

**MINUTES OF THE REGULAR MEETING OF THE
MAYOR AND BOARD OF ALDERMEN
CITY OF NEW ALBANY
NOVEMBER 1, 2016**

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Be it remembered that the Mayor and Board of Aldermen met in a Regular Meeting on November 1, 2016, at 5:30 P.M. in the Boardroom of City Hall on Bankhead Street in New Albany. Those present at the meeting were Mayor Tim Kent, Aldermen Will Tucker, Jeff Olson, Scott Dunnam, Kevin Dale White, and Johnny Anderson. Also present were the City Clerk Frankie Roberts and City Attorney Regan Russell.

**RE: PUBLIC HEARING - APPENDIX C ZONING:SECTION 113:ENFORCEMENT
AND ADMINISTRATION AND SECTION 114: AMENDMENTS**

WHEREAS, the City of New Albany Board of Aldermen at their regularly scheduled Board meeting on the 4th day of October, 2016 introduced the following proposed amended ordinance in writing and set a public hearing for this date:

**APPENDIX C. ZONING
SECTION 113. ENFORCEMENT AND ADMINISTRATION**

113.17. - Application deadline and filing fees (variances and conditional uses).

Applications under section 113.10 and ~~113.11~~ for conditional uses and variances shall be on file fifteen (15) days or more prior to consideration by the planning and zoning commission, and each such application shall be accompanied by a fee to be set by the Zoning Board to defray the cost of publication of the notice required by section 113.16 of this ordinance.

**APPENDIX C. ZONING
SECTION 114. AMENDMENTS**

114.05. Application fees.

At the time of filing either an application for rezoning or an application for amendment to the text of the zoning ordinance, there shall be paid to the city clerk an application fee to be set by the Zoning Board to cover the cost of posting the property and other expenses incidental to the determination of such matters. In addition, the applicant shall be responsible for payment of all publication costs for any notices required herein in connection with the application, and the applicant shall present proof satisfactory of payment of such publication costs on or before the date set for public hearing, and such proof of payment shall be a prerequisite to consideration of the application by the mayor and board of aldermen. All such filing fees and other expenses advanced by the applicant are not refundable to the applicant.

The foregoing amended ordinance was proposed in a motion by Alderman Dunnam, seconded by Alderman White, and after discussion, no Aldermen member having called for a reading, was brought to a vote as follows:

Alderman Will Tucker voting	"Aye"
Alderman Jeff Olson voting	"Aye"
Alderman Scott Dunnam voting	"Aye"
Alderman Kevin Dale White voting	"Aye"
Alderman Johnny Anderson voting	"Aye"

Whereupon, the motion having received a majority of affirmative votes, the Mayor and Board of Aldermen declared that the Ordinance had been passed and adopted on the 1st day of November 2016.

CITY OF NEW ALBANY

ATTEST: BY: TIM KENT, MAYOR

Frankie Roberts, City Clerk

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**RE: PUBLIC HEARING - APPENDIX C ZONING: SECTION 110: I-1 LIGHT
INDUSTRIAL DISTRICT**

WHEREAS, the City of New Albany Board of Aldermen at their regularly scheduled Board meeting on the 4th day of October, 2016 introduced the following proposed amended ordinance in writing and set a public hearing for this date:

110.01. Purpose and intent.

The I-1 Light Industrial District is hereby created in order that there be areas within the city used primarily for manufacturing, fabrication, and assembly operations that do not unduly interfere with the utilization of adjoining properties through the generation of excessive noise, vibrations, noxious odors and related discharges, heavy traffic or similar issues.

110.02 Principal permitted uses.

The following are principal permitted uses in the I-1 Light Industrial District:

- (a) Any use permitted in the C-2 District;
- (b) Light manufacturing industries, defined generally as industries committed to the fabrication and assembly of smaller unit products such as clothing, small electric appliances, electronic devices and/or electronic subcomponents, packaged food products, pharmaceutical products, and other similar processes typically requiring skilled hand assembly or the use of robotics, and involving assembly or manufacturing processes that do not generate noxious odors, smoke, fumes, or excessive noise.
- (c) Agricultural activities, plant nurseries, and greenhouses that can meet the standards of 110.02(b) regarding odors, smoke, fumes, and noise.
- (d) Trade schools.
- (e) Research and laboratory facilities.
- (f) Smaller scale warehousing for raw materials and finished products whose principal purpose is to support any light manufacturing industry operating in the area, but such warehousing space shall be appropriately enclosed or screened from the general view.
- (e) Aluminum can processing and recycling operations.
- (f) Research and laboratory facilities.
- (g) Towing or wrecker storage facilities, but upon specific board approval only.

The foregoing amended ordinance was proposed with an effective date of December 1, 2016 in a motion by Alderman Anderson, seconded by Alderman Tucker, and after discussion, no Aldermen member having called for a reading, was voted upon as follows:

Alderman Will Tucker voting	"Aye"
Alderman Jeff Olson voting	"Aye"
Alderman Scott Dunnam voting	"Aye"
Alderman Kevin Dale White voting	"Aye"
Alderman Johnny Anderson voting	"Aye"

Whereupon, the motion having received a majority of affirmative votes, the Mayor and Board of Aldermen declared that the motion had been passed and ordered as set-forth herein on the 1ST day of November, 2016. **THEREFORE, BE IT SO ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF NEW ALBANY, MISSISSIPPI.**

CITY OF NEW ALBANY

BY:

TIM KENT, MAYOR

ATTEST:

Frankie Roberts, City Clerk

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RE: AUTHORITY FOR POLICE DEPARTMENT GRANT
154 ALCOHOL FUNDS FY 2018

There was brought for consideration a matter from Chris Robertson, Chief of Police, requesting authority for Police Department to make application for federal funding for grant to assist in the improvement of highway safety. Request was approved upon motion of Alderman Dunnam, the second of Alderman Tucker, and the affirmative vote of all aldermen present.

RE: AUTHORITY FOR SALE OF SURPLUS EQUIPMENT POLICE DEPARTMENT

There came for consideration a request from Police Chief, Chris Robertson, to authorize the process to sell various surplus vehicles belonging to the New Albany Police Department. Chief Robertson requested authority to place the vehicles on Govdeals.Com. This auction website is partnered with the Mississippi Municipal League as a benefit to all Municipal members. Request was approved upon the motion of Alderman Anderson, the second of Alderman White, and the affirmative vote of all aldermen present.

RE: AUTHORITY TO ADVERTISE FOR BIDS
BUTLER STREET SUBSTATION

There came for consideration from Bill Mattox, New Albany Light, Gas and Water manager, a request to advertise for bids regarding the Butler Street Substation. Authorization was granted upon the motion of Alderman Olson, the second of Alderman Tucker, and the affirmative vote of all aldermen present.

