

CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, NOVEMBER 5, 2013 - 7:00 P.M.
MUNICIPAL COURTROOM – 305 MONROE STREET

WELCOME AND CALL TO ORDER Mayor Phil Fisher

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The invocation was led by Alderman Cronin followed by the pledge of allegiance to the flag led by Alderwoman Cossitt.

ROLL CALL City Clerk, Russell Wall

Present: Jehu Brabham – Alderman-at-Large
 David Ellis – Alderman Ward 1
 William O Barnett – Alderman Ward 3
 Greg Cronin – Alderman Ward 4
 Jan Cossitt – Alderwoman Ward 5
 Mike Cashion – Alderman Ward 6

Absent: Tony Greer – Alderman Ward 2

APPROVAL OF CONSENT AGENDA ITEMS A - P

MOTION made by Alderman Cashion and **SECONDED** by Alderman Ellis to approve the Consent Agenda Items A-P. **MOTION CARRIED UNANIMOUSLY**

DEPARTMENT HEAD REPORTS

Mike Warren, Police Chief reported to the board the statistics for calls for service, traffic stops, number of tickets written and number of arrests made during the last two weeks of October 2013 compared to the same period in 2012. The Chief updated the board on various activities the Police Department has been involved in. These activities included school presentations, presentations to Boy Scout groups and to Homeowners Associations on home safety and security. Also, the Chief informed the board that recently the Police Department wrote 115 tickets ranging from speeding, DUI seat belt, and child restraint violations. These extra patrols were a result of the money received for overtime from of Traffic Grant the Police Department recently received.

Barry Burnside, Fire Chief reported the statistics on the number of service calls including medical and fire calls during the month of October 2013 as compared to the same period in 2012. He also updated the board on various activities and programs the fire department was involved in. These activities and programs included training sessions involving school children and city employees and Public Education classes involving fire safety. He also, informed the board of the continuing maintenance of the fire trucks and other vehicles. The Chief reported that after the physical agility test the applicants for the vacant fire fighter positions went down from ten to six applicants. The next phase was the written exam which would be given next. He also, informed the board that the Fire Marshall would begin annual inspections of the businesses located in Clinton and that the grand opening of the new Fire Station #2 would be on November 22, 2013.

Mike Parker, Director of Public Works was absent and there was no report concerning the activities of the Public Works Department.

BOARD OF ALDERMEN DISCUSSION AND REPORTS

There were no items from the Board of Aldermen.

MAYOR'S DISCUSSION AND REPORTS

APPROVE MOVING OWNERSHIP OF THE OLD FIRE STATION NUMBER 2 FROM THE CITY OF CLINTON TO THE CLINTON PUBLIC SCHOOL DISTRICT

Upon presentation by Ken Dreher, City Attorney, **MOTION** made by Alderman Brabham and **SECONDED** by Alderwoman Cossitt the board approved authorizing the Mayor to execute a lease cancellation agreement moving ownership of the Old Fire Station Number 2 from the City of Clinton to the Clinton Public School District. **MOTION CARRIED UNANIMOUSLY**

308 E. COLLEGE STREET – CERTIFICATE OF APPROPRIATNESS – DAVID AND AMY HENRY

Upon presentation by Roy Edwards, Director of Community Development, **MOTION** made by Alderman Cronin and **SECONDED** by Alderman Brabham the board approved the request by David and Amy Henry for a Certificate of Appropriateness to add a picket fence and to change the exterior color of the house located at 308 E College Street in the City of Clinton, Mississippi. The Historical Review Committee and the Planning and Zoning Commission recommended approval. **MOTION CARRIED UNANIMOUSLY**

200 TULANE DRIVE – DIMENSIONAL VARIANCE – BRADLEY FREENY

Upon presentation by Roy Edwards , Director of Community Development, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Cashion the board denied the request by Bradley Freeny for a dimensional variance to place an outdoor storage building located at 200 Tulane Drive in the City of Clinton, Mississippi. The Planning and Zoning Commission recommended this request be denied. **MOTION CARRIED UNANIMOUSLY**

During the discussion of this item Bradley Freeny informed the board the request for this building resulted from a need to store the belongings of his wife's parents that recently passed away.

Alderman Barnett stated that it was his opinion that the current ordinance would not allow the board to approve this request. He stated that he wanted the board to review this ordinance and to make changes that would allow these types of requests to be allowed.

Alderman Brabham agreed with Alderman Barnett and that a finding of fact and the criteria of this request did not meet the requirements as stated in the ordinance.

After the vote on this item Alderman Brabham offered the following motion,

AUTHORIZE THE MAYOR TO DIRECT THE DIRECTOR OF COMMUNITY DEVELOPMENT AND THE CITY ATTORNEY TO DRAFT AN AMENDMENT TO THE ORDINANCE THAT WOULD ALLOW FOR THE PLACEMENT OF THESE TYPES OF BUILDINGS IN THE FUTURE

Upon presentation by Alderman Brabham, Alderman-at-Large, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Barnett the board approved authorizing the Mayor to direct the Director of Community Development and the City Attorney to draft an amendment to the ordinance that would allow for the placement of these types of buildings in the future. **MOTION CARRIED UNANIMOUSLY**

704 E NORTHSIDE DRIVE – CONDITIONAL USE – BECKY DENNIS

Upon presentation by Roy Edwards, Director of Community Development, **MOTION** made by Alderman Barnett and **SECONDED** by Alderman Cronin the board approved the request by Becky Dennis for a conditional use to add massage therapy services to be performed in a building located at 704 E Northside Drive in the City of Clinton, Mississippi with the following conditions. 1. That the business have one (1) main entrance, and 2. That the conditional use be effective for one (1) year and if the merger has not been completed in that time that Ms Dennis must come back to the board to get the conditional use extended. The Planning and Zoning Commission recommended approval. **MOTION CARRIED BY A VOTE OF 5 TO 1, WITH ALDERMAN GREER BEING ABSENT, AND ALDERMAN BRABHAM, ALDERMAN BARNETT, ALDERMAN CRONIN, ALDERWOMAN COSSIT, AND ALDERMAN CASHION VOTING "AYE" AND ALDERMAN ELLIS VOTING "NAY"**

207 W MAIN STREET – CERTIFICATE OF APPROPRIATENESS – MIKE AND TRISH BALLARD

Upon presentation by Roy Edwards, Director of Community Development, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Cashion the board approved the request by Mike and Trish Ballard for a Certificate of Appropriateness to paint and replace the existing roof of a home located at 207 W Main 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**

During the discussion Mike Ballard explained to the board the work that would be performed on the residence. He also explained that the object of this work would be to make the residence historically correct.

202B WEST LEAKE – CERTIFICATE OF APPROPRIATENESS – DEBBE TILLMAN

Upon presentation by Ray Edwards, Director of Community Development, **MOTION** made by Alderman Cashion and **SECONDED** by Alderwoman Cossitt the board approved the request by Debbe Tillman for a Certificate of Appropriateness for the building located at 202B West Leake in the City of Clinton, Mississippi. The Historical Review Committee and the Planning and Zoning Commission recommended approval. **MOTION CARRIED BY A VOTE OF 5 TO 1, WITH ALDERMAN GREER BEING ABSENT, AND ALDERMAN BRABHAM, ALDERMAN BARNETT, ALDERMAN CRONIN, ALDERWOMAN COSSIT, AND ALDERMAN CASHION VOTING "AYE" AND ALDERMAN ELLIS VOTING "NAY"**

MISSISSIPPI COLLEGE EAST CAMPUS – CERTIFICATE OF APPROPRIATENESS – MISSISSIPPI COLLEGE

Upon presentation by Roy Edwards, Director of Community Development, **MOTION** made by Alderman Brabham and **SECONDED** by Alderwoman Cossitt the board approved the request by Mississippi College for a Certificate of Appropriateness to demolish several buildings located on the property referred to as Mississippi College East Campus 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 CHANGE ORDER #1 IN THE AMOUNT OF \$7,755.84 FOR THE FIRE STATION #2 CONSTRUCTION PROJECT

Upon presentation by Barry Burnside, Fire Chief, **MOTION** made by Alderman Barnett and **SECONDED** by Alderman Ellis the board approved the Change Order #1 in the amount of \$7,755.84 for the Fire Station #2 construction project. **MOTION CARRIED UNANIMOUSLY**

APPROVE THE DONATION OF LABOR AND TOWING TO MAKE REPAIRS TO THE PARADE TRUCK BY J. R. HUNT ENTERPRISES

Upon presentation by Barry Burnside, Fire Chief, **MOTION** made by Alderman Cronin and **SECONDED** by Alderman Ellis the board approved the donation of labor and towing to make repairs to the parade truck by J. R. Hunt Enterprises. **MOTION CARRIED UNANIMOUSLY**

APPROVE THE ACCEPTANCE OF A \$100.00 DONATION TO THE CLINTON FIRE DEPARTMENT FROM RICHARD AND KAREN SIBLEY

Upon presentation by Barry Burnside, Fire Chief, **MOTION** made by Alderman Barnett and **SECONDED** by Alderman Brabham the board approved the acceptance of a \$100.00 donation to the Clinton Fire Department from Richard and Karen Sibley. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF A RESOLUTION OF THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI GRANTING EXEMPTION FOR AD VALOREM TAXES TO MCNEELY PLASTIC PRODUCTS FOR FIVE YEARS WITH A TRUE VALUE OF \$706,833 FROM JANUARY 1, 2012 THROUGH DECEMBER 31, 2016

Upon presentation by Curnis Upkins, Director of Business Development, Hinds County Economic Development Authority, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Cashion the board approved a resolution of the Mayor and the Board of Alderman of the City of Clinton, Mississippi granting exemption for ad valorem taxes to McNeely Plastics Products for five years with a true value of \$706,833 from January 1, 2012 through December 31, 2016. **MOTION CARRIED UNANIMOUSLY**

EXECUTIVE SESSION

MOTION made by Alderman Brabham and **SECONDED** by Alderman Ellis that the Mayor and Board of Aldermen consider entering into executive session to discuss a litigation matter. **MOTION CARRIED UNANIMOUSLY**

MOTION made by Alderman Brabham and **SECONDED** by Alderman Barnett that the Mayor and Board of Aldermen enter into executive session to discuss a litigation matter. **MOTION CARRIED UNANIMOUSLY**

The Mayor and Board of Aldermen entered executive session at 8:04 p.m. Also, present in the executive session were City Attorney Ken Dreher, City Clerk Russell Wall, and Assistant Director of Public Works Robert Richey. A discussion of a ligation matter occurred during the executive session. No action was taken during the executive session. **MOTION** was made by Alderman Brabham and **SECONDED** by Alderman Ellis to exit executive session. **MOTION CARRIED UNANIMOUSLY.** The Mayor and Board of Aldermen exited executive session at 8:27 p.m.

