

**CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, SEPTEMBER 6, 2011 - 7:00 P.M.
MUNICIPAL COURTROOM – 305 MONROE STREET**

WELCOME AND CALL TO ORDER Mayor Rosemary Aultman

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The invocation was led by Mayor Aultman followed by the pledge of allegiance to the flag led by Alderman Barnett.

ROLL CALL City Clerk, Russell Wall

Present: Jehu Brabham – Alderman-at-Large
 Tony Hisaw – Alderman Ward 1
 William O Barnett – Alderman Ward 3
 Kathy Peace – Alderwoman Ward 4
 Mike Morgan – Alderman Ward 5
 Mike Cashion – Alderman Ward 6

Absent: Tony Greer – Alderman Ward 2

PUBLIC HEARING 2011 – 2012 BUDGET

The public hearing was moved to the end of the meeting.

RECOGNITION

Alderman-at-Large Jehu Brabham informed those in attendance of the meeting that Mayor Rosemary Aultman was being recognized by the Girl Scouts of Greater Mississippi for her role modeling and significant leadership contributions at its annual Women of Distinction induction ceremony.

APPROVAL OF CONSENT AGENDA ITEMS A - P

MOTION made by Alderman Cashion and **SECONDED** by Alderwoman Peace to approve the Consent Agenda Items A-P. Item C will serve to advertise favorably the opportunities, possibilities and resources of the City of Clinton. **MOTION CARRIED UNANIMOUSLY**

DIMENSIONAL VARIANCE & CONSTRUCTION – 604 SPRINGRIDGE ROAD – DAVIS TIRE & AUTO

Upon presentation by Jerry Bounds, Director of Community Development, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Morgan the board approved the request by Davis Tire & Auto for a dimensional variance and the construction of a new shop to be located at 604 Springridge Road in the City of Clinton, Mississippi. The Planning and Zoning Commission recommended approval. **MOTION CARRIED UNANIMOUSLY**

PRELIMINARY PLAT – 458 SPRINGRIDGE ROAD – TRACTOR SUPPLY

This item was removed from the agenda and no action was taken.

PRELIMINARY PLAT – HIGHWAY 80 – BRIDGEFORTH RUTLEDGE

Upon presentation by Jerry Bounds, Director of Community Development, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Hisaw the board approved the preliminary plat requested by Bridgeforth Rutledge for a office building to be located on Highway 80 in the City of Clinton, Mississippi. Furthermore, the board did not approve the moving of a billboard sign. The Planning and Zoning Commission recommended approval of the preliminary plat and the moving of the billboard sign. **MOTION CARRIED UNANIMOUSLY**

REZONING – 3153 KICKAPOO ROAD – DALE WOODRUFF

Neither the property owner nor anyone representing the property owner was present; therefore no action was taken on this item.

SIGN APPROVAL – 101 LAWSON STREET – CHERISHED MEMORIES PHOTOGRAPHY

Upon presentation by Jerry Bounds, Director of Community Development, **MOTION** made by Alderman Brabham and **SECONDED** by Alderwoman Peace the board approved the request by Cherished Memories Photography to place a sign to be located at 101 Lawson Street in the City of Clinton, Mississippi. The Architectural Review Committee, the Historical Preservation Committee and the Planning and Zoning Commission recommended approval. **MOTION CARRIED UNANIMOUSLY**

APPROVE SETTING A PUBLIC HEARING TO DETERMINE WHETHER THE PROPERTY LOCATED AT 506 HATHAWAY IS A MENACE TO THE PUBLIC HEALTH AND SAFETY AND SHOULD BE CLEANED BY THE CITY

Upon presentation by Jerry Bounds, Director of Community Development, **MOTION** made by Alderman Cashion and **SECONDED** by Alderman Barnett the board approved setting a public hearing to determine whether the property located at 506 Hathaway is a menace to the public health and safety and should be cleaned by the City. The public hearing was set for 7:00 pm on September 20, 2011 in the Municipal Courtroom located at 305 Monroe Street in the City of Clinton, Mississippi. **MOTION CARRIED UNANIMOUSLY**

PUBLIC HEARING TO DETERMINE WHETHER THE PROPERTY LOCATED AT 111 PRIMROSE LANDING IS A MENACE TO THE PUBLIC HEALTH AND SAFETY AND SHOULD BE DEMOLISHED

Upon presentation by Jerry Bounds, Director of Community Development, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Cashion the board approved a resolution determining the necessity for the demolition of a house located at 111 Primrose Landing, under the authority granted to municipalities by Section 21-19-11, Mississippi Code of 1972, as amended and other applicable statutes and ordinances. A public hearing was held and no one representing the property owner was present. Scott Hodges, President of the Bruenburg Homeowners Association, informed the board that the residents of Bruenburg were in favor of the house being demolished. It had not been repaired since the fire and was an eyesore in the neighborhood. The resolution is on file with the City Clerk. **MOTION CARRIED UNANIMOUSLY**

PUBLIC HEARING 2011 – 2012 BUDGET

A public hearing was held as required by state statute to review the proposed budget and millage levy. There was no comment from the public concerning the proposed budget or millage levy.

ADJOURN 8:17 P.M.

MOTION made by Alderman Brabham and **SECONDED** by Alderman Barnett to adjourn until the next regular meeting of the Mayor and Board of Aldermen to be held on September 20, 2011 at 7:00 pm. **MOTION CARRIED UNANIMOUSLY**

APPROVED: Rosemary G. Aultman Sept. 12, 2011
Rosemary G. Aultman, Mayor Date

ATTEST: Russell L. Wall Sept. 12, 2011
Russell L. Wall, City Clerk Date



PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

PASTE PROOF HERE

C19341
CITY OF CLINTON-LEGALS,
0200370512
August 23 Hearing

Notice is hereby given to those parties in interest that there will be a public hearing on August 23rd, 2011 at 305 Monroe Street, at 6:30pm, in Clinton, Mississippi, for the purpose of determining whether or not a dimensional variance that will allow them to deviate from the front setback requirements, shall be granted to the owners of Davis, Tire & Auto for an expansion of their existing building at 600 Springdale Road, Clinton MS.

Notice is hereby given to those parties in interest that there will be a public hearing on August 23rd, 2011 at 305 Monroe Street, at 6:30pm, in Clinton, Mississippi, for the purpose of determining whether or not a dimensional variance that will allow them to deviate from the front setback requirements, shall be granted to the owners of Davis, Tire & Auto for an expansion of their existing building at 600 Springdale Road, Clinton MS.

Notice is hereby given to those parties in interest that there will be a public hearing on August 23rd, 2011 at 305 Monroe Street, at 6:30pm, in Clinton, Mississippi, for the purpose of determining whether or not a dimensional variance that will allow them to deviate from the front setback requirements, shall be granted to the owners of Davis, Tire & Auto for an expansion of their existing building at 600 Springdale Road, Clinton MS.

August 2, 2011

PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi,

ANN MIDDEKE

an authorized clerk of THE CLARION-LEDGER, a newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

8/2/2011

Size: 189 words / 1.00 col. x 42.00 lines

Published: 1 time(s)

Total: \$31.18

Signed Ann Middleke
Authorized Clerk of
The Clarion-Ledger

SWORN to and subscribed before me on 8/2/2011.

Notary Public

RICK TYLER

Notary Public State of Mississippi at Large. Bonded thru
Notary Public Underwriters

(SEAL)



City of Clinton
Mississippi
Community Development

August 9, 2011

Mr. Bill Davis
604 Springridge Road
Clinton, MS 39056

Mr. Davis:

I have received the drawings for your new shop and the request for a dimensional variance. I have you on schedule to appear before the Planning and Zoning Commission on August 23, 2011 at 6:30 and the Mayor and Board of Alderman on September 6, 2011 at 7:00. Both meetings will be held in the Municipal Courtroom at the Police Department, 305 Monroe Street. If you would make a note of these dates and time, you or your representative must be present at the Planning and Zoning and The Mayor and Board of Alderman meetings.

If you have any questions I can be reached at (601) 924-2256.

Sincerely,



Jerry "J.B." Bounds
Director
Community Development

REQUEST FOR DIMENSIONAL VARIANCE
APPLICATION

Subject Property Address _____

Owner Davis Tire & Auto Bill & Phack Davis

Address Springridge Rd Clinton, ms 39056

Phone # 601-951-9156

Current Zoning District _____

Requirements of Applicant:

1. Letter stating reason for requested dimensional variance.
2. Copy of the written legal description.
3. Site plan of property.
4. Complete set of working plans.
5. Proposed signage to include color and size.
6. \$250.00 fee required for processing.

Requirements for Granting Variances: (Section 2404.01 – Zoning Ordinance)

- (a). Applicant shall demonstrate that special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
- (b). Applicant shall demonstrate that literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this Ordinance.
- (c). Applicant shall demonstrate that granting the variance will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same district.

Applicant shall be present at the Planning and Zoning Commission meeting and Mayor/Board of Aldermen meeting. Documents shall be submitted thirty (30) days prior to the Planning and Zoning Commission meeting.

Applicant is responsible for complying with all applicable requirements of the Zoning Ordinance.

By signing this application, it is understood and agreed that permission is given to the Zoning Administrator to have a sign erected on subject property, giving notice to the public that said property is being considered for a dimensional variance.


Signature

5-12-11
Date

May 23, 2011

Mr. Jerry "J.B." Bounds
City of Clinton
Community Development
202 West Leake Street
Clinton, Mississippi 39056

Re: Request for Dimensional Variance
Davis Tire and Auto
Clinton, Mississippi
604 Springridge

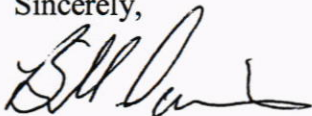
Mr. Bounds:

We would like to request a dimensional variance on a portion of our property for the expansion of the existing structure. The property in which we are requesting a variance is described as Lot C-4, Spanish Oaks of Trailwood, Part 1. I have attached a map, "Exhibit A", showing a survey of the subject property, and Exhibit B, showing the original Spanish Oaks of Trailwood, Part 1 subdivision plat. As you can see from the difference from the original subdivision plat and the survey, the City of Clinton purchased a 25 foot wide parcel along the east side of said Lot C-4 to construct a sidewalk, storm drainage and a pavement widening along Springridge Road.

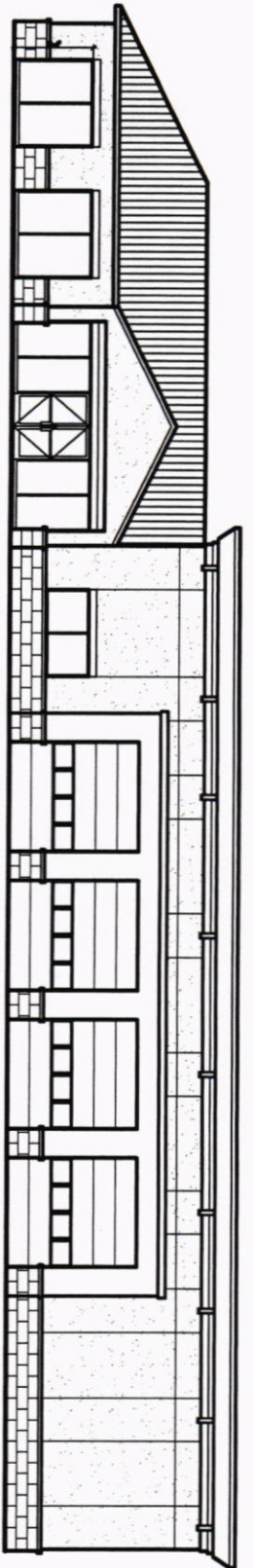
Our request for a dimensional variance would be along the east line of Lot C-4 as it exists today. In the construction of the new building, we will be providing additional vehicle bays facing Springridge Road and need as much room between the front of the bay and Springridge Road as we can to have a comfortable vehicle flow in and out of the bays. We would like to construct a new vehicle drive between the bays and the existing sidewalk along the property line. Please see the attached Site Plane for the layout of the proposed improvements. This dimensional variance would provide the distance we need from the bay opening to provide comfortable and easy traffic flow for our customers. We feel with the large greenspace area between the existing sidewalk and Springridge Road, that we would not be getting to close to Springridge Road.

Thank you for considering this dimensional variance. If you need any additional information, please feel free to contact me at 601.951.9156.