RE: UCDA DIRECTOR - PHIL NANNEY

UCDA Director, Phil Nanney updated the Mayor and Board regarding projects through his department. Excel by 5 Coalition hosted a version of a career expo with pre-k and kindergarten students from the City and county schools. The students participated in several events by local professionals, industries and services. Imperial Trading hosted an event at the Magnolia Civic Center for the employees at the New Albany facility. The PUL alliance purchased 30 acres within the Martintown Industrial Park. UCDA along with Bancorpsouth sponsored a Business2Business lunch on Thursday October 27, with the quest speaker Secretary of State Delbert Hosemann.

RE: AUTHORITY TO ADVERTISE EMPLOYMENT OPPORTUNITIES
FIRE DEPARTMENT

There next came for consideration a matter from Mark Whiteside, Assistant Fire Chief, requesting authority to advertise regarding the hiring process for the City of New Albany Fire Department. Approval was granted upon the motion of Alderman White, the second of Alderman Dunnam, and the affirmative vote of all aldermen present.

RE: BUILDING & ZONING ADMINISTRATOR
MONTHLY REPORT

Building Inspector Eric Thomas reported on the activities of his office during the month. There being no action required by the Board, Inspector Thomas's report was received for information only.

RE: APPLICATION FOR ZONING CHANGE
204 OXFORD ROAD R2 TO C2, ELLIS PROPERTY

There was brought for consideration an application from Ellis Property requesting change in zoning designation of property located at 204 Oxford Road from R2 to C2. Eric Thomas, Zoning Administrator, reported that the Planning and Zoning Board voted for said change to be granted; whereupon Alderman Anderson moved that the Notice of Public Hearing before the Mayor and Board of Aldermen regarding this request

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be published and set for regular meeting of December 6, 2016 at 5:30 P.M. Motion was seconded by Alderman Olson and received the affirmative vote of all aldermen present.

**RE: APPLICATION FOR ZONING CHANGE
202 OXFORD ROAD R2 TO C2, JEAN HAMRIC AND MARY NOWLIN**

There was brought for consideration an application from Jean Hamric and Mary Nowlin to rezone property requesting change in zoning designation of property located at 202 Oxford Road from R2 to C2. Eric Thomas, Zoning Administrator, reported that the Planning and Zoning Board voted for said change to be granted; whereupon Alderman Anderson moved that the Notice of Public Hearing before the Mayor and Board of Aldermen regarding this request be published and set for regular meeting of December 6, 2016 at 5:30 P.M. Motion was seconded by Alderman Olson and received the affirmative vote of all aldermen present.

RE: APPROVAL OF CLAIMS DOCKET

The matter of approving the City's claims docket for October 2016 came for consideration; whereupon motion was made by Alderman Dunnam, duly seconded by Alderman White, and unanimously passed to approve all claims as presented and listed on the docket in the following amounts:

General Funds	\$ 1,142,468.35
Solid Waste Fund	\$ 32,983.89
Tourism Fund	\$ 40,645.75
Light, Gas and Water	\$ 3,035,037.12

**RE: APPROVAL OF MEETING MINUTES
OCTOBER 4, 2016**

There came to be considered the matter of approving Minutes of the meeting of the Mayor and Board of Aldermen; whereupon Alderman Anderson moved to approve same for regular meeting of October 4, 2016. Alderman Olson offered the second and motion received the unanimous vote of all aldermen present.

**RE: APPROVAL OF MINUTES
October 17, 2016**

There came to be considered the matter of approving Minutes of the meetings of the Mayor and Board of Aldermen; whereupon Alderman Dunnam moved to approve same for meetings of October 17, 2016. Alderman Tucker offered the second and motion received the unanimous vote of all aldermen present.

**RE: RE-APPOINTMENT TO THREE RIVERS
SOLID WASTE AUTHORITY BOARD**

There was brought for consideration a matter concerning the Three Rivers Solid Waste Authority Board and the need for the re-appointment of City of New Albany's representative. Alderman Olson made motion to re-appoint Mayor Tim Kent to the Three Rivers Solid Waste Authority Board for a four-year term beginning November 1, 2016 and ending on October 31, 2020. Alderman Anderson duly seconded the motion, and when put to the question of a vote, all aldermen present voted "yea" to so approve.

RE: EASTVIEW STREET SPEED TABLE

The next matter presented to the Mayor and Board was a request from Jacob Sanders to approve the placement of a speed table placed on Eastview Street in an effort to slow the traffic in that area. Mr. Sanders distributed copies of a petition signed by concerned residents. Following discussion and conferring with Chief of Police, Alderman Tucker made motion to approve the speed table. Alderman White duly

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seconded the motion, and received the affirmative vote of all aldermen present.

**MOTION INTRODUCING PROPOSED AMENDED ORDINANCES
CHAPTER 4 ALCOHOLIC BEVERAGES**

WHEREAS, the City of New Albany Board of Aldermen at their regularly scheduled Board meeting on the 4th day of October, 2016 introduced the following proposed amended ordinance in writing.

Chapter 4 ALCOHOLIC BEVERAGES

Article II New Albany Liquor Ordinance

Sec. 4-25 Definitions

Any term, word or phrase which is specifically defined by Section 65-1-5 of the Mississippi Code of 1972 shall be so defined in this article:

"Permittee" shall refer to any holder of a state permit to sell alcoholic beverages.

"Commercial establishment" shall include any business or organization, public or private, which charges or accepts revenue for goods, membership or admittance, whether for profit or not for profit.

"Consumption" shall include the ingestion of any alcoholic beverage as well as possession of any alcoholic beverages in an open or opened container.

Sec. 4-26 Purpose

The City of New Albany finds and determines that it is in the public interest and will promote public health, morals and safety to provide reasonable rules and regulations governing the sale of alcoholic beverages.

Cross reference-New Albany Beer Ordinance Ord. 4-1

Sec. 4-27 Incorporation of state laws, including sale to minors and possession by minors

All state statutes, rules and regulations, including the Rules and Regulations of the Mississippi Department of Revenue in their present form or as hereinafter amended, modified, repealed or created are incorporated herein by reference as the governing law of the City of New Albany.

State law reference-See Miss Code 1972, Title 67 generally and §97-31-1 et seq.

Sec. 4-28 Sale, Possession of alcoholic beverages

It is unlawful to sell, offer for sale, or otherwise dispense alcoholic beverages or to possess alcoholic beverages in the City of New Albany in violation of any state law or any rule or regulation of the Mississippi Department of Revenue, including the sale of alcoholic beverages to minors, possession of alcoholic beverages by minors and sale of alcoholic beverages within prohibited distances from churches, schools, kindergartens and funeral homes.