Upon **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Ellis the board approved re-entering the regular session. **MOTION CARRIED UNANIMOUSLY**

APPROVE THE CONFIDENTIAL SETTLEMENT PROPOSED BY THE CITY'S LIABILITY CARRIER IN CASE NO. 3:12cv667-TSL-LRA

Upon presentation by Alderman Brabham, Alderman-at-Large, **MOTION** made by Alderman Brabham and **SECONDED** by Alderwoman Cossitt the board approved the confidential settlement proposed by the City's liability carrier in Case No. 3:12-cv667-TSL-LRA. **MOTION CARRIED UNANIMOUSLY**

ADJOURN 8:29 P.M.

MOTION made by Alderman Ellis and **SECONDED** by Alderman Brabham to adjourn until the next regular meeting of the Mayor and Board of Aldermen to be held November 19, 2013 at 7:00 p.m. **MOTION CARRIED UNANIMOUSLY**

APPROVED: _____

Philip R. Fisher, Mayor

Date

11/8/13

ATTEST: _____

Russell L. Wall, City Clerk

Date

11-8-13



**CANCELLATION OF COMMERCIAL
LEASE AGREEMENT**

This Agreement made this 5th day of November 2013, between the Board of Trustees of the Clinton Public School District whose address is P.O. Box 300, Clinton, MS 39060-0300 (LESSOR) and the City of Clinton, P.O. Box 156, Clinton, MS 39060-0156 (LESSEE).

Whereas LESSOR and LESSEE entered into a Commercial Lease Agreement for LESSEE to maintain a fire station at 910 Old Vicksburg Road, Clinton, MS 39056 (LEASE);

Whereas, LESSEE has built a new fire station to replace the one at 910 Old Vicksburg Road and the old building is now used only for storage and services related to operating and maintaining a fire station;

Whereas LESSOR has expressed its interest in LESSEE transferring the land and building at 910 Old Vicksburg Road to LESSOR prior to the end of the LEASE;

Now therefore for the terms and mutual considerations set forth herein, LESSOR and LESSEE agree as follows:

- 1. The LEASE shall terminate immediately upon approval by the LESSOR and LESSEE.**
- 2. The LESSOR and LESSEE agree that no further rental is due from LESSEE as of December 1, 2013.**
- 3. LESSOR agrees and LESSEE agrees that LESSOR waives the requirement that the existing structure be removed by LESSEE.**
- 4. LESSOR acknowledges that it accepts the existing structure "as is".**
- 5. LESSOR agrees that LESSEE may have until December 1, 2013 to remove any personal property currently stored on the site.**
- 6. LESSOR and LESSEE acknowledge that LESSEE maintains an Outdoor Warning Siren on the property subject to the LEASE and that such Siren is essential to public safety. LESSOR further acknowledges that said Siren directly benefits its schools that are nearby. LESSOR therefore agrees that LESSEE may maintain such Siren at its present location until**

June 5, 2031, and that LESSEE may have reasonable access to the Siren to keep it repaired and operating.

This Agreement is effective as of the date first set out above.

LESSOR:

BOARD OF TRUSTEES OF THE
CLINTON PUBLIC SCHOOL DISTRICT

BY: [Signature]
Superintendent of Schools

BY: [Signature]
School Board President

LESSEE:

CITY OF CLINTON

BY: [Signature]
Mayor

ATTEST: [Signature]
City Clerk



H-13036 NE

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS AND CONDITIONAL USE PERMIT

APPLICANT NAME: David & Amy Henry
APPLICANT ADDRESS: 308 E. College St.
TELEPHONE NUMBER: David: 601.456.1762 Amy: 601.456.1918

LOCATION OF PROPOSED USE: 308 E. College St.

PROPOSED LAND USE: _____
ZONING DISTRICT WHERE LOCATED: CLINTON OLDE TOWNE DISTRICT (OTC)

In accordance with Section 1606 of the Zoning Ordinance of the City of Clinton, any "action" as defined under Section 1600 of said ordinance shall require issuance of a **Certificate of Appropriateness**.
Section 1605 requires preparation and submission of a site plan for all proposed "actions" in the Olde Towne Clinton District.

CONDITIONAL USE PERMITS IN THE OLDE TOWNE CLINTON (OTC) DISTRICT:

Section 1602 of the Zoning Ordinance of the City of Clinton requires that any applicant who proposes to locate any of the following uses in the Olde Towne Clinton (OTC) District to submit an application for a **Conditional Use Permit**: any facility or utility proposed by a public/quasi-public organization to be constructed or located in the OTC District; bed and breakfast inns; new duplexes or expansions of existing duplexes; and new multiple-family dwellings or expansions of existing multiple-family dwellings. A site plan is required under Section 3007.02 of the Zoning Ordinance for all Conditional Use Permits.

CRITERIA FOR APPROVAL OF A CERTIFICATE OF APPROPRIATENESS

The Clinton Historical Preservation Commission and the Clinton Planning Commission shall review all applications for **Certificates of Appropriateness** and **Conditional Use Permits** and forward their recommendations to the Mayor and Board of Aldermen. In accordance with Section 1607 of the Zoning Ordinance, the Mayor and Board of Aldermen, in reviewing this application and the required site plan must find that the proposed use of the land in the Olde Towne Clinton District meets the following criteria; the proposed use/structure;

- is not excessively *dissimilar and inappropriate* and does not exhibit poor quality of design in the exterior appearance of proposed structures/uses;
- is not unsightly and unsuitable in a way that is *out of harmony or incongruent with the existing visual features within the district*;
- will NOT result in harm or damage to the district which will manifest itself by:
 - (a) lower property values; (b) decreased economic growth; or
 - (c) diminished future opportunities for land use and development.

Signature of Applicant: Amy Henry
Signed Certificate of Appropriateness must be submitted prior to obtaining a permit.

August 12, 2013

Clinton Historical Preservation Commission
Clinton Planning Commission
Board of Aldermen
Mayor Fisher

We currently reside at 308 East College Street and are interested in adding a picket fence and changing the exterior color of the house. We have four children, ranging in age from eight years to three months old. With the heavy traffic that our street experiences, we feel our front yard would be a safer area for our children if we had a fence, and we feel a picket fence would be most aesthetically pleasing. The fence would be no higher than four feet and painted to match the trim of the house. There is an existing fence on the property two houses away from us, so we feel this is not out of keeping with the surrounding area.

We bought our home because it is a Craftsman house, our favorite architectural style. After living in Chattanooga, Tennessee, which has an abundance of Craftsman homes, we knew we wanted to eventually buy or build one of our own. That being said, we are very familiar with the details of this style and would never want to change the facade in a manner that would compromise its historical character or the the integrity of the district.

We are including paint colors for approval and are ready to partner with the necessary committees to make our home a nice representation of Olde Towne Clinton.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amy Henry".

David and Amy Henry

encl.

City of Clinton
Mississippi
Community Development

April 5, 2013

David or Amy Henry
308 E. College Street
Clinton, MS 39056

RE: Certificate of Appropriateness

Greetings:

Please be advised that you are scheduled to appear before the Historical Preservation / Architectural Review Committee on Monday, October 7, 2013, at 5:00 p.m. in the Community Development conference room. You will also need to appear for the Planning and Zoning Commission on Tuesday, October 22, 2013, at 6:30 p.m. as well as the Mayor and Board of Alderman on Tuesday, November 5, 2013, at 7:00 p.m. These meetings will be held at the Municipal Courtroom inside the Clinton Police Department building located at 305 Monroe Street. Please make note of the times and dates as you or your representative must be present at the meeting.

Should you have any questions, please do not hesitate to contact me at 601-924-2256.

Sincerely,



Roy Edwards
Director, Community Development
The City of Clinton



306
E.
College
St



308
E.
College
St



304
E.
College
St



City of Clinton Mississippi

Community Development
P.O. Box 156 Clinton, Mississippi 39060

Planning & Zoning Commission

October 22, 2013

- I. Call to Order
- II. Consideration and Approval of September 24, 2013 minutes
- III. New Considerations:
 - A. David & Amy Henry-308 E. College St-Certificate of Appropriateness
 - B. Bradley Freeny-200 Tulane Dr-Dimensional Variance Request
 - C. Becky Dennis-704 E. Northside Dr-Conditional Use Request
 - D. Mike & Trish Ballard-207 W. main St-Certificate of Appropriateness
 - E. Debbe Tillman-202B W. Leake St-Certificate of Appropriateness
 - F. Mississippi College-East Campus Demolition-Certificate of Appropriateness
- IV. Other Business
- V. Next Meeting

The next meeting will be held on Tuesday, November 26, 2013.
- VI. Adjournment

**City of Clinton
Planning & Zoning Commission**

October 22, 2013
6:30 p.m.
Municipal Courtroom

Minutes recorded by Kelly Hall, Administrative Assistant.

Commission members present: James Martin, Mark Williams, Nancy Davis, Bettye King, Christine Whitton

City Officials present: Roy Edwards (Director of Community Development) and Kenneth Dreher (City Attorney)

The meeting was called to order at 6:31 p.m. by Mr. Martin.

The minutes of the September 24, 2013 meeting were reviewed. The only change needed is to correct the spelling of Christine Whitton's name. As there was no other corrections to be considered Bettye King motioned and Christine Whitton seconded the motion to approve the minutes as corrected. After a unanimous vote the motion to approve the minutes from the September 24, 2013 meeting passed.

New Considerations

A. 308 E. College Street – Certificate of Appropriateness

David and Amy Henry are seeking a Certificate of Appropriateness to paint their house and erect a 4' tall picket fence around the front yard. The color they have selected for the house is Martha Stewart Living Flagstone (MSL247). The picket fence will be painted the same color as the trim on the house, which is white. The meeting was opened for public questions and comments. There being none, Bettye King made the motion to forward this to the Mayor and Board of Aldermen with our recommendation to approve the Certificate of Appropriateness for 308 E. College Street. The motion was seconded by Mark Williams and the vote was unanimous in favor; the motion carried.

