

OFFICIAL FORM

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, HINDS COUNTY, MISSISSIPPI AMENDING THE OFFICIAL ZONING ORDINANCE AND ZONING MAP OF THE CITY OF CLINTON, MISSISSIPPI FOR THE PROPERTY LOCATED ON CYNTHIA STREET, CLINTON, MISSISSIPPI, AND DESCRIBED IN EXHIBIT "A" FROM C-2 TO C-1

WHEREAS, Mr. H.O. Winstead (the "Applicant") did file a petition to Rezone certain property from its present C-2 use district classification to a C-1 use district classification; and,

WHEREAS, a public hearing, pursuant to Section 2406.05 of the Zoning Ordinance of the City of Clinton, Mississippi, was set for the 24th day of November 1998, at 7:30 o'clock P.M.; and,

WHEREAS, the City of Clinton did cause notice of said hearing to be published in the *Clarion Ledger*, a newspaper published in Hinds County, Mississippi, in the manner and for the time required by law, and did post notice upon the affected property in the manner and for the time required by law; and,

WHEREAS, at the time, date and place specified in the Notice, the Planning Commission of the City of Clinton, Mississippi, did conduct a full and complete hearing, and thereafter, did recommend the petition of the applicants be approved, pursuant to Section 2406 of the Zoning Ordinance; and,

WHEREAS, the matter was presented to the Mayor and Board of Aldermen of the City of Clinton, along with the recommendation of the Planning Commission, and after discussion thereof, Alderman BRABHAM offered the following ordinance and moved that it be adopted, to-wit;

19
814

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Clinton, Hinds County, Mississippi as follows, to-wit:

Section 1. That the matters and facts stated in the preamble hereof are found to be true and correct.

Section 2. That this matter was presented as required by Section 2406 of the City of Clinton Zoning Ordinance and the Mayor and Board of Aldermen hereby find that this request meets the requirements of Section 2406.03(b) Criteria for Rezoning, the Mayor and Board of Aldermen specifically finding that the character of the neighborhood has changed and that there is a public need for restricted commercial district within the City of Clinton.

Section 3. That pursuant to Article XX of the Zoning Ordinance, the proposed facility shall be "C-1, Restricted Commercial District".

Section 4. That the following described tract of real property be, and the same is, hereby rezoned from its present C-2 use district classification to C-1 use district classification and that said rezoning is consistent with the current Comprehensive Plan of the City of Clinton, to-wit:

A tract of land situated in the City of Clinton, the First Judicial District of Hinds County, Mississippi and more completely described in Exhibit "A" attached hereto and made a part thereof.

Section 5. That the City of Clinton Zoning Ordinance be, and the Official Zoning Map be, and the same hereby are, amended to reflect the foregoing change in the zoning of the above-described real property.

Section 6. That this ordinance shall take effect thirty days from and after passage.

ORDAINED, ADOPTED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, at a meeting thereof held on the 15th day of December, 1998.

A Motion for adoption was seconded by Alderman BRANTLEY and the foregoing ordinance having been first reduced to writing, and no request being made by the Mayor or any member of the Board of Aldermen that the Ordinance 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 voted:	<u>AYE</u>
Alderman Hisaw voted:	<u>AYE</u>
Alderman DePriest voted:	<u>AYE</u>
Alderman Brantley voted:	<u>AYE</u>
Alderman Fisher voted:	<u>AYE</u>
Alderman Touchton voted:	<u>AYE</u>
Alderman Lott voted:	<u>AYE</u>

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

The foregoing ordinance was approved this the 1ST day of December, 1998.

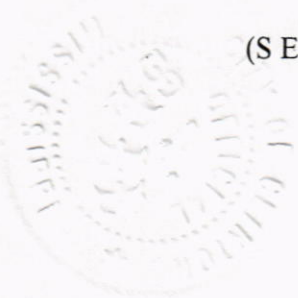
CITY OF CLINTON

BY: Rosemary Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Nelson Byrd
NELSON BYRD, City Clerk

(SEAL)



Property Description for Mr. H.O. Winstead

That certain land and property lying and being situated in the N 1/2 of Section 15, Township 6 North, Range 1 West, First Judicial District of Hinds County, Mississippi, and lying adjacent to the South right-of-way line of the Natchez Tract Parkway (N.T.P.)