State law reference-Sale to Minors Prohibited, Penalties, Miss Code of 1972, §67-1-81; Permits, distance regulations, §67-1-51; and Permitted Premises Where Alcoholic Beverages Are Sold, Mississippi Administrative Code, §35.II.2.03

Sec. 4-29 False Statements by Minors

It is unlawful in the City of New Albany for any person under the age of twenty-one (21) years of age to make a false statement to the effect that he or she is twenty-one (21) years of age or older for the purpose of purchasing or otherwise acquiring any alcoholic beverage or for the purpose of gaining admittance to any business, resort, entertainment venue or club in which alcoholic beverages are being sold or furnished and in which persons under the age of twenty-one (21) years of age are not allowed by the owner, host or manager or pursuant to any state or local law or regulation.

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Cross reference-New Albany Beer Ordinance, Minors giving false identification, Ord. 4-6

Sec. 4-30 Locations where possession prohibited

It shall be unlawful in the City of New Albany for any person to have in his or her possession any alcoholic beverage on or in any of the following locations, except as specifically allowed by order of the New Albany Board of Aldermen:

- (a) the interior of any business, including a restaurant, in which the owner or manager shall display in several conspicuous location inside the business and at the entrances signs containing the following language: "NO ALCOHOL BEVERAGES ALLOWED";
- (b) any public playground;
- (c) any public park, including the New Albany Sportsplex;
- (d) any fire station or police station;
- (e) any school buildings or grounds or any sports facilities owned or in use by any school;
- (f) any public library or museum;
- (g) any properties in use by the Union County Fair; or
- (h) any property owned, leased or operated by the City of New Albany.

Sec. 4-31 Transportation for compensation prohibited

It is unlawful in the City of New Albany for any person to transport or deliver any alcoholic beverage to another person for compensation of any kind except for transportation as permitted by state law, rules or regulations.

State law reference- Miss Code of 1972, §67-1-1, et seq. and §27-71-15, et seq.

Sec. 4-32 Possession of alcoholic beverages by operators of public conveyance prohibited

It is unlawful in the City of New Albany for any person operating any public conveyance to have any alcoholic beverage in their possession in such conveyance. "Public conveyance" shall be defined as a taxi service, a limousine service, a bus service, or any other motorized means of conveyance operating as a means of transporting people for hire.

Sec. 4-33 Liquor store advertisements

Advertising. There shall be no advertisements for alcoholic beverages on the exterior of any building wherein alcoholic beverages are sold pursuant to a package retailer's permit except as specifically authorized by State law. There shall be no advertising or storage of alcoholic beverages within the interior of any building wherein alcoholic beverages are sold pursuant to a package retailer's permit which allows it to be visible from the street or highway side of the store.

Sec. 4-34 Requirement For Insurance

Permittees selling alcoholic beverages within the municipal boundaries of the City of New Albany shall procure and maintain at all times general liability insurance and other necessary insurance which shall specifically insure against alcohol related events with minimum limits of one million dollars (\$1,000,000.00).

Sec. 4-35 Hours and days during which alcoholic beverages may be sold

As set by state laws, rules and/or regulations, alcoholic beverages may be sold as follows:

- (a) For holders of a state package retailer's permit, between the hours of 10:00 a.m. and 10:00 p.m., except that no sales may be made on Sundays or on Christmas Day; and
- (b) For on-premises permittees, including hotels, restaurants, clubs or caterers with a State permit, between the hours of 10:00 a.m. and 12:00 a.m. on Mondays through Saturdays, and between the hours of 1:00 p.m. and 12:00 a.m. on Sundays. It is further provided that on New Year's Eve night on-premises permittees, including clubs with a state permit, may remain open until 1:00 a.m., January 1st. In the event that New Year's Eve falls on a Sunday, on-premises permittees, including clubs with a state permit, may remain open from 1:00 p.m. until 1:00 a.m.

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- (c) These prohibited hours and days, all of which conform with present state law, shall be subject to any amendment of state law, rules or regulations, and shall conform with any amendments thereto without amendment to this ordinance. They are further subject to specific amendment by order of the Department of Revenue in response to a petition by the City requested approval of alternate hours and/or Sunday sales, which order shall survive any subsequent amendment to state law, rules or regulations not specifically intended to supersede prior orders by the Department of Revenue approving hours and days during which alcoholic beverages may be sold.
- (d) While resorts are exempt from state hours and days of sale regulations, the City may, by petition to the Department of Revenue, request designate hours and/or days for resort sales without further amendment to this ordinance. Any subsequent order of the Department of Revenue on this subject is hereby adopted by reference.
- (e) Any other limits, prohibitions or exceptions granted by state laws, rules and/or regulations, in their present form and as hereinafter amended, are hereby adopted by reference.

State law reference-Hours and Days During Which Alcoholic Beverages May Be Sold by Hotels, Restaurants, Clubs, Package Stores and Caterers, Mississippi Administrative Code, §35.II.2.04

Sec. 4-36 Brown-bag ordinance

It shall be unlawful for any person or business entity, nor any agent nor employee thereof, operating a commercial establishment to allow consumption of alcoholic beverages by customers or business invitees on the premises of such establishment without a state on-premises retailer's permit.

Sec. 4-37 Open container

It is unlawful in the City of New Albany for any person to have in his or her possession an open container, which shall not be construed to include an empty container or an open but reclosed container, in the following locations within the municipal boundaries of the city:

- (a) on public property, including buildings, parking lots, sidewalks, streets and parks; and
- (b) within a motor vehicle, regardless of whether the person is possession is an operator or a passenger of the motor vehicle.

Cross reference-restrictions on sale of beer or light wine, Ord. 4-4 (l) and (k)

Sec. 4-38 Lewd entertainment

It shall be unlawful in the City of New Albany for any retailer of alcoholic beverages to allow or permit within or on the business premises any conduct or activities prohibited by Title 35, Part II, Subpart 2, Chapter 7 of the Mississippi Alcohol Beverage Control Regulations, including conduct which is lewd, immoral or offensive to public decency, as defined therein.

State law reference-Prohibited Conduct and Activities, Mississippi Administrative Code, §35.II.2.08

Sec. 4-39 Disturbance of the peace

It shall be unlawful in the City of New Albany for any retailer of alcoholic beverages to allow or permit loud and disorderly conduct on the business premises, including loud music, so as to disturb the community.

Sec 4-40 Enforcement

The New Albany Police Department is hereby authorized, ordered and directed to enforce this article.

Sec 4-41 Criminal penalties

Any person violating any of the terms or provisions of this Article shall be guilty of a misdemeanor and, upon conviction, subject to a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for not more than six (6) months or both. In addition, in lieu of imprisonment the judge may, at his or her discretion, impose not more than thirty (30) days community service. The judge may further, at his or her discretion, accept in lieu of community service

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a certificate indicating successful completion of an alcohol and/or drug education program or treatment program at the expense of the individual.