B. 200 Tulane Drive – Dimensional Variance

Mr. Bradley Freeny is requesting a dimensional variance in order to put up a 12' x 28' (336 sf) storage building on his property (1+ acres) in College Hills subdivision. The building will be placed at the rear corner of his yard and will not be visible from any of the adjoining properties. The variance is needed because the current ordinance limits the size of accessory buildings to 150 sf. Nancy Davis stated she felt, due to special circumstances related to this request, we should go ahead and approve the request. Christine Whitton noted that all the requirements of the ordinances with the exception of the size restriction have been met. Earlier versions of this ordinance limited the size of accessory buildings based on the percentage of the total property size and we may

need to consider revisiting that idea; for tonight's meeting, however, the Committee must base this decision on the current ordinance. Mr. Edwards noted that the ordinance requires that the building be finished in the same style as the home or the storage building will require a screen to keep it from becoming visible (either by foliage or by fence). During the winter when the trees drop their leaves it may become visible. After seeing photos of the type of building planned, Ms. Whitton asked if Mr. Freeny had considered any other type of building, since the aluminum sided building shown in the photos was unattractive. Mr. Freeny stated he had looked at other buildings and this was the most cost effective choice, but would be willing to look at more styles. David Parks, of 304 Tulane Drive, noted that he is planning to request permission for an accessory building on his own property and he does not object to Mr. Freeny's request for a dimensional variance. Jim Martin made the motion to forward this to the Mayor and Board of Alderman with our recommendation to deny the dimensional variance request. The motion was seconded and the vote was unanimous to recommend denial of Mr. Freeny's request for a dimensional variance. Ms. Whitton wanted the minutes to reflect her decision to deny was based only on the type/style of building being requested.

C. 704 E. Northside Drive – Conditional Use

Becky Dennis is seeking approval for a conditional use to provide facials, facial waxes and massage therapy at this address, in association with Janet's Impressions, currently owned by Janet Wicker and operated in the adjoining space. Ms. Dennis, a licensed cosmetologist, currently rents a station from Ms. Wicker and performs hair styling. She is also performing facial waxes in the rear of Ms. Wicker's shop. If approval is granted, Ms. Dennis will move her facial waxes into the space next door and will branch out to other spa-type services, including manicures, massage therapy, etc. The massage therapy will be done by Shannon Hudson, who currently rents space in the Fringe hair salon on Highway 80. Ms. Hudson will rent her massage therapy space from Ms. Dennis. Upon Ms. Wicker's retirement, Ms. Dennis will lease both spaces. Ms. Whitton asked if the space in question had a front facing entrance and was informed that it does have a separate front entrance from Janet's Impressions, but customers could enter through the hair salon and use the inner door that joins the two spaces in order to reach the spa area. Bettye King asked if Ms. Dennis already leases this space; Ms. Dennis replied that she has signed an agreement to lease that is contingent upon her receiving approval for the conditional use. Ms. King also clarified that Ms. Hudson will not be operating as a stand-alone massage therapy service but will be part of the spa. Ms. Dennis stated she is bringing in Ms. Hudson and her massage therapy to help defray the cost of the lease for this space. Mark Williams asked if the two businesses (Janet's Impressions and Ms. Dennis' spa) will be separate. Initially they will be separate but when Ms. Wicker retires, Ms. Dennis will take over the hair salon and combine it with the spa. Ms. Dennis will be working in both the hair salon and the spa until the two businesses are combined. Bettye King made the motion to forward the Conditional Use request to the Mayor and Board of Aldermen with our recommendation for approval. Christine Whitten seconded the motion and the motion carried unanimously.

D. 207 W. Main Street – Certificate of Appropriateness

Mike and Trish Ballard are requesting a Certificate of Appropriateness to remove the existing vinyl siding from their home and restore/repair the original wood siding beneath. If, in the event the wood is too damaged or costly to repair, they will use hardy plank siding. Mr. Martin noted that we applaud them for their efforts to restore the home to its original appearance, which is no mean undertaking. The meeting was opened for questions and comments from the public at this time. There being none Mark Williams made the motion to forward the request for a Certificate of Appropriateness for the Ballards to the Mayor and Board of Aldermen with our recommendation for approval. Nancy Davis seconded the motion and the vote was unanimous in favor.

E. 202-B W. Leake Street – Certificate of Appropriateness

Debbe Tillman is requesting a Certificate of Appropriateness to repaint the door and store front of When Pigs Fly. The color selected for the store front is Sea Salt and the door will be painted Goldenrod (both by Sherwin Williams). Ms. Whitton noted that it has already been painted and Mr. Edwards said the painters had just finished her other property across the street and prepared the storefront for painting, then got ahead of themselves. The meeting was opened for public questions or comments with none being raised. Bettye King made the motion to forward the request for a Certificate of Appropriateness to paint 202-B W. Leake Street to the Mayor and Board of Aldermen with our recommendation for approval. Mark Williams seconded the motion and the vote was unanimous in favor.

F. Mississippi College East Campus – Certificate of Appropriateness

Mississippi College is requesting approval to demolish four building on their east campus. Two of the buildings are part of the old Clinton Junior High School and the other two are houses. The demolition is necessary in order to create more space for student housing. It was noted that when the time comes to approve the construction of the student housing MC will need to address pedestrian traffic across the Clinton Parkway. While it might be possible to sell the houses and move them to another location MC wants to push forward with the demolition which will not permit enough time to do so. Bettye King made the motion to forward a recommendation for approval of the demolition request to the Mayor and Board of Alderman. Christine Whitton seconded the motion and the vote was unanimous in favor.

Other Business

There was no other business for discussion.

Next Meeting

Mr. Martin noted that the date for the next meeting of the Planning & Zoning Commission will be Tuesday, November 26th.

There being no further business to come before the meeting Mark Williams moved to adjourn and was seconded by Bettye King. The vote was unanimous in favor of adjournment and the motion carried. The meeting was adjourned at 7:25 p.m.

RECEIVED
SEP 19 2013

V-13037
DE

REQUEST FOR DIMENSIONAL VARIANCE
APPLICATION

Subject Property Address 200 Tulane Dr
Owner Bradley R. and Vicki L. Freeny
Address 200 Tulane Dr Clinton MS 39056
Phone # 601-572-7257 or 601-906-0367
Current Zoning District 4

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.

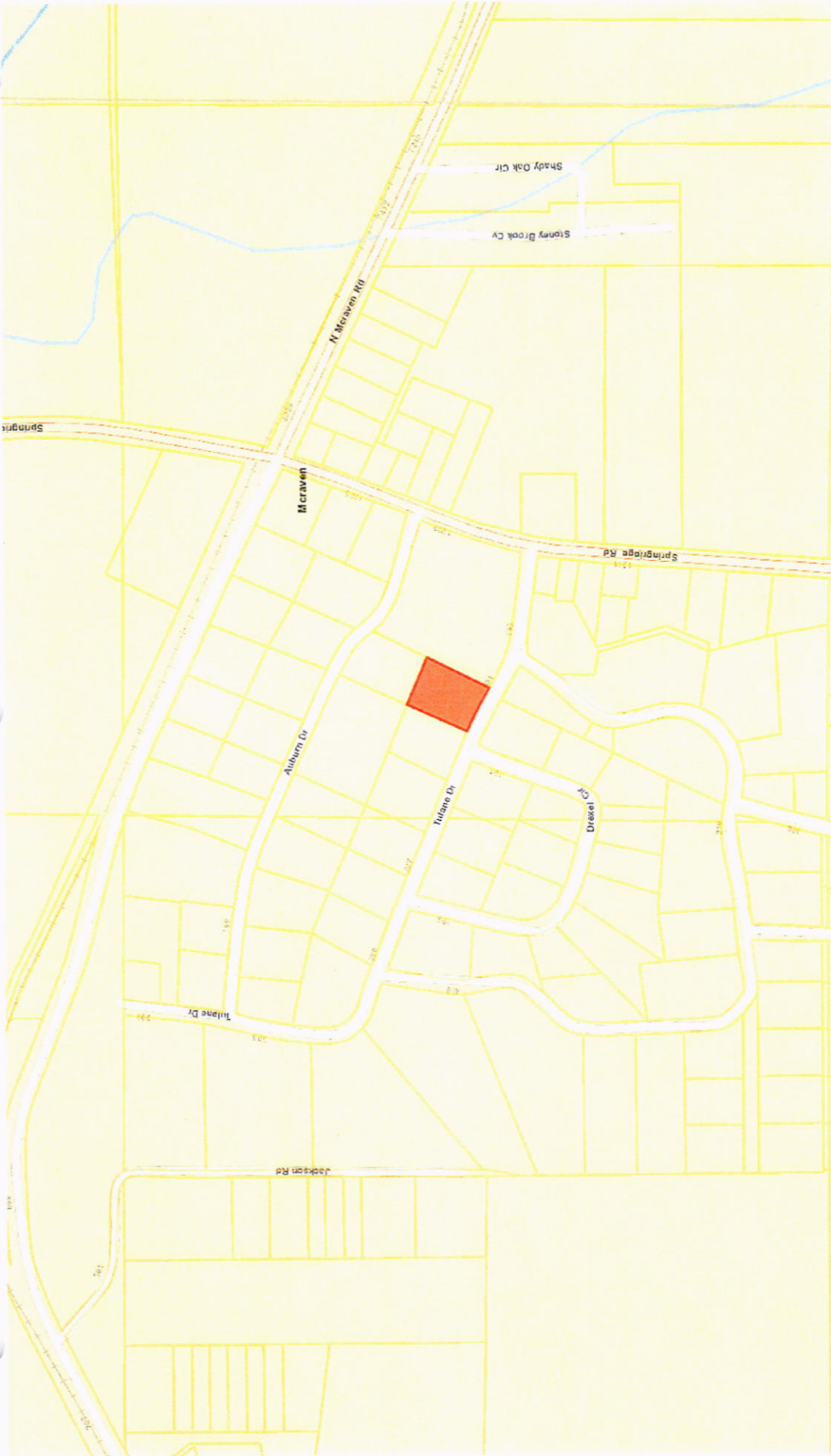
By signing this application, it is understood and agreed that permission is given to the Zoning Administrator to have a sign erected on subject property, giving notice to the public that said property is being considered for a dimensional variance.

Bradley R. Freeny
Signature

19 Sept 2013
Date

My wife's parents Arthur and Maxine Hodge were murdered in their home here in Clinton on 6 June 2013. We are trying to clean out their house to be able to sell it and we need somewhere to put their belongings. There are a lot of things my wife would like to keep, most of these things have been in the family for years, some of them had belonged to my wife's grandparents. We don't have room in our home for all these things and would like to put a 12X28 storage building on our property. Anything smaller would not hold it all. This building would be dark tan and would match the color of our house. It would be built at another location and then moved to our property. It is a portable building and could be moved at sometime in the future if we decided to relocate. We are asking you to please grant us a dimensional variance the building would not be seen from the road we have 1 1/4 acres to put it on. Thank you for your help in this matter.

Bradley L. Freemy

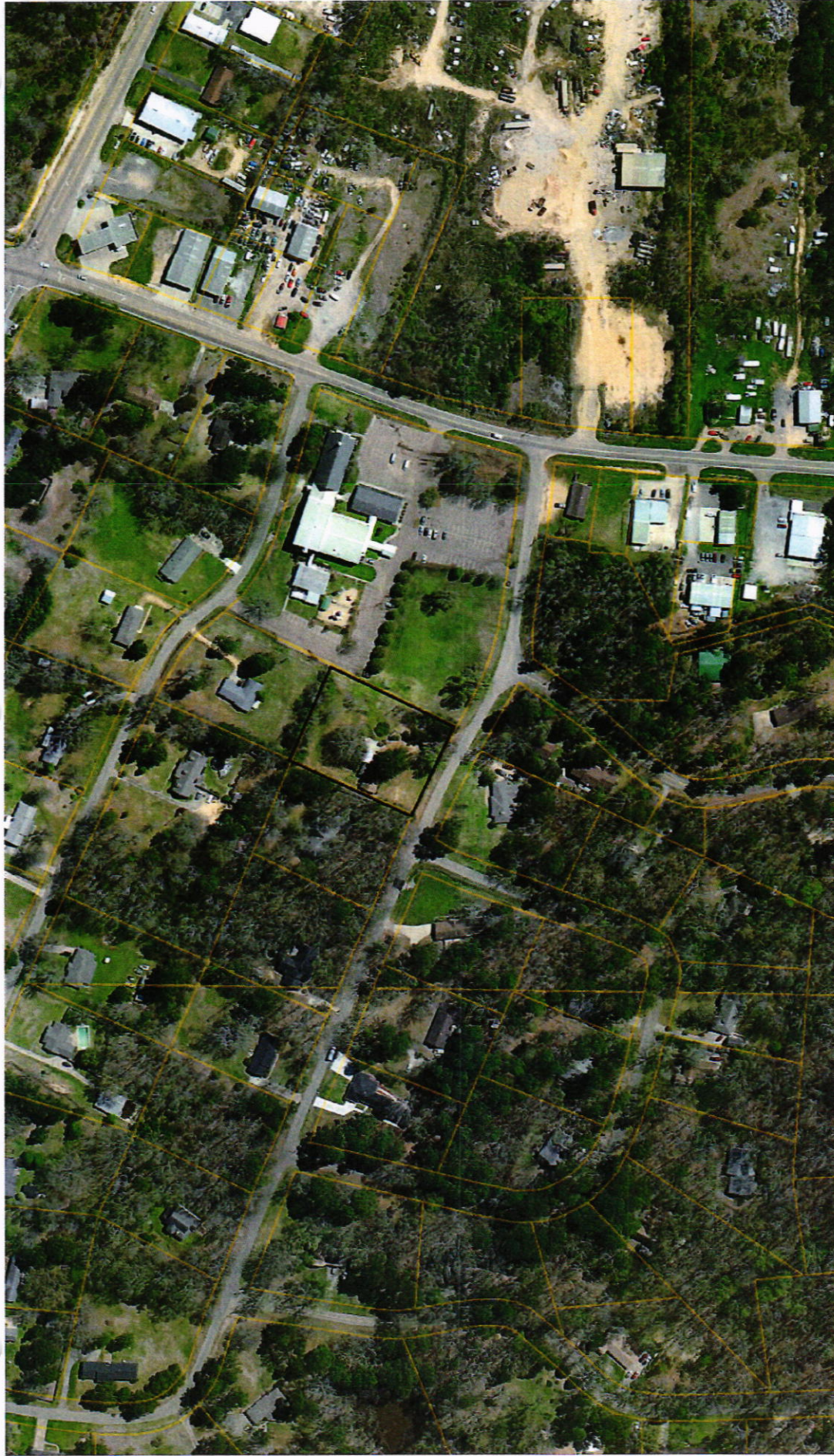


Hinds County Dashboard



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Hinds County Dashboard



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City of Clinton
Mississippi
Community Development

September 30, 2013

Mr. Bradley R. Freeny
200 Tulane Drive
Clinton, MS 39056

RE: Dimensional Variance Application

Greetings:

Please be advised that you are scheduled to appear before the Planning and Zoning Commission on Tuesday, October 22, 2013, at 6:30 p.m. as well as the Mayor and Board of Alderman on Tuesday, November 5, 2013, at 7:00 p.m. These meetings will be held in the Municipal Courtroom building located at 305 Monroe Street in Clinton. Please make note of the time and date as you or your representative must be present at the meeting.

Should you have any questions, please do not hesitate to contact me at 601-924-2256.

Sincerely,



Roy Edwards
Director, Community Development
The City of Clinton

NOTICE OF HEARING

Notice is hereby given to those parties in interest that there will be a public hearing on Tuesday, October 22, 2013, at 6:30 p.m. at the Police and Municipal Building at 305 Monroe Street in Clinton, Mississippi, to determine whether or not a Dimensional Variance shall be granted to Bradley Freeny for the purpose of constructing a storage building; said property located at 200 Tulane Drive, College Hills S/D, Clinton, Hinds County, Mississippi per Hinds County Tax Parcel 2860-501-380.

8' from side property line
40' from rear property line

Building would be
set in ~~top~~ left corner



**CRITERIA FOR GRANTING
DIMENSIONAL VARIANCE**

- 1) **Special conditions and circumstances exist.**

- 2) **Literal interpretation of Ordinance deprive applicant of rights commonly enjoyed by other properties in the same district.**

- 3) **Will this variance grant applicant any special privilege that is denied by Ordinance to other lands or structures in same district?**

cel # 2862 -111-378

REQUEST FOR CONDITIONAL USE
APPLICATION

RECEIVED
SEP 20 2013

C-13038

RE

Subject Property Address 704 East Northside Dr.
Owner Sue Sanford
Address 142 Oakley Drive
Clinton, MS 39056
Phone # 601-924-6694
Current Zoning District C-2

Requirements of Applicant:

1. Letter stating reason for requested conditional use.
2. Copy of the written legal description.
3. Site plan of property.
4. \$250.00 fee required for processing.

Requirements for Granting Conditional Uses: (Section 2405.01 – Zoning Ordinance)

A conditional use shall not be granted unless satisfactory provisions and arrangements have been met concerning all the following:

- (a). Ingress and egress to property and proposed structures.
- (b). Off-street parking and loading areas.
- (c). Refuse and service areas.
- (d). Utilities, with reference locations, availability and compatibility.
- (e). Screening and buffering with reference to type, dimensions and character.
- (f). Required yards and other open space.
- (g). General compatibility with adjacent properties and other property in the district.
- (h). Any other provisions deemed applicable by the Mayor/Board of Aldermen.

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 conditional use.

Beddy Dennis
Signature

9-20-13
Date

BECKY DENNIS

704 East Northside Drive
Clinton, MS 39056
Phone (601)594-5534
Beckydenis95@gmail.com

September 20, 2013

Dear Friend,

I, Becky Dennis, am applying for conditional use of 704 East Northside Drive suite B in Clinton, MS to add additional services to the adjoining salon (Janet's Impressions) in suite C of the same address.

I have worked in Clinton as a cosmetologist for 20 years. I am presently working as a licensed cosmetologist in Janet's Impressions renting my station area and upon retirement of the owner, Janet Wicker, in the coming year will become owner of Janet's Impressions. Suite B next door to Janet's Impressions is available and Janet has given me permission to connect to two spaces through a doorway (which in the past had been put in and since closed back up) to add services to salon which will compliment the salon and its clients.

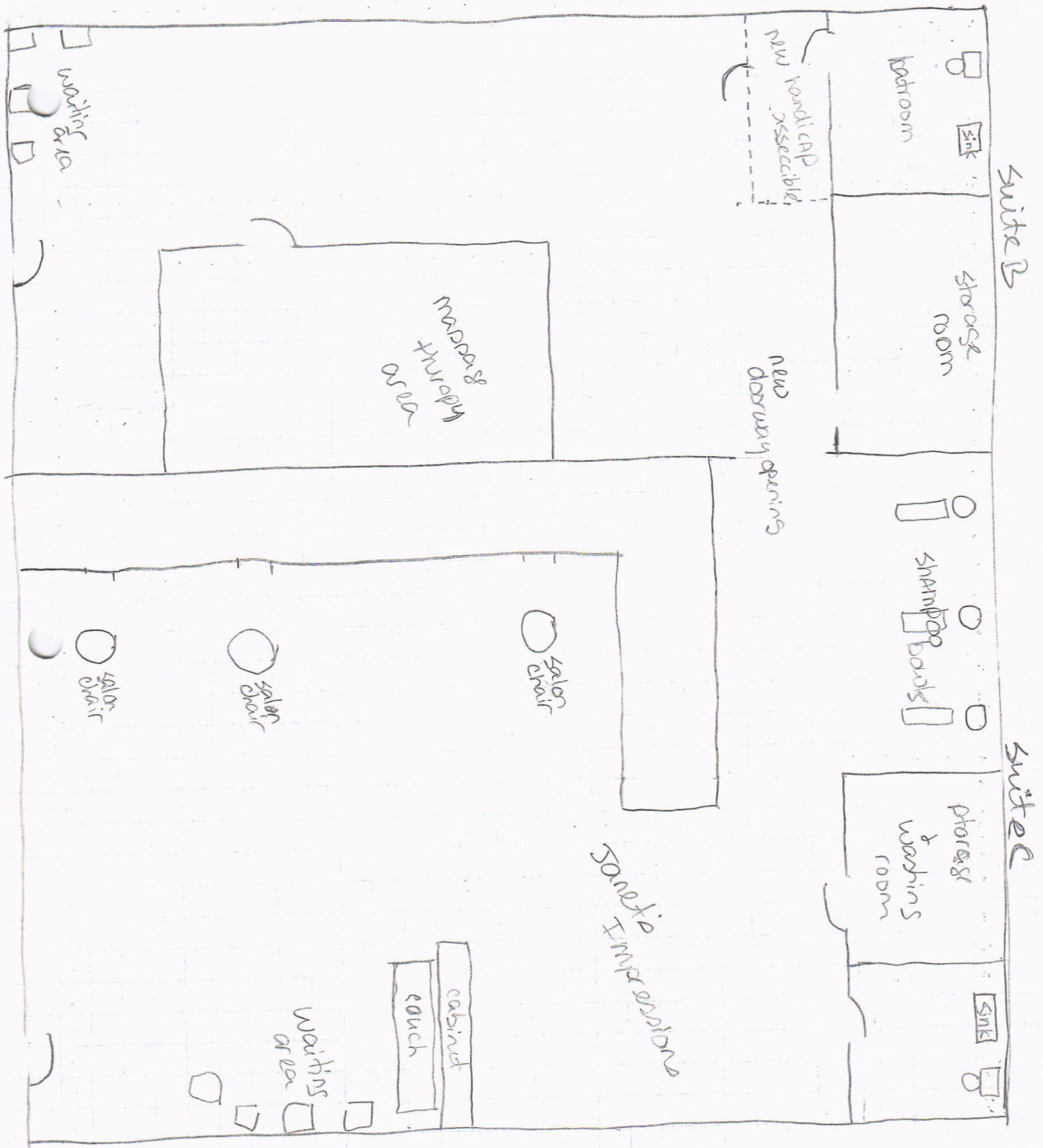
As a licensed cosmetologist by the Mississippi State Board of Cosmetology I am licensed to perform facials, manicures, facial waxing (which are all skin related services) as well as all hair services, including hair related chemical services. As it stand now there are two other hair stylists working in Janet's Impressions performing hair related services.