Lot 4 at the NE corner of the South Natchez Tract Parkway boundary at the concrete monument with the brass disk stamped 57, run thence along the Natchez Trace Parkway boundary at the concrete monument with the brass disk stamped 57, run thence along the Natchez Trace Parkway south boundary south 52 degrees 34 minutes west, a distance of 447.6 feet to Natchez Tract Parkway concrete monument stamped P.O.T. 2; said point being the NW corner of that certain property conveyed to H.O. Winstead by a Warranty Deed, said deed being recorded in the Chancery Clerk's office of Hinds County at Jackson, Mississippi, in Deed book 2296 at page 118, thence continue south 52 degrees 34 minutes west a distance of 300 feet to an iron pin, said point also being the point of beginning of the property herein described. From said point of beginning run thence south 37 degrees 26 minutes east a distance of 314.4 feet more or less, to the center of Clinton-Cynthia Road; thence run south 50 degrees 09 minutes west a distance of 100.07 feet along the center line of said road to a point; thence run north 37 degrees 24 minutes west a distance of 345.5 feet, more or less, thence run north 52 degrees 34 minutes east a distance of 100.0 feet along the Natchez Trace Parkway south boundary to the point of beginning; less and except, however, that part of the above described tract of land situated within the right-of-way of said Clinton-Cynthia Road.

Beginning at the NE corner of the Natchez Trace Parkway Boundary at the concrete monument with the brass disk stamped 57, run thence along the Natchez Trace Parkway South boundary South 57 degrees 24 minutes West, a distance of 1147.6 feet to an iron pin; said point being the NW corner of that certain property conveyed to H.O. Winstead by Warranty Deed recorded in the Chancery Clerk's office of Hinds County at Jackson, Mississippi, the Deed Book 2296 at page 118, said point also being the point of beginning of the property herein described; from said point of beginning run thence South 37 degrees 26 minutes East a distance of 359.49 feet, more or less, to the center of Clinton-Cynthia Road; thence run South 50 degrees 9 minutes West along the center line of Clinton-Cynthia Road a distance of 268.26 feet more or less; thence run North 37 degrees 26 minutes West a distance of 370.8 feet; thence run North 52 degrees 34 minutes East a distance of 268.2 feet along the Natchez Trace Parkway South Boundary to the point of beginning; less

Winstead Description Continued:

and except, however, that part of the above described tract of land situated within the right-of-way of said Clinton-Cynthia Road.

A tract of land containing 1.26 acres, more or less, being situated in the N 1/2 of Section 15, T6N-R1W, Hinds County, Mississippi, and being more particularly described as follows:

Beginning at an iron pin in a fence line, said pin being on the south boundary of the Natchez Trace Parkway property and said pin being a measured 1,838.7 feet S 52 degrees 34 minutes East of the Natchez Trace Parkway concrete monument No. 58, said pin also being 1,415.8 feet S 52 degrees 34 minutes East of the computed location of the Natchez Trace Parkway concrete monument No. 57 as per plat of the Natchez Trace Parkway property on file in the Ridgeland, Mississippi office of the Natchez Trace Parkway, said monument having been destroyed, and said iron pin also being the Point of beginning of the property herein, described; go thence S 37 degrees 26 minutes East for a distance of 330.8 feet to a point on the north R.O.W. line of the Clinton-Cynthia Road; thence Northeasterly along said north R.O.W. line for a distance of 168.3 feet; thence N 37 degrees 26 minutes for a distance of 326.6 feet to a point on the south boundary line of the Natchez Trace Parkway property; thence S 52 degrees 34 minutes said south boundary line for a distance of 168.2 feet back to the Point of beginning.

Exhibit "A"

04
05 POP 819
820 POP

OFFICIAL FORM

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, HINDS COUNTY, MISSISSIPPI AMENDING THE OFFICIAL ZONING ORDINANCE AND ZONING MAP OF THE CITY OF CLINTON, MISSISSIPPI FOR THE PROPERTY LOCATED ON CYNTHIA STREET, CLINTON, MISSISSIPPI, AND DESCRIBED IN EXHIBIT "A" FROM C-2 TO C-1

WHEREAS, Mr. H.O. Winstead (the "Applicant") did file a petition to Rezone certain property from its present C-2 use district classification to a C-1 use district classification; and, WHEREAS, a public hearing, pursuant to Section 2406.05 of the Zoning Ordinance of the City of Clinton, Mississippi, was set for the 24th day of November 1998, at 7:30 o'clock P.M.; and, WHEREAS, the City of Clinton did cause notice of said hearing to be published in The Clarion-Ledger, a newspaper published in Hinds County, Mississippi, in the manner and for the time required by law, and did post notice upon the affected property in the manner and for the time required by law; and, WHEREAS, at the time, date and place specified in the Notice, the Planning Commission of the City of Clinton, Mississippi, did conduct a full and complete hearing, and thereafter, did recommend the petition of the applicants be approved, pursuant to Section 2406 of the Zoning Ordinance, and, WHEREAS, the matter was presented to the Mayor and Board of Aldermen of the City of Clinton, along with the recommendation of the Planning Commission, and after discussion thereof, Alderman Brabham offered the following ordinance and moved that it be adopted, to-wit:

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Clinton, Hinds County, Mississippi as follows, to-wit:

Section 1. That the matters and facts stated in the preamble hereof are found to be true and correct.