Sec 4-42 Limitation

It is the intent of the City of New Albany that its ordinances conform to all state statutes, rules and regulations now in force or as hereafter amended, repealed, modified or later created. Nothing in this article shall be construed as overruling or limiting the applicability of state laws, rules and regulations. Any provision of any ordinance herein which shall be interpreted by a court of competent jurisdiction as being in conflict with any applicable state law, rule or regulation governing alcoholic beverages is superseded by the conflicting state law, rule or regulation, and the remainder of the ordinance shall remain in full force and effect.

Secs. 4-43-- 4-49 Reserved.

This Ordinance shall become effective thirty (30) days after passage. The City Clerk shall cause the Ordinance to be published in a local newspaper with general circulation. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

The foregoing amended ordinance was proposed with an effective date of December 1, 2016 in a motion by Alderman Anderson, seconded by Alderman Tucker, and after discussion, no Aldermen member having called for a reading, was voted upon as follows:

Alderman Will Tucker voting	"Aye"
Alderman Jeff Olson voting	"Aye"
Alderman Scott Dunnam voting	"Aye"
Alderman Kevin Dale White voting	"Aye"
Alderman Johnny Anderson voting	"Aye"

Whereupon, the motion having received a majority of affirmative votes, the Mayor and Board of Aldermen declared that the motion had been passed and ordered as set-forth herein on the 1st day of November, 2016.

**THEREFORE, BE IT SO ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF NEW ALBANY, MISSISSIPPI.**

CITY OF NEW ALBANY

BY:

TIM KENT, MAYOR

ATTEST:

Frankie Roberts, City Clerk

**MOTION INTRODUCING PROPOSED AMENDED ORDINANCES
CHAPTER 21 SECTION 21-57 AND SECTION 21-91**

WHEREAS, the City of New Albany Board of Aldermen at their regularly scheduled Board meeting on the 4th day of October, 2016 introduced the following proposed amended ordinance in writing.

**CHAPTER 21 - WATER, SEWERS, SEWAGE DISPOSAL
DIVISION 2. BUILDING SEWERS**

Sec. 21-57. - Installation permit.

- (a) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent or the building inspector.

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(b) There shall be two (2) classes of building sewer permits: One for residential and commercial service, and one for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the superintendent. All such permits and inspection fees shall be set by the Zoning Board and shall be paid to the city at the time the application is filed.

**CHAPTER 21 - WATER, SEWERS, SEWAGE DISPOSAL
DIVISION 3. PRIVATE DISPOSAL SYSTEMS**

Sec. 21-91. - Permit generally.

Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the building inspector. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the building inspector. A permit and inspection fee **set by the Zoning Board** shall be paid to the city at the time the application is filed.

The foregoing amended ordinance was proposed with an effective date of December 1, 2016 in a motion by Alderman Dunnam seconded by Alderman Anderson, and after discussion, no Aldermen member having called for a reading, was voted upon as follows:

Alderman Will Tucker voting	"Aye"
Alderman Jeff Olson voting	"Aye"
Alderman Scott Dunnam voting	"Aye"
Alderman Kevin Dale White voting	"Aye"
Alderman Johnny Anderson voting	"Aye"

Whereupon, the motion having received a majority of affirmative votes, the Mayor and Board of Aldermen declared that the motion had been passed and ordered as set-forth herein on the 1st day of November, 2016.

**THEREFORE, BE IT SO ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF NEW ALBANY, MISSISSIPPI.**

CITY OF NEW ALBANY

BY:

TIM KENT, MAYOR

ATTEST:

Frankie Roberts, City Clerk

**MOTION INTRODUCING PROPOSED AMENDED ORDINANCES
CHAPTER 13 MOTOR VEHICLES AND TRAFFIC SECTION 13-46**

WHEREAS, the City of New Albany Board of Aldermen at their regularly scheduled Board meeting on the 4th day of October, 2016 introduced the following proposed amended ordinance in writing.
**CHAPTER 13 - MOTOR VEHICLES AND TRAFFIC
ARTICLE III. STOPPING, STANDING AND PARKING**

Sec. 13-46. - Commercial vehicles in residential districts.

No commercial vehicle rated greater than three-quarter (¾) ton, bus, trailer, exceeding fifteen (15) feet in length, tractor or heavy equipment such as bulldozers and road graders shall be parked or stored in any R-1, R-2, R-3 and R-4 districts within the city. Recreational vehicles, boats, campers shall not be parked or stored in the front yard except in a paved driveway and shall not be used for sleeping quarters while in such residential district for a period greater than fifteen (15) days per year.

(Ord. of 10-21-97, § 1; Amend. of 1-19-2006)

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The foregoing amended ordinance was proposed with an effective date of December 1, 2016 in a motion by Alderman White, seconded by Alderman Olson, and after discussion, no Aldermen member having called for a reading, was voted upon as follows:

Alderman Will Tucker voting	"Aye"
Alderman Jeff Olson voting	"Aye"
Alderman Scott Dunnam voting	"Aye"
Alderman Kevin Dale White voting	"Aye"
Alderman Johnny Anderson voting	"Aye"

Whereupon, the motion having received a majority of affirmative votes, the Mayor and Board of Aldermen declared that the motion had been passed and ordered as set-forth herein on the 1st day of November, 2016.

**THEREFORE, BE IT SO ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF NEW ALBANY, MISSISSIPPI.**

CITY OF NEW ALBANY

BY:

TIM KENT, MAYOR

ATTEST:

Frankie Roberts, City Clerk

RE: EMERGENCY PURCHASE – STREET DEPT

There came for consideration the matter of a request to approve an invoice from Johnny Garrison regarding emergency purchase of a bush-hog for the Street Department. Due to the City of New Albany mowing of state property within the city limits there is a need for an additional bush-hog. After discussion on the purchase Alderman White made motion to approve emergency purchase as requested. Alderman Dunnam offered the second, and motion received the affirmative vote of all aldermen present.

RE: GLENFIELD RAILROAD CROSSING UPDATE

Alderman Anderson next requested information regarding the needed repairs to the Glenfield Railroad Crossing. Mayor Kent informed the Board that there has been not type of communication with BNSF regarding needed repairs.

RE: BANKHEAD AND SNYDER RAILROAD BRIDGE

Alderman Anderson next requested information regarding the needed repairs to the Snyder Street Railroad bridge. Mayor Kent informed the Board that there has been not type of communication with BNSF regarding needed repairs.

RE: PLACEMENT OF STOP LIGHT HIGHWAY 30 WEST AND STARLYN REQUEST

Alderman Anderson next brought continued discussion for the need of some type of study take place regarding the traffic situation along Highway 30 west and Starlyn Avenue. Brett Brooks with ESI was present for the meeting. Mr. Brooks informed the Board that there was a study conducted and the results indicate there is a need for a traffic light. Due to MDOT funding the placement of the light will not be placed at this location.

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RE: FREEPORT WAREHOUSE LICENSE - EMERALD HOME FURNISHINGS, LLC.

The matter of an application submitted by Emerald Home Furnishings, LLC, 1101 Denmill Road, New Albany requesting Freeport Warehouse License was brought for consideration. Mr. Regan Russell, City Attorney, made recommendation for its approval based on information obtained from the Union County Tax Collector's office. Following discussion, Alderman Olson made motion to so approve application and Alderman Tucker offered the second. Motion received the affirmative vote of all aldermen present.

**RE: CITY NEW ALBANY RECREATIONAL TRAIL
& DRAINAGE PROJECT WILDLIFE AND FISHERIES PAY REQUEST #2**

Mayor Kent presented the following Pay request to the Board of Aldermen regarding the Recreational Trail and Drainage project

1. Paul Smithy Construction Company
Recreational Trail & Drainage Project
Pay Request #2 \$65,964.32

Alderman Dunnam made motion to so approve and Alderman White duly seconded motion. Motion passed unanimously.

**RE: CITY NEW ALBANY RECREATIONAL TRAIL
& DRAINAGE PROJECT WILDLIFE AND FISHERIES PAY REQUEST #3**

Mayor Kent presented the following Pay request to the Board of Aldermen regarding the Recreational Trail and Drainage project

1. Paul Smithy Construction Company
Recreational Trail & Drainage Project
Pay Request #3 \$67,371.75

Alderman Dunnam made motion to so approve and Alderman Olson duly seconded motion. Motion passed unanimously.

2. Engineering Solutions, Inv Recreational
Trail & Drainage Project
Pay Request #2 \$8,852.90

Alderman Dunnam made motion to so approve and Alderman Olson duly seconded motion. Motion passed unanimously.

RE: COMMUNITY CENTER REPAIRS

There came for consideration a matter concerning needed repairs to the Community Center. Eric Thomas, Building and Zoning Administrator, for several months has met with several contractors regarding needed repairs to the community center. Several quotes were submitted to Mr. Thomas, Gafford Building \$11,885.00, Arthur Tate 13,314.00 and Kenny Wood Construction \$23,772.41 Following lengthy discussion, Alderman Dunnam made motion to award the repairs to Gafford Construction. Alderman White offered the second; with the affirmative vote of all aldermen present.

RE: TALLAHATCHIE RIVER PARK PAVILLION REPAIR

There next came for consideration a matter concerning needed repairs to the Tallahatchie River Park Pavilion Repair. McClure Construction submitted a quote to Eric Thomas, Building and Zoning Administrator, of \$3,772.00 for needed repairs to the pavilion. Following discussion, Alderman Anderson made motion for approval of repairs to the pavilion. Alderman Olson offered the second; with the affirmative vote of all aldermen present

NOTE: Alderman Anderson excused himself at this point of the meeting his vote is not included in the following items of business until further noted

MINUTES OF THE REGULAR MEETING OF THE
MAYOR AND BOARD OF ALDERMEN
CITY OF NEW ALBANY
NOVEMBER 1, 2016

RE: FINAL ORDER-ALBANY INDUSTRIES, INC
TAX EXEMPTION FROM AD VALOREM TAX



DEPARTMENT OF
REVENUE
STATE OF MISSISSIPPI

OFFICE OF PROPERTY TAX
EXEMPTIONS & PUBLIC UTILITIES BUREAU

October 12, 2016

Ms. Frankie Roberts
City Clerk
City of New Albany
Post Office Box 36
New Albany, MS 38652

RE: Ad Valorem Taxation Exemption – Albany Industries, Inc.

Dear Ms. Roberts:

In accordance with the authority conferred upon the MS Department of Revenue by Miss. Code Ann. Section 27-31-105 the Department hereby certifies that the above named enterprise is eligible for ad valorem tax exemption, and is in compliance with the provisions of the statute.

The exemption of the property is certified for a period of ten years, from and after January 1, 2016, with a total true value of \$7,148,117.

The original application for exemption is enclosed for action by the board of supervisors and/or municipal authorities. A final order is to be placed on the minutes declaring this property is exempt, the true value, and the dates when such exemption commences and expires.

According to Miss. Code Ann. Section 27-31-109, the clerk shall record the application and order approving the exemption and shall send a copy of the final order to the MS Department of Revenue.

Sincerely,

Paul J. Foreman, Director
Exemptions & Public Utilities Bureau

PJF:JT

Enclosures

cc: Mr. Scott Speights, Office of State Auditor
Mr. Randy Dunnam, Tax Assessor Union County

City of New Albany

"The Fair and Friendly City"

Frankie Roberts
City Clerk

(662) 534-1015
fax 534-1045

November 10, 2016

Mr. Randy Dunnam
Union County Tax Assessor/Collector
Union County Courthouse
P. O. Box 862
New Albany, MS 38652

RE: Albany Industries, Inc.
Ad Valorem Tax Exemption

Dear Randy:

Pursuant to application of the above industry and Order of the City of New Albany, the Mississippi department of Revenue has approved a ten-year exemption for Albany Industries, Inc. Enclosed please find certified copy of Final Order of the Mayor and Board of Aldermen declaring the listed property tax exempt. Attached to this Final Order is a copy of the original application from the above industry.

As required by statute, we are sending certified copies to the Chairman of the Department of Revenue and the State Auditor of Public Accounts with a copy of this letter.

Sincerely,

Frankie Roberts
City Clerk

Encl.

cc Chairman, Department of Revenue
P. O. Box 1033
Jackson, MS 39215-1033
Auditor of Public Accounts
P. O. Box 956
Jackson, MS 39205-0956

MINUTES OF THE REGULAR MEETING OF THE
MAYOR AND BOARD OF ALDERMEN

CITY OF NEW ALBANY
NOVEMBER 1, 2016

13

Frankie Roberts
City Clerk

City of New Albany
"The Fair and Friendly City"

(662) 534-1015
Fax 534-1045

November 10, 2016

Auditor of Public Accounts
P. O. Box 956
Jackson, MS 39205-0956

RE: Albany Industries, Inc
AD Valorem Tax Exemption

Pursuant to application of the above industry and Order of the City of New Albany, the Department of Revenue has approved a ten-year exemption for Albany Industries, Inc. Enclosed please find certified copy of Final Order of the Mayor and Board of Aldermen declaring the listed property tax exempt. Attached to this Final Order is a copy of the original application from the above industry.