I would like to add massage therapy performed by a accredited Mississippi State Board of Massage Therapy licensed massage therapist, Shannon Hudson, LMT#1820. This Massage therapist is also a member of the American Massage Therapy Association (AMTA). Majority of my clients go to this massage therapist, who has been doing business in Clinton for three years. Massage therapy has been very beneficial to my clients that suffer from fibromyalgia, MS, lupus, and chronic pain disorders.

Suite B would operate in conjunction and be associated with Janet's Impressions by way of the open doorway between the two areas but each business would be owned by separate owners until time of Janet Wicker's retirement at which time the two business will become under one owner (Becky Dennis, me). I would like to go ahead and lease this area and add services to the salon while it is available to do so. I would like to call this space "Inspirations Spa" and at which time I become owner of Janet's Impressions merge the two space and it will become "Inspirations Salon And Spa".

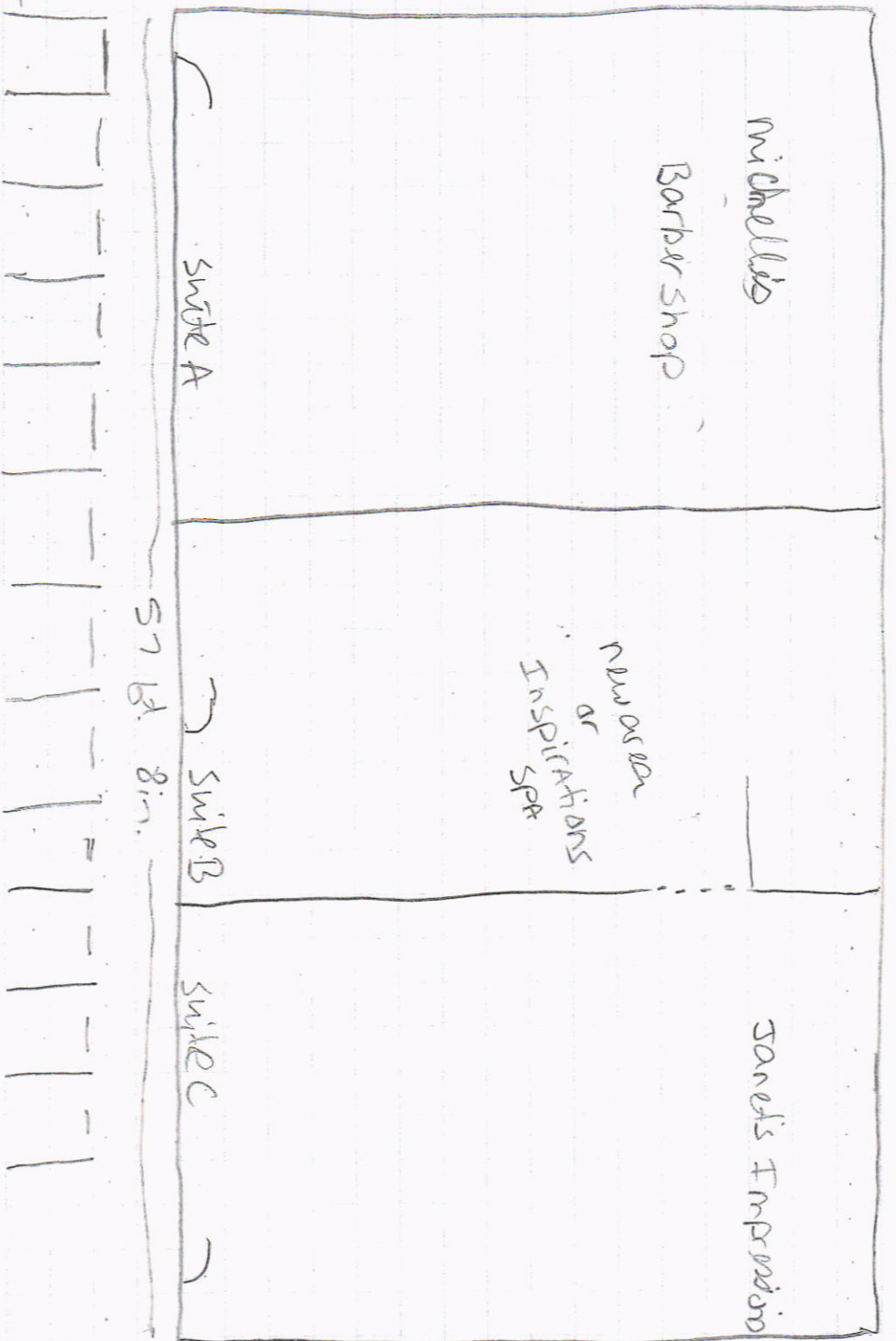
Sincerely,

Becky Dennis



Site/floorplan 704 northside Drive
Suite B

entire
building



12 parking spots in front of building

additional parking ->

704 Northside Drive

4 more north

To Whom It may Concern:

My name is Janet Wicker and I am 68 years of age.

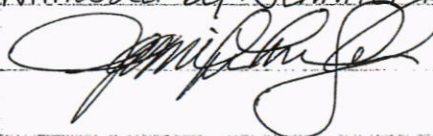
I currently am sole proprietor of Janet's Impressions, Inc., a family hair salon for men, women and children, operating at 704 East Northside Drive, suite C in Clinton, MS.

It is my intention at a date in the future, yet to be determined, to retire and upon retirement sell my business, including fixtures, furniture and inventory to Mrs. Becky Dennis. She currently rents space in said salon.

It is my desire to sell said shop in consideration of \$1.00.

signature: Janet Wicker
date: September 20, 2013

Witnessed by: Jennifer M. Ogle

 9/20/13

City of Clinton
Mississippi
Community Development

September 30, 2013

Becky Dennis
704 East Northside Drive, Suite C
Clinton, MS 39056

RE: Conditional Use Request

Greetings:

Please be advised that you are scheduled to appear before the Architectural Review / Historical Preservation Committee on Monday, October 14, 2013, at 5:00 p.m. in the Conference Room at 200 W. Leake Street, office of Community Development. You will also need to appear before the Planning and Zoning Commission on Tuesday, October 22, 2013, at 6:30 p.m. as well as the Mayor and Board of Alderman on Tuesday, November 5, 2013, at 7:00 p.m. These meetings will be held in the Municipal Courtroom building located at 305 Monroe Street in Clinton. Please make note of the time and date as you or your representative must be present at the meeting.

Should you have any questions, please do not hesitate to contact me at 601-924-2256.

Sincerely,



Roy Edwards
Director, Community Development
The City of Clinton

NOTICE OF HEARING

Notice is hereby given to those parties in interest that a public hearing will be held on Tuesday, October 22, 2013, at 6:30 p.m. at the Police and Municipal Building at 305 Monroe Street in Clinton, Mississippi, to determine whether or not a Conditional Use shall be granted to Becky Daniels for the purpose of operating a multi-service spa and salon at 704 E. Northside Drive; said property located in the First Judicial District, Hinds County, Mississippi. Said property is described further in the Hinds County Tax Parcel 2862-111-378.

**CRITERIA FOR
CONDITIONAL USES**

- 1) Ingress/Egress _____

- 2) Off-street parking _____

- 3) Refuse/service area _____

- 4) Utilities _____

- 5) Screening/Buffering _____

- 6) Required yards _____

- 7) General compatibility _____

- 8) Other _____

H-13039 DE

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS AND CONDITIONAL USE PERMIT

APPLICANT NAME: Mike and Trish Ballard
 APPLICANT ADDRESS: 207 W. Main St.
 TELEPHONE NUMBER: 601-924-7103

LOCATION OF PROPOSED USE: same as above (our existing home)

PROPOSED LAND USE: N/A
 ZONING DISTRICT WHERE LOCATED: CLINTON OLDE TOWNE DISTRICT (OTC)

In accordance with Section 1606 of the Zoning Ordinance of the City of Clinton, any "action" as defined under Section 1600 of said ordinance shall require issuance of a **Certificate of Appropriateness**.
 Section 1605 requires preparation and submission of a site plan for all proposed "actions" in the Olde Towne Clinton District.

CONDITIONAL USE PERMITS IN THE OLDE TOWNE CLINTON (OTC) DISTRICT:

Section 1602 of the Zoning Ordinance of the City of Clinton requires that any applicant who proposes to locate any of the following uses in the Olde Towne Clinton (OTC) District to submit an application for a **Conditional Use Permit**: any facility or utility proposed by a public/quasi-public organization to be constructed or located in the OTC District; bed and breakfast inns; new duplexes or expansions of existing duplexes; and new multiple-family dwellings or expansions of existing multiple-family dwellings. A site plan is required under Section 3007.02 of the Zoning Ordinance for all Conditional Use Permits.

