

**RECESSED MEETING OF THE MAYOR AND BOARD OF ALDERMEN
MONDAY, MARCH 28, 1994 - 7 P.M.
MUNICIPAL COURTROOM - 305 MONROE STREET**

The Mayor and Board of Aldermen of the City of Clinton met in Recessed Meeting at 7 P.M., at the Municipal Courtroom, 305 Monroe Street, pursuant to a Recess Order adopted by said Mayor and Board of Aldermen at their Recessed Meeting of March 15, 1994, as found on Page 436 of this Minute Book W.

CALL TO ORDER - Mayor Rosemary Aultman

ROLL CALL - City Clerk Nelson Byrd

Present - Jehu Brabham - Alderman-at-Large
O. C. George Ferrell - Alderman Ward 1
Rodney DePriest - Alderman Ward 2
Ben Todd - Alderman Ward 3 - Arrived 7:36 p.m.
Phil Fisher - Alderman Ward 4
Herb Touchton - Alderman Ward 5
Sharbert Lott - Alderman Ward 6
Mayor Rosemary Aultman - Presiding

City Attorney Ken Dreher
City Clerk Nelson Byrd

**PUBLIC HEARING BEFORE THE MAYOR AND BOARD OF ALDERMEN FOR THE
PURPOSE OF HEARING APPEAL TO RE-ZONE 1207 NEAL STREET FROM R-2 TO
C-1 PROPERTY**

As shown by Proof of Publication found on page 440 of this Minute Book W that a public hearing would be held before the Mayor and Board of Aldermen for the purpose of determining whether or not the property at 1207 Neal Street would be re-zoned from R-2 to C-1 as requested by Som Dutt, the Mayor called said public hearing to order, stating that each person desiring to speak would be heard but comments should be limited to a maximum of three minutes and each person speaking should sign the roster as found on page 441 of this Minute Book W.

This matter was heard in public hearing before the City of Clinton Planning and Zoning Board on December 28, 1993, continued to January 25, 1994, continued to February 11, 1994, and was recommended for re-zoning to the Mayor and Board of Aldermen. Proof of Publication of the December 28, 1993, public hearing may be found on page 442 of this Minute Book W. The opponents request on March 1, 1994, to be heard before the Mayor and Board of Aldermen was satisfied by public hearing this date, March 28, 1994.

Attorney Darren LaMarca, representing Som Dutt, briefed the Board of Aldermen on the background of the re-zoning request, noting zoning changes made in the neighborhood since the effect of the Zoning Ordinance. Following this briefing, Mayor Aultman opened the floor for comments from the audience. A listing of those persons speaking both pro and con may be found on page 441 of this Minute Book W.

The majority of those persons speaking appeared to be against the re-zoning of property because they did not want opportunity to allow a liquor store to be placed in the vicinity of the Robinson Park and Holy Ghost Baptist Church. After approximately 45 minutes of discussion, Mr. LaMarca stated that Mr. Dutt is still willing to offer his compromise to the neighborhood to deed his property

to the Holy Ghost Baptist Church with the restrictive clause that if liquor is ever sold at his store then the property becomes the property of the church. Mr. Dutt's purpose in asking for the property to be re-zoned is strictly for repair and improvement purposes noting that Section 1906 of the Zoning Ordinance limits nonconforming structures to a repair of only 10% of the current replacement cost.

There being no further public comments made, said public hearing concluded at 7:45 p.m. Consensus of the Board was to honor Alderman Ferrell's request to hold voting on this matter until Tuesday, April 5, 1994. City Attorney Dreher stated that the Board, if it so desired, could vote on this matter at their upcoming Tuesday night meeting but it should be understood that the public hearing has now been concluded with tonight's public hearing and the only information that the Board can vote on if they wait until Tuesday night to vote is the evidence as was presented tonight in public hearing. NO BOARD ACTION taken.

GRUBBS PRESENTS INFORMATION ON CITY'S BONDING CAPACITY

Upon request, Demery Grubbs of Holley, Grubbs, Mitcham & Phillips Financial Advisors presented to the Board of Aldermen information they had compiled on the City's revenue/expenditure trends, long term debt obligations, bonding capacity, types of funding sources/options/and millage impact. This was for informational purposes only to assist the Board in planning and budgeting. NO BOARD ACTION taken.

ADJOURNMENT - 8:55 P.M.

No further comments to be made, said meeting adjourned at 8:55 p.m.

Copy of Notice of Meeting was properly posted on the bulletin board with copy being found on page 443 of this Minute Book W.

APPROVED: Rosemary Aultman March 30, 1994
Rosemary Aultman, Mayor Date

ATTEST: Nelson Byrd March 30, 1994
Nelson Byrd, City Clerk Date

SEAL

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

NOTICE OF
RE-ZONING HEARING
NOTICE IS HEREBY GIVEN
TO THOSE PARTIES IN IN-
TEREST THAT THERE
WILL BE A HEARING ON
MARCH 28, 1994, AT 7:00
P.M. AT THE MUNICIPAL
COURTROOM, 305 MONROE
STREET, CLINTON, MISSIS-
SIPPI, FOR THE PURPOSE
OF DETERMINING
WHETHER OR NOT THE
ZONING OF THE PROPER-
TY DESCRIBED IN THE CITY
OF CLINTON, MISSISSIPPI,
SHALL BE CHANGED
FROM R-2 TO C-1:
Commence at the intersec-
tion of the centerline of
Northside Drive and the
West line of Neal Street and
run Southerly along said
West line of Neal Street 194
feet to a pin at the NE cor-

ner of Lot 5, Sarah Dickey
Subdivision in Town of Clin-
ton, Mississippi as recorded
in Plat Book "A", Page 288,
Chancery Clerk's office.
Continue thence Southerly
along Neal Street for 62 feet
to the POINT OF BEGIN-
NING of the lot herein de-
scribed.
From the point of beginning
turn right 90 degrees 48
minutes run westerly along
a fence 125; turn thence left
89 degrees 12 minutes and
run Southerly 293 feet to an
old fence; run thence East-
erly along said fence 125
feet to a pin at the West
ROW 290 feet to the point of
beginning.
Above described lot encom-
passes all lots belonging to
Faye and Peter Russell as
described in Deed Book 2564
at Page 783 and Deed Book
1830 at Page 129, in the of-
fice of the Chancery Clerk
of Hinds County, Mississippi.
APPROVED:
/s/ Rosemary Aultman
ROSEMARY AULTMAN.

MAYOR
ATTEST:
/s/ Nelson Byrd
NELSON BYRD,
CITY CLERK
MARCH 10, 1994

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

Tim Lee

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

Date March 10, 1994
Date _____, 19____
Date _____, 19____
Date _____, 19____
Date _____, 19____

Number of Lines/Words 64/257

Published 1 Times

Total \$ 22.56

Signed Tim Lee
Authorized Clerk
of The Clinton News

Sworn to and subscribed before me the 10th day of March,
1994.

Marie Muller
Notary Public

My Commission Expires:
MY COMMISSION EXPIRES: Nov. 8, 1996.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

(SEAL)

7B

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY

PASTE PROOF HERE

NOTICE OF
RE-ZONING HEARING
Notice is hereby given to
those parties in interest that
there will be a hearing on
December 28, 1993, at 7:30
p.m., at the Municipal Court-
room, 305 Monroe Street,
Clinton, Mississippi, for the
purpose of determining
whether or not the zoning of
the following described prop-
erty located in the City Of
Clinton, Mississippi, shall be
changed from R-2 to C-1:
Commence at the intersec-
tion of the centerline of
Northside Drive and the
West line of Neal Street
and run Southerly along
said West line of Neal
Street 194 feet to a pin at
the NE corner of Lot 5,
Sarah Dickey Subdivision in
Town of Clinton, Mississippi
as recorded in Plat Book
"A", Page 288, Chancery
Clerk's Office. Continue
thence Southerly along Neal
Street for 62 feet to the
POINT OF BEGINNING of
the lot herein described.
From the point of beginning
turn right 90 degrees 48
minutes run westerly along
a fence 125 feet; turn
thence left 89 degrees 12
minutes and run Southerly
293 feet to an old fence;
run thence Easterly along
said fence 125 feet to a pin
at the West ROW of Neal
Street run thence Northerly
along said ROW 290 feet to
the point of beginning.
Above described lot en-
compasses all lots belonging
to Faye and Peter Russell
as described in Deed Book
2564 at Page 783 and Deed
Book 1830 at Page 1298, in
the office of the Chancery
Clerk of Hinds County,
Mississippi.
APPROVED: /s/ Rosemary
Aultman
ROSEMARY AULTMAN,
MAYOR
ATTEST: s Nelson Byrd
NELSON BYRD, CITY
CLERK
December 8, 1993

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

Lisa Coulonge

,
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:

Date December 8 , 19 93

Date _____ , 19 _____

Date _____ , 19 _____

Date _____ , 19 _____

Date _____ , 19 _____

Number of Lines/Words 62/265

Published 1 Times

Total \$ 23.20

Signed Lisa Coulonge

Authorized Clerk
of The Clarion-Ledger

SWORN to and subscribed before me the 8th day of December ,
19 93 .

My Commission Expires:

Sandra L. Mason
Notary Public

My Commission Expires Feb. 21, 1994

(SEAL)

ALDERMEN
O. C. George Ferrell
Ward One
Rodney W. DePriest
Ward Two
Ben L. Todd
Ward Three
Phil Fisher
Ward Four

City of Clinton Mississippi

Rosemary Aultman, Mayor

ALDERMEN
Herb Touchton
Ward Five
Sharbert K. Lott
Ward Six
Jehu Brabham
Alderman-At-Large
Nelson Byrd
City Clerk

Mailed 3-23-94

MEMO TO: Board of Aldermen
FROM: Mayor Rosemary G. Aultman *RGA*
SUBJECT: March 28, 1994 Meeting
DATE: March 23, 1994

Please be reminded that the public hearing for the Neal Street Re-zoning is Monday night, March 28, 1994, 7 p.m., in the Municipal Courtroom. The public hearing will last no longer than one hour. Immediately following the public hearing, Demery Grubbs will present the information he has compiled on the City's bonding capacity. Mr. Grubbs' presentation will take approximately 30 - 45 minutes.