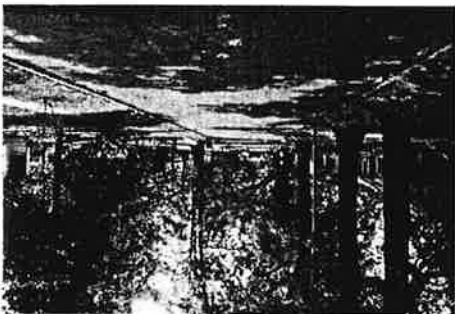
Street sections through various streets in the district were studied to obtain the sense of enclosure and scale within the district. This information helped us to compare and contrast the streets throughout the district according to the placement of houses on lots, landscape along the streets, and the variety of height and scale among the houses.



Section 1, North Church Street



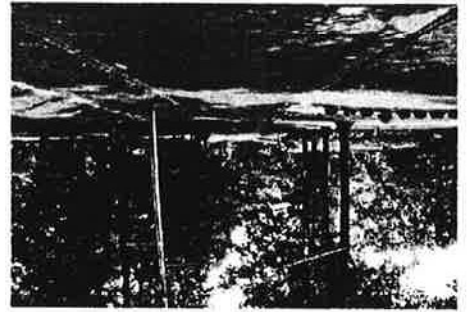
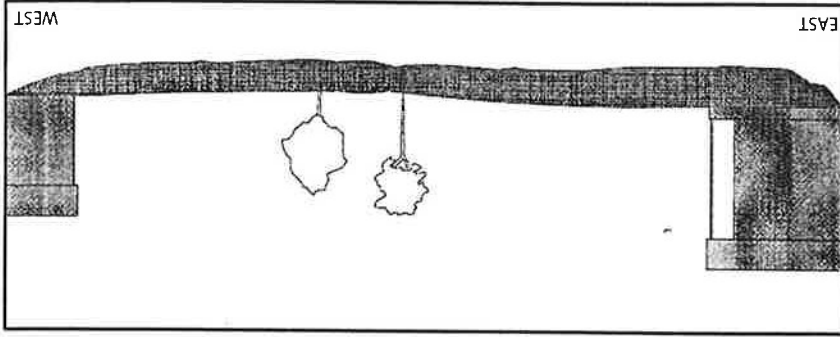
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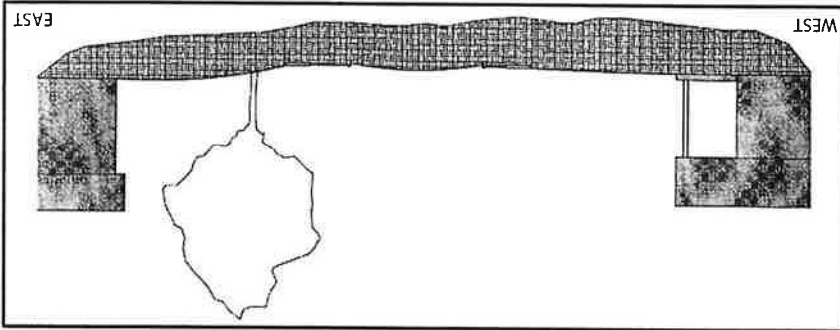
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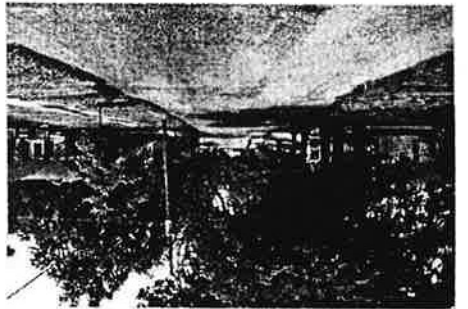
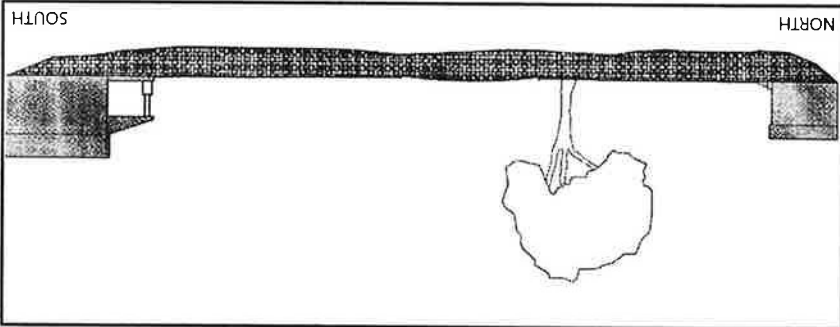
Section 7, North Madison Street



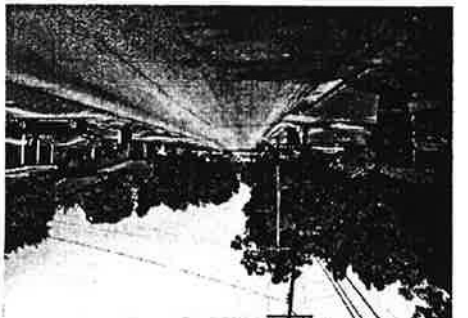
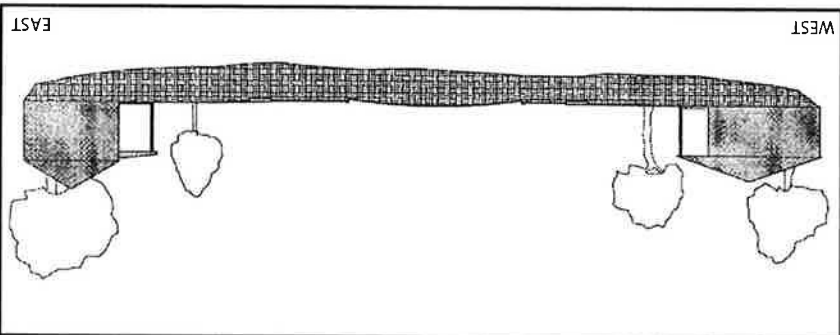
Section 6, South Madison Street



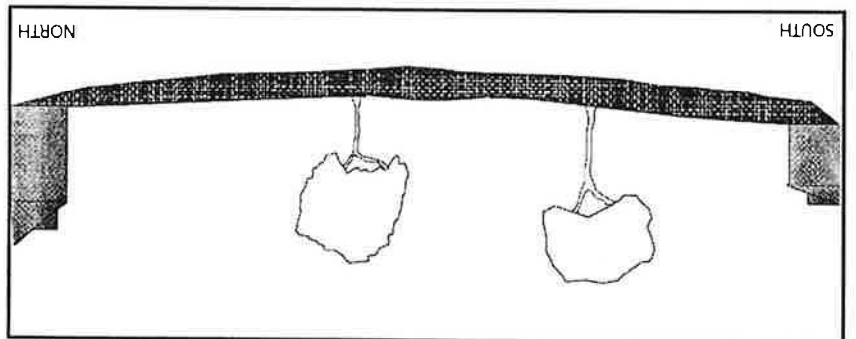
Section 5, Magazine Street



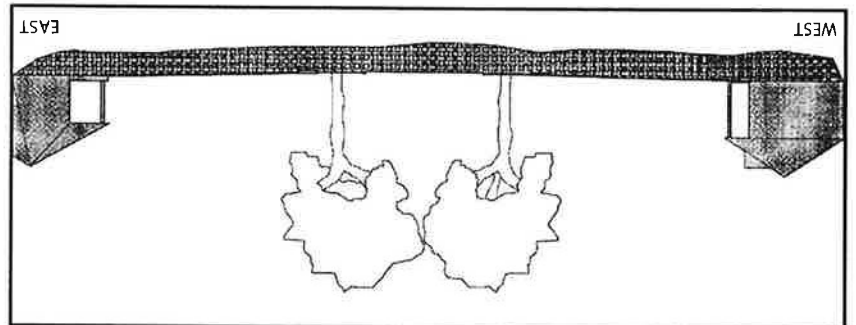
Section 4, Green Street



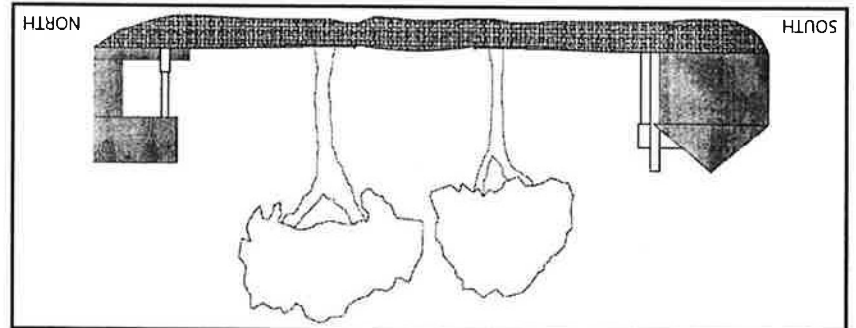
APPENDIX B



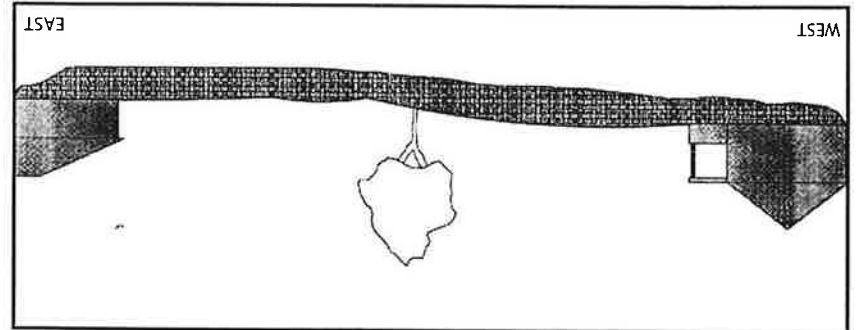
Section 8, Highland Circle



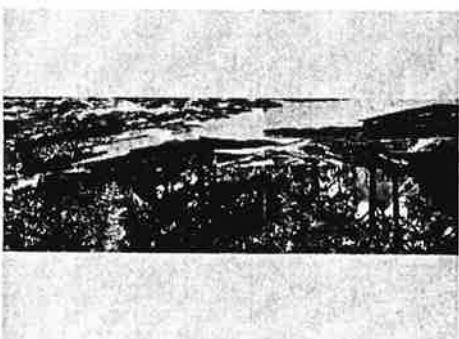
Section 9, Robins Street



Section 10, Allen Street



Section 11, Goodlett Street



Districts and Boundaries

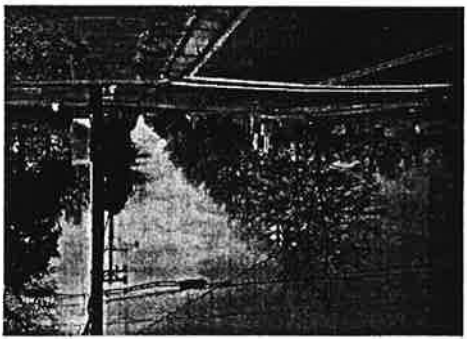
Districts are areas of a city which contain elements that are visually similar. The visual elements are landmarks, the natural landscape, streets, types of buildings and the density of buildings. When districts meet, these visual elements mark the change from one district to another and form a boundary.

Boundaries or the lack of boundaries become important to consider in establishing design guidelines because the boundaries define an area where certain visual characteristics are consistent. The boundary can separate or connect districts, sometimes causing a city to feel fragmented but at other times making an important distinction between one area and another. A visually clear boundary around an area can help to unify that area by making the area easily recognizable as its own place. The division of the neighborhood in districts is not to imply that the neighborhood is fragmented or socially divided. Instead, it becomes a way to find the seams between visually distinct areas and determine whether they need repair.

At a neighborhood meeting, residents of the Downtown Neighborhood were asked to draw their own maps of districts and boundaries. At first, the neighbors drew unconnected areas based on where their friends and family live. However, once the neighborhood residents began to think of the physical landmarks and relate them to their own social landmarks, their drawings began to look like the boundary map shown. Neighborhood residents also began to offer explanations of why parts of the district developed certain characteristics. Residents also brought out ideas of what should be developed in each district for the future.

The boundaries between these districts all play different roles. Some boundaries between districts are strongly conditioned by landmarks. The houses to the north and west of Robins-Noble Field are more part of the Church District because they face Robins-Noble Field. Likewise, the railroad track north of Mill Village divides the district from the neighborhood but also creates a visual gateway into the district, strengthening its identity. Landmarks are important to preserve because they are symbolic of an entire area. When these landmarks are destroyed, the character of the area is also changed fundamentally.

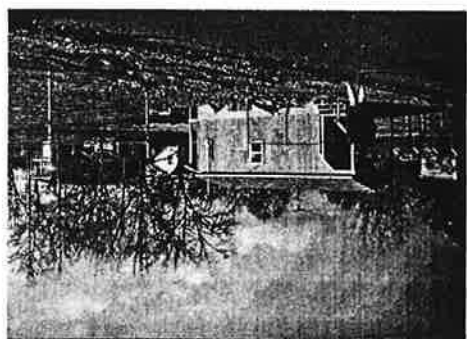
Some boundaries are very loosely defined, such as the east edge of the Church District. The boundary on the east is determined more by a gradual change from residential to commercial building types and older to newer homes. The indefinite nature of this boundary indicates that the visual character of the district at the boundary is in a gradual process of change. Without change, districts do not continue to meet the needs and aspirations of their residents and begin to decline. However, neighborhood



The wide open space of the cemetery provides a separation between the North Church Street neighborhood and its surroundings.



Sargent Drive with its fence is clearly a boundary between the Highland Park neighborhood and the Madison Street neighborhood.



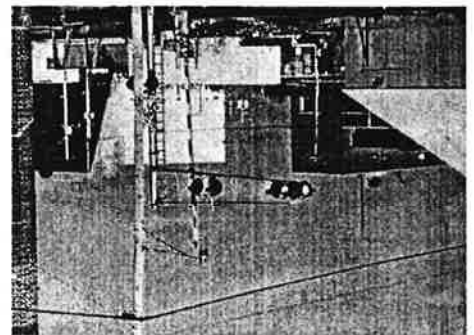
Mill Village because of the large space on one side of the street. The lack of buildings and long view create a separation between this neighborhood and its surroundings.

residents need to be aware of changes and discuss how their neighborhood should develop in the future.

Other boundaries create an opportunity for two districts to meet one another but keep their individual identities. Goodlett Street now acts as a separation between the Madison and Robins districts. Fences or walls are not the only ways to make a boundary; a large empty space will act as a boundary between two areas as well. On Goodlett Street, the wide distance across the street between buildings and trees creates a boundary line down the street. Goodlett Street could bring together both these districts by placing future buildings on the east side of the street closer to the curb or planting street trees that would enclose the space of the street. Goodlett Street will then act more like a seam between the two districts than a barrier.

The most prominent boundary in the neighborhood is Main Street, dividing the Magazine and Mill Village districts to the south from the districts to the north. An important long-term initiative should be to strengthen the visual and pedestrian continuity of Church and Green Streets to tie the north and south districts together. Developing empty lots and discouraging large setbacks for parking vehicles especially between Jefferson Street and the railroad line will help to make this connection. New buildings should be encouraged to face the street with parking behind buildings. Continuous sidewalks, street trees, lighting and crosswalks will encourage buildings on these streets to become more focused on pedestrians.

As discussed above, the districts are not meant to be unchanging divisions, but a plan of how to take advantage of the specific visual assets of the neighborhood and enhance them for the future. Boundaries can be looked at as places where there is an opportunity to link areas but not to separate them. In other cases, a strong separation between areas is appropriate and enhances the character of a district. The neighborhood must continually re-evaluate these goals and chart its direction for the future.



The railroad tracks on the north edge of the Mill Village district literally create a doorway into the district. The difference in scale of the Blue Bell Building and the industrial buildings around the tracks to the houses nearby along with the tracks and gates make this place memorable on Green Street.



The alley between Glover Street and Robins Street functions as an access road to the rear of the commercial buildings on Glover Street and clearly defines the western edge of the residential neighborhood oriented around Robins Street.

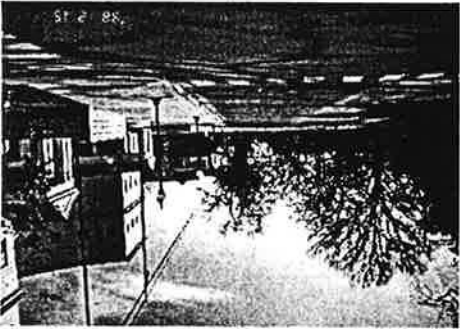


The alley parallel to Glover Street continues north to define the west border of the Highland Park neighborhood.

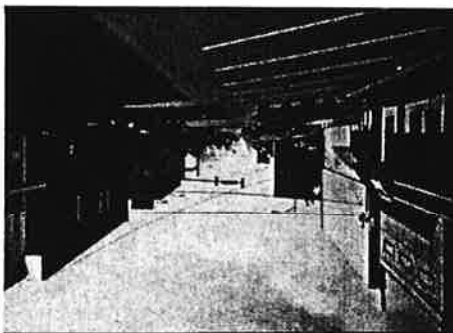
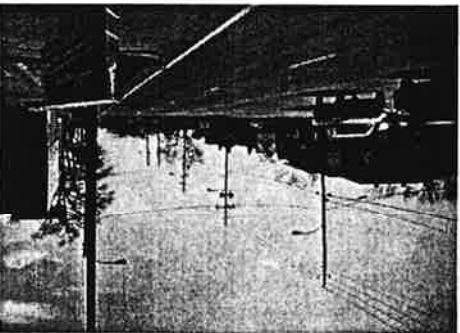
Each side of Goodlett Street seems to possess a different character. Landscaping and building types differ from one side of the road to the other. Therefore, the street itself becomes the boundary between the Goodlett Street neighborhood and the Madison Street neighborhood.

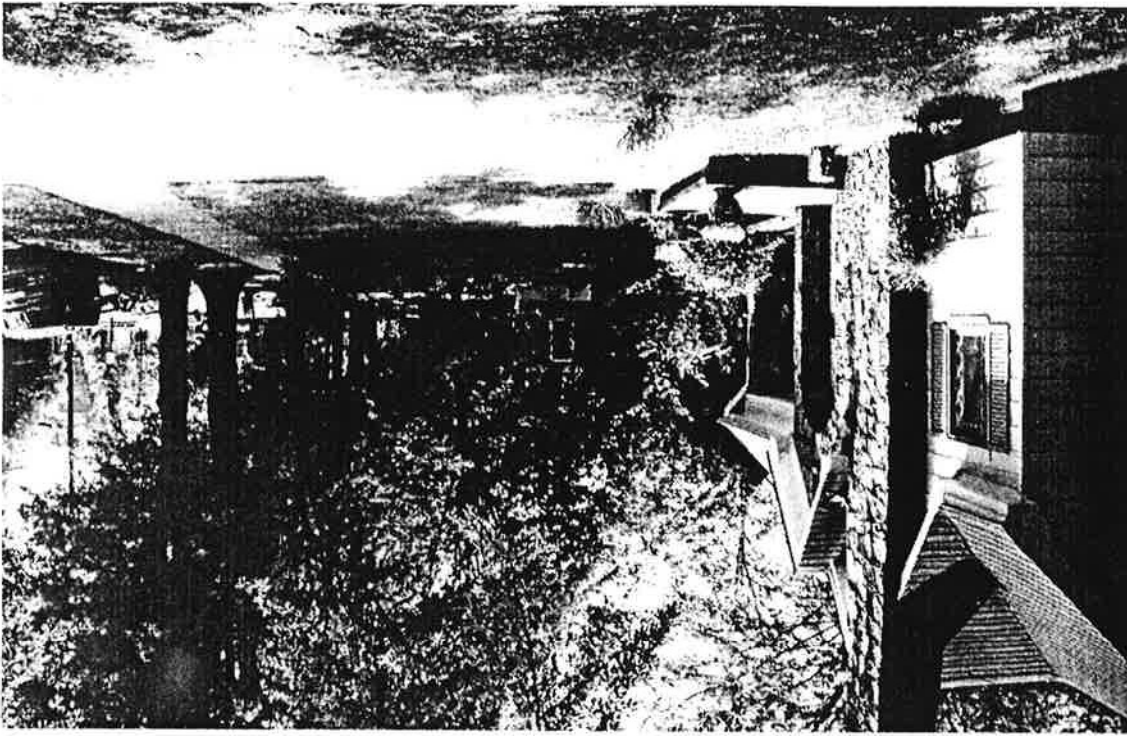


The northern boundary of the Main Street area changes from being set directly on Jefferson Street to then stepping back from Jefferson. This change results from the range of building types along Jefferson Street. Some sections of the street are residential while others have more commercial or public buildings.



Main Street, because of its width and mixture of residential and commercial use, becomes the center of an area which cannot be characterized as a neighborhood. However, this area performs an important function by connecting the neighborhood to the city as a whole. The area connects the neighborhood to the old downtown as well as to the "town square" and courthouse.





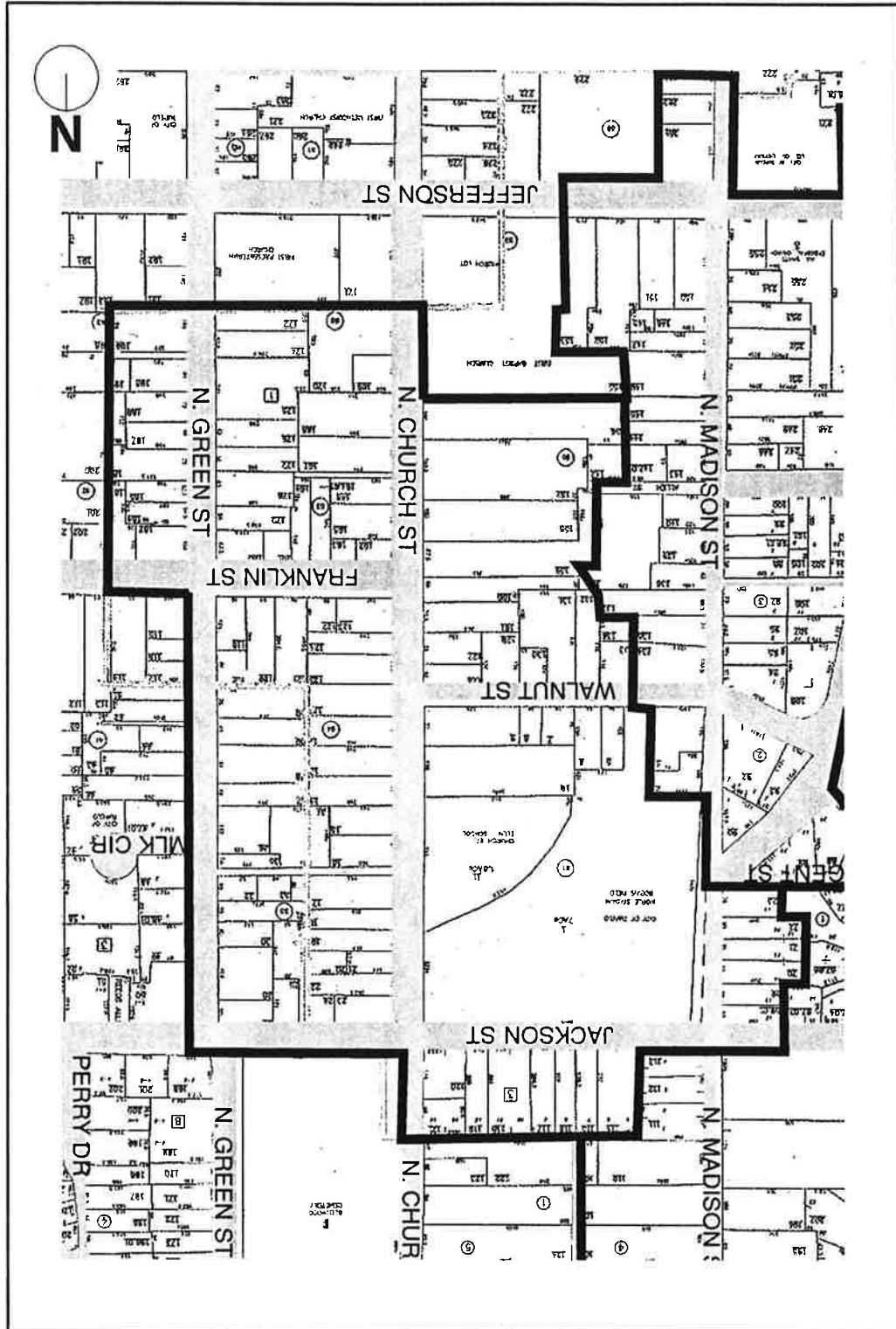
An important initiative for this district is to re-establish a pedestrian link to South Church Street. The guidelines encourage trees in the right-of-way area between the curb and the sidewalk as a visual link on Church Street.

The district is characterized by wide streets with large homes. Front setbacks are generous and streets are lined with trees, but not consistently. The house types vary considerably in the Church District.

The Church District is roughly bounded by Jackson Street on the north, Main Street on the south, Green Street on the east, and Madison Street on the west. Important landmarks for the entire area are in this district including Church Street School and Robins-Noble Field.

Church District

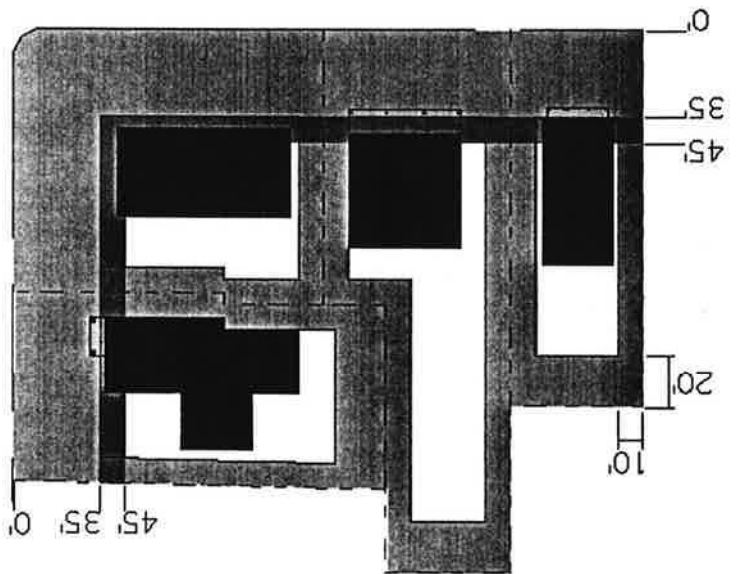
Boundaries of the Church district.
Map Source: Lee County Assessment Map, 1991.



Church District

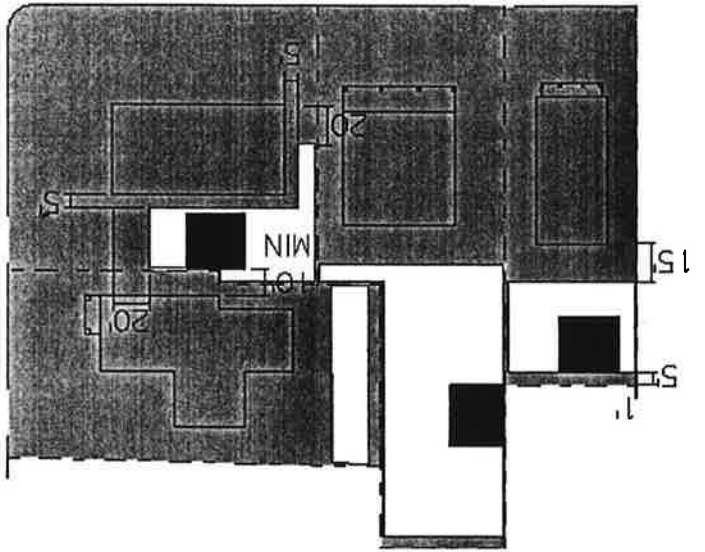
1) Setbacks/Lot Width/Coverage

- Setbacks**
- 1a) Minimum setback from the curb to the street is 35 feet.
 - 1b) Add 30 points for setbacks between 35 and 45 feet.
 - 1c) Setback from the side property line is 10 feet.
 - 1d) Setback from the rear property line is 20 feet.
- Building Width**
- 1e) No minimum building width.
- Coverage**
- 1f) Maximum building coverage including accessory buildings shall be 35% of the lot.
 - 1g) Add 15 points for coverages between 15% and 25%.



2) Accessory Buildings

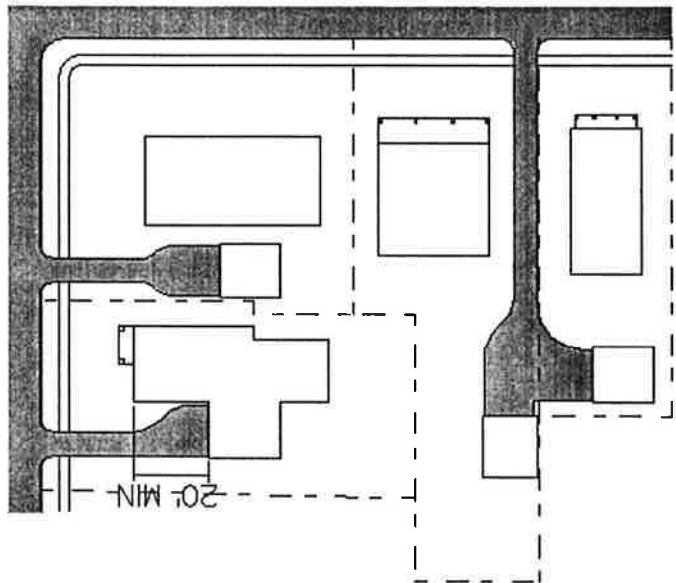
- Placement**
- 2a) Accessory buildings shall be located to the rear of the primary building.
 - 2b) Accessory buildings shall be placed a minimum of 1 foot from the side property line and 5 feet from the rear property line.
 - 2c) All accessory buildings must be placed 10 feet from any other structure.
 - 2d) If an accessory building is placed within 15 feet of the principal building it must conform to the yard requirements of the principal building.
 - 2e) On corner lots the accessory building must be at least 5 feet from the primary building, 20 feet behind the face of the building, and 1 foot from the side property line.
- Size**
- 2f) The maximum size for a carport or garage is 500 square feet.
 - 2g) Add 20 points for a living space above a carport or garage.



3) Parking/Driveways

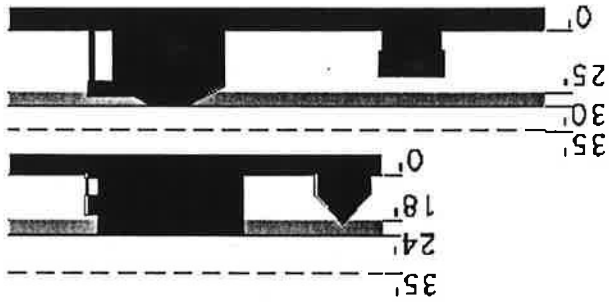
- Parking**
- 3a) May occur on the street and in the rear or to the side of the house. Parking in the front yard is not allowed.

- Driveways**
- 3b) Only one driveway is allowed for each house.
- 3c) Add 15 points if two adjacent houses share a driveway.
- 3d) Driveways may only be located to the side or rear of the house.
- 3e) No circular drives are allowed.
- 3g) Driveways may not exceed 10 feet in width until they are beyond the face of the building.
- 3h) Attached carports or garages must be 20 feet back from the face of the building.



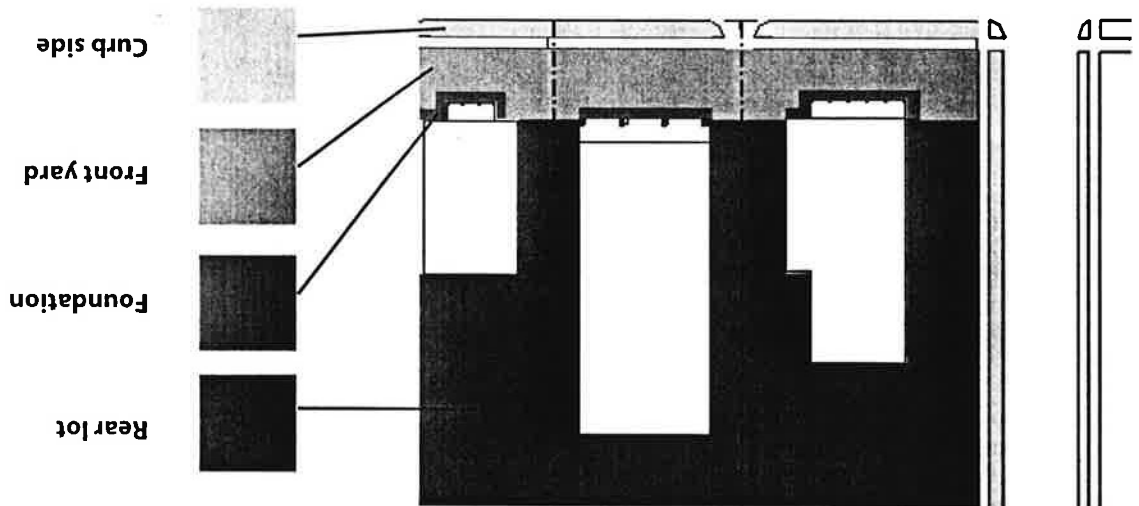
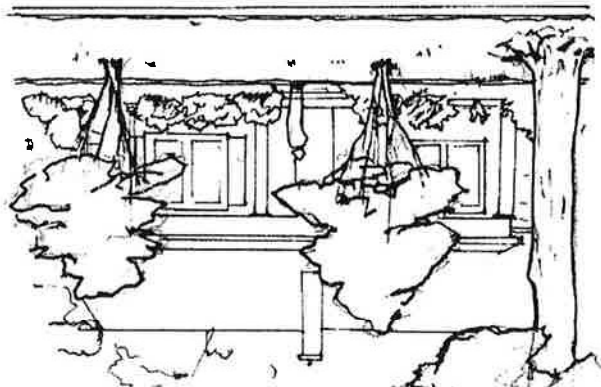
4) Building Heights

- 1 story**
- 4a) 35 foot maximum height.
- 4b) Add 15 points for heights between 18 and 24 feet.
- 1 1/2 story**
- 4c) 35 foot maximum height.
- 4d) Add 15 points for heights between 18 and 24 feet.
- 2 story**
- 4d) 35 foot maximum height.
- 4e) Add 15 points for heights between 25 and 30 feet.



5) Landscaping

Well maintained, appropriate landscaping contributes greatly to the character of a street or neighborhood. Landscaping includes grass, shrubbery, flowers, ground covers, and other natural elements. These guidelines divide lots into zones where different kinds of plant material are suggested.



Rear Lot

No specific suggestions for density, species, or height.

Foundation

This zone is about a six foot deep area on the front edge of the house. Shrubs and flower beds are encouraged here, but should not be so dense and tall that they cover most of the front of the house. Azaleas, boxwoods, camellia, jasmine, holly, and daylilies are some suggestions for this part of the yard. Small flowering trees, such as crape myrtles or birches are also appropriate.

Front Yard

The front yard should be planted mostly with grass, but small amounts of low ground covers and shrubs are also appropriate. Planting trees in the front yard is strongly encouraged. Tall, deciduous shade trees such as oaks, maples, and ash trees as well as smaller, flowering trees such as dogwoods and crape myrtles are appropriate. Trees should be planted so that root growth does not damage the sidewalk. If magnolia trees are planted, they should be placed toward a side property line, so that they do not block much of the house. Small shrubs and ground covers such as azaleas, monkey grass, and boxwoods are recommended at the side property lines, but not along the sidewalk or curb.

5a) No tree of a 8" or larger caliper shall be removed from the front yard without approval from the planning department.

5b) Add 15 points for planting at least two trees in the front yard, or if at least two trees already exist.

Curb Side

Large shade trees as well as smaller, flowering trees are encouraged in this area. Shrubs or ground covers are not recommended on Church Street and Green Street. Flowers and small ground covers, such as monkey grass, are encouraged in this area on Walnut and Franklin Streets.

5c) No tree of a 8" or larger caliper shall be removed without approval from the planning department.

6) Site Details

Fences

- 6a) Fences may be placed in side lots at least 15 feet from the front of the house.
6b) Fences in the side lot area of corner lots must be no taller than 4 feet.
6c) No fences are allowed in the front lot.
6d) Add 5 points for painted, wood fencing.

Walks

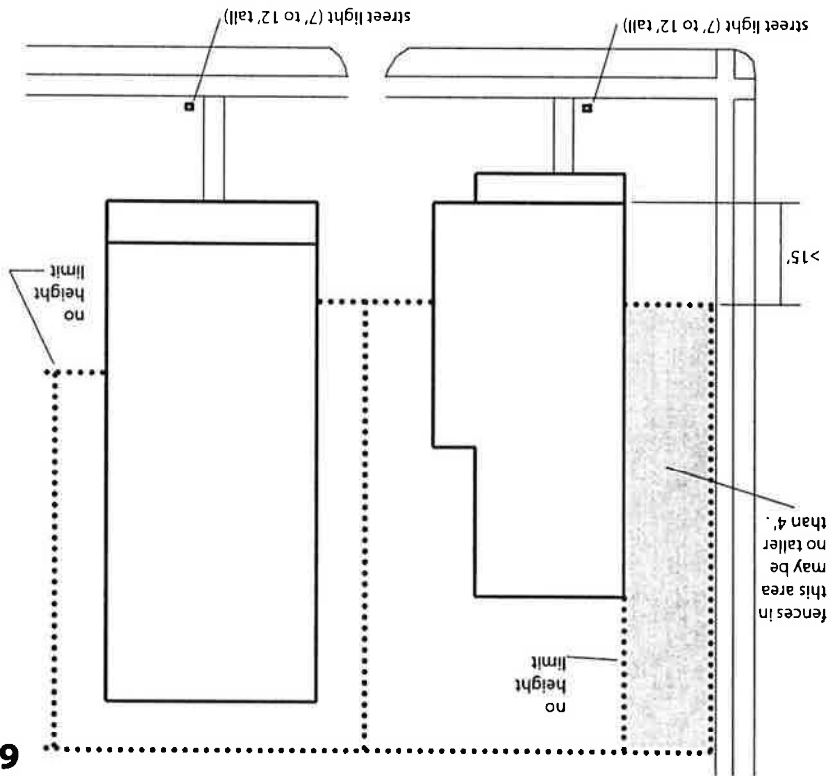
- 6e) Add 5 points for a paved walk, no more than 6 feet wide, from the entry to the sidewalk.

Mail Slot / Box

- 6f) Provide a mail slot/box on the front of the house.

Lighting

- 6g) If pedestrian scaled street lighting does not exist, add 5 points for a light (7 feet to 12 feet in height) located at the sidewalk.
6h) Add 5 points for a porch light.



Type

- Refer to the *Types* section for more information.
Appropriate types for the Church District are:
1a, 1b, 1c, 1d, 1e, 1g, 2b, 2c, 2d, 3a, 3b, 3c, 3d, 5, 8, 9
If a house does not fit a type, renovations or additions may be made so that the house then fits a type appropriate to the district.
7a) Add 35 points if a new building uses a type appropriate to the district.

Front Porches

- Original porch materials should be maintained. If the existing porch materials must be replaced, materials similar in size, texture, and color should be used. Porches enclosed with screen or glass are discouraged.
7b) If a new building does not use one of the appropriate types, add 20 points for a front porch with a width that comprises at least 40% of the front, and a depth of 4 feet to 16 feet.

Roofs

- New roofs should have the same pitch and form as the original roof. New roof materials should look like the original roofing materials.
Additions should have similar or related roof forms and materials.
Dormers should not be added to the front of the house, unless the house then fits a type appropriate to its district.
7c) No roof pitch shall exceed 12:12.

Materials

- Natural materials, such as wood siding, brick, and stone are encouraged. The primary building of an accessory building should be the same as the building. Materials used in renovations should have similar texture, dimensions, and durability as the original materials.
7e) Add 10 points for the use of brick, wood siding, or stone as the primary materials on the building front.
7f) Add 10 points for the use of brick, wood siding, or stone as the primary building material on an addition or accessory structure.

Doors

- Doors are encouraged to be of a similar type as others in the district.

Windows

- Refer to the *Types* section for examples of appropriate window placement, size, and divisions. New windows should be similar to original windows in muntin sizes, color, and spacing.
7d) Add 5 points for painted, wood windows.

7) Architectural Elements

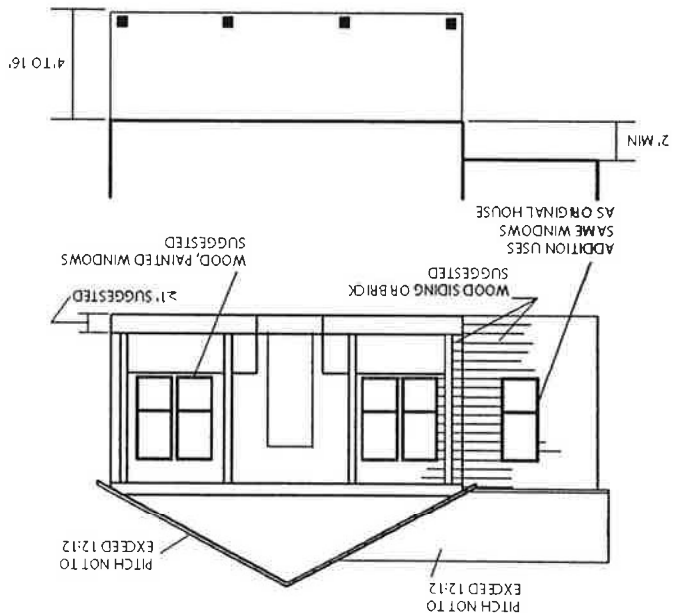
Architectural Elements

Foundations

- Conventional foundations are encouraged over slab-on-grade foundations. Add 10 points if the front entry and/or front porch is raised at least 1 foot above the ground.

Additions

- 7h) Add 10 points if a side addition steps back at least 2 feet from the building front. Any addition must meet the setback requirements in section 1 and the height requirements in section 4.



8) Site Use

Demolition

- Demolition of primary buildings within the district is discouraged unless the structure poses a threat to safety or health.
- 8a) Regardless of the new use of the property, the guidelines treat the area which was the front lot of the demolished primary building as the front lot.
- 8b) Buildings replacing demolished ones, regardless of use, must follow the guidelines in this document.

Relocation

- If a house is relocated to a vacant lot within the district, all guidelines still apply to the house and the property.

Non-Residential Use

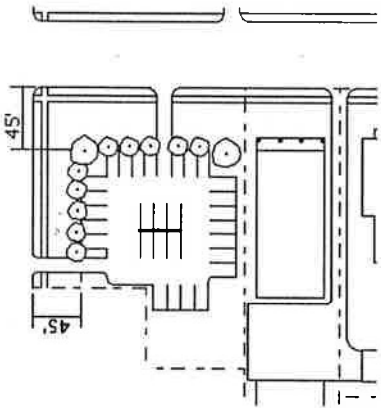
- New buildings with non-residential use must still adhere to the guidelines for the Church District.

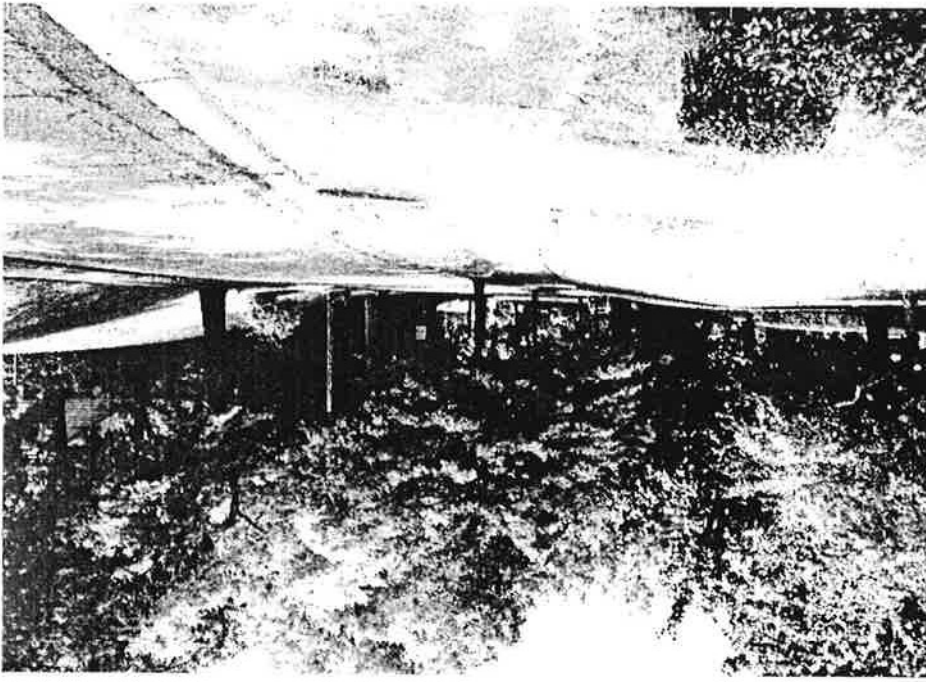
Parking Lots

- 8c) If a property is used solely as a parking lot, all parking must occur at least 45 feet from the street.
- 8d) Entries may not be further than 4 feet from the side lot line.
- 8e) Entries may not exceed 10 feet in width until they are beyond the minimum setback of 45 feet.
- 8f) The area from the street to the parking lots must follow the landscaping guidelines in Section 5.
- 8g) The street edge of the parking lot should be screened with small, flowering trees such as crape myrtles or dogwoods, and/or tall, dense shrubs.

Property Annexations

- 8h) If lots are acquired and become part of another property, the configuration of the acquired property must remain the same. For example, the front lot of a house that is purchased and demolished is still considered the front lot of that part of the property, and all front lot guidelines apply.



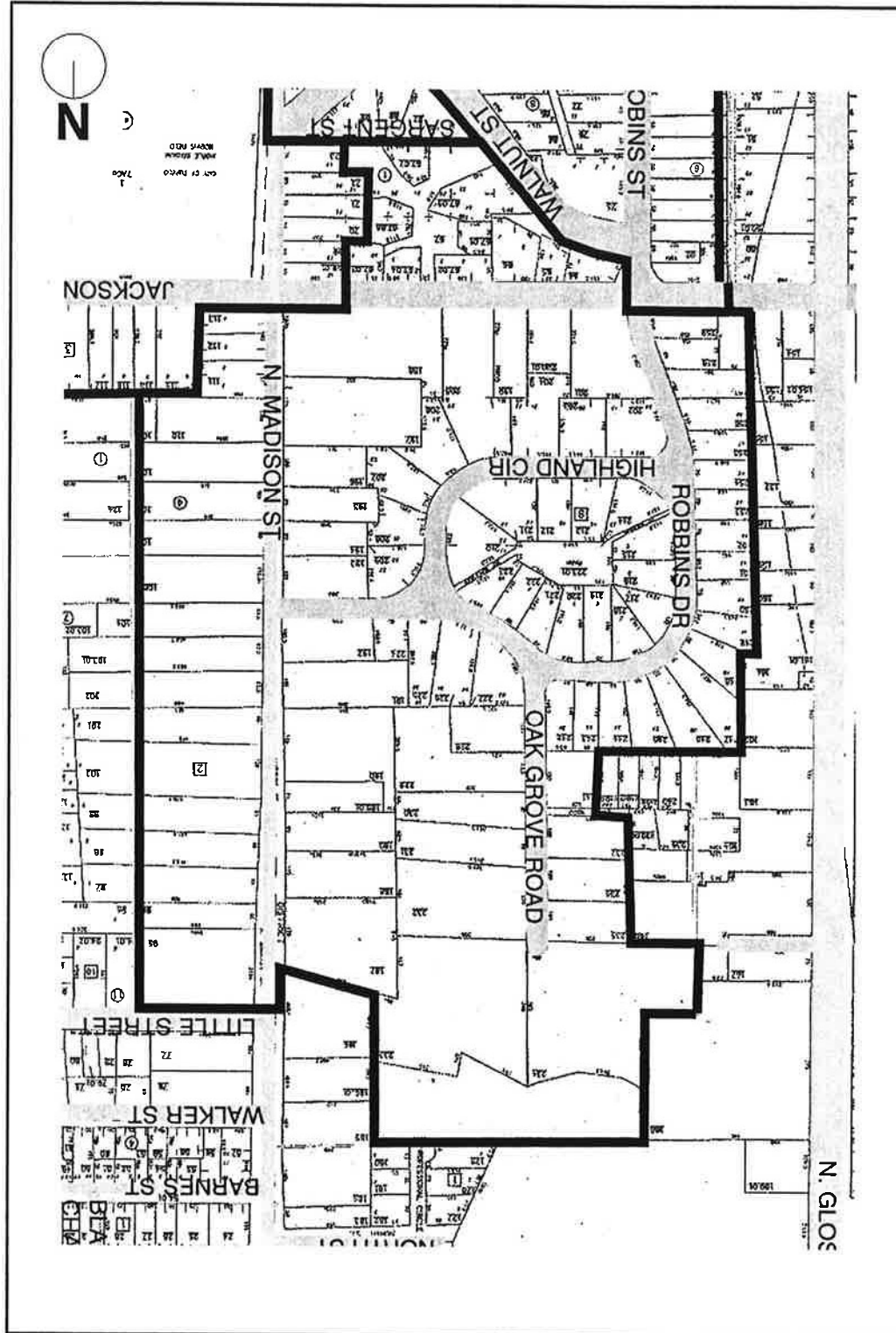


The aim of the guidelines in this district is to maintain the predominance of landscape elements over built form as the visual character.

The most important visual characteristic of the district is the mature landscaping and deep front yards. Most houses are set back at almost the same dimension as their lot width, creating a square of land in the front yard. Large mature trees, shrubs, and flowers are throughout the district. The house types in this district are the most varied, from traditional southern types to types constructed by builders in every part of the country.

The Highland District is loosely bounded to the north by a swale, the south by Jackson Street, the east by North Madison Street, and the west by Gloster Street. The district is centered around a knoll encircled by a street, hence the name Highland Circle.

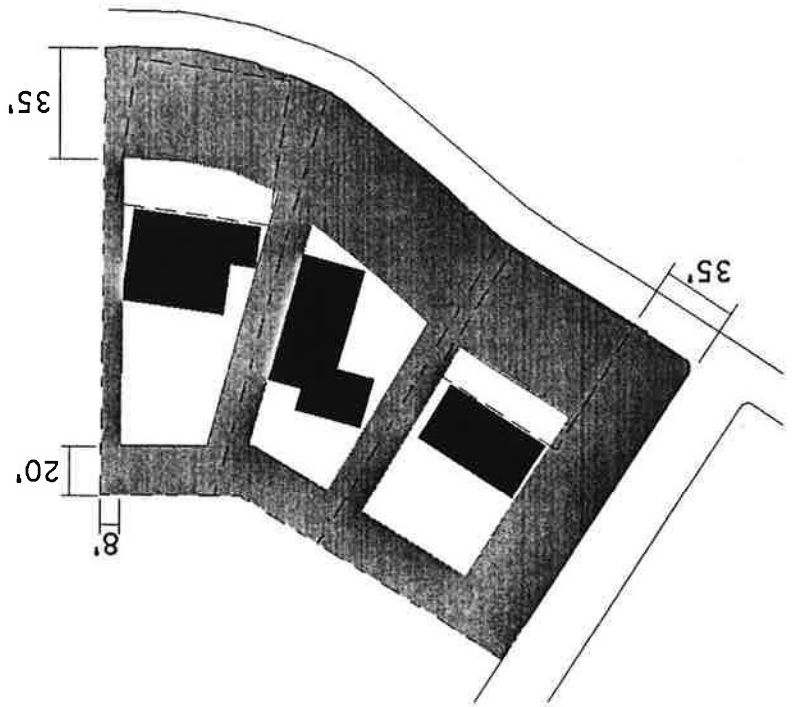
Highland District



Highland District

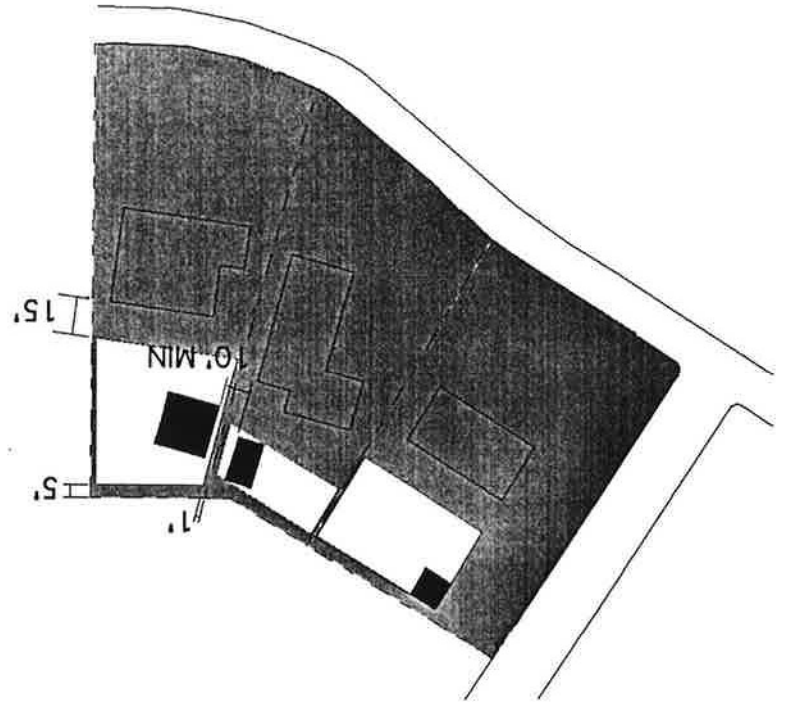
1) Setbacks/Lot Width/Coverage

- Setbacks**
- 1a) Minimum setback from any street measured from the curb is 35 feet.
 - 1b) Add 30 points if the setback is equal to the lot width or within 5 feet of the two adjacent buildings.
 - 1c) Setback from the side property line is 8 feet.
 - 1d) Setback from the rear property line is 20 feet.
- Building Width**
- 1e) No minimum building width.
- Coverage**
- 1f) Maximum building coverage including accessory buildings shall be 35% of the lot.
 - 1g) Add 20 points for coverage between 15% and 20%.