CRITERIA FOR APPROVAL OF A CERTIFICATE OF APPROPRIATENESS

The Clinton Historical Preservation Commission and the Clinton Planning Commission shall review all applications for **Certificates of Appropriateness** and **Conditional Use Permits** and forward their recommendations to the Mayor and Board of Aldermen. In accordance with Section 1607 of the Zoning Ordinance, the Mayor and Board of Aldermen, in reviewing this application and the required site plan must find that the proposed use of the land in the Olde Towne Clinton District meets the following criteria; the proposed use/structure;

- is not excessively *dissimilar and inappropriate* and does not exhibit poor quality of design in the exterior appearance of proposed structures/uses;
- is not unsightly and unsuitable in a way that is *out of harmony or incongruent with the existing visual features within the district*;
- will NOT result in harm or damage to the district which will manifest itself by:
 - (a) lower property values; (b) decreased economic growth; or
 - (c) diminished future opportunities for land use and development.

Signature of Applicant: Patricia K Ballard
Signed Certificate of Appropriateness must be submitted prior to obtaining a permit.

Mike and Trish Ballard
207 W. Main St.

Built 1895

We are requesting a Certificate of Appropriateness to paint our home and replace the existing roof. The existing vinyl siding and metal roof was damaged in the hail storm of March 2013.

Roof:

The existing metal roof will be taken off and architectural shingles will be used on the roof. We will be using GAF Timberline Architectural shingles in Weathered Wood.

Siding:

The house had vinyl siding, which we have removed to expose the wood siding. Our primary goal is to rehab the original wood siding, replacing the mismatched wood siding on the back left of the house to match the current wood siding. After removing the vinyl siding and nails, cracked wood in numerous locations around the house was revealed, along with nail holes all over the house from the vinyl siding nails. If this endeavor proves too costly, our next option would be to use Hardi Plank siding that resembles the current wood siding. This option will be the last possible option, as we prefer to rehab the existing siding.

Our colors we have chosen are: Chestertown Buff for the body of the house and Mannequin Cream for the trim.

Trish and Mike Ballard

Mike and Trish Ballard
207 W. Main St.
Built 1895



Front view with vinyl siding



Front view after siding removed



Right side with siding



Right side without siding



Left side with siding



Left side without siding



Back of house with siding



Back of house without siding

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
AND
CONDITIONAL USE PERMIT**

APPLICANT NAME: Debbe Lillman [Signature]
APPLICANT ADDRESS: 202 B W. Leake
TELEPHONE NUMBER: 601-937-6637

LOCATION OF PROPOSED USE: 202 B W. Leake
Clinton MS 39056

PROPOSED LAND USE: _____
ZONING DISTRICT WHERE LOCATED: CLINTON OLDE TOWNE DISTRICT (OTC)

In accordance with Section 1606 of the Zoning Ordinance of the City of Clinton, any "action" as defined under Section 1600 of said ordinance shall require issuance of a **Certificate of Appropriateness**.
Section 1605 requires preparation and submission of a site plan for all proposed "actions" in the Olde Towne Clinton District.

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- is not excessively *dissimilar and inappropriate* and does not exhibit poor quality of design in the exterior appearance of proposed structures/uses;
- is not unsightly and unsuitable in a way that is *out of harmony or incongruent with the existing visual features within the district*;
- will NOT result in harm or damage to the district which will manifest itself by:
 - (a) lower property values; (b) decreased economic growth; or
 - (c) diminished future opportunities for land use and development.

Signature of Applicant: [Signature]
Signed Certificate of Appropriateness must be submitted prior to obtaining a permit.







Mississippi College

A CHRISTIAN UNIVERSITY

Physical Plant Department
Lanier Physical Plant Building
October 14, 2013

TO: Roy Edwards

FROM: Glenn Worley

SUBJECT: East Campus Buildings Demolition

Mr. Edwards,

Mississippi College is requesting to completely demolish four buildings of the existing Old Jr. High property that we are now referring to as, East Campus. Mississippi College plans to develop and build eight new student housing units. The buildings slated for removal are; **Eighth Grade Bldg., Annex Bldg., 105 Fairmont Street. and 107 Fairmont Street.** The removal of these buildings will need to be completed in advance of the student housing units construction. Therefore, we are looking for guidance in securing permission from the city and approval, since this is in old town. It is requested that this hopefully can be added and approved at the next Planning and Zoning meeting.
If you have any questions please do not hesitate to call me.

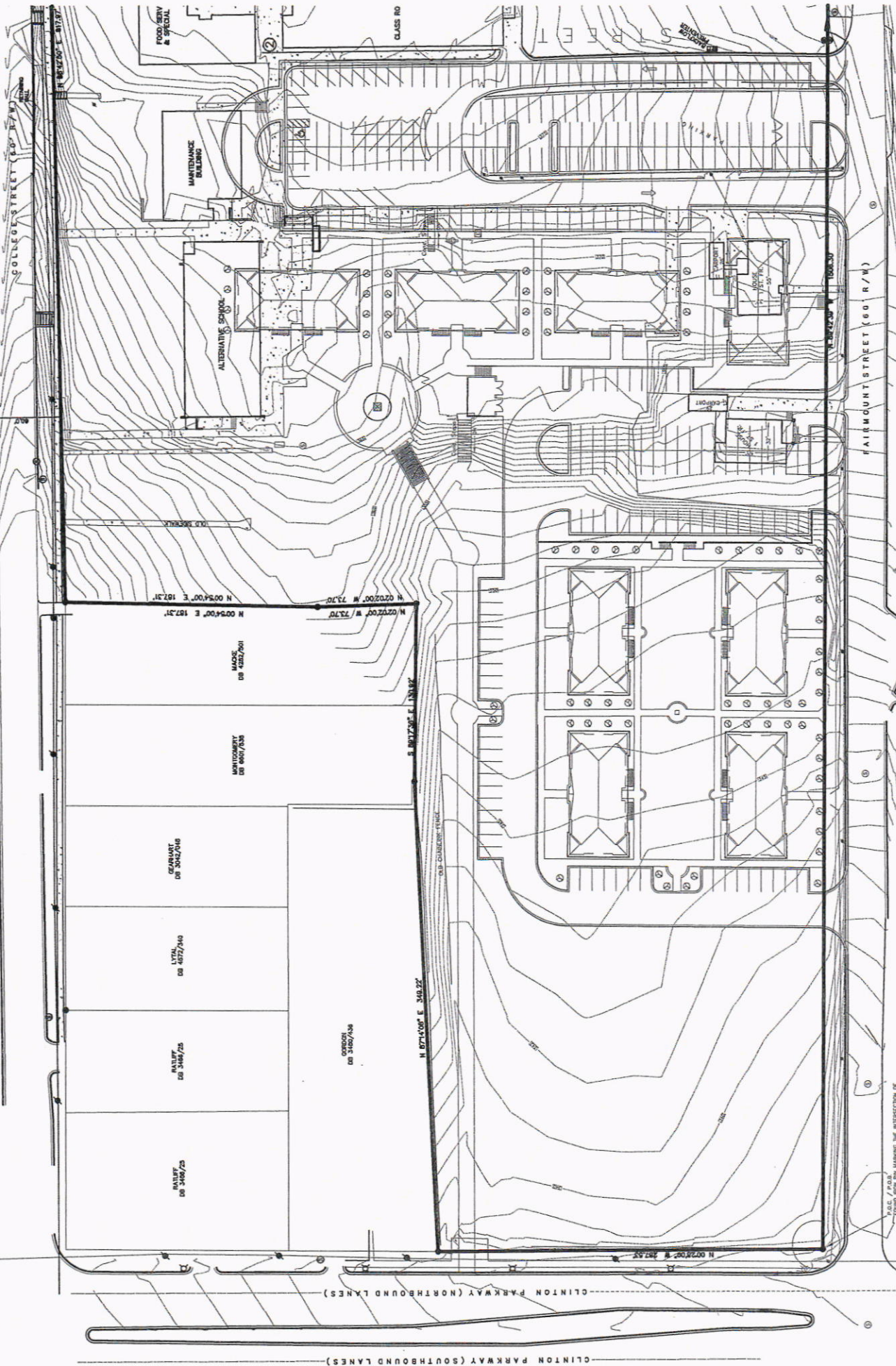
Thanks for your help,

Glenn Worley



1/4" NORTH 1/4" LINE OF COLLEGE ST. WITH 1/4" E. OF LAURENCE ST.

LN



PLAT / PART MAPS MARKING THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF THE CLINTON PARKWAY WITH THE EAST RIGHT-OF-WAY LINE OF FAIRMOUNT STREET BEING 2002.37' SOUTH OF AND 2002.37' WEST OF THE CORNER OF SECTION 38, T4N, R1E, H8S, CO. MO.

CLINTON PARKWAY (NORTHBOUND LANES)

CLINTON PARKWAY (SOUTHBOUND LANES)



CLINTON PARKWAY (NORTHBOUND LANES)

**AIA**[®]**Document G701[™] – 2001****Change Order****PROJECT** (Name and address):Clinton Fire Station #2
JBHM #13003.00
Clinton, Mississippi 39056**CHANGE ORDER NUMBER:** 001R**DATE:** October 9, 2013**OWNER:** ☒**ARCHITECT:** ☒**CONTRACTOR:** ☒**TO CONTRACTOR** (Name and address):Coleman Hammons Construction Co.,
Inc.
PO Box 703
Brandon, Mississippi 39043**ARCHITECT'S PROJECT NUMBER:** 13003.00**CONTRACT DATE:** August 13, 2012**CONTRACT FOR:** General Construction**FIELD:** ☐**OTHER:** ☐**THE CONTRACT IS CHANGED AS FOLLOWS:**

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

PCO # 1: Metal Bldg category change \$ 2,927.84

PCO # 2: Removal of existing pilons beneath slab for new truck bay \$ 4,828.00

Total Change Order 1R: \$ 7,755.84

****This Change Order replaces original Change Order 001 that not fully executed by the Owner****

The original Contract Sum was \$ 1,478,000.00

The net change by previously authorized Change Orders \$ 0.00

The Contract Sum prior to this Change Order was \$ 1,478,000.00

The Contract Sum will be increased by this Change Order in the amount of \$ 7,755.84

The new Contract Sum including this Change Order will be \$ 1,485,755.84

The Contract Time will be unchanged by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is August 13, 2013

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

JBHM Architects, PA

ARCHITECT (Firm name)308 East Pearl Street, Ste. 300, Jackson,
Mississippi 39201**ADDRESS****BY** (Signature)John McBride, AIA
(Typed name)

October 9, 2013

DATE

Coleman Hammons Construction Co., Inc.