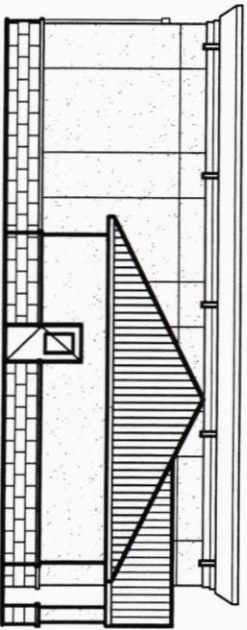
Sincerely,



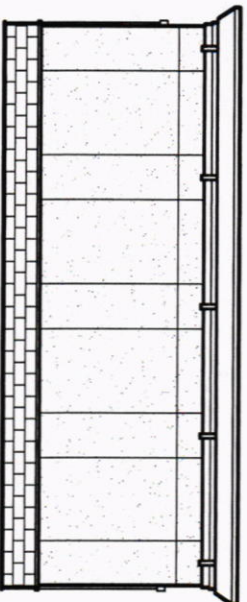
Bill Davis



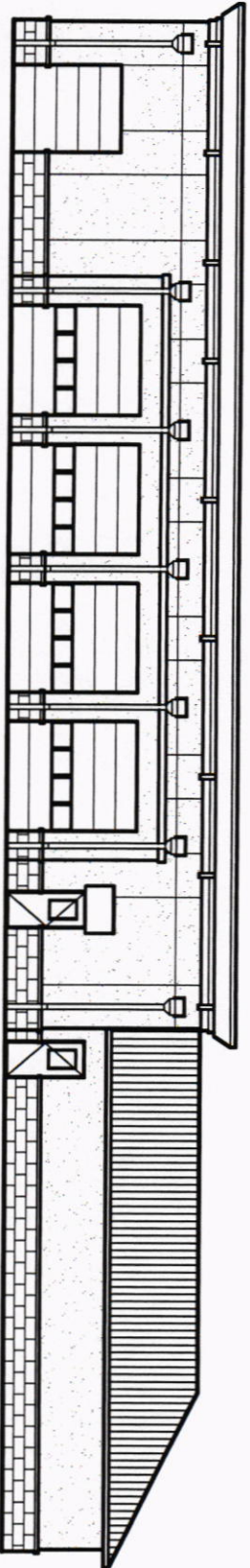
East Elevation



South Elevation



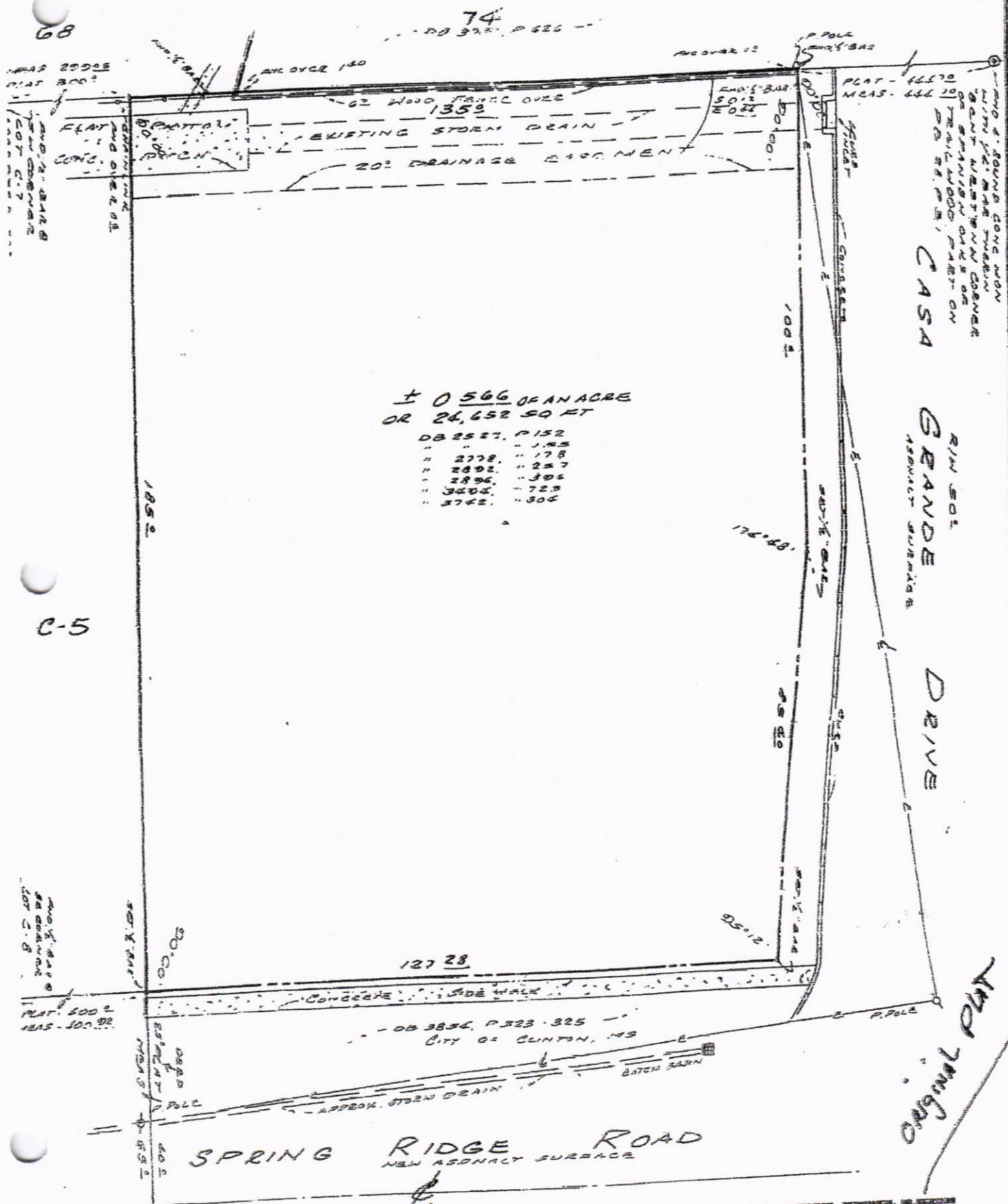
North Elevation



West Elevation

Davis Tire and Auto - 604 Springeridge Road - Clinton, MS

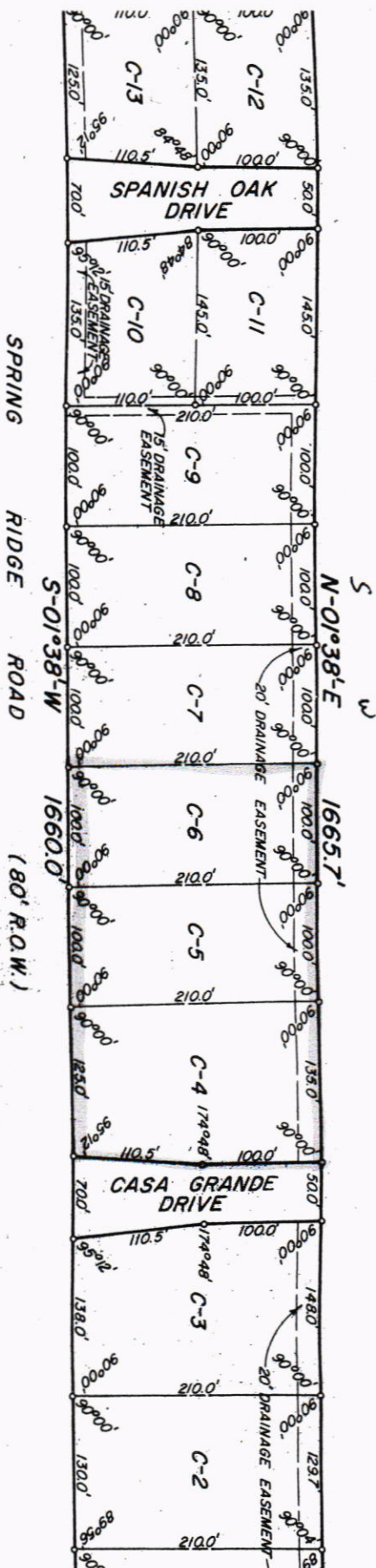
ASTRONOMIC NURIM
SOLAR OBSERVATIONS

[illegible]

1. According to the National Hurricane Program Flood Insurance
Recovery Emergency Fund Number 235971 0643 C, effective date
June 17, 1981, subject property is located in Zone C, areas of
actual flooding. (no shading)

2. This survey information, and portions is disclosed only the
party listed in the certificate above, no other person, firm or
agency may rely, transfer, use or copy in whole or part any of
this survey information. Information obtained or incorporated
into this survey information otherwise are covered by the firm

LOCATED IN THE SOUTHWEST QUARTER
SECTION 32, TOWNSHIP 6 NORTH, RANGE 1 WEST



MISSISSIPPI

COUNTY OF HINDS

CERTIFICATE OF CITY APPROVAL

STATE OF MISSISSIPPI

do hereby certify that at the request of Sam Milton, Vice
subdivided and platted and following described land being
hip 6 North, Range 1 West, Hinds County, Mississippi.
bridge Road as said road is now (March, 1978) laid out and
rth of and 1,335.9 feet, more or less, east of the southwest
County, Mississippi; run thence south 01 degree 38 minutes
e Road for a distance of 1,660.0 feet to a point; run thence
th 01 degree 38 minutes east for a distance of 1,665.7 feet
a distance of 210.0 feet to the point of beginning.
a Southwest Quarter (SW¹/₄) of Section 32, Township 6 North,
res, more or less.
1978.

I, Charles G. Blass, Mayor of the City of Clinton, do hereby certify that th
approved and accepted by the Mayor and Board of Aldermen of the City of Clinton,
day of APRIL, 1978, and a resolution of said approval and acceptance is
meeting.

Witness our signatures this the 4th day of APRIL, 1978.

CHARLES G. BLASS, MAYOR

JOE PRICE, CITY CLERK

CITY ENGINEER

MISSISSIPPI

MISSISSIPPI

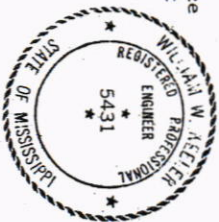
COUNTY OF HINDS

CERTIFICATE OF COMPARISON

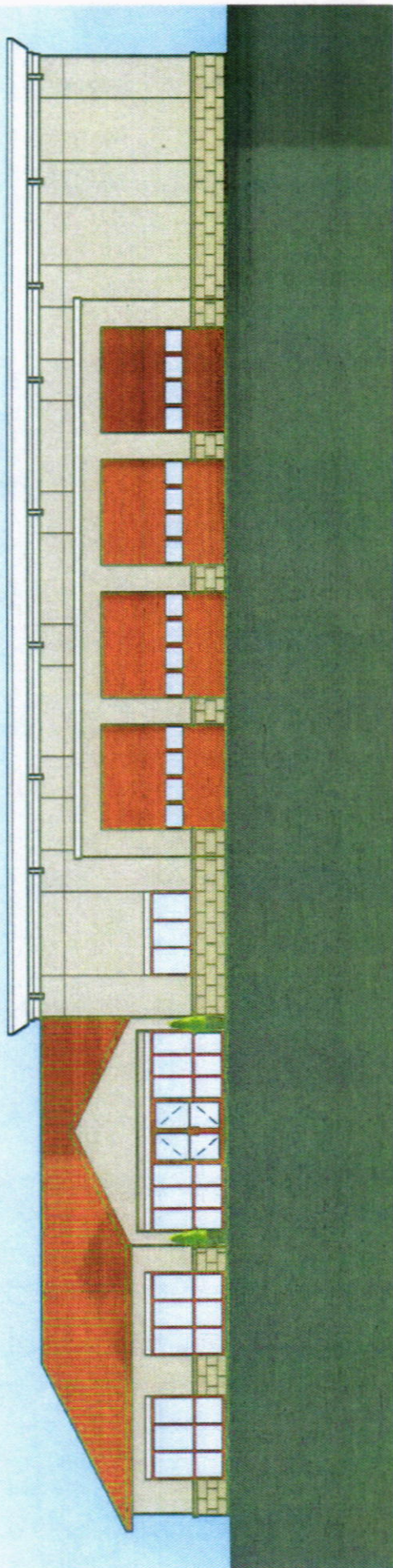
STATE OF MISSISSIPPI

company, do hereby certify that said corporation is the
William W. Keeler, Registered Professional Engineer, and
I have caused the same to be subdivided and platted as
of Trailwood, Part One.

We, Pete McGee, Chancery Clerk, and William W. Keeler, Registered Profession
have carefully compared this plat of Spanish Oaks of Trailwood, Part One, with th
William W. Keeler, Registered Professional Engineer, and find it to be a true and
Given under my hand and seal of office on this the 5th day of APRIL, 1978.



Handwritten signature: m. m. m.



PLANNING & ZONING COMMISSION

Clinton, Mississippi

Tuesday, July 26, 2011

6:30 p.m.

Municipal Courtroom

305 Monroe Street

Meeting Minutes

Members Present: Foster Ellis Jr., Bettye King, Pat Smith, Nancy Davis, Jim Martin, and Mark Williams

City Officials: Jerry Bounds and Ken Dreher

Minutes taken by: Lauren Pennington.

1. Call To Order

Jim Martin called the meeting to order at 6:30 p.m.

II. Consideration and Approval of June 28, 2011 minutes..

MOTION by Foster Ellis Jr. to approve the June 28, 2011 minutes. SECOND by Bettye King. UNANIMOUS approval. NONE opposed.

III. New Considerations:

A. New Construction – 308 Lawson Street, BW Builders.

Jerry Bounds showed the committee the color and brick samples submitted by BW Builders. He also stated that Historical Preservation has sent this to Planning and Zoning with their approval and that Mr. Whitton is present if the committee has any questions for him.

Mr. Whitton stated that there will be additional detail to the front of the building not shown on the plans.

A Public Hearing was held. NO comments made.

MOTION by Nancy Davis to approve the construction at 308 Lawson Street. SECOND by Mark Williams. UNANIMOUSLY approved.

B. New Construction – 316 Lawson Street, Mr. Ronnie Torrance

Jerry Bounds showed the committee the color and roof samples submitted by Mr. Torrance and stated that Historical Preservation has sent this to Planning and Zoning with their approval and also that Mr. Torrance is present if the committee has any questions for him.

Nancy Davis stated that everything in the Springhill subdivision is beautiful and that the homeowners there must be so pleased that everything has turned out as planned.

Jim Martin asked if Historical Preservation had approved any brick for this home.

Jerry Bounds stated that no they had not as no brick was submitted.

Jim Martin asked what type of siding would be used.

Mr. Torrance stated that hardy board siding would be used.

A Public Hearing was held. NO comments made.

MOTION by Bettye King to approve the construction at 316 Lawson Street. SECOND by Foster Ellis Jr. UNANIMOUSLY approved.

C. Conditional Use – 110 Justin's Way, Ms. Kimberly Pierce.

Jerry Bounds stated that Ms. Pierce would like to build a kennel on her property to keep the pets of her friends, family and co-workers when needed. Stated that this area is zoned R-E and that Ms. Pierce is present to answer any questions the board may have for her.

Jim Martin asked Ms. Pierce if she had anything to say before discussion began.

Ms. Pierce stated that animals have always been a passion for her and that this kennel would only be used for keeping animals that belong to people close to her. This would not be an advertised business.