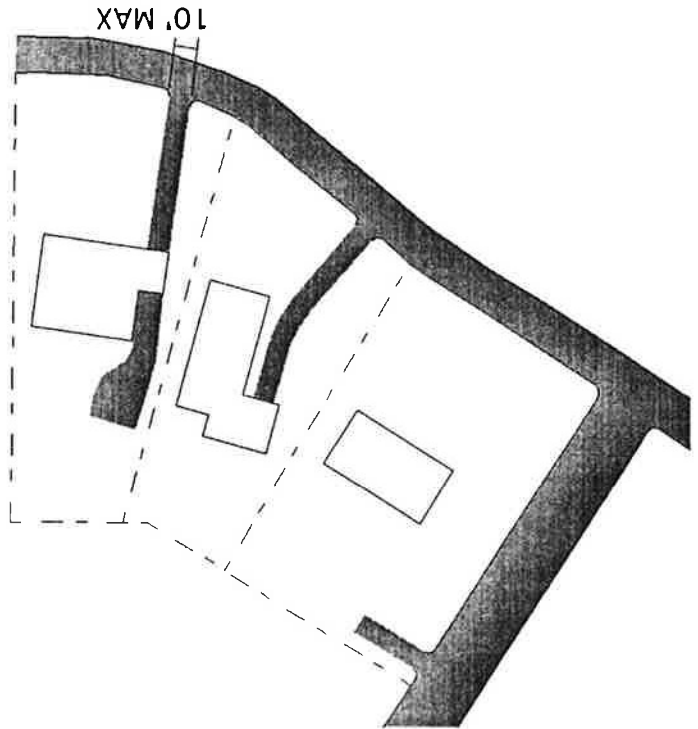
2) Accessory Buildings

- Placement**
- 2a) Accessory buildings shall be located to the rear of the primary building and behind the face of the building oriented to the side street.
 - 2b) Accessory buildings may be placed within 1 foot of side property lines but must be 10 feet from any other structure. Accessory buildings must be placed at least 5 feet from the rear property line.
- Size**
- 2c) The maximum size for a carport or garage is 500 square feet.
 - 2d) Add 20 points for a living space above a carport or garage.



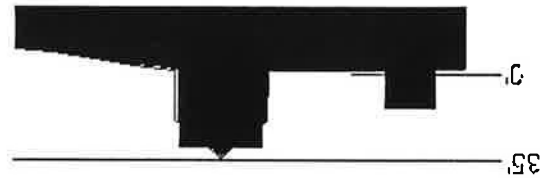
3) Parking/Driveways

- Parking**
- 3a) May occur on the street and in the rear or to the side of the house.
 - 3b) Parking in the front yard area is not allowed.
- Driveways**
- 3c) Only one driveway is allowed for each house.
 - 3d) Add 10 points if two adjacent houses share a driveway.
 - 3e) Driveways may only be located to the side or rear of the house
 - 3f) No circular drives are allowed.
 - 3g) Driveways may not exceed 10 feet in width until they are beyond the face of the building.



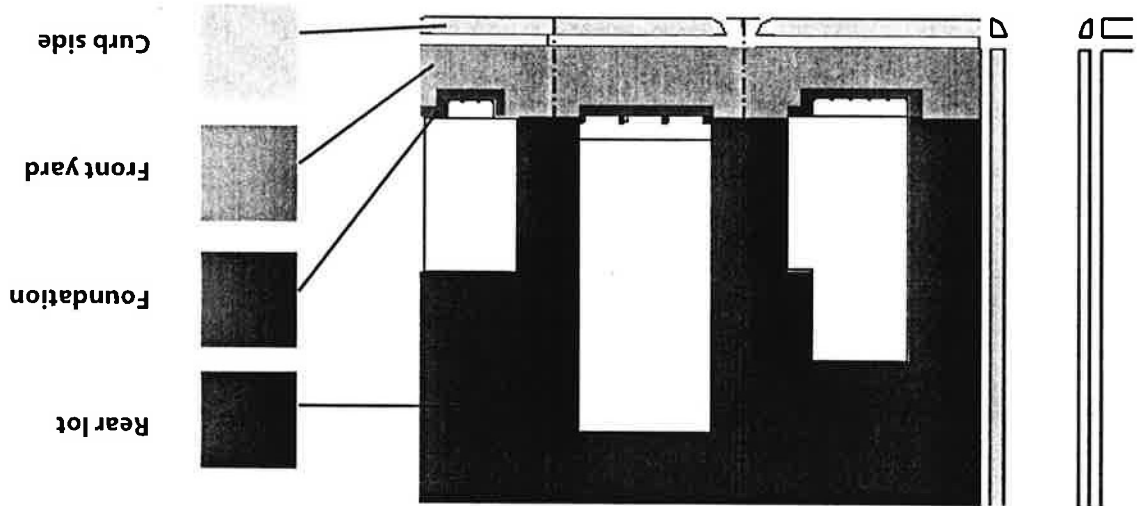
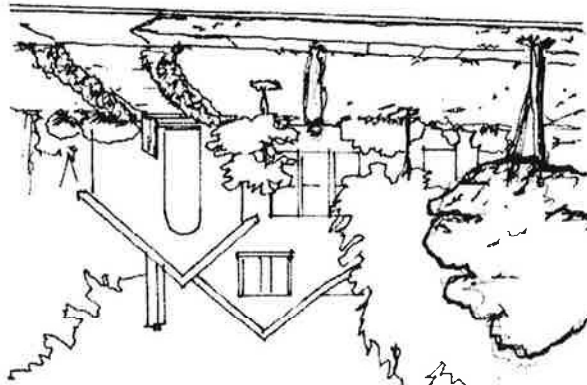
4) Building Heights

- All**
- 4a) 35 foot maximum height.



5) Landscaping

Well maintained, appropriate landscaping contributes greatly to the character of a street or neighborhood. Landscaping includes grass, shrubbery, flowers, ground covers, and other natural elements. These guidelines divide lots into zones where different kinds of plant material are suggested.



Rear Lot

No specific suggestions for density, species or height.

Foundation

This zone is about a six foot deep area on the front edge of the house. Shrubs and flower beds are encouraged here, but should not be so dense and tall that they cover most of the front of the house. Azaleas, boxwoods, camellia, jasmine, holly, and daylilies are some suggestions for this part of the yard. Small flowering trees, such as crape myrtles or birches are also appropriate.

Front Yard

The front yard should be planted mostly with grass, but small amounts of low ground covers and shrubs are also appropriate. Planting trees in the front yard is strongly encouraged. Tall, deciduous shade trees such as oaks, maples, and ash trees as well as smaller, flowering trees such as dogwoods and crape myrtles are appropriate. Trees should be planted so that root growth does not damage the sidewalk. If magnolia trees are planted, they should be placed toward a side property line, so that they do not block the front of the house. Small shrubs and ground covers such as azaleas, monkey grass, and boxwoods may be planted at the side property lines. Flowers and low ground covers such as monkey grass may be planted along the sidewalk. 5a) No tree of an 8 inch or larger caliper shall be removed from the front yard without approval from the planning department. 5b) Add 20 points for planting at least two trees in the front yard, or if at least two trees already exist.

Curb Side

Trees of both small and large caliper may be planted in the area between the curb and the sidewalk. Flowers, low shrubs, and ground covers may be planted here as well. 5c) No tree of an 8 inch or larger caliper shall be removed from the front yard without approval from the planning department.

6) Site Details

Fences

- 6a) Fences may be placed in side lots at least 15 feet from the front of the house.
- 6b) Fences in the side lot area of corner lots must be no taller than 4 feet.
- 6c) No fences are allowed in the front lot.
- 6d) Add 10 points for painted, wood fencing.

Walks

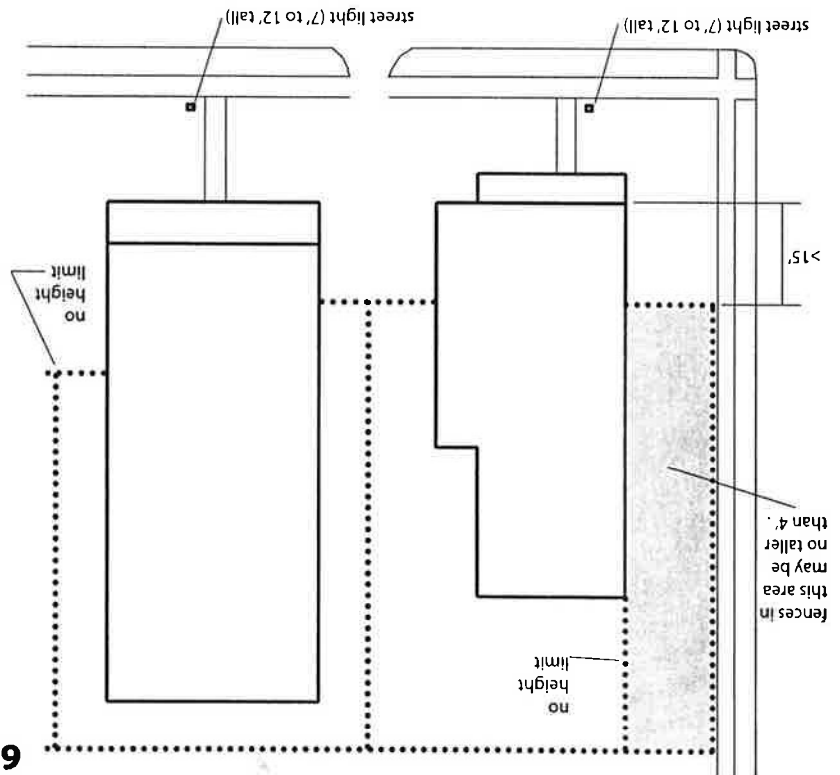
- 6e) Add 5 points for a paved walk, no more than 6 feet wide, from the entry to the sidewalk.

Mail Slot / Box

- 6f) Provide a mail slot/box on the front of the house.

Lighting

- 6g) If pedestrian scaled street lighting does not exist, add 5 points for a light (7 feet to 12 feet in height) located at the sidewalk.
- 6h) Add 5 points for a porch light.



Type

- Refer to the Types section for more information.
- Appropriate types for the Highland District are:
1c, 1d, 1e, 2a, 2b, 2c, 2d, 2e, 3a, 3b, 3c, 3d, 3e, 4a, 4b, 4c, 5, 6, 7
- If a house does not fit a type, renovations or additions may be made so that the house then fits a type appropriate to the district.
- 7a) Add 25 points if a new building uses a type appropriate to the district.

Front Porches

- Original porch materials should be maintained. If the existing porch materials must be replaced, materials similar in size, texture, and color should be used. Porches enclosed with screen or glass are discouraged.
- 7b) If a new building does not use one of the appropriate types, add 20 points for a front porch with a width that comprises at least 20% of the front, and a depth of 4 feet to 16 feet.

Roofs

- New roofs should have the same pitch and form as the original roof. New roof materials should look like the original roofing materials.
- Additions should have similar or related roof forms and materials.
- Dormers should not be added to the front of the house, unless the house then fits a type appropriate to its district.
- 7c) No roof pitch shall exceed 18:12.

Materials

- Natural materials, such as wood siding, brick, and stone are encouraged. The primary building of an accessory building should be the same as the building. Materials used in renovations should have similar texture, dimensions, and durability as the original materials.
- 7e) Add 20 points for the use of brick, wood siding, or stone as the primary materials on the building front.
- 7f) Add 15 points for the use of brick, wood siding, or stone as the primary building material on an addition or accessory structure.

Doors

- Doors are encouraged to be of a similar type as others in the district.

Windows

- Refer to the Types section for examples of appropriate window placement, size, and divisions. New windows should be similar to original windows in muntin sizes, color, and spacing.
- 7d) Add 5 points for painted, wood windows.

7) Architectural Elements

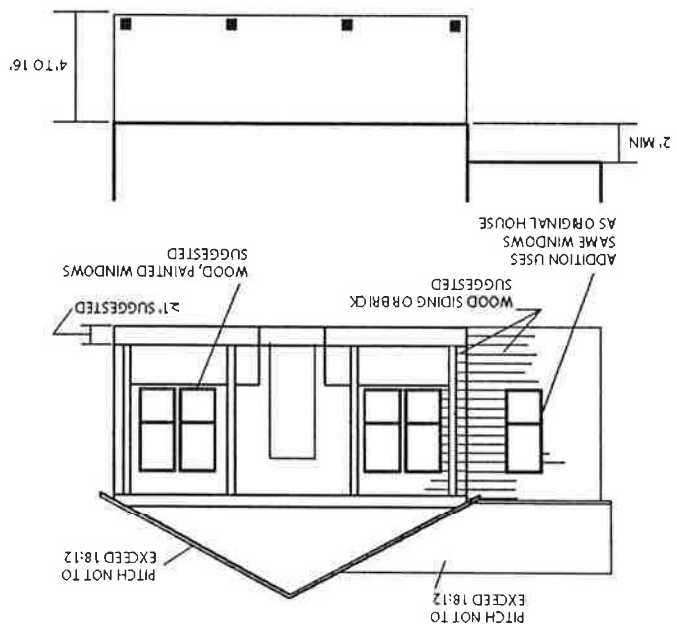
Architectural Elements

Foundations

Conventional foundations are encouraged over slab-on-grade foundations. Add 10 points if the front entry and/or front porch is raised at least 1 foot above the ground.

Additions

7h) Add 10 points if a side addition steps back 2 feet from the primary building front. 7i) Any addition must meet the setback requirements in section 1 and the height requirements in section 4.



Demolition

Demolition of primary buildings within the district is discouraged unless the structure poses a threat to safety or health. 8a) Regardless of the new use of the property, the guidelines treat the area which was the front lot of the demolished primary building as the front lot. 8b) Buildings replacing demolished ones, regardless of use, must follow the guidelines in this document.

Relocation

If a house is relocated to a vacant lot within the district, all guidelines still apply to the house and the property.

Non-Residential Use

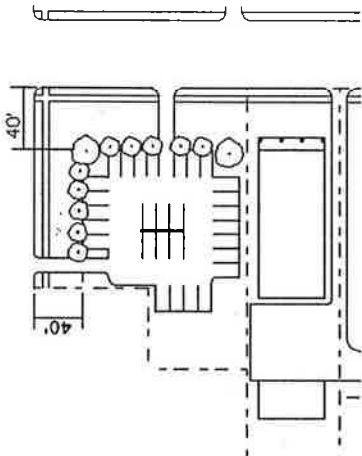
New buildings with non-residential use must still adhere to the guidelines for the Highland District.

Parking Lots

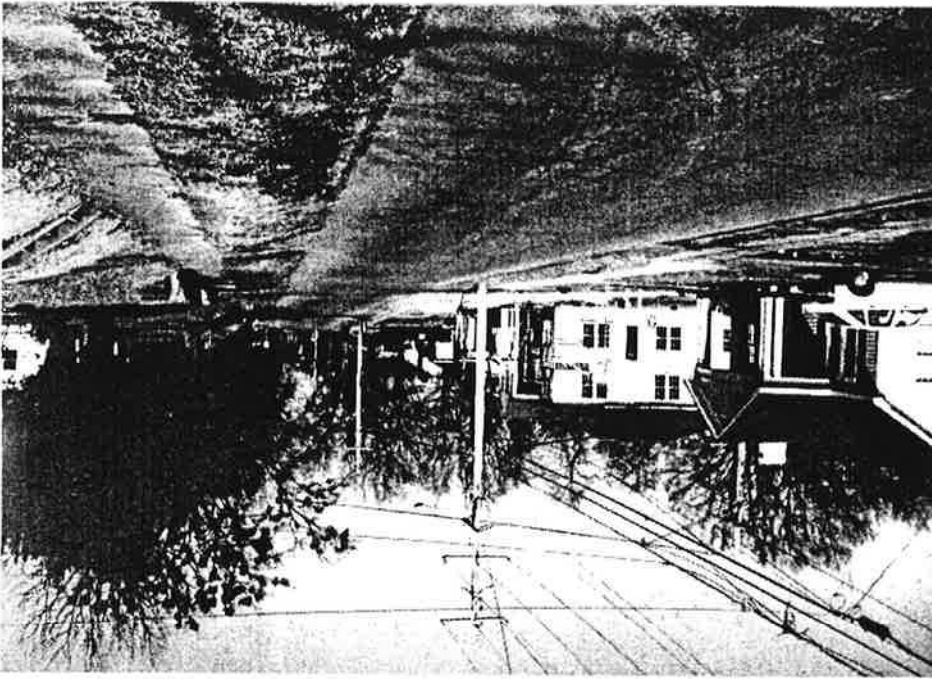
8c) If a property is used solely as a parking lot, all parking must occur at least 40 feet from the street. 8d) Entries may not be further than 4 feet from the side lot line. 8e) Entries may not exceed 10 feet in width until they are beyond the minimum setback of 40 feet. 8f) The area from the street to the parking lots must follow the landscaping guidelines in Section 5. 8g) The street edge of the parking lot should be screened with small, flowering trees such as crape myrtles or dogwoods, and/or tall, dense shrubs.

Property Annexations

8h) If lots are acquired and become part of another property, the configuration of the acquired property must remain the same. For example, the front lot of a house that is purchased and demolished is still considered the front lot of that part of the property, and all front lot guidelines apply.



8) Site Use

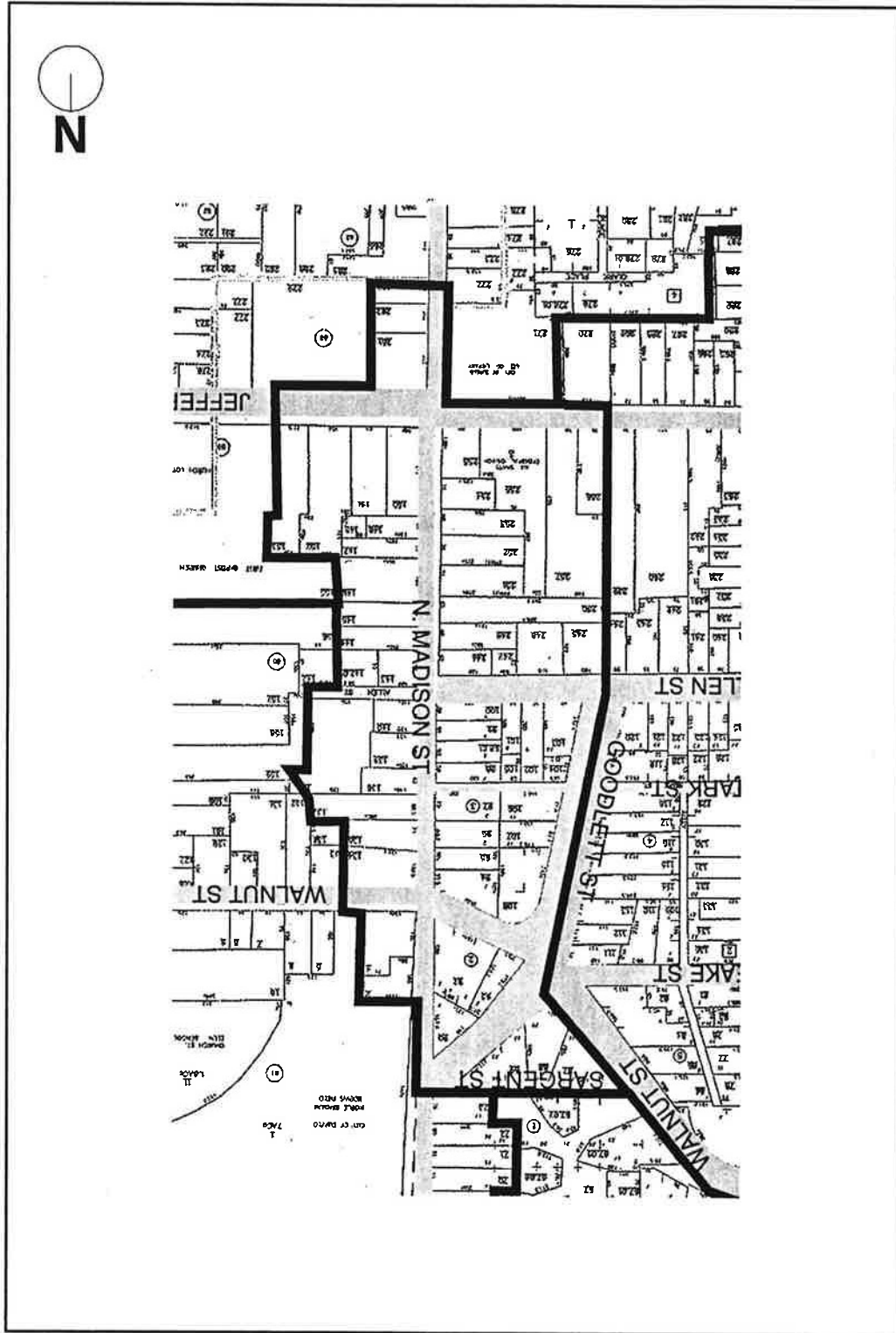


The guidelines for the Madison District promote the density found in the district and the definition of the space of the street through building width requirements and tight setbacks. More continuity of streetscape is promoted by incentives for trees along the sidewalk. Improvements to sidewalks in this area will also help to make Madison Street an important pedestrian link between the Lee County Courthouse and Robins Field.

Visually, the Madison District is characterized by an intimate street scale and dense housing. The street width is only twenty-two feet and most lot widths are fifty to seventy feet. The housing types vary greatly from small cottages to large two story types.

The Madison District is roughly bounded on the east by Madison Street, the west by Goodlett Street, the north by Sargent Street, and the south by Jefferson Street. Madison Street organizes this district and runs between two important landmarks and public facilities, the Lee County Library and Robins Field.

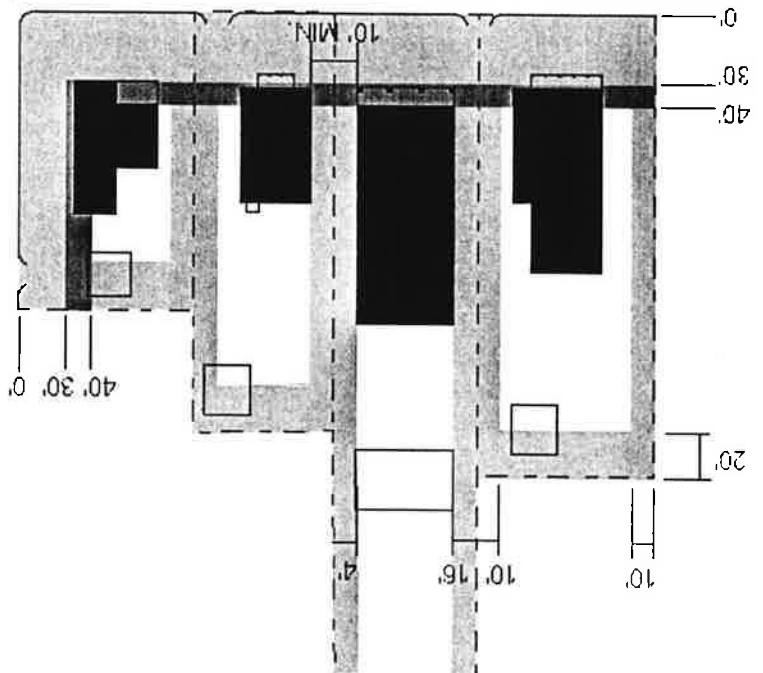
Madison District



Madison District

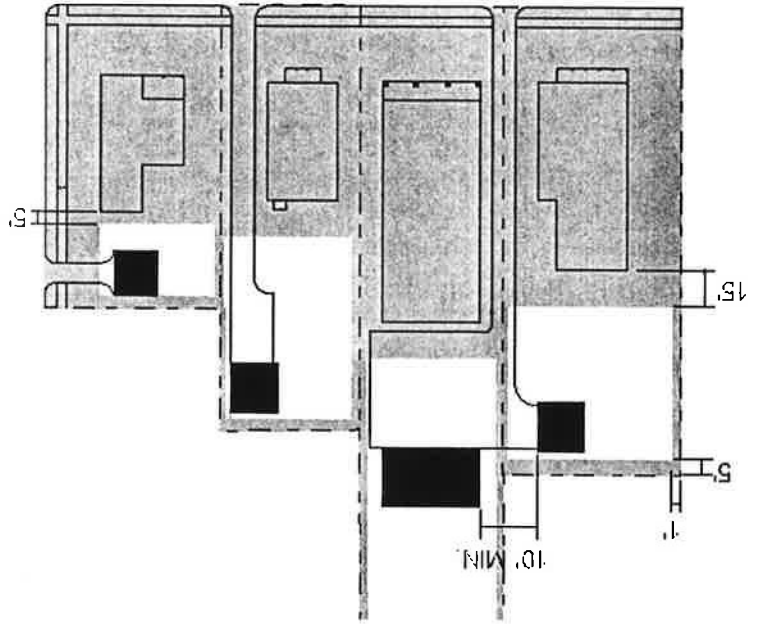
1) Setbacks/Lot Width/Coverage

- Setbacks**
- 1a) Minimum front setback measured from the curb to a street is 30 feet.
 - 1b) Add 30 points for setbacks between 30 and 40 feet.
 - 1c) The two side setbacks must add up to at least 20 feet and each side setback must be 4 feet wide minimum.
 - 1d) The minimum distance between any two structures must be 10 feet.
 - 1e) The setback from the rear property line is 20 feet.
- Building Width**
- 1f) $\frac{\text{Width of Building Front} \times 100}{\text{Width of Lot}} > 49$
- Coverage**
- 1g) $\frac{\text{Area of Ground Floor} \times 100}{\text{Area of Lot}}$
 - 1h) Maximum building coverage including accessory buildings shall be 35% of the lot.
 - 1i) Add 15 points for coverage between 20% and 25%.



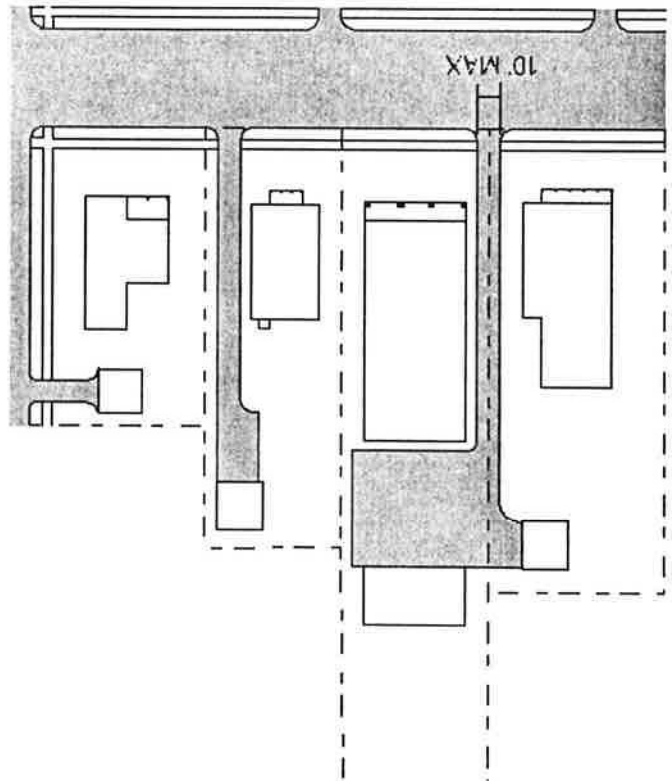
2) Accessory Buildings

- Placement**
- 2a) Accessory buildings must be located to the rear of the primary building.
 - 2b) Accessory buildings shall not be placed within 1 foot of side lot lines or 5 feet from rear lot lines.
 - 2c) Accessory buildings must be 10 feet from any other structure.
 - 2d) On corner lots, accessory buildings must be at least 5 feet from the primary building and extend no further than the edge of the building facing the side street.
 - 2e) If an accessory building is placed within 15 feet of the principal building, it must conform to the yard requirements of the principal building.
- Size**
- 2f) The maximum size for a carport or garage is 500 square feet.
 - 2g) Add 20 points for living space above a carport or garage.



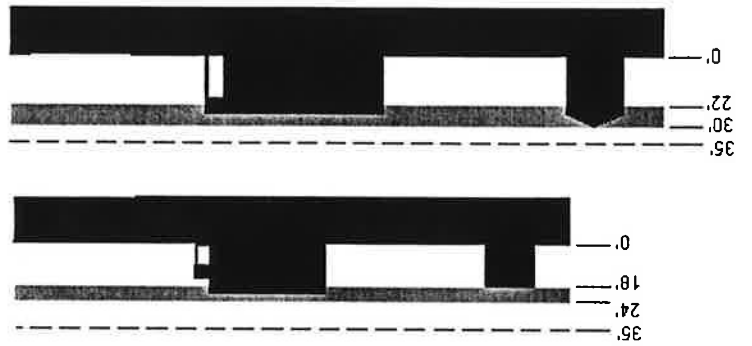
3) Parking/Driveways

- Parking**
- 3a) Occurs on rear or side of the house.
 - 3b) On-street parking is allowed on Madison Street.
- Driveways**
- 3c) One driveway is allowed for each house.
 - 3d) Add 15 points if two adjacent houses share a driveway.
 - 3e) Driveways may only be located to the side or rear of the house.
 - 3f) No circular drives are allowed.
 - 3g) Driveways may not exceed 10 feet in width until they are behind or to the side of the house.
 - 3h) Driveways may not be further than 4 feet from the side lot line.
 - 3i) Driveways from a side street may not exceed 10 feet in width until they are beyond the edge of the building facing the side street.



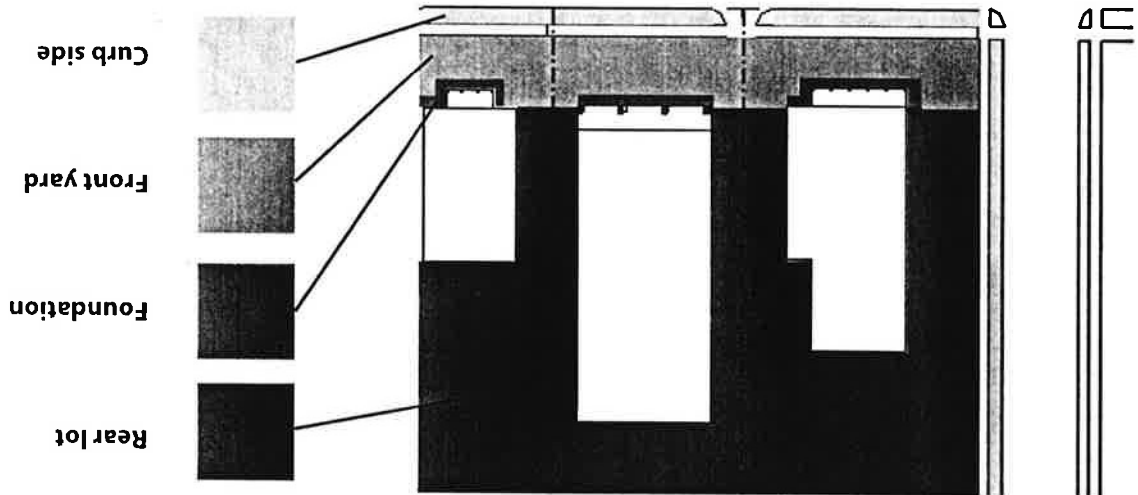
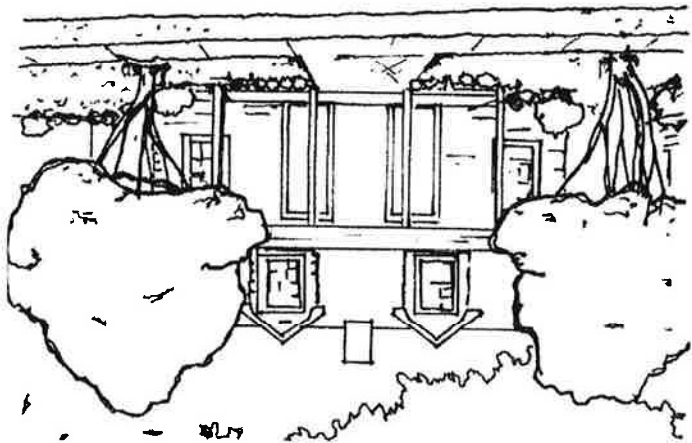
4) Building Heights

- 1 Story**
- 4a) 35 foot maximum height.
 - 4b) Add 15 points for heights between 18 and 24 feet.
- 1 1/2 Story**
- 4c) 35 foot maximum height.
 - 4d) Add 15 points for heights between 18 and 24 feet.
- 2 Story**
- 4e) 35 foot maximum height.
 - 4f) Add 15 points for heights between 22 and 30 feet.



5) Landscaping

Well maintained, appropriate landscaping contributes greatly to the character of a street or neighborhood. Landscaping includes grass, shrubbery, flowers, ground covers, and other natural elements. These guidelines divide lots into zones where different kinds of plant material is suggested.



Rear Lot

No specific suggestions for density, species or height.

Foundation

This zone is about a six foot deep area along the front edge of the house. Shrubs and flower beds are encouraged here, but shrubbery should not be so dense and tall that it covers most of the front of the house. Azaleas, boxwoods, camellia, jasmine, holly, and daylilies are some suggestions for plants in this part of the yard.

Front Yard

The front yard should be planted mostly with grass, but small amounts of low ground covers and shrubs are also appropriate. Planting trees in the front yard is strongly encouraged. Canopies of mature trees along the sidewalk should be trimmed so they do not block a pedestrian's view of the house. Tall, deciduous shade trees, such as oaks, maples, and ash trees, are encouraged in the front yard. Trees should be planted so that root growth does not damage the sidewalk. If magnolia trees are planted, they should be placed toward a side property line, so that they do not block the front of the house. Shrubs or ground covers are not recommended at the side property lines, or along the sidewalk or curb.

5a) No tree of a 8 inch or larger caliper should be removed from the front yard without approval from the planning department.

5b) Add 10 points for planting at least two flowering trees (either crape myrtles or dogwoods) 5 feet from the edge of the sidewalk, or if at least two such trees already exist.

Curb Side

On Madison Street, the area between the curb and the sidewalk should be planted only with grass. Trees should not be planted in this area, since there is not enough space for roots to grow.

On Walnut Street, Allen Street, and Jefferson Street, trees can be planted in the area between the curb and the sidewalk. Low shrubs, flowers, and ground covers such as monkey grass are appropriate here as well.

5c) No tree of a 8 inch or larger caliper shall be removed without approval from the planning department.

6) Site Details

Fences

- 6a) Fences may be placed in side lots at least 15 feet from the front of the house.
- 6b) Fences in the side lot area of corner lots must be no taller than 4 feet.
- 6c) No fences are allowed in the front lot.
- 6d) Add 5 points for painted, wood fencing.

Walks

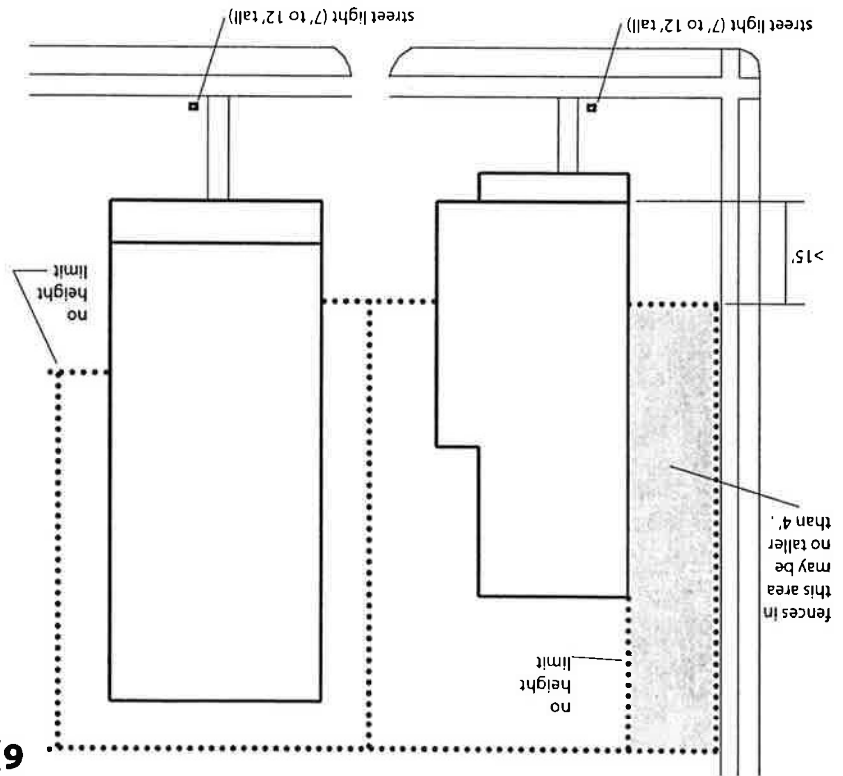
- 6e) Add 5 points for a paved walk, no more than 6 feet wide, from the entry to the sidewalk.

Mail Slot / Box

- 6f) Provide a mail slot/box on the front of the house.

Lighting

- 6g) If pedestrian scaled street lighting does not exist, add 5 points for a light (7 feet to 12 feet in height) located at the sidewalk.
- 6h) Add 5 points for a porch light.



Type

- Refer to the *Types* section for more information. Appropriate types for the Madison District are: 1a, 1b, 1c, 1d, 1e, 1g, 2b, 2d, 3a, 3b, 3c, 3d, 5, 8 (Jefferson St. only), 9
- If a house does not fit a type, renovations or additions may be made so that the house then fits a type appropriate to the district.
- 7a) Add 35 points if a new building uses a type appropriate to the district.

Front Porches

- Original porch materials should be maintained. If the existing porch materials must be replaced, materials similar in size, texture, and color should be used. Porches enclosed with screen or glass are discouraged.
- 7b) If a new building does not use one of the appropriate types, add 25 points for a front porch with a width that comprises at least 40% of the front, and a depth of 4 feet to 16 feet.

Roofs

- New roofs should have the same pitch and form as the original roof. New roof materials should look like the original roofing materials.
- Additions should have similar or related roof forms and materials.
- Dormers should not be added to the front of the house,

Materials

- Natural materials, such as wood siding, brick, and stone are encouraged. On Madison Street, brightly painted brick or siding is suggested over darker colors. The primary building of an accessory building should be the same as the building. Materials used in renovations should have similar texture, dimensions, and durability as the original materials.

Doors

- Doors are encouraged to be of a similar type as others in the district.
- 7d) Add 5 points for painted, wood windows. color, and spacing.

Windows

- Refer to the *Types* section for examples of appropriate window placement, size, and divisions. New windows should be similar to original windows in muntin sizes, color, and spacing.
- 7c) No roof pitch shall exceed 12:12.

7) Architectural Elements

- 7e) Add 10 points for the use of brick, wood siding, or stone as the primary materials on the building front.
- 7f) Add 10 points for the use of brick, wood siding, or stone as the primary building material on an addition or accessory structure.

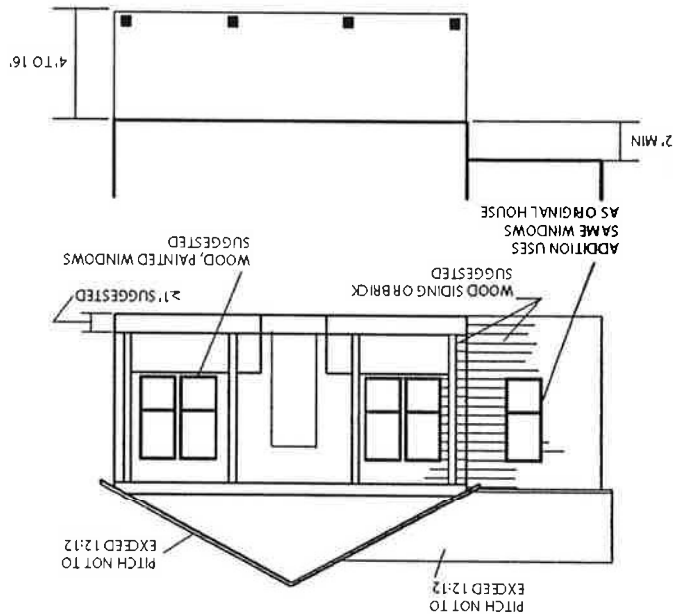
Architectural Elements

Foundations

- Conventional foundations are encouraged over slab-on-grade foundations. Add 10 points if the front entry and/or front porch is raised at least 1 foot above the ground.

Additions

- 7h) Add 10 points if an addition steps back at least 2 feet from the primary building front.
7i) Any addition must meet the setback requirements in section 1 and the height requirements in section 4.



Demolition

- Demolition of primary buildings within the district is discouraged unless the structure poses a threat to safety or health.
8a) Regardless of the new use of the property, the guidelines treat the area which was the front lot of the demolished primary building as the front lot.
8b) Buildings replacing demolished ones, regardless of use, must follow the guidelines in this document.

Relocation

If a house is relocated to a vacant lot within the district, all guidelines still apply to the house and the property.

Non-Residential Use

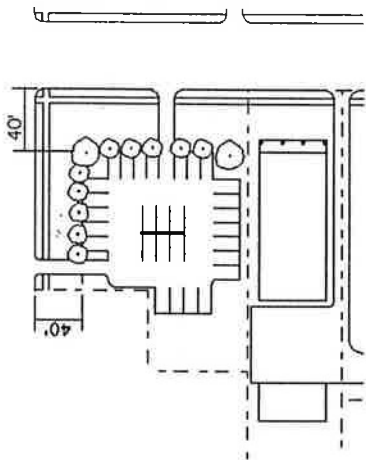
New buildings with non-residential use must still adhere to the guidelines for the Madison District.

Parking Lots

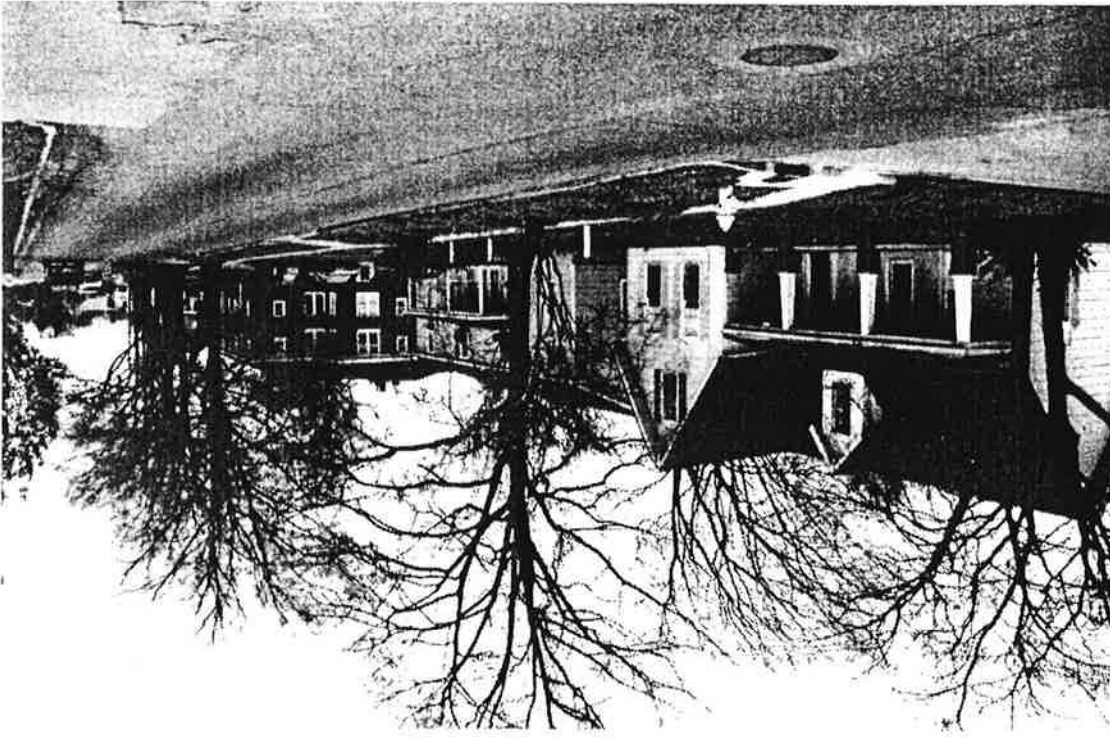
- 8c) If a property is used solely as a parking lot, all parking must occur at least 40 feet from the street.
8d) Entries may not be further than 4 feet from the side lot line.
8e) Entries may not exceed 10 feet in width until they are beyond the minimum setback of 40 feet.
8f) The area from the street to the parking lots must follow the landscaping guidelines in Section 5.
8g) The street edge of the parking lot should be screened with small, flowering trees such as crape myrtles or dogwoods, and/or tall, dense shrubs.

Property Annexations

- 8h) If lots are acquired and become part of another property, the configuration of the acquired property must remain the same. For example, the front lot of a house that is purchased and demolished is still considered the front lot of that part of the property, and all front lot guidelines apply.



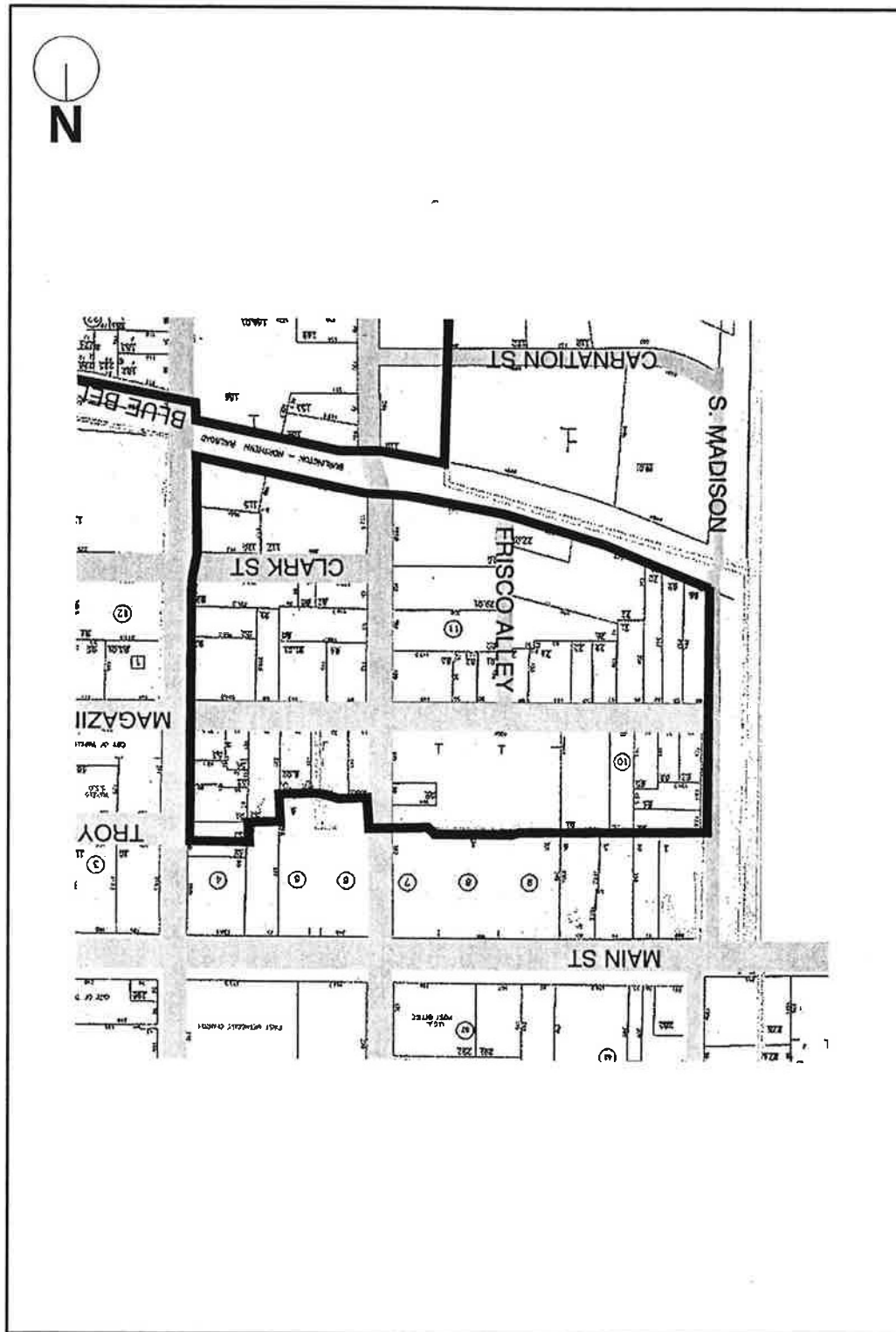
8) Site Use



With adjacency to the downtown business district, the Magazine District could help to bring life to the business district after dark. More multifamily housing in the Magazine district would encourage more small shops and restaurants to cater to residents of the District. The Magazine District has the greatest potential for city-like urban residential living in the entire overlay district. These guidelines encourage this potential by promoting greater density in this District.

The Magazine District is bounded on the east by Green Street, the west by South Madison Street, the south by the Burlington-Northern Railroad, and on the north by Main Street. The area is centered around Magazine Street, a wide street with a row of large trees. The buildings on Magazine Street vary from bungalows to large homes with verandas to brick apartment buildings. Some small commercial buildings are also on Magazine Street.

Magazine District



Magazine District

1) Setbacks/Lot Width/Coverage

Setbacks

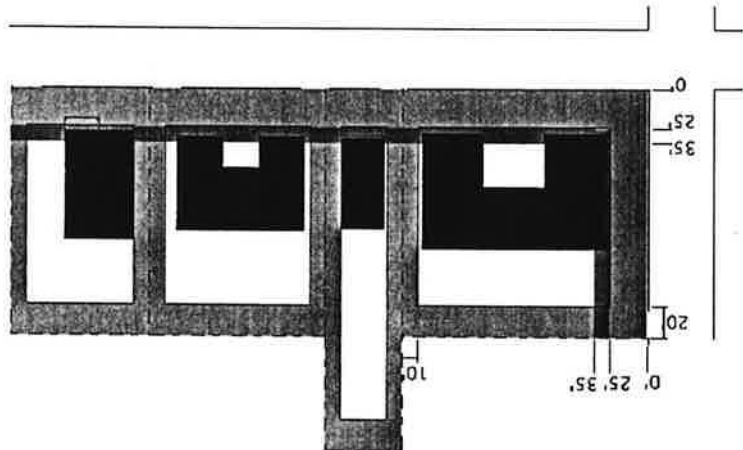
- 1a) Minimum setback to the street measured from the curb is 25 feet.
- 1b) Add 25 points for setback to the street between 25 and 35 feet.
- 1c) Setback from the side property line is 10 feet.
- 1d) Setback from the rear property line is 20 feet.

Building Width

- 1e) $\frac{\text{Width of Building Front}}{\text{Width of Lot}} \times 100 > 49$

Coverage

- 1f) Maximum building coverage including accessory buildings shall be 50% of the lot.
- 1g) Add 20 points for coverage above 35%.



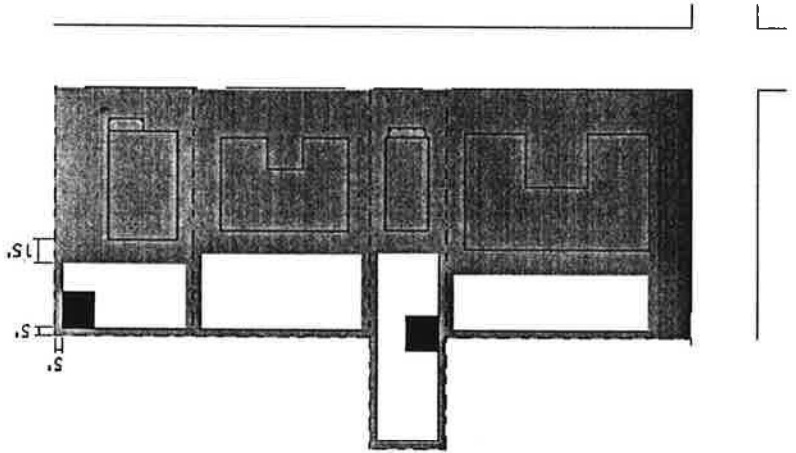
2) Accessory Buildings

Placement

- 2a) Accessory buildings shall be located to the rear of the primary building.
- 2b) Accessory buildings shall be placed a minimum of 5 feet from the side and rear property lines.
- 2c) If an accessory building is placed within 15 feet of the principal building, it must conform to the yard requirements of the principal building.
- 2d) Accessory buildings on corner lots must be placed behind the face of the building oriented to the side street.