CONTRACTOR (Firm name)

PO Box 703, Brandon, Mississippi 39043

ADDRESS**BY** (Signature)Kevin Hammons
(Typed name)**DATE**

City of Clinton

OWNER (Firm name)300 Jefferson Street, Clinton, Mississippi
39056**ADDRESS****BY** (Signature)Phil Fisher
(Typed name)**DATE**

814 N. College St.
P.O. Box 703
Brandon, MS 39043



**COLEMAN HAMMONS
CONSTRUCTION CO., INC.**

(601) 825-7256
FAX (601) 825-5340

Date: October 3, 2012
To: Larry Sones Architects (601) 863-8499
From: Kevin Hammons
Job: Clinton Fire Station #2
Re: Change Order to change category of metal building

Mr. Sones,

We purpose to furnish material to change the metal building category from Low Hazard to Essential Facility for a price of \$2,927.84

Materials	\$2,439.86
Overhead/Profit	<u>\$ 487.98</u>
Total Price	\$ 2,927.84

Thank You,


Kevin Hammons

5181 Old Brandon Road
Pearl, MS 39208
P.O. Box 703
Brandon, MS 39043



**COLEMAN HAMMONS
CONSTRUCTION CO., INC.**

(601) 932-7581
FAX (601) 932-7583

Date : December 11, 2012

Mr. Larry Sones,

Change Order #2

This Change Order is for removing the pilons from under the slab, the roadway, and the undercut and backfill of the roadway. I have the pricing listed below.

Removal & Haul off of pilons under the building \$ 1,800.00

Removal of pilons under the roadway below grade & Haul off \$ 1,200.00

Undercut of dirt 326cy. \$ 1,919.00

Backfill of dirt 424cy. \$3,045.00

Sub Total \$ 9,024.00

20% Profit & Overhead \$ 1,804.00

Total \$ 10,828.00

Credit for lime treatment \$ 6,000.00

Total Amount Due \$ 4,828.00

Thank You,

Leslie D. Mallette Jr.

Coleman Hammons Construction

INVOICE

14711

DATE OF ORDER: October 24, 2013

JOB NAME Parade Truck

Mack Fire Truck

PHONE

ATTN

J.R. HUNT ENTERPRISES, INC.

145 Three Prong Rd

Braaten, MS 39047

TO: Clinton Fire Dept.

1234 Clinton-Raymond Road

Clinton, Ms. 39056

PO:

DESCRIPTION OF WORK

Parts & labor to replace 15" single clutch in Mack truck is \$1800.00. However, I'm a member of the Clinton Chamber of Commerce & the parade fire truck is for show only I have got Hall's Towing agreed to toe fire truck to my shop at no cost. We are going to perform labor at our cost. The parts should run approximately \$500 to \$700.00. I don't know if fly wheel will need to be surfaced or not until I see it.

RECEIVED

OCT 28 2013

CLINTON FIRE DEPT.

LABOR	HOURS	RATE	TOTAL	AMOUNT
TRAVEL	MILES	RATE / MI	TOTAL	
TOTAL LABOR				\$0.00
TOTAL MILEAGE				\$0.00
TOTAL MATERIAL				\$716.05
SUBTOTAL				\$716.05
TAX				\$0.00
TOTAL				\$716.05

Signature:

Date

Thank You

RICHARD LEE SIBLEY
KAREN LEE SIBLEY
1442 CARLEY RD
JACKSON, MS 39209

1425

84-174/653
10

10/18/13

Date

FRAUDARMOR

Pay to the Order of Clinton Fire Dept

\$ 100⁰⁰/₁₀₀

One hundred dollars 100

Dollars



Security
Features
Details on
Back



COPIAH BANK

"Make Our Bank Your Bank"
P.O. Box 31 • HAZLEHURST, MS 39063
Member FDIC

For Thank you

[Signature]

MP

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF CLINTON, MISSISSIPPI GRANTING EXEMPTION
FROM AD VALOREM TAXES**

The Board of Aldermen next took up for consideration the matter of granting tax exemption from ad valorem taxes for McNeely Plastic Products, Inc., the following Resolution, having first been reduced to writing, was introduced:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF CLINTON, MISSISSIPPI, GRANTING EXEMPTION FROM
AD VALOREM TAXES FOR A FIVE-YEAR PERIOD TO MCNEELY PLASTIC
PRODUCTS, INC., AS AUTHORIZED BY SECTION
27-31-101, ET SEQ., OF THE MISSISSIPPI CODE
OF 1972, AS AMENDED.

WHEREAS, McNeely Plastic Products, Inc., filed in triplicate with this Board an Application for exemption from ad valorem taxation on said equipment being used in the manufacturing process at facilities operated by McNeely Plastic Products, Inc., located within the City of Clinton, Hinds County, Mississippi; and

WHEREAS, McNeely Plastic Products, Inc. has produced written verification and documentation to this Board as to the authenticity and correctness of its Application in regard to the true value of the prayed-for exemption and the completion date of said enterprise; and

WHEREAS, the equipment was placed in service on December 31, 2012, and as of that date the true value of the equipment was \$706,833.00 as shown in the itemized list provided with the application, a copy of which is attached as Exhibit "A"; and

WHEREAS, this Board finds as a fact that the property described in the aforesaid Application constitutes an expanded industrial enterprise which was completed on December 31, 2012, and that said company is entitled to an exemption of five (5) years beginning on January 1, 2012 and ending on December 31, 2016, subject to approval and certification by the Mississippi Department of Revenue.

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

1. That the Application for ad valorem tax exemption by McNeely Plastic Products, Inc., of the property described in Exhibit "A" of the Application filed by said Company for with, the equipment having a true value of \$706,833.00 is hereby approved for a twenty-four (24) mill exemption and said exemption is hereby granted to the extent of a five-year period beginning on January 1, 2012 and ending on December 31, 2016 subject to certification of eligibility by the Mississippi Department of Revenue.
2. That the Clerk of this Board spread a copy of this Resolution on the minutes of this Board; and that the Clerk forward an original copy of the Application and a certified copy of the transcript of the Resolution approving said Application to the Mississippi Department of Revenue for its certification of eligibility; and that the Clerk also forward an original copy of the Application and one certified copy of the transcript of the Resolution approving said Application to the Tax Assessor of Hinds County, Mississippi and obtain the Certificate of said Tax Assessor stating that the aforementioned property as itemized in this Application has been placed on the Appropriate tax roll as "Non-Taxable", except for Mississippi and Clinton Public School District ad valorem taxes, for the duration of the exemption period only.

A Motion for adoption was made by Alderman Brabham and seconded by Alderman Cashion and the foregoing resolution having been first reduced to writing and no request being made by the Mayor or any member of the Board of Aldermen that the Resolution be read by the City Clerk, before any 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:	AYE
Alderman Ellis:	AYE
Alderman Greer:	ABSENT
Alderman Barnett:	AYE
Alderman Cronin:	AYE
Alderwoman Cossitt:	AYE
Alderman Cashion:	AYE

WHEREUPON, the foregoing Resolution was declared passed and adopted at a regular meeting of the Mayor and Board of Aldermen of the City of Clinton, Mississippi, on this 5th day of November, 2013.


Philip R. Fisher, Mayor

ATTEST:


Russell L. Wall, City Clerk



APPLICATION TO THE BOARD OF ALDERMEN
OF
CITY OF CLINTON, MISSISSIPPI
FOR EXEMPTION FROM
AD VALOREM TAXES

13 MAY 30 AM 10:15
RECEIVED
CITY CLERK
JACKSON, MS.

APPLICATION OF **McNEELY PLASTICS PRODUCTS**
FOR EXEMPTION FROM
AD VALOREM TAXES
AS AUTHORIZED BY
SECTION §27-31-105, et seq., OF THE
MISSISSIPPI CODE OF 1972, AS AMENDED

RECEIVED
JUN 14 2013
OFFICE OF THE CITY CLERK
CITY OF CLINTON

TO THE HONORABLE BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI:

Comes now McNEELY PLASTIC PRODUCTS (the "Applicant") and files this its Application in triplicate for exemption from ad valorem taxation, except school district taxes and the "mandated levies" described in Code Section §27-39-329 and respectfully represents unto the Honorable Board of Aldermen of the City of Clinton, Mississippi as follows:

1. Applicant has negotiated in good faith with the Board of Aldermen as to the ad valorem tax exemption authorized by Code Section §27-31-105 and related Code Sections.
2. Applicant, McNeely Plastic Products, is a Mississippi Corporation and domiciled in Clinton, Hinds County, Mississippi at 1111 Industrial Park Drive.
3. Applicant operates as a Manufacturer of Plastic Products, within the City of Clinton, County of Hinds, Mississippi, which industry is a bona fide expanded enterprise of "public utility" within the meaning of Section §27-31-105 et seq., and related Sections of the Mississippi Code of 1972, which has made additions to or expansions of its facilities or properties or replacement of equipment used in connection with or necessary to the operation of such enterprise.
4. The Applicant is therefore eligible for the exemption granted by Code Section §27-31-105 as a manufacturing enterprise described in Code Section §27-31-101.

5. The exemption prayed for in this Application is with respect to additions to, expansions of, or replacements with respect to Applicant's said enterprise of "public utility" as enumerated in Code Section §27-31-101, which expansions, additions, and replacements will promote the industrialization of Mississippi, and will promote the development of the City of Clinton, Mississippi.

6. The Applicant has expanded and upgraded its facilities with additions and replacements during 2012. This Application relates to the additions and replacements (as listed in "Exhibit A" hereto) acquired as a result of such additions, expansions and replacements.

7. Applicant's additions, expansions, and replacements, which are the subject of this Application, were completed within the meaning of the applicable statutes of the State of Mississippi on December 31, 2012. In accordance with the provisions of Code Section §27-31-105, as amended, the exemption hereby claimed should commence on January 1, 2013.

8. The true value of all property to be exempted is \$ 2,538,115.20 as shown in the itemized list attached hereto as "Exhibit A" and made a part hereof.

9. That said new additions or expansions and replacement of equipment were completed on the 31st day of December 2012, within the meaning of the applicable statutes of the State of Mississippi; and, therefore, the exemption hereby claimed is for a ten year period to begin on the 1st day of January, 2013, and to end on the 31st day of December, 2022.