Section 2. That this matter was presented as required by Section 2406 of the City of Clinton Zoning Ordinance and the Mayor and Board of Aldermen hereby find that this request meets the requirements of Section 2406.03(b) Criteria for Rezoning, the Mayor and Board of Aldermen specifically finding that the character of the neighborhood has changed and that there is a public need for restricted commercial district within the City of Clinton.

Section 3. That pursuant to Article XX of the Zoning Ordinance, the proposed facility shall be "C-1, Restricted Commercial District".

Section 4. That the following described tract of real property be, and the same is, hereby rezoned from its present C-2 use district classification to C-1 use district classification and that said rezoning is consistent with the current Comprehensive Plan of the City of Clinton, to-wit:

A tract of land situated in the City of Clinton, the First Judicial District of Hinds County, Mississippi and more completely described in Exhibit "A" attached hereto and made a part thereof.

Property Description for Mr. H. O. Winstead

That certain land and property lying and being situated in the N 1/2 of Section 15, Township 6 North, Range 1 West, First Judicial District of Hinds County, Mississippi, and lying adjacent to the South right-of-way line of the Natchez Tract Parkway (N.T.P.)

Lot 4 at the NE corner of the South Natchez Tract Parkway boundary at the concrete monument with the brass disk stamped 57, run thence along the Natchez Tract Parkway boundary at the concrete monument with the brass disk stamped 57.

Proof of Publication

The State of Mississippi

Hinds County

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

Shirley Mize

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

Dates of Publication:

Friday, December 11, 1998

Lines: 364
Words: 1,482
Issues: 1
Total: \$183.84

Signed

Authorized Clerk
of The Clarion-Ledger

Notary Public

(SEAL)

re me on

RESOLUTION

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unclean property located at 107 AMIS COURT, Clinton, Mississippi, and after full consideration of the matter, Alderman BRABHAM offered the following Resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING THE NECESSITY FOR THE CLEANING OF PRIVATE PROPERTY LOCATED AT 107 AMIS COURT, CLINTON, MISSISSIPPI, UNDER THE AUTHORITY GRANTED TO MUNICIPALITIES BY §21-19-11, MISSISSIPPI CODE OF 1972, AS AMENDED, AND OTHER APPLICABLE STATUTES AND ORDINANCES.

WHEREAS, it has come to the attention of the Mayor and Board of Aldermen that the property located at 107 AMIS COURT, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanliness; and

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

WHEREAS, a public hearing was held at 7:00 p.m., DEC. 1, 1998, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

WHEREAS, based upon the information and evidence provided at said public hearing, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, has determined that this property, in its present condition and state of uncleanness, constitutes a menace to the public health and safety of the community and does adjudicate said property in its present condition to be a menace to the public health and safety of the community. The Director of the Public Works Department is directed to take such action as appropriate under §21-19-11 of the Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to use municipal employees or, by contract, clean the property by cutting weeds, removing rubbish and dilapidated buildings and other debris.

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

1. It is hereby adjudicated that the property located at 107 AMIS COURT
_____, Clinton, Mississippi, in its present condition, constitutes a menace to the public health and safety of the community.
2. The Director of Public Works is hereby directed to take such action as appropriate under §21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to clean the property by cutting weeds, removing rubbish and dilapidated buildings and debris.

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

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

Alderman Brabham voted:	<u>AYE</u>
Alderman Hisaw voted:	<u>AYE</u>
Alderman DePriest voted:	<u>AYE</u>
Alderman Brantley voted:	<u>AYE</u>
Alderman Fisher voted:	<u>AYE</u>
Alderman Touchton voted:	<u>AYE</u>
Alderman Lott voted:	<u>AYE</u>

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

5 of 8
The foregoing Resolution was approved this the 1st day of DEC., 1998.