Bettye King asked if she received remuneration for her services.

Ms. Pierce stated that yes she did but it was not always money. It could be something as simple as a t-shirt or perhaps dinner.

Nancy Davis asked if the kennel would be adjacent to her home.

Ms. Pierce stated that it would be across from her driveway.

Nancy Davis asked where her nearest neighbor is located.

Ms. Pierce stated that her nearest neighbor is about two acres away from her.

Jerry Bounds stated that both her neighbors have called and told him they have no problem with Ms. Pierce having a kennel.

Nancy Davis asked why she had to be here if they have no problem with it.

Jerry Bounds stated that she is here because we have nothing covering kennels in our ordinances.

Jim Martin asked how large the kennel would be.

Ms. Pierce stated that it would be approximately 1800 sq. ft.

Betty King stated that the plan showed a kitchen and asked Ms. Pierce she would implement that in her kennel.

Ms. Pierce stated that she would probably not have the kitchen in her plan but would probably have an area for a washer and dryer.

Pat Smith asked Ms. Pierce if she worked full time.

Ms. Pierce stated yes she does.

Pat Smith asked who would care for the dogs while she was working.

Ms. Pierce stated that her current job is very flexible and that would allow her to come home for lunch to care for the dogs and that if the kennel did very well she would quit her job so she could care for the animals full time.

Pat Smith asked Ms. Pierce if she anticipated having more than four dogs in the kennel at a time.

Ms. Pierce stated that it would be a possibility and that she has a few more years before she can retiree and would like to care for animals once she is able to retiree.

Betty King asked if there would be anyone at the kennel during the day.

Ms. Pierce stated no there would not be.

Betty King asked if she was working toward this kennel being commercial.

Ms. Pierce stated no.

Jim Martin asked how many dogs the kennel would hold.

Ms. Pierce stated that it would hold about 10 dogs.

Jim Martin asked if they would all be kept in separate cages.

Ms. Pierce stated that yes they would all have their own cage and that there would be a run area and an indoor exercise space in the event they could not be outside.

Betty King stated that the plan shows the kennel would hold 16 dogs.

Ms. Pierce stated that it could hold that many but it would never be any bigger.

Jim Martin asked if there are any laws about square footage per animal.

Ms. Pierce stated that there is no law saying how many sq. ft. per animal, only industry standards that say 160 sq. ft. per animal.

Nancy Davis stated that since Ms. Pierce is at the end of the street with plenty of room what is the worst that could happen? Also stated she thinks this is a wonderful idea.

Pat Smith asked Ms. Pierce if she would adhere to the animal control ordinances and regulate what types of dogs she would be keeping.

Ms. Pierce stated that she would not keep any aggressive animals and that the area around her property is fenced in already. The facility would be open in some areas, enclosed in others and that traffic noise would be louder than the animals, most likely.

Jerry Bounds asked what she would do about the waste from the animals.

Ms. Pierce stated that there would be septic tanks under the building that the waste would drain into.

Pat Smith asked Ms. Pierce if she would be cleaning it herself every day.

Ms. Pierce stated that she would be.

Jim Martin stated that the committees concern is the ordinance that states you can have no more than 4 dogs per household in a residential area. He understands that she would need a conditional use for this because there is no provision for this commercial type of kennel in the R-E district she resides in.

Nancy Davis asked why Ms. Pierce was not told this when she applied for the conditional use.

Betty King stated that anyone can request a public hearing or apply for a conditional use.

Jerry Bounds stated that as he said before, there is nothing covering kennels in our ordinances.

Ms. Pierce stated that when she bought the land it was A-1 and she was unaware that it had changed to R-E until she came to apply for the conditional use.

Betty King asked if there is a special license you have to have to operate a kennel.

Ms. Pierce stated that as far as she knows there is not.

Jim Martin stated that it would be up to the Mayor and Board to amend any ordinance concerning the number of animals in a residential area and that this boards hands are tied in this matter.

Nancy Davis asked Ms. Pierce if she has any children.

Ms. Pierce stated that she has no children.

Nancy Davis stated that since Ms. Pierce has no children these animals must be like her children.

Ms. Pierce stated that yes that is the case, her animals are her babies and that is the case with her friends as well.

A Public Hearing was held. NO comments made.

MOTION by Jim Martin to deny the conditional use at 110 Justin's Way based on our ordinance allowing only up to four animals per household in a residential district. SECOND by Foster Ellis Jr. UNANIMOUSLY approved.

D. Conditional Use – 754 W. Northside Drive, Church of Philadelphia, Rev. Brown

Jerry Bounds showed the committee the brick, color and roof sample the church will be using, stated that the plans have been through the Site Plan review process, Architectural Review and that there are changes to be made to the plans that the church has agreed to these changes but have not been back before those committees. The only thing that would be approved tonight would be the conditional use.

Jim Martin asked what the size of the building would be and how many it would hold.

Mr. Rodney stated that it would hold about 350 people and it is a 50x100 building.

Jim Martin asked how large the current congregation is.

Mr. Rodney stated that they have 125 members currently.

A Public Hearing was held. NO comments made.

MOTION by Foster Ellis Jr. to approve the conditional use for Philadelphia Church at 754 W. Northside Drive. SECOND by Bettye King. UNANIMOUSLY approved.

MOTION by Bettye King to adjourn. Second by Pat Smith.

IV. The Meeting was adjourned at 7:30 p.m.

PLANNING & ZONING COMMISSION

Clinton, Mississippi

Tuesday, August 23, 2011

6:30 p.m.

Municipal Courtroom

305 Monroe Street

Meeting Minutes

Members Present: Foster Ellis Jr., Bettye King, Pat Smith, Nancy Davis, Jim Martin, Mark Williams and David Ellis.

City Officials: Jerry Bounds and Ken Dreher

Minutes taken by: Lauren Pennington.

1. Call To Order

Jim Martin called the meeting to order at 6:30 p.m.

II. Consideration and Approval of July 26, 2011 minutes..

MOTION by Nancy Davis to approve the July 26, 2011 minutes. SECOND by Foster Ellis, Jr. UNANIMOUS approval. NONE opposed.

III. New Considerations:

A. Rezoning – 3153 Kickapoo Road, Shell Station, Mr. Dale Woodruff.

Jerry Bounds stated that Mr. Woodruff is buying 3 acres on the corner of Kickapoo Road and Pinehaven Road and would like it to be rezoned to C-2 from A-1 for the purpose of building a Shell Station convenience store. Has applied and done all the paper work for the rezoning.

Jim Martin explained the purpose and process of rezoning a property.

Mr. Ken was present to represent Mr. Woodruff at this meeting.

Jim Martin asked if he had anything to add to what Jerry Bounds had already told them about this project.

Mr. Ken stated that he could give more background information stating that the original zoning of the property was agricultural and at the time it was zoned that there were very few house in the area and that over the past couple of decades there have been more families coming to that area, traffic has increased and that he lives in the area and the nearest gas station is about 6 ½ miles away off of Northside drive and that makes for a 25 minute drive and there is a need for this in the area. Would like to make this a neighborhood store to help the people and the traffic on Kickapoo has increased and there is nowhere in the area that you can stop and get a cup of coffee on the way to work in the morning. Also there are more homes coming up in that area and subdivisions, the City is expanding into this area and this

would be a convenience to the people in this area. This store would be a Shell Station and would be 4000 to 6000 sq. ft. and it would be an upscale store, we want it to match the area. Proposing some grocery items, there will be no tractor trailer parking, we would not be selling liquor, no loitering, it would be monitored with security cameras and 10 gas pumps along with diesel for tractors and atvs. The hours we are looking at are 6am – 10pm. This would be a neighborhood store that would encourage activities and fundraisers with local churches and schools, we want this to be our store, a neighborhood store.

Nancy Davis asked where George Whitfield was this evening.

Mr. Ken stated that he did not know.

Nancy Davis stated that they are a fine family.

Mr. Dale Woodruff was present as the broker for this transaction.

Jerry Bounds asked about the hours of operation.

Mr. Ken stated that the hours of operation would be from 6am to 10pm, possibly 11pm on the weekends but this would not be a 24 hour store.

Foster Ellis Jr. stated that they had talked about the look of the store and asked if there was another store in Clinton that they could compare the look too and give them an idea of what it would look like.

Mr. Woodruff stated that it would look like an Exxon recently built across from a fire station here. Brick façade, very nice and stated that he thought there were some pictures along with the proposal that they had.

Jim Martin stated that yes they had seen those pictures and asked if they had a larger picture to show the public as they obviously had interest in what it would look like.

Mr. Woodruff stated that he did not have a larger picture.

Jerry Bounds reminded the commission that this was just a conceptual drawing right now and there are no plans to approve at this time. This is just the approval for the rezoning of the property. If approved they would have to come back before this board with those plans and samples of materials.

Jim Martin thanked JB for the clarification of that and stated that since it is just a rezoning that is all they would be approving or denying this evening.

Mark Williams stated that according to the process of rezoning the requirements are such that you would have to show a need for such a thing in that area or growth in that area that required such a building.

Mr. Ken stated that the change in the area he has seen is that it is changing from agricultural to residential, that there are more homes in this area and many more coming and that from talking with neighbors that there is a need for this here instead of having to drive all the way into Clinton.

Mark Williams stated that he was aware of the new subdivisions coming up in that area and asked if there are any other commercial type of buildings in that area at this time.

Mr. Woodruff stated that there was not any at this time, the most recent was Porter's Grocery that was up the street but it is now closed but as the City has grown and annexed this area and we feel that the City plans growth in this area and we want to be a part of that growth and development.

Mr. Ken stated that he didn't know if it was commercial or not but there is a kennel across the street from where this would be and it has been there for awhile.

David Ellis asked JB if there was any intention by the City to make this area commercial.

Jerry Bounds stated that there is no intention at this time that he is aware of.

Jim Martin stated that for the City just adopted a new zoning ordinance this past May and that they would have to show considerable change in this area to rezone something that had just been approved as agricultural.

Nancy Davis stated that since there was a high school close to that area and you will have people coming into Clinton from both ways the gas station would be a convenience for them as well as the three churches coming up in that area that we all know of so that is a big change for that area.

A Public Hearing was held.

Andy Kilpatrick lives in this area and challenges the position of this man to represent this rezoning as he is not the owner of the property and there is no written proxy, no written approval for him to speak for the owner and has no standing. Believes he is out of order and does not understand what he is saying and there are several other people here tonight that will speak of this as well. This man has no standing and asks that the committee carry this over to the next meeting.

Kenneth Dreher stated that he would rule on that issue and that he does have standing to speak for this issue.

Jamie Redmond lives in the area and he just moved here from Georgia and the area out there is rural area and has large land owners and everyone he has talked to is not necessarily opposed to the idea of the gas station but now is not the time. Have not seen a traffic study or site plan. This drawing is a stock drawing of every Shell Station and as far as keeping in the character of neighborhood, everything in the area is rural and he does not think the look of this gas station would be along the same lines as the homes in the area. We feel like if this was approved and built and not seeing the comprehensive plan because no one in the area

has been approached by the City concerning a comprehensive plan for this. When you go toward Highway 49 it is mostly pasture land and there are subdivisions in the area but there is such a large area there that has not been developed yet and there should be more thought put into this rather than chasing sales tax and land tax and if this store had to close down what other type of business would be allowed to move in. Concerned about property values going down as well. Understands change and growth, just wants the right thing to happen at the right time.

Mr. Woodruff stated that with any change due diligence is required there are some specific requirements from the City concerning the way the building would be on the property.

Jamie Redmond is not saying they are against this and there are many other opinions on this. There is a gas station on Northside and they have seen what has happened there and you can't control what people are there without running customers off and we are worried about what happens if this is put in place, what follows if people give up and don't care what happens to this area. As residents of this area we are willing to drive the extra time to go to the store. We all know change is coming to the area and we are asking for you to listen to us about this and how we feel.

Al Thomas agrees with Mr. Kilpatrick and moved to the area 22 years ago to have a peaceful lifestyle and is also concerned with the churches in the neighborhood and it is indicated that they would not be selling liquor but my concern is once you open the door people would start selling alcohol and that would bring an element to our community that we don't want.

Vicky Walker thinks that this being the boundary of Clinton on this side and have old buildings, anything on this land has to be top notch, anything put there you need to have a plan, whether it's a gas station or shops, the first building there needs to be great so that any other buildings after it have something to go by.

John Cabbis lives across Kickapoo and would be looking at all the lights at this gas station, has built a nice house and is concerned about safety for his home and thinks this is ahead of its time. Knows what happens when gas stations come, people begging for money and possibly increased crime rates. Would be only commercial building in the area.

Jim Martin asked for a count of people attending the meeting for this issue.

52 People attending the meeting on this issue.

Jim Martin asked for a show of hands of support for this.

3 People support this.

Larry Daniel asked if there are any existing covenants on this land.

Jerry Bounds stated there are no written covenants on this land.

Jim Martin stated its private land so there are no covenants they are aware of.

Larry Daniel asked who owned the land.

Jim Martin stated Mr. Whitfield owns the land.

Mr. Woodruff stated 3 acres would be bought but not all 3 acres would be used because there are strict requirements because of pipeline.

Jim Martin stated there is considerable flooding in that area, is this property in a flood zone?

Mr. Woodruff stated he did not know if it was.

Kathy Dye asked what has changed since March to allow this change to the zoning so soon. What if the store doesn't make it? Is there are a traffic study? If the store doesn't make it for lack of traffic what happens then?

Jim Martin stated it would be zoned C-2 for other uses.

Judy Ingle stated she and her husband were the first to move out to Williamson Road back in 1975 and at the time they bought it had strict covenants on what type of house and how much acreage you bought. The water issue concerns here, when there is a heavy rain the area floods very badly.

Jim Martin stated that the area is on the corner of Kickappoo Road and Pinehaven Road.

Mr. Ken said this is still in the conceptual stage and was not expecting this kind of response.