PRAYER

WHEREFORE, Applicant prays that this Board of Aldermen enter a finding that the Applicant has negotiated in good faith with the Board of Aldermen as to the requested exemption; the Applicant has in fact undertaken an addition to, expansion of, or replacement with respect to an enterprise of "public utility"; and that the additions, expansions, and replacements were completed on December 31, 2012, and that the Applicant be granted an exemption, under Code Section §27-31-105, from ad valorem taxation, except school district ad valorem taxes and the "mandated levies" described in Code Section §27-39-329, as provided by law, upon all of the tangible property described in Exhibit "A" attached hereto and made a part hereof, used in, or necessary to, the operation of Applicant's factory in the City of Clinton, Hinds County, Mississippi, for a period of ten years beginning on the 1st day of January 2013, and ending on the 31st day of December, 2022;

The Board of Aldermen of the City of Clinton, Mississippi approve this Application by a Resolution spread upon its minutes, declaring that such property is exempt from all ad valorem taxation, except school district ad valorem taxes and the "mandated levies", for a period of ten years beginning on January 1st, 2012; and forward in triplicate, the original and copies of this Application and a certified transcript of such approval to the Mississippi Department of Revenue and that, upon approval of this Application by the Mississippi Department of Revenue and the issuance of its certificate of approval, the Board of Aldermen enter a Final Order on its minutes granting the prayed for exemption and notify the County Tax Assessor of such exemption and obtain a certificate of the County Tax Assessor verifying the status of said property as non-taxable on the appropriate tax rolls.

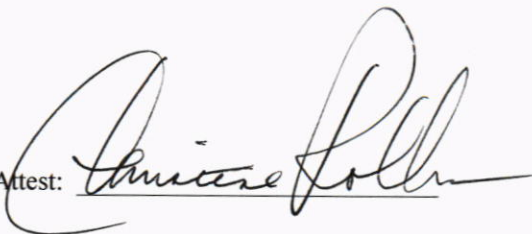
Respectfully submitted, this the 21st day of May 2013.

APPLICANT:

McNEELY PLASTIC PRODUCTS

By: 
Rita K. Payton, CFO


Title

Attest: 

MCNEELY PLASTICS
ADDITIONS/EXPANSIONS 2012

EXHIBIT "A"

<u>ACCT #</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>ACQ COST</u>
<u>1719-000-00000</u>	<u>MFG Machinery & Equipment</u>		
	28-Mar-12	MISC. 0011 2K64B-2KG VARIATOR	3,660.98
	24-Apr-12	CONTROLLER DRIVE WITH PROGRAM,	1,312.00
	18-Apr-12	3-LAYER BLOWN FILM DIE MAXICON	13,200.00
	13-Apr-12	COMPLETE CYLINDER SHUTTLE	2,780.00
	17-Apr-12	3-COLOR PRINTER PRESS W/CYLIND-Epsilon Plastics Inc.	36,850.00
	26-Apr-12	TOUCH SCREEN CT-00014 (PATRIOT	1,485.00
	02-May-12	6" AL. RAILCAR RESIN PROBE ADAPTER W	2,150.00
	04-May-12	KINER 6000 DRIVE, 2094-BM05-S	3,363.30
	16-May-12	REPLACEMENT EPIC COMPUTER SO#	12,069.00
	21-May-12	SR-2000 AIR EXPANDING, STRIP T	3,124.00
	30-Apr-12	MODEL P60 SYSTEM UPGRADE KIT--	1,380.00
	30-Apr-12	MODEL 38 AIR FLOW SENSOR (3/8"	150.00
	30-Apr-12	AUTO-CNTER WITH 3-WAY PUSH/PUL	550.00
	30-Apr-12	PRECISION 0-15 PSI AIR GAUGE	25.00
	07-Jun-12	Used 1700 mm Cold Perforator	15,000.00
	03-Jul-12	INDEX DRIVE, 513-6079	3,400.00
	20-Aug-12	HAZE-GARD C, INSTRUMENT TO MEA	25,671.40
	13-Sep-12	10HP EVAPORATOR DESIGNED TO DE	3,815.00
	18-Sep-12	1/3 INSTALLMENT FOR CENTER DRI	75,000.00
	06-Sep-12	SCANNER SENSOR FOR LI-New Synchro Scanner	7,995.00
	28-Sep-12	PORTABLE WINDER-Used	2,500.00
	26-Sep-12	TIDLAND SERIES 500 LUG SHAFT	3,494.00
	16-Oct-12	WINDING SHAFT 3" FOR CENTER W	5,334.47
	16-Oct-12	SET OF WINDING SHAFT BEARINGS	2,676.10
	17-Oct-12	POWER FLEX 700 5 A AT 3HP AC D	2,697.00
	01-Nov-12	WINDING SHAFT 3" FB1800	16,003.41
	21-Nov-12	40% DOWN PAYMENT Wulftee Stretch Wrap Machine	18,854.00
	31-Dec-12	Recl Irby0212 Ethernet Bridge	1,818.91
	31-Dec-12	Recl Enercon0312 Control Board	2,210.51
	31-Dec-12	Recl Grainger1112 Static sensr	1,350.00
	31-Dec-12	Recl Irby 0112 480V AC Drive	1,325.02
	31-Dec-12	Recl WH 0112 motor & suppress	1,692.50
	31-Dec-12	Recl WH 0112 Ventilator	1,616.19
	31-Dec-12	Recl WH 0112 Ventilator	1,742.66
	31-Dec-12	Recl WH 0212 Freq Convtrr	1,384.48
	31-Dec-12	Recl Wh 0312 Display	2,046.72
	31-Dec-12	Recl Flannigan 0612 Pump Motor	1,584.10
	31-Dec-12	Recl Michelli 0612 Deck Scale	1,345.50
	31-Dec-12	Recl Pearl 0712 GussetBd & cvr	20,802.71
	31-Dec-12	Recl McMaster 0712 Enc AC	1,546.15
	31-Dec-12	Recl WH 1112 Power Inverter	2,669.01
	31-Dec-12	Recl WH 1112 Regenerating Unit	2,583.94
	31-Dec-12	Recl WH 1212 Dual Winder	1,299.13
	31-Dec-12	Recl GCF 1212 Rittal AC	2,949.60
	31-Dec-12	Recl BST 1212 Controller	1,529.00

31-Dec-12	Recl ISC 0312 Ionizer	1,356.46
31-Dec-12	Recl Thiele 0712 Controller AC	5,344.78
31-Dec-12	Recl Thiele 0712 Encoder	1,237.72
31-Dec-12	Recl Thiele 0712 GearDrv Seal	1,572.54
31-Dec-12	Recl Irby 0812 Integ Module	2,651.00
31-Dec-12	Recl Dbl EE 1012 Bladder Shaft	1,449.27
31-Dec-12	HS 5750W 7Axis recd1212	328,740.00

1726-000-00000 Lab Equipment

29-Mar-12	PVCA423220 CUSTOM PACK-VAC LEA	14,000.00
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1730-000-00000 Furniture and Fixtures

12-Mar-12	Discount Office Furniture, Inc	2,660.00
16-Aug-12	Budget Office Furniture	1,673.00
24-Aug-12	Budget Office Furniture	179.00
24-Aug-12	Budget Office Furniture	716.00
22-Nov-12	New Lockers for Maint Shop/Global	2,833.66
02-Jan-13	MAINTENANCE RACK (LUMP SUM FAB	2,787.48

1760-000-00000 Office Machinery & Equipment

03-Feb-12	Aventis Systems - New Server	2,321.00
28-Feb-12	2 New TV's for Upper and Lower Conf Rooms - Rita P	2,883.37
30-Mar-12	Foresight Computers - Computer Parts for Conf. TV's	1,462.00
22-Apr-12	Tori Stations for Production	1,732.84
07-May-12	CDW Direct, LLC - Shannon Watt's Laptop	1,798.72
22-May-12	Monitor Computer Room	1,070.00
17-Jul-12	Dell-Switch for Solarsoft inst	2,705.85
17-Jul-12	CDW Direct, LLC - Tori Server	7,146.23
04-Dec-12	CDW Direct, LLC - Travel Laptop & Access.	1,142.99
31-Dec-12	Recl Telpro1112 hold music	1,333.50
31-Dec-12	Raw Material and WIP Inventory 12/31/2012	1,831,282.00

TOTAL 2012 ADDITIONS

2,538,115.20

RESOLUTION GRANTING EXEMPTION

FROM AD VALOREM TAXES

The Board of Alderman of the City of Clinton, Hinds County, Mississippi, this day considered the matter of granting exemption from ad valorem taxes, except school district taxes, to McNeely Plastics of the Sigma Plastics Group. The governing authority finds that the above named enterprise has submitted verification and documentation as to the authenticity and accuracy of the application in regard to the true value of the property to be exempted and the date of completion of said enterprise. The authority also finds that the property described in the application constitutes an industrial enterprise as described in Section §27-31-101, Mississippi Code of 1972, as amended.

This governing authority does hereby grant, subject to approval and certification of the Mississippi Department of Revenue, ad valorem tax exemption to the above taxpayer for a period of 10 years, beginning January 1, 2013, on the property described in the application with a total true value of \$ 2,538,115.20.

Therefore the resolution to grant ad valorem tax exemption to the above named enterprise is hereby approved by the Board of Aldermen, City of Clinton, Hinds County, Mississippi for a period of 10 years as authorized by Section §27-31-101 et seq., Mississippi Code of 1972, as amended, on this the _____ day of _____, 2013.

Granting Authority

Name & Title

(SEAL)

Attest:

FINAL
RESOLUTION GRANTING EXEMPTION
FROM AD VALOREM TAXES

The Board of Aldermen, City of Clinton, Hinds County, Mississippi this day considered the matter of granting exemption from ad valorem taxes, except school district taxes, to McNeely Plastics of the Sigma Plastics Group.

The governing authority finds that the Mississippi Department of Revenue has certified that the applicant is eligible for exemption. The authority also finds that the property described in the application constitutes an industrial enterprise as described in Section §27-31-101, Mississippi Code of 1972, as amended.

This governing authority does hereby grant ad valorem tax exemption to the above taxpayer for a period of 10 years, beginning January 1, 2013, and expiring December 31, 2022 on the property described in the application with a total true value of \$ 2,538,115.20.

Therefore the resolution to grant ad valorem tax exemption to the above named enterprise is hereby approved by the Board of Aldermen, City of Clinton, Hinds County, Mississippi for a period of 10 years as authorized by Section §27-31-101 et seq., Mississippi Code of 1972, as amended, on this the _____ day of _____, 2013.

Granting Authority

Name & Title

(SEAL)

Attest:

Motion by Alderman BRABHAM

Second by Alderman LOSSI H

To approve the confidential settlement proposed by the
City's liability carrier in Case No. 3:12cv667-TSL-LRA