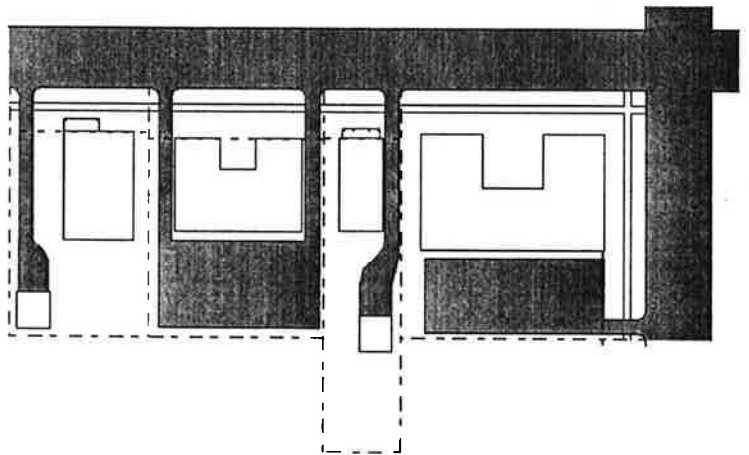
Size

- 2e) The maximum size for a carport or garage is 500 square feet.
- 2f) Add 20 points for a living space above a carport or garage.



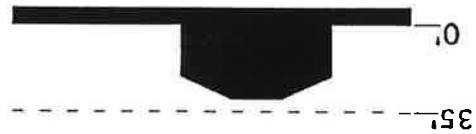
3) Parking/Driveways

- Parking**
- 3a) May occur on the street and in the rear of the building.
 - 3b) Parking in the front yard area is not allowed.
- Driveways**
- 3c) Driveways may only be located to the side or rear of the house
 - 3d) No circular drives are allowed.
 - 3e) Driveways may not exceed 10 feet in width until they are beyond the face of the building.



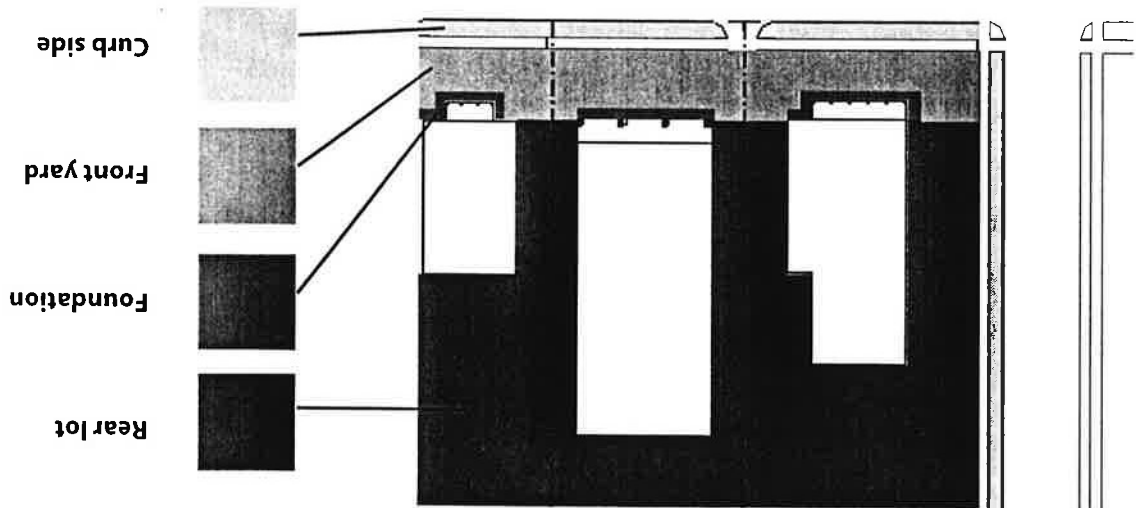
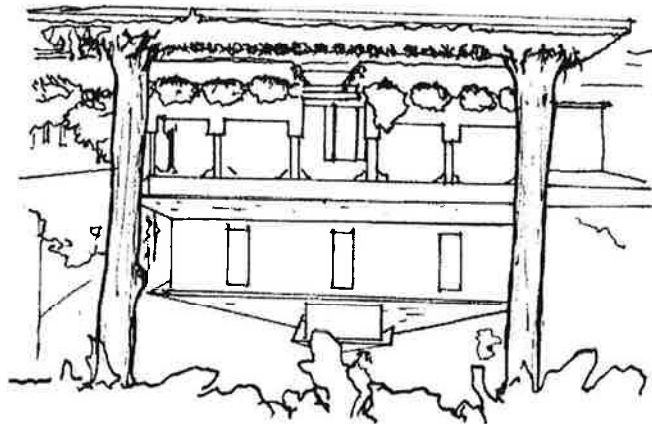
4) Building Heights

- All**
- 4a) 35 foot maximum height.



5) Landscaping

Well maintained, appropriate landscaping contributes greatly to the character of a street or neighborhood. Landscaping includes grass, shrubbery, flowers, ground covers, and other natural elements. These guidelines divide lots into zones where different kinds of plant material are suggested.



Rear Lot

No specific suggestions for density, species or height.

Foundation

This zone is about a six foot deep area on the front edge of the house. Shrubs and flower beds are encouraged here, but should not be so dense and tall that they cover most of the front of the house. Azaleas, boxwoods, camellia, jasmine, holly, and daylilies are some suggestions for this part of the yard. Small flowering trees, such as crape myrtles or birches are also appropriate.

Front Yard

The front yard should be planted mostly with grass, but small amounts of low ground covers and shrubs are also appropriate. Planting trees in the front yard is strongly encouraged. Tall, deciduous shade trees such as oaks, maples, and ash trees as well as smaller, flowering trees such as dogwoods and crape myrtles are appropriate. Pines are also appropriate. Trees should be planted so that root growth does not damage the sidewalk. If magnolia trees are planted, they should be placed toward a side property line, so that they do not block the front of the house. Flowers, small shrubs, and ground covers such as azaleas, monkey grass, and boxwoods may be planted at the side property lines, but are not recommended along the sidewalk.

5a) No tree of an 8 inch or larger caliper shall be removed from the front yard without approval from the planning department.

5b) Add 10 points for planting at least two trees in the front yard, or if at least two trees already exist.

Curb Side

Large shade trees as well as smaller flowering trees are encouraged in this area. Planting flowers and/or low ground covers, such as monkey grass, is encouraged in this part of the yard.

5c) No tree of an 8 inch or larger caliper shall be removed from the front yard without approval from the planning department.

6) Site Details

Fences

- 6a) Fences may be placed in side lots at least 15 feet from the front of the house.
- 6b) Fences in the side lot area of corner lots must be no taller than 4 feet.
- 6c) No fences are allowed in the front lot.
- 6d) Add 10 points for painted, wood fencing.

Walks

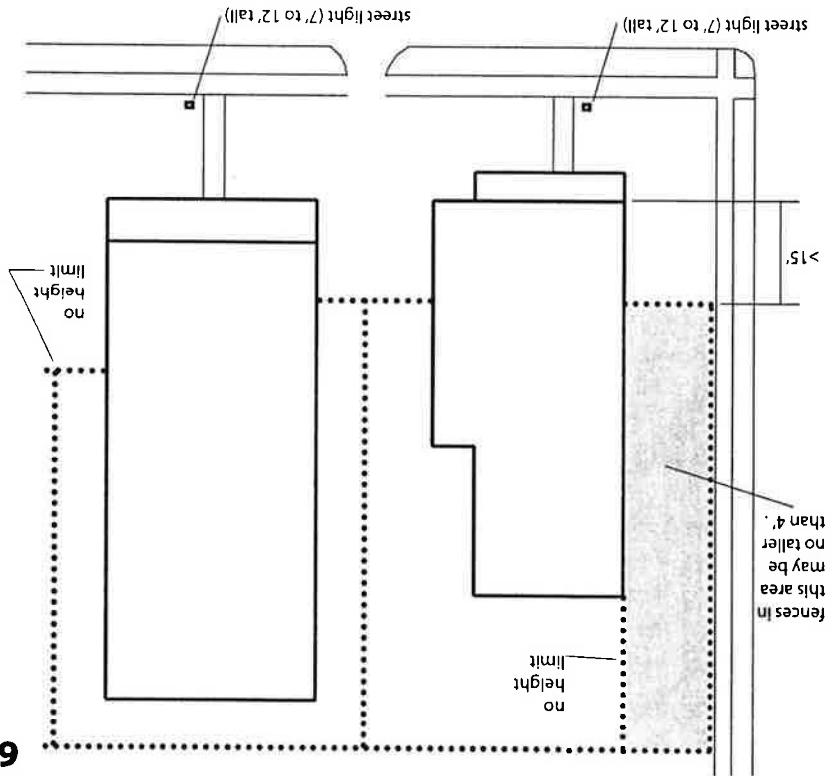
- 6e) Add 10 points for a paved walk, no more than 6 feet wide, from the entry to the sidewalk.

Mail Slot / Box

- 6f) Provide a mail slot/box on the front of the house.

Lighting

- 6g) If pedestrian scaled street lighting does not exist, add 10 points for a light (7 feet to 12 feet in height) located at the sidewalk.
- 6h) Add 10 points for a porch light.



Type

- Refer to the *Types* section for more information.
- Appropriate types for the Magazine District are:
1a, 1b, 1c, 1d, 1e, 1f, 1g, 2b, 3c, 3d, 4b, 4c, 5, 8, 9
- If a house does not fit a type, renovations or additions may be made so that the house then fits a type appropriate to the district.
- 7a) Add 35 points if a new building uses a type appropriate to the district.

Front Porches

- Original porch materials should be maintained. If the existing porch materials must be replaced, materials similar in size, texture, and color should be used. Porches enclosed with screen or glass are discouraged.
- 7b) If a new building does not use one of the appropriate types, add 20 points for a front porch with a width that comprises at least 40% of the front, and a depth of 4 feet to 16 feet.

Roofs

- New roofs should have the same pitch and form as the original roof. New roof materials should look like the original roofing materials.
- Additions should have similar or related roof forms and materials.
- Dormers should not be added to the front of the house, unless the house then fits a type appropriate to its district.
- 7c) No roof pitch shall exceed 12:12.

Materials

- Natural materials, such as wood siding, brick, and stone are encouraged. The primary building of an accessory building should be the same as the building. Materials used in renovations should have similar texture, dimensions, and durability as the original materials.
- 7e) Add 10 points for the use of brick, wood siding, or stone as the primary materials on the building front.
- 7f) Add 10 points for the use of brick, wood siding, or stone as the primary building material on an addition or accessory structure.

Doors

- Doors are encouraged to be of a similar type as others in the district.

Windows

- Refer to the *Types* section for examples of appropriate window placement, size, and divisions. New windows should be similar to original windows in muntin sizes, color, and spacing.
- 7d) Add 10 points for painted, wood windows.

7) Architectural Elements

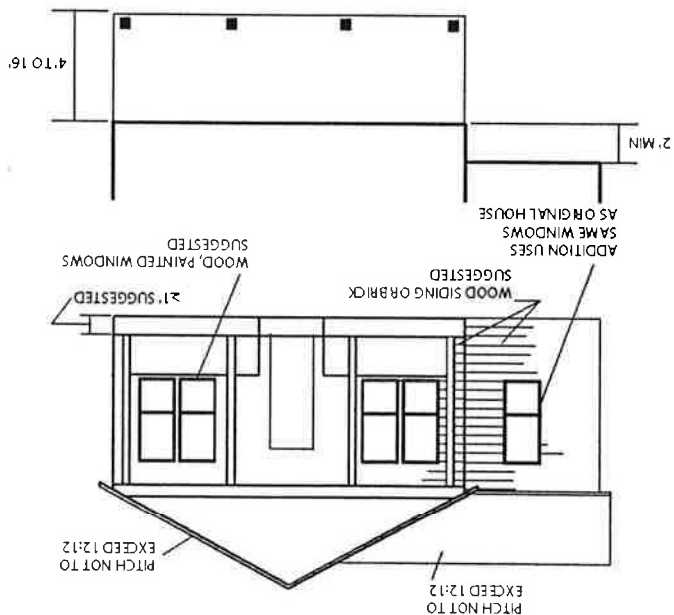
Architectural Elements

Foundations

- Conventional foundations are encouraged over slab-on-grade foundations. Add 10 points if the front entry and/or front porch is raised at least 1 foot above the ground.

Additions

- 7h) Add 10 points if a side addition steps back at least 2 feet from the primary building front.
- 7i) Any addition must meet the setback requirements in section 1 and the height requirements in section 4.



Demolition

- Demolition of primary buildings within the district is discouraged unless the structure poses a threat to safety or health.
- 8a) Regardless of the new use of the property, the guidelines treat the area which was the front lot of the demolished primary building as the front lot.
- 8b) Buildings replacing demolished ones, regardless of use, must follow the guidelines in this document.

Relocation

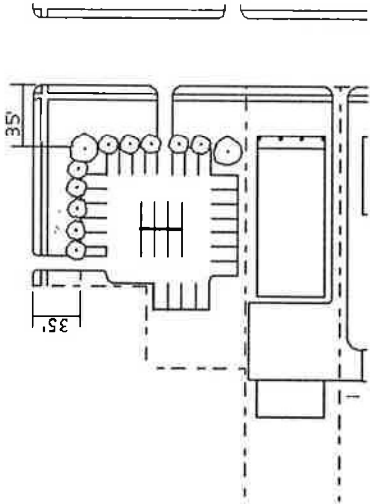
- If a house is relocated to a vacant lot within the district, all guidelines still apply to the house and the property.
- ### Non-Residential Use
- New buildings with non-residential use must still adhere to the guidelines for the Magazine District.

Parking Lots

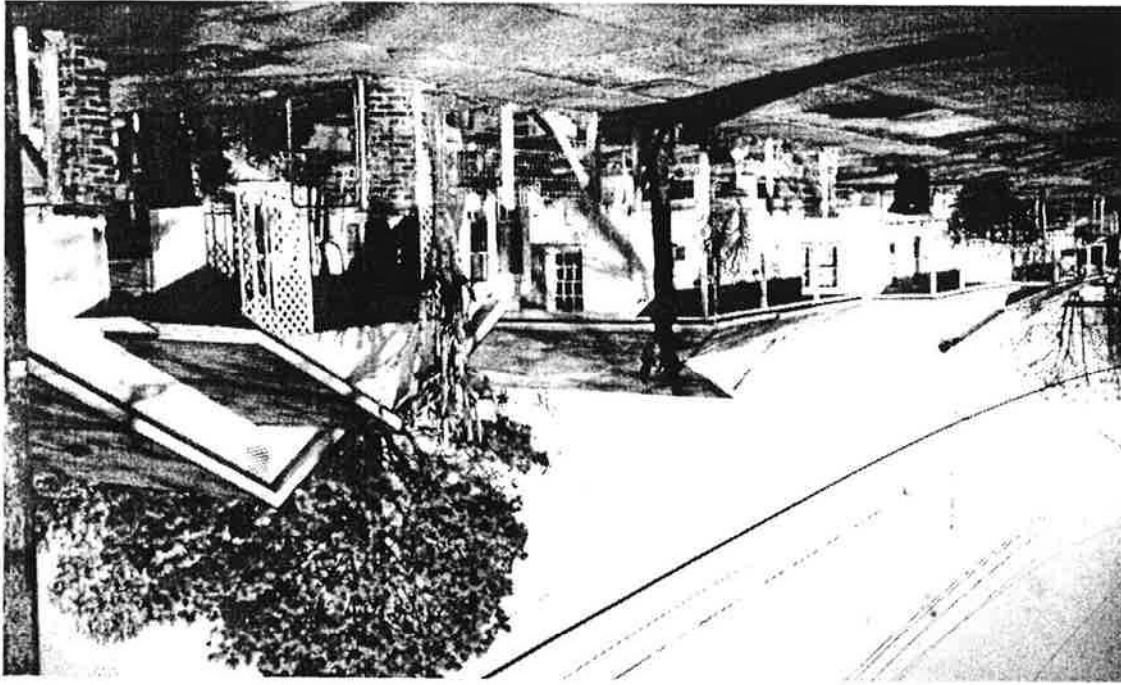
- 8c) If a property is used solely as a parking lot, all parking must occur at least 35 feet from the street.
- 8d) Entries may not be further than 4 feet from the side lot line.
- 8e) Entries may not exceed 10 feet in width until they are beyond the minimum setback of 35 feet.
- 8f) The area from the street to the parking lots must follow the landscaping guidelines in Section 5.
- 8g) The street edge of the parking lot should be screened with small, flowering trees such as crape myrtles or dogwoods, and/or tall, dense shrubs.

Property Annexations

- 8h) If lots are acquired and become part of another property, the configuration of the acquired property must remain the same. For example, the front lot of a house that is purchased and demolished is still considered the front lot of that part of the property, and all front lot guidelines apply.



8) Site Use



The Mill Village District is clearly bounded on the north by the Burlington-Northern Railroad, the south by Old Town Creek, the east by the old cotton mills, and the west by South Church Street. This district is easily recognized because of the strength of these boundaries and the number of landmarks surrounding the district such as the railroad tracks, mill buildings, and smokestacks to the east and west. Internally, the two streets organizing the district are South Church Street and Green Street, both heavily travelled. On street parking should be encouraged on these streets to reduce traffic speed.

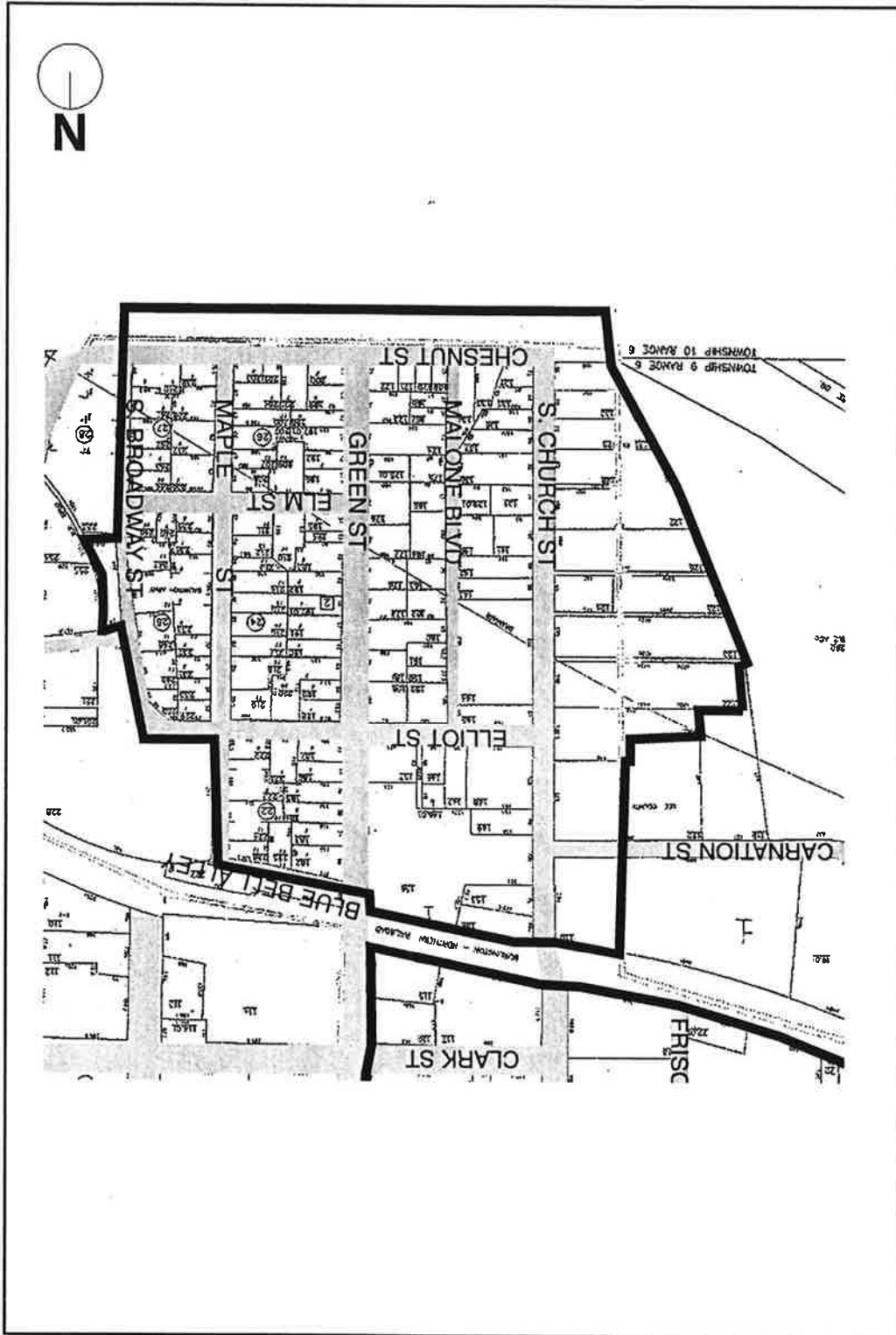
The building types in the district are very consistent. Most are small cottages and bungalows built by the mill owners for their workers. Most houses have a front porch as well. The building types on South Church Street are different from the rest of the district and are more related to the types on North Church.

The guidelines promote a more organized visual image to the streetscape. Consistent placement of parking pads and fencing will help to improve the streetscape greatly. The emphasis of the guidelines on front porches and visual access to the street allows passersby to see the architectural character of the housing.

The Mill Village district has a great wealth of history and architectural character. The guidelines seek to preserve this heritage and promote greater consistency and organization to the streetscape.

Mill Village District

Boundaries of the Mill Village district.
Map Source: Lee County Assessment Map, 1991.



Mill Village District

1) Setbacks/Lot Width/Coverage

Setbacks

- 1a) For streets other than South Broadway and South Church Street, the minimum front setback from the curb is 30 feet.
- 1b) For streets other than South Broadway and South Church Street, add 20 points for front setbacks between 30 and 40 feet.
- 1c) For South Broadway, the minimum front setback from the curb is 20 feet.
- 1d) For South Broadway, add 20 points for front setbacks between 20 and 30 feet.
- 1e) For South Church Street, the minimum front setback from the curb is 35 feet.
- 1f) For South Church Street, add 20 points for front setbacks between 35 and 45 feet.
- 1g) The two side setbacks must add up to at least 10 feet.
- 1h) The minimum side setback is one foot.
- 1i) The minimum distance between any structures is 10 feet.
- 1j) The minimum rear setback is 20 feet.

Building Width

- 1j) $\frac{\text{Width of Building Front}}{\text{Width of Lot}} \times 100 > 49$

Coverage

$$\frac{\text{Area of Ground Floor} \times 100}{\text{Area of Lot}}$$

- 1k) Maximum building coverage including accessory buildings shall be 35% of the lot.
- 1l) Add 15 points for coverage between 15% and 25%

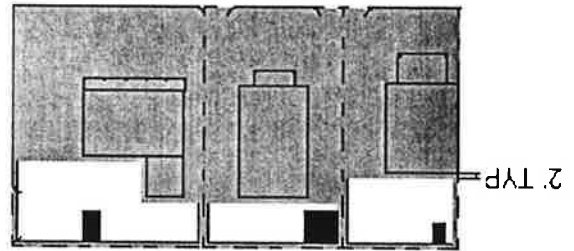
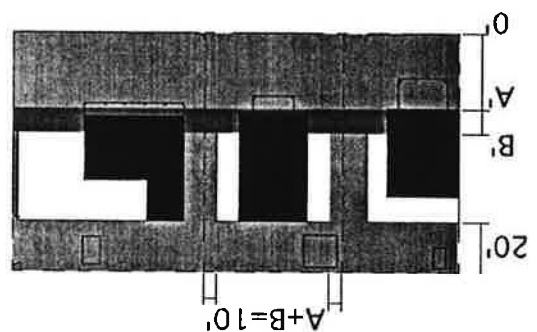
2) Accessory Buildings

Placement

- 2a) Accessory buildings shall be located to the rear of the primary building.
- 2b) Accessory buildings shall be placed a minimum of 1 foot from the rear and side property lines.
- 2c) Accessory buildings must be placed 10 feet from any other structure.
- 2d) If an accessory building is placed within 5 feet of the principal building, it must conform to the yard requirements of the principal building.
- 2e) Accessory buildings on corner lots must be placed behind the building face oriented to the side street.

Size

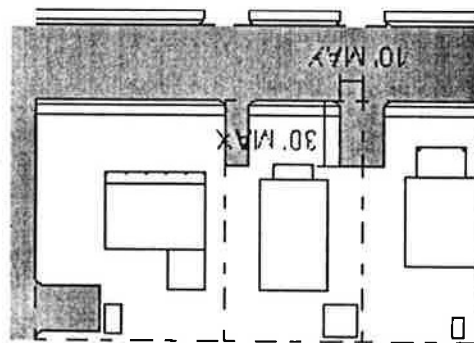
- 2f) The maximum size for a carport or garage is 500 square feet.
- 2g) Add 15 points for a living space above a carport or a garage.



3) Parking/Driveways

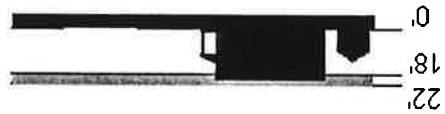
- Parking**
- 3a) Parking may occur on parking pads.
 - 3b) Street parking may occur on Green Street and Church Street.

- Driveways**
- 3c) Only one driveway is allowed for each house.
 - 3d) Add 25 points if two adjacent houses share a driveway.
 - 3e) Driveways may only be located to the side or rear of the house, no circular driveways are allowed.
 - 3f) Driveways may not exceed 10 feet in width until they are behind the house.
 - 3g) Driveways may not be further than 4 feet from the side lot line except for corner lots.
 - 3h) Parking pads must be placed against the side property line and may not be more than 10 feet wide.
 - 3i) A parking pad may be paired with a pad on the adjacent property.
 - 3j) The depth of the pad cannot exceed 30 feet.



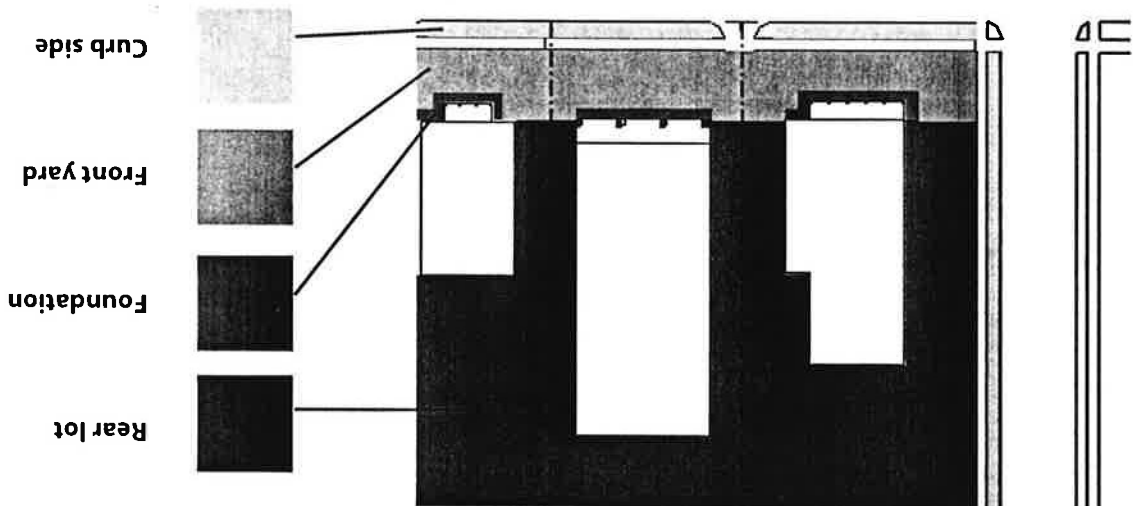
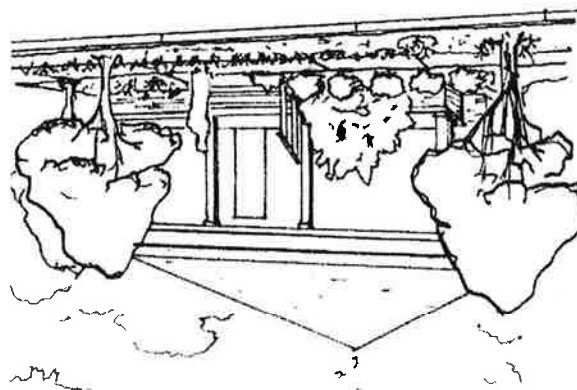
4) Building Heights

- 1 Story**
 - 4a) 35 foot maximum height.
 - 4b) Add 15 points for heights between 18 and 22 feet.
- 1 1/2 Story**
 - 4c) 35 foot maximum height.
 - 4d) Add 15 points for heights between 18 and 22 feet.
- 2 Story**
 - 4e) Two story buildings are allowed only on Church Street.
 - 4f) 35 foot maximum height.
 - 4g) Add 15 points for heights between 25 and 30 feet.



5) Landscaping

Well maintained, appropriate landscaping contributes greatly to the character of a street or neighborhood. Landscaping includes grass, shrubbery, flowers, ground covers, and other natural elements. These guidelines divide lots into zones where different kinds of plant material is suggested.



Rear Lot

No specific suggestions for density, species, and height.

5a) Add 5 points for planting two large shade trees such as oaks, elms, and maples.

5b) Add 5 points for planting vines along chain link fences.

Foundation

This zone is about a six foot deep area on the front edge of the house. Shrubs and flower beds are encouraged here, but should not be so dense and tall that they cover most of the front of the house. Azaleas, boxwoods, camellia, jasmine, holly, and daylilies are some suggestions for plants in this part of the yard.

Front Yard

The front yard should be planted mostly with grass, but small amounts of low ground covers and shrubs may also be planted here. Small, flowering trees, such as birches, dogwoods, and crape myrtles, are recommended over large trees such as oaks and elms. Trees should be planted so that root growth does not damage the sidewalk. Magnolia trees are not recommended in the Mill Village district because their large, low canopies take up too much space in the yard. Flower beds, small shrubs, or ground covers should not be planted at the side property lines.

5c) No tree of a 8 inch or larger caliper should be removed from the front yard without approval from the planning department. 5d) Add 10 points for planting either two crape myrtles or dogwoods, or a row of shrubs such as azaleas or boxwoods along the sidewalk or 10' from the edge of the yard if a sidewalk doesn't exist. If either of these conditions already exist at the sidewalk, add 10 points.

Curb Side

If at least two trees with an 8 inch or larger caliper exist, then no trees should be planted in this area. Planting flowers and/or low ground covers, such as monkey grass, is encouraged in this part of the yard.

5e) Add 5 points for planting two crape myrtles or dogwoods in this area.

6) Site Details

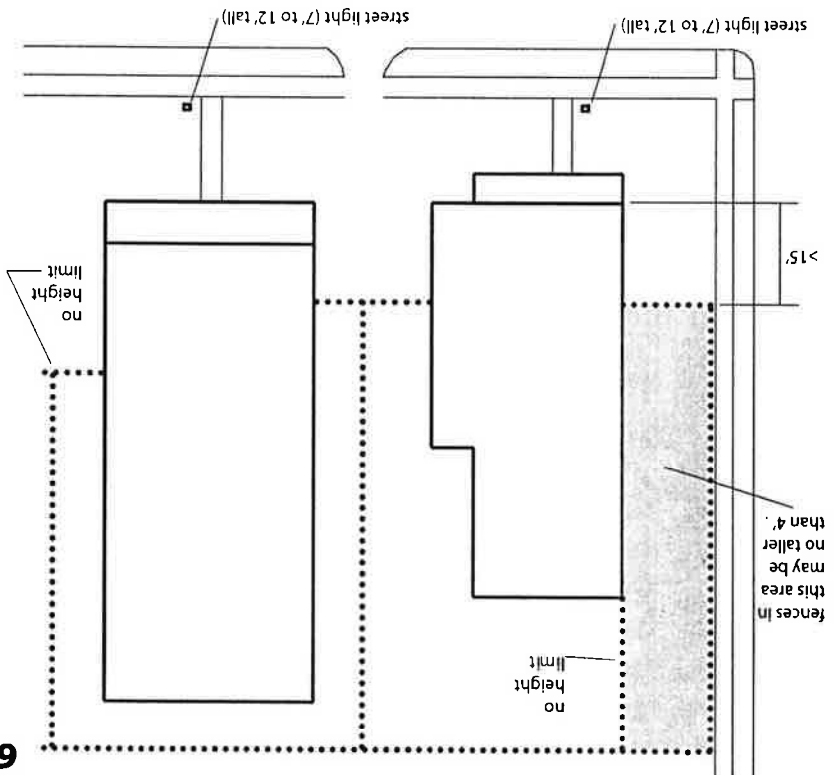
Fences

- 6a) Fences may be placed in side lots at least 15 feet from the front of the house.
6b) Fences in the side lot area of corner lots must be no taller than 4 feet.
6c) No fences are allowed in the front lot.
6d) Add 5 points for painted, wood fencing.

Walks

- 6e) Add 10 points for a paved walk, no more than 6 feet wide, from the entry to the sidewalk.
6f) Provide a mail slot/box on the front of the house.
6g) If pedestrian scaled street lighting does not exist, add 15 points for a light (7 feet to 12 feet in height) located at the sidewalk.
6h) Add 15 points for a porch light.

Lighting



Type

Refer to the *Types* section for more information.

Appropriate types for the Mill Village District are:

1a, 1b, 1c, 1e, 1f, 1g, 2b, 3d, 9

If a house does not fit a type, renovations or additions may be made so that the house then fits a type appropriate

to the district.

- 7a) Add 35 points if a new building uses a type appropriate to the district.

Front Porches

Original porch materials should be maintained. If the existing porch materials must be replaced, materials similar in size, texture, and color should be used. Porches enclosed with screen or glass are discouraged.
7b) If a new building does not use one of the appropriate types, add 20 points for a front porch with a width that comprises at least 40% of the front, and a depth of 4 feet to 16 feet.

Roofs

New roofs should have the same pitch and form as the original roof. New roof materials should look like the original roofing materials.
Additions should have similar or related roof forms and materials.
Dormers should not be added to the front of the house, unless the house then fits a type appropriate to its district.
7c) No roof pitch shall exceed 12:12.

Materials

Natural materials, such as wood siding, brick, and stone are encouraged. On Madison Street, brightly painted brick or siding is suggested over darker colors. The primary building of an accessory building should be the same as the building. Materials used in renovations should have similar texture, dimensions, and durability as the original materials.
7e) Add 10 points for the use of brick, wood siding, or stone as the primary materials on the building front.
7f) Add 5 points for the use of brick, wood siding, or stone as the primary building material on an addition or accessory structure.

Doors

Doors are encouraged to be of a similar type as others in the district.

Windows

Refer to the *Types* section for examples of appropriate window placement, size, and divisions. New windows should be similar to original windows in muntin sizes, color, and spacing.
7d) Add 5 points for painted, wood windows.

7) Architectural Elements

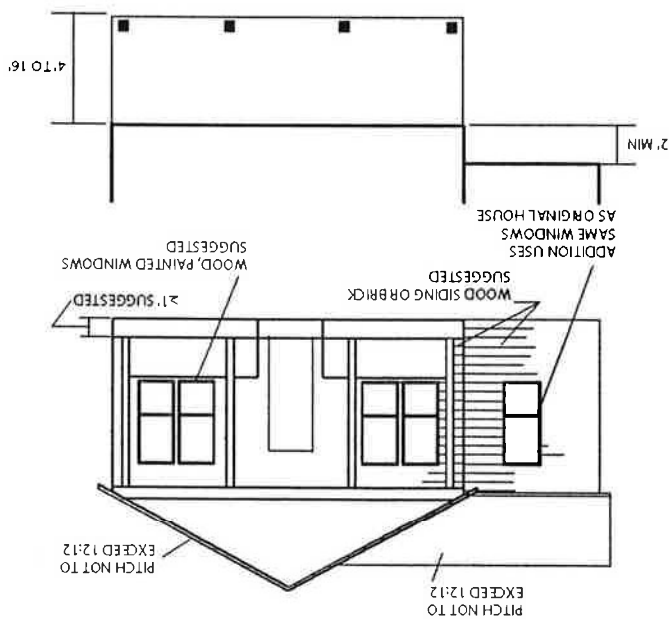
Architectural Elements

Foundations

Conventional foundations are encouraged over slab-on-grade foundations. Add 15 points if the front entry and/or front porch is raised at least 1 foot above the ground.

Additions

7h) Add 10 points if a side addition steps back at least 2 feet from the primary building front.
7i) Any addition must meet the setback requirements in section 1 and the height requirements in section 4.



Demolition

Demolition of primary buildings within the district is discouraged unless the structure poses a threat to safety or health.
8a) Regardless of the new use of the property, the guidelines treat the area which was the front lot of the demolished primary building as the front lot.
8b) Buildings replacing demolished ones, regardless of use, must follow the guidelines in this document.

Relocation

If a house is relocated to a vacant lot within the district, all guidelines still apply to the house and the property.

Non-Residential Use

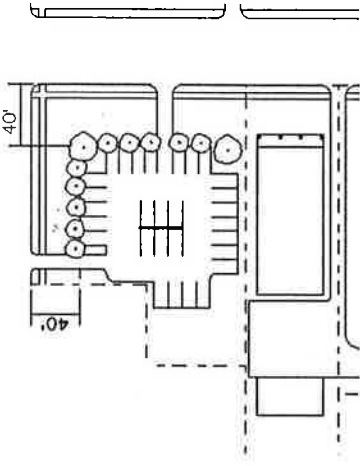
New buildings with non-residential use must still adhere to the guidelines for the Mill Village District.

Parking Lots

8c) If a property is used solely as a parking lot, all parking must occur at least 40 feet from the street.
8d) Entries may not be further than 4 feet from the side lot line.
8e) Entries may not exceed 10 feet in width until they are beyond the minimum setback of 40 feet.
8f) The area from the street to the parking lots must follow the landscaping guidelines in Section 5.
8g) The street edge of the parking lot should be screened with small, flowering trees such as crape myrtles or dogwoods, and/or tall, dense shrubs.

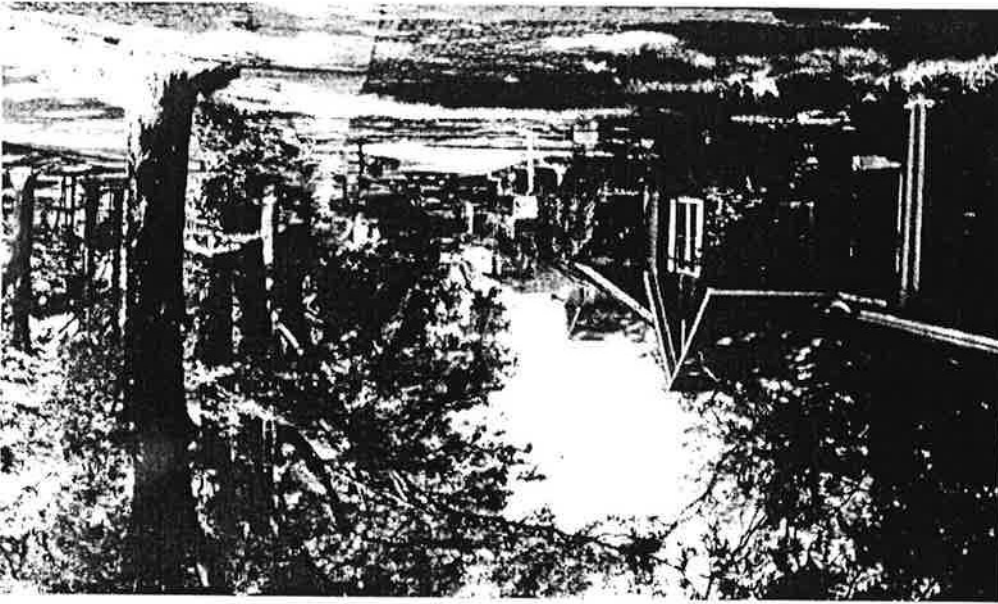
Property Annexations

8h) If lots are acquired and become part of another property, the configuration of the acquired property must remain the same. For example, the front lot of a house that is purchased and demolished is still considered the front lot of that part of the property, and all front lot guidelines apply.



8) Site Use

Design Guidelines

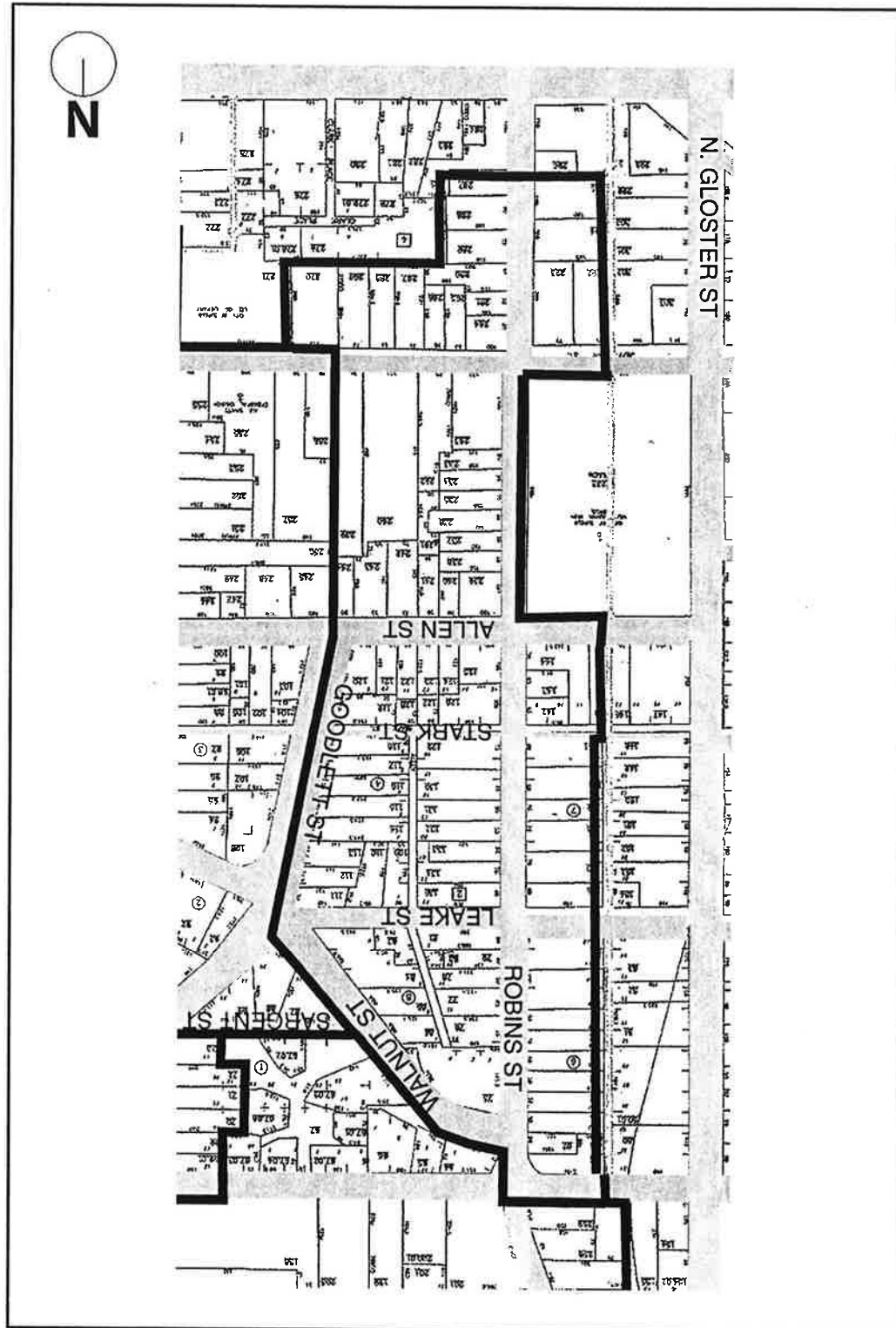


The Robins District is loosely bound by Main Street to the south, Jackson Street to the north, Gloster Street to the west and Goodlett Street to the east. The district is organized by Robins Street lined with magnificent trees. These trees are important visual landmarks for this district that must be conserved.

This district has a strong visual character due to the consistency of setback dimensions and building scale. For example, building setbacks vary by only five feet on Robins Street. While many different types of residences are in the district, the scale does not exceed one and a half stories, again visually unifying the street. Driveways are consistently to the side of the house with garages in the rear. The aim of the guidelines for this district is to maintain this consistency and visual character.

Robins District

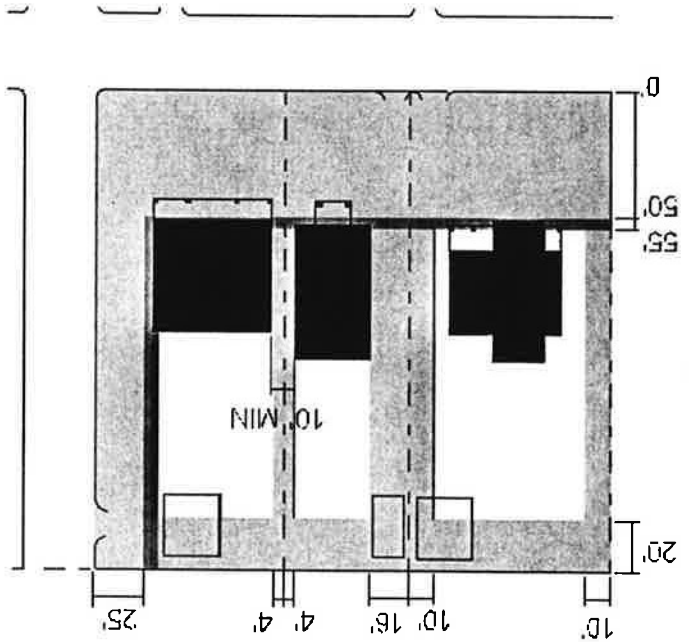
Boundaries of the Robins district.
Map Source: Lee County Assessment Map, 1991.



Robins District

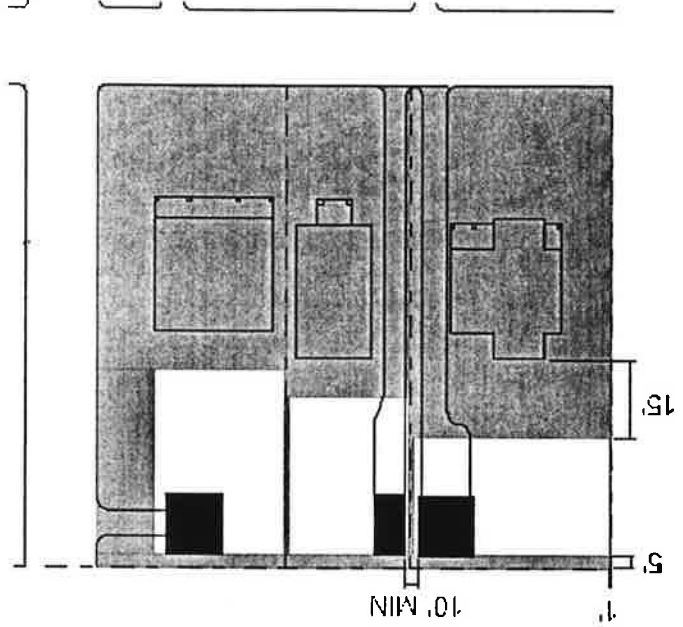
1) Setbacks/Lot Width/Coverage

- Setbacks**
- 1a) Minimum front setback measured from the curb is 50 feet.
 - 1b) Add 30 points for setbacks to the main street between 50 and 55 feet.
 - 1c) Setback on a corner lot to a side street is 25 feet minimum.
 - 1d) The two side setbacks must add up to at least 20 feet with a minimum of 4 foot side yard and a minimum of 10 feet in between buildings.
- Building Width**
- 1e) $\frac{\text{Width of Building Front}}{\text{Width of Lot}} \times 100 > 49$
- Coverage**
- 1f) Maximum building coverage including accessory buildings shall be 35% of the lot.



2) Accessory Buildings

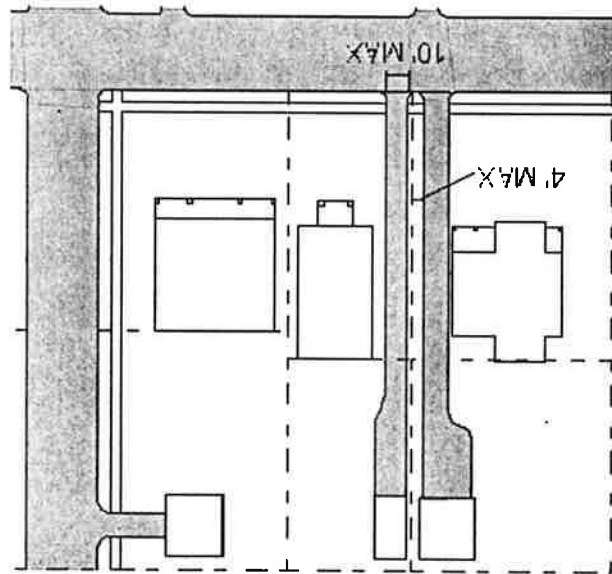
- Placement**
- 2a) Accessory buildings shall be located to the rear of the primary building.
 - 2b) Accessory buildings shall be placed a minimum of 1 foot from the side property line and 5 feet from the rear property line.
 - 2c) Accessory buildings must be placed 10 feet from any other structure.
 - 2d) If an accessory building is placed within 15 feet of the principal building, it must conform to the yard requirements of the principal building.
 - 2e) Accessory buildings on corner lots must be placed behind the face of the building oriented to the side street.
- Size**
- 2f) The maximum size for a carport or garage is 500 square feet.
 - 2g) Add 10 points for a living space above a carport or garage.



3) Parking/Driveways

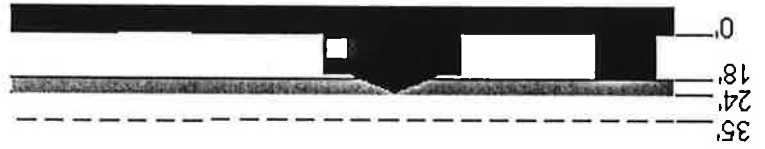
- Parking**
- 3a) May occur to the rear of the house.
 - 3b) Parking in the front yard area is not allowed.

- Driveways**
- 3c) Only one driveway is allowed for each house.
 - 3d) Add 10 points if two adjacent houses share a driveway.
 - 3e) Driveways may only be located to the side or rear of the house.
 - 3f) No circular drives are allowed.
 - 3g) Driveways may not exceed 10 feet in width until they are behind the house.
 - 3h) Driveways may not be further than 4 feet from the side lot line except for corner lots.



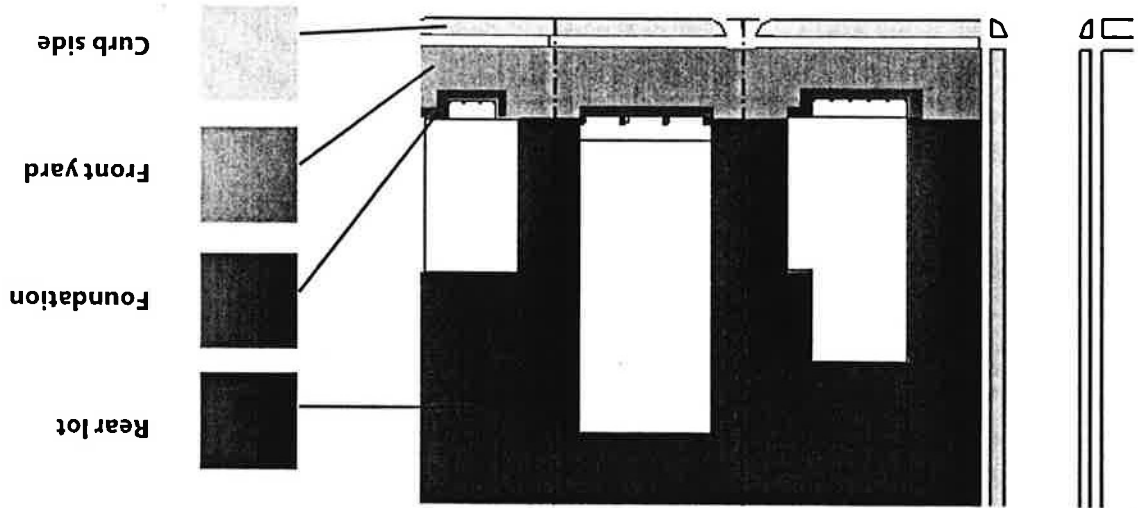
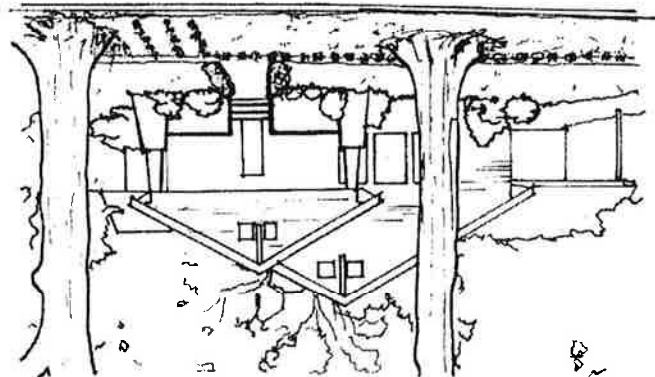
4) Building Heights

- 1 Story**
- 4a) 35 foot maximum height.
 - 4b) Add 20 points for heights between 18 and 24 feet.
- 1 and 1/2 Story**
- 4c) 35 foot maximum height.
 - 4d) Add 20 points for heights between 18 and 24 feet.



5) Landscaping

Well maintained, appropriate landscaping contributes greatly to the character of a street or neighborhood. Landscaping includes grass, shrubbery, flowers, ground covers, and other natural elements. These guidelines divide lots into zones where different kinds of plant material are suggested.



Rear Lot

No specific suggestions for density, species or height.

Foundation

This zone is about a six foot deep area on the front edge of the house. Shrubs and flower beds are encouraged here, but should not be so dense and tall that they cover most of the front of the house. Azaleas, boxwoods, camellia, jasmine, holly, and daylilies are some suggestions for this part of the yard. Small flowering trees, such as crape myrtles and birches are also appropriate.

Front Yard

The front yard should be planted mostly with grass, but small amounts of low ground covers and shrubs may also be planted here. On Robins street, planting small, flowering trees such as dogwoods, birches and crape myrtles in this area is recommended over planting large caliper trees such as oaks, elms, and ashes. On all other streets in the Robins district, flowering trees and large shade trees are appropriate in the front yard. Trees should be planted so that root growth does not damage the sidewalk. If magnolia trees are planted, they should be placed toward a side property line, so that they do not block the front of the house. Flowers, small shrubs, and ground covers are encouraged at the side property lines. Flowers and low ground covers such as monkey grass are suggested along the sidewalk.

5a) No tree of an 8 inch or larger caliper shall be removed from the front yard without approval from the planning department.

5b) Add 10 points for planting at least one flowering tree in the front yard, or if at least one tree already exists.

Curb Side

If at least two trees with an 8 inch or larger caliper exist, then no trees should be planted in this area. Planting flowers and/or low ground covers, such as monkey grass, is encouraged in this part of the yard.

5c) No tree of an 8 inch or larger caliper shall be removed without approval from the planning department.

6) Site Details

Fences

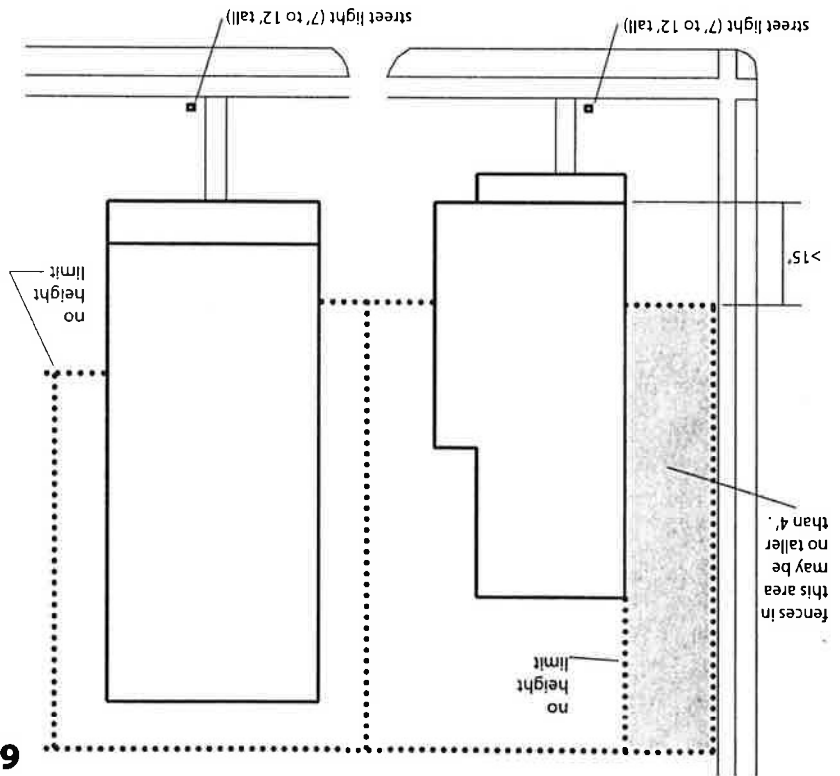
- 6a) Fences may be placed in side lots at least 15 feet from the front of the house.
 6b) Fences in the side lot area of corner lots must be no taller than 4 feet.
 6c) No fences are allowed in the front lot.
 6d) Add 5 points for painted, wood fencing.

Walks

- 6e) Add 5 points for a paved walk, no more than 6 feet wide, from the entry to the sidewalk.
 6f) Provide a mail slot/box on the front of the house.

Lighting

- 6g) If pedestrian scaled street lighting does not exist, add 10 points for a light (7 feet to 12 feet in height) located at the sidewalk.
 6h) Add 5 points for a porch light.



Type

Refer to the *Types* section for more information.
 Appropriate types for the Robins District are:

Street only
 1a, 1b, 1c, 1d, 1e, 1g, 2b, 2d, 3a, 3c, 3d, 9 (type 9 on Allen

- If a house does not fit a type, renovations or additions may be made so that the house then fits a type appropriate to the district.
 7a) Add 35 points if a new building uses a type appropriate to the district.

Front Porches

Original porch materials should be maintained. If the existing porch materials must be replaced, materials similar in size, texture, and color should be used. Porches enclosed with screen or glass are discouraged.
 7b) If a new building does not use one of the appropriate types, add 20 points for a front porch with a width that comprises at least 40% of the front, and a depth of 4 feet to 16 feet.

Roofs

New roofs should have the same pitch and form as the original roof. New roof materials should look like the original roofing materials.
 Additions should have similar or related roof forms and materials.
 Dormers should not be added to the front of the house,

Materials

Natural materials, such as wood siding, brick, and stone are encouraged. The primary building of an accessory building should be the same as the building. Materials used in renovations should have similar texture, dimensions, and durability as the original materials.
 7e) Add 15 points for the use of brick, wood siding, or stone as the primary materials on the building front.
 7f) Add 10 points for the use of brick, wood siding, or stone as the primary building material on an addition or accessory structure.

Doors

- Doors are encouraged to be of a similar type as others in the district.
 7d) Add 5 points for painted, wood windows, color, and spacing.
 window placement, size, and divisions. New windows should be similar to original windows in muntin sizes, Refer to the *Types* section for examples of appropriate

Windows

- 7c) No roof pitch shall exceed 12:12, unless the house then fits a type appropriate to its district.

7) Architectural Elements

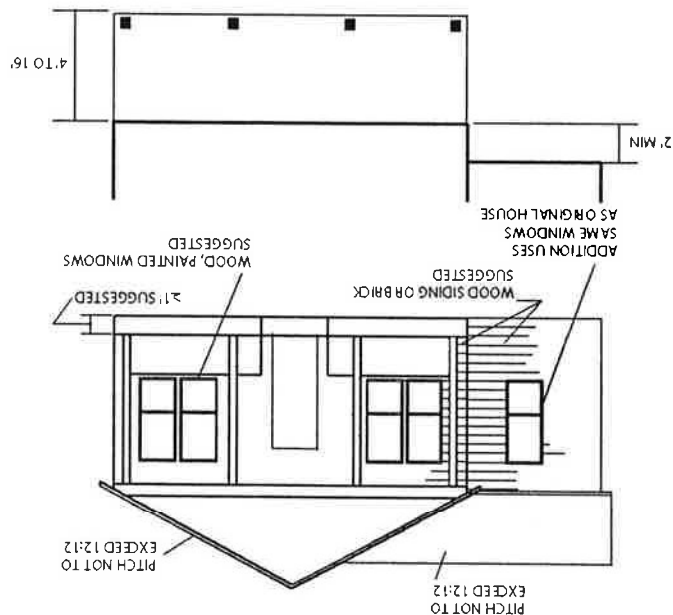
Architectural Elements

Foundations

Conventional foundations are encouraged over slab-on-grade foundations. Add 10 points if the front entry and/or front porch is raised at least 1 foot above the ground.

Additions

7h) Add 10 points if a side addition steps back at least 2 feet from the primary building front.
7i) Any addition must meet the setback requirements in section 1 and the height requirements in section 4.



8) Site Use

Demolition

Demolition of primary buildings within the district is discouraged unless the structure poses a threat to safety or health.
8a) Regardless of the new use of the property, the guidelines treat the area which was the front lot of the demolished primary building as the front lot.
8b) Buildings replacing demolished ones, regardless of use, must follow the guidelines in this document.

Relocation

If a house is relocated to a vacant lot within the district, all guidelines still apply to the house and the property.

Non-Residential Use

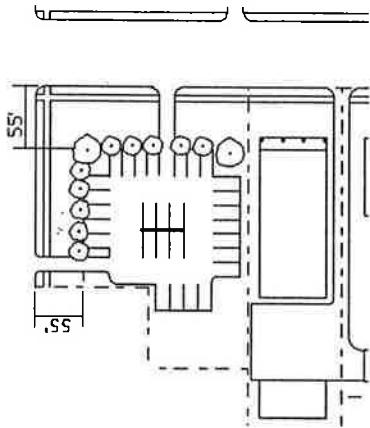
New buildings with non-residential use must still adhere to the guidelines for the Robins District.

Parking Lots

8c) If a property is used solely as a parking lot, all parking must occur at least 55 feet from the street.
8d) Entries may not be further than 4 feet from the side lot line.
8e) Entries may not exceed 10 feet in width until they are beyond the minimum setback of 55 feet.
8f) The area from the street to the parking lots must follow the landscaping guidelines in Section 5.
8g) The street edge of the parking lot should be screened with small, flowering trees such as crape myrtles or dogwoods, and/or tall, dense shrubs.

Property Annexations

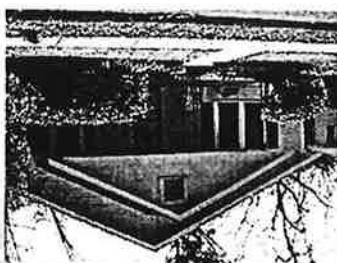
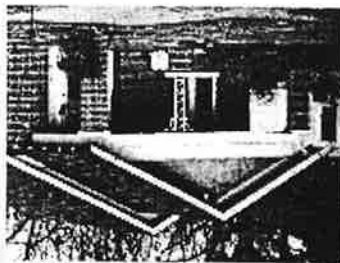
8h) If lots are acquired and become part of another property, the configuration of the acquired property must remain the same. For example, the front lot of a house that is purchased and demolished is still considered the front lot of that part of the property, and all front lot guidelines apply.



Types

Types

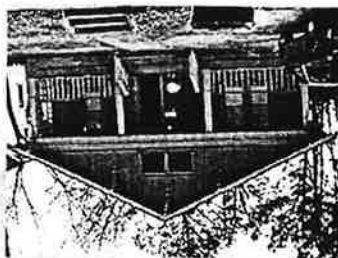
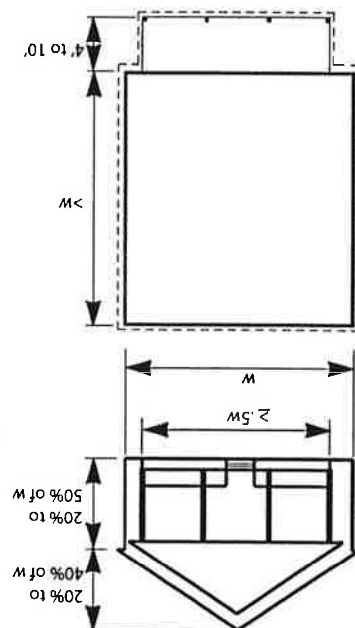
This section identifies and describes the predominant housing types in the downtown district. For each housing type, guidelines are given for appropriate form, roof characteristics, and proportions. A range of proportions as well as some options to the formal characteristics of each type are given so that there is a degree of flexibility allowed in a new design. New buildings are not required to model any of the types included in this section, but points will be awarded if a new building models a type appropriate in its district. If a new building does model one of the included types, the guidelines proposed for that type must be followed to receive the points. New buildings, whether they model an existing type or not, must follow the *Architectural Elements* guidelines proposed for each subdistrict.



One story, front gable. The porch roof is separate from the house roof, but has the same pitch. The porch is centered on the front.

Appropriate in: Madison, Robins, Church, Mill Village, and Magazine districts.

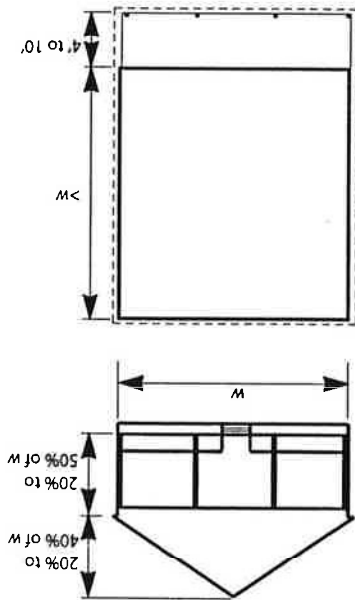
1b



One story, symmetrical front gable. Porch spans the entire front.

Appropriate in: Madison, Robins, Church, Mill Village, and Magazine districts.

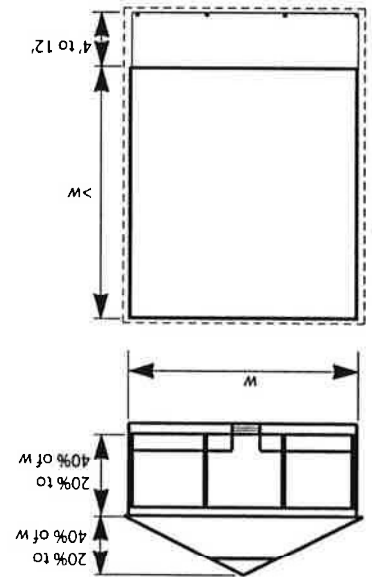
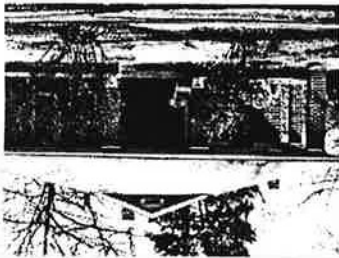
1a



1c

One story, hipped roof. Porch occurs under main roof, and may extend on the sides. A partial gable may exist at the top of the roof form.

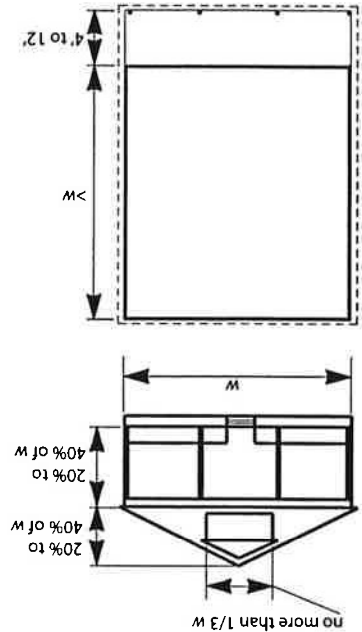
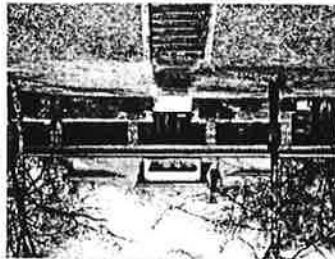
Appropriate in: Madison, Robins, Church, Highland, Mill Village, and Magazine districts.



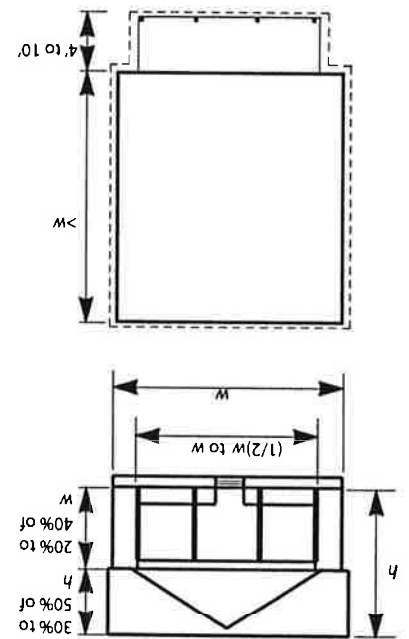
1d

One story, hipped roof. Porch occurs under main roof form, and may extend on the sides. A single dormer is centered on the roof.

Appropriate in: Madison, Robins, Church, Highland, and Mill Village (S. Church St. only) districts.

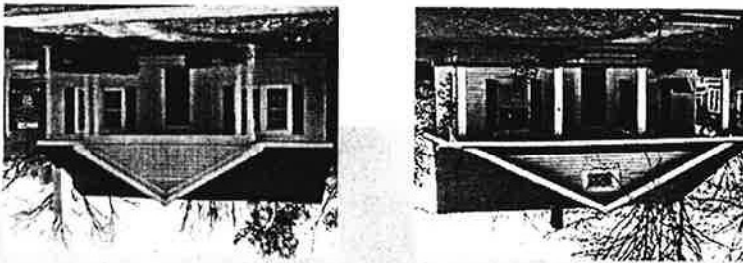


1e

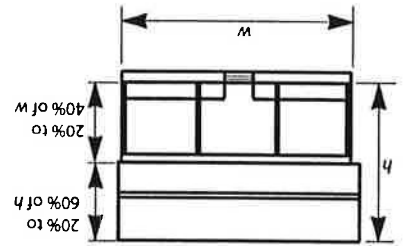


One story, side gable with centered cross gable. The cross gable may be part of the main roof form, or a separate mass. The porch occurs under the cross gable. The porch should be at least half the width of the front of the house.

Appropriate in: Madison, Robins, Church, Highland, Mill Village, and Magazine districts.

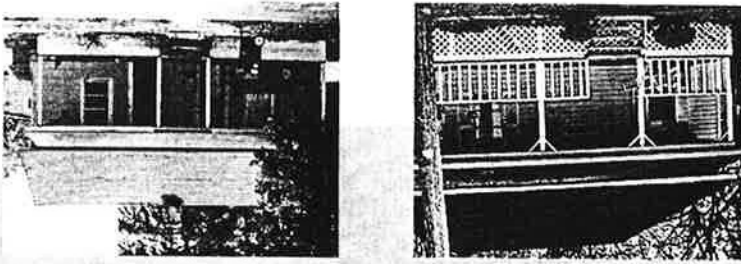


1f



One story, with side gable or hipped roof. A shed roof over the porch is attached to the main house. The porch roof pitch must be equal to or less than the main roof pitch.

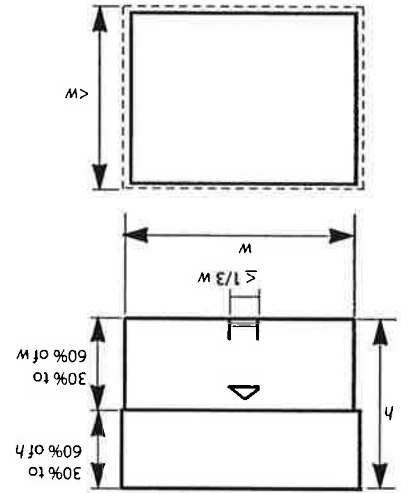
Appropriate in: Mill Village and Magazine districts.



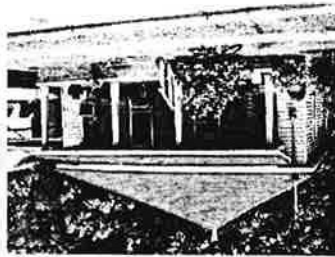
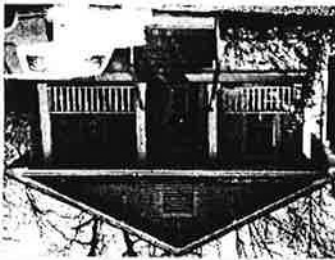


One story, side gable with no porch. An entry hood or portico may exist but cannot comprise more than 1/3 of facade width.

Appropriate in: Highland district only.

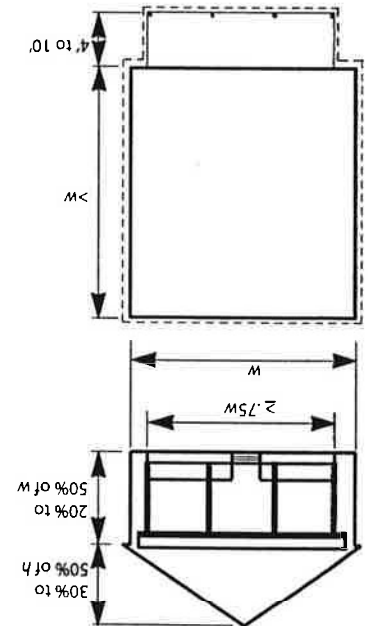


2a

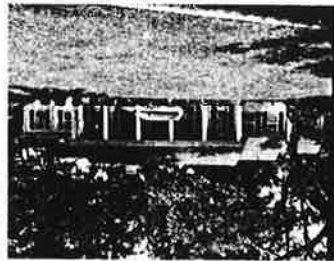
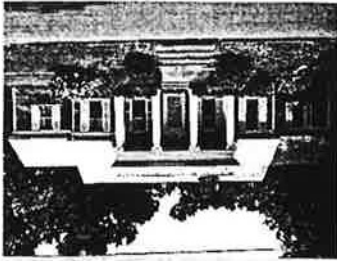


One story, front gable or hipped roof. The porch has a shed roof separate from the house roof. If the house roof is hipped, the pitch of the shed porch roof must be less than or equal to the pitch of the house roof.

Appropriate in: Madison, Robins, Church, Mill Village, and Magazine districts.

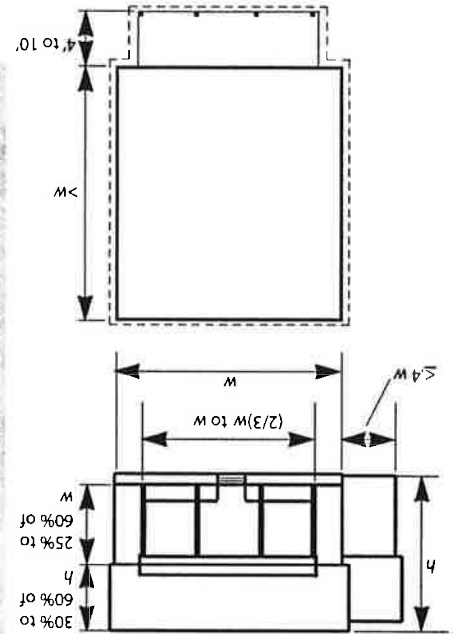


1g

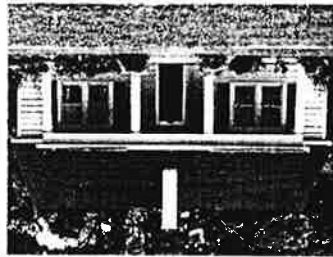


Appropriate in: Church and Highland districts.

One story, side gable. The porch may occur under the main roof or under a shed roof attached to the house. If the porch is attached, the pitch of the shed roof should be no greater than 4:12. Pavilions may occur to one or both sides. The roofs of the pavilions should be side gables with the same pitch as the house roof.

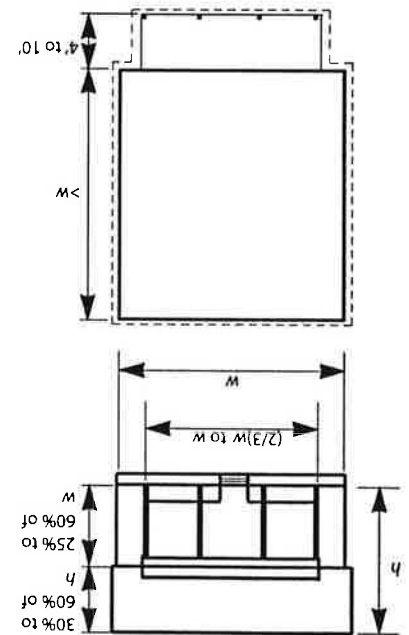


2c

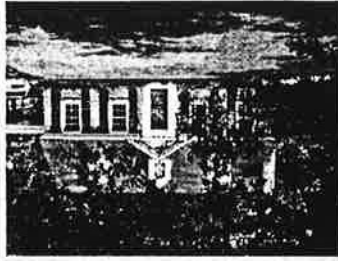
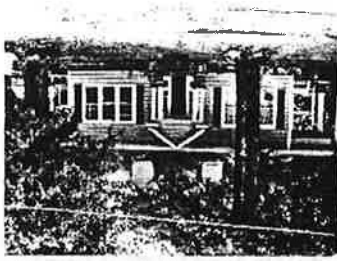


Appropriate in: Madison, Robins, Church, Highland, Mill Village, and Magazine districts.

One story, side gable with porch either under the main roof or as a shed attachment to the house. If the porch is attached, the shed roof should have a pitch no greater than 4:12.

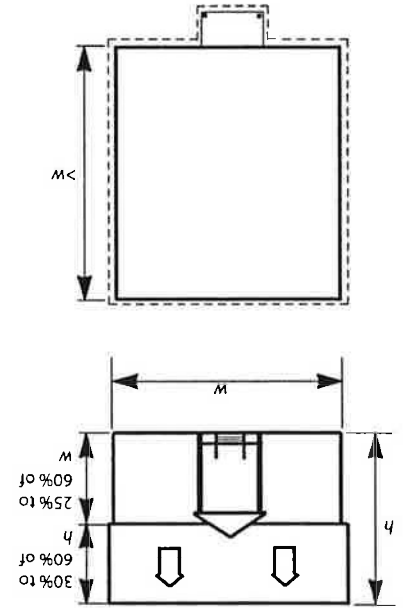


2b



One and a half stories, side gable with 2 to 3 dormers. A portico or entry hood may occur over central entry.

Appropriate in: Highland district only.

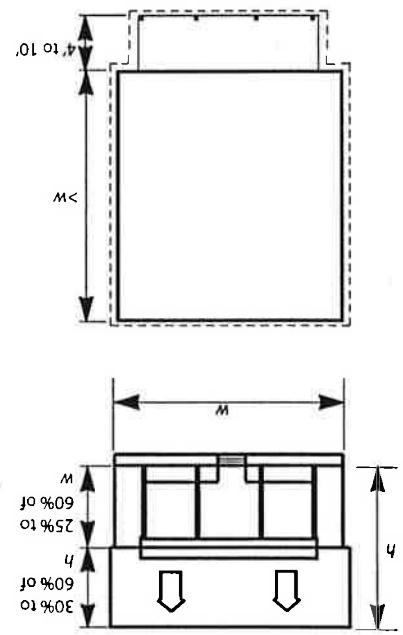


2e

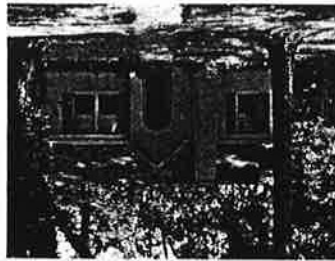


One and a half stories, side gable with 2 to 3 dormers. Porch may be under main roof, or a shed attachment to main roof (pitch not to exceed 4:12).

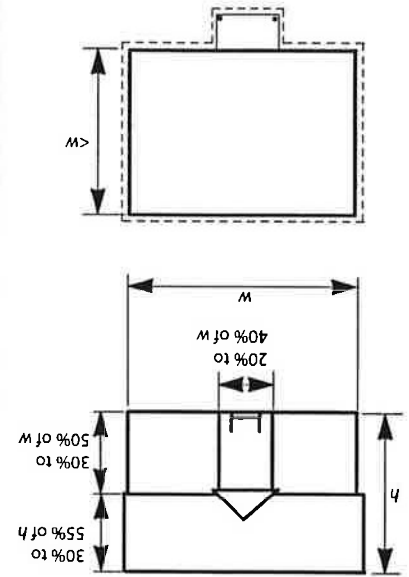
Appropriate in: Madison, Robins, Church, and Highland districts.



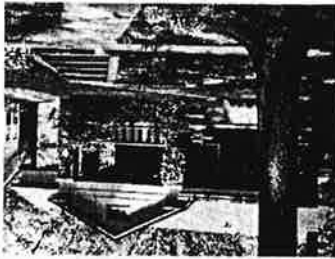
2d



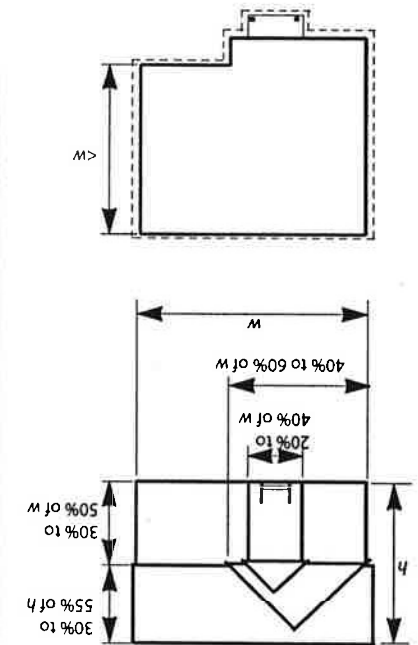
One story cross gable or hip with small cross gable over central entry.
 Appropriate in: *Madison, Robins, Church, and Highland districts.*



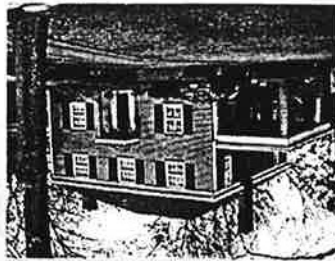
3b



One to one and a half story side gable or hip with main cross gable and/or a secondary cross gable. The main cross gable should be from 40% to 60% of the front. The secondary cross gable should be 20% to 40% of the front. The cross gables on the facade is not restricted. A porch should exist, either under the main side gable or hip form, and/or under one or both of the cross gables.
 Appropriate in: *Madison, Robins, Church, and Highland districts.*

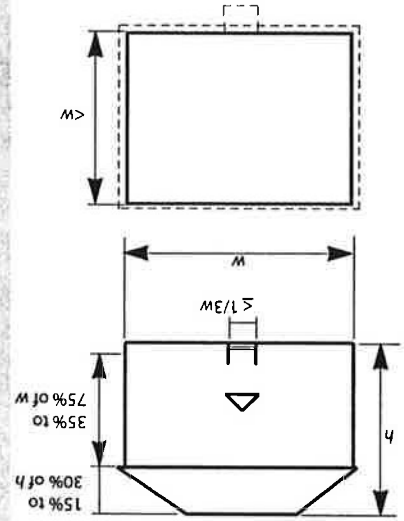


3a

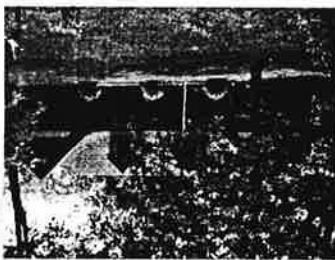


Two story, symmetrical facade with side gable or hipped roof. May include entry hood or portico over the central entry at the first floor level. The width of the entry hood or portico should not exceed 1/3 of the entire front.

Appropriate in: *Highland* district only.

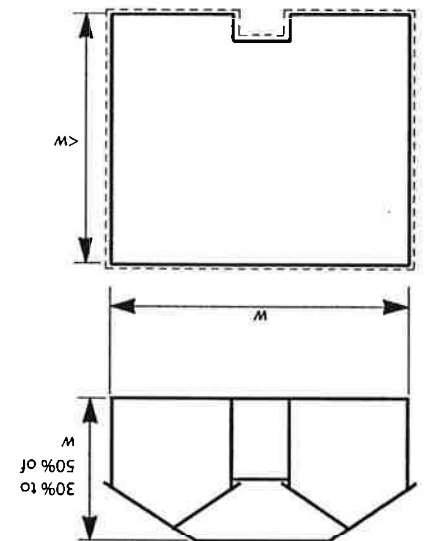


4a



One to one and a half story hipped roof with cross gable on both sides. Cross gables have same pitch as main roof.

Appropriate in: *Church and Highland* districts.

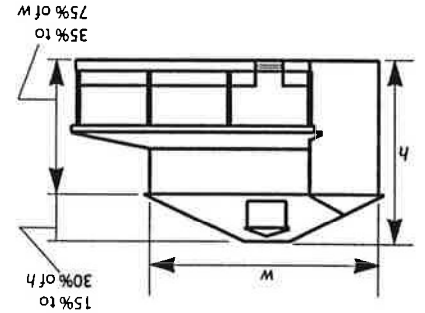
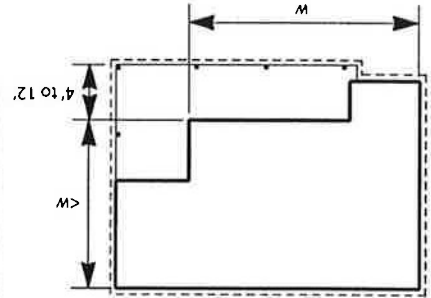


3e

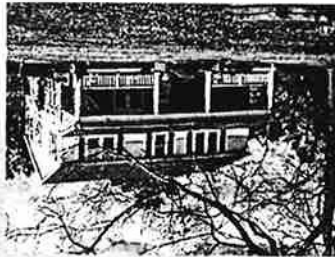


Two to two and a half stories, hipped roof, sometimes with a dormer (dormer width not to exceed 1/3 width of the front facade). A one story, hipped roof porch wraps around one corner of the house. Several parts may make up the house, but their roofs must all have the same pitch.

Appropriate in: Highland, Mill Village (S. Church Street only), and Magazine districts.

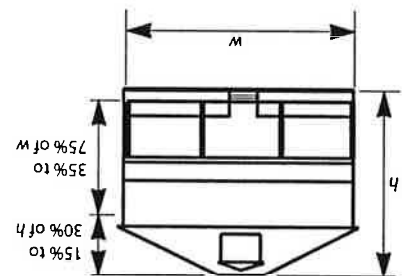
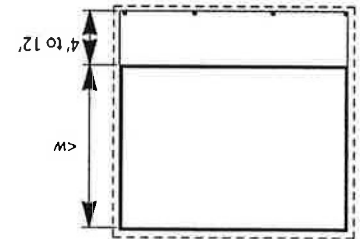


4c



Two to two and a half story facade with hipped or side gabled roof. May include a single, centered dormer (dormer width may not exceed 1/3 of the front). A full length, one story porch is attached to house. The porch may be a shed or hip roof.

Appropriate in: Highland, Mill Village (S. Church Street only), and Magazine districts.

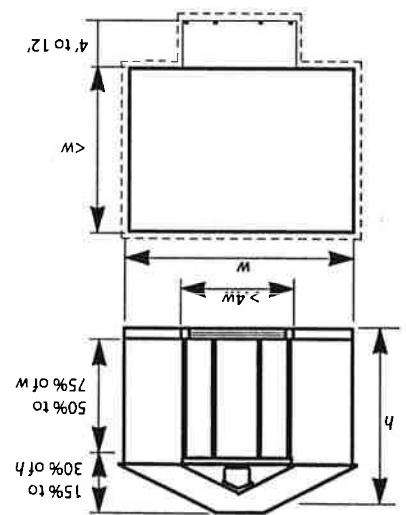


4b

5

Two to two and a half story facade with centered portico. Columns rise two stories. Roof of portico either front gable or hip, sometimes with a single dormer.

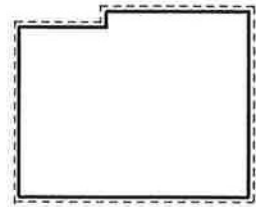
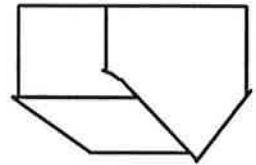
Appropriate in Madison (Jefferson Street Only), Church, Highland, Magazine, and Mill Village (S. Church Street only) districts.



6

Two to two and a half story front, the main part of the house has a gabled or hip roof parallel to the street. Another gabled part, perpendicular part, is placed perpendicular to the street. This perpendicular part has a bell-casted roof.

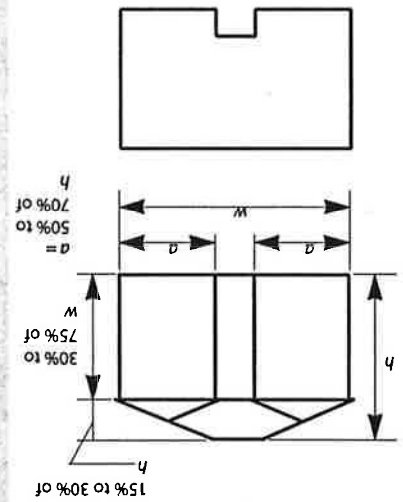
Appropriate in: Highland district only.



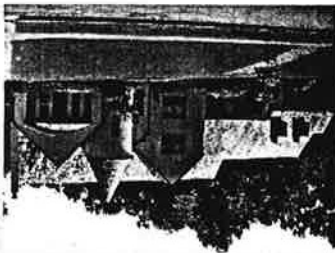


Two story, symmetrical facade. The building is 'U' shaped with lower roofs at the legs of the 'U'. The roofs are either gabled or hipped. This type may be used for multi-family dwellings only.

Appropriate in: Madison (Jefferson Street only), Church (Jefferson Street only), Mill Village (S. Church Street only), and Magazine districts.

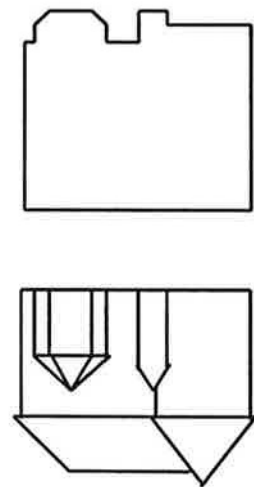


8



Two to two and a half story, asymmetrical facade. Main mass of house is under a hipped or side gable roof. Additional pieces such as turrets or entry vestibules are common.

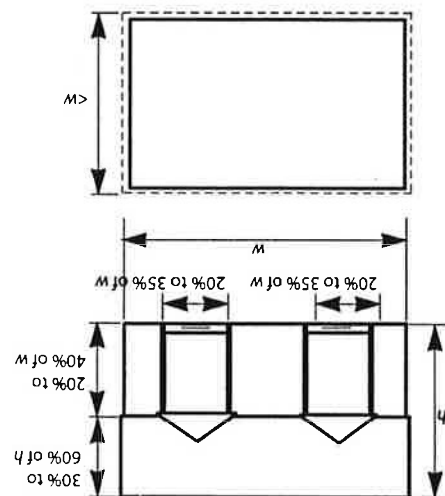
Appropriate in: Highland district only.



7



One to one and a half story side gable with two equal cross
gables, symmetrically placed.
Appropriate in: Madison, Robins (Allen Street only), Church, Mill Village,
and Magazine districts.



6

Application Form

Application Form

Who must apply?

Any property owner in the historic downtown conservation overlay district that is planning a significant change to the exterior of their property, including additions, renovations, outbuildings, driveways or landscape elements. Any owner planning to build on previously undeveloped property or property cleared by demolition must also apply. Consult the guidelines in your district for the categories and extent of the guidelines.

The process

The application process is designed so that the owner can immediately see if their proposal is not appropriate and change their proposal before any review by the authorities. While some regulations are strictly enforced, others are based on a point system, which allows flexibility in the use of the guidelines. The passing grade for a new primary building is one hundred (100) points. Passing grades for other projects are indicated in the "Points" section on the next page.

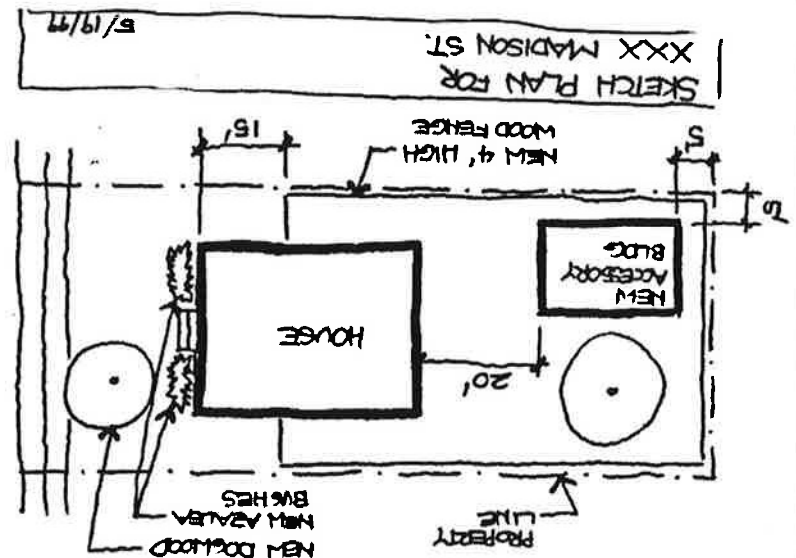
The process begins with the owner reading through this booklet and filling out the application form. Booklets are available from the Department of Planning in Tupelo for a fee. The application form is returned to the Department of Planning for review by the Department. If the application is approved, the Department will issue a certificate of appropriateness allowing the owner to begin the work or continue with the permitting process, depending on the nature of the work. If an application is denied, the applicant may revise and reapply, or appeal to the Design Review Board that meets on a quarterly basis.

Sketch Plans

The plans asked for in this application do not need to be drafted by architects or other design professionals. A simple sketch as shown on the left will do for small changes. Several items can be shown on one sketch. The example shows the placement of an outbuilding, addition of a fence, and landscaping. For large additions or new buildings, the city zoning code requires more elaborate drawings. Check with the planning office for guidance.

The plan sketches should be made at a drawing scale which is clear and legible. One inch equals twenty feet is a good overall scale. For a more detailed look, one inch equals ten feet is better.

Clearly label what is proposed and what is existing on your sketch. A sketch that is not clearly drawn and labeled will cause confusion when reviewed and delay the review of your project.



Application Form

Address of Building/Lot

Nature of Change

Owner's Name(s)

Address

City/Zip

Daytime Phone

I certify that all the statements made in this application are true to the best of my knowledge.

Signature & Date

Directions

- Step 1 Make a sketch of your proposal on the graph paper provided on the next page. (See the sidebar entitled "Sketch Plans").
- Step 2 Find the sidebar your property is located in by looking at the maps in the "Boundaries" chapter or at the maps at the beginning of each subdistrict section.
- Step 3 Read through the subdistrict guidelines and answer each of the numbered points in the guidelines. Use the "Checklist" page following. If the guideline does not apply to your proposal, mark the "Not Applicable" column. (See the "Points" sidebar.) If your proposal meets the guideline, mark the "Appropriate" column. Guidelines in italics have point values. If your proposal meets the italicized guidelines, transfer the point value to the "Points Earned" column on the checklist.
- Step 4 Total the point values. See the "Points" side bar to find the number of points required for your proposal.

Points

Use the chart below to determine which guidelines to follow. If you are proposing more than one category, a new accessory building and a new driveway for example, the guidelines for both apply. You may earn points from any section, regardless of your proposal. For example, if you are proposing a new accessory building, you may earn points for that accessory building, or for landscaping, using natural materials, etc.

New House

Read through and fill out sections 1 through seven. 100 points are required and all applicable numbered guidelines must be "appropriate."

New Accessory Building

Read through and fill out section 2. All applicable numbered guidelines must be "appropriate." 10 points are required.

New Parking/Driveways

Read through and fill out section 3. All applicable numbered guidelines must be "appropriate." 5 points are required.

New Landscaping

Read through and fill out section 5. All applicable numbered guidelines must be "appropriate." No point value is required.

Site Details

Read through and fill out section 6. All applicable numbered guidelines must be "appropriate." No point value is required.

Additions

Although no specific section is designated for additions, read through and fill out sections 1, 4, and 7. 30 points are required.

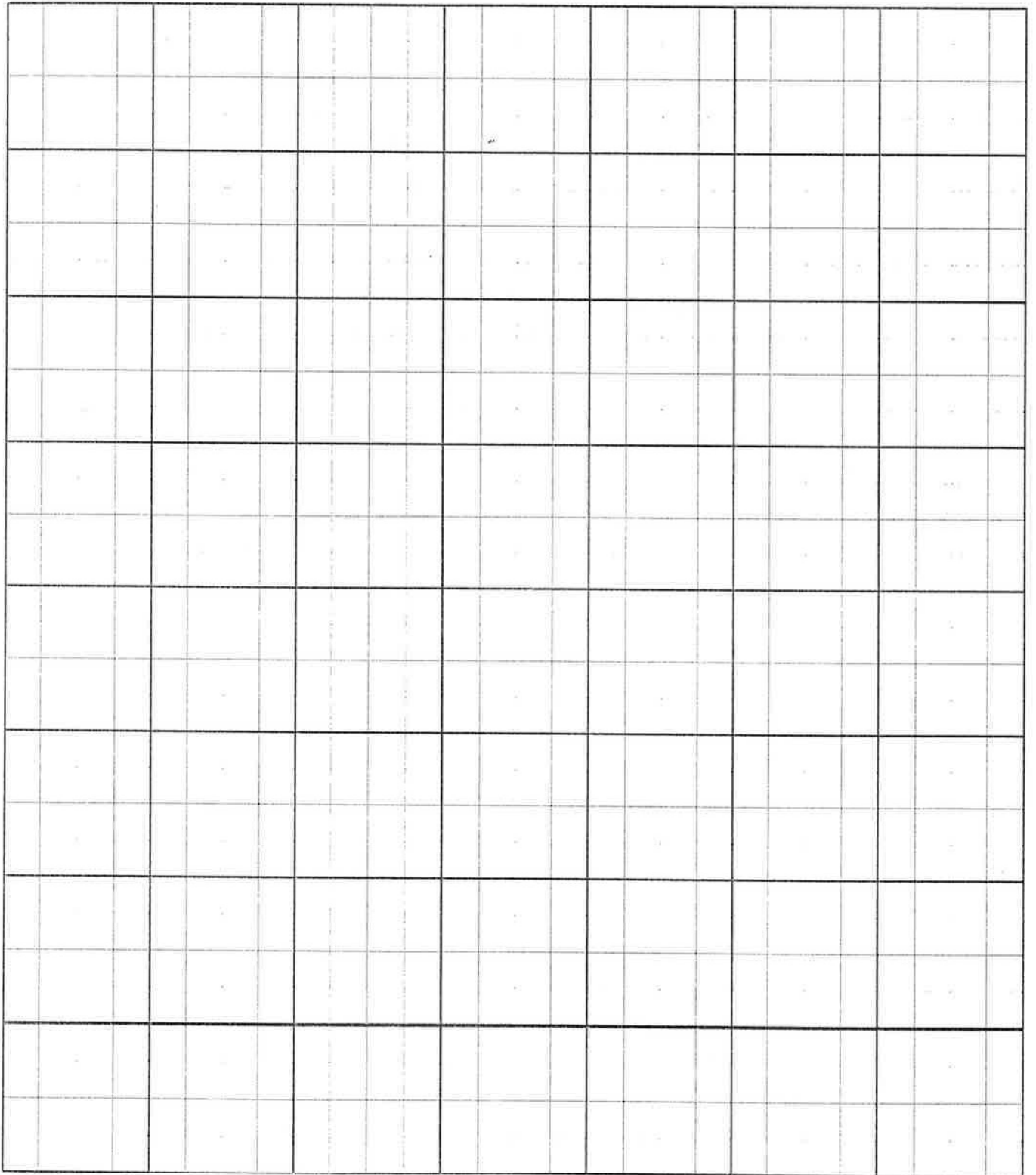
Renovations

Read through and fill out applicable guidelines under section 7 and any other sections that apply. 10 points are required.

Lot Use

Read through and fill out section 8 if any of the Site Use Guidelines apply to your proposal. No points are required.

Scale 1" = feet



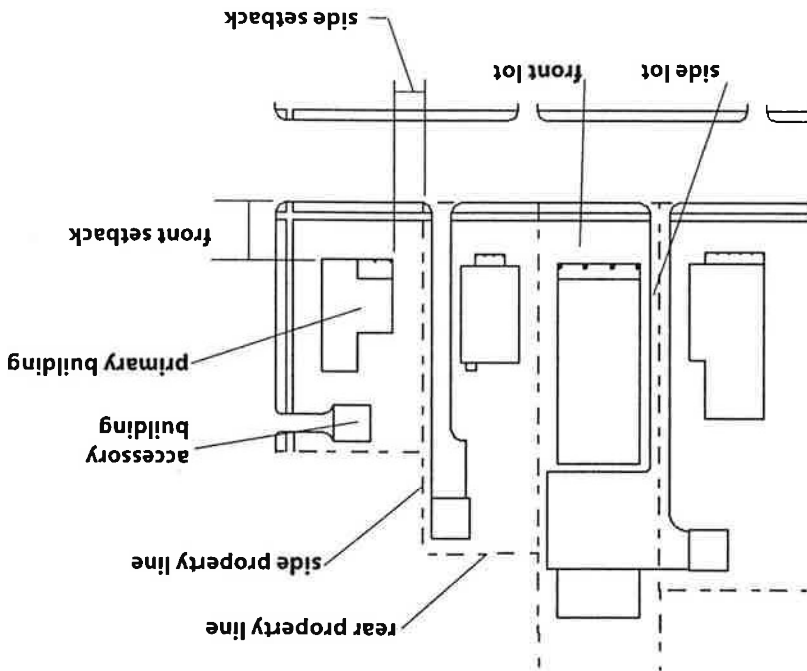
Sketch

Checklist

	1) Setbacks/ Building Width/ Coverage	2) Accessory Buildings	3) Parking/ Driveways	4) Building Heights
Not Applicable	1a)	2a)	3a)	4a)
	1b)	2b)	3b)	4b)
	1c)	2c)	3c)	4c)
	1d)	2d)	3d)	4d)
	1e)	2e)	3e)	4e)
	1f)	2f)	3f)	4f)
	1g)	2g)	3g)	4g)
	1h)			
	1i)			
	1j)			
	1k)			
	1l)			
	1m)			
	1n)			
	1o)			
	Appropriate	1a)	2a)	3a)
1b)		2b)	3b)	4b)
1c)		2c)	3c)	4c)
1d)		2d)	3d)	4d)
1e)		2e)	3e)	4e)
1f)		2f)	3f)	4f)
1g)		2g)	3g)	4g)
1h)				
1i)				
1j)				
1k)				
1l)				
1m)				
1n)				
1o)				
Points Earned		1a)	2a)	3a)
	1b)	2b)	3b)	4b)
	1c)	2c)	3c)	4c)
	1d)	2d)	3d)	4d)
	1e)	2e)	3e)	4e)
	1f)	2f)	3f)	4f)
	1g)	2g)	3g)	4g)
	1h)			
	1i)			
	1j)			
	1k)			
	1l)			
	1m)			
	1n)			
	1o)			

[illegible]

Glossary



- accessory building**
A covered structure built separately from the primary building. (see diagram at top of page)
- addition**
A construction that increases the size of the original structure by building outside its existing walls and/or roof.
- area of ground floor**
The amount of space the ground floor covers, expressed in terms of square feet.
- area of lot**
The amount of land the lot covers, expressed in terms of square feet.
- building front**
The face of the building. (see *facade*)
- front property line**
An imaginary line drawn at the front edge of the property, usually at the curb. (see diagram at top of page)
- front setback**
The distance between the curb and the front of the house. The front porch is not included in the front setback. (see diagram at top of page)
- maximum building coverage**
The largest area that the primary building and accessory buildings may cover in the lot.
- maximum height**
The tallest dimension of the roof structure of the building, usually the highest ridge.
- primary building**
The building that has more ground floor area than any other structure on the lot (usually the house).
- rear property line**
An imaginary line drawn at the rear edge of the property. (see diagram at top of page)
- side property line**
An imaginary line drawn at the side edge of the property. (see diagram at top of page)
- side setback**
The distance between the side property line and the side of the house. (see diagram at top of page)

Not symmetrical. (see symmetrical)

bell-cast
A form of mansard roof in which the lower roof slopes downward in a straight line and then curves outward at the eave. *see example to right*

cross gable
Two gable roofs that intersect at right angles. *see example to right*

facade
The front wall of a building or the wall in which the principal building entrance is located. *see example to right*

dormer
A small structure that projects from a sloping roof, with a window in the downslope end; may have a gable, shed, or other shaped roof. (also known as dormant, dorment, dormont) *see example to right*

entry hood
A projecting element over the front entry. *see example to right*

front gable
A building with a gable roof and the main entrances in one of the gable ends. *see example to right*

gable roof
A pitched roof with two inclined planes having equal angles that meet at a peak in the center and terminate at a vertical gable. (also known as V-roof)

hipped roof
A roof that slopes inward from all exterior walls; forms a pyramid roof above a square plan; has a ridge shorter than the length of the building above a rectangular plan. *see example to right*

mountain
The small moulding or bar that separates the individual planes of a multi-paned window sash. *see example to right*

pavilion
An attachment to a larger building. *see example to right*

portico
A columned porch or ambulatory, especially at the main entrance to a Classical revival style building. *see example to right*

ridge
The line formed where two sloping roof surfaces meet at the top; may be horizontal or inclined. *see example to right*

roof pitch
The slope of the roof in relation to the horizontal, expressed as a ratio of vertical inches to 12 horizontal inches. *see example to right*

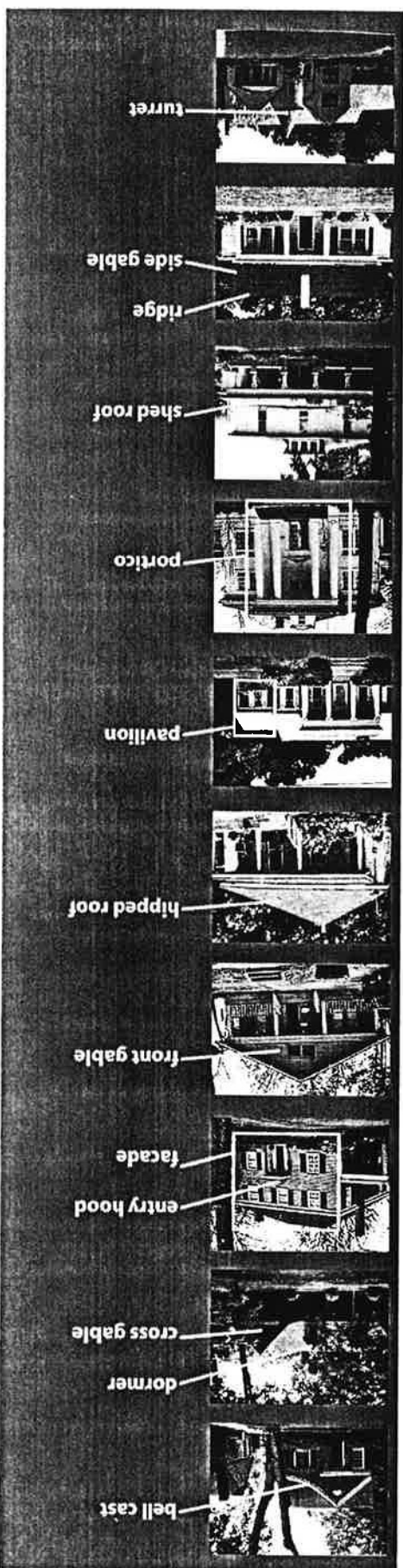
shed roof
A roof with a single slope, with the rafters spanning from one outside wall to the opposite wall. (also known as lean-to, pent roof) *see example to right*

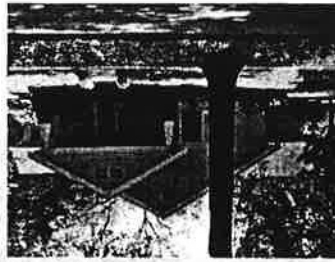
side gable
A gable-roofed building with the main entrance below the eaves of one of the sloping sides of the roof. *see example to right*

symmetrical
Having repetitive parts and proportions; in buildings, most often refers to the bilateral form, with mirror images about an imaginary vertical line. *see example to right*

turret
A small tower attached to a larger building. *see example to right*

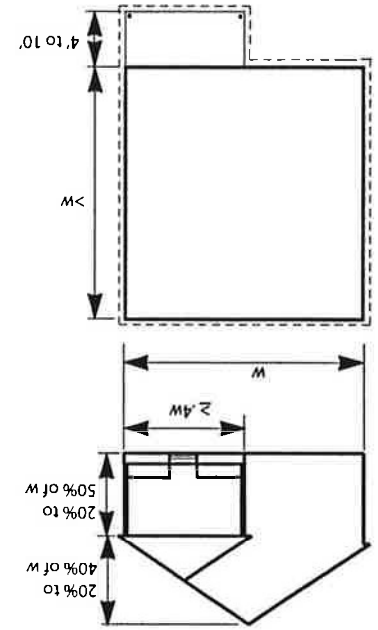
source:
Buchner, Ward, ed. *Dictionary of Building Preservation*. New York: John Wiley and Sons, Inc, 1996.