CITY OF CLINTON

BY: Rosemary J. Aultman
ROSEMARY AULTMAN, Mayor

ATTEST:

Nelson Byrd
NELSON BYRD, City Clerk

(SEAL)

CLEAN.RES
3/3/98-MMH

CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, DECEMBER 1, 1998 - 7:00 P.M.
MUNICIPAL COURTROOM - 305 MONROE STREET

WELCOME AND CALL TO ORDER - Mayor Rosemary Aultman
INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The invocation was led by Alderman Brantley followed by the Pledge of Allegiance to the Flag led by Alderman Fisher

ROLL CALL - City Clerk Nelson Byrd

Present: Jehu Brabham - Alderman-At-Large
Tony Hisaw - Alderman Ward 1
Rodney DePriest - Alderman Ward 2
Clint Brantley - Alderman Ward 3
Phil Fisher - Alderman Ward 4
Herb Touchton - Alderman Ward 5
Sharbert Lott - Alderman Ward 6
Ken Dreher - City Attorney
Nelson Byrd - City Clerk

APPROVAL OF CONSENT AGENDA ITEMS A-S

MOTION made by Alderman Fisher and **SECONDED** by Alderman Lott to approve Consent Agenda Items A-S listed on page 897 of this Minute Book Z. Items C and D will serve to advertise favorably the opportunities, possibilities, and resources of the City of Clinton. Quotes listed in item R may be found in the office of the City Clerk. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF PRELIMINARY SITE PLAN FOR 315 MORRISON DR.

MOTION made by Alderman Lott and **SECONDED** by Alderman Fisher to accept the recommendation from Planning & Zoning for approval of the preliminary site plan of Dr. Martha Lewis to construct an addition to 315 Morrison Dr. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF REZONING ORDINANCE FOR CYNTHIA STREET PROPERTY

MOTION made by Alderman Brabham and **SECONDED** by Alderman Brantley to accept the recommendation from Planning & Zoning and to adopt that Ordinance and Proof of Publication found on pages 899-905 and 814-820 of this Minute Book Z and Ordinance Book II, respectively, to rezone property between Cynthia and the Natchez Trace from C-2 to C-1 requested by Mr. H. O. Winstead. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF EXTERIOR RENOVATIONS AT 103 LANDRUM STREET

MOTION made by Alderman Touchton and **SECONDED** by Alderman Fisher to accept the recommendations from the Clinton Historical Preservation Commission and Planning and Zoning to approve the request from Jim and Kimberly Spencer for exterior renovations to 103 Landrum Street. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF HOUSE DEMOLITION AT END OF LEAKE STREET

MOTION made by Alderman Fisher and **SECONDED** by Alderman Touchton to accept the recommendations from the Clinton Historical Preservation Commission and Planning and Zoning to approve the request of Mississippi College to demolish, relocate, or remove the house at 307 W. Leake Street. **MOTION CARRIED UNANIMOUSLY**

PUBLIC HEARING-UNKEPT PROPERTY AT 107 AMIS COURT

After noting that owner Cathy Mazingo had met with City Officials and stated that a brick mason had been hired to begin work by December 11, 1998, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Lott that we extend to the owners of the unkept property at 107 Amis Court the courtesy of a time extension of fourteen days of acceptable weather to bring the property into an acceptable condition including finishing the brick-laying, correcting any plumbing problems, cleaning up any debris around the house, and correcting any conditions which might impact the health, safety, and attractiveness of the community in any negative way. After this time, Zoning Administrator Gary Ward will inspect the property and if any condition is found to be in non-compliance with this motion, then the appropriate Resolution found on pages 906-909 of this Minute Book Z will go into effect and be enforced by the City. **MOTION CARRIED UNANIMOUSLY**

CHRYSTELLE THAMES AND SHARON GREER APPOINTED TO P & R ADVISORY BOARD

Recommendation and **MOTION** made by Alderman Lott and **SECONDED** by Alderman Touchton to appoint Chrystelle Thames to the Parks and Recreation Advisory Board as Ward 6 Representative. **MOTION CARRIED UNANIMOUSLY**

Recommendation and **MOTION** made by Alderman DePriest and **SECONDED** by Alderman Brabham to appoint Sharon Greer to the Parks and Recreation Advisory Board as Ward 2 Representative. **MOTION CARRIED UNANIMOUSLY**

ADJOURN 7:25 p.m.

MOTION made by Alderman Touchton and **SECONDED** by Alderman Lott to adjourn. **MOTION CARRIED UNANIMOUSLY**

Copy of Agenda can be found on pages 897-898 of this Minute Book Z.

APPROVED: Rosemary G. Aultman December 3, 1998
Rosemary G. Aultman, Mayor Date

ATTEST: Nelson Byrd December 3, 1998
Nelson Byrd, City Clerk Date

SEAL: