

**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 APPROPRIATENESS – 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.

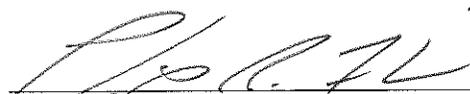
Upon **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Ellis the board approved re-entering the regular session. **MOTION CARRIED UNANIMOUSLY**

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

11/8/13
Date

ATTEST: 
Russell L. Wall, City Clerk

11-8-13
Date