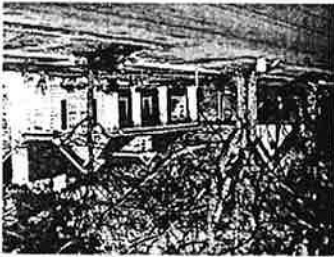


Appropriate in: Madison, Robins, Highland, Church, Mill Village, and Magazine districts.

One story, front gable. Porch is to one side of front and has a gable roof with same pitch as house roof.

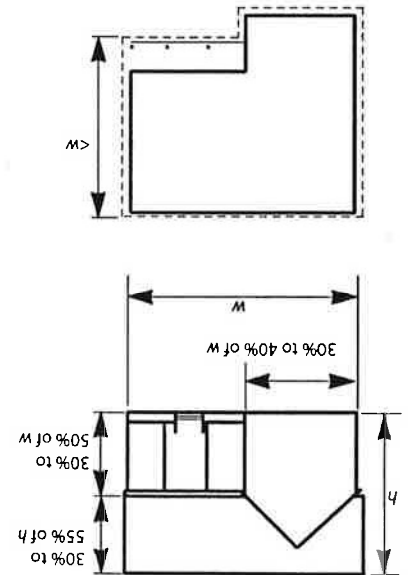


3d



Appropriate in: Madison, Robins, Church, Highland, and Magazine districts.

One to one and a half story hipped or side gable with one cross gable to the side. Porch occurs either under the main side gable form, or as a shed extension of the side gable form. The pitch of the shed porch extension should not exceed 4:12.



3c

**CHECK INFORMATION FOR COUNCIL MEETING
October 18, 2022**

FUND	CHECK NUMBERS
POOL CASH EFT TWL ADJUSTMENTS	ID-413271-413294;413294-413546 50001846-50001866

ELECTRONIC TRANSFERS AS SHOWN ON THE FACE OF DOCKET

INVOICES AS SHOWN ON FACE OF DOCKET

**MISSISSIPPI TRANSPORTATION COMMISSION
AIRPORT FEDERAL MATCHING GRANT AGREEMENT
Project No. AIP-3-28-0070-052-2022
Tupelo Regional Airport**

PART I - OFFER

TO: City of Tupelo, Mississippi and Tupelo Airport Authority
(hereinafter referred to as the RECIPIENT)

FROM: The Mississippi Transportation Commission
(hereinafter referred to as the COMMISSION)

WHEREAS, Title 61 of the Mississippi Code of 1972, as amended, authorizes the COMMISSION, subject to the limitations and conditions stated therein, to render financial aid in the acquisition, development, operation or maintenance of airports and to aid in the establishment, development, and maintenance of the civil air patrol program; and,

WHEREAS, The RECIPIENT submitted an Application for Federal Assistance (hereinafter referred to as Application) to the Federal Aviation Administration (hereinafter referred to as FAA) for federal financial assistance for development of the Tupelo Regional Airport (hereinafter referred to as Airport), and the FAA subsequently issued a Grant Offer of federal funds, dated July 28, 2022 for Airport Improvement Project No. 3-28-0070-052-2022 (hereinafter referred to as Project) consisting of the following:

**Rehab Runway 18/36; Rehab runway lighting; Install Runway Visual
Guidance System (PAPIs Runway 18 and Runway 36); Reconstruct
apron pavement (Design Only)**

all as more particularly described in the plans and specifications for the Project which were approved by the FAA; and,

WHEREAS, the Application included a request to the COMMISSION for financial assistance in payment of the RECIPIENT'S five percent (5%) share of the Project costs;

NOW, THEREFORE, The COMMISSION hereby offers and agrees to pay as the COMMISSION'S share, **\$29,826**, of the eligible costs incurred in accomplishing the Project, subject to the following terms and conditions:

1. The maximum obligation of the COMMISSION payable under this offer shall be fifty (50%) of the RECIPIENT'S share of the final eligible Project costs.
2. The RECIPIENT shall:
 - a. expend an amount equal to, or greater than, two and one-half percent (2.5%) of the final Project costs.
 - b. carry out and complete the project by December 30, 2026, and in accordance with the approved plans and specifications or contracts for the project,

incorporated herein by reference, and any revisions or modifications approved by the COMMISSION.

3. The RECIPIENT is obligated to pay the full 5% recipient share of any FAA Grant Amendments to increase the FAA funding participation in the Project.
4. Project payments pursuant to this Grant will be made for eligible costs documented by invoices for the work or services incurred in accomplishing the project within the period set forth in 2(b) above. Final payment will be made after final review and approval of the completed Project by the FAA and the COMMISSION and after all conditions relating to the Project have been satisfied.
5. The COMMISSION reserves the right to amend or withdraw this Offer at any time prior to its acceptance by the RECIPIENT.
6. The RECIPIENT shall establish and maintain financial records of the Project in accordance with applicable State audit requirements and will make them available to personnel of the COMMISSION upon request.
7. All terms, conditions, and assurances contained in the FAA Grant Agreement for the project are incorporated herein by reference.
8. The RECIPIENT shall carry out and complete (physical and financial) the project without undue delays and in accordance with the terms herein.
9. The RECIPIENT will comply with the E-Verify Program described in the attached Supplemental Condition and by executing the form in Attachment C.

The RECIPIENT'S acceptance of this Offer shall be evidenced by execution of this instrument by the RECIPIENT and said offer and acceptance shall comprise an Airport Development Agreement, as provided by the COMMISSION constituting the obligations and rights of the COMMISSION and the RECIPIENT with respect to the accomplishment of the Project. Such Airport Development Agreement shall become effective upon the RECIPIENT'S acceptance of this Offer.

The COMMISSION executes all its orders and directives through the personnel of the MISSISSIPPI DEPARTMENT OF TRANSPORTATION. All notices and correspondence with or to the COMMISSION pursuant to the Project identified in this Agreement shall be directed to the Director, Aeronautics Division, Mississippi Department of Transportation.

This Agreement shall be governed by and construed under the laws of the State of Mississippi. Any term or provision or portion thereof which violates the laws of the State of Mississippi, shall be null and void.

Witness this my signature in execution hereof this the 2 day of Nov, 2022.

MISSISSIPPI TRANSPORTATION COMMISSION, BY
AND THROUGH THE DULY AUTHORIZED EXECUTIVE
DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF
TRANSPORTATION



Brad White
Bk 23, Pg 747


PART II - ACCEPTANCE

The **City of Tupelo, Mississippi** does hereby accept said Offer and all terms and conditions contained therein.

Witness this my signature in execution hereof this the 27th day of October, 2022.

City of Tupelo, Mississippi

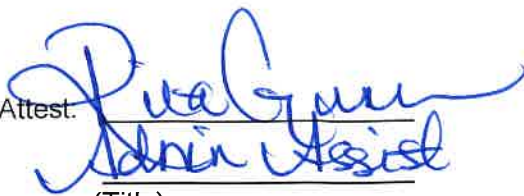
Attest: 
Deputy clerk
(Title)

By: 
Mayor
(Title)

The **Tupelo Airport Authority** does hereby accept said Offer and all terms and conditions contained therein.

Witness this my signature in execution hereof this the 27th day of October, 2022.

Tupelo Airport Authority

Attest: 
Devin Vassil
(Title)

By: 
Chairman
(Title)

SUPPLEMENTAL CONDITIONS

Immigrant Status Certification/ E-Verify

The RECIPIENT represents and warrants that it will ensure its compliance with the Mississippi Employment Protection Act, **Section 71-11-1, et seq. of the Mississippi Code Annotated (Supp 2008)**, and will register and participate in the status verification system for 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. The RECIPIENT agrees to maintain records of such compliance and, upon request of the State **and approval of the Social Security Administration or Department of Homeland Security, where required**, to provide a copy of each such verification to the State. The RECIPIENT further represents and warrants that any person assigned to perform services hereunder meets the employment eligibility requirements of all immigration laws of the State of Mississippi. The RECIPIENT understands and agrees that any breach of these warranties may subject the RECIPIENT to the following: (a) termination of this GRANT 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 the RECIPIENT by an agency, department or governmental entity for the right to do business in Mississippi for up to one (1) year, or (c) both. In the event of such termination/cancellation, the RECIPIENT would also be liable for any additional costs incurred by the State due to GRANT cancellation or loss of license or permit. **The RECIPIENT is required to provide the certification on Attachment "C" to this GRANT to the COMMISSION verifying that the RECIPIENT and SUB-RECIPIENTS (Contractors, Subcontractors, Consultants), if any, are registered and participating in E-Verify prior to execution of this GRANT.**

It is agreed by the parties that no person employed by the RECIPIENT pursuant to the provisions hereof will be considered an agent or employee of the COMMISSION or the Mississippi Department of Transportation.

It is further agreed by the parties that no provision of this GRANT is intended nor shall it be construed to give rise to a third party beneficiary claim on the person or entity not a party hereto.

ATTACHMENT C

CONSULTANT / CONTRACTOR EEV CERTIFICATION AND AGREEMENT

Tupelo Regional Airport

By executing this Certification and Agreement, the undersigned verifies its compliance with the "Mississippi Employment Protection Act," Section 71-11-1 et seq. Mississippi Code of 1972, as amended, and any rules or regulations promulgated by Mississippi Transportation Commission [MTC], Department of Employment Security, State Tax Commission, Secretary of State, Department of Human Services in accordance with the Mississippi Administrative Procedures Law (Section 25-43-1 et seq., Mississippi Code of 1972, as amended), stating affirmatively that the individual, firm or corporation which is contracting with MTC has registered with and is participating in a Federal work authorization program* operated by the United States Department of Homeland Security to electronically verify information of newly hired employees pursuant to the Immigration Reform and Control Act of 1986, Pub. L. 99-603, 100, Stat 3359, as amended. The undersigned agrees to inform the MTC if the undersigned is no longer registered or participating in the program.

The undersigned agrees that, should it employ or contract with any sub-consultant(s) and/or subcontractor(s) in connection with the performance of this GRANT, the undersigned will secure from such sub-consultant(s) and/or subcontractor(s) verification of compliance with the Mississippi Employment Protection Act. The undersigned further agrees to maintain records of such compliance and provide a copy of each such verification to MTC, if requested, for the benefit of the MTC or this GRANT.

583576
EV* Company Identification Number [Required]

The undersigned certifies that the above information is complete, true and correct to the best of my knowledge and belief. The undersigned acknowledges that any violation may be subject to the cancellation of the GRANT, ineligibility for any State or public contract for up to three (3) years, the loss of any license, permit, certificate or other document granted by any agency, department or government entity for the right to do business in Mississippi for up to one (1) year, or both, any and all additional costs incurred because of the GRANT cancellation or the loss of any license or permit, and may be subject to additional felony prosecution for knowingly or recklessly accepting employment for compensation from an unauthorized alien as defined by 8 U.S.C §1324a(h)(3), said action punishable by imprisonment for not less than one (1) year nor more than five (5) years, a fine of not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00), or both, in addition to such prosecution and penalties as provided by Federal law.

BY:

Joseph Wheeler
Authorized Officer or Agent
Printed Name of Authorized Officer or Agent of the RECIPIENT

October 25, 2022
Date
Executive Director
Title of Authorized Officer or Agent of the RECIPIENT
Rita Michelle Gunn
NOTARY PUBLIC
My Commission Expires: Sept. 25, 2023
Tupelo Regional Airport
NOTARY PUBLIC
My Commission Expires: 9-25-23

SWORN TO AND SUBSCRIBED before me on this the 25th day of October

* As of the effective date of the Mississippi Employment Protection Act, the applicable Federal work authorization program is E-Verify™ operated by the U. S. Citizenship and Immigration Services of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration.

City of Tupelo, Mississippi Electric Department

Financial Statements Years Ended June 30, 2022 and 2021

Jarrell Group, PLLC
Tupelo, Mississippi
Certified Public Accountants

**CITY OF TUPELO – ELECTRIC DEPARTMENT
TABLE OF CONTENTS
June 30, 2022 and 2021**

INDEPENDENT AUDITORS' REPORT	1
MANAGEMENT'S DISCUSSION AND ANALYSIS	4
BASIC FINANCIAL STATEMENTS - OVERVIEW:	
STATEMENTS OF NET POSITION.....	8
STATEMENTS OF REVENUES AND EXPENSES	10
STATEMENTS OF CHANGES IN NET POSITION	11
STATEMENTS OF CASH FLOWS	12
NOTES TO FINANCIAL STATEMENTS	14
REQUIRED SUPPLEMENTARY INFORMATION:	
SCHEDULE OF THE DEPARTMENT'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY	25
SCHEDULE OF THE DEPARTMENT'S CONTRIBUTIONS.....	26
NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION.....	27
REPORT ON COMPLIANCE AND INTERNAL CONTROL:	
INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS	29

INDEPENDENT AUDITORS' REPORT

INDEPENDENT AUDITORS' REPORT

Honorable Mayor and City Council
City of Tupelo, Mississippi

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of the City of Tupelo-Electric Department as of and for the years ended June 30, 2022 and 2021, and the related notes to the financial statements, which collectively comprise the City of Tupelo - Electric Department's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the City of Tupelo-Electric Department as of June 30, 2022 and 2021, and the respective changes in financial position and cash flows thereof for the years then ended, in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City of Tupelo-Electric Department and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Tupelo-Electric Department's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and Government Auditing Standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City of Tupelo-Electric Department's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Tupelo-Electric Department's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Emphasis of a Matter

As discussed in Note 1, the financial statements of the City of Tupelo-Electric Department are intended to present the financial position and results of operations and the cash flows of the proprietary fund types of only that portion of the financial reporting entity of the City of Tupelo that is attributable to the transactions of the City of Tupelo-Electric Department. The financial statements are not intended to present fairly the financial position of the City of Tupelo and the results of operations and the cash flows of its proprietary fund types in conformity with accounting principles generally accepted in the United States of America.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 4 through 7, the schedule of proportionate share of the net pension liability on page 25, and the schedule of contributions on page 26 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued a report dated October 13, 2022 on our consideration of the City of Tupelo-Electric Department's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City of Tupelo-Electric Department's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City of Tupelo-Electric Department's internal control over financial reporting and compliance.

Jarrell Group, PLLC

Jarrell Group, PLLC
Tupelo, Mississippi
October 13, 2022

MANAGEMENT'S DISCUSSION AND ANALYSIS

CITY OF TUPELO – ELECTRIC DEPARTMENT MANAGEMENT’S DISCUSSION AND ANALYSIS

Required Supplementary Information for the Years Ended June 30, 2022 and 2021

This section of the City of Tupelo - Electric Department’s Financial Report presents our discussion and analysis of the City of Tupelo - Electric Department’s financial performance during the fiscal years ending June 30, 2022 and 2021. Please read it in conjunction with the City of Tupelo - Electric Department’s financial statements, which follow this section.

FINANCIAL HIGHLIGHTS

- The assets of the City of Tupelo – Electric Department exceeded its liabilities at the close of the June 30, 2022 and 2021 fiscal years by \$31,999,929 and \$31,084,249, respectively. Of this amount, \$3,649,342 and \$3,314,864 may be used to meet the City of Tupelo – Electric Department’s ongoing obligations to citizens and creditors.
- As of the close of the June 30, 2022 and 2021 fiscal years, the City of Tupelo – Electric Department reported net position balances of \$31,999,929 and \$31,084,249, an increase of \$915,680 and a decrease of \$76,578 in comparison to the prior years.
- The City of Tupelo – Electric Department’s total long-term debt outstanding at June 30, 2022 and 2021 was \$4,992,996 and \$5,349,811, respectively.
- The City of Tupelo – Electric Department is a Proprietary fund of the City of Tupelo, Mississippi. The management’s discussion and analysis and financial statements contained in this report present only the financial position and financial analysis of the Electric Department. It should not be used to evaluate the entire operation of the City of Tupelo or the total proprietary funds of the City of Tupelo. Proprietary funds are funds in which charges for services from customers in the form of a fee are reported. Proprietary funds provide both long and short-term financial information. The measurement focus of proprietary funds is upon determination of net income, financial position and change in financial position. These funds are maintained on the accrual basis of accounting. The Statement of Net Position, Statement of Revenues and Expenses, Statement of Changes in Net Position, and Statement of Cash Flows are all required statements.

CITY OF TUPELO – ELECTRIC DEPARTMENT MANAGEMENT’S DISCUSSION AND ANALYSIS

FINANCIAL ANALYSIS

Table A-1 provides a summary of the City of Tupelo – Electric Department’s net position at June 30, 2022 and 2021.

A large portion, 88.6% and 89.3%, of the City of Tupelo – Electric Department’s net position reflects its investment in capital assets (such as land, buildings, machinery, and equipment), less any related debt used to acquire those assets that is still outstanding for the years ended June 30, 2022 and 2021, respectively. The City of Tupelo – Electric Department uses these capital assets to provide services to citizens; however, these assets are not available for future spending.

Table A-1

City of Tupelo – Electric Department’s Statements of Net Position

	Total <u>6/30/22</u>	Total <u>6/30/21</u>
Current and Other Assets	\$ 18,705,965	\$ 17,159,563
Capital Assets	<u>33,343,583</u>	<u>33,119,196</u>
Total Assets	<u>52,206,065</u>	<u>50,451,260</u>
Total Deferred Outflows	<u>834,916</u>	<u>711,109</u>
Current and Other Liabilities	9,482,435	8,114,675
Long-Term Liabilities	<u>9,416,404</u>	<u>11,301,830</u>
Total Liabilities	<u>18,898,839</u>	<u>19,416,505</u>
Total Deferred Inflows	<u>2,142,213</u>	<u>661,615</u>
Net Position		
Net Investment in Capital Assets	28,350,587	27,769,385
Unrestricted	<u>3,649,342</u>	<u>3,314,864</u>
Total Net Position	\$ <u>31,999,929</u>	\$ <u>31,084,249</u>

CITY OF TUPELO – ELECTRIC DEPARTMENT MANAGEMENT’S DISCUSSION AND ANALYSIS

Revenues and Expenses. Approximately 99.5% of the City of Tupelo – Electric Department’s revenue comes from fees charged for services. A negligible portion of revenues come from investment earnings.

Table A-2 and the narrative that follows consider the operations of City of Tupelo – Electric Department activities only for June 30, 2022 and 2021.

Table A-2

Revenues and Expenses of the City of Tupelo – Electric Department

	Total <u>6/30/22</u>	Total <u>6/30/21</u>
Revenues		
Program Revenues:		
Charges for Services	\$ 56,126,437	\$ 51,256,622
Investment Income	<u>57,085</u>	<u>105,154</u>
Total Revenues	<u>56,183,522</u>	<u>51,361,776</u>
Expenses		
Power Cost	45,563,355	41,420,466
Distribution Expense – Operating	784,868	751,607
Maintenance – General Plant	1,676	3,914
Distribution Expense – Maintenance	1,283,611	1,047,475
Customer Accounting & Collection	485,513	637,892
Customer Service and Information	41,153	35,356
Sales Expense	38,621	41,653
Administrative and General	1,070,365	1,395,107
Depreciation Expense	2,516,370	2,372,882
Loss on Disposal of Electric Plant	(241,750)	-
Interest Expense	186,560	196,626
Taxes and Equivalents	<u>3,537,500</u>	<u>3,535,376</u>
Total Expenses	<u>55,267,842</u>	<u>51,438,354</u>
Excess (Deficit) of Revenue		
Over (Under) Expenses	915,680	(76,578)
Transfers	<u>-</u>	<u>-</u>
Net Income (Loss)	915,680	(76,578)
Net Position – Beginning	<u>31,084,249</u>	<u>31,160,827</u>
Net Position – Ending	\$ <u>31,999,929</u>	\$ <u>31,084,249</u>

Business-Type Activities

The City of Tupelo – Electric Department net position increased by \$915,680 for the fiscal year June 30, 2022 and decreased by \$76,578 for the June 30, 2021 fiscal year which was a 2.95% increase and a 0.25% decrease, respectfully.

CITY OF TUPELO – ELECTRIC DEPARTMENT MANAGEMENT'S DISCUSSION AND ANALYSIS

CAPITAL ASSET AND DEBT ADMINISTRATION

Capital Assets—In accordance with GASB 34, the City of Tupelo – Electric Department has recorded depreciation expense associated with all of its capital assets. The City's Electric Department investment in capital assets as of June 30, 2022 and 2021, amounted to \$33,343,583 and \$33,119,196, respectively, net of accumulated depreciation of \$36,917,142 and \$35,387,934. This investment in capital assets includes land, buildings, improvements other than buildings, machinery & equipment, and construction in progress.

Table A-3

City of Tupelo – Electric Department Capital Assets

	Total <u>6/30/22</u>	Total <u>6/30/21</u>
Land	\$ 333,013	\$ 333,013
Distribution Equipment	58,877,471	57,209,332
General Plant	6,424,017	6,139,121
Transmission Equipment	2,733,689	2,690,519
Construction-In-Progress	1,892,535	2,135,145
Accumulated Depreciation	<u>(36,917,142)</u>	<u>(35,387,934)</u>
Total	\$ <u>33,343,583</u>	\$ <u>33,119,196</u>

Long-term Debt—Debt—At year-ends June 30, 2022 and 2021, the City of Tupelo – Electric Department had bonds payable in the amount of \$4,992,996 and \$5,349,811, respectively.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES

The City of Tupelo – Electric Department revenues are dependent upon the customer base in the City of Tupelo, Mississippi and certain surrounding areas. The local economy and weather conditions can have a significant effect on the financial performance of the City of Tupelo – Electric Department. The City of Tupelo – Electric Department has one major customer that accounts for approximately 11.5% of the total revenues of the Electric Department. The City of Tupelo Electric Department anticipates no growth for next year in both revenue and expenditures. It is a practice for the Electric Budget to prepare for extreme weather to handle a larger than normal year without overcommitting to capital projects, therefore the Electric Department's Budget is higher than actual revenues and expenditures from fiscal year 2022.

CONTACTING THE CITY OF TUPELO FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayers, customers, and investors and creditors with a general overview of the City of Tupelo – Electric Department finances and to demonstrate the City of Tupelo – Electric Department's accountability for the money it receives. If you have questions about this report or need additional financial information, contact the City of Tupelo – Electric Department, P.O. Box 1485 Tupelo, MS 38802-1485.

BASIC FINANCIAL STATEMENTS

CITY OF TUPELO - ELECTRIC DEPARTMENT
TUPELO, MISSISSIPPI
STATEMENTS OF NET POSITION

ASSETS	June 30,	
	2022	2021
ELECTRIC PLANT:		
In Service - at Cost	\$ 70,260,725	\$ 68,507,130
Less: Accumulated Provisions for Depreciation	<u>36,917,142</u>	<u>35,387,934</u>
Net Electric Plant	<u>33,343,583</u>	<u>33,119,196</u>
CURRENT ASSETS:		
Cash and Cash Equivalents	7,668,742	7,866,949
Accounts Receivable - (Net of Provision for Bad Debts of \$95,460 for 2022 and \$88,505 for 2021)	7,266,374	6,551,120
Unbilled Revenue	1,914,293	1,353,568
Other Accounts Receivable	665,499	340,770
Due from Municipality	-	376
Materials and Supplies	992,882	855,659
Prepaid Expenses	66,734	60,836
Other Current Assets	<u>131,441</u>	<u>130,285</u>
Total Current Assets	<u>18,705,965</u>	<u>17,159,563</u>
DEFERRED DEBITS AND OTHER ASSETS:		
Receivable from Customers for Energy Conservation Loans	59,635	102,961
Receivable from Central Service Association (CSA)	<u>96,882</u>	<u>69,540</u>
Total Deferred Debits and Other Assets	<u>156,517</u>	<u>172,501</u>
TOTAL ASSETS	<u>\$ 52,206,065</u>	<u>\$ 50,451,260</u>
DEFERRED OUTFLOWS OF RESOURCES	<u>\$ 834,916</u>	<u>\$ 711,109</u>

See accompanying notes to the financial statements.

CITY OF TUPELO - ELECTRIC DEPARTMENT
TUPELO, MISSISSIPPI
STATEMENTS OF NET POSITION

LIABILITIES	June 30,	
	2022	2021
CURRENT LIABILITIES:		
Accounts Payable	\$ 5,292,041	\$ 4,321,693
Accrued Expenses	416,259	381,328
Accrued Interest	36,750	38,325
Due to Municipality	90,406	9,203
Customer Deposits	3,331,979	3,049,126
Bonds Payable	315,000	315,000
Total Current Liabilities	9,482,435	8,114,675
NONCURRENT LIABILITIES:		
Budget Billing Advances	6	6
Net Pension Liability	4,675,212	6,158,132
Advances from TVA - For Energy Conservation Loans	63,190	108,881
Bonds Payable	4,677,996	5,034,811
Total Noncurrent Liabilities	9,416,404	11,301,830
TOTAL LIABILITIES	\$ 18,898,839	\$ 19,416,505
DEFERRED INFLOWS OF RESOURCES	\$ 2,142,213	\$ 661,615
NET POSITION		
Net Investment in Capital Assets	28,350,587	27,769,385
Unrestricted	3,649,342	3,314,864
TOTAL NET POSITION	\$ 31,999,929	\$ 31,084,249

See accompanying notes to the financial statements.

CITY OF TUPELO - ELECTRIC DEPARTMENT
TUPELO, MISSISSIPPI
STATEMENTS OF REVENUES AND EXPENSES

	For the years ended June 30,	
	2022	2021
OPERATING REVENUES:		
Residential Sales	\$ 14,139,274	\$ 13,092,799
Commercial Sales	8,626,244	7,764,250
Industrial Sales	30,127,374	27,302,123
Street and Athletic Lighting	1,376,276	1,289,414
Outdoor Lighting	842,972	794,304
 Total Electric Revenues	 55,112,140	 50,242,890
 Revenue from Late Payments	 187,047	 165,190
Customer Service Charge	204,839	188,141
Rent from Electric Property	386,364	394,335
Miscellaneous Revenue	236,047	266,066
 Total Operating Revenues	 56,126,437	 51,256,622
OPERATING EXPENSES:		
Power Purchased	45,563,355	41,420,466
Distribution Expense - Operating	784,868	751,607
Maintenance - General Plant	1,676	3,914
Distribution Expense - Maintenance	1,283,611	1,047,475
Customer Accounting and Collection	485,513	637,892
Customer Service and Information	41,153	35,356
Sales Expense	38,621	41,653
Administrative and General	1,070,365	1,395,107
Depreciation Expense	2,516,370	2,372,882
Taxes and Equivalents	3,537,500	3,535,376
 Total Operating Expenses	 55,323,032	 51,241,728
 OPERATING INCOME (LOSS)	 803,405	 14,894
OTHER INCOME:		
Gain on Disposal of Electric Plant	241,750	-
Interest Expense	(186,560)	(196,626)
Interest Income	57,085	105,154
 Total Other Income	 112,275	 (91,472)
 NET INCOME (LOSS)	 \$ 915,680	 \$ (76,578)

See accompanying notes to the financial statements.

CITY OF TUPELO - ELECTRIC DEPARTMENT
TUPELO, MISSISSIPPI
STATEMENTS OF CHANGES IN NET POSITION

	For the years ended June 30,	
	<u>2022</u>	<u>2021</u>
Balance - Beginning of Year	\$ 31,084,249	\$ 31,160,827
Net Income (Loss) for the Years as Shown on Statements of Revenues and Expenses	<u>915,680</u>	<u>(76,578)</u>
Balance - End of Year	<u><u>\$ 31,999,929</u></u>	<u><u>\$ 31,084,249</u></u>

See accompanying notes to the financial statements.

407
CITY OF TUPELO - ELECTRIC DEPARTMENT
 TUPELO, MISSISSIPPI
 STATEMENTS OF CASH FLOWS

	For the years ended June 30,	
	2022	2021
CASH FLOWS FROM OPERATING ACTIVITIES:		
Receipts from Customers	\$ 54,507,845	\$ 50,949,336
Payments to Suppliers	(44,879,765)	(41,856,547)
Payments to Employees	(2,152,195)	(2,062,941)
Payments for Other Services and Charges	(4,755,820)	(4,484,459)
Other Receipts (Payments)	16,728	21,786
Net Cash Provided (Used) by Operating Activities	2,736,793	2,567,175
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES:		
Due To (From) Municipality	81,579	(74,454)
Net Cash Provided (Used) by Noncapital Financing Activities	81,579	(74,454)
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:		
Purchases of Capital Assets	(2,664,534)	(2,146,947)
Cost of Removal of Capital Assets	(89,912)	(99,056)
Salvage Value	13,689	25,504
Proceeds from Sale of Capital Assets	241,750	-
Principal Paid on Bonds	(315,000)	(305,000)
Interest Paid	(229,950)	(246,069)
Conservation Advances from TVA	(45,691)	(63,015)
Net Cash Provided (Used) by Capital and Related Financing Activities	(3,089,648)	(2,834,583)
CASH FLOWS FROM INVESTING ACTIVITIES:		
Interest and Dividends	57,085	105,154
Receivable from Customers for Energy Conservation Loans	43,326	63,617
(Increase) Decrease in Receivable from CSA	(27,342)	(9,226)
Net Cash Provided (Used) by Investing Activities	73,069	159,545
Net Increase (Decrease) in Cash Equivalents	(198,207)	(182,317)
Cash and Cash Equivalents - Beginning of Year	7,866,949	8,049,266
Cash and Cash Equivalents - End of Year	\$ 7,668,742	\$ 7,866,949

See accompanying notes to the financial statements.

CITY OF TUPELO - ELECTRIC DEPARTMENT
TUPELO, MISSISSIPPI
STATEMENTS OF CASH FLOWS

	For the years ended June 30,	
	2022	2021
Reconciliation of Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities:		
Operating Income (Loss)	\$ 803,405	\$ 14,894
Adjustment to Reconcile Operating Income to Net Cash Provided (Used) by Operating Activities:		
Depreciation Expense	2,516,370	2,372,882
Net Pension Expense	(126,129)	336,149
Provision for Uncollectible Accounts	6,955	19,389
Change in Assets and Liabilities:		
Accounts Receivable	(722,209)	(277,878)
Unbilled Revenue	(560,725)	8,869
Other Accounts Receivable	(324,729)	(52,488)
Materials and Supplies	(137,223)	(120,125)
Prepaid Expenses	(5,898)	3,444
Other Current Assets	(1,156)	16,608
Accounts Payable	970,348	(62,522)
Accrued Expenses	34,931	198,913
Customer Deposits	282,853	109,040
Net Cash Provided (Used) by Operating Activities	\$ <u>2,736,793</u>	\$ <u>2,567,175</u>

See accompanying notes to the financial statements.

NOTES TO FINANCIAL STATEMENTS

410
CITY OF TUPELO - ELECTRIC DEPARTMENT
NOTES TO FINANCIAL STATEMENTS
June 30, 2022 and 2021

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of Tupelo, Mississippi - Electric Department is an Enterprise fund of the City of Tupelo. The Department provides electric utility service for customers within the City and in a limited surrounding area.

The accounting policies of the Department conform to accounting principles generally accepted in the United States of America as applicable to governments. The following is a summary of significant accounting policies:

Fund Accounting

Governmental basis reports are organized on the basis of funds, each of which is considered to be a separate accounting entity. The transactions of each fund are accounted for with a separate set of self-balancing accounts that include its assets, liabilities, fund balances, revenues, and expenditures/expenses. Resources are allocated to and accounted for in the individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled.

Proprietary Funds

Proprietary Funds are accounted for on a flow of economic resources measurement focus. The accounting objectives are a determination of net income, financial position and changes in cash flow. All assets and liabilities associated with a Proprietary Fund's activities are included on its balance sheet. The following are the Proprietary Fund types:

Enterprise Funds

The Enterprise Funds are used for activities which are financed and operated in a manner similar to private business enterprise where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges, or where the governing body has decided that periodic determination of revenues earned, expenses incurred, or net income is appropriate for capital maintenance, public policy, management control, accountability or other purposes.

Measurement Focus/Basis of Accounting

Measurement focus refers to what is being measured; basis of accounting refers to when revenues and expenditures are recognized and reported in the financial statements. Basis of accounting relates to the timing of the measurements made, regardless of the measurement focus applied.

The Proprietary Fund Types are accounted for on an economic resources measurement focus using the accrual basis of accounting. Revenues are recorded when they are earned, including unbilled water and sewer services which are accrued. Expenses are recorded at the time liabilities are incurred.

411
CITY OF TUPELO - ELECTRIC DEPARTMENT
NOTES TO FINANCIAL STATEMENTS
June 30, 2022 and 2021

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - continued

Electric Plant

The electric plant is carried at cost. Additions to plant are recorded at cost, which includes materials, labor and overhead. Plant retirements including original cost and removal cost less salvage are charged against appropriate accumulated depreciation accounts. The cost of current repairs and maintenance is charged to appropriate operating expenses and clearing accounts. The cost of renewals and replacements are capitalized.

Straight-line depreciation is provided on a composite basis at prescribed rates that approximate the useful life of the assets. Current rates in effect are: transmission plant - 3%, distribution plant - 2.25% to 5% and general plant - 2% to 10%.

Inventories

Inventories are priced at average cost.

Accounts Receivable

The Department's Customer Accounts Receivable balance, net of unbilled receivables, for June 30, 2022 and 2021 was \$7,266,374 and \$6,551,120, respectively. The net provision for bad debts is calculated by comparing actual annual write offs for the past five 5 years to annual sales revenue. When accounts are 90 to 120 days past due, they are turned over to a collection agency. If the agency is unable to collect the account it is written off as a bad debt, after approval of the Council. All bad debts are written off twice a year. If an account that has been previously written off is collected, it is posted to the bad debt reserve account.

Cash Equivalents

For purposes of the statements of cash flows, the Department considers all highly liquid investments with a maturity of three months or less when purchased to be cash equivalents.

Estimates

Management and the Council use estimates and assumptions in preparing financial statements. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenues and expenses. Actual results could differ from those estimates. Significant estimates used in preparing these financial statements include those assumed in computing the net pension liability, as mentioned in Note 7. It is as least reasonably possible that the significant estimates used will change within the next year.

Encumbrances

Encumbrance accounting, under which purchase orders, contracts, and other commitments for the expenditures of monies are recorded in order to reserve that portion of the applicable appropriation, is not used by the Department.

412
CITY OF TUPELO - ELECTRIC DEPARTMENT
NOTES TO FINANCIAL STATEMENTS
June 30, 2022 and 2021

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - continued

Concentrations of Credit Risks

The Department sells electric utility service to local customers with its facilities located in Tupelo, Mississippi. The Department extends credit to customers located within the City and surrounding areas.

Deferred Outflows / Inflows of Resources

In addition to assets and liabilities, the statement of net position will sometimes report a separate section for deferred outflows and deferred inflows of resources. These separate financial statement elements, deferred inflows and deferred outflows, represent a consumption of net position that applies to future periods (deferred outflows) or an acquisition of net position that applies to future periods (deferred inflows). The Department has deferred outflows and inflows related to pensions. See Note 7 for further details.

Long-Term Debt and Bond Discounts / Premiums

In the financial statements, outstanding debt is reported as liabilities. Bond discounts or premiums are capitalized and amortized over the terms of the respective bonds using a straight-line method.

Pensions

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the City of Tupelo-Electric Department's participation in the Public Employees' Retirement System of Mississippi (PERS), and additions to/deductions from the City of Tupelo-Electric Department's fiduciary net position have been determined on the same basis as they are reported by the Public Employees' Retirement System of Mississippi (PERS). For this purpose, benefits (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms of the Public Employees' Retirement System of Mississippi (PERS). Investments are reported at fair value.

Reclassifications

Certain accounts in the prior-year financial statements have been reclassified for comparative purposes to conform with the presentation in the current-year financial statements.

NOTE 2 - CASH, OTHER DEPOSITS AND CASH INVESTMENTS

Deposits - Custodial credit risk: The entity's entire bank balances were covered by federal depository insurance or collateralized in accordance with state law at year end. The collateral for public entities' deposits in financial institutions is now held in the name of the State Treasurer under a program established by the Mississippi State Legislature and is governed by Section 27-105-5 Miss. Code Ann. (1972). Under this program, the entity's funds are protected through a collateral pool administered by the State Treasurer. Financial institutions holding deposits of public funds must pledge securities as collateral against those deposits. In the event of failure of a financial institution, securities pledged by that institution would be liquidated by the State Treasurer to replace the public deposits not covered by the Federal Depository Insurance Corporation.

413
CITY OF TUPELO - ELECTRIC DEPARTMENT
NOTES TO FINANCIAL STATEMENTS
June 30, 2022 and 2021

NOTE 3 - ELECTRIC PLANT

The following is a summary of the electric plant at June 30, 2022 and 2021:

	<u>2022</u>	<u>2021</u>
Transmission		
Land and Land Rights	\$ 31,802	\$ 31,802
Poles and Fixtures	2,119,902	2,076,732
Overhead Conductors	<u>613,787</u>	<u>613,787</u>
Total Transmission	<u>2,765,491</u>	<u>2,722,321</u>
Distribution Equipment		
Land & Land Rights	\$ 180,345	\$ 180,345
Station Equipment	12,022,839	11,785,086
Poles, Towers Etc.	8,202,731	8,087,960
Overhead Conductors and Devices	5,801,814	5,609,730
Underground Conductors and Devices	1,979,417	1,969,903
Underground Conduit	4,763,991	4,570,376
Line Transformers	9,551,872	9,284,410
Service	1,073,150	1,254,350
Meters	7,681,069	7,576,287
Installations on Customer's Premises	2,604,041	2,553,265
Street Lights and Signal System	<u>5,196,547</u>	<u>4,517,965</u>
Total Distribution Equipment	<u>59,057,816</u>	<u>57,389,677</u>
General Plant		
Land and Land Rights	120,866	120,866
Structure and Improvements	2,013,683	1,965,551
Office Furniture and Equipment	81,587	82,996
Transportation Equipment	1,366,545	1,399,530
Stores Equipment	8,065	8,065
Tools, Shop and Garage Equipment	185,829	172,557
Power Operated Equipment	2,635,439	2,383,313
Communications Equipment	55,511	49,751
Miscellaneous Equipment	<u>77,358</u>	<u>77,358</u>
Total General Plant	<u>6,544,883</u>	<u>6,259,987</u>
Total Plant In Service	68,368,190	66,371,985
Construction Work In Progress	<u>1,892,535</u>	<u>2,135,145</u>
Total Plant	<u>70,260,725</u>	<u>68,507,130</u>
Less: Accumulated Depreciation	<u>36,917,142</u>	<u>35,387,934</u>
Net Electric Plant	\$ <u>33,343,583</u>	\$ <u>33,119,196</u>

414
CITY OF TUPELO - ELECTRIC DEPARTMENT
NOTES TO FINANCIAL STATEMENTS
June 30, 2022 and 2021

NOTE 4 - RECEIVABLE FROM CUSTOMERS FOR ENERGY CONSERVATION LOANS

Receivables from customers for energy conservation loans represent unbilled amounts due from customers as a result of their participation in an energy conservation program sponsored by the Tennessee Valley Authority (TVA) in which the customers install energy conservation measures approved by a TVA energy advisor. The installation charges are paid by the Department and billed to the customer over a period of time on the customer's monthly utility bill. TVA reimburses the Department for amounts paid out under the program. Repayments are made to TVA by the Department as collections are made from the customers.

NOTE 5 - ADVANCES FROM TVA FOR ENERGY CONSERVATION LOANS

Advances from TVA for energy conservation loans represent the amounts advanced by TVA, net of repayments, under the energy conservation loan program referred to in Note 4.

NOTE 6 - RECEIVABLE FROM CENTRAL SERVICE ASSOCIATION

The Department is a member of the Central Service Association. At June 30, 2022 and 2021, the amount loaned to C.S.A. by the Department was \$96,882 and \$69,540. Repayment of the loan will begin upon retirement of the debt for a new building constructed to house the Central Service Association. Interest is payable yearly and the rate at June 30, 2022 and 2021 was 1.25% and 1.25%, respectively. Interest income in the amount of \$359 and \$371 was received for years ended June 30, 2022 and 2021, respectively.

NOTE 7 - DEFINED BENEFIT PENSION PLAN

Plan Description - Employees of the City of Tupelo-Electric Department are provided a defined benefit pension plan through the Public Employees' Retirement System of Mississippi (PERS), a cost-sharing agent multiple-employer pension plan. The Public Employees' Retirement System of Mississippi (PERS) was created with the purpose to provide pension benefits for all state and public education employees, sworn officers of the Mississippi Highway Safety Patrol, other public employees whose employers have elected to participate in the System, and elected members of the State Legislature and the President of the Senate. PERS issues a publicly available financial report that includes financial statements and required supplementary information. That report may be obtained by writing to Public Employees' Retirement System of Mississippi, PERS Building, 429 Mississippi Street, Jackson, MS 39201 or by calling (601) 359-3589 or 1-800-444-PERS.

Benefits Provided - For the cost-sharing plan participating members who are vested and retire at or after age 60 or those who retire regardless of age with at least 30 years of creditable service (25 years of creditable service for employees who became members of PERS before July 1, 2011) are entitled, upon application, to an annual retirement allowance payable monthly for life in an amount equal to 2.0% of their average compensation for each year of creditable service up to and including 30 years (25 years for those who became members of PERS before July 1, 2011), plus 2.5% for each additional year of creditable service with an actuarial reduction in the benefit for each year of creditable service below 30 years or the number of years in age that the member is below 65, whichever is less (the actuarial reduction for less than 30 years or below age 65 apply only to those who became members on or after July 1, 2011). Average compensation is the average of the employee's earnings during the four highest compensated years of creditable service.

415
CITY OF TUPELO - ELECTRIC DEPARTMENT
NOTES TO FINANCIAL STATEMENTS
June 30, 2022 and 2021

NOTE 7 - DEFINED BENEFIT PENSION PLAN - continued

A member may elect a reduced retirement allowance payable for life with the provision that, after death, a beneficiary receives benefits for life or for a specified number of years. Benefits vest upon completion of eight years of membership service (four years of membership service for those who became members of PERS before July 1, 2007). PERS also provides certain death and disability benefits. A Cost-of-Living Adjustment (COLA) payment is made to eligible retirees and beneficiaries. The COLA is equal to 3.0 percent of the annual retirement allowance for each full fiscal year of retirement up to the year in which the retired member reaches age 60 (55 for those who became members of PERS before July 1, 2011), with 3.0 percent compounded for each fiscal year thereafter.

Employee membership data related to the Plan, as of June 30, 2020 was as follows:

Inactive Members or Beneficiaries Currently	
Receiving Benefits	109,881
Inactive Members Assumed Eligible for a	
Benefit at Retirement Date	16,436
Inactive Members Assumed Not to Receive	
Service Retirement Benefits	62,211
Active Members	<u>149,855</u>
Total	<u><u>338,383</u></u>

Contributions - The contribution requirements of PERS members and employers are established and may be amended only by the State of Mississippi Legislature. PERS members are required to contribute 9.00% of their annual covered salary and the City of Tupelo is required to contribute at an actuarially determined rate. The current rate is 17.40% of annual covered payroll. The contributions are deducted from the employees' wages or salary and remitted by the City to PERS on a monthly basis. By law, employer contributions are required to be paid. The employer's actuarially determined contribution and member contributions are expected to finance the costs of benefits earned by members during the year, the cost of administration, as well as an amortized portion of any unfunded liability.

For the year ended June 30, 2022, the City of Tupelo-Electric Department's total payroll for all employees was \$2,187,126. Total covered payroll was \$2,187,126. Covered payroll refers to all compensation paid by the Electric Department to active employees covered by the Plan.

Pension Liabilities, Pension Expense, Deferred Outflows of Resources, and Deferred Inflows of Resources Related to Pensions- At June 30, 2022, the City of Tupelo-Electric Department reported a liability of \$4,675,212 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2021, and the total pension liability percentage used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City of Tupelo-Electric Department's proportion of the net pension liability was based on a projection of the City of Tupelo-Electric Department's long-term share of contributions to the pension plan relative to the projected contributions of all participating entities, actuarially determined. At June 30, 2022, the City of Tupelo-Electric Department's proportion was 0.031631%.

For the year ended June 30, 2021, the City of Tupelo-Electric Department recognized pension expense of (\$126,129). At June 30, 2022, the City of Tupelo-Electric Department reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

416
CITY OF TUPELO - ELECTRIC DEPARTMENT
NOTES TO FINANCIAL STATEMENTS
June 30, 2022 and 2021

NOTE 7 - DEFINED BENEFIT PENSION PLAN - continued

	Deferred Outflows of Resources	Deferred Inflows of Resources
Difference Between Expected and Actual Experience	\$ 74,757	\$ -
Net Difference Between Projected and Actual Investment Earnings	-	1,407,974
City Pension Contributions Subsequent to the Measurement Date	400,404	-
Changes of Assumptions	359,755	-
Changes in Proportion and Differences in Actual Earnings on Pension Plan Assets	-	734,239
Total	\$ <u>834,916</u>	\$ <u>2,142,213</u>

The \$400,404 of deferred outflows of resources resulting from the Electric Department's contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ending June 30, 2022. Other amounts reported as deferred outflows of resources and deferred inflows of resources will be recognized in pension expense as follows:

Fiscal Year Ending June 30,	Amount
2023	\$ (528,337)
2024	(441,496)
2025	(318,300)
2026	(419,568)
Total	\$ <u>(1,707,701)</u>

Actuarial Assumptions -The total pension liability was determined by an actuarial valuation as of June 30, 2020, using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.40%
Salary increases	2.65 - 17.90%, average, including inflation
Investment rate of return	7.55%, net of pension plan investment expense, including inflation

Mortality rates were based on the PubS.H-2010(B) Retiree Table with the following adjustments: For males, 95% of male rates up to age 60, 110% for ages 61 to 75 and 101% for ages above 77. For females, 84% of female rates up to age 72 and 100% for ages above 76. Mortality rates are projected generationally using the MP-2020 projection scale to account for future improvements in life expectancy.

The long-term expected rate of return on pension plan investments was determined using a log-normal distribution analysis in which best-estimate ranges of expected future real rates of return (expected nominal returns, net of pension plan investment expense and the assumed rate of inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation.

417
CITY OF TUPELO - ELECTRIC DEPARTMENT
NOTES TO FINANCIAL STATEMENTS
June 30, 2022 and 2021

NOTE 7 - DEFINED BENEFIT PENSION PLAN - continued

The actuarial assumptions used for the purposes of determining the TPL were based on the results of an actuarial experience study for the period July 1, 2016 to June 30, 2020. The experience report is dated April 20, 2021.

The most recent target asset allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation		Long-Term Expected Real Rate of Return	
Domestic Equity	27.00	%	4.60	%
International Equity	22.00		4.50	
Global Equity	12.00		4.80	
Fixed Income	20.00		(0.25)	
Real Estate	10.00		3.75	
Private Equity	8.00		6.00	
Cash	1.00		(1.00)	
Total	100.00	%		

Discount Rate - The discount rate used to measure the total pension liability was 7.55 percent. The projection of cash flows used to determine the discount rate assumed that plan member contributions will be made at the current contribution rate (9.00%) and that employer contributions will be made at the current contribution rate (17.40%). Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the City of Tupelo-Electric Department's Proportionate Share of the Net Pension Liability to Changes in the Discount Rate - The following presents the City of Tupelo-Electric Department's proportionate share of the net pension liability using the discount rate of 7.55 %, as well as what the City of Tupelo-Electric Department's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.55 %) or 1-percentage-point higher (8.55 %) than the current rate:

	Discount Rate	Electric Department's Proportionate Share of Net Pension Liability
1% Decrease	6.55%	\$ 6,621,196
Current Discount Rate	7.55%	4,675,212
1% Increase	8.55%	3,071,566

Plan Fiduciary Net Position-Detailed information about the Plan's fiduciary net position is available in the separately issued Public Employees' Retirement System of Mississippi (PERS) financial report.

418
CITY OF TUPELO - ELECTRIC DEPARTMENT
NOTES TO FINANCIAL STATEMENTS
June 30, 2022 and 2021

NOTE 8 - LONG-TERM DEBT

BONDS PAYABLE

The Department issued series 2018 special obligation bonds during the year to provide financing for the cost of improvement, repair and extension of the electric system of the City of Tupelo. The bonds are dated April 12, 2018, with a maturity date of May 1, 2033. The bonds have a coupon rate ranging from 2% to 5% with principal and interest payments due semiannually commencing November 1, 2018.

During the fiscal year, the following changes occurred in long-term debt:

	Balances			Balances
	July 1,	Additions	Reductions	June 30,
Special Obligation Bonds	\$ 4,855,000	\$ -	\$ 315,000	\$ 4,540,000
Premium	627,225	-	-	627,225
Amortization of Premium	(132,414)	(41,815)	-	(174,229)
	<u>\$ 5,349,811</u>	<u>\$ (41,815)</u>	<u>\$ 315,000</u>	<u>\$ 4,992,996</u>

The annual debt service requirements to maturity are as follows:

Fiscal Year			
Ending			
June 30,	Principal	Interest	Total
2023	\$ 325,000	\$ 220,500	\$ 545,500
2024	335,000	210,750	545,750
2025	350,000	194,000	544,000
2026	370,000	176,500	546,500
2027	390,000	158,000	548,000
2028-2032	2,250,000	478,500	2,728,500
2033	520,000	26,000	546,000
Total	<u>\$ 4,540,000</u>	<u>\$ 1,464,250</u>	<u>\$ 6,004,250</u>

NOTE 9 - ECONOMIC DEPENDENCY

Sales to one major customer during the years ended June 30, 2022 and 2021 totaled approximately \$6,605,679 and \$5,689,113, respectively. This represented approximately 11.5% and 10.8% of the Department's total revenues for the years ended June 30, 2022 and 2021, respectively.

CITY OF TUPELO - ELECTRIC DEPARTMENT
NOTES TO FINANCIAL STATEMENTS
June 30, 2022 and 2021

NOTE 10 - DUE FROM / TO MUNICIPALITY

The Electric Department is an Enterprise Fund of the City of Tupelo, thus it has certain inter-fund transfers with other Departments. Customers are billed for electric, water, and sanitation services on the same bill. The Electric Department collects the bills and then disburses the fees collected to the respective departments/funds of the City. The City of Tupelo Accounting and Finance Department provides accounting services to the Electric Department for which it reimburses the General Fund for the cost of services provided. The Electric Department also reimburses the City a portion of the Mayor and City Council salaries based on the amount of time their duties were devoted to the Electric Department. The Electric Department makes in lieu property tax payments to the General Fund based on the Electric Department properties located in the City.

The Department has certain quasi-external transactions, which are reported as revenues and receivables as if they involved organizations external to the City that consist of utility billings to the City departments. Thus, the receivable related to the sale of electric power to the City is recorded in accounts receivable.

The balance of Due From Municipality and Due To Municipality at June 30, 2022 and 2021, consist of the following:

	2022	2021
Due From Municipality		
General Fund	\$ -	\$ -
Water and Sewer Fund	-	376
Total	<u>\$ -</u>	<u>\$ 376</u>
Due To Municipality		
Solid Waste Management	\$ 15,236	\$ 1,424
Water and Sewer Fund	75,170	7,779
Total	<u>\$ 90,406</u>	<u>\$ 9,203</u>

420
CITY OF TUPELO - ELECTRIC DEPARTMENT
NOTES TO FINANCIAL STATEMENTS
June 30, 2022 and 2021

NOTE 11 - RISK MANAGEMENT

The Department is exposed to various risks of losses related to torts: theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. Significant losses are covered by commercial insurance for all major programs of the City except for certain employment practices liabilities, certain environmental liabilities, worker's compensation liabilities funded through a public entity risk pool, and catastrophic natural disasters that may exceed insurance coverages for which the City retains the risk of loss.

Risk of loss related to workers compensation for injuries to City employees is covered through the Mississippi Municipal Workers' Compensation Group, a public entity risk pool. The pool was formed on March 28, 1989, by the Mississippi Nonprofit Corporation Act, pursuant to Section 71-3-75, Mississippi Code Annotated (1972), to provide public entities within the State of Mississippi workers compensation and employers' liability coverage. The City pays premiums to the pool for its worker's compensation insurance coverage based on total payroll. The participation agreement provides that the pool will be self-sustaining through member premiums. The risk of loss is remote for claims exceeding the pool's retention liability. Expenditures and claims are recognized when it is probable that a loss has occurred and the amount of the loss can be reasonably estimated. In determining claims, events that might create claims, but for which none have been reported, are considered. For insured programs there have been no significant reductions in insurance coverage. Settlement amounts have not exceeded insurance coverage for the current year or the three prior years.

The City Attorney estimates that the amount of actual or potential claims against the City as of June 30, 2022 and 2021, will not materially affect the financial condition of the City. Therefore, no provisions have been made for estimated claims. There have been no material claims paid by the City during the current or prior year.

NOTE 12 - COMMITMENTS AND CONTINGENCIES

Under its wholesale power agreement, the Department is committed to purchase its power from the Tennessee Valley Authority. The rates paid for such purchases are subject to review annually.

NOTE 13 - SUBSEQUENT EVENTS

Date of Management Evaluation

Management has evaluated subsequent events through October 13, 2022, the date on which the financial statements were available to be issued.

REQUIRED SUPPLEMENTARY INFORMATION

CITY OF TUPELO - ELECTRIC DEPARTMENT

Schedule of the Department's Proportionate

Share of the Net Pension Liability

For the eight years ended June 30, 2022

	2022	2021	2020	2019	2018	2017	2016	2015
Department's proportion of net pension liability (%)	0.031631 %	0.031810 %	0.032781 %	0.032642 %	0.031707 %	0.030491 %	0.030470 %	0.032011 %
Department's proportionate share of net pension liability	\$ 4,675,212	\$ 6,158,132	\$ 5,766,823	\$ 5,429,391	\$ 5,270,811	\$ 5,446,490	\$ 4,560,118	\$ 3,580,761
Department's covered payroll	\$ 2,187,126	\$ 2,127,897	\$ 2,118,167	\$ 2,104,997	\$ 2,065,238	\$ 2,074,070	\$ 1,967,778	\$ 1,903,784
Department's proportionate share of net pension liability as a % of its covered payroll	213.76 %	289.40 %	272.26 %	257.93 %	255.22 %	262.60 %	231.74 %	188.09 %
Plan fiduciary net position as a % of total pension liability	70.44 %	58.97 %	61.59 %	62.54 %	61.49 %	57.47 %	61.70 %	67.21 %

-25-

Schedule is intended to show information for 10 years. Additional years will be available as they become available.

The accompanying notes to the Required Supplementary Information are an integral part of this schedule.

APPENDIX E

CITY OF TUPELO - ELECTRIC DEPARTMENT
Schedule of the Department's Contributions
For the nine years ended June 30, 2022

	<u>2022</u>		<u>2021</u>		<u>2020</u>		<u>2019</u>		<u>2018</u>		<u>2017</u>		<u>2016</u>		<u>2015</u>		<u>2014</u>		
Statutorily required																			
contributions	\$	380,560	\$	370,254	\$	368,561	\$	331,537	\$	325,275	\$	326,666	\$	309,925	\$	299,846	\$	308,146	
Actual contributions	\$	400,404	\$	370,254	\$	368,561	\$	331,537	\$	325,275	\$	326,666	\$	309,925	\$	299,846	\$	308,146	
Contribution																			
deficiency (excess)	\$	(19,844)	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	
Department's																			
covered payroll	\$	2,187,126	\$	2,127,897	\$	2,118,167	\$	2,104,997	\$	2,065,238	\$	2,074,070	\$	1,967,778	\$	1,903,784	\$	1,956,483	
Contributions																			
as a % of																			
covered payroll		17.40	%	17.40	%	17.40	%	15.75	%	15.75	%	15.75	%	15.75	%	15.75	%	15.75	%

Contribution percentage rate went from 15.75% to 17.40% as of July 1, 2019.

The accompanying notes to the Required Supplementary Information are an integral part of this schedule.

Schedule is intended to show information for 10 years. Additional years will be available as they become available.

APPENDIX E

424
CITY OF TUPELO – ELECTRIC DEPARTMENT
Notes to the Required Supplementary Information
For the year ended June 30, 2022

Changes of Assumptions

2021:

- The expectation of retired life mortality was changed to the PubS.H-2010(B) Retiree Table with the following adjustments:
 - For males, 134% of male rates at all ages.
 - For females, 121% of female rates at all ages.
 - Projection scale MP-2020 will be used to project future improvements in life expectancy generationally.
- The expectation of disabled mortality was changed to PubG.H-2010 Disabled Table for disabled retirees with the following adjustments:
 - For males, 134% of male rates at all ages.
 - For females, 121% of female rates at all ages.
 - Projection scale MP-2020 will be used to project future improvements in life expectancy generationally.
- The expectation of contingent annuitant mortality was based on the PubS.H-2010(B) Contingent Annuitant Table with the following adjustments:
 - For males, 97% of male rates at all ages.
 - For females, 110% of female rates at all ages.
 - Projection scale MP-2020 will be used to project future improvements in life expectancy generationally.
- The price inflation assumption was reduced from 2.75% to 2.40%.
- The wage inflation assumption was reduced from 3.00% to 2.65%.
- The investment rate of return assumption was changed from 7.75% to 7.55%.
- The assumed load for administrative expenses was increased from 0.25% to 0.28% of payroll.
- Withdrawal rates, pre-retirement mortality rates, disability rates and service retirement rates were also adjusted to reflect actual experience more closely.
- The percentage of active member disabilities assumed to be in the line of duty was increased from 9% to 12%.
- The percentage of active member deaths assumed to be in in the line of duty was decrease from 6% to 4%.

2019:

- The expectation of retired life mortality was changed to the PubS.H-2010(B) Retiree Table with the following adjustments:
 - For males, 112% of male rates from ages 18 to 75 scaled down to 105% for ages 80 to 119.
 - For females, 85% of the female rates from ages 18 to 65 scaled up to 102% for ages 75 to 119.
 - Projection scale MP-2018 will be used to project future improvements in life expectancy generationally.
- The expectation of disabled mortality was changed to PubT.H-2010 Disabled Retiree Table for disabled retirees with the following adjustments:
 - For males, 137% of male rates at all ages.
 - For females, 115% of female rates at all ages.
 - Projection scale MP-2018 will be used to project future improvements in life expectancy generationally.

CITY OF TUPELO – ELECTRIC DEPARTMENT
Notes to the Required Supplementary Information
For the year ended June 30, 2022

Changes of Assumptions 2019 (continued)

- The price inflation assumption was reduced from 3.00% to 2.75%.
- The wage inflation assumption was reduced from 3.25% to 3.00%.
- Withdrawal rates, pre-retirement mortality rates, and service retirement rates were also adjusted to more closely reflect actual experience.
- The percentage of active member disabilities assumed to be in the line of duty was increased from 7% to 9%.

2017:

- The expectation of retired life mortality was changed to the RP-2014 Healthy Annuitant Blue Collar Mortality Table projected with Scale BB to 2022. Small adjustments were also made to the Mortality Table for disabled lives.
- The wage inflation assumption was reduced from 3.75% to 3.25%.
- Withdrawal rates, pre-retirement mortality rates, disability rates and service retirement rates were also adjusted to more closely reflect actual experience.
- The percentage of active member disabilities assumed to be in the line of duty was increased from 6% to 7%.

2016:

- The assumed rate of interest credited to employee contributions was changed from 3.50% to 2.00%.

2015:

- The expectation of retired life mortality was changed to the RP-2014 Healthy Annuitant Blue Collar Table projected to 2016 using Scale BB rather than the RP-2000 Mortality Table, which was used prior to 2015.
- The expectation of disabled mortality was changed to the RP-2014 Disabled Retiree Table, rather than the RP-2000 Disabled Mortality Table, which was used prior to 2015.
- Withdrawal rates, pre-retirement mortality rates, disability rates and service retirement rates were also adjusted to more closely reflect actual experience.
- Assumed rates of salary increase were adjusted to more closely reflect actual and anticipated experience.
- The price inflation and investment rate of return assumptions were changed from 3.50% to 3.00% and 8.00% to 7.75%, respectively.

Changes of Benefit Provisions

2016:

- Effective July 1, 2016, the interest rate on employee contributions shall be calculated based on the money market rate as published by the Wall Street Journal on December 31 of each preceding year with a minimum rate of one percent and a maximum rate of five percent.

REPORT ON COMPLIANCE AND INTERNAL CONTROL



**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED
ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Honorable Mayor and City Council
City of Tupelo, Mississippi

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the City of Tupelo - Electric Department as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the City of Tupelo - Electric Department's basic financial statements, and have issued our report thereon dated October 13, 2022.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City of Tupelo - Electric Department's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City of Tupelo - Electric Department's internal control. Accordingly, we do not express an opinion on the effectiveness of the City of Tupelo - Electric Department's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements, on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of Tupelo - Electric Department's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Jarrell Group, PLLC

Jarrell Group, PLLC
Tupelo, Mississippi
October 13, 2022

Final Lot Mowing Report for 10/18/2022

	Violation Ref	Parcel	Location	Owner	Owner Address	Owner City State Zip	Inspector
1.	43372	089K3107300	464 N BROADWAY ST	CUMMINGS ATLENA ESTATE	804 COLONIAL LANE	KILLEEN, TX 76543	SB
2.	43373	077G2520001	701 GEORGE AVE	SIMPLE REALTY LLC	2005 W MAIN ST	TUPELO, MS 38801	SB
3.	43374	077G2520002	703 GEORGE AVE	SIMPLE REALTY LLC	2005 W MAIN ST	TUPELO, MS 38801	SB
4.	43375	077G2520003	705 GEORGE AVE	SIMPLE REALTY LLC	2005 W MAIN ST	TUPELO, MS 38801	SB
5.	43378	087S2603706	1295 N EASON BLVD SUITE A-C	NORTH FRONT PROPERTIES LLC	1295 NORTH EASON BLVD	TUPELO, MS 38804	JLS
6.	43382	112C0305200	S EASON BLVD	TRL LOGISTICS SERVICES LLC	1 POND DRIVE	HUNTINGTON, NY 11743	JLS
7.	43383	077G2520004	707 GEORGE AVE	SIMPLE REALTY LLC	2005 W MAIN ST	TUPELO, MS 38801	SB
8.	43384	077G2520005	709 GEORGE AVE	SIMPLE REALTY LLC	2005 W MAIN ST	TUPELO, MS 38801	SB 429
9.	43397	077C2501600	1507 TRACE AVE	WEBB DEAN & JENNIFER HANKINS	1104 CR 811	SALTILLO, MS 38866	DS
10	43408	089B3004000	1259 N GREEN ST	JOHNSON ERDITH E	3979 COBB STUMP RD	FULTON, MS 38843	SB
11	43409	089B3003900	1261 N GREEN ST	CLARK EMIMA JANE	1261 N GREEN ST	TUPELO, MS 38804	SB
12							



**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER**

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Department and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510-

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620-

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about-

(1) The dangers of drugs abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site (s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, country, state, zip code)

Check ☐ if there are workplace on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ☐ if the State has elected to complete OJP Form 4061/7.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620-

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in connection with any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

Tupelo Police Department
400 North Front Street
Tupelo, MS 38804

2. Application Number and/or Project Name

Oxford HIDTA Task Force

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

John Quaka, Chief Of Police

5. Signature



6. Date

10/19/22

PROGRAM - FUNDED STATE AND LOCAL TASK FORCE AGREEMENT

Drug Enforcement Administration

New Orleans Field Division

Oxford Resident Office

This agreement is made this 1st day of October, 2022, between the United States Department of Justice, Drug Enforcement Administration (hereinafter "DEA"), and the Tupelo Police Department ORI#MS0410100 (hereinafter "parent agency"). The DEA is authorized to enter into this cooperative agreement concerning the use and abuse of controlled substances under the provisions of 21 USC § 873.

WHEREAS there is evidence that trafficking in narcotics and dangerous drugs exists in the Oxford area and that such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of Mississippi, the parties hereto agree to the following:

- 1 The Oxford HIDTA Task Force will perform the activities and duties described below:
 - a. disrupt the illicit drug traffic in the Oxford area by immobilizing targeted violators and trafficking organizations;
 - b. gather and report intelligence data relating to trafficking in narcotics and dangerous drugs; and
 - c. conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the Task Force's activities will result in effective prosecution before the courts of the United States and the State of Mississippi.
- 2 To accomplish the objectives of the Oxford HIDTA Task Force, the parent agency agrees to detail one (1) experienced officers to the Oxford HIDTA Task Force for a period of not less than two years. During this period of assignment, the parent agency officers will be under the direct supervision and control of DEA supervisory personnel assigned to the Task Force.
- 3 The parent agency officers assigned to the Task Force shall adhere to DEA policies and procedures. Failure to adhere to DEA policies and procedures shall be grounds for dismissal from the Task Force.
- 4 The parent agency officers assigned to the Task Force shall be deputized as Task Force Officers of DEA pursuant to 21 USC § 878.
- 5 To accomplish the objectives of the Oxford HIDTA Task Force, DEA will assign six (6) Special Agents to the Task Force. The parent agency agrees to provide and maintain a vehicle for use for each of its assigned Task Force Officers-. DEA will also, subject to the availability of annually appropriated funds or any continuing resolution thereof, provide necessary funds and equipment to support the activities of the DEA Special

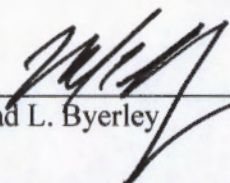
Agents and parent agency officers assigned to the Task Force. This support will include: office space, office supplies, travel funds, funds for the purchase of evidence and information, investigative equipment, training, and other support items.

If the parent agency provides the Task Force Officer with a vehicle, the Drug Enforcement Administration will pay up to \$400 a month in fuel. Routine maintenance and repair is not included and is the responsibility of the parent agency.

- 6 During the period of assignment to the Oxford HIDTA Task Force, the parent agency will remain responsible for establishing the salary and benefits, including overtime, of the officers assigned to the Task Force, and for making all payments due them. DEA will, subject to availability of funds, reimburse the parent agency for overtime payments. Annual overtime for each state and local law enforcement officer is capped at the equivalent to 25% of the salary of a GS-12, step 1, of the general pay scale for the rest of the United States. Reimbursement for all types of qualified expenses shall be contingent upon availability of funds and submission of a proper request for reimbursement which shall be submitted monthly or quarterly on a fiscal year basis, and which provides the names of investigators who incurred overtime for DEA during invoiced period, the number of overtime hours incurred, the hourly regular and overtime rates in effect for each investigator, and the total cost for the invoiced period. The parent agency will bill overtime as it is performed and no later than 60 days after the end of each quarter in which the overtime is performed. . *Note: Task Force Officer's overtime "shall not include any costs for benefits, such as retirement, FICA, and other expenses."*
- 7 In no event will the parent agency charge any indirect cost rate to DEA for the administration or implementation of this agreement.
- 8 The parent agency shall maintain on a current basis complete and accurate records and accounts of all obligations and expenditures of funds under this agreement in accordance with generally accepted accounting principles and instructions provided by DEA to facilitate on-site inspection and auditing of such records and accounts.
- 9 The parent agency shall permit and have readily available for examination and auditing by DEA, the United States Department of Justice, the Comptroller General of the United States, and any of their duly authorized agents and representatives, any and all records, documents, accounts, invoices, receipts or expenditures relating to this agreement. The parent agency shall maintain all such reports and records until all audits and examinations are completed and resolved, or for a period of six (6) years after termination of this agreement, whichever is later.
- 10 The parent agency shall comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, as amended, and all requirements imposed by or pursuant to the regulations of the United States Department of Justice implementing those laws, 28 C.F.R. Part 42, Subparts C, F, G, H and I.

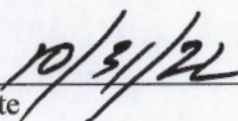
- 11 The parent agency agrees that an authorized officer or employee will execute and return to DEA the attached OJP Form 4061/6, Certification Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements. The parent agency acknowledges that this agreement will not take effect and no Federal funds will be awarded to the parent agency by DEA until the completed certification is received.
- 12 When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal money, the parent agency shall clearly state: (1) the percentage of the total cost of the program or project which will be financed with Federal money and (2) the dollar amount of Federal funds for the project or program.
- 13 The term of this agreement shall be effective from the date in paragraph number one until September 30, 2026. This agreement may be terminated by either party on thirty days' advance written notice. DEA's support to the Task force, including reimbursement of overtime, is subject to the availability of funds on a fiscal year basis (October 1 through September 30 of the next year). Billing for all outstanding obligations must be received by DEA within 60 days of the end of the fiscal year or within 60 days of the date of termination of this agreement. DEA will be responsible only for obligations incurred by parent agency during the term of this agreement on a fiscal year basis, subject to the availability of funds.

For the Drug Enforcement Administration:



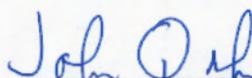
 Brad L. Byerley

Special Agent in Charge



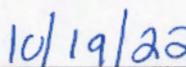
 Date

For the Tupelo Police Department



 John Quaka

Chief of Police



 Date

Mandatory Addendum to
All City of Tupelo Contracts
August 2019

The City of Tupelo (TUPELO), despite any contrary provision contained in any contract to which TUPELO is a party, does not waive any rights, benefits, or prohibitions that may be provided under any law, statute(s), regulation(s), or policies. All provisions to the contrary in any contract to which TUPELO is a party are hereby null, void and deleted. Not intended to be an exhaustive list, the following are examples of such matters and shall be exceptions to any contrary provision(s) in any contract to which TUPELO is a party.

1. TUPELO does not indemnify or hold harmless any party.
Miss. Const. Art. 4, § 100; Miss AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002).
2. TUPELO does not make any warranty.
Miss. Const. Art. 4, § 100; Miss AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002).
3. TUPELO does not waive any claim; past, present, or future.
Miss. Const. Art. 4, § 100; Miss AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002).
4. TUPELO does not waive its sovereign immunity. TUPELO shall only be responsible for liability resulting from the actions of its officers, agents, and employees acting within the course and scope of their official duties.
Miss. Code Ann. § 11-46-1, et seq.
5. TUPELO does not waive its Constitutional Eleventh (11th) Amendment immunity.
U.S. Const. Amend. XI.
6. TUPELO does not agree to the application of laws of another state.
U.S. Const. amend XI; Miss. Code Ann. 11-11-3; Miss. Code Ann. 11-45-1; *City of Jackson v. Wallace*, 196 So. 223 (1940)
7. TUPELO does not limit the tort liability of another party to the amount of the contract or to any other set amount.
Miss. Const. Art. 4, § 100; Miss AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002); Miss. AG Op., Hathorn (May 28, 1992); Miss. AG Op., Davis (March 3, 1993).
8. TUPELO does not agree to waive warranties of merchantability, fitness for a particular purpose, or any common law warranties to which TUPELO is entitled.
Miss. Const. Art 4, § 100; Miss Code Ann. § 75-2-719; Miss. AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002).

9. TUPELO does not agree that a party may represent, prosecute or defend legal actions in the name of TUPELO. (CITATION NEEDED.)
10. Provisions that limit the time for TUPELO to pursue legal actions are deleted and void.
Miss. Const. Art. 4, § 104; Miss. Const. Art. 4, § 100; Miss Code Ann. § 15-1-5; Miss AG Op; Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002).
11. TUPELO does not agree to submit to binding arbitration.
Miss. AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct. 18, 2002).
12. TUPELO will make payments for all amounts owed under a contract agreement in accordance with state law.
Miss. Code Ann. § 31-7-305.
13. TUPELO advises for all contracts entered into, the provisions of the contract which will contain the commodities purchased or the personal or professional services provided, the price to be paid, and the term of the contract shall not be deemed to be a trade secret or confidential commercial or financial information, and shall be available for examination, copying or reproduction.
Miss. Code § 25-61-9 (7).
14. TUPELO must comply with Mississippi public records law. Records furnished to public bodies by third parties which contain trade secrets or confidential commercial or financial information shall not be subject to inspection, examination, copying or reproduction until notice to said third parties has been given, but such records shall be released within a reasonable period of time unless the said third parties shall have obtained a court order protecting such records as confidential.
Miss. Code § 25-61-9 (1).
15. Data processing software obtained by TUPELO under a licensing agreement that prohibits its disclosure and which software is a trade secret as defined in Miss. Code Section 75-26-3, and data processing software produced by a public body which is sensitive must not be subject to inspection, copying or reproduction under Mississippi public records law. "Sensitive" means only those portions of data processing software, including the specifications and documentation, used to: (a) Collect, process, store, and retrieve information which is exempt; (b) Control and direct access authorizations and security measures for automated systems; (c) Collect, process, store, and retrieve information disclosure of which would require a significant intrusion into the business of the public body.

16. TUPELO is prohibited from binding its successors in office to contracts, including leases, which result in taking away the successors' rights and powers conferred by law, unless there is specific statutory authority to enter into such contract. In the absence of specific statutory authority, such contracts are voidable by the successors in office.
MS AG Ops., Barton (January 8, 2014) and Barton (July 15, 2011)(both relying on Biloxi Firefighters Assoc. v. City of Biloxi, 810 So.2d 589 (Miss. 2002).
17. TUPELO does not have the power to grant to any person, firm or corporation any exclusive franchise or any exclusive right to use or occupy the streets, highways, bridges, or public places in such municipality for any purpose. TUPELO cannot grant, renew, or extend any such franchise, privilege or right, without compensation or for any longer period than twenty-five years.
Miss. Code Anno. 21-27-1
18. All contracts must be approved by the City Council of TUPELO, subject to the veto power of the Mayor of TUPELO.
MS AG Ops. 2012-00013



September 29, 2022

Chief John Quaka
Tupelo Police Department
400 N Front St.
Tupelo, MS 38804

Re: Proposal for Professional Services – Master Planning

Dear Chief Quaka:

Thank you very much for the opportunity to provide design services for the Tupelo Police Department (TPD). It is our understanding the TPD wishes to embark on a master planning effort for budgeting purposes. The study would include a vehicle garage for motorcycle patrol units, bomb squad, and other rapid response vehicles. It would also include planning for a new barracks, with chow hall, bathrooms, and dayroom, to be located at the Tupelo Police Academy campus. Below are the services we would recommend for this effort.

Master Planning Services

- **Visioning Session** – Two planning sessions with the TPD leadership to understand the vision and project goals. Project priorities and drivers will be developed from this effort and will help steer the planning process.
- **Architectural Space Program** – This document is a comprehensive analysis of space needs organized by building and departments and includes a listing of all spaces/rooms. This effort will require two sessions with the TPD leadership and will be the foundational document for conceptual design.
- **Conceptual Site Plan** – A planning study of the proposed buildings to be located at the Front Street station and the police academy campus. This study will include building locations, parking, drives, pedestrian paths, security barriers, and other site features.
- **Conceptual Floor Plan** – A conceptual floor plan diagram of both buildings will be provided. The intent is to show the relative size, proper relationships, adjacencies, and flow of the various functional components. It will also identify expansion zones for future growth if required.
- **Cost Summary** – We will develop a statement of probable cost for each building to help identify all project cost including construction hard cost and soft cost. A third-party estimator will be used to help generate the construction estimate.



DESIGN SERVICES
HOURLY RATE AND EXPENSE SCHEDULE
FOR CALENDAR YEAR 2022

McCarty Architects is "Determined to Deliver the Best." Our objective is to provide professional design services that meet your needs. The following hourly rate and expense information applies to project services performed on a "time spent and expense reimbursement" basis. These fees and expenses will be invoiced monthly and are due upon receipt of invoice.

ARCHITECTURE

Architect ~ Licensed Architect with a varying range of experience, capabilities, and leadership, primarily engaged in project management, design, production, and construction administration.

Principal	\$205 per hour
Senior Architect / Team Leader	\$173 per hour
Project Architect	\$144 per hour
Architect	\$122 per hour

Intern Architect ~ Non-licensed individual with a professional degree, actively involved in the NCARB Intern Development Program, primarily engaged in project design, production, and construction administration.

Intern Architect	\$103 per hour
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Designer / Technician ~ Non-licensed individual with a varying range of professional education, capability, and experience, primarily engaged in project design, production, and construction administration.

Designer / Technician Level 1	\$116 per hour
Designer / Technician Level 2	\$ 98 per hour
Designer / Technician Level 3	\$ 87 per hour

CONSTRUCTION ADMINISTRATION

Construction Administrator ~ Non-licensed individual with a varying range of professional education, capabilities, and experience, primarily engaged in administration of construction services.

Construction Administration Director	\$129 per hour
Construction Administration Associate	\$ 98 per hour



HOURLY RATE AND EXPENSE SCHEDULE (Continued)

PROJECT ADMINISTRATION

Project Administrator ~ Non-licensed individual with a varying range of project administration experience, primarily engaged in a direct support role to the project team.

Project Administrator Level 1	\$74 per hour
Project Administrator Level 2	\$64 per hour

INTERIOR DESIGN

Interior Designer ~ Licensed Designers with a varying range of experience, capabilities, and leadership, primarily engaged in project management, design, furniture and material specifications, and construction administration.

Interior Designer	\$114 per hour
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Design Associate ~ Non-licensed individual with an associate or professional degree actively involved in the NCIDQ Intern Development Program, primarily engaged in project design, production and construction administration.

Design Associate Level 1	\$95 per hour
Design Associate Level 2	\$78 per hour

We will invoice expenses incurred at the following rates:

- AutoCAD Time at \$12 per hour.
- Automobile mileage in accordance with IRS guidelines.
- Travel, meals and lodging at cost.
- Postage and shipping at cost.
- Reproduction done outside our office at cost.
- Photocopies and reproductions made in our office as follows:

8½ x 11 @ \$0.10 per page	8½ x 11 Color @ \$0.45 per page
11 x 17 @ \$0.20 per page	11 x 17 Color @ \$0.55 per page
24 x 36 Bond @ \$2.00 per page	24 x 36 Color Bond @ \$3.75 per page
30 x 42 Bond @ \$3.25 per page	30 x 42 Color Bond @ \$4.50 per page

Rates are subject to change annually.

ARCHITECTURE •

PLANNING •

INTERIOR DESIGN

533 W Main Street, Tupelo, MS 38804
662.844.4400

125 S Congress Street, Suite 1206, Jackson, MS 39201
mccartycompany.com
APPENDIX H

601.863.0463

Compensation - We propose a "not to exceed" fee of **\$9,200** (Nine Thousand and Two Hundred Dollars) for the Master Plan. Invoicing will be based on the attached hourly rates and billed monthly. This agreement does not include the cost of topographical / utility survey, geotechnical analysis, and any other third-party services.

Schedule - This work can begin within four to six weeks of the execution of this agreement and finalized by March 2023 depending on the availability and decision-making process of TPD.

If this approach meets with your approval, please indicate by signing in the space below. Once again, we appreciate the opportunity and look forward to serving the Tupelo Police Department.

Accepted By: John Q. [Signature] 10/19/22
Signature Date

Sincerely,

K. Shettles .

Kurt Shettles
President / CEO

Enclosure

c: Major McDougald
Major Davis
Deputy Chief Hill
22051.500

Mandatory Addendum to
All City of Tupelo Contracts
August 2019

The City of Tupelo (TUPELO), despite any contrary provision contained in any contract to which TUPELO is a party, does not waive any rights, benefits, or prohibitions that may be provided under any law, statute(s), regulation(s), or policies. All provisions to the contrary in any contract to which TUPELO is a party are hereby null, void and deleted. Not intended to be an exhaustive list, the following are examples of such matters and shall be exceptions to any contrary provision(s) in any contract to which TUPELO is a party.

1. TUPELO does not indemnify or hold harmless any party.
Miss. Const. Art. 4, § 100; Miss AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002).
2. TUPELO does not make any warranty.
Miss. Const. Art. 4, § 100; Miss AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002).
3. TUPELO does not waive any claim; past, present, or future.
Miss. Const. Art. 4, § 100; Miss AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002).
4. TUPELO does not waive its sovereign immunity. TUPELO shall only be responsible for liability resulting from the actions of its officers, agents, and employees acting within the course and scope of their official duties.
Miss. Code Ann. § 11-46-1, et seq.
5. TUPELO does not waive its Constitutional Eleventh (11th) Amendment immunity.
U.S. Const. Amend. XI.
6. TUPELO does not agree to the application of laws of another state.
U.S. Const. amend XI; Miss. Code Ann. 11-11-3; Miss. Code Ann. 11-45-1; *City of Jackson v. Wallace*, 196 So. 223 (1940)
7. TUPELO does not limit the tort liability of another party to the amount of the contract or to any other set amount.
Miss. Const. Art. 4, § 100; Miss AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002); Miss. AG Op., Hathorn (May 28, 1992); Miss. AG Op., Davis (March 3, 1993).
8. TUPELO does not agree to waive warranties of merchantability, fitness for a particular purpose, or any common law warranties to which TUPELO is entitled.
Miss. Const. Art 4, § 100; Miss Code Ann. § 75-2-719; Miss. AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002).

9. TUPELO does not agree that a party may represent, prosecute or defend legal actions in the name of TUPELO. (CITATION NEEDED.)
10. Provisions that limit the time for TUPELO to pursue legal actions are deleted and void.
Miss. Const. Art. 4, § 104; Miss. Const. Art. 4, § 100; Miss Code Ann. § 15-1-5; Miss AG Op; Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002).
11. TUPELO does not agree to submit to binding arbitration.
Miss. AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct. 18, 2002).
12. TUPELO will make payments for all amounts owed under a contract agreement in accordance with state law.
Miss. Code Ann. § 31-7-305.
13. TUPELO advises for all contracts entered into, the provisions of the contract which will contain the commodities purchased or the personal or professional services provided, the price to be paid, and the term of the contract shall not be deemed to be a trade secret or confidential commercial or financial information, and shall be available for examination, copying or reproduction.
Miss. Code § 25-61-9 (7).
14. TUPELO must comply with Mississippi public records law. Records furnished to public bodies by third parties which contain trade secrets or confidential commercial or financial information shall not be subject to inspection, examination, copying or reproduction until notice to said third parties has been given, but such records shall be released within a reasonable period of time unless the said third parties shall have obtained a court order protecting such records as confidential.
Miss. Code § 25-61-9 (1).
15. Data processing software obtained by TUPELO under a licensing agreement that prohibits its disclosure and which software is a trade secret as defined in Miss. Code Section 75-26-3, and data processing software produced by a public body which is sensitive must not be subject to inspection, copying or reproduction under Mississippi public records law. "Sensitive" means only those portions of data processing software, including the specifications and documentation, used to: (a) Collect, process, store, and retrieve information which is exempt; (b) Control and direct access authorizations and security measures for automated systems; (c) Collect, process, store, and retrieve information disclosure of which would require a significant intrusion into the business of the public body.

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Miss. Code Anno. 21-27-1
18. All contracts must be approved by the City Council of TUPELO, subject to the veto power of the Mayor of TUPELO.
MS AG Ops. 2012-00013

ENROLLMENT FORM FOR LAW ENFORCEMENT

Official Agency Name (must provide FULL name) ("Agency"): Tupelo Mississippi Police Dept.
Agency ORI Number: MS-0410110
Name: John Quaka Number of Sworn Officers: 105
Address: 400 N. Front Street City: Tupelo
County: Lee State: MS Zip: 38804
Total Number of Motor Vehicle Crash Reports Written Last Year: 2056

Agency wishes to use:

Investigative Tools and/or Driver Exchange Service ☒ Yes ☐ No

By signing below, I represent that I am duly authorized to execute this Enrollment Form on behalf of Agency and bind Agency to the CARFAX For Police Program Terms and Conditions.

Signature: John Quaka

Title: Chief

Printed Name: John Quaka

Date: 10/19/22

Send completed form to: Chris Marchetti | EMAIL: ChrisMarchetti@carfax.com

CARFAX® For Police Program Terms and Conditions

These CARFAX® For Police Program Terms and Conditions (the "Terms and Conditions"), any enrollment form (each, an "Enrollment Form") signed or accepted by Agency, and any written exhibits and addenda to any Enrollment Form (whether entered into at the same time or at a later date) collectively form the agreement (the "Agreement") between CARFAX, Inc. ("CARFAX") and Agency and govern Agency's participation in the CARFAX® For Police Program (the "Program").

1. Definitions.

1.1 "Agency Crash Report" is defined as a motor vehicle crash or incident report created and/or collected by or on behalf of Agency (including but not limited to all data and information contained therein or derived therefrom).

1.2 "Alternative Vehicle History Provider" is defined as a provider or reseller of motor vehicle history data, information, products, and/or services other than CARFAX.

1.3 "Crash Data" is defined as all Agency Crash Reports and all other data and information related to motor vehicle crashes or other incidents (including but not limited to all Driver Exchange Information) that are: (a) provided by or on behalf of Agency to CARFAX under this Agreement, (b) uploaded, submitted and/or otherwise transmitted to or through any of the Services by or on behalf of Agency or any authorized user of the Services, and/or (c) otherwise received by CARFAX under this Agreement.

1.4 "DPPA" is defined as the Federal Driver's Privacy Protection Act (18 U.S.C. § 2721 et seq.) and/or analogous state laws.

1.5 "DPPA Permissible Use" is defined as a permissible use set forth in the DPPA.

1.6 "Driver Exchange Information" is defined as all data and information that is uploaded, submitted and/or otherwise transmitted to or through the Driver Exchange Service.

1.7 "Driver Exchange Service" is defined as the CARFAX service that facilitates the collection and exchange of data and information between or among drivers or other parties involved in motor vehicle crashes or other incidents.

1.8 "Effective Date" is defined as the date on which Agency first provides Crash Data to CARFAX in the form and format that allows CARFAX to upload such Crash Data to the VHDB and the Law Enforcement Database.

1.9 "Intellectual Property" is defined as the Services and all intellectual property relating either directly or indirectly to the Services, including but not limited to patents, design rights, copyrights, database rights, trade secrets, know-how and all derivative works thereof, including but not limited to future enhancements and modifications.

1.10 "Investigative Tools" is defined as: (a) the VHDB, (b) the VH Tools, (c) the Law Enforcement Database, (d) the Law Enforcement Information, and (e) all data and information contained in or derived from each of the foregoing.

1.11 "Law Enforcement Database" is defined as the CARFAX crash report database(s) that contains Law Enforcement Information.

1.12 "Law Enforcement Information" is defined as motor vehicle crash and incident reports that CARFAX obtains from or on behalf of law enforcement agencies (including but not limited to all data and information contained therein or derived therefrom).

1.13 "Services" is defined as the Investigative Tools, the Driver Exchange Service, and any other products and services that CARFAX makes available to Agency from time to time under this Agreement.

1.14 "VH Tools" is defined as CARFAX Vehicle History Reports, QuickVIN®, VINAlert®, Partial License Plate Search and such other products and services that CARFAX makes available to Agency from time to time under this Agreement.

1.15 "VHDB" is defined as the CARFAX vehicle history database(s) that contains data and information regarding motor vehicle transactions.

2. Services.

2.1 Investigative Tools. If Agency elects to use the Investigative Tools, CARFAX grants to Agency a limited, revocable, nontransferable, nonsublicensable and nonexclusive license to: (a) access and use the VH Tools solely for Agency's use in law enforcement investigations, and (b) access the Law Enforcement Database to obtain and use the Law Enforcement Information solely for Agency's use in law enforcement investigations. To the extent "personal information" (as such term is defined under the DPPA) is contained in any Law Enforcement Information and the disclosure and use of such personal information is subject to the DPPA, Agency represents and warrants for itself and each Agency user that it shall comply with the DPPA, including without limitation disclosing such personal information only in connection with a DPPA Permissible Use.

2.2 Driver Exchange Service. If Agency elects to use the Driver Exchange Service (when available), CARFAX grants to Agency a limited, revocable, nontransferable, nonsublicensable and nonexclusive license to access and use the Driver Exchange Service solely to: (a) collect, or facilitate the collection of, data and information relating to a motor vehicle crash or other incident, and (b) facilitate the exchange of such data and information to drivers or other parties involved in such motor vehicle crash or other incident. Agency authorizes CARFAX to store and maintain the Driver Exchange Information, notify the individuals using the Driver Exchange Service to access the Driver Exchange Information, and provide such Driver Exchange Information (in whole or in part) to such individuals and/or their representatives.

2.3 Agency Account. Promptly following the Effective Date, CARFAX will establish an account to allow Agency and authorized employees of Agency to access the Services that Agency elected and is permitted to use under this Agreement (the "Agency Account"). Agency acknowledges and agrees that it is responsible for all use and misuse that arise out of the Agency Account and the username(s) and password(s) used to gain access to the Agency Account.

2.4 Restrictions on Access and Use of CARFAX Services. Agency shall not: (a) provide, offer, distribute, sell, resell, or otherwise disclose any data or information made available or derived from the Investigative Tools in any way to any third party (except to the extent necessary to comply with applicable law); (b) allow any third party (excluding individuals who use the Driver Exchange Service (or their representatives)) to view, access or use any of the Services; (c) use or permit the use of any of the Services for personal purposes or in contravention of any federal, state, local, foreign or other laws, rules or regulations; or (d) introduce into the Services any viruses, spyware or other software that is intended to disrupt, delete, damage or alter any of the Services. Systematic access to the Services or retrieval of data or information included in or derived from the Services, including but not limited to the use of "bots" or "spiders," is strictly prohibited. Without limiting CARFAX's other rights under this Agreement, CARFAX may, upon written notice (e-mail acceptable) to Agency, suspend Agency's access to one or more of the Services (in whole or in part) for any breach of this Agreement by Agency.

2.5 Security. Agency acknowledges that the Law Enforcement Database contains Law Enforcement Information that may include personally identifiable information (collectively, "PII"). Agency shall keep all such PII confidential and secure, including but not limited to by: (a) restricting access to such Law Enforcement Information to employees of Agency who have a need to know as part of their official duties; (b) ensuring that the Agency Account and such Law Enforcement Information is accessed solely for law enforcement investigations as permitted under this Agreement; (c) maintaining and complying with any applicable data retention policy governing the security and retention of Law Enforcement Information; and (d) maintaining an information security program that is designed to meet applicable state and federal law requirements for

safeguarding PII, including, at a minimum, to: (i) ensure the security and confidentiality of such Law Enforcement Information; (ii) protect against any anticipated threats or hazards to the security or integrity of data contained in such Law Enforcement Information; and (iii) protect against unauthorized access to or use of the PII and other data contained in such Law Enforcement Information. In the event of any actual or reasonably suspected breach or unauthorized access of Law Enforcement Information (collectively, "Agency Breach"), Agency shall promptly notify CARFAX of such Agency Breach and shall fully cooperate with CARFAX in investigating such Agency Breach and preventing the recurrence of an Agency Breach. As between CARFAX and Agency, Agency shall be solely responsible for any legal or regulatory obligations which may arise under applicable law in connection with such Agency Breach, shall bear all costs associated with complying with legal and regulatory obligations in connection therewith and shall reimburse CARFAX for any expenses incurred by CARFAX in connection with such Agency Breach or any actions required as a result thereof. For purposes of clarification, and without limiting the generality of the foregoing, Agency shall, in compliance with law and at its own expense, notify the individuals whose information is the subject of such Agency Breach and shall also notify any other parties (including but not limited to regulatory entities and credit reporting agencies) as may be required by law. Agency agrees that such notification shall not reference CARFAX or the Law Enforcement Database, nor shall CARFAX be otherwise identified or referenced in connection with such Agency Breach, without CARFAX's express written consent. As between CARFAX and Agency, Agency shall remain solely liable for claims that may arise from such Agency Breach, including but not limited to costs for litigation (including attorneys' fees), and reimbursement sought by individuals, including but not limited to costs for credit monitoring or allegations of loss in connection with such Agency Breach.

3. Provision of Crash Data. Agency hereby provides (or authorizes its third-party service provider to provide) to CARFAX all Agency Crash Reports and Crash Data (as applicable). Agency understands that CARFAX relies on its sources for the accuracy and reliability of the Crash Data, and therefore Agency shall notify CARFAX of erroneous data and information in any Crash Data. Agency authorizes CARFAX to include any and all non-personal data and information from the Crash Data in the VHDB, and to use such data and information from the Crash Data in connection with any data, products or services provided by CARFAX. Agency authorizes CARFAX to include any and all data and information from the Crash Data in the Law Enforcement Database and to use such data and information in connection with any data, products or services that CARFAX provides to law enforcement agencies. Agency agrees to use its best efforts to provide to CARFAX, upon CARFAX's request, another copy of any previously provided Crash Data as soon as reasonably possible after such request. **The Crash Data provided by the Agency to CARFAX is limited to that information listed in the attached "Exhibit A."**

4. Crash Data Restrictions. Because of the significant investment CARFAX has made and continues to make in the Services that CARFAX licenses to Agency for free, Agency shall not, directly or indirectly: (a) offer, sell, resell, distribute, license, sublicense, transfer, or otherwise provide any Crash Data, in whole or in part, whether in electronic, digital, paper or any other form or manner, to any Alternative Vehicle History Provider or (b) allow any person or entity to offer, sell, resell, distribute, license, sublicense, transfer, or otherwise provide any Crash Data, in whole or in part, whether in electronic, digital, paper or any other form or manner, to any Alternative Vehicle History Provider (collectively, the "Crash Data Restrictions"). Without limiting the foregoing, Agency shall ensure that each person or entity that receives any Crash Data from Agency (or a third party on Agency's behalf) (each, a "Crash Data Recipient") shall be bound by a written agreement that: (i) obligates such Crash Data Recipient to comply with the Crash Data Restrictions and (ii) names CARFAX as an intended third party beneficiary with the right to enforce the Crash Data Restrictions directly against such Crash Data Recipient. Agency agrees to notify CARFAX of any suspected or known breach of the Crash Data Restrictions by a Crash Data Recipient, and at CARFAX's request, Agency will enforce the terms of such agreement against the Crash Data Recipient.

5. Intellectual Property; Marks. Agency acknowledges that Intellectual Property is and will remain the property of CARFAX. CARFAX grants to Agency a limited, revocable, nonexclusive and nontransferable license to

use CARFAX trademarks and logos provided by CARFAX to Agency ("CARFAX Marks") solely as approved by CARFAX. Agency acknowledges that Agency's use of the CARFAX Marks shall inure to CARFAX's benefit.

6. Disclaimers. Agency acknowledges that CARFAX collects data from public records and other sources for use in the Investigative Tools and that this data may contain errors and omissions. CARFAX does not guarantee the correctness or completeness of the Investigative Tools, and CARFAX will have no liability for errors or omissions with respect to the Investigative Tools. Agency assumes full responsibility with respect to its decisions and transactions using the Investigative Tools. THE SERVICES ARE PROVIDED "AS IS" AND "AS AVAILABLE." CARFAX MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AND CARFAX EXPRESSLY DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

7. Limitation of Liability; Indemnification. IN NO EVENT WILL CARFAX BE LIABLE FOR CONSEQUENTIAL, SPECIAL, PUNITIVE, INDIRECT, OR INCIDENTAL DAMAGES ARISING UNDER OR IN CONNECTION WITH THIS AGREEMENT, EVEN IF CARFAX HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. The cumulative liability of CARFAX under this Agreement will not exceed \$1,000, and such amount will be Agency's exclusive remedy. Except to the extent prohibited by applicable law, Agency shall indemnify and hold CARFAX, its affiliates and its and their respective directors, officers, employees and agents harmless from any claims, suits, investigations, damages (either direct or indirect), costs, expenses and losses of any and every kind (including but not limited to reasonable attorneys' fees and costs) arising out of: (a) Agency's failure to comply with any applicable federal, state and local laws, rules and regulations, (b) Agency's use of the Services for any purpose other than as explicitly permitted under this Agreement, or (c) Agency's breach of this Agreement.

8. Term and Termination.

8.1 Term. The term of this Agreement commences on the Effective Date and continues in effect for a period of one (1) year and thereafter will automatically renew for additional one (1) year periods unless either party provides the other party at least ninety (90) days written notice of its intention to terminate this Agreement prior to any renewal date (the "Term").

8.2 Termination; Survival. Agency may discontinue its access to and use of any Service at any time by giving at least thirty (30) days' prior written notice to CARFAX. Any termination of Agency's access to and use of a Service does not terminate any other Services that Agency may access and use under this Agreement. CARFAX may terminate this Agreement and/or any Service immediately upon written notice if Agency breaches any provision of this Agreement. Upon any expiration or termination of a Service or this Agreement (as applicable), CARFAX may continue to use the Crash Data already acquired under this Agreement. All provisions of this Agreement that expressly or should by their nature survive any expiration or termination of this Agreement shall so survive, including but not limited to this Section 8.2 and Sections 2.4(a), 2.5, 5, 6 and 7.

9. General Provisions. This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and terminates and supersedes all previous agreements, whether oral or written, relating to the same subject matter. In the event of any ambiguity or conflict between any of the terms and conditions contained in the Enrollment Form and those set forth in these Terms and Conditions, the Terms and Conditions shall govern. CARFAX reserves the right to discontinue or modify, upon notification to Agency, any aspect of any of the Services licensed to Agency hereunder. CARFAX reserves the right to modify these Terms and Conditions and to impose new or additional terms and conditions at any time. Such modifications and additional terms and conditions will be effective immediately upon being posted online on the CARFAX For Police website (or such other successor website) and incorporated into this Agreement, and Agency's continued use of any of the Services will be deemed acceptance thereof. Each party shall comply with all applicable federal, state and local laws, rules and regulations with respect to its performance under this Agreement. This Agreement does not create a joint venture, partnership, agency, franchise, dealership,

distributorship or employment relationship between the parties or any other relationship other than independent contractors. A party's failure to insist in any one or more instances upon the performance of any term, obligation, or condition of this Agreement by the other party, or to exercise any right or privilege conferred in this Agreement, will not be construed as a waiver of such term, obligation, or condition or a relinquishment of such right or privilege. Any waiver of a breach of any term or condition of this Agreement by a party will not be considered a waiver of any subsequent breach of the same or any other condition. If any provision of this Agreement is found invalid or unenforceable, that provision will be enforced to the maximum extent permissible, and the other provisions of this Agreement will remain in force, unless the invalidity or unenforceability of a provision materially alters the rights or obligations of a party. Agency shall not assign this Agreement without the prior written consent of CARFAX. A signed Agreement sent by fax or scanned and emailed, or signed via a recognized electronic signature service, shall be legally binding and enforceable.

10. The terms of the Mandatory Addendum attached as Exhibit "B" are incorporated herein, and in the event that any of the aforementioned Terms and Conditions contradict any of the terms of the Mandatory Addendum attached herewith, Agency and CARFAX agree that the terms of the Mandatory Addendum shall control.

EXHIBIT "A"

1. VIN
2. Report Number
3. Crash Date
4. Police Agency
5. County
6. City
7. State
8. License Plate Number
9. License Plate State
10. Vehicle Make
11. Vehicle Model
12. Vehicle Year
13. Point of Impact
14. Damage Severity
15. Fire
16. Extraction
17. Towing
18. Airbag Deployed

Preferred but optional:

19. Driver First Name
20. Driver Last Name
21. Passengers First Name
22. Passengers Last Name

EXHIBIT "B"

Mandatory Addendum to
All City of Tupelo Contracts
August 2019

The City of Tupelo (TUPELO), despite any contrary provision contained in any contract to which TUPELO is a party, does not waive any rights, benefits, or prohibitions that may be provided under any law, statute(s), regulation(s), or policies. All provisions to the contrary in any contract to which TUPELO is a party are hereby null, void and deleted. Not intended to be an exhaustive list, the following are examples of such matters and shall be exceptions to any contrary provision(s) in any contract to which TUPELO is a party.

1. TUPELO does not indemnify or hold harmless any party.
Miss. Const. Art. 4, § 100; Miss AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002).
2. TUPELO does not make any warranty.
Miss. Const. Art. 4, § 100; Miss AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002).
3. TUPELO does not waive any claim; past, present, or future.
Miss. Const. Art. 4, § 100; Miss AG Op; Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002).
4. TUPELO does not waive its sovereign immunity. TUPELO shall only be responsible for liability resulting from the actions of its officers, agents, and employees acting within the course and scope of their official duties.
Miss. Code Ann. § 11-46-1, et seq.
5. TUPELO does not waive its Constitutional Eleventh (11th) Amendment immunity.
U.S. Const. Amend. XI.
6. TUPELO does not agree to the application of laws of another state.
U.S. Const. amend XI; Miss. Code Ann. 11-11-3; Miss. Code Ann. 11-45-1; *City of Jackson v. Wallace*, 196 So. 223 (1940)
7. TUPELO does not limit the tort liability of another party to the amount of the contract or to any other set amount.
Miss. Const. Art. 4, § 100; Miss AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002); Miss. AG Op., Hathorn (May 28, 1992); Miss. AG Op., Davis (March 3, 1993).
8. TUPELO does not agree to waive warranties of merchantability, fitness for a particular purpose, or any common law warranties to which TUPELO is entitled.
Miss. Const. Art 4, § 100; Miss Code Ann. § 75-2-719; Miss. AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002).

9. TUPELO does not agree that a party may represent, prosecute or defend legal actions in the name of TUPELO. (CITATION NEEDED.)
10. Provisions that limit the time for TUPELO to pursue legal actions are deleted and void.
Miss. Const. Art. 4, § 104; Miss. Const. Art. 4, § 100; Miss Code Ann. § 15-1-5; Miss AG Op; Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct, 18, 2002).
11. TUPELO does not agree to submit to binding arbitration.
Miss. AG Op., Clark (June 7, 2002); Miss. AG Op., Chamberlin (Oct. 18, 2002).
12. TUPELO will make payments for all amounts owed under a contract agreement in accordance with state law.
Miss. Code Ann. § 31-7-305.
13. TUPELO advises for all contracts entered into, the provisions of the contract which will contain the commodities purchased or the personal or professional services provided, the price to be paid, and the term of the contract shall not be deemed to be a trade secret or confidential commercial or financial information, and shall be available for examination, copying or reproduction.
Miss. Code § 25-61-9 (7).
14. TUPELO must comply with Mississippi public records law. Records furnished to public bodies by third parties which contain trade secrets or confidential commercial or financial information shall not be subject to inspection, examination, copying or reproduction until notice to said third parties has been given, but such records shall be released within a reasonable period of time unless the said third parties shall have obtained a court order protecting such records as confidential.
Miss. Code § 25-61-9 (1).
15. Data processing software obtained by TUPELO under a licensing agreement that prohibits its disclosure and which software is a trade secret as defined in Miss. Code Section 75-26-3, and data processing software produced by a public body which is sensitive must not be subject to inspection, copying or reproduction under Mississippi public records law. "Sensitive" means only those portions of data processing software, including the specifications and documentation, used to: (a) Collect, process, store, and retrieve information which is exempt; (b) Control and direct access authorizations and security measures for automated systems; (c) Collect, process, store, and retrieve information disclosure of which would require a significant intrusion into the business of the public body.

16. TUPELO is prohibited from binding its successors in office to contracts, including leases, which result in taking away the successors' rights and powers conferred by law, unless there is specific statutory authority to enter into such contract. In the absence of specific statutory authority, such contracts are voidable by the successors in office.
MS AG Ops., Barton (January 8, 2014) and Barton (July 15, 2011)(both relying on Biloxi Firefighters Assoc. v. City of Biloxi, 810 So.2d 589 (Miss. 2002)).
17. TUPELO does not have the power to grant to any person, firm or corporation any exclusive franchise or any exclusive right to use or occupy the streets, highways, bridges, or public places in such municipality for any purpose. TUPELO cannot grant, renew, or extend any such franchise, privilege or right, without compensation or for any longer period than twenty-five years.
Miss. Code Anno. 21-27-1
18. All contracts must be approved by the City Council of TUPELO, subject to the veto power of the Mayor of TUPELO.
MS AG Ops. 2012-00013



AGENDA REQUEST

TO: Mayor and City Council
FROM: John Quaka, Chief
DATE October 12, 2022
SUBJECT: IN THE MATTER OF ACCEPTING BID #2022-034PD **JQ**

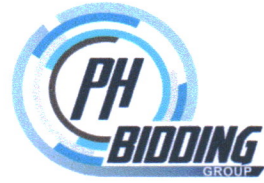
Request:

Please accept this letter of request for accepting Bid # 2022-034PD, for the purchase of one Police EOD ROBOT from ICOR Technology Inc. for \$104,040.00.

City of Tupelo, MS

ONE (1) POLICE EOD ROBOT (per specifications)

Lot Specification Shall include all equipment, software, delivery and fees.
 Lot Start Date / Time Sep 29, 2022 10:00 AM US/Central
 Lot End Date / Time Sep 29, 2022 10:30 AM US/Central
 Lot Duration 00:30 [hh:mm]



ONE (1) POLICE EOD ROBOT

Company	Bid Amount	Bidding Date / Time	IP Address
ICOR Technology Inc.	\$ 104,040.00 USD	Sep 29, 2022 10:09:35 AM US/Central	76.70.16.46



AGENDA REQUEST

TO: Mayor and City Council
FROM: Kelly Elliott, Fire Chief
DATE October 13, 2022
SUBJECT: IN THE MATTER OF LEAVE DONATION REQUEST **KE**

Request:

The Fire Department is requesting approval to donate leave to one of their employees, Anthony Mallard, who has had major surgery requiring him to be off work for approximately 12 weeks. He has exhausted all of his earned vacation and sick leave, therefore members of the department would like to donate the necessary time.



AGENDA REQUEST

TO: Mayor and City Council

FROM: Kelly Elliott, Fire Chief

DATE October 12, 2022

SUBJECT: IN THE MATTER OF FIRE STATION #2 SURPLUS ITEMS **KE**

Request:

1554	AIR CONDITIONER A060CK10EAKA PACKAGE	A	FD02	FIRE
DEPT - STATION 2	STATION 2	10/28/05	1,635.00	1
				1,635.00

For Parts:

6631	EXHAUST SYSTEM A	FD02	FIRE DEPT - STATION 2	08/28/19
13,337.17	1	13,337.17		

ORDER

AN ORDER DECLARING AS SURPLUS THE REAL PROPERTY AND STRUCTURE(S) LOCATED NEAR THE INTERSECTION OF MAIN STREET AND RANKIN BOULEVARD, FORMERLY KNOWN AS FIRE STATION #2 AND TO AUTHORIZE THE DEMOLITION OF THE SURPLUSED STRUCTURE.

WHEREAS, the governing authorities of the City of Tupelo, Mississippi are empowered to act with respect to the care, management and control of municipal affairs and its properties for which no provision has been made by general law and which is not inconsistent with existing law pursuant to Section 21-17-1, et seq. of the Mississippi Code Annotated (1972), as amended, including the authority to sell, convey or lease real property on such terms as it may elect that are consistent with statutory authority; and

WHEREAS, the Subject Property to be deemed surplus is located in the Northwest quarter of Section 31, Township 9 South, Range 6 East, and the Northeast quarter of Section 36, Township 9, Range 5 East, City of Tupelo, Lee County, Mississippi, and having been conveyed to the City of Tupelo by Warranty Deed from J.H. Ranking dated July 14, 1955 and on file in Book 460, Page 542 of the land records in the office of the Chancery Clerk, Lee County, MS

WHEREAS, the Subject Property is no longer needed for municipal or related purposes and is not to be used in the operation of the municipality; and

WHEREAS, it is the desire of the City of Tupelo to demolish the structure(s) located on the Subject Property for the proper municipal purpose of removing blighted conditions and to make the real property marketable for purchase.

NOW, THEREFORE, it is hereby resolved and ordered by the City Council of the City of Tupelo the following:

1. The prefatory paragraphs of this Order are hereby found and determined to be in accordance with the necessary and warranted exercise of its authority regarding the care, management and control of real property, and is in the best interest of the health, safety and welfare of the citizens of the City of Tupelo.
2. The Subject Property and the structures thereon are not needed for governmental or related purposes of the municipality, and are hereby found to be declared surplus.
3. The Mayor and City Clerk are authorized to execute all documents necessary for the demolition of the structure(s) located on the Subject Property, subject to the provisions contained in Miss. Code Ann. § 31-7-13 (1972, as amended).

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

Councilmember Mims voted	AYE
Councilmember L. 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 order adopted.

WHEREUPON, the foregoing Order was declared, passed and adopted at a regular meeting of the Council on this the 18th day of October, 2022.

CITY OF TUPELO, MISSISSIPPI


LYNN BRYAN, City Council President

ATTEST:


MISSY SHELTON, Clerk of the Council

APPROVED:


TODD JORDAN, Mayor

10-19-2022
DATE



AGENDA REQUEST

TO: Mayor and City Council

FROM: Chuck Williams, Director of Public Works

DATE October 5, 2022

SUBJECT: IN THE MATTER OF BID REJECTION OF THE REROOFING FOR THE
POLICE ATHLETIC LEAGUE BUILDING BID NO. 2022-033WL - **CW**

Request:

Request for bid rejection of the reroofing for the Police Athletic League Building on Bid 2022-033WL

Two bidders responded –

Cooper Top Roofing	\$ 252,000.00
G&G Sheet Metal and Roofing	\$ 191,000.00

We request to reject the bid due to exceeding what is budgeted for the project.

BID PROPOSAL

Proposal of G & G Sheetmetal & Roofing (hereinafter called "BIDDER"), organized and existing under the laws of the State of MISSISSIPPI doing business as a insert: (corporation, partnership, limited liability company, or individual) to the **CITY OF TUPELO**, (hereinafter called "OWNER"). In compliance with your advertisement for Bids, BIDDER, hereby proposes to perform all WORK for construction of **TUPELO POLICE ATHLETIC LEAGUE (P.A.L.) REROOF**

In strict accordance with the CONTRACT DOCUMENTS, within the time set forth herein, and at the prices stated below. By submission of the BID, each BIDDER certifies, and in the case of a joint BID each party thereto certifies as to his own organization, that this BID has been developed independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this contract on or before a date to be specified in a written "NOTICE TO PROCEED" and to fully complete the Project within **60** consecutive workdays thereafter.

BIDDER ACKNOWLEDGES receipt of the following ADDENDA:

NUMBER: N/A DATE: N/A
 NUMBER: _____ DATE: _____
 NUMBER: _____ DATE: _____

By submitting this BID, the BIDDER certifies that he has thoroughly examined the bid documents, specifications and contract documents and has visited the job site to inform himself fully of the conditions at the site relating to the completion of the project.

BIDDER understands that the quantities mentioned below are approximate only and are subject to either increase or decrease, and hereby proposes to perform any increased or decreased quantities of work at the Unit Price Bid.

In accordance with the requirements of the Bid Documents and Contract Documents, BIDDER proposes to furnish all necessary materials, equipment, labor, tools and other means of construction and to construct the Project in accordance with the Contract Documents within the specified Contract Time for the following Unit Prices specified below.

BIDDER further agrees to execute the contract agreement as bound herein within **ten (10)** days after receipt of contract forms from the OWNER.

BIDDER also proposes to execute a Performance Bond and a Payment Bond, as shown in the Specifications, each in an amount of not less than **one hundred percent (100%)** of the total of the Base Bid. These Bonds shall not only serve to guarantee the completion of the work on the BIDDERS part, but also to guarantee the excellence of both workmanship and materials until the work is finally accepted.

BIDDER encloses a Bid Bond 5% of Base Bid Amount DOLLARS (\$ 9,551.15) and hereby agree that in case of failure to execute the Contract and furnish the required Bonds within (10) days after the Receipt of Contract Forms, the amount of this Certified Check or Bid

Bond will be forfeited to the OWNER, as liquidated damages arising out of his failure to execute the Contract as proposed.

It is understood that in case BIDDER is awarded the work, the Certified Check or Bid Bond submitted as Bid security will be returned as stipulated in the Specifications.

Further, the BIDDER agrees to abide by the requirements under Executive Order No. 11246, as amended, including specifically the provision of the Equal Opportunity Clause set forth in the Federal Requirements, if applicable.

The low BIDDER shall supply the names and address of major MATERIAL SUPPLIERS AND SUBCONTRACTORS when required to do so by the OWNER.

BIDDER agrees to perform all the work described in the CONTRACT DOCUMENTS for the following unit prices:

NOTES:

1. Any erasure change, or alteration of any kind must be initialed by the BIDDER.
2. Bid prices shall include sales tax and all other applicable taxes and fees. Quantities are estimated and there shall be no additional cost to the owner should an increase or decrease in quantities required be necessary. Bidder also agrees to bid each item in a fair and equitable manner. Any bid items deemed to be "unbalanced" shall be subject to negotiation between Owner and Bidder.
3. Any item of work not specified on the Proposal as a separate pay item or indicated as an absorbed cost in a pay item, but which is incidental to completion of the work shall be considered as an absorbed cost with full compensation included in the unit price bid for the particular item involved.
4. OWNER reserves the right to award any combination of base and alternate bids (if any) it deems advantageous and in the event that all specified bid item units are lump sum (LS), the OWNER reserves the right to delete any such item or combination of such items from the project. The OWNER further reserves the right to delete any item or items desired from the Bid Schedule after the Contract has been awarded. Any deletions, if any made, shall be by Change Order and BIDDER hereby agrees to accept such Change Orders.

BID SCHEDULETO: CITY OF TUPELO (OWNER)

The undersigned, in compliance with the request for bids for the above referenced project hereby proposes to furnish all labor, permits, material, machinery, tools, supplies and equipment to faithfully perform all work required for construction of the Project in accordance with the bid documents and issued Addenda (if any) within the specified time of performance for the following UNIT PRICE amount:

BASE BID – TUPELO POLICE ATHLETIC LEAGUE (P.A.L) REROOFTotal Bid Price: \$ 191,000.00CONTRACTOR: G & G Sheetmetal & RoofingNAME: Rickey GriffinTITLE: managerADDRESS: 4812 W main St
Tupelo ms 38801CERTIFICATE OF RESPONSIBILITY NUMBER: 18797-SC

END OF SECTION

NON-COLLUSION/DEBARMENT AFFIDAVIT

(Execute in duplicate)

I, Jonathan Criddle
 (Name of person signing affidavit)

individually, and in my capacity as Estimator of
 (Title)

G & G Sheetmetal & Roofing LLC do hereby certify under
 (Name of Firm, Partnership, or Corporation)

penalty of perjury under the laws of the United States and the State of Mississippi that _____

G & G Sheetmetal & Roofing LLC, Bidder
 (Name of Firm, Partnership, or Corporation)

on Project No. 2022-033WL

in Lee County(ies), Mississippi, has not either

directly or indirectly entered into any agreement, participated in any collusion; or otherwise taken any action in restraint of free competitive bidding in connection with this contract; nor have any of its corporate officers or principal owners.

Except as noted hereafter, it is further certified that said legal entity and its corporate officers, principal owners, managers, auditors and others in a position of administering federal funds:

- a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in (b) above; and
- d) Have not within a three-year period preceding this application/ proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Initial here "_____" if exceptions are attached and made a part thereof. Any exceptions shall address to whom it applies, initiating agency and dates of such action.

Note: Exceptions will not necessarily result in denial of award but will be considered in determining bidder responsibility. Providing false information may result in criminal prosecution or administrative sanctions.

The bidder further certifies that the certification requirements contained in Section XI of Form FHWA 1273, will be or have been included in all subcontracts, material supply agreements, purchase orders, etc. except those procurement contracts for goods or services that are expected to be less than the Federal procurement small purchase threshold fixed at 10 U.S.C. 2304(g) and 41 U.S.C. 253(g) (currently \$25,000) which are excluded from the certification requirements.

The bidder further certifies, to the best of his or her knowledge and belief, that:


- 1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- 2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this contract, Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions will be completed and submitted.

The certification contained in (1) and (2) above is a material representation of fact upon which reliance is placed and a prerequisite imposed by Section 1352, Title 31, U.S. Code prior to entering into this contract. Failure to comply shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000. The bidder shall include the language of the certification in all subcontracts exceeding \$100,000 and all subcontractors shall certify and disclose accordingly.

All of the foregoing and attachments (when indicated) is true and correct.

Executed on

9/28/2022


Signature

NON-COLLUSION/DEBARMENT AFFIDAVIT

(Execute in duplicate)

I, Jonathan Criddle
 (Name of person signing affidavit)

individually, and in my capacity as Estimator of
 (Title)

G & G Sheetmetal & Roofing LLC do hereby certify under
 (Name of Firm, Partnership, or Corporation)

penalty of perjury under the laws of the United States and the State of Mississippi that _____

G & G Sheetmetal & Roofing LLC, Bidder
 (Name of Firm, Partnership, or Corporation)

on Project No. 2022-033WL

in Lee County(ies), Mississippi, has not either

directly or indirectly entered into any agreement, participated in any collusion; or otherwise taken any action in restraint of free competitive bidding in connection with this contract; nor have any of its corporate officers or principal owners.

Except as noted hereafter, it is further certified that said legal entity and its corporate officers, principal owners, managers, auditors and others in a position of administering federal funds:

- a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in (b) above; and
- d) Have not within a three-year period preceding this application/ proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Initial here "_____" if exceptions are attached and made a part thereof. Any exceptions shall address to whom it applies, initiating agency and dates of such action.

Note: Exceptions will not necessarily result in denial of award but will be considered in determining bidder responsibility. Providing false information may result in criminal prosecution or administrative sanctions.

The bidder further certifies that the certification requirements contained in Section XI of Form FHWA 1273, will be or have been included in all subcontracts, material supply agreements, purchase orders, etc. except those procurement contracts for goods or services that are expected to be less than the Federal procurement small purchase threshold fixed at 10 U.S.C. 2304(g) and 41 U.S.C. 253(g) (currently \$25,000) which are excluded from the certification requirements.

The bidder further certifies, to the best of his or her knowledge and belief, that:

- 1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- 2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this contract, Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions will be completed and submitted.

The certification contained in (1) and (2) above is a material representation of fact upon which reliance is placed and a prerequisite imposed by Section 1352, Title 31, U.S. Code prior to entering into this contract. Failure to comply shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000. The bidder shall include the language of the certification in all subcontracts exceeding \$100,000 and all subcontractors shall certify and disclose accordingly.

All of the foregoing and attachments (when indicated) is true and correct.

Executed on

9/28/2022


Signature

SureTec Insurance Company

LIMITED POWER OF ATTORNEY

Know All Men by These Presents, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

Michael A. McDaniel, Richard H. Whitley, James S. Brown

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for, providing the bond penalty does not exceed

Ten Million and 00/100 Dollars (\$10,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. (Adopted at a meeting held on 20th of April, 1999.)

In Witness Whereof, SURETEC INSURANCE COMPANY has caused these presents to be signed by its President, and its corporate seal to be hereto affixed this 27th day of August A.D. 2020.

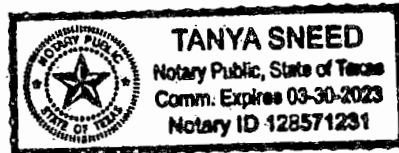
SURETEC INSURANCE COMPANY

By: Michael C. Keimig
Michael C. Keimig, President



State of Texas ss:
County of Harris

On this 27th day of August A.D. 2020 before me personally came Michael C. Keimig, to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is President of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.



Tanya Sneed
Tanya Sneed, Notary Public
My commission expires March 30, 2023

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this 29th day of September, 2022, A.D.

M. Brent Beaty
M. Brent Beaty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity. 4310005
For verification of the authority of this power you may call (713) 812-0800 any business day between 8:30 am and 5:00 pm CST



BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER (Name and Address):

G & G Sheet Metal & Roofing, LLC
4812 W. Main Street
Tupelo, MS 38801

SURETY (Name and Address of Principal Place of Business):

SureTec Insurance Company
2103 CityWest Boulevard, Suite 1300
Houston, TX 77042

OWNER (Name and Address):

City of Tupelo
71 Troy Street
Tupelo, MS 38804

BID:

Bid Due Date: September 29, 2022

Project (Brief Description Including Location):

Police Athletic League Reroof; Roof Replacement with 60mil PVC Membrane

BOND:

Bond Number: N/A

Date: (Not Later than Bid Due Date): September 29, 2022

Penal Sum: Five Percent of Amount Bid
(Words)

\$ 5%
(Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER:

G & G Sheet Metal & Roofing, LLC (Seal)
Bidder's Name and Corporate Seal

By:

Jonathan Cridle
Signature

Jonathan Cridle
Print Name

Estimator
Title

Attest:

Robert Collins
Signature

Forman
Title

SURETY:

SureTec Insurance Company
Surety's Name and Corporate Seal

By:

Michael A. McDaniel
Signature (Attach Power of Attorney)

Michael A. McDaniel
Print Name

Attorney-in-Fact
Title

Attest:

Jan Melton
Signature

Jan Melton, Bond Account Manager
Title

Note: Above addresses are to be used for giving any required notice. Provide execution by any additional parties, such as joint venturers, if necessary.

COUNTERSIGNED:

By: Jenna B. Allen
Jenna B. Allen, MS Resident Agent

BID PROPOSAL

Proposal of Copper Top Sheet Metal, Inc. (hereinafter called "BIDDER"), organized and existing under the laws of the State of MISSISSIPPI doing business as a insert: (corporation, partnership, limited liability company, or individual) to the **CITY OF TUPELO**, (hereinafter called "OWNER"). In compliance with your advertisement for Bids, BIDDER, hereby proposes to perform all WORK for construction of **TUPELO POLICE ATHLETIC LEAGUE (P.A.L) REROOF**

In strict accordance with the CONTRACT DOCUMENTS, within the time set forth herein, and at the prices stated below. By submission of the BID, each BIDDER certifies, and in the case of a joint BID each party thereto certifies as to his own organization, that this BID has been developed independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this contract on or before a date to be specified in a written "NOTICE TO PROCEED" and to fully complete the Project within **60** consecutive workdays thereafter.

BIDDER ACKNOWLEDGES receipt of the following ADDENDA:

NUMBER: <u>NA</u>	DATE: <u>NA</u>
NUMBER: <u>NA</u>	DATE: <u>NA</u>
NUMBER: <u>NA</u>	DATE: <u>NA</u>

By submitting this BID, the BIDDER certifies that he has thoroughly examined the bid documents, specifications and contract documents and has visited the job site to inform himself fully of the conditions at the site relating to the completion of the project.

BIDDER understands that the quantities mentioned below are approximate only and are subject to either increase or decrease, and hereby proposes to perform any increased or decreased quantities of work at the Unit Price Bid.

In accordance with the requirements of the Bid Documents and Contract Documents, BIDDER proposes to furnish all necessary materials, equipment, labor, tools and other means of construction and to construct the Project in accordance with the Contract Documents within the specified Contract Time for the following Unit Prices specified below.

BIDDER further agrees to execute the contract agreement as bound herein within **ten (10)** days after receipt of contract forms from the OWNER.

BIDDER also proposes to execute a Performance Bond and a Payment Bond, as shown in the Specifications, each in an amount of not less than **one hundred percent (100%)** of the total of the Base Bid. These Bonds shall not only serve to guarantee the completion of the work on the BIDDERS part, but also to guarantee the excellence of both workmanship and materials until the work is finally accepted.

BIDDER encloses a Bid Bond 5% of Base Bid Amount DOLLARS (\$ 12,600.00) and hereby agree that in case of failure to execute the Contract and furnish the required Bonds within (10) days after the Receipt of Contract Forms, the amount of this Certified Check or Bid

Bond will be forfeited to the OWNER, as liquidated damages arising out of his failure to execute the Contract as proposed.

It is understood that in case BIDDER is awarded the work, the Certified Check or Bid Bond submitted as Bid security will be returned as stipulated in the Specifications.

Further, the BIDDER agrees to abide by the requirements under Executive Order No. 11246, as amended, including specifically the provision of the Equal Opportunity Clause set forth in the Federal Requirements, if applicable.

The low BIDDER shall supply the names and address of major MATERIAL SUPPLIERS AND SUBCONTRACTORS when required to do so by the OWNER.

BIDDER agrees to perform all the work described in the CONTRACT DOCUMENTS for the following unit prices:

NOTES:

1. Any erasure change, or alteration of any kind must be initialed by the BIDDER.
2. Bid prices shall include sales tax and all other applicable taxes and fees. Quantities are estimated and there shall be no additional cost to the owner should an increase or decrease in quantities required be necessary. Bidder also agrees to bid each item in a fair and equitable manner. Any bid items deemed to be "unbalanced" shall be subject to negotiation between Owner and Bidder.
3. Any item of work not specified on the Proposal as a separate pay item or indicated as an absorbed cost in a pay item, but which is incidental to completion of the work shall be considered as an absorbed cost with full compensation included in the unit price bid for the particular item involved.
4. OWNER reserves the right to award any combination of base and alternate bids (if any) it deems advantageous and in the event that all specified bid item units are lump sum (LS), the OWNER reserves the right to delete any such item or combination of such items from the project. The OWNER further reserves the right to delete any item or items desired from the Bid Schedule after the Contract has been awarded. Any deletions, if any made, shall be by Change Order and BIDDER hereby agrees to accept such Change Orders.

BID SCHEDULE

TO: CITY OF TUPELO (OWNER)

The undersigned, in compliance with the request for bids for the above referenced project hereby proposes to furnish all labor, permits, material, machinery, tools, supplies and equipment to faithfully perform all work required for construction of the Project in accordance with the bid documents and issued Addenda (if any) within the specified time of performance for the following UNIT PRICE amount:

BASE BID – TUPELO POLICE ATHLETIC LEAGUE (P.A.L) REROOF

Total Bid Price: \$ 252,000.00 - Two hundred fifty two thousand

CONTRACTOR : Copper Top Sheet Metal, Inc.

NAME: Jimmy Scott Phillips



TITLE: Vice President

ADDRESS: 110 Cooper Road

Columbus, MS 39702

CERTIFICATE OF RESPONSIBILITY NUMBER: 1 2200 -S C

END OF SECTION

NON-COLLUSION/DEBARMENT AFFIDAVIT

(Execute in duplicate)

I, Jimmy Scott Phillips,
 (Name of person signing affidavit)

individually, and in my capacity as Vice President of
 (Title)

Copper Top Sheet Metal, Inc. do hereby certify under
 (Name of Firm, Partnership, or Corporation)

penalty of perjury under the laws of the United States and the State of Mississippi that _____

Copper Top Sheet Metal, Inc., Bidder
 (Name of Firm, Partnership, or Corporation)

on Project No. Bid# 2022-033WL,

in Lee County(ies), Mississippi, has not either

directly or indirectly entered into any agreement, participated in any collusion; or otherwise taken any action in restraint of free competitive bidding in connection with this contract; nor have any of its corporate officers or principal owners.

Except as noted hereafter, it is further certified that said legal entity and its corporate officers, principal owners, managers, auditors and others in a position of administering federal funds:

- a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in (b) above; and
- d) Have not within a three-year period preceding this application/ proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Initial here "_____" if exceptions are attached and made a part thereof. Any exceptions shall address to whom it applies, initiating agency and dates of such action.

Note: Exceptions will not necessarily result in denial of award but will be considered in determining bidder responsibility. Providing false information may result in criminal prosecution or administrative sanctions.

The bidder further certifies that the certification requirements contained in Section XI of Form FHWA 1273, will be or have been included in all subcontracts, material supply agreements, purchase orders, etc. except those procurement contracts for goods or services that are expected to be less than the Federal procurement small purchase threshold fixed at 10 U.S.C. 2304(g) and 41 U.S.C. 253(g) (currently \$25,000) which are excluded from the certification requirements.

The bidder further certifies, to the best of his or her knowledge and belief, that:

- 1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- 2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this contract, Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions will be completed and submitted.

The certification contained in (1) and (2) above is a material representation of fact upon which reliance is placed and a prerequisite imposed by Section 1352, Title 31, U.S. Code prior to entering into this contract. Failure to comply shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000. The bidder shall include the language of the certification in all subcontracts exceeding \$100,000 and all subcontractors shall certify and disclose accordingly.

All of the foregoing and attachments (when indicated) is true and correct.

Executed on September 29th, 2022


Signature

BID PROPOSAL

Proposal of Copper Top Sheet Metal, Inc. (hereinafter called "BIDDER"), organized and existing under the laws of the State of MISSISSIPPI doing business as a insert: (corporation, partnership, limited liability company, or individual) to the **CITY OF TUPELO**, (hereinafter called "OWNER"). In compliance with your advertisement for Bids, BIDDER, hereby proposes to perform all WORK for construction of **TUPELO POLICE ATHLETIC LEAGUE (P.A.L) REROOF**

In strict accordance with the CONTRACT DOCUMENTS, within the time set forth herein, and at the prices stated below. By submission of the BID, each BIDDER certifies, and in the case of a joint BID each party thereto certifies as to his own organization, that this BID has been developed independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this contract on or before a date to be specified in a written "NOTICE TO PROCEED" and to fully complete the Project within **60** consecutive workdays thereafter.

BIDDER ACKNOWLEDGES receipt of the following ADDENDA:

NUMBER: <u>NA</u>	DATE: <u>NA</u>
NUMBER: <u>NA</u>	DATE: <u>NA</u>
NUMBER: <u>NA</u>	DATE: <u>NA</u>

By submitting this BID, the BIDDER certifies that he has thoroughly examined the bid documents, specifications and contract documents and has visited the job site to inform himself fully of the conditions at the site relating to the completion of the project. BIDDER understands that the quantities mentioned below are approximate only and are subject to either increase or decrease, and hereby proposes to perform any increased or decreased quantities of work at the Unit Price Bid.

In accordance with the requirements of the Bid Documents and Contract Documents, BIDDER proposes to furnish all necessary materials, equipment, labor, tools and other means of construction and to construct the Project in accordance with the Contract Documents within the specified Contract Time for the following Unit Prices specified below.

BIDDER further agrees to execute the contract agreement as bound herein within **ten (10)** days after receipt of contract forms from the OWNER.

BIDDER also proposes to execute a Performance Bond and a Payment Bond, as shown in the Specifications, each in an amount of not less than **one hundred percent (100%)** of the total of the Base Bid. These Bonds shall not only serve to guarantee the completion of the work on the BIDDERS part, but also to guarantee the excellence of both workmanship and materials until the work is finally accepted.

BIDDER encloses a Bid Bond 5% of Base Bid Amount DOLLARS (\$ 12,600.00) and hereby agree that in case of failure to execute the Contract and furnish the required Bonds within (10) days after the Receipt of Contract Forms, the amount of this Certified Check or Bid

476
BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER (Name and Address):

Copper Top Sheet Metal, Inc.
110 Cooper Road, Columbus MS 39702

SURETY (Name and Address of Principal Place of Business):

The Gray Casualty & Surety Company
P.O. Box 6202, Metairie, LA 70009

OWNER (Name and Address):

City of Tupelo
71 East Troy Street, Tupelo MS 38804

BID:

Bid Due Date: September 29, 2022
Project (Brief Description Including Location):
Bid # 2022-033WL, Tupelo Police Athletic League, (P.A.L.) Reroof

BOND:

Bond Number : _____
Date: (Not Later than Bid Due Date): September 29th, 2022
Penal Sum: Twelve Thousand Six Hundred \$ 12,600
(Words) (Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER:

Copper Top Sheet Metal, Inc. (Seal)
Bidder's Name and Corporate Seal

By: _____

Signature

Jimmy Scott Phillips
Print Name

V President
Title

Attest: _____

Signature

Secretary
Title

SURETY:

The Gray Casualty & Surety Company (Seal)
Surety's Name and Corporate Seal

By: _____

Signature (Attach Power of Attorney)

Brandt C. Galloway
Print Name

Attorney-in-Fact
Title

Attest: _____

Signature

Title

Note: Above addresses are to be used for giving any required notice. Provide execution by any additional parties, such as joint venturers, if necessary.

THE GRAY INSURANCE COMPANY
THE GRAY CASUALTY & SURETY COMPANY

477

GENERAL POWER OF ATTORNEY

Bond Number: Principal: Copper Top Sheet Metal, Inc.

Project: Bid #2022-033WL, Tupelo Police Athletic League, (P.A.L.) Reroof

KNOW ALL BY THESE PRESENTS, THAT The Gray Insurance Company and The Gray Casualty & Surety Company, corporations duly organized and existing under the laws of Louisiana, and having their principal offices in Metairie, Louisiana, do hereby make, constitute, and appoint: **Kyle Chandler IV, Kyle Chandler III, Cecil R. Vaughn, Jr. Brandt C. Galloway, and Steve Swedenburg of Columbus, Mississippi jointly and severally** on behalf of each of the Companies named above its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its deed, bonds, or other writings obligatory in the nature of a bond, as surety, contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed the amount of \$15,000,000.00.

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both The Gray Insurance Company and The Gray Casualty & Surety Company at meetings duly called and held on the 26th day of June, 2003.

"RESOLVED, that the President, Executive Vice President, any Vice President, or the Secretary be and each or any of them hereby is authorized to execute a power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings, and all contracts of surety, and that each or any of them is hereby authorized to attest to the execution of such Power of Attorney, and to attach the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be binding upon the Company now and in the future when so affixed with regard to any bond, undertaking or contract of surety to which it is attached.

IN WITNESS WHEREOF, The Gray Insurance Company and The Gray Casualty & Surety Company have caused their official seals to be hereinto affixed, and these presents to be signed by their authorized officers this 28th day of October, 2021.



By:

Michael T. Gray

Michael T. Gray
President
The Gray Insurance Company

Cullen S. Piske

Cullen S. Piske
President
The Gray Casualty & Surety Company



State of Louisiana

ss:

Parish of Jefferson

On this 28th day of October, 2021, before me, a Notary Public, personally appeared Michael T. Gray, President of The Gray Insurance Company, and Cullen S. Piske, President of The Gray Casualty & Surety Company, personally known to me, being duly sworn, acknowledged that they signed the above Power of Attorney and affixed the seals of the companies as officers of, and acknowledged said instrument to be the voluntary act and deed, of their companies.



Leigh Anne Henican
Notary Public
Notary ID No. 92653
Orleans Parish, Louisiana

Leigh Anne Henican

Leigh Anne Henican
Notary Public, Parish of Orleans State of Louisiana
My Commission is for Life

I, Mark S. Manguno, Secretary of The Gray Insurance Company, do hereby certify that the above and forgoing is a true and correct copy of a Power of Attorney given by the companies, which is still in full force and effect. IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Company this 29th day of September, 2022.

Mark S. Manguno

I, Leigh Anne Henican, Secretary of The Gray Casualty & Surety Company, do hereby certify that the above and forgoing is a true and correct copy of a Power of Attorney given by the companies, which is still in full force and effect. IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Company this 29th day of September, 2022.

Leigh Anne Henican



Minute Entry Sign Up Sheet

Date: 9/29/2022Time: 10:00 AMBid # 2022-033WL

Department: _____

BID# 2022-033WL TUPELO POLICE ATHLETIC
LEAGUE REROOF

Project:

Attendance

Jimmy Shemmet

Company

*COT**John N. Pearson**COT**Gen Andel**G & G*



AGENDA REQUEST

TO: Mayor and City Council

FROM: Alex Farned, Director

DATE October 12, 2022

SUBJECT: IN THE MATTER OF BID FOR HANK AND HELEN BOERNER SKATE
PARK RENOVATIONS AND IMPROVEMENTS BID #2022-035PR **AF**

Request:

Please review and approve the lowest and best bid from Grindline Skateparks, Inc for the Hank and Helen Boerner Skate Park Renovations and Improvements Bid of \$572,000.00.

Attached to this request are the following;

- Letter of Recommendation from Sloan Landscape Architecture
- Copy of Bid
- Bid Tab Sheet



October 12, 2022

Alex Farned, Director of Parks and Recreation Department
City of Tupelo
71 East Troy Street
Tupelo, MS 38804

**RE: City of Tupelo, Department of Parks and Recreation, Hank & Helen
Boerner Skate Park Renovations & Improvements: REBID, Tupelo, MS**

Dear Mr. Farned:

Bids were received this past Monday, October 10, 2022, on the above-noted project. The apparent low bidder for this project is Grindline Skateparks, Inc., with a Base Bid of \$572,000.00.

After discussions with yourself and key representatives from the city, it is my recommendation to award the bid to Grindline Skateparks, Inc. based upon their submitted proposal for the **Total Bid Amount of \$572,000.00**

If you have any questions or concerns, please feel free to give me a call at (662) 432-4146.

Sincerely,

Shipman Sloan, ASLA

pc: Don Lewis, COO; Traci Dillard, Finance; Missy Shelton, Council Clerk
File PN: 220043.00, CBN 2022-035PR

P. N. 22043.00
C.B.N 2022-035PR

Sloan Landscape Architecture, LLC

09/09/2022

SECTION 00 42 00 PROPOSAL FORM

(Submit in Duplicate)

Bidder's Name: Grindline Skateparks, Inc.

Address: 6419 14th Ave SW

Seattle, WA 98208

Date: 10/10/22

Project Owner: City of Tupelo
71 East Troy Street
Tupelo, MS 38804

Project Name: Hank & Helen Boerner Skate Park Renovations & Improvements, REBID

Having carefully examined the Contract Documents and all addenda for the referenced Project, as well as the premises and conditions affecting the work, I, the undersigned, propose to furnish all labor, materials, and services required by the Contract Documents in accordance with the conditions of said Contract Documents for the sums set forth below:

Base Bid: Five Hundred Seventy Two Thousand Dollars and zero cents
(\$ 572,000.00).

I (We) agree to hold our bid open for acceptance for **Sixty (60) calendar days** from the date of bid opening.

If awarded this Contract, I, (We), agree to execute a Contract and start Work on a date to be set in a Notice to Proceed and to complete the entire work in **One Hundred Eighty (180) Calendar Days**, subject to the terms and conditions of the Contract.

By signing this letter, Grindline Skateparks, Inc. (insert company name) is certifying that neither Grindline Skateparks, Inc. (insert company name) nor any potential subcontractors are debarred or suspended or are otherwise excluded or ineligible for participation in Federal Assistance Programs.

The attached Non-Collusive Form must also be completed, notarized and included when submitting this Proposal. Any requested information not submitted may cause Proposal to be rejected.

Liquidated Damages:

For each calendar day thereafter that substantial completion of the contract is delayed, liquidated damages will be assessed as follows; **\$500.00 per calendar day**. NO EXTENSIONS WILL BE ALLOWED

P. N. 22043.00
C.B.N 2022-035PR

Sloan Landscape Architecture, LLC

09/09/2022

As required by Section 00 21 13 - 1.6, "Bid Security", Bid Security in the form of a bid bond or cashier/certified check is attached hereto in the amount of 5% of the base bid amount and shall become the property of the Owner in the event the Agreement and required Bonds are not executed within the time set forth hereinbefore as liquidated damages for the delay and additional expense to the Owner caused thereby.

Addendum Receipt:

The receipt of the following Addenda to the Bidding Documents is hereby acknowledged:

Addendum No.: <u>N/A</u>	Dated: _____
Addendum No.: _____	Dated: _____
Addendum No.: _____	Dated: _____
Addendum No.: _____	Dated: _____

List of Suppliers and Sub-Contractors:

The low Bidder shall identify on the attached form within seven (7) days after bid receipt the names of the subcontractors and suppliers used by the Bidder in his bid for each subcontractor and supplier whose bid exceeds \$50,000.00.

Bidder acknowledges that his failure to indicate the name(s) of the subcontractors and suppliers included in his lump sum price within seven (7) days after bid receipt may result in the rejection of the Bidder's bid as nonresponsive and that Bidder's listing of itself as a subcontractor or supplier for any of the classifications or categories listed below means that Bidder will furnish the product from its manufacturing inventory or perform such work with its own regularly employed personnel and that Bidder has satisfactory qualifications and prior experience performing such work with its regularly employed personnel or manufacturing and furnishing such product from its manufacturing inventory. Bidder further acknowledges that he assumes the risk of removing and replacing work performed and/or products furnished by unauthorized substitutions of listed subcontractors and suppliers who will be rejected in accordance with Section 00 22 13, Paragraph 5.2.5:

P. N. 22043.00
C.B.N 2022-035PR

Sloan Landscape Architecture, LLC

09/09/2022

(complete if a corporation)

Our Corporation is chartered under the laws of the State of Washington, and the names, titles and business addresses of the principal officers are as follows (non- residents Bidders see Section 00 21 13, Paragraph 1.5):

Name	Address (City, State Zip)	Title
Jennifer Louise Rosholt	4619 14th Ave SW, Seattle, WA 98106	President
James Roger Klinedinst	4619 14th Ave SW, Seattle, WA 98106	Secretary
Monica Lynn Miller	4619 14th Ave SW, Seattle, WA 98106	Treasurer
Matthew Brett Fluegge	4619 14th Ave SW, Seattle, WA 98106	CEO

(complete if in if a partnership)

Our Partnership is composed of the following individuals:

Name	Address (City, State Zip)	Title

Notice of Acceptance of Our Bid May Be Delivered To:

Company Name: Grindline Skateparks, Inc.

Address: 4619 14th Ave SW, Seattle, WA 98106

Email Address: bids@grindline.com **Fax Number:** 206.932.6840

Signed: 

Title: Secretary

Certificate of Responsibility Number: 19476-MC

P. N. 22043.00
C.B.N 2022-035PR

Sloan Landscape Architecture, LLC

09/09/2022

Directions for Mailing:

Submit bid papers in sealed envelope marked as indicated in the Instructions to Bidders, inserted in opaque sealed envelope marked as follows:

Address To: City of Tupelo
City Hall - 1st Floor - Tax Office
Attn: Mrs. Traci Dillard
71 East Troy Street
Tupelo, MS 38804

Project Name: Hank & Helen Boerner Skate Park Renovations & Improvements, REBID
to be opened at **10:00 am on Monday October 10, 2022.**

[illegible]

P. N. 22043.00
C.B.N 2022-035PR

Sloan Landscape Architecture, LLC

09/09/2022

Form of Non-Collusive Affidavit:

AFFIDAVIT

(Prime Bidder shall include this form, completed, with his bid)

State of: Washington

County of: King

James Klinedinst, being first duly sworn, deposes and says:

That he or she is Grindline Corporate Secretary of Skateparks, Inc. the party making the (a partner or officer of the firm of, etc.) foregoing proposal or bid, that such proposal or bid is genuine and not collusive or sham; that said bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person, to put in a sham bid or to refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement or collusion, communication or conference, with any person, to fix the bid price of affiant or of any other bidder, or to fix any overhead, profit or cost element of said bid price, or of that of any other bidder, or to secure any advantage against the City of Tupelo or any person interested in the proposed contract; and that all statements in said proposal or bid are true.

Signature of: _____
Bidder, if the bidder is an individual:

Partner, if the bidder is partnership

Officer, if the bidder is a corporation:

Subscribed and sworn to before me the 3rd day of October, 2022

Monica L. Miller

My commission expires April 9th, 2024



P. N. 22043.00
C.B.N 2022-035PR

Sloan Landscape Architecture, LLC

09/09/2022

SECTION 00 45 16 – BIDDER'S QUALIFICATIONS

QUALIFICATION FORM

As part of their bid, the contractor must submit this form. Submission of this form does not constitute qualification. Qualification may be denied for any reasons the Owner deems necessary for the successful completion of the project. In the Owner's absolute discretion, if the prior work of the contractor is deemed unacceptable, the contractor will be declared a non-responsive bidder.

LEGAL QUESTIONNAIRE

In the past 5 (five) years has the contractor been sued for damages for breach of contract, defective construction or breach of warranty by a public entity?

YES ☐ or NO ☒

In the past 5 (five) years has a claim or lawsuit been filed against the contractor's performance bonding company arising from a breach of contract or defective construction?

YES ☐ or NO ☒

INSURANCE

Does the contractor meet the following minimum insurance requirements?

- Workers Compensation and Employers Liability insurance in the amount of \$1,000,000

YES ☒ or NO ☐

- Automobile Coverage for all Owned, Non-Owned and Hired vehicles in the amount of \$1,000,000 per occurrence, \$2,000,000 aggregate

YES ☒ or NO ☐

- Comprehensive General Liability or Commercial General Liability insurance covering all operations or job specific in the amount of \$1,000,000 per occurrence, \$2,000,000 aggregate

YES ☒ or NO ☐

- Excess Liability/ Umbrella Insurance in the amount of \$3,000,000

YES ☒ or NO ☐

- Errors and Omissions/ Professional Liability insurance in the amount of \$1,000,000 per occurrence, \$1,000,000 aggregate

YES ☒ or NO ☐

P. N. 22043.00
C.B.N 2022-035PR

Sloan Landscape Architecture, LLC

09/09/2022

SHOTCRETE NOZZLEMAN

The contractor's shotcrete nozzleman is required to be certified by the American Concrete Institute.

- Name: Kevin A Lane
- Certification ID: 01890770
- Certification Expiration Date: 11/11/2024

PRIOR SPECIALTY SKATEPARK CONSTRUCTION EXPERIENCE

The contractor is required to have constructed 5 (five) concrete skateparks of a minimum of 10,000 square feet for a public entity within the last 5 (five) years. Projects must have been open and continuously in operating condition for at least one year.

1. PROJECT NAME: Torguson Park Skatepark

OWNER: Si View Metro Parks

OWNER CONTACT INFORMATION: Travis Stombaugh - 425.831.1900

SHOTCRETE NOZZLEMAN: Isaac Cole

YEAR CONSTRUCTED: 2021

SQUARE FOOTAGE: 13,000

CONTRACTOR'S SCOPE: Design and Build

2. PROJECT NAME: ROC City Skatepark

OWNER: City of Rochester, NY

OWNER CONTACT INFORMATION: Steve Phillips - 585.889.8800

SHOTCRETE NOZZLEMAN: Kevin Lane

YEAR CONSTRUCTED: 2020

SQUARE FOOTAGE: 12,000

CONTRACTOR'S SCOPE: Skatepark Construction

3. PROJECT NAME: Zelienople Memorial Skate Park

OWNER: Borough of Zelienople, PA

OWNER CONTACT INFORMATION: Linda Gass - 724.368.9859

SHOTCRETE NOZZLEMAN: Andy Kropff

P. N. 22043.00

C.B.N 2022-035PR

Sloan Landscape Architecture, LLC

09/09/2022

YEAR CONSTRUCTED: 2020

SQUARE FOOTAGE: 13,000

CONTRACTOR'S SCOPE: Design and Build

4. PROJECT NAME: Riverside Skatepark

OWNER: City of Detroit, MI

OWNER CONTACT INFORMATION: Tim Karl- 313.224.3484

SHOTCRETE NOZZLEMAN: Kevin Lane

YEAR CONSTRUCTED: 2019

SQUARE FOOTAGE: 21,000

CONTRACTOR'S SCOPE: Design and Build

5. PROJECT NAME: McVicker Park Skatepark

OWNER: City of Lake Elsinore, CA

OWNER CONTACT INFORMATION: Johnathan O. Skinner - 951.674.3124

SHOTCRETE NOZZLEMAN: Dave Palmer

YEAR CONSTRUCTED: 2018

SQUARE FOOTAGE: 13,500

CONTRACTOR'S SCOPE: Design and Build

END OF SECTION 004516

P. N. 22043.00
C.B.N 2022-035PR

Sloan Landscape Architecture, LLC

09/09/2022

SECTION 005200 AGREEMENT FORM

1.01 DESCRIPTION

- A. The Owner will use AIA Document A101, 2007 Edition, Standard Form of Agreement Between Owner and Contractor, where basis for Payment is a Stipulated Sum as a part of the Contract Documents.
- B. A copy of this document is on file at the Landscape Architect's office. All Bidders shall read and understand the referenced document.

END OF SECTION 005200

BID BOND

Travelers Casualty and Surety Company of America
Hartford, CT 06183

KNOWN ALL BY THESE PRESENTS, That we, Grindline Skateparks, Inc., as Principal, and Travelers Casualty and Surety Company of America, as Surety, are held and firmly bound unto City of Tupelo, as Obligee, in the sum of Five Percent of the Total Amount Bid Dollars (5%) for the payment of which we bind ourselves, and our successors and assigns, jointly and severally, as provided herein.

WHEREAS, Principal has submitted or is about to submit a bid to the Obligee on a contract for Hank & Helen Boerner Skate Park Renovations & Improvements Project Number 22043.00 - City of Tupelo Bid Number 2022-035PR ("Project").

NOW, THEREFORE, the condition of this bond is that if Obligee accepts Principal's bid, and Principal enters into a contract with Obligee in conformance with the terms of the bid and provides such bond or bonds as may be specified in the bidding or contract documents, then this obligation shall be void; otherwise Principal and Surety will pay to Obligee the difference between the amount of Principal's bid and the amount for which Obligee shall in good faith contract with another person or entity to perform the work covered by Principal's bid, but in no event shall Surety's and Principal's liability exceed the penal sum of this bond.

Signed this 3rd day of October, 2022.

Grindline Skateparks, Inc.
 (Principal)

By: _____



Travelers Casualty and Surety Company of America

By: _____

Peggy L. Jackson

, Attorney-in-Fact



Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **PEGGY L. JACKSON** of **JACKSON, Mississippi**, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 21st day of April, 2021.



State of Connecticut

City of Hartford ss.

By: _____

Robert L. Raney
 Robert L. Raney, Senior Vice President

On this the 21st day of April, 2021, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2026



Anna P. Nowik
 Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her, and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 3rd day of October, 2022.



Kevin E. Hughes
 Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
 Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.

RCW 39.04.380 Preference for resident contractors. (1) The department of enterprise services must conduct a survey and compile the results into a list of which states provide a bidding preference on public works contracts for their resident contractors. The list must include details on the type of preference, the amount of the preference, and how the preference is applied. The list must be updated periodically as needed. The initial survey must be completed by November 1, 2011, and by December 1, 2011, the department must submit a report to the appropriate committees of the legislature on the results of the survey. The report must include the list and recommendations necessary to implement the intent of this section and section 2, chapter 345, Laws of 2011.

(2) The department of enterprise services must distribute the report, along with the requirements of this section and section 2, chapter 345, Laws of 2011, to all state and local agencies with the authority to procure public works. The department may adopt rules and procedures to implement the reciprocity requirements in subsection (3) of this section. However, subsection (3) of this section does not take effect until the department of enterprise services has adopted the rules and procedures for reciprocity under this subsection or announced that it will not be issuing rules or procedures pursuant to this section.

(3) In any bidding process for public works in which a bid is received from a nonresident contractor from a state that provides a percentage bidding preference, a comparable percentage disadvantage must be applied to the bid of that nonresident contractor. This subsection does not apply until the department of enterprise services has adopted the rules and procedures for reciprocity under subsection (2) of this section, or has determined and announced that rules are not necessary for implementation.

(4) A nonresident contractor from a state that provides a percentage bid preference means a contractor that:

(a) Is from a state that provides a percentage bid preference to its resident contractors bidding on public works contracts; and

(b) At the time of bidding on a public works project, does not have a physical office located in Washington.

(5) The state of residence for a nonresident contractor is the state in which the contractor was incorporated or, if not a corporation, the state where the contractor's business entity was formed.

(6) This section does not apply to public works procured pursuant to RCW 39.04.155, 39.04.280, or any other procurement exempt from competitive bidding. [2015 c 225 § 39; 2011 c 345 § 1.]

Conflict with federal requirements—2011 c 345: "If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state or local authority, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state or local authority." [2011 c 345 § 2.]

State of Mississippi

BOARD OF CONTRACTORS

GRINDLINE SKATEPARKS, INC.

4619 14TH AVE SW

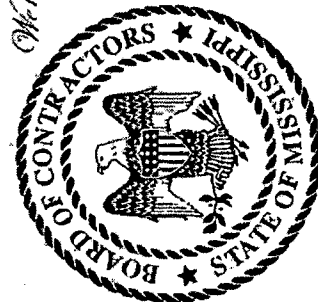
SEATTLE, WA 98106

ACTIVE

is duly registered and entitled to perform

1) BUILDING CONSTRUCTION 2) CONCRETE

We have heretofore set our hand and caused the Seal of the Mississippi Board of Contractors to be affixed this 31 day of May, 2023.



CERTIFICATE OF RESPONSIBILITY

No. 19476-MC

Expires May 31, 2023

Joel A. Carroll

CHAIRMAN OF THE BOARD

PN: 22043.00

CBN: 2022-035PR

City of Tupelo, MS- Department of Parks and Recreation
Hank Helen Boerner Skate Park Renovations Improvements

Opening Date: 10/10/2022
Opening Time: 2:00 p.m.

Contractor:	Grindline Skateparks, Inc	Philips Contracting Co., Inc	Spohn Ranch Skateparks	Stewart Environmental Construction, Inc.	
Certificate of Responsibility	19476-MC	00229-MC		12080-SC	
Surety Company	Travelers Casualty and Surety Company of America	Fidelity and Deposit Company of Maryland		The Ohio Casualty Insurance Company	
Base Bid:	\$572,000.00	\$691,376.00		\$619,496.00	

Certified Correct By:





AGENDA REQUEST

TO: Mayor and City Council
FROM: Johnny Timmons, Manager TW&L
DATE October 13, 2022
SUBJECT: IN THE MATTER OF REQUEST FOR APPROVAL OF SURPLUS ITEM JT

Request:

I respectfully request your approval to surplus the following item:

Description

- 2013 Skid Steer Loader (S/N 230801514)

After declaration as surplus, this item will be sold by sealed bid.

Thank you for your cooperation.

**FINAL RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF TUPELO,
MISSISSIPPI, GRANTING EXEMPTION FROM AD VALOREM TAXES TO
HAWKEYE INDUSTRIES, INC.**

The City Council of the City of Tupelo, Mississippi, next took up for consideration the matter of granting tax exemption for ad valorem taxes to **HAWKEYE INDUSTRIES, INC.**, and the following Resolution, being first reduced to writing, was introduced.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI,
GRANTING EXEMPTION FROM AD VALOREM TAXES TO HAWKEYE
INDUSTRIES, INC.**

WHEREAS, heretofore, **HAWKEYE INDUSTRIES, INC.**, a foreign corporation authorized to do business and doing business in the City of Tupelo, Mississippi, filed with the Council an application for exemption from ad valorem taxes, except State and School District ad valorem taxes for a period of ten (10) years as authorized by Section 27-31-101, et seq., of the Mississippi Code of 1972, as amended, which application was approved by the Council subject to the approval of the State Tax Commission of the State of Mississippi; and

WHEREAS, on the 5th day of October, 2022, the State Tax Commission of the State of Mississippi approved the application, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, a certified copy of the aforesaid State Tax Commission's approval has been received by the Council and recorded in its minutes.

NOW THEREFORE, in consideration of the premises, the City Council of Tupelo, Mississippi does hereby finally approve the application for ad valorem tax exemption, except State and School District ad valorem taxes for a period of ten (10) years beginning on the 1st day of January, 2022 and ending the 31st day of December, 2031, with a total true value of \$1,292,125.00.