Sincerely,

Frankie Roberts
City Clerk

FINAL RESOLUTION OF THE BOARD OF ALDERMEN
OF NEW ALBANY, MISSISSIPPI,
GRANTING EXEMPTION FROM AD VALOREM TAXES
TO ALBANY INDUSTRIES, INC.

The Board of Aldermen of New Albany, Mississippi, next took up for consideration the matter of granting tax exemption for ad valorem taxes to Albany Industries, Inc., and the following Resolution, being first reduced to writing, was introduced.

RESOLUTION OF THE BOARD OF ALDERMEN, NEW
ALBANY, MISSISSIPPI, GRANTING FINAL APPROVAL OF
AD VALOREM TAX EXEMPTION TO ALBANY INDUSTRIES,
INC., NEW ALBANY, MISSISSIPPI

WHEREAS, heretofore, Albany Industries, Inc., authorized to do business and doing business in New Albany, Union County, Mississippi, filed with the Board an application for exemption from ad valorem taxes, except State and School District ad valorem taxes for a period of ten (10) years as authorized by Section 27-31-105, et seq., of the Mississippi Code of 1972, as amended, which application was approved by the Board of Aldermen, subject to the approval of the State Tax Commission of the State of Mississippi; and

WHEREAS, on the 18 day of October, 2016, the State Tax Commission of the State of Mississippi approved the application; and

WHEREAS, a certified copy of the aforesaid State Tax Commission's approval has been received by the Board of Aldermen and recorded in its minutes.

NOW, THEREFORE, in consideration of the premises, the Board of Aldermen of New Albany, Mississippi, does hereby finally approve the application for ad valorem tax exemption, except State and School District ad valorem taxes for a period of ten (10) years beginning on the 1st day of January, 2016, and ending on the 31st day of December, 2025, with a total true value of \$7,148,117.49.

FILED

1962075

The foregoing Resolution granting ad valorem tax exemption, except State and School District ad valorem taxes to Albany Industries, Inc. was made on motion by Alderman DUNN, Seconded by Alderman Duckert, and unanimously adopted on this the 1 day of November, 2016.

By: Tom Duckert
President, New Albany Board of Aldermen



MINUTES OF THE REGULAR MEETING OF THE
MAYOR AND BOARD OF ALDERMEN
CITY OF NEW ALBANY
NOVEMBER 1, 2016

APPLICATION FOR EXEMPTION
FROM AD VALOREM TAXES

APPLICATION OF ALBANY INDUSTRIES, INC., FOR
EXEMPTION FROM AD VALOREM TAXES FOR A PERIOD
OF TEN (10) YEARS AS AUTHORIZED BY SECTION
27-31-105, ET SEQ., OF THE MISSISSIPPI CODE OF 1972, AS
AMENDED

TO THE BOARD OF ALDERMEN OF NEW ALBANY, MISSISSIPPI:

1. Albany Industries, Inc., files this its application in quadruplicate for exemption from ad valorem taxation and respectfully represents unto this Honorable Board as follows:
2. Applicant, Albany Industries, Inc., is a Mississippi corporation and domiciled in the City of New Albany, Union County, Mississippi.
3. Applicant recently made capital expenditures for facility expansion to its furniture manufacturing plant located in the City of New Albany, Union County, Mississippi, and for machinery and equipment. Applicant is now operating as a furniture manufacturing type of industry within the City of New Albany, Union County, Mississippi, which factory 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, as amended, and is eligible for the exemption granted by the above mentioned Section by specific enumeration, namely manufacturing.
4. That such additions to and/or expansion of facilities, properties or equipment replacement used in connection with and necessary for the operation of such enterprise were completed on or before the 31st day of December, 2015, within the meaning of the applicable statutes of the State of Mississippi, and therefore, the exemption hereby claimed should commence on said date.

FILED

19K2075

CITY CLERK

5. That such additions, expansion and replacements are necessary for the operation of such enterprise and the continued employment of said enterprise, with no new jobs being created therefor.

6. That said exemption of the real and tangible property described in Exhibit "A" should be granted for a period of ten (10) years from January 1, 2016.

7. That the true value of all the real and tangible property to be exempted is \$7,148,117.49, as shown in an itemized list attached hereto as Exhibit "A," and made a part hereof.

PRAYER

WHEREFORE, Applicant prays that this Board enter a finding that Applicant's factory is in fact an expanded enterprise of public utility and that the same was completed on the 31st day of December, 2015, within the meaning of the applicable laws of Mississippi; and

That Applicant be granted an exemption from ad valorem taxation except State and School District ad valorem taxation, as provided by law, for a period of ten (10) years beginning on the 1st day of January, 2016, and ending on the 31st day of December, 2025, upon all of the real and 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 New Albany, Union County, Mississippi; and

That this Board approve this application by an order or resolution spread upon its minutes, declaring that such real and tangible property is exempt from all ad valorem taxation, except State and School District ad valorem taxation, for a period of ten (10) years and forward the original and three certified copies of this application and a certified transcript of such approval to the Mississippi State Tax Commission and upon approval of such application by the said Mississippi State Tax

FILED

19K2075

CITY CLERK

Respectfully submitted, this the 5 day of May, 2016.

By: [Signature]
Title: Secretary

Helene A. Cook
NOTARY PUBLIC

[SEAL]

[illegible]

\$6,611,396.00

\$7,148,117.49

EXHIBIT "A"

MINUTES OF THE REGULAR MEETING OF THE
MAYOR AND BOARD OF ALDERMEN
CITY OF NEW ALBANY
NOVEMBER 1, 2016

RE: FINAL ORDER DIVERSITY VUTEQ, L.L.C.
TAX EXEMPTION FROM AD VALOREM TAX



DEPARTMENT OF
REVENUE
STATE OF MISSISSIPPI

OFFICE OF PROPERTY TAX
EXEMPTIONS & PUBLIC UTILITIES BUREAU

October 12, 2016

Ms. Frankie Roberts
City Clerk
City of New Albany
Post Office Box 56
New Albany, MS 38652

RE: Ad Valorem Taxation Exemption – Diversity-Vuteq, LLC

Dear Ms. Roberts:

In accordance with the authority conferred upon the MS Department of Revenue by Miss. Code Ann. Section 27-31-105 the Department hereby certifies that the above named enterprise is eligible for ad valorem tax exemption, and is in compliance with the provisions of the statute.

The exemption of the property is certified for a period of ten years, from and after January 1, 2016, with a total true value of \$1,739,562.

The original application for exemption is enclosed for action by the board of supervisors and/or municipal authorities. A final order is to be placed on the minutes declaring this property is exempt, the true value, and the dates when such exemption commences and expires.

According to Miss. Code Ann. Section 27-31-109, the clerk shall record the application and order approving the exemption and shall send a copy of the final order to the MS Department of Revenue.

Sincerely,

Paul I. Foreman

Paul I. Foreman, Director
Exemptions & Public Utilities Bureau

PJF: JT

Enclosures

cc: Mr. Scott Speights, Office of State Auditor
Mr. Randy Dunnam, Tax Assessor Union County

City of New Albany
"The Fair and Friendly City"

Frankie Roberts
City Clerk

(662) 534-1015
Fax 534-1045

November 10, 2016

Auditor of Public Accounts
P. O. Box 956
Jackson, MS 39205-0956

RE: Diversity Vuteq, L.L.C.
AD Valorem Tax Exemption

Pursuant to application of the above industry and Order of the City of New Albany, the Department of Revenue has approved a ten-year exemption for Diversity Vuteq, L.L.C. Enclosed please find certified copy of Final Order of the Mayor and Board of Aldermen declaring the listed property tax exempt. Attached to this Final Order is a copy of the original application from the above industry.

Sincerely,

Frankie Roberts
Frankie Roberts
City Clerk

MINUTES OF THE REGULAR MEETING OF THE
MAYOR AND BOARD OF ALDERMEN
CITY OF NEW ALBANY
NOVEMBER 1, 2016

17

City of New Albany
"One Fair and Friendly City"

Frankie Roberts
City Clerk

(662) 534-1015
Fax 534-1045

November 10, 2016

Mr. Randy Dunnam
Union County Tax Assessor/Collector
Union County Courthouse
P. O. Box 862
New Albany, MS 38652

RE: Diversity Voted
AD Valorem Tax Exemption

Randy:

Pursuant to application of the above industry and Order of the City of New Albany, the Mississippi Department of Revenue has approved a ten-year exemption for Diversity Voted, LLC. Enclosed please find certified copy of Final Order of the Mayor and Board of Aldermen declaring the listed property tax exempt. Attached to this Final Order is a copy of the original application from the above industry.

As required by statute, we are sending certified copies to the Chairman of the Department of Revenue and the State Auditor of Public Accounts with a copy of this letter.

Sincerely,

Frankie Roberts
Frankie Roberts
City Clerk

Encl.

cc Chairman, Department of Revenue
P. O. Box 1033
Jackson, MS 39215

Auditor of Public Accounts
P. O. Box 956
Jackson, MS 39205

**FINAL RESOLUTION GRANTING EXEMPTION
FROM AD VALOREM TAXES**

The Board of Aldermen of the City of New Albany, Mississippi, this day considered the matter of granting exemption from ad valorem taxes, except school district taxes, to Diversity Voted, LLC.

The governing authority finds that the 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 ten years, beginning January 1, 2016, and expiring December 31, 2025 on the property described in the application with a total true value of \$1,739,565.

Therefore the resolution to grant ad valorem tax exemption to the above named enterprise is hereby approved by the Board of Aldermen of the City of New Albany, Mississippi for a period of ten (10) years as authorized by Section 27-31-101 et seq., Mississippi Code of 1972, as amended, on this the 10th day of November, 2016.

Tim Kent
TIM KENT, MAYOR
CITY OF NEW ALBANY, MISSISSIPPI

ATTEST:

Frankie Roberts
FRANKIE ROBERTS, CLERK
CITY OF NEW ALBANY, MISSISSIPPI



**MINUTES OF THE REGULAR MEETING OF THE
MAYOR AND BOARD OF ALDERMEN
CITY OF NEW ALBANY
NOVEMBER 1, 2016**

**APPLICATION OF DIVERSITY-VUTEQ, L.L.C.
FOR EXEMPTION FROM AD VALOREM TAXES FOR
A PERIOD OF TEN YEARS AS AUTHORIZED
BY SECTION 27-31-101, ET SEQ., OF THE
MISSISSIPPI CODE OF 1972, AS AMENDED**

TO THE MAYOR AND BOARD OF ALDERMEN OF NEW ALBANY, MISSISSIPPI:

1. Diversity-Vuteq, L.L.C. ("Vuteq") files this its application in triplicate for exemption from ad valorem taxation, and respectfully represents unto this Honorable Board as follows:
2. Vuteq is a Mississippi Limited Liability Company qualified to do business in the State of Mississippi, and conducts manufacturing operations in New Albany, Union County, Mississippi.
3. Vuteq is now operating as a manufacturing center for automotive parts within New Albany, Union County, Mississippi. Diversity is a bona fide manufacturing enterprise of public utility within the meaning of Section 27-31-101 et seq., and related Sections of the Mississippi Code of 1972, as amended, and is eligible for the exemption granted by the above mentioned section by specific enumeration, namely as a manufacturing enterprise which has made additions to or expansions of its facilities or properties used in connection with or necessary to the operation of its enterprise within the meaning of Section 27-31-105 of the Mississippi Code of 1972, as amended.
4. That the additions and/or expansion to the enterprise were purchased during the calendar year ending December 31, 2015 and during the year 2016, within the meaning of the applicable statutes of the State of Mississippi, and therefore, the exemption should commence on January 1, 2016.
5. That said exemption of the property described in "Exhibit A" should be granted.

period of ten (10) years from said date of completion.

6. That the true value of all property to be exempted is \$1,739,442.50, as shown in an itemized list attached hereto as "Exhibit A" and made a part hereof.

WHEREFORE, Vuteq prays that this Board enter a finding that Vuteq is in fact a manufacturing enterprise of public utility which has made additions to its facilities or properties used in connection with or necessary to the operation of its enterprise, and that the additions were purchased during the calendar year ending December 31, 2015 and during the year 2016, within the meaning of the applicable laws of the State of Mississippi; and

That Vuteq be granted an exemption from ad valorem taxation except State and School District ad valorem taxation, as provided by law, for a period of ten (10) years beginning on the 1st day of January, 2016, and ending on the 31st day of December, 2025, upon all of the property described in "Exhibit A" attached hereto and made a part hereof, used in, or necessary to the manufacturing operations of Vuteq in Union County, Mississippi; and

That this Board approve this application by an order or resolution spread upon its minutes, declaring that such property is exempt from all ad valorem taxation, except State and School District ad valorem taxation, for a period of ten (10) years and forward the original and three certified copies of this application and a certified transcript of such approval to the Mississippi Department of Revenue and upon approval of such application by the said Mississippi Department of Revenue and certification of its approval, enter a final order on its minutes granting the exemption herein prayed.

Respectfully submitted, this the 30 day of March, 2016.

DIVERSITY - VUTEQ, L.L.C.

BY: Chris Spence
CHRIS SPENCE, DIRECTOR

STATE OF MISSISSIPPI

COUNTY OF UNION

Personally appeared before me, a notary public, the above-named CHRIS SPENCE, being first duly sworn, states upon oath he is a Director of Diversity - Vuteq, L.L.C., and who further acknowledged that he did execute and deliver the foregoing application and exhibit on the date indicated for and on behalf of said limited liability company, having been first duly authorized so to do, and that the same are true and correct to the best of his information, knowledge and belief.

