

**TYRONZA CITY COUNCIL MEETING
SPECIAL CALLED MEETING
July 31st, 2023**

The special meeting of the Tyronza City Council was called to order at 7:00 p.m. by Mayor Jeff Woods. With the roll having been called, the following council members were recorded as present: Barbara Ross, Willie Harris, Angie Allison, Candace Drace, and Daniel Brewington. Absent: Michael Hood.. A quorum was declared. Recorder/Treasurer Donna Wood and City Attorney Noyl Houston were also in attendance.

The invocation was given by Barbara Ross.

The meeting was called to consider an ordinance to adopt rules and regulations concerning noise from data centers. The state legislature passed a law that would prohibit a city from requiring any type of regulations on noise coming from data centers. That law would go into effect on August 1, 2023.

Noyl asked the council members if there was anyone who needed any background information on why the city was considering the ordinance.

Angie said she had a question as to why the ordinance had to be passed now instead of when a data center proposed to come into town.

Barbara Ross asked if the ordinance would only apply to data centers and did the city need to pass an ordinance for any business that would have a noise.

Noyl said he did not have any time to do any independent study. He just used the copy of the ordinance that was sent to him and changed it for Tyronza. He felt the city needed to go ahead with the proposed ordinance and once the ordinance was in place, there would be a way to improve it by amending it.

Noyl said the state legislation which prohibited the proposed ordinance would become effective on August 1st, 2023.

Mayor Woods said Poinsett County Judge J. C. Carter stopped by the office and talked to him about the ordinance. He said he had also talked to Trumann Mayor Jay Paul Woods about it too.

Noyl said the proposed ordinance does not prohibit a data center from coming into town and building a data center, it just requires them to comply with the restrictions of the ordinance.

Noyl then read the proposed ordinance titled "AN EMERGENCY ORDINANCE ADOPTING CERTAIN RULES AND REGULATIONS CONCERNING EXTERNAL NOISE ATTENUATION OF DATA CENTERS AND TO PREVENT NOISE DISTURBANCE IN THE CITY OF TYRONZA; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES." In full thereby placing it upon its first reading.

Angie Allison, seconded by Willie Harris, moved that the rule requiring the reading of any ordinance in full on three different days be suspended, and that the ordinance be placed on its second reading by title only.

The Mayor put the question on the adoption of the motion to the council, and the roll was called. The vote was as follows: Angie Allison-yes; Barbara Ross-yes; Candace Drace-yes; Willie Harris – yes; Daniel Brewington-yes.

The Mayor declared that at least two-thirds of all members of the council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The ordinance was then read by title only, thereby placing it upon its second reading.

Willie Harris, seconded by Candace Drace, moved that the rule requiring the reading of any ordinance in full on three different days be further suspended, and that the ordinance be read by title only.

The Mayor put the question on the adoption of the motion to the council the roll was called and the voting was as follows: Willie Harris-yes; Daniel Brewington, yes; Barbara Ross-yes; Angie Allison -yes; Candace Drace-yes.

Thereupon, the Mayor declared that at least two-thirds of all members of the council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended.

The ordinance was then read by title only, thereby placing it upon a third and final reading.

Angie Allison, seconded by Candace Drace, moved the ordinance be adopted.

The question was put by the Mayor to the council on the adoption of the motion, and the roll was called, the voting was as follows: Candace Drace-yes; Barbara Ross-yes; Angie Allison-yes, Daniel Brewington-yes; Willie Harris-yes.

Angie Allison seconded by Barbara Ross moved to adopt the emergency clause.

The question was put by the Mayor to the council on the adoption of the motion, and the roll was called, the voting was as follows: Angie Allison-yes; Barbara Ross- yes; Candace Drace-yes; Willie Harris-yes; Daniel Brewington-yes.

The Mayor thereupon declared the ordinance adopted.

There being no further discussion on the ordinance, Angie Allison seconded by Candace Drace, moved to adjourn. Upon a voice vote, the voting was unanimous to approve.



Jeff Woods, Mayor



Donna D Wood, Recorder/Treasurer