Judy Ingle said soon the liquor store would be coming.

Mr. Ken stated that of the 3 acres only allowed to develop 1.3 acres.

Wendy White stated that convenience is not a concern, can only speak for the people on her street, that they don't mind the drive. Their main purpose of moving out there was to get away from the commercial buildings. Doesn't want to give their peace and quiet and see traffic and crime increase. Doesn't see a need for this and doesn't think two or three people can decide what is best for this area.

Mr. Kinkade asked about the comprehensive plan could be attached to the rezoning application in the future so it could be seen.

Jim Martin stated that it is available at the Community Development office to be seen.

Mr. Kinkade asked about zoning issues on Pinehaven Road in the past.

Jim Martin stated there have been conditional uses for churches in the past and that's the only thing recently that he was aware of.

Mr. Cabbis stated that a few years ago someone had wanted to put a mini-storage facility there and another wanted to build apartments.

Jim Martin stated that at the time that was proposed the area was still in the county.

David Jolly stated that he was concerned like everyone else and with churches in the area people feel safe and property value goes up. Concerned about spot-zoning what stops the next property owner from doing the same thing. Also concerned about property value going down and safety for the area.

Jim Martin stated that legally they must show changes in the area and a need from the public to justify this rezoning and have listened to the public about this matter and it is taken into consideration.

MOTION by David Ellis to DENY this rezoning. SECOND by Bettye King.
UNANIMOUSLY DENIED.

B. Dimensional Variance & Construction - 604 Springridge Road, Davis Tire & Auto, Mr. Bill Davis

Jerry Bounds stated that Mr. Davis is looking to expand his business. Showed the committee the color samples and stated that they are asking for a dimensional variance. The four lane road on Springridge where the pavement stops, the easement continues on and he is asking that we not require him to put a green space next to the property line on Springridge road. By allowing this he can have his building run parallel with Springridge Road. He has provided additional landscaping to help with the look. ARC review has asked for the additional landscaping and he has agreed to this. Also stated that Mr. Davis was present to answer any questions they may have for them.

Jim Martin asked Mr. Davis if he had anything to add to what JB had already told them.

Mr. Davis stated that this will be a much nicer building than what is currently there. It will not be a hodgepodge and it will be very uniform. Both the owners live here in Clinton and they want nice things for their City.

Jim Martin asked if they had bought the old office building and empty lot adjacent to their current location.

Mr. Davis stated that they had with plans to expand and now was that time.

Jim Martin asked if they would incorporate the old office building into their construction.

Mr. Davis stated that yes they would, it would become their office.

Jim Martin explained the ordinance concerning dimensional variances and the requirements for granting one.

Mark Williams asked if this variance would allow them to go into the setbacks.

Jerry Bounds stated that it would not, this is only about the green space.

David Ellis stated that the committee cannot grant a variance that would confer any special privilege to the applicant that would not be available to any other business in the area and wanted to know if this was granted would that be an issue.

Jerry Bounds stated that he would hope this board would use common sense in granting this variance.

George Chatham stated that the existing building would line up with the new one and if they don't get the variance it will not line up in a uniform manner and that the building would have to be moved back more.

Mr. Davis stated that if the building had to be moved back they would lose the parking in the back as well.

Jim Martin asked if they would keep the existing building and if it would be used as storage.

Mr. Davis said it would be used but not for storage.

Jim Martin stated that if they planned to tie onto the existing office building at the location the bays would run parallel to Springridge Road and right now they do not. Asked if there was another way they could build on the lot without the bays facing Springridge Road.

Mr. Chatham stated that there would be no other way to do that and tie onto the existing building the way the lot is configured.

A Public Hearing was held.

Mr. Larry Daniel asked the committee if they knew of any other repair shop that the bays did not face the street. Stated that all shops of that nature is that way and cannot see how that is a problem.

Jim Martin stated it was not a problem, just a question.

MOTION by Nancy Davis to approve the dimensional variance at 604 Springridge Road, Davis Tire & Auto. SECOND by Foster Ellis Jr. ONE OPPOSED. (Jim Martin)
APPROVED WITH A 6 TO 1 VOTE.

MOTION by Bettye King to approve the construction at 604 Springridge Road, Davis Tire & Auto. SECOND by Pat Smith. UNANIMOUSLY APPROVED.

**C. Sign Approval – 101 Lawson Street, Cherished Memories Photography,
Mrs. Connie Chrietcburg.**

Jerry Bounds stated that this sign has been before Historical Preservation and ARC Review and been approved. Showed the committee the colors and design of the frame it will go in and stated that Mrs. Chrietcburg is present at the meeting to answer any questions the board may have for her.

Jim Martin asked Mrs. Chrietcburg had anything to add to what JB had already told them.

Mrs. Chrietchburg stated that she does all kinds of photography and shares the building with Mr. Shoemaker who has a CPA business.

Jerry Bounds asked Mrs. Chrietchburg if the sign would be double sided.

Mrs. Chrietchburg stated that it would be.

Jim Martin asked if the sign adheres to the sign ordinance.

Jerry Bounds stated that it does.

A Public Hearing was held. NO comments made.

MOTION by David Ellis to approve the sign at 101 Lawson Street, Cherished Memories Photography. SECOND by Mark Williams. UNANIMOUSLY approved.

D. Preliminary Plat – Highway 80 & Broadway, Office Building, Mr. Bridgeforth Rutledge.

Jerry Bounds stated that this is a preliminary plat approval for an office building to be located at Highway 80 and Broadway and that it has been approved by ARC Review with the recommendation that the billboard sign be taken down and that Mr. Bridgeforth Rutledge is present to answer any questions they may have for him.

Jim Martin asked if Mr. Rutledge had anything to add.

Mr. Rutledge stated that he is a lawyer, is in real estate and he also owns the Backyard Burger chain in central Mississippi. Stated that the area sits very low and the buildings currently there do not look good. He plans to buy and tear the buildings down, build the site up, move the parking lot back, improve the entrance off Highway 80 and build a really nice building that would be a little over 3000 sq. ft. Stated that the billboard is a source of revenue for him and wants to move the billboard back about 20 ft. and continue the use of it. Also stated that if he does do what he wants to the billboard stays but if he doesn't the billboard will still be there and so will the ugly buildings.

Jerry Bounds asked if he was moving the billboard behind the building.

Mr. Rutledge stated that it would be almost beside the building, not behind and that he wants to leave the billboard on a month to month lease basis.

Bettye King asked who maintained the billboard.

Mr. Rutledge stated that the company Lamar maintains it. Also stated that he would be leasing the building to Cellular South who wants to make it their flagship store, a one of a kind opportunity for Clinton and it would be very high-tech and upscale.

Foster Ellis, Jr. asked if it would be better than the one at Renaissance in Ridgeland.

Mr. Rutledge stated that it would be better and that he was prepared to go this far with this proposal because he would be investing well over a million dollars before construction even began

David Ellis asked if his decision hinged on the allowing of the billboard to be moved.

Mr. Rutledge stated that he wants to do this but if he doesn't the billboard won't be going away anytime soon.

Nancy Davis asked what exactly the committee would be voting on.

Jerry Bounds stated that the vote would be on the preliminary plat.

Mr. Rutledge stated that he has made many investments like this and the problem is not selling but is with parking and that he has made sure there will be adequate parking.

Jim Martin stated that cleaning off this corner would be a wonderful thing.

A Public Hearing was held.

Reid Starnes asked if this was the old Termipest building.

Jerry Bounds stated he wasn't sure if it was.

Ryan Tracy stated that this was great because the buildings would be torn down and so would the storage units that were currently there and we would never get a better chance than now to have that done.

Mark Wilson stated that this is a wonderful idea and asked the committee how they could even blink at this.

Davis Ellis asked if under the proposed sign ordinance, could the billboard be moved.

Jerry Bounds stated that it could not.

Jim Martin asked what sign ordinance this would fall under.

Kenneth Dreher stated that it would fall under the current one.

David Ellis stated that he couldn't move his sign then.

Jim Martin stated he could under the current one.

Betty King asked if this is granted he could move the billboard.

Kenneth Dreher stated he couldn't say.

David Ellis asked that if this is approved by the Mayor and Board along with the Sign Ordinance what would happen?

Kenneth Dreher stated that it didn't matter if they approved the Sign Ordinance, he would still fall under the old one.

MOTION by Mark Williams. to approve the preliminary plat and the moving of the billboard at Highway 80 and Broadway. SECOND by Nancy Davis. UNANIMOUSLY approved.

E. Preliminary Plat – Springridge Road, Tractor Supply.

Jerry Bounds stated that Tractor Supply wants to open a store here in Clinton and that they would like to move into a section of the old Kroger building off of Springridge Road. Showed the committee the site plan and explained where the fenced area and parking would be. Also stated that they would be taking up 61 parking spaces and that could create a problem for any future tenants that may come into that building.

Jim Martin asked if anyone was present to represent Tractor Supply.

Glen Oxford stated that he is the architect for Tractor Supply and has designed over 1000 buildings for them. Showed the committee a larger scale of the proposed site plan and explained the colored areas and what they would be for and showed the building elevations. Also stated that chain link fence is the material of choice for their company but he knows that is an issue for Clinton and that they have changed the fencing to black iron with brick columns.

Nancy Davis asked what would be going inside the store.

Mr. Oxford stated that retail would be inside.

Bill Burch, a representative for Tractor Supply, stated that their store caters to the hobby farmer and they sell horse supplies, pet supplies, clothing, some hardware items and tractor accessories.

Nancy Davis stated that this store would be right at the City entrance.

Mr. Burch stated that most of their stores are removed from the main road and that Tractor Supply is a destination.

Foster Ellis Jr. stated that he knows they have a store in Hattiesburg and asked if that was the closet store to the area.

Mr. Burch stated that they are currently building a store in Vicksburg.

Foster Ellis Jr. asked what the building in Vicksburg used to be.

Mr. Burch stated that it used to be a medical supply store.

Mr. Oxford stated that he knows there are concerns about parking but that typically the customer count is low and the price tag is higher per customer.

Jim Martin asked how many parking spaces there would be between the store and the fenced in area.

Mr. Oxford stated there would be 43 parking spaces.

Jim Martin asked how long they would lease the building.

Mr. Burch stated that they usually lease for 10-15 years and in their lease agreement they will re-invest in that building and re-furbish the building as needed.

Mark Williams stated that at this time the only tenant is the liquor store on the end of the building.

Mr. Oxford and Mr. Burch stated that is correct.

Foster Ellis Jr. asked if they are satisfied with the parking and area to be used.

Mr. Burch stated that they are. What is presented has taken a lot of time and thought. There will be 1700 sq. ft. of sales outside and that is scaled down for Clinton.

David Ellis asked if they owned the property could they use it all for the parking they would need. Asked JB if they comply with the parking ordinance.

Mr. Oxford stated they did not.

Mr. Burch stated that of all the interior area only 1500 sq. ft. would be used for the retail. They do not need all that space but they need the width it provides for their outdoor display.

David Ellis asked if they could move the outdoor display inside the building.

Mr. Burch said they could not.

David Ellis asked about the fire lane.

Jerry Bounds stated they could move the outdoor area to the side and have room.

Mr. Burch stated that would make things difficult for their large delivery trucks.

David Ellis asked about the fencing and about landscaping.

Mr. Burch stated there would be no landscaping.

Jerry Bounds asked why they needed the fencing.

Mr. Burch stated that it is to prevent theft.

Betty King asked what type of things would be displayed in the fenced area.

Mr. Burch stated it would be their larger items such as feed troughs, ladders, and metal racking. Also stated they need a parking variance.

Jim Martin asked why the outside display could not be moved inside.

Mr. Oxford stated that the things outside are very large and it would not work.

Mr. Burch stated they have a minimal amount of employees at each store.

Mr. Oxford stated that the outside area is not manned.

Jim Martin asked if they would be doing exterior renovations.

Mr. Burch stated they would not be, just adding the gable for the sign.

Jim Martin asked what would be changed inside.

Mr. Oxford stated they would build the rated wall inside, some renovations to the bathrooms, lighting and HVAC. Would bring this building up to ADA standards.

A Public Hearing was held.

Bob Norman stated this is a wonderful idea for Clinton and asked how many employees they would have.

Mr. Burch stated it would be about 12.

Ryan Tracy stated there would be an impact on parking and would prevent future tenants from wanting to move to that location. At the entrance to the city, does not like the location.

Sherry Wheat stated that Clinton is not so cosmopolitan that we don't owe something to the farmers in the area and that Tractor Supply would do well here.

Mark Wilson stated that he is a hobby farmer and has been to Tractor Supply before and they offer a lot that no one else does and that they have a very nice business.

Ben Walker stated that he is for Tractor Supply coming to Clinton but does not think this location is the right place for them.

Larry Daniel stated that if you put a Tractor Supply anywhere in Clinton other businesses would come.

John Murphy stated that he agrees with others that this location is not the best for them.

Greg Cronin asked if they had looked into other locations in the City.

Mr. Burch stated that they have a core group of people that are dedicated to finding the best location for them and he is sure they have done their job well.

Ben Walker stated it would be hard to find other retail to go next to them.

Greg Cronin asked if anyone from the City helped them choose this location.

Kenneth Dreher stated that if they do not have contact with the City when they come here unless they choose to.

Carol McCarty asked what other businesses follow Tractor Supply.

Mr. Oxford stated it varies depending on the location. Also stated that the fenced area would provide segregation with the Kroger fuel station in the parking lot.

Greg Cronin asked if there are any other parties interested in the building.

Mr. Burch stated that if there were Kroger would not want to lease them the building.

Jerry Bounds stated that this has been approved by ARC Review.

Bettye King asked if there was room to move the outdoor display area to the side.

Mr. Oxford stated that is right in the center now and if it was moved it would block traffic for the fuel station.

Jim Martin stated that the fuel station would actually block the view and if it was moved to the side it might be more visible.

Bettye King asked if it was moved would it affect their deliveries.

Mr. Oxford stated it would.

MOTION by David Ellis to deny the preliminary plat for Tractor Supply. SECOND by Foster Ellis Jr. Mark Williams and Bettye King vote in favor. MOTION DENIED.
VOTE OF 5 TO 2

F. Sign Ordinance.

Jim Martin stated that the sign ordinance is part of the comprehensive plan for the City of Clinton and that many changes have been made based on suggestions and comments made at last year's meetings.

Jerry Bounds explained the changes in the sign ordinance.

Nancy Davis asked for more of an explanation of the first change.

Jerry Bounds stated that it would have to come into compliance if the owner decided to change the sign.

Mark Williams asked about the 50% of sign damage.

Jerry Bounds stated that if the sign is destroyed or needed maintenance that exceeded 50% of the original cost of the sign then it would have to be brought into compliance.

Mark Williams asked that as long as it did not exceed that 50% then the sign could stay as it.

Jerry Bounds stated yes.

A Public Hearing was held.

Clay Mansell, the president-elect of the Chamber of Commerce, stated that they had an open forum discussion about the sign ordinance the night before and handed the committee some notes taken. Stated that there is concern about article 2713 that states the first year of the sign is free and it does not say what that fee is, how much it is and what it is for.

Ryan Tracy stated that he has concern about directional signage and real estate signs. Does not feel that is part of the core purpose of this ordinance.

Bob Norman stated that the problem with this sign ordinance is the fear and pain it has caused the business owners of Clinton. Not fair for them to not have banners when MC, the library and the City can have banners. Would be better for the whole ordinance to be scrapped and a new one written with the help of business owners.

Jim Martin stated that at the last meetings about this many issues were brought up and taken into consideration when changes were made.

Bob Norman stated that businesses should be allowed banners and would gladly pay for the privilege to do so.

Jim Martin asked the public to make their comments more specific on what they want and what suggestions of change they have in mind.

Greg Cronin stated that he appreciates the changes in the ordinance but more must be done. It is time to re-open the vault on banners because when it was closed local spirit was destroyed and businesses suffered.

John Murphy stated that he was present at the chamber meeting and the tone there was great, thoughts of the people present were that common sense is needed in this ordinance. Feels that 50% of the original sign cost is too restrictive and it should be 50% of the replacement cost. Also concerned about the renewal fee.

Jerry Bounds asked where that was in the ordinance.
TJ McSparrin stated it is in article 2713.

John Murphy stated that he is concerned about the real estate signs and the restrictions on them, also the restrictions on the size of letters for the door of a business. This ordinance should be changed and be more business friendly.

Nancy Davis stated that she has read the entire ordinance and when she was done she was depressed for the business owners. Wants to know who will enforce this.

Carol Norman stated there is already someone on the City payroll who is enforcing these issues.

Bob Norman stated that the Quality Inn was required to take their sign down to 12ft. and they have lost 50% of their business because of that. Why were they held to new ordinance if it is not in effect.

Bettye King asked JB who does the enforcement.

Jerry Bounds stated that he and the code enforcement officer are responsible for that.

Bettye King asked if that was the only duty of the code enforcement officer.

Jerry Bounds stated that it is not, she is responsible for much more.

Dianne Tripp stated that she had her business here for 6 years and to point people to her place of business she had a sign in a vacant space in the building and was asked to remove it. It was difficult for her to rebound after an article said she was no longer in business and thinks that more businesses will have to close if not given the option of banners. Asks that the City be consistent.

Tonya Roberson stated that banners should be allowed on a temporary basis, one or two a year.

Petty Hardin stated she is concerned about the 50% of damage and worries that if her sign is blown down and she has to replace it that she won't be able to afford it.

Scott Phillips stated that in the Bible it stated the Lord in my banner, asks the City not to outlaw the Lord in Clinton.

John Murphy stated that there are a lot of wonderful people here and we could all get together and work on this.

Harrell Miller stated that this is Clinton, MS, and that most people here were born here, raised here, have families and businesses here. Doesn't see why churches can't have VBS banners and Attache can't have banners. Reasonable measures must be taken and once this is enforced it will only get worse.

Carolyn Burch stated that once banners were done away with she lost a lot of business because 83 – 87% of her business came from that advertisement.

Larry Daniel quoted from the MS constitution and the US constitution regarding freedom of speech. Stated that the City should not be allowed to take that from them.

Ryan Tracy asked Mr. Daniel to retract his mudslinging of the City, states he knows these people serve the community and they care.

Larry Daniel said he would not.

James Pieden, representing McDonald's, stated that this ordinance is much better than the one proposed last year and he appreciates the changes made. Asked about the time and fee for registering a sign once this is adopted.

Jerry Bounds stated it would have to be registered within 90 days of the effective date of the ordinance and there would be no fee.

James Pieden asked if it would be a one-time registration.

Jerry Bounds stated that it would be.

James Pieden asked if the fee schedule for signs was in place.

Jerry Bounds stated it is not ready yet.

Sarah Mann stated that all the restrictions on signs are not good.

Ricky Patel asked if the ordinance was already approved.

Jim Martin stated it is not.

Ricky Patel asked why he was asked to bring his sign down to 12ft. if the ordinance is not in effect.

Joshua Welch stated that he appreciates the "grandfathering" of tall signs and stated that there comes a time for change and that everyone should be open to it and if they are not they will stifle the business here in Clinton. Also stated that it would be nice to see a tax

break for those that choose to bring their sign into compliance and add a component for non-profit organizations.

Jim Martin stated he appreciates all comments and ideas. All comments will go to the Mayor and Board of Aldermen and encourages everyone to continue to make their voices heard.

MOTION by David Ellis to DENY the sign ordinance. SECOND by Nancy Davis.
Jim Martin in Favor. Sign Ordinance DENIED, 6 TO 1 VOTE.

MOTION by Bettye King to adjourn. SECOND by Pat Smith.

IV. The Meeting was adjourned at 10:30 p.m.

Jerry Bounds

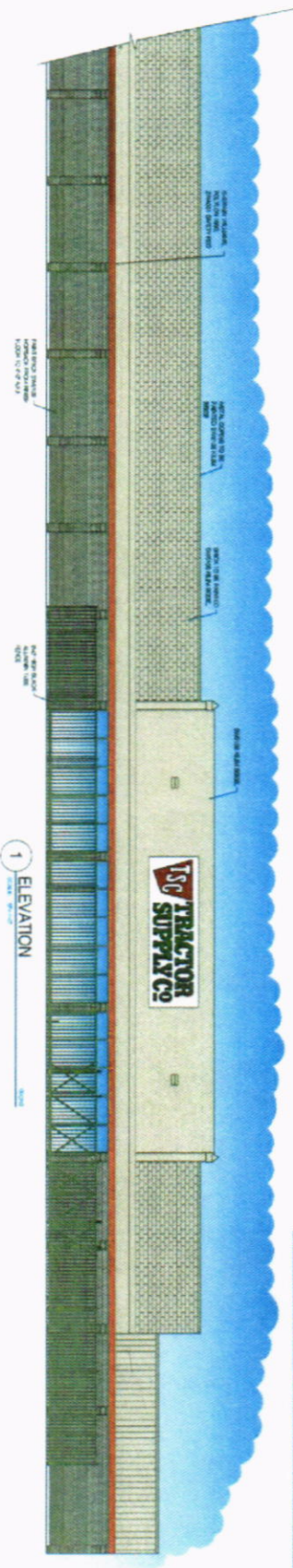
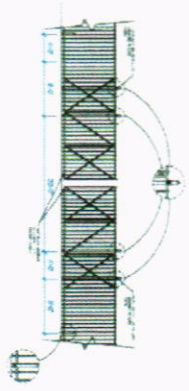
From: Jerry Bounds [jbounds@clintonms.org]
Sent: Tuesday, August 09, 2011 10:03 AM
To: 'Brett Greene'

Mr. Green,

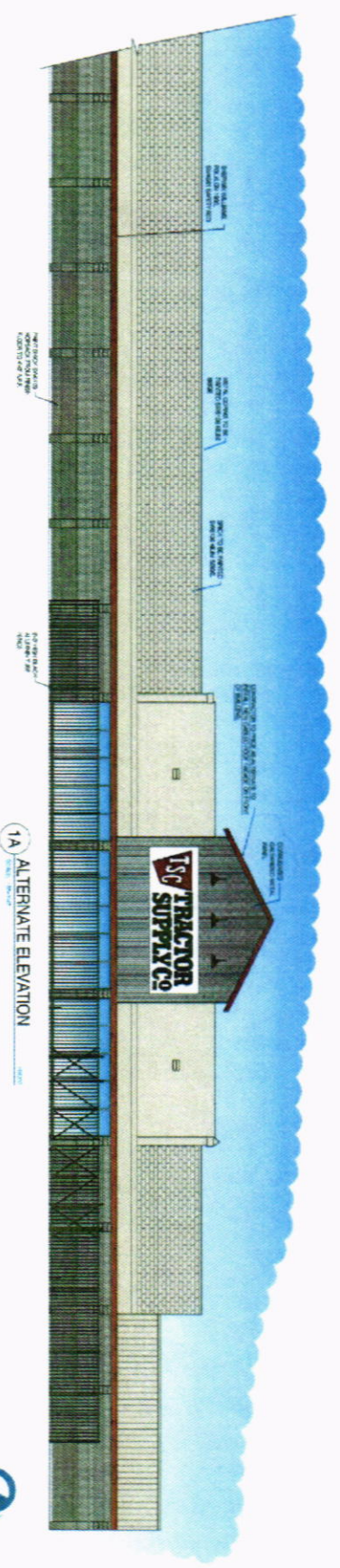
I have the preliminary drawings for Tractor Supply that wants to locate at 458 Springridge Rd. in the old Kroger location. I have you on schedule to appear before the Planning and Zoning Board on August 23, 2011, 6:30 pm and the Mayor and Board of Alderman on September 6, 2011, 7:00 pm. Both meetings will be held in the Municipal Court building located at 305 Monroe Street, Clinton. If you would make a note of the dates and times, your or a representative from Tractor Supply must be present.

If you have any questions I can be reached by phone, (601) 924-2256 or email.

*Jerry "J.B." Bounds
Director, Community Development
City of Clinton, Mississippi*



1 ELEVATION



1A ALTERNATE ELEVATION

TRACTOR SUPPLY CO. - CLINTON, MS



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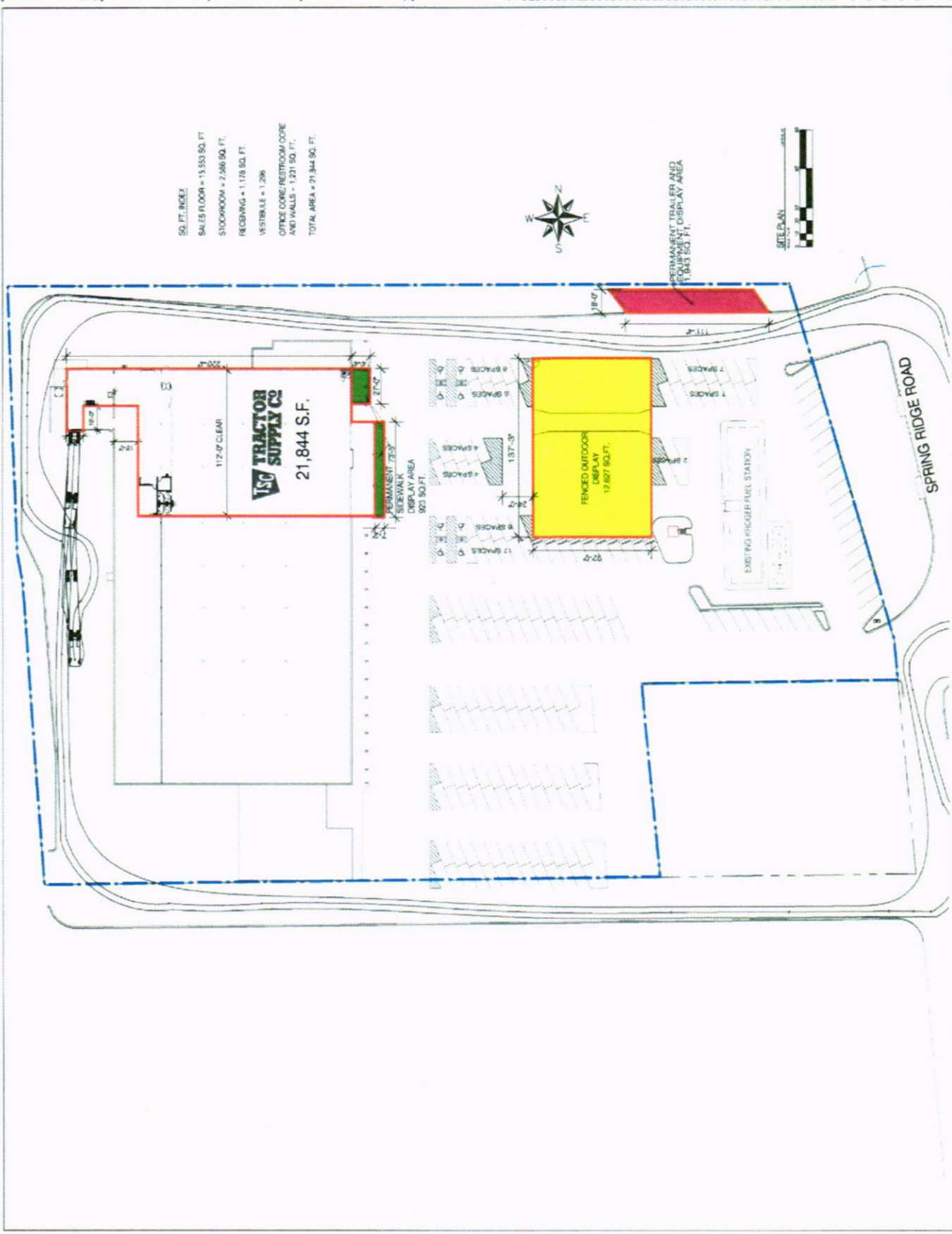
TRACTOR SUPPLY COMPANY
CLINTON
MISSISSIPPI

increase supply. Company said it has no plans to increase production of its 100-cc. model. "We are not planning to increase production of any of our motorcycles," said a spokesman. "We are planning to increase production of our 150-cc. model, but we are not planning to increase production of our 100-cc. model." The spokesman said that the company is planning to increase production of its 150-cc. model to 100,000 units a year, but he did not say when that increase would begin. He said that the company is planning to increase production of its 100-cc. model to 50,000 units a year, but he did not say when that increase would begin. He said that the company is planning to increase production of its 150-cc. model to 100,000 units a year, but he did not say when that increase would begin. He said that the company is planning to increase production of its 100-cc. model to 50,000 units a year, but he did not say when that increase would begin.

The drawing and the design shown is the property of the applicant. No reproduction, copying or use of this drawing without the written consent is prohibited and any infringement will be subject to legal action.

Job Number	1071
Date	07-11-2011
Location	
Remarks	
Remarks	
Remarks	

11



Jerry Bounds

From: Jerry Bounds [jbounds@clintonms.org]
Sent: Thursday, August 04, 2011 9:17 AM
To: 'Bridgforth R. Rutledge (3361)'
Subject: RE: Clinton Building

Bridgforth,

The plans you have are ok for site plan approval. We will deal with Architectural later. I have you on schedule for the Planning and Zoning meeting August 23, 2011 at 6:30 and the Mayor and Board of Alderman meeting September 6, 2011 at 7:00. Both meetings will be held at the Municipal Court Building, 305 Monroe Street. If you would make a note of these dates and times. You or a representative of yours must be present at these meetings.

JB

From: Bridgforth R. Rutledge (3361) [mailto:RUTLEDGB@phelps.com]
Sent: Wednesday, August 03, 2011 3:59 PM
To: 'Jerry Bounds'
Subject: RE: Clinton Building

Those are the actual colors that I intend to use, but I don't have any physical samples. I would like to get site approval now, and I can get architectural approval later. Are there any other approvals that I will need besides those two?
Bridgforth

From: Jerry Bounds [mailto:jbounds@clintonms.org]
Sent: Wednesday, August 03, 2011 3:59 PM
To: Bridgforth R. Rutledge (3361)
Subject: RE: Clinton Building

Brigeforth

Is this the actual colors you intend to use. If not I need actual colors and color samples would be better. At this time all you are wanting is site plan approval, is that correct?

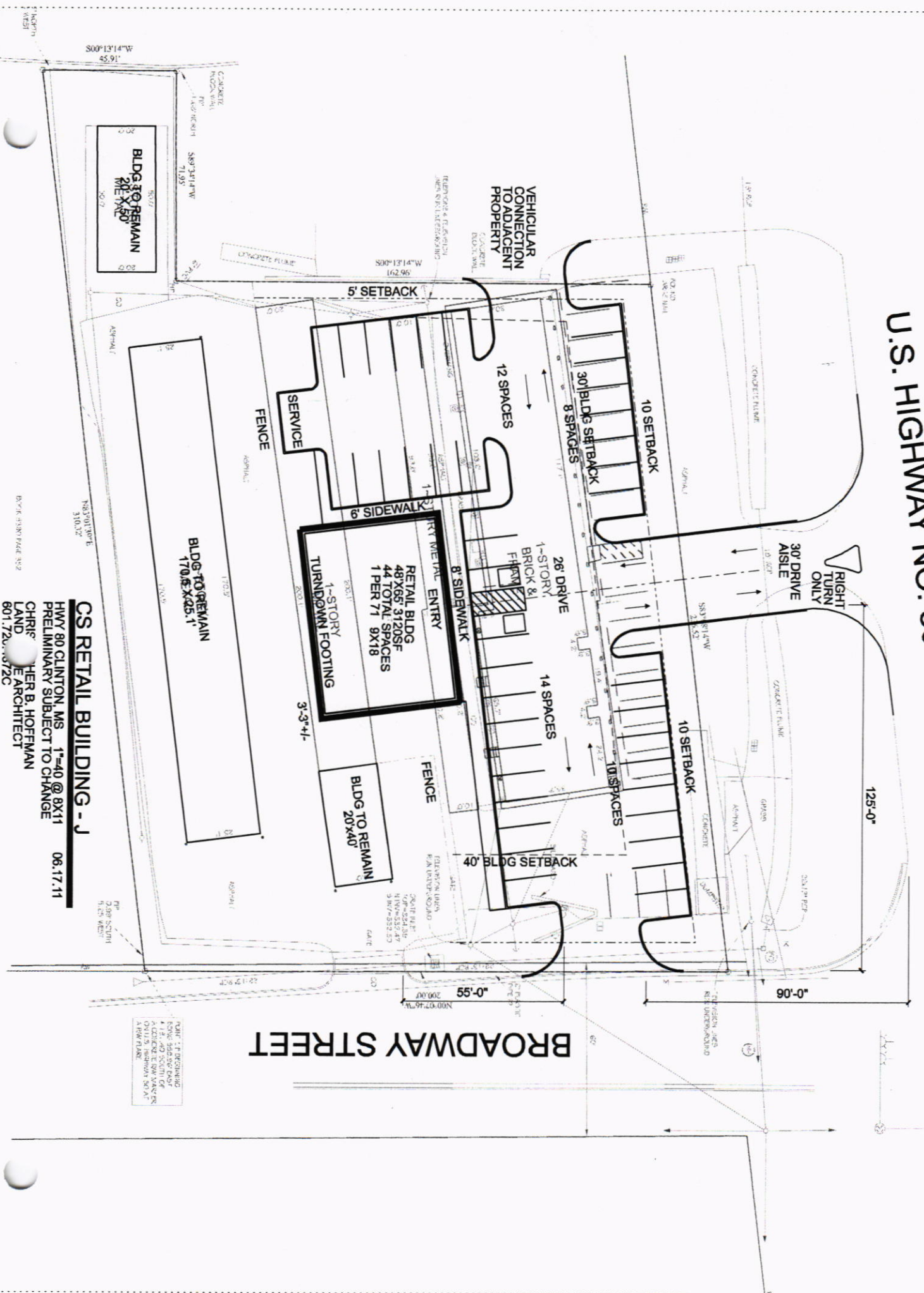
From: Bridgforth R. Rutledge (3361) [mailto:RUTLEDGB@phelps.com]
Sent: Monday, August 01, 2011 3:28 PM
To: 'Jerry Bounds'
Subject: Clinton Building

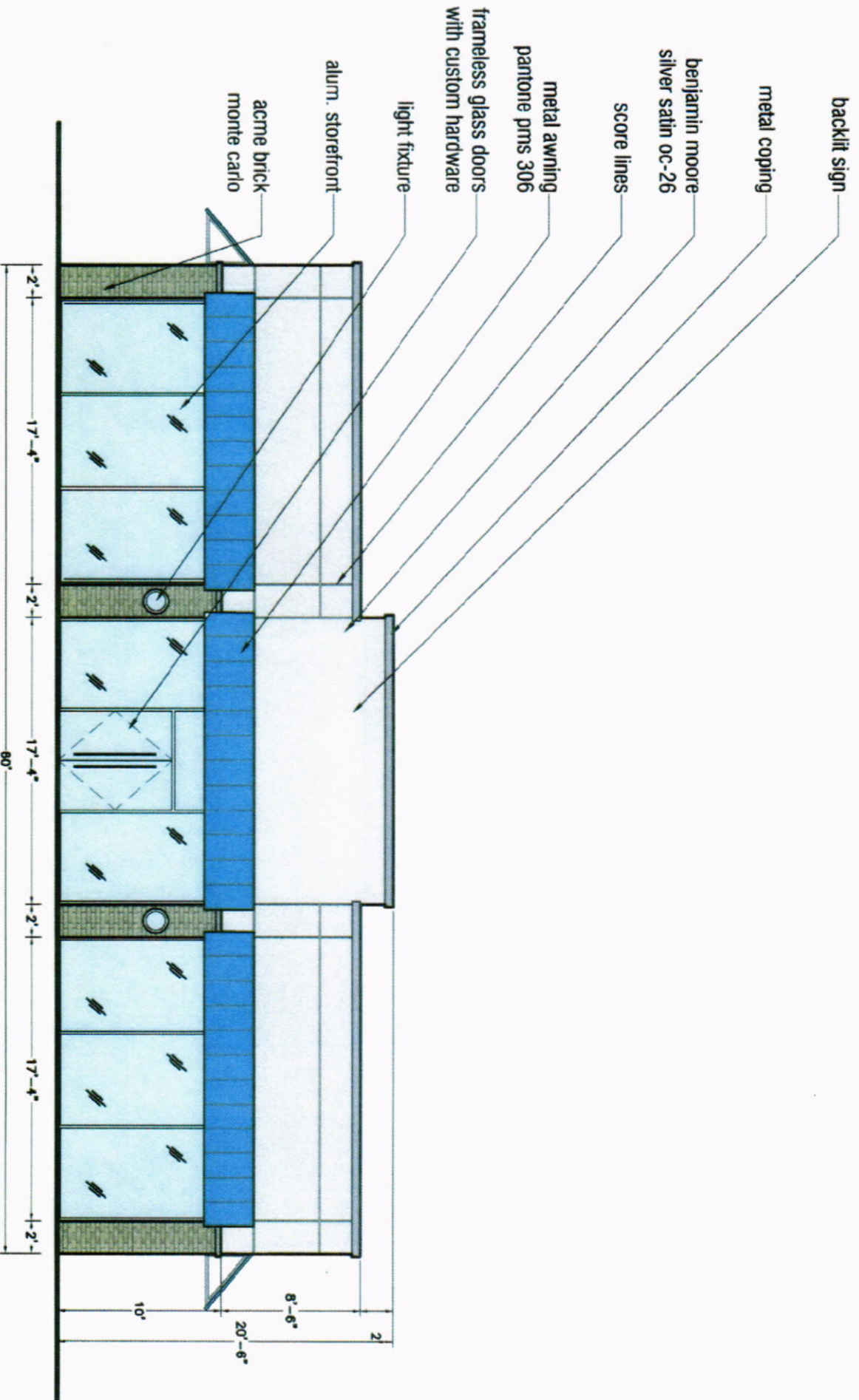
Jerry -- Attached is the color rendering of the proposed building in Clinton. Please let me know if you need anything else. And I really appreciate your getting me on the agenda at this late date. Thanks, Bridgforth

Bridgforth Rutledge
P.O. Box 5331
Jackson, MS 39296
601-291-0211 ☎ Phone
601-360-9777 📠 Fax
bridgforth.rutledge@phelps.com

U.S. HIGHWAY NO. 80

BROADWAY STREET





PROTOTYPE 1.1 FRONT ELEVATION

SCALE: 1/8" = 1'-0"

City of Clinton
Mississippi
Community Development

August 9, 2011

Mr. Dale Woodruff
109 Lake Hollow Pl.
Clinton, MS 39056

Mr. Woodruff:

I have received the preliminary drawings and your request for a rezoning of the property located at 3153 Kickapoo Road, from A-1 Agricultural District to C-2 General Commercial District. The purpose for the requested change in zoning is to allow for the construction of a Shell Food Mart. I have you on schedule to appear before the Planning and Zoning Commission on August 23, 2011 at 6:30 and the Mayor and Board of Alderman on September 6, 2011 at 7:00. Both meetings will be held in the Municipal Courtroom at the Police Department, 305 Monroe Street. If you would make a note of these dates and time, you or your representative must be present at the Planning and Zoning and The Mayor and Board of Alderman meetings.

If you have any questions I can be reached at (601) 924-2256.

Sincerely,



Jerry "J.B." Bounds
Director
Community Development

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

PASTE PROOF HERE

C19341
CITY OF CLINTON-LEGALS,
0200370512
August 23 Hearing

Notice is hereby given to those parties in interest that there will be a public hearing on August 23rd, 2011 at 305 Monroe Street, at 6:30pm, in Clinton, Mississippi, for the purpose of determining whether or not a dimensional variance that will allow them to deviate from the front setback requirements, shall be granted to the owners of Davis Tire & Auto, for an expansion of their existing building at 600 Springridge Road, Clinton MS.

Notice is hereby given to those parties in interest that there will be a public hearing on August 23rd, 2011 at 305 Monroe Street, at 6:30pm, in Clinton, Mississippi, for the purpose of determining whether or not 3153 Kickapoo Road, currently zoned as A-1, shall be re-zoned as C-2.

Notice is hereby given to those parties in interest that there will be a public hearing on August 23rd, 2011 at 305 Monroe Street, at 6:30pm, in Clinton, Mississippi, to determine whether a new sign ordinance shall be adopted by the City of Clinton.

August 2, 2011
0200370512-01

PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi,

ANN MIDDEKE

an authorized clerk of THE CLARION-LEDGER, a newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

8/2/2011

Size: 189 words / 1.00 col. x 42.00 lines

Published: 1 time(s)

Total: \$31.18

Signed Ann Middleke
Authorized Clerk of
The Clarion-Ledger

SWORN to and subscribed before me on 8/2/2011.

Rick Tyler
Notary Public

RICK TYLER

Notary Public State of Mississippi at Large. Bonded thru
Notary Public Underwriters

(SEAL)



REQUEST FOR REZONING APPLICATION

Subject Property Address See Attachment 'A'
Owner GEORGE E. WHITFIELD
Address 3153 KICKAPOO ROAD
JACKSON MS 39209
Phone # 601-259-4137
Current Zoning District A-1
Requested Change C-2

Requirements of Applicant:

1. Letter stating reason for requested zoning change. *see addendum*
2. Copy of the written legal description.
3. Site plan of property.
4. Identification of property owners within 160 feet of subject property.
5. \$250.00 fee required for processing.

Criteria for Rezoning: (Section 2406.03 – Zoning Ordinance)

- (a). Show proof that a mistake was made in the original zoning.
“Mistake” in this context shall refer to a clerical or administrative error.
- (b). Show proof that the character of the neighborhood has changed to such an extent as to justify reclassification, AND that there is a public need for the rezoning.

Applicant shall be present at the Planning and Zoning Commission meeting and Mayor/Board of Aldermen meeting. Documents shall be submitted thirty (30) days prior to the Planning and Zoning Commission meeting.

Applicant is responsible for complying with all applicable requirements of the Zoning Ordinance.

By signing this application, it is understood and agreed that permission is given to the Zoning Administrator to have a sign erected on subject property, giving notice to the public that said property is being considered for rezoning.

Kathak
Signature

22 JULY 2011
Date

REQUEST FOR REZONING APPLICATION ADDENDUM

Requirement of Applications:

1. Request rezoning from A1 to C2 for the purpose of selling the property to buyers interested in opening a convenience store and gas station on the said land to support neighboring residential areas.

The property was originally zoned as A1 (Agricultural) as there were very few residential areas within a 5-mile radius. However, in the past decade, the neighboring areas have been developed into residential homes, adding hundreds of houses in a 5-mile radius, with little or no accommodations available to support the needs of the residents of the community. Residents from the neighboring subdivisions located on North Pinehaven and North Clinton Tenin near Kickapoo (such as Lake Hollow, Bellemeade, Water Oaks, Copper Creek, Ridge Point, and Southern Oaks) have to drive 3-7 miles in order to purchase convenience items and fuel which makes for a 25 minute round trip drive.

2. See attachment "**A**" titled "*Surveyor's Inspecting Report and Certificate*".
3. See attachment "**B**", "**C**", and "**D**" titled "*Clinton-Gosain Site Layout 3*".

SURVEYOR'S INSPECTION REPORT AND CERTIFICATE

THIS IS TO CERTIFY, that I have made an accurate survey of the premises standing in the name of Mr. George Whitfield

situated North of Clinton Hinds MS
City County State

at the intersection of Pine Haven and Kickapoo Roads and shown on the accompanying survey entitled:

Three Acre Survey
George Whitfield
Dated: 7/09/2011

being further described as follows, to-wit:

Parcel 1

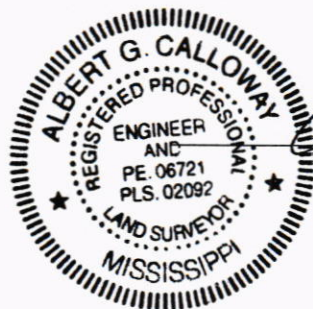
This Parcel of land contains three acres, more or less, located in the NW 1/4 of the NE 1/4 of Section 4 T-6-N R-1-W in the First Judicial District of Hinds County, Mississippi, and lying in the Southeast Quadrant of the Intersection of Pine Haven and Kickapoo Roads, and being more particular described, to-wit:

Commence at a PK Nail in the Northeast Corner of Section 4 T-6-N R-1-W in the First Judicial District of Hinds County, Mississippi, and located in the Center of Kickapoo Road, and run South 30.0 feet to the South Line of Kickapoo Road; run thence along the South Line of Kickapoo Road West, 1597.8 feet to an iron pin being the Point-of-Beginning of this Parcel's description; thence leaving said road's South Line run S-08°28'35"-W, 287.3 feet to an iron pin; run thence S-88°00'20"-W, 460.0 feet to the East Line of Pine Haven Road; run thence along the East Line of Pine Haven Road the following bearings and distances: along a Curve to the Left having a Delta Angle of 19°00', a Radius of 613.7 feet, an Arc Length of 203.5 feet, and along a 202.6-foot Chord bearing N-11°04'E; run thence N-01°50'45"-E, 99.3 feet to the Intersection of the East Line of Pine Haven Road with the South Line of Kickapoo Roads; run thence along the South Line of Kickapoo Road N-89°43'50"-E, 460.0 feet back to the Point-of-Beginning.

I made careful inspection of said premises and of the improvements located thereon at the time of making such survey, and from such inspection I found George Whitfield to be in possession of said premises as tenant X owner.

Note: This property is subject to a gas line Limited Construction/improvement Agreement. It also contains a telephone line easement identified with a cable digging warning sign located in the Northwest Corner of the Parcel. Line must be located before digging as warning sign describes.

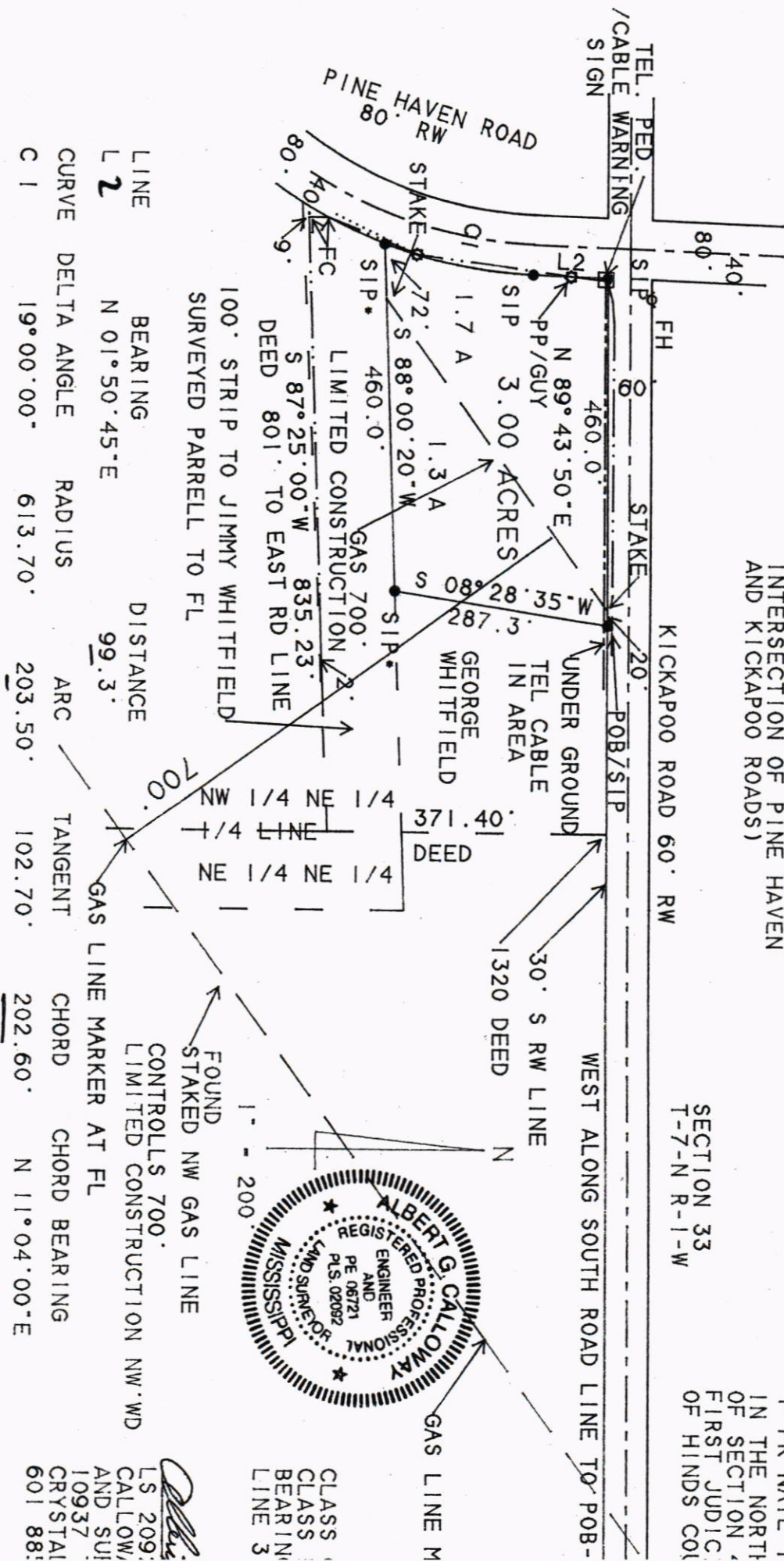
Witness my signature this the 9 th day of July, 2011.



Albert G. Calloway
Albert G. Calloway LS 2092
Phone/Fax: 601-885-8392

SECTION 33
T-7-N R-1-W

B.O.S.
F PK NAIL I
IN THE NORTH
OF SECTION 4
FIRST JUDICIAL
OF HINDS CO.



Clinton-Gosain
Site Model2

Scale: N.T.S.

06/07/2011

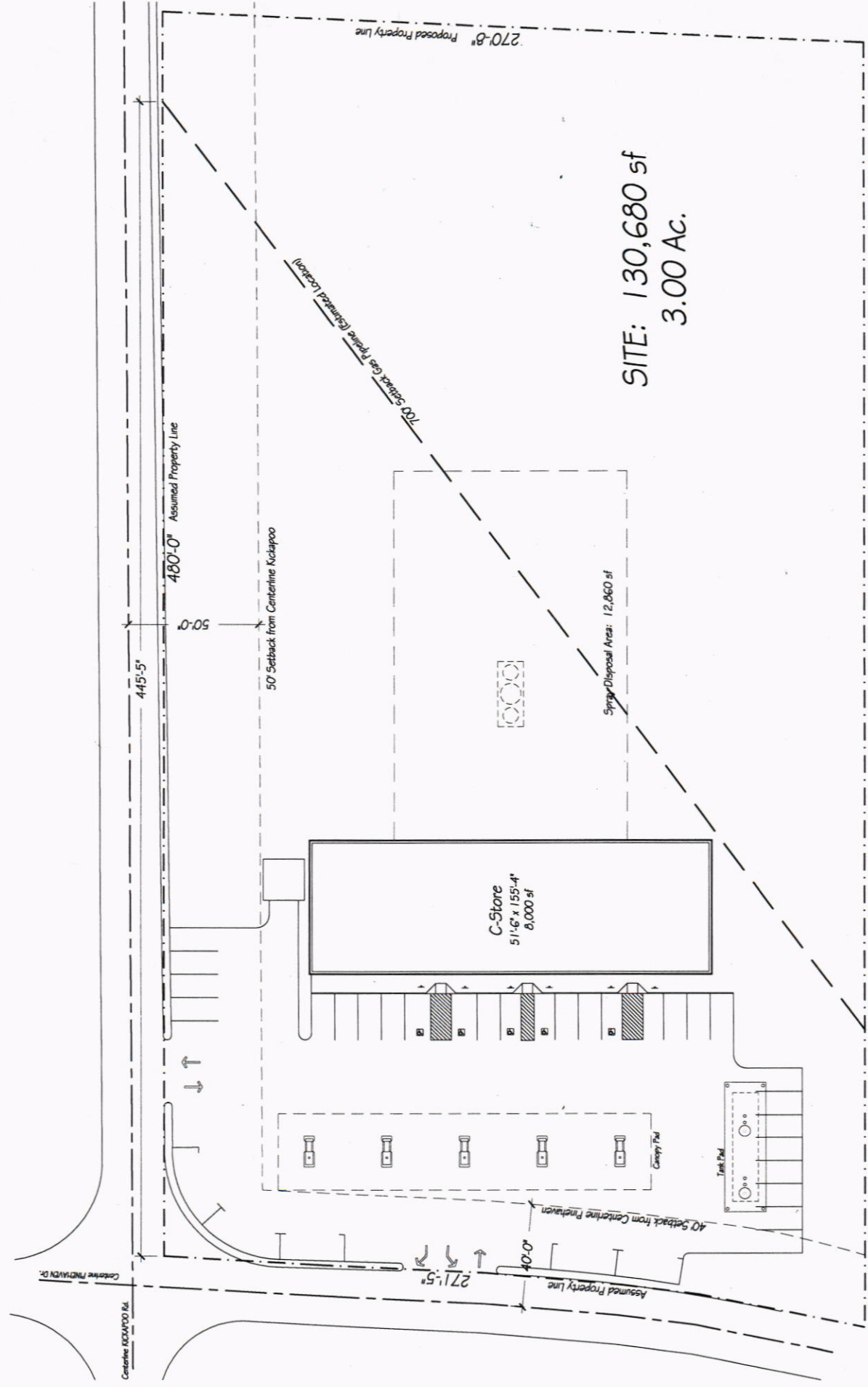


Kent Brock

Commercial Constr & Maintenance

601.813.3339
kentb@ccminc.net





City of Clinton
Mississippi
Community Development

August 10, 2011

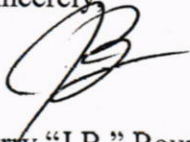
Ms. Connie Chrietsburg
101 Lawson Street
Clinton, MS 39056

Ms. Chrietsberg:

I have received the drawing for the sign you are requesting to place at 101 Lawson Street. I have you on schedule to appear before the Planning and Zoning Commission on August 23, 2011 at 6:30 pm and the Mayor and Board of Alderman on September 6, 2011 at 7:00 pm. Both meetings will be held in the Municipal Courtroom at the Police Department, 305 Monroe Street. If you would make a note of these dates and time, you or your representative must be present at the Planning and Zoning and The Mayor and Board of Alderman meetings.

If you have any questions I can be reached at (601) 924-2256.