The foregoing Resolution granting ad valorem tax exemption, except State and School District ad valorem taxes to Hawkeye Industries, Inc. was made on motion by Council Member Gaston, seconded by Council Member Mims, and was brought to a vote as follows:

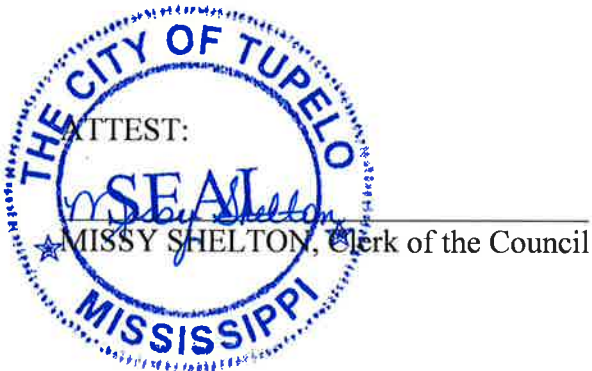
Councilmember Mims voted	AYE
Councilmember Bryan voted	AYE
Councilmember Beard voted	AYE
Councilmember Davis voted	AYE
Councilmember Palmer voted	AYE
Councilmember Gaston voted	AYE
Councilmember Jones voted	AYE

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

WHEREUPON, the foregoing Resolution was declared, passed and adopted at a regular meeting of the Council on this the 18th day of October, 2022.

CITY OF TUPELO, MISSISSIPPI

By: 
LYNN BRYAN
City Council President



APPROVED:

TODD JORDAN, Mayor

10-19-2022
DATE



DEPARTMENT OF
REVENUE
STATE OF MISSISSIPPI

499

OFFICE OF PROPERTY TAX
EXEMPTIONS & PUBLIC UTILITIES BUREAU

September 16, 2022

Amended 10/5/22

Ms. Kim Hanna, City Clerk
Lee County – Tupelo
P.O. Box 1485
Tupelo, Ms. 38802

Applicant: **Hawkeye Industries, Inc.**
Applicable Code Section: **MCA §27-31-105**
Date of Completion: **December 31, 2021**
Date Filed: **May 27, 2022**

EXEMPTION CERTIFICATION - NOTICE OF ACTION

- ☐ **NO ACTION** – The Department of Revenue has no authority to act on exemptions requested under the cited section of law.
- ☐ **INCOMPLETE DOCUMENTATION** – We cannot process your request, as necessary documentation is missing. Please provide:
- | | |
|--|--|
| <input type="checkbox"/> Application for Exemption | <input type="checkbox"/> Preliminary Resolution Granting Exemption |
| <input type="checkbox"/> Itemized Asset Listing | <input type="checkbox"/> MDA Approval Letter |
| <input type="checkbox"/> Tax Assessor's Position Statement | <input type="checkbox"/> Final Resolution Granting Exemption |
- ☐ **REQUEST IS CERTIFIED AS INELIGIBLE** – This request is ineligible under the cited section of law.
- ☒ **REQUEST IS CERTIFIED AS ELIGIBLE** – In accordance with the authority conferred upon the Department of Revenue, we hereby certify that the application for exemption submitted on behalf of the above-referenced entity is compliant with the provisions of law and the property referenced therein is eligible for ad valorem tax exemption to the extent permitted by law.

This certification applies exclusively to the property itemized in the original application for exemption, excluding any property found specifically ineligible by the Department. Outlined below is the total true value of eligible assets per the application. The amount of exemption is limited to the actual assessed value of such assets as annually determined by the Tax Assessor and finally approved by the Board of Supervisors.

TOTAL TRUE VALUE PER APPLICATION	REQUESTED	APPROVED
<input type="checkbox"/> Real Property		
<input checked="" type="checkbox"/> Personal Property	\$1,301,725.00	\$1,292,125.00
<input type="checkbox"/> Raw Materials		
<input type="checkbox"/> Work-in-Progress		
TOTAL	\$1,301,725.00	\$1,292,125.00
<input checked="" type="checkbox"/> Ineligible Property ^(* see below)	\$9,600.00	
<i>Software ineligible.</i>		

Pursuant to Miss. Code Ann. Section 27-31-109, if the governing authorities grant the exemption certified above, they must place a final order on their minutes declaring this property exempt and documenting the dates when this exemption commences and expires.

If the governing authorities issue a final order declaring this property exempt, the clerk must record the application and the order approving the exemption. Finally, the clerk must send a copy of the final order to the Mississippi Department of Revenue.

Should you have any questions concerning this matter, please feel free to contact us.

Debra McDonald, Revenue Specialist
Exemptions & Public Utilities Bureau
(P) 601.923.7634

Paul J. Foreman, Director
Exemptions & Public Utilities Bureau
(P) 601.923.7632

Save postage and get electronic verification that we have received your exemption filings by submitting any industrial exemption requests or correspondence electronically via email to indexemptions@dor.ms.gov.

**AN ORDINANCE TO AMEND THE DEVELOPMENT CODE OF THE
CITY OF TUPELO, MISSISSIPPI ADDING APPENDIX "A" WHICH
SHALL CONTAIN VARIOUS DESIGN STANDARDS, GUIDELINES AND
SPECIFICATIONS REFERENCED THEREIN (TA-3.26)**

WHEREAS, the City of Tupelo adopted an ordinance known as the Development Code on October 1, 2013; and

WHEREAS, the ordinance governs all zoning and development and applies to all land, buildings, structures and uses located within the corporate limits of the City of Tupelo; and

WHEREAS, the ordinance is adopted, pursuant to authority granted to the City of Tupelo by Section 17-1-1, et seq. of the Mississippi Code Annotated (1972); and

WHEREAS, the Department of Development Services and the Planning Committee have reviewed and considered information regarding the need to revise certain provisions of the Development Code and have conducted a public hearing with notice published in the Northeast Mississippi Daily Journal, at the Planning Committee's regularly scheduled meeting on September 12, 2022, on the proposed amendments; and,

WHEREAS, the Tupelo City Council conducted a public hearing, with notice published in the Northeast Mississippi Daily Journal, at its regularly scheduled meeting on October 4, 2022, to review and consider recommendations proposed by the Tupelo Department of Planning and Community Development and the Tupelo Planning Committee concerning amendments to the Development Code, and

WHEREAS, the City Council finds and determines that the proposed text is supported by substantial evidence, and further finds that it is necessary to protect the public health, safety, morals and general welfare to amend the current Development Code and that the provisions below are necessary, fair and reasonable.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI, as follows:

SECTION 1. The prefatory statements are hereby incorporated herein.

SECTION 2. The Development Code of the City of Tupelo, Mississippi shall be amended to include the following:

APPENDIX A

Table of Contents:

A.1 - Design Standards and Construction Specifications for Streets, Storm Water, Water Distribution and Sanitary Sewer

A.2 - Fairpark Design District Guidelines

A.3 – Downtown Tupelo Design Guidelines adopted by the Downtown Tupelo Main Street Association

A.4 - Tupelo Historic Preservation Commission Design Guidelines for Local Historic Districts

A.5 – Architectural Design Guidelines for the Historic Neighborhood Downtown Conservation Overlay District in Tupelo, Mississippi

SECTION 3. Appendix A of the Development Code of the City of Tupelo, Mississippi shall include subsection A.1 - Design Standards and Construction Specifications for Streets, Storm Water, Water Distribution and Sanitary Sewer. The terms of said subsection are attached hereto as **Exhibit “A.”**

SECTION 4. Appendix A of the Development Code of the City of Tupelo, Mississippi shall include subsection A.2 – Fairpark Design District Guidelines. The terms of said subsection are attached hereto as **Exhibit “B.”**

SECTION 5. Appendix A of the Development Code of the City of Tupelo, Mississippi shall include subsection A.3 - Downtown Tupelo Design Guidelines adopted by the Downtown Tupelo Main Street Association. The terms of said Subsection are attached hereto as **Exhibit "C."**

SECTION 6. Appendix A of the Development Code of the City of Tupelo, Mississippi shall include subsection A.4 - Tupelo Historic Preservation Commission Design Guidelines for Local Historic Districts. The terms of said subsection are attached hereto as **Exhibit "D."**

SECTION 7. Appendix A of the Development Code of the City of Tupelo, Mississippi shall include subsection A.5 - Architectural Design Guidelines for the Historic Neighborhood Downtown Conservation Overlay District in Tupelo, Mississippi. The terms of said Subsection are attached hereto as **Exhibit "E."**

SECTION 8. This amendatory ordinance has been articulated to be consistent with the constitution and laws of the State of Mississippi. The City Council finds that this amendatory ordinance does not violate any provision of the United States Constitution and laws. In the event that any court of competent jurisdiction finds that any provision of this amendatory ordinance is unconstitutional or invalid, the remainder shall stay in full force and effect.

SECTION 4. All ordinances, resolutions or orders in conflict herewith are repealed, effective thirty (30) days after passage of this amendment.

SECTION 5. This ordinance shall become effective on the thirtieth (30th) day following the adoption hereof. The City Council Clerk shall cause the ordinance to be published one (1) time in a local newspaper with a general circulation.

The foregoing ordinance was proposed in a motion by Council Member Beard, seconded by Council Member Gaston, and after discussion, no council member having called for a reading, was brought to a vote as follows:

Council Member Chad Mims
 Council Member Lynn Bryan
 Council Member Travis Beard
 Council Member Nettie Davis
 Council Member Buddy Palmer
 Council Member Janet Gaston
 Council Member Rosie Jones

Aye
Aye
Aye
Aye
Aye
Aye
Aye

Whereupon, the motion having received a majority of affirmative votes, the President of the Council declared that the Ordinance had been passed and adopted on this the 18th day of October, 2022.

CITY OF TUPELO, MISSISSIPPI

BY: _____

LYNN BRYAN, President

ATTEST:

Missy Shelton

MISSY SHELTON, Clerk of the Council

APPROVED: _____

TODD JORDAN, Mayor

DATE

10-19-2022

ORDER

**AN ORDER DECLARING AS SURPLUS .107 ACRES OF REAL PROPERTY
LOCATED AT 322 WEST MAIN STREET, NEAR THE INTERSECTION OF MAIN
STREET AND GREEN STREET, AND TO AUTHORIZE THE SALE OF SAID
PROPERTY TO BOSTICK NORTH MISSISSIPPI RENTALS, LLC.**

WHEREAS, the governing authorities of the City of Tupelo, Mississippi are empowered to act with respect to the care, management and control of municipal affairs and its properties for which no provision has been made by general law and which is not inconsistent with existing law pursuant to Section 21-17-1, et seq. of the Mississippi Code Annotated (1972), as amended, including the authority to sell, convey or lease real property on such terms as it may elect that are consistent with statutory authority; and

WHEREAS, the Subject Property located at 322 West Main Street, near the intersection of Green Street and Main Street, is more particularly described as follows:

COMMENCING AT THE SOUTHWEST CORNER OF BLOCK 45 OF THE WEATHERFORD & HILDEBRAND SURVEY OF THE CITY OF TUPELO, THE SAME BEING BLOCK 45 OF THE ROBERTSON MAP AND LOT 45 OF THE HARRIS & THOMASON SURVEY, THE SAME BEING THE INTERSECTION OF THE NORTH LINE OF MAIN STREET (100 FT. R.O.W.) AND THE EAST LINE OF GREEN STREET (66 FT. R.O.W.), SAID POINT BEING ESTABLISHED ON A MANHOLE AT STATE PLANE COORDINATES, MS EAST ZONE, NAD83, NORTH 1730712.06 FT., EAST 1022454.94 FT., CONVERGENCE 0°04'16.22", SCALE FACTOR 0.99995167 AND RUN THENCE NORTH 88 DEGREES 45 MINUTES 11 SECONDS EAST ALONG THE NORTH LINE OF MAIN STREET FOR A DISTANCE OF 50.00 FT. TO A MAG NAIL (SET) AT STATE PLANE COORDINATES, MS EAST ZONE, NAD83, NORTH 1730713.58 FT., EAST 1022524.93 FT., CONVERGENCE 0°04'16.69", SCALE FACTOR 0.99995168 FOR A POINT OF BEGINNING; THENCE RUN NORTH 01 DEGREES 16 MINUTES 49 SECONDS WEST ALONG THE EAST LINE OF THE W.M. DICKERSON, JR. PROPERTY (DEED BOOK 1611 PAGE 243) FOR A DISTANCE OF 50.00 FT. TO A CAPPED 1/2 INCH REBAR (SET); THENCE RUN NORTH 88 DEGREES 45 MINUTES 11 SECONDS EAST FOR A DISTANCE OF 93.08 FT. TO A DRILLED HOLE IN THE CONCRETE; THENCE RUN SOUTH 01 DEGREES 16 MINUTES 49 SECONDS EAST FOR A DISTANCE OF 50.00 FT. TO A DRILLED HOLE ON THE TOP OF A CONCRETE WALL OR CURB ON THE NORTH LINE OF MAIN STREET; THENCE RUN SOUTH 88 DEGREES 45 MINUTES 11 SECONDS WEST ALONG THE NORTH LINE OF MAIN STREET FOR A DISTANCE OF 93.08 FT. TO THE POINT OF BEGINNING.

ALL LYING AND BEING IN THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 9 SOUTH, RANGE 6 EAST, CITY OF TUPELO, LEE COUNTY, MISSISSIPPI AND CONTAINS 4653.9 SQUARE FEET, 0.107 ACRES.

WHEREAS, the Subject Property described above is currently owned by the City of Tupelo and is no longer needed for municipal or related purposes and is not to be used in the operation of the municipality; and

WHEREAS, the City of Tupelo, Mississippi has determined that the surplus of the Subject Property with the intent to convey said property to Bostik North Mississippi Rentals, LLC. 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 and is authorized by Miss. Code Ann. § 21-17-(2)(a) to convey or sell said property without having to advertise for and accept competitive bids.

NOW, THEREFORE, it is hereby resolved and ordered by the City Council of the City of Tupelo the following:

1. The prefatory paragraphs of this Order are hereby found and determined to be in accordance with the necessary and warranted exercise of its authority regarding the care, management and control of real property, and is in the best interest of the health, safety and welfare of the citizens of the City of Tupelo.
2. The Subject Property located at 322 W. Main Street is not needed for governmental or related purposes of the municipality, and is hereby found to be declared surplus.
3. The conveyance of the Subject Property will promote and foster the development and improvement of the community in which it is located and the economic welfare thereof, and it is therefore found that the competitive bids are not necessary.
4. The Mayor and City Clerk are authorized to negotiate and execute a purchase agreement with Bostick North Mississippi Rentals, LLC. for the sale of the subject property, subject to legal review and subsequent ratification by the City Council.
5. The Subject Property shall be sold to Bostick North Mississippi Rentals, LLC. subject to the terms of the executed purchase agreement, for the average of two fair market appraisals, and the Mayor and City Clerk are authorized to execute all documents necessary to effectuate the sale of the Subject Property.

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

Councilmember Mims voted	AYE
Councilmember L. Bryan voted	AYE
Councilmember Beard voted	AYE
Councilmember Davis voted	AYE
Councilmember Palmer voted	AYE
Councilmember Gaston voted	AYE
Councilmember Jones voted	AYE

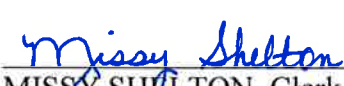
The motion having received the affirmative vote of a majority of the members present, the President declared the motion carried and the order adopted.

WHEREUPON, the foregoing Order was declared, passed and adopted at a regular meeting of the Council on this the 18TH day of October, 2022.

CITY OF TUPELO, MISSISSIPPI


LYNN BRYAN, City Council President

ATTEST:


MISSY SHELTON, Clerk of the Council

APPROVED:


TODD JORDAN, Mayor

10-19-2022
DATE

507
**MEMORANDUM OF UNDERSTANDING
BETWEEN**

THE CITY OF TUPELO AND GOVERNING BOARD AND NORTHEAST MISSISSIPPI COMMUNITY SERVICES, INC.

WHEREAS, Northeast Mississippi Community Services, Inc. Transportation Program is a federally funded 5311 Rural General Public Transportation Program through Mississippi Department of Transportation.

WHEREAS, Northeast Mississippi Community Services, Inc.'s administrative location is in Prentiss County, Mississippi. NEMCS, Inc. is located at 801 Hatchie Street Booneville, Mississippi. NEMCS, Inc. operates public transportation in the areas of Prentiss, Alcorn, Tishomingo, Marshall, Itawamba, and Desoto counties.

WHEREAS, There exists an independent relationship between Northeast Mississippi Community Services, Inc. and the government of the City of Tupelo and Governing Board; and

WHEREAS, the executive branches of the City of Tupelo and Governing Board ("City of Tupelo") and Northeast Mississippi Community Services, Inc., have issued executive orders to begin contractual services for transportation within the City of Tupelo. These services shall be implemented and begin on October 1, 2022, and will follow a twelve-month contract.

WHEREAS, the City of Tupelo and Governing Board, and Northeast Mississippi Community Services, desire to work together in coordination and cooperation with each other in government-to-government relationship for the benefit of both parties;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

I. PURPOSE

The purpose of this memorandum of Understanding is to formalize the terms and conditions Northeast Mississippi Community Services, Inc. and the City of Tupelo will employ to effectively provide transportation services to the citizens of Tupelo, Mississippi.

II. CONTACT PERSONS

Unless otherwise stated, the appropriate contact person for the City of Tupelo and Governing Board for matters pertaining to this Memorandum of Understanding shall be:

Don Lewis
COO, City of Tupelo
City of Tupelo
71 E Troy St,
Tupelo, MS 38804
(662) 840-2059
Don.Lewis@tupeloms.gov

The appropriate contact person(s) for the Northeast Mississippi Community Services, Inc. shall be:

Steve Gaines
 Director, Northeast Mississippi Community Services, Inc.
 NEMCS, Inc.
 P. O. Box 930, 801 Hatchie Street
 Booneville, MS 38829
 (662) 728-2118; Fax (662) 728-8720
sgaines@maxxsouth.net

The City of Tupelo shall contact the above-designated individual(s), or successor(s), for NEMCS, Inc., and NEMCS, Inc. shall contact the above-designated individual, or successor, for the City of Tupelo when either party has any questions related to this Memorandum of Understanding.

III. IMPLEMENTATION, OBJECTIVES AND RESPONSIBILITIES

A. IMPLEMENTATION

This Memorandum of Understanding shall be immediately effective upon the signature of the parties hereto.

B. OBJECTIVES

The parties hereto agree to providing residents of the city of Tupelo daily access to transportation to and from community Medical Facilities, Educational Institutions, social activity sites, and other destinations determined by the city, which they currently are not able to travel to. Northeast Mississippi Community Services, Inc. has the ability and the means to enhance and improve the quality of life to the citizens of Tupelo by providing mobility through coordinated, safe and affordable transportation.

C. RESPONSIBILITIES

1. NEMCS, Inc. and the City of Tupelo agree as follows:

- a. That NEMCS, Inc. shall provide General Public Demand Response transportation services to the residents of Tupelo for a maximum of 13 hours per day, five (5) days per week. The parties further agree that trips will be provided within the limits of the City of Tupelo.
- b. That NEMCS, Inc. shall provide these services for a twelve (12) month program period beginning on or about October 1, 2022 and ending on or about September 30, 2023.
- c. That the City of Tupelo shall pay the sum of \$144,900.00 to be billed by NEMCS, Inc. and paid on a monthly basis for said twelve (12) month period.

- d. That the parties agree that, upon written agreement, the period for providing transportation services can be renewed as well as expanded on an annual basis for a sum to be negotiated for said services.
- e. NEMCS, Inc will provide 1 bus and five vans actively running and 2 backup vehicles if needed to be run during daytime hours of 6:00 a.m. until 7:00 p.m. on 5 days of the week Monday through Friday, or as otherwise adjusted as agreed by the parties. All trips need to be scheduled if possible, with a forty-eight-hour notice. For emergency or last-minute scheduling, NEMCS will provide transportation according to availability up to six hours prior to schedules pick up.
- f. NEMCS, Inc. will provide maintenance on these vehicles by outsourcing through local vendors.
- g. The City of Tupelo will notify Law Enforcement of general public transportation service so that protection will always be available for the daily trips.
- h. The City of Tupelo has adopted the name of the transit service to be called "Tupelo Transit".
- i. The City of Tupelo has expressed that NEMCS, Inc. will be the primary and sole agency in charge of this venture.
- j. The City of Tupelo has agreed to wrap any necessary additional vehicles needed in future with its own designs and will work with Toyota to open a venue for advertising and marketing by local businesses to be used to gain revenue for NEMCS, Inc.
- k. Northeast Mississippi Community Services, Inc. will charge a fare to ride the Demand Response General Public transit service of \$2.00 per one-way trip and \$4.00 round trip.

V. SOVEREIGNTY

The parties hereto have entered into this Memorandum of Understanding for the sole purpose of enhancing government-to-government cooperation between the City of Tupelo and the Northeast Mississippi Community Services, Inc. The Memorandum of Understanding does not, and shall not be construed to change, enlarge, diminish, or waive the sovereignty or jurisdiction of either party or the rights, privileges or immunities of either party or any person. In addition, this Memorandum of Understanding does not, and shall not be construed to create any right to administrative or judicial review, or any other right, benefit or responsibility, substantive or procedural, enforceable by any person against Northeast Mississippi Community Services, Inc., the City of Tupelo, their officers or employees, or any other person, except as expressly agreed to herein.

VI. INSURANCE

Northeast Mississippi Community Services, Inc. agrees to provide the following insurance coverage and limits.

<u>COVERAGE</u>	<u>LIMITS OF LIABILITY</u>
Employer's Liability	\$1,000,000
Bodily, Injury Liability	\$1,000,000 per occurrence (\$3,000,000 aggregate)
Property Damage Liability	\$500,000 per occurrence (\$500,000 aggregate)
Automobile Bodily Injury Liability	\$1,000,000 per occurrence (\$3,000,000 aggregate)
Excess Umbrella Liability	\$4,000,000 per occurrence
Worker's Compensation Insurance as required by the state.	

Northeast Mississippi Community Services, Inc.⁵¹⁰ agree to indemnify the City against any and all claims, damages, losses, liabilities, fees, fines and penalties and other losses and expenses arising out of or related to the conduct of the Service Provider at no cost to the City of Tupelo. Northeast Mississippi Community Services, Inc. will list the City of Tupelo as a named insured on its Commercial General Liability (CBL) coverages.

VII. REPORTING

A. Northeast Mississippi Community Services, Inc. shall provide on not less than a quarterly basis the following data as either part of its invoicing to the City or as a periodic report attached to its invoice:

- Vehicle hours
- Vehicle miles
- Number of rides (Ridership)
- Operating cost/hour/mile/ride
- Passenger per hour/mile
- Number of requested trips
- Number of trip denials
- Copy of MDOT reports

B. Northeast Mississippi Community Services, Inc. shall provide a monthly report of any clientele complaints made and the response provided by the Service Provider.

C. Northeast Mississippi Community Services, Inc. shall provide a quarterly report of any vehicle accidents or incidents involving riders. Northeast Mississippi Community Services, Inc. shall also provide an immediate incident report within twenty-four (24) hours to the City of Tupelo of any injuries to clientele during the provision of service.

VIII. ADDITIONAL REQUIREMENTS

Northeast Mississippi Community Services, Inc. will demonstrate the capability to fulfill the following professional and administrative requirements.

- Remain abreast of and abide by current, local, state and federal laws, regulations and policies affecting the provision of services. Northeast Mississippi Community Services, Inc. will propose services in accordance with Federal Transportation Administration (FT A) guidelines for drug testing of employees, safety/security, reporting, DBE program, certification and assurances, and vehicle maintenance.
- Northeast Mississippi Community Services, Inc. will provide records access upon City request.
- Northeast Mississippi Community Services, Inc. will provide a system of handling and resolving customer complaints as expeditiously as possible, including responding to all complaints within twenty-four (24) hours and maintaining a log of all complaints.
- Northeast Mississippi Community Services, Inc. is a private non-profit community action agency that offers several programs for the elderly, disabled, low income, and general public including transportation. Our agency began transportation services in 1978 in the counties of Alcorn, Prentiss, Tishomingo and Marshall. We operate a 5310 and 5311 transportation contract program with Mississippi Department of Transportation. We offer general public

transportation in the counties of Alcorn, Prentiss, Tishomingo, Itawamba and Marshall. We offer a fixed and flex route system as part of contract services for Region IV Mental Health in the counties of Alcorn, Prentiss, Tishomingo and Desoto. With the support of MDOT, our contract partners, and our local elected officials, we have successfully provided transportation services within our service area.

- As part of the 5311 General Public Transportation program offered by NEMCS Inc., we provide curb to curb transit service to individuals within Alcorn, Prentiss, Tishomingo, Itawamba and Marshall Counties. This service requires the coordinated efforts of our staff in the functions of receiving, scheduling, and dispatching, of transportation personnel in order to provide not only adequate, but exceptional, transportation service. During the program year 2017 our agency provided 92,446 passenger trips. We are currently on track to provide 100,000 passenger trips for the 2018 program year.

IX. AMENDMENTS

This Memorandum of Understanding may be amended in writing as mutually agreed upon by the parties.

X. TERMINATION

This Memorandum of Understanding may be terminated by either party at the end of the agreed upon ending date of September 30, 2023.

XI. EXECUTION

The parties agree that this Memorandum of Understanding shall be submitted to both the executive branches of the City of Tupelo and Northeast Mississippi Community Services, Inc., and that nothing contained in this Memorandum of Understanding or any amendments thereto shall become effective until executed both by Northeast Mississippi Community Services, Inc. and the City of Tupelo.

WE, THE UNDERSIGNED, HEREBY AGREE TO THIS MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF TUPELO AND ITS GOVERNING BOARD AND NORTHEAST MISSISSIPPI COMMUNITY SERVICES, INC.

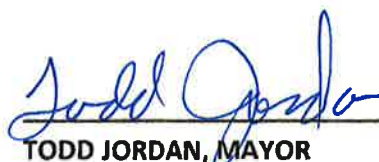
NORTHEAST MISSISSIPPI COMMUNITY SERVICES, INC.



STEVE GAINES, EXECUTIVE DIRECTOR
NEMCS, INC.

9/21/22
DATE

CITY OF TUPELO, MISSISSIPPI



TODD JORDAN, MAYOR
CITY OF TUPELO

10-19-2022
DATE



AGENDA REQUEST

TO: Mayor and City Council

FROM: Abby Christian, Grant Administrator

DATE 18 October 2022

SUBJECT: IN THE MATTER OF APPROVAL OF SUBMISSION OF GRANT APPLICATION
FOR PROJECT SAFE NEIGHBORHOODS FUNDING – AC

Request: Seeking the Council's approval for the submission of the PSN grant application. If awarded, this funding would be used to purchase cameras to deter, monitor and prosecute violent gang and gun crime.

Agency: U. S. Department of Justice (DOJ), Office of Justice Programs (OJP)

Grant: Project Safe Neighborhoods (PSN), Northern District of Mississippi

Amount: Approximately \$33,000

Match: None

Submission Deadline: 01 November 2022

Overview: This funding will be used to purchase 4 Active Solutions SafeCity Neighborhood Watch Cameras.

**JACKSON STREET – CLAYTON TO MADISON
CITY OF TUPELO, MISSISSIPPI**

CHANGE ORDER

Order No.: 2 & Final Summary

Date: October 12, 2022

Agreement Date: July 22, 2020

Project: **JACKSON STREET IMPROVEMENTS CLAYTON - MADISON**

OWNER: CITY OF TUPELO, MISSISSIPPI

The following changes are hereby made to the CONTRACT DOCUMENTS:

Justification: Final Quantity Summary (See Attached)

ORIGINAL CONTRACT PRICE \$2,704,861.40

CURRENT CONTRACT PRICE adjusted by previous CHANGE ORDER: \$2,711,210.40

The CONTRACT PRICE due to this CHANGE ORDER will be increased by: \$40,712.51

The new CONTRACT PRICE including this CHANGE ORDER will be: \$2,751,922.91

The CONTRACT TIME will be (increased)(decreased) by 0 calendar days.

Approvals required:

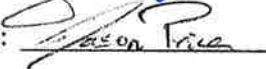
Requested by (OWNER):



Recommended by (ENGINEER):



Accepted by (CONTRACTOR):


Jason Price

Jackson Street Improvements (Clayton to Madison)
City of Tupelo, MS
Project No. T17-485

FINAL SUMMARY CHANGE ORDER

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	CONTRACT AMOUNT	FINAL QUANTITY	FINAL CONTRACT AMOUNT	SUMMARY C.O. AMOUNT
1 Clearing and Grubbing	1.00	LS	\$332,000.00	\$332,000.00	1.00	\$332,000.00	\$0.00
2 Removal of Concrete	1,284.00	SY	\$11.00	\$13,804.00	1275.34	\$14,028.74	\$124.74
3 Removal of Retaining Wall	78.00	LF	\$20.00	\$1,560.00	118.00	\$2,360.00	\$800.00
4 Removal of Concrete Sidewalk	433.00	SY	\$13.00	\$5,629.00	430.83	\$5,598.19	-\$30.81
5 Removal of Junction Box	2.00	EA	\$845.00	\$1,690.00	4.00	\$3,380.00	\$1,690.00
6 Removal of Inlets	10.00	EA	\$950.00	\$9,500.00	12.00	\$11,400.00	\$1,900.00
7 Removal of Asphalt Pavement	829.00	SY	\$12.00	\$9,948.00	711.48	\$8,537.78	-\$1,410.24
8 Removal of Fence/Wall	367.00	LF	\$5.30	\$1,945.10	367.00	\$1,945.10	\$0.00
9 Removal of Curb & Gutter	4,162.00	LF	\$10.00	\$41,620.00	4739.00	\$47,390.00	\$5,770.00
10 Removal of Pipes (All Types)	375.00	LF	\$16.00	\$5,825.00	496.50	\$7,447.50	\$1,622.50
11 Removal of Sign	13.00	EA	\$212.00	\$2,756.00	11.00	\$2,332.00	-\$424.00
12 Relocation of Fire Hydrant	4.00	EA	\$1,770.00	\$7,080.00	3.00	\$5,310.00	-\$1,770.00
13 Borrow Excavation, AH, FME, Class B9	725.00	CY	\$45.00	\$32,625.00	724.89	\$32,620.05	-\$4.95
14 Unclassified Excavation, FM, AH	1,618.00	CY	\$13.00	\$21,034.00	1817.60	\$23,628.80	-\$5.20
15 Solid Sodding, Bermuda	3,000.00	SY	\$8.00	\$18,000.00	3050.00	\$18,300.00	\$300.00
16 Watering	50.00	K GAL	\$30.00	\$1,500.00	24.20	\$728.00	-\$774.00
17 Mowing	1.00	AC	\$50.00	\$50.00	0.00	\$0.00	-\$50.00
18 Temporary Silt Fence	5,300.00	LF	\$3.00	\$15,900.00	1563.00	\$4,689.00	-\$11,211.00
19 Wattles, 12"	200.00	LF	\$5.50	\$1,100.00	709.87	\$3,903.19	\$2,803.19
20 Riprap for Erosion Control	20.00	TON	\$175.00	\$3,500.00	0.00	\$0.00	-\$3,500.00
21 Select Borrow	589.00	SY	\$58.00	\$34,162.00	377.00	\$21,866.00	-\$12,296.00
22 Granular Material, Crushed Stone	967.00	CY	\$84.00	\$81,228.00	1034.00	\$86,856.00	\$5,628.00
23 Geotextile Fabric	1,737.00	SY	\$5.00	\$8,685.00	1891.22	\$9,456.10	\$771.10
24 Hot Mix Asphalt, MT, 12.5-mm Mixture	255.00	TON	\$200.00	\$51,000.00	255.00	\$51,000.00	\$0.00
25 Hot Mix Asphalt, MT, 19-mm Mixture	550.00	TON	\$150.00	\$82,500.00	301.03	\$45,154.50	-\$37,345.50
26 Hot Mix Asphalt, MT, 9.5-mm Mixture	1,750.00	TON	\$140.00	\$245,000.00	2355.44	\$329,761.60	\$84,761.60
27 Cold Milling Of Bituminous Pavement, All Depths	4,305.00	SY	\$4.40	\$18,942.00	5042.05	\$22,185.02	\$3,243.02
28 Class "B" Structural Concrete, Minor Structures, Per Plans	23.00	CY	\$1,900.00	\$43,700.00	38.98	\$70,224.00	\$26,524.00
29 Reinforcing Steel	1,274.00	LB	\$2.00	\$2,548.00	2264.86	\$4,529.72	\$1,981.72
30 15" HP Pipe	803.00	LF	\$32.00	\$19,296.00	784.50	\$25,104.00	\$5,808.00
31 18" HP Pipe	1,158.00	LF	\$36.00	\$41,688.00	1273.60	\$45,848.60	\$4,161.60
32 65"x40" Reinforced Concrete Arch Pipe, Class III	255.00	LF	\$200.00	\$51,000.00	208.00	\$41,600.00	-\$9,400.00
33 65"x40" Reinforced Concrete Flared End Section, Class III	1.00	EA	\$3,400.00	\$3,400.00	0.00	\$0.00	-\$3,400.00
34 Castings	402.00	LB	\$4.50	\$1,809.00	700.00	\$3,150.00	\$1,341.00
35 Gratings	200.00	LB	\$5.00	\$1,000.00	700.00	\$3,500.00	\$2,500.00
36 Geotextile Fabric for Subsurface Drainage, Type III	231.00	SY	\$4.00	\$924.00	162.58	\$650.24	-\$273.76
37 Filter Mat for Storm Drain and/or Underdrains, Type A, FM	281.00	CY	\$70.00	\$19,670.00	265.89	\$18,612.30	-\$1,057.70
38 Filter Mat for Storm Drain and/or Underdrains, Type B, FM	345.00	CY	\$84.00	\$28,980.00	384.88	\$32,419.52	\$2,539.52
39 Curb Inlet	22.00	EA	\$2,600.00	\$57,200.00	22.00	\$57,200.00	\$0.00
40 Grate Inlet	3.00	EA	\$3,100.00	\$9,300.00	3.00	\$9,300.00	\$0.00
41 Catch Basin	6.00	EA	\$2,500.00	\$15,000.00	8.00	\$15,000.00	\$0.00
42 Manhole Basin	2.00	EA	\$2,900.00	\$5,800.00	0.00	\$0.00	-\$5,800.00
43 Combination Curb and Gutter, Type 2 Modified	4,716.00	LF	\$17.00	\$80,172.00	4782.50	\$81,302.50	\$1,130.50
44 Concrete Curb, Header	1,042.00	LF	\$35.00	\$36,470.00	909.50	\$31,832.50	-\$4,637.50
45 Adjustment of Utility Appurtenance	65.00	EA	\$650.00	\$42,250.00	65.00	\$42,250.00	\$0.00
46 Concrete Sidewalk, With Reinforcement	1,295.00	SY	\$83.00	\$107,485.00	1184.99	\$96,694.17	-\$10,790.83
47 40"x8" Pedestrian Bridge	1.00	EA	\$58,500.00	\$58,500.00	1.00	\$58,500.00	\$0.00
48 Segmental Block Retaining Wall	390.00	LF	\$178.00	\$69,420.00	533.34	\$93,887.84	\$25,227.84
49 Brick Retaining Wall	548.00	LF	\$315.00	\$171,990.00	548.00	\$171,990.00	\$0.00
50 Guardrail	771.00	LF	\$91.00	\$70,161.00	856.00	\$77,896.00	\$7,735.00
51 Handrail	22.00	LF	\$120.00	\$2,640.00	6.00	\$720.00	-\$1,920.00
52 Concrete Steps	6.00	SY	\$660.00	\$3,960.00	6.00	\$3,960.00	\$0.00
53 Concrete Driveway, With Reinforcement	1,548.00	CY	\$77.00	\$119,196.00	1107.00	\$85,238.00	-\$33,957.00
54 Maintenance of Traffic	1.00	LS	\$200,000.00	\$200,000.00	1.00	\$200,000.00	\$0.00
55 Additional Construction Signs	1.00	SF	\$10.00	\$10.00	55.00	\$550.00	\$540.00
56 Standard Roadside Construction Signs, Less than 10 Square Feet	228.00	SF	\$10.00	\$2,280.00	228.00	\$2,280.00	\$0.00
57 Standard Roadside Construction Signs, 10 Square Feet or More	64.00	SF	\$10.00	\$640.00	64.00	\$640.00	\$0.00
58 Barricades, Type III, Single Faced	24.00	LF	\$17.00	\$408.00	24.00	\$408.00	\$0.00
59 Free Standing Plastic Drums	77.00	EA	\$46.00	\$3,542.00	108.00	\$4,968.00	\$1,426.00
60 Mobilization	1.00	LS	\$200,000.00	\$200,000.00	1.00	\$200,000.00	\$0.00
61 Temporary Traffic Stripe, Skip Yellow	6,486.00	LF	\$0.60	\$3,891.60	340.00	\$204.00	-\$3,687.60
62 Temporary Edge Stripe, Edge White	8,448.00	LF	\$0.60	\$5,068.80	0.00	\$0.00	-\$5,068.80
63 Temporary Traffic Stripe, Continuous Yellow	6,486.00	LF	\$0.60	\$3,891.60	14088.00	\$8,452.80	\$4,561.20
64 Temporary Detail Stripe, Detail White	4,990.00	LF	\$0.60	\$2,994.00	2342.00	\$1,405.20	-\$1,588.80
65 Temporary Detail Stripe, Detail Yellow	5,438.00	LF	\$0.60	\$3,262.80	0.00	\$0.00	-\$3,262.80
66 Temporary Thermoplastic Legend, White (Stop Bar)	738.00	LF	\$1.20	\$885.60	414.00	\$496.80	-\$388.80
67 Temporary Thermoplastic Legend, White	3,144.00	SF	\$3.00	\$9,432.00	41.00	\$123.00	-\$9,309.00
68 6" Thermoplastic Traffic Stripe, Skip Yellow	3,243.00	LF	\$1.50	\$4,864.50	2998.00	\$4,494.00	-\$370.50
69 6" Thermoplastic Edge Stripe, Edge White	4,223.00	LF	\$1.50	\$6,334.50	4782.00	\$7,173.00	\$838.50
70 6" Thermoplastic Traffic Stripe, Continuous Yellow	3,243.00	LF	\$1.50	\$4,864.50	5503.00	\$8,254.50	\$3,390.00
71 6" Thermoplastic Detail Stripe, Detail White	2,495.00	LF	\$2.40	\$5,988.00	2720.00	\$6,528.00	\$540.00
72 6" Thermoplastic Detail Stripe, Detail Yellow	2,719.00	LF	\$2.40	\$6,525.60	542.00	\$1,300.80	-\$5,224.80
73 Thermoplastic Legend, White (Stop Bar)	389.00	LF	\$5.00	\$1,945.00	1384.00	\$6,920.00	\$5,075.00
74 Thermoplastic Legend, White	1,572.00	SF	\$11.00	\$17,292.00	604.00	\$6,644.00	-\$10,648.00
75 Traffic Signs	13.00	EA	\$200.00	\$2,600.00	13.00	\$2,600.00	\$0.00
76 Roadway Construction Stakes	1.00	LS	\$77,250.00	\$77,250.00	1.00	\$77,250.00	\$0.00
77 Inlet Converted to Junction Box	4.00	EA	\$1,680.00	\$6,720.00	3.00	\$5,040.00	-\$1,680.00
78 Stamped and Colored Asphalt Crosswalks	260.00	SY	\$88.00	\$22,880.00	197.00	\$17,336.00	-\$5,544.00
79 Flowable Fill	10	CY	\$266.00	\$2,660.00	10.00	\$2,660.00	\$0.00
121 Revised Relocation of Fire Hydrant	0	EA	\$1,770.00	\$0.00	-1.00	-\$1,770.00	-\$1,770.00
80 Removal and Replacement of Fire Hydrant	1	EA	\$3,355.00	\$3,355.00	1.00	\$3,355.00	\$0.00
81 Basin Modification	4	EA	\$1,191.00	\$4,764.00	0.00	\$0.00	-\$4,764.00
82 Exposed Aggregate for Drive	0	LS	\$955.69	\$0.00	1.00	\$955.69	\$955.69
83 Madison Intersection Drainage System Removal and Replacement	0	LS	\$15,598.69	\$0.00	1.00	\$15,598.69	\$15,598.69
84 Minor Structure Concrete Materials	0	LS	\$10,388.49	\$0.00	1.00	\$10,388.49	\$10,388.49
				\$2,711,210.40		2,751,922.91	40,712.51

**JACKSON STREET – CLAYTON TO MADISON
CITY OF TUPELO, MISSISSIPPI**

CHANGE ORDER

Order No.: 2 & Final Summary

Date: October 12, 2022

Agreement Date: July 22, 2020

Project: **JACKSON STREET IMPROVEMENTS CLAYTON - MADISON**

OWNER: CITY OF TUPELO, MISSISSIPPI

The following changes are hereby made to the CONTRACT DOCUMENTS:

Justification: Final Quantity Summary (See Attached)

ORIGINAL CONTRACT PRICE \$2,704,861.40

CURRENT CONTRACT PRICE adjusted by previous CHANGE ORDER: \$2,711,210.40

The CONTRACT PRICE due to this CHANGE ORDER will be increased by: \$40,712.51

The new CONTRACT PRICE including this CHANGE ORDER will be: \$2,751,922.91

The CONTRACT TIME will be (increased)(decreased) by 0 calendar days.

Approvals required:

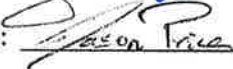
Requested by (OWNER):



Recommended by (ENGINEER):



Accepted by (CONTRACTOR):


Jason Price

Jackson Street Improvements (Clayton to Madison)
City of Tupelo, MS
Project No. T17-485

FINAL SUMMARY CHANGE ORDER

	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	CONTRACT AMOUNT	FINAL QUANTITY	FINAL CONTRACT AMOUNT	SUMMARY C.O. AMOUNT
1	Clearing and Grubbing	1.00	LS	\$332,000.00	\$332,000.00	1.00	\$332,000.00	\$0.00
2	Removal of Concrete	1,284.00	SY	\$11.00	\$13,804.00	1275.34	\$14,028.74	\$124.74
3	Removal of Retaining Wall	78.00	LF	\$20.00	\$1,560.00	118.00	\$2,360.00	\$800.00
4	Removal of Concrete Sidewalk	433.00	SY	\$13.00	\$5,629.00	430.83	\$5,598.19	-\$30.81
5	Removal of Junction Box	2.00	EA	\$845.00	\$1,690.00	4.00	\$3,380.00	\$1,690.00
6	Removal of Inlets	10.00	EA	\$950.00	\$9,500.00	12.00	\$11,400.00	\$1,900.00
7	Removal of Asphalt Pavement	829.00	SY	\$12.00	\$9,948.00	711.48	\$8,537.78	-\$1,410.24
8	Removal of Fence/Wall	367.00	LF	\$5.30	\$1,945.10	367.00	\$1,945.10	\$0.00
9	Removal of Curb & Gutter	4,162.00	LF	\$10.00	\$41,620.00	4739.00	\$47,390.00	\$5,770.00
10	Removal of Pipes (All Types)	375.00	LF	\$16.00	\$5,825.00	496.50	\$7,447.50	\$1,622.50
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12	Relocation of Fire Hydrant	4.00	EA	\$1,770.00	\$7,080.00	3.00	\$5,310.00	-\$1,770.00
13	Borrow Excavation, AH, FME, Class B9	725.00	CY	\$45.00	\$32,625.00	724.89	\$32,620.05	-\$4.95
14	Unclassified Excavation, FM, AH	1,618.00	CY	\$13.00	\$21,034.00	1817.60	\$23,628.80	-\$5.20
15	Solid Sodding, Bermuda	3,000.00	SY	\$8.00	\$18,000.00	3050.00	\$18,300.00	\$300.00
16	Watering	50.00	K GAL	\$30.00	\$1,500.00	24.20	\$728.00	-\$774.00
17	Mowing	1.00	AC	\$50.00	\$50.00	0.00	\$0.00	-\$50.00
18	Temporary Silt Fence	5,300.00	LF	\$3.00	\$15,900.00	1563.00	\$4,689.00	-\$11,211.00
19	Wattles, 12"	200.00	LF	\$5.50	\$1,100.00	709.87	\$3,903.19	\$2,803.19
20	Riprap for Erosion Control	20.00	TON	\$175.00	\$3,500.00	0.00	\$0.00	-\$3,500.00
21	Select Borrow	589.00	SY	\$58.00	\$34,162.00	377.00	\$21,866.00	-\$12,296.00
22	Granular Material, Crushed Stone	967.00	CY	\$84.00	\$81,228.00	1034.00	\$86,856.00	\$5,628.00
23	Geotextile Fabric	1,737.00	SY	\$5.00	\$8,685.00	1891.22	\$9,456.10	\$771.10
24	Hot Mix Asphalt, MT, 12.5-mm Mixture	255.00	TON	\$200.00	\$51,000.00	255.00	\$51,000.00	\$0.00
25	Hot Mix Asphalt, MT, 19-mm Mixture	550.00	TON	\$150.00	\$82,500.00	301.03	\$45,154.50	-\$37,345.50
26	Hot Mix Asphalt, MT, 9.5-mm Mixture	1,750.00	TON	\$140.00	\$245,000.00	2355.44	\$329,761.60	\$84,761.60
27	Cold Milling Of Bituminous Pavement, All Depths	4,305.00	SY	\$4.40	\$18,942.00	5042.05	\$22,185.02	\$3,243.02
28	Class "B" Structural Concrete, Minor Structures, Per Plans	23.00	CY	\$1,900.00	\$43,700.00	38.98	\$70,224.00	\$26,524.00
29	Reinforcing Steel	1,274.00	LB	\$2.00	\$2,548.00	2264.86	\$4,529.72	\$1,981.72
30	15" HP Pipe	803.00	LF	\$32.00	\$19,296.00	784.50	\$25,104.00	\$5,808.00
31	18" HP Pipe	1,158.00	LF	\$36.00	\$41,688.00	1273.60	\$45,848.60	\$4,161.60
32	65"x40" Reinforced Concrete Arch Pipe, Class III	255.00	LF	\$200.00	\$51,000.00	208.00	\$41,600.00	-\$9,400.00
33	65"x40" Reinforced Concrete Flared End Section, Class III	1.00	EA	\$3,400.00	\$3,400.00	0.00	\$0.00	-\$3,400.00
34	Castings	402.00	LB	\$4.50	\$1,809.00	700.00	\$3,150.00	\$1,341.00
35	Gratings	200.00	LB	\$5.00	\$1,000.00	700.00	\$3,500.00	\$2,500.00
36	Geotextile Fabric for Subsurface Drainage, Type III	231.00	SY	\$4.00	\$924.00	162.58	\$650.24	-\$273.76
37	Filter Mat for Storm Drain and/or Underdrains, Type A, FM	281.00	CY	\$70.00	\$19,670.00	265.89	\$18,612.30	-\$1,057.70
38	Filter Mat for Storm Drain and/or Underdrains, Type B, FM	345.00	CY	\$84.00	\$22,080.00	384.88	\$24,819.52	\$2,739.52
39	Curb Inlet	22.00	EA	\$2,600.00	\$57,200.00	22.00	\$57,200.00	\$0.00
40	Grate Inlet	3.00	EA	\$3,100.00	\$9,300.00	3.00	\$9,300.00	\$0.00
41	Catch Basin	6.00	EA	\$2,500.00	\$15,000.00	6.00	\$15,000.00	\$0.00
42	Manhole Basin	2.00	EA	\$2,900.00	\$5,800.00	0.00	\$0.00	-\$5,800.00
43	Combination Curb and Gutter, Type 2 Modified	4,716.00	LF	\$17.00	\$80,172.00	4782.50	\$81,302.50	\$1,130.50
44	Concrete Curb, Header	1,042.00	LF	\$35.00	\$36,470.00	909.50	\$31,832.50	-\$4,637.50
45	Adjustment of Utility Appurtenance	65.00	EA	\$650.00	\$42,250.00	65.00	\$42,250.00	\$0.00
46	Concrete Sidewalk, With Reinforcement	1,295.00	SY	\$83.00	\$107,485.00	1184.99	\$96,694.17	-\$10,790.83
47	40"x8" Pedestrian Bridge	1.00	EA	\$58,500.00	\$58,500.00	1.00	\$58,500.00	\$0.00
48	Segmental Block Retaining Wall	390.00	LF	\$178.00	\$69,420.00	533.34	\$93,887.84	\$25,227.84
49	Brick Retaining Wall	548.00	LF	\$315.00	\$171,990.00	548.00	\$171,990.00	\$0.00
50	Guardrail	771.00	LF	\$91.00	\$70,161.00	856.00	\$77,896.00	\$7,735.00
51	Handrail	22.00	LF	\$120.00	\$2,640.00	6.00	\$720.00	-\$1,920.00
52	Concrete Steps	6.00	SY	\$660.00	\$3,960.00	6.00	\$3,960.00	\$0.00
53	Concrete Driveway, With Reinforcement	1,548.00	CY	\$77.00	\$119,196.00	1107.00	\$85,238.00	-\$33,957.00
54	Maintenance of Traffic	1.00	LS	\$200,000.00	\$200,000.00	1.00	\$200,000.00	\$0.00
55	Additional Construction Signs	1.00	SF	\$10.00	\$10.00	55.00	\$550.00	\$540.00
56	Standard Roadside Construction Signs, Less than 10 Square Feet	228.00	SF	\$10.00	\$2,280.00	228.00	\$2,280.00	\$0.00
57	Standard Roadside Construction Signs, 10 Square Feet or More	64.00	SF	\$10.00	\$640.00	64.00	\$640.00	\$0.00
58	Barricades, Type III, Single Faced	24.00	LF	\$17.00	\$408.00	24.00	\$408.00	\$0.00
59	Free Standing Plastic Drums	77.00	EA	\$46.00	\$3,542.00	108.00	\$4,968.00	\$1,426.00
60	Mobilization	1.00	LS	\$200,000.00	\$200,000.00	1.00	\$200,000.00	\$0.00
61	Temporary Traffic Stripe, Skip Yellow	6,486.00	LF	\$0.60	\$3,891.60	340.00	\$204.00	-\$3,687.60
62	Temporary Edge Stripe, Edge White	8,448.00	LF	\$0.60	\$5,068.80	0.00	\$0.00	-\$5,068.80
63	Temporary Traffic Stripe, Continuous Yellow	6,486.00	LF	\$0.60	\$3,891.60	14088.00	\$8,452.80	\$4,561.20
64	Temporary Detail Stripe, Detail White	4,990.00	LF	\$0.60	\$2,994.00	2342.00	\$1,405.20	-\$1,588.80
65	Temporary Detail Stripe, Detail Yellow	5,438.00	LF	\$0.60	\$3,262.80	0.00	\$0.00	-\$3,262.80
66	Temporary Thermoplastic Legend, White (Stop Bar)	738.00	LF	\$1.20	\$885.60	414.00	\$496.80	-\$388.80
67	Temporary Thermoplastic Legend, White	3,144.00	SF	\$3.00	\$9,432.00	41.00	\$123.00	-\$9,309.00
68	6" Thermoplastic Traffic Stripe, Skip Yellow	3,243.00	LF	\$1.50	\$4,864.50	2998.00	\$4,494.00	-\$370.50
69	6" Thermoplastic Edge Stripe, Edge White	4,223.00	LF	\$1.50	\$6,334.50	4782.00	\$7,173.00	\$838.50
70	6" Thermoplastic Traffic Stripe, Continuous Yellow	3,243.00	LF	\$1.50	\$4,864.50	5503.00	\$8,254.50	\$3,390.00
71	6" Thermoplastic Detail Stripe, Detail White	2,495.00	LF	\$2.40	\$5,988.00	2720.00	\$6,528.00	\$540.00
72	6" Thermoplastic Detail Stripe, Detail Yellow	2,719.00	LF	\$2.40	\$6,525.60	542.00	\$1,300.80	-\$5,224.80
73	Thermoplastic Legend, White (Stop Bar)	389.00	LF	\$5.00	\$1,945.00	1384.00	\$6,920.00	\$5,075.00
74	Thermoplastic Legend, White	1,572.00	SF	\$11.00	\$17,292.00	604.00	\$6,644.00	-\$10,648.00
75	Traffic Signs	13.00	EA	\$200.00	\$2,600.00	13.00	\$2,600.00	\$0.00
76	Roadway Construction Stakes	1.00	LS	\$77,250.00	\$77,250.00	1.00	\$77,250.00	\$0.00
77	Inlet Converted to Junction Box	4.00	EA	\$1,680.00	\$6,720.00	3.00	\$5,040.00	-\$1,680.00
78	Stamped and Colored Asphalt Crosswalks	260.00	SY	\$88.00	\$22,880.00	197.00	\$17,336.00	-\$5,544.00
79	Flowable Fill	10	CY	\$266.00	\$2,660.00	10.00	\$2,660.00	\$0.00
121	Revised Relocation of Fire Hydrant	0	EA	\$1,770.00	\$0.00	-1.00	-\$1,770.00	-\$1,770.00
80	Removal and Replacement of Fire Hydrant	1	EA	\$3,355.00	\$3,355.00	1.00	\$3,355.00	\$0.00
81	Basin Modification	4	EA	\$1,191.00	\$4,764.00	0.00	\$0.00	-\$4,764.00
82	Exposed Aggregate for Drive	0	LS	\$955.69	\$0.00	1.00	\$955.69	\$955.69
83	Madison Intersection Drainage System Removal and Replacement	0	LS	\$15,598.69	\$0.00	1.00	\$15,598.69	\$15,598.69
84	Minor Structure Concrete Materials	0	LS	\$10,388.49	\$0.00	1.00	\$10,388.49	\$10,388.49
					\$2,711,210.40		2,751,922.91	40,712.51