Given under my hand and seal of office this 30 day of March, 2016.

Notary Public

My Commission Expires



MINUTES OF THE REGULAR MEETING OF THE
MAYOR AND BOARD OF ALDERMEN

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CITY OF NEW ALBANY
NOVEMBER 1, 2016

RE: FINAL ORDER SUGAREE'S BAKERY, LTD.
TAX EXEMPTION FROM AD VALOREM TAX



DEPARTMENT OF
REVENUE
STATE OF MISSISSIPPI

OFFICE OF PROPERTY TAX
EXEMPTIONS & PUBLIC UTILITIES BUREAU

October 12, 2016

Ms. Frankie Roberts
City Clerk
City of New Albany
P O Box 56
New Albany, MS 38652

RE: Ad Valorem Taxation Exemption - Sugaree's Bakery, Ltd.

Dear Ms. Roberts:

In accordance with the authority conferred upon the MS Department of Revenue by Miss. Code Ann. Section 27-31-101 the Department hereby certifies that the above named enterprise is eligible for ad valorem tax exemption, and is in compliance with the provisions of the statute.

The exemption of the property is certified for a period of ten years, from and after January 1, 2016, with a total true value of \$74,698.

The original application for exemption is enclosed for action by the board of supervisors and/or municipal authorities. A final order is to be placed on the minutes declaring this property is exempt, the true value, and the dates when such exemption commences and expires.

According to Miss. Code Ann. Section 27-31-109, the clerk shall record the application and order approving the exemption and shall send a copy of the final order to the MS Department of Revenue.

Sincerely,

Paul J. Foreman, Director
Exemptions & Public Utilities Bureau

PJF: JT

Enclosures

cc: Mr. Scott Speights, Office of State Auditor
Mr. Randy Dunnam, Tax Assessor Union County

City of New Albany
"The Fair and Friendly City"

Frankie Roberts
City Clerk

(662) 534-1015
Fax 534-1045

November 10, 2016

Mr. Randy Dunnam
Union County Tax Assessor/Collector
Union County Courthouse
P. O. Box 862
New Albany, MS 38652

RE: Sugaree's Bakery, Ltd
Ad Valorem Tax Exemption

Randy:

Pursuant to application of the above industry and Order of the City of New Albany, the Department of Revenue has approved a ten-year exemption for Sugaree's Bakery, Ltd. Enclosed please find certified copy of Final Order of the Mayor and Board of Aldermen declaring the listed property tax exempt. Attached to this Final Order is a copy of the original application from the above industry.

As required by statute, we are sending certified copies to the Chairman of the Department of Revenue and the State Auditor of Public Accounts with a copy of this letter.

Sincerely,

Frankie Roberts
City Clerk

Encl.

cc: Chairman, Department of Revenue
P. O. Box 960
Jackson, MS 39205-0960

Auditor of Public Accounts
P. O. Box 956
Jackson, MS 39205-0956

MINUTES OF THE REGULAR MEETING OF THE
MAYOR AND BOARD OF ALDERMEN
CITY OF NEW ALBANY
NOVEMBER 1, 2016

City of New Albany
"The Fair and Friendly City"

Frankie Roberts
City Clerk

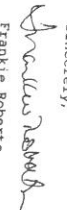
(662) 534-1015
Fax 534-1045

November 10, 2016

Auditor of Public Accounts
P. O. Box 936
Jackson, MS 39205-0936

RE: Sugaree's Bakery, Ltd.
AD Valorem Tax Exemption

Pursuant to application of the above industry and Order of the City of New Albany, the Department of Revenue has approved a ten-year exemption for Sugaree's Bakery, Inc. Enclosed please find certified copy of Final Order of the Mayor and Board of Aldermen declaring the listed property tax exempt. Attached to this Final Order is a copy of the original application from the above industry.

Sincerely,

Frankie Roberts
City Clerk

**FINAL RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
GRANTING EXEMPTION FROM AD VALOREM TAXES**

The Mayor and Board of Aldermen next took up for consideration the matter of granting tax exemption from ad valorem taxes for Sugaree's Bakery, Ltd. and the following Resolution, being first reduced to writing, was introduced:

RESOLUTION OF THE MAYOR AND BOARD OF
ALDERMEN OF NEW ALBANY, MISSISSIPPI, GRANTING
FINAL APPROVAL OF AD VALOREM TAX EXEMPTION TO
SUGAREE'S BAKERY, LTD., CITY OF NEW ALBANY,
COUNTY OF UNION, STATE OF MISSISSIPPI.

WHEREAS, Sugaree's Bakery, Ltd. authorized to do business and doing business in the City of New Albany, County of Union, State of Mississippi, filed with the Mayor and Board of Aldermen of the City of New Albany, Mississippi, its application for exemptions from ad valorem taxation for ten (10) years as authorized by §27-31-101 of the Mississippi Code of 1972, as amended, which said application was approved by the Mayor and Board of Aldermen of the City of New Albany, Mississippi, subject to approval of the Mississippi Department of Revenue; and

WHEREAS, on the 18 day of October, 2016, the Mississippi Department of Revenue approved such application; and

WHEREAS, a certified copy of the aforesaid Department of Revenue's approval has been received by the Board of Aldermen of the City of New Albany, Mississippi and recorded in its minutes.

Now, **THEREFORE, BE IT RESOLVED** by the Mayor and Board of Aldermen of New Albany, Mississippi, as follows:

1. That Sugaree's Bakery, Ltd. is hereby granted tax exemption from ad valorem taxes, except State and School District ad valorem taxes, for a period of ten (10) years beginning on the 1st day of January, 2016, of the property described in the application with a total true value of \$74,698.18.

2. That the clerk of this Board shall record such application, together with this order approving same, in a book kept in the office of said Clerk for that purpose and shall file a copy of the application and resolution with the Tax Assessor and Collector of the City of New Albany, Mississippi and the Chairman of the Mississippi Department of Revenue, and obtain the certificate of said Tax Assessor stating that the property as itemized in the application has been placed on the appropriate tax roll as "non-taxable" except for State and School District ad valorem taxes for the duration of the exemption period only.

After a full discussion of this matter, Alderman Dunham moved that the foregoing Resolution be adopted and said motion was seconded by Alderman

Tucker and upon the question being put to a vote, the Resolution was unanimously adopted by the affirmative vote of the Mayor and Board of Aldermen present.

WHEREUPON, the foregoing Resolution was declared passed and adopted at a regular meeting of the Mayor and Board of Aldermen of New Albany, Mississippi, on the 1 day of November, 2016.