Sincerely,



Jerry "J.B." Bounds
Director
Community Development

CITY OF CLINTON
Department of Community Development

Sign Permit Application

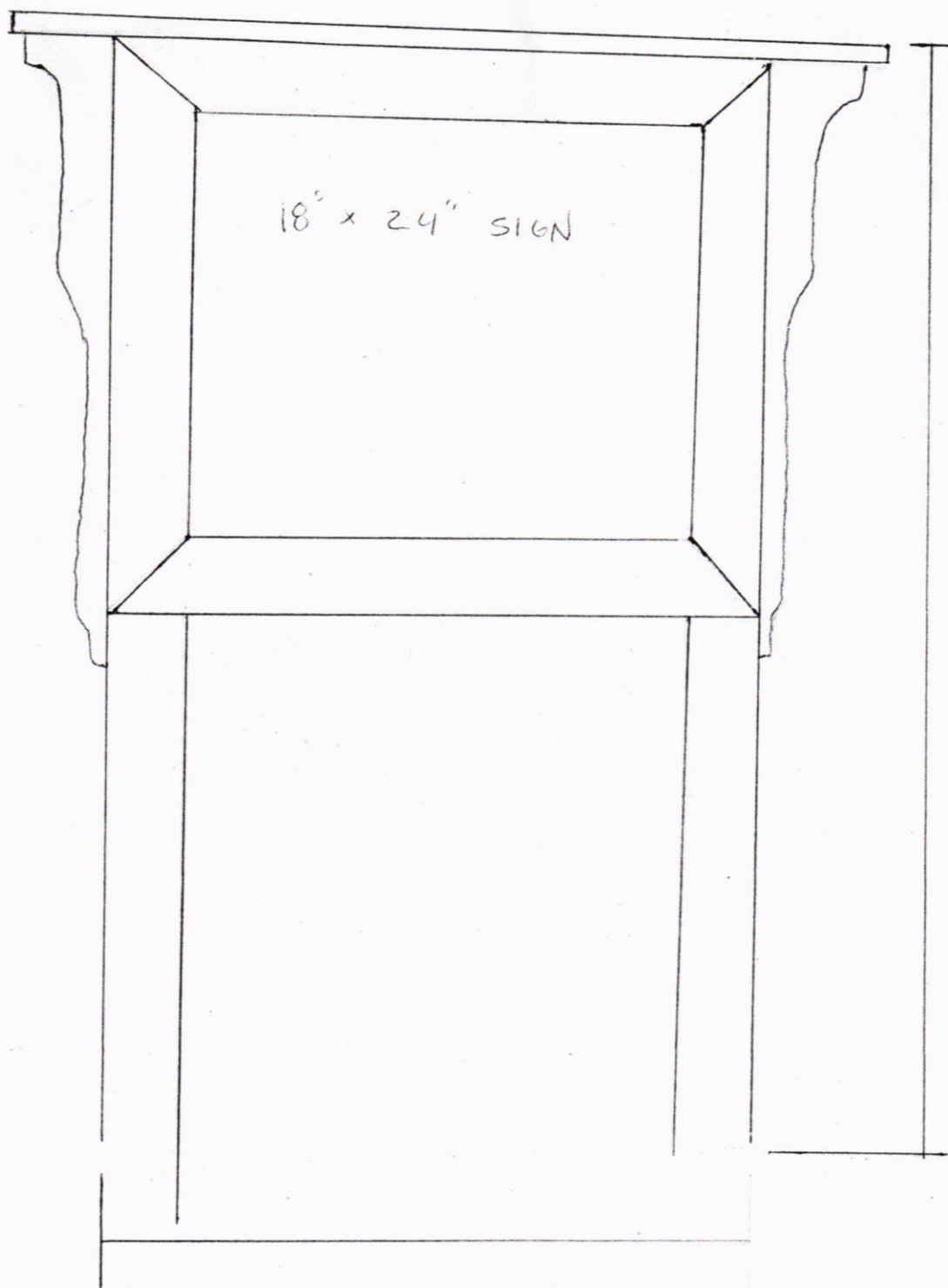
Date: <u>August 5, 2011</u> Name of Applicant: <u>Cherished Memories Photography</u> Contact: <u>Connie Chrichtberg</u> Address: <u>101 Lawson St.</u> <u>Clinton, MS 39056</u> Phone #: <u>601-331-5693</u> Contact Signature: <u>Connie Chrichtberg</u> Property Owner: <u>Richard Bator</u> Address: <u>580 Springridge Rd.</u> <u>Clinton, MS 39056</u> Phone: <u>601-201-6655</u> Sign Contractor: <u>BW Builders / Budget Signs</u> Address: <u>PO Box 631 Clinton, MS 39056</u> <u>2358 Hwy 80 West</u> Phone: <u>601-955-9367 / 601-354-4977</u> <u>(Brett)</u>	Location of Sign _____ Zoning District: _____ Type of Sign: _____ Wall ☒ Ground Mounted Sign Dimensions Wall: Height: <u>48"</u> Width: <u>31"</u> Total Sq. Ft. _____ Ground Mounted: Height: <u>48"</u> Width: <u>31"</u> Total Sq. Ft. <u>10.3</u> Lineal Ft. of building or space to be leased: <u>800 sq. ft.</u> Contract Cost: <u>\$51.00</u> Permit Cost: _____ Received by: _____
---	---

PLEASE ATTACH RENDERING OF SIGN TO APPLICATION

Sign is: APPROVED _____ (Date) DENIED: _____ (Date) BY: _____

Reason for

Denial: _____



18' x 24' SIGN

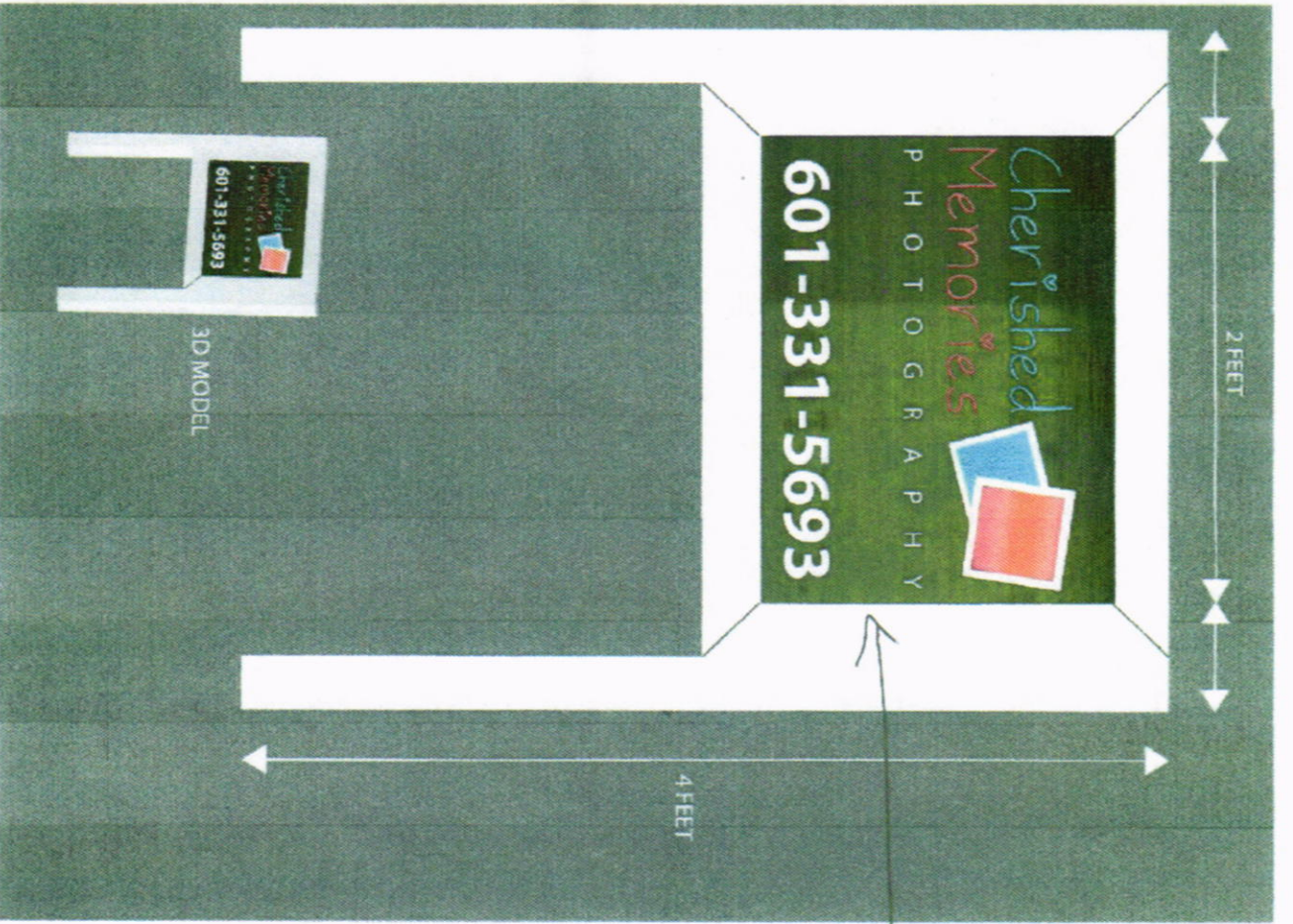
48'

TOP OF POST
TO GROUND

31'

FROM POST TO POST

FRAME



2 FEET

4 FEET

Inside
of
flame

RESOLUTION FOR THE DEMOLITION OF PROPERTY IN THE CITY OF CLINTON, MS

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unkempt property located at 111 Primrose Landing, Clinton, Mississippi, and after full consideration of the matter, Alderman

Hj's 14w
Offered the following Resolution:

Resolution of the Mayor and Board of Aldermen of the City of Clinton, Mississippi, determining the necessity for the demolition and debris removal, of the property located at 111 Primrose Landing, Clinton, Mississippi, under the Authority granted to Municipalities by Section 21-91-11, Mississippi Code of 1972 as Amended, and other applicable Statutes and Ordinances.

WHEREAS, it has come to the attention of the Mayor and Board of Aldermen that the property located at 111 Primrose Landing, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanness; and

WHEREAS, notice was given to the owner of said property as required Section 21-19-11 of the Miss. Code of 1972, as amended, of a public hearing on this matter; and

WHEREAS, a public hearing was held at 7:00 p.m. September 6, 2011, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

WHEREAS, based upon the information and evidence provided at said public hearing, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, has determined that this property, in its present condition and state of uncleanness, constitutes a menace to the public health and safety of the community and does adjudicate said property in its present condition to be a menace to the public health and safety of the community. The Director of Community Development is directed to take such action as appropriate under Section 21-19-11 of the Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to use municipal employees or, by contract, to have the property demolished and debris removed at 111 Primrose Landing.

NOW BE IT RESOVLED, by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, as follows:

1. It is hereby adjudicated that the property located at 111 Primrose Landing, Clinton, Mississippi, in its present condition, constitutes a menace to the public health and safety of the community.
2. The Director of Community Development is hereby directed to take such action as appropriate under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statues and ordinances to have the property demolished and debris removed from 111 Primrose Landing, Clinton, MS 39056.

3. The Director of Community Development is hereby directed that upon completion of this demolition that he advise the Mayor and Board of Aldermen of the City of Clinton, Mississippi, of the actual costs incurred in demolition of the property so that the Mayor and Board of Aldermen for the City of Clinton, Mississippi, may adjudicate the costs of such action and impose such penalty as it adjudicates, all as provided by under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances.

A Motion for adoption was seconded by Alderman CASHION and the foregoing having been first reduced to writing, and no request by the Mayor or any member of the Board of Aldermen that it be read by the City Clerk, before the vote was taken, it was submitted to the Board of Aldermen for the passage or rejection on roll call vote upon the vote being as follows, to-wit:

Alderman Brabham voted:	<u>AYE</u>
Alderman Hisaw voted:	<u>AYE</u>
Alderman Greer voted:	<u>ABSENT</u>
Alderman Barnett voted:	<u>AYE</u>
Alderdwoman Peace voted:	<u>AYE</u>
Alderman Morgan voted:	<u>AYE</u>
Alderman Cashion voted:	<u>AYE</u>

Whereupon the Mayor declared the Motion carried and the Resolution approved and adopted.

The foregoing Resolution was approved this the 6th day of SEPTEMBER 2011.

CITY OF CLINTON

BY: Rosemary G. Aultman
ROSEMARY G. AULTMAN, Mayor

ATTEST: Russell L. Wall
Russell L. Wall, City Clerk (SEAL)









CITY OF CLINTON
PUBLIC HEARING – 2011 – 2012 BUDGET
TUESDAY SEPTEMBER 6, 2011 – 7:00 P.M.
MUNICIPAL COURTROOM – 305 MONROE ST

NO.	NAME	ADDRESS
1	Barry Bumside	122 Bailey's Ridge Cr. Clinton, MS
2	Jimmy BALDREE	1214 HUNTCLIFF WAY, CLINTON, MS
3	Carolyn Hisaw	102 Autumn Way, Clinton, MS
4	Tony Hisaw	✓
5	Kathy Rence	151X Hawthorne Place, Clinton MS
6	WILLIAM BARRETT	1006 BATHURST DR. CLINTON, MS
7	DON BYINGTON	3853 WILLIAMSON CLINTON MS.
8	MIKE ASHION	202 Church St Clinton MS 39002
9	Mike Morgan	102 Eva Lane Clinton 39056
10	Wayne Derrick	213 Hannah Dr Clinton
11	Nancy Davis	504 Hampton St. Clinton
12	Ruth Ingram	Clinton Rd, Clinton
13	Bri Dun	204 West LEAKE Clinton
14	Ken DREATER	111 Hillmont Circle Clinton

CITY OF CLINTON
PUBLIC HEARING – 2011 – 2012 BUDGET
TUESDAY SEPTEMBER 6, 2011 – 7:00 P.M.
MUNICIPAL COURTROOM – 305 MONROE ST

NO.	NAME	ADDRESS
15	Mike Packer	119 Countrywood Cir Clinton MS 39056
16	Terry Bounds	229 Campfire Circle Brandon MS
17	Scott Hodges	107 DUNTON HILL LANE CLINTON, MS 39056
18	Russell Wall	102 King Arthur Dr.
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