CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, MAY 5, 2009 - 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 Bishop followed by the pledge of allegiance to the flag led by Alderwoman Peace.

ROLL CALL City Clerk, Russell Wall

Present:
Jehu Brabham – Alderman-at-Large
Tony Hisaw – Alderman Ward 1
Tony Greer – Alderman Ward 2
Mike Bishop – Alderman Ward 3
Kathy Peace – Alderwoman Ward 4
Mike Morgan – Alderman Ward 5
William Barnett – Alderman Ward 6

APPROVAL OF CONSENT AGENDA ITEMS A-Q

MOTION made by Alderman Brabham and **SECONDED** by Alderman Greer to approve the Consent Agenda Items A-Q. Items C and D will serve to advertise favorably the opportunities, possibilities and resources of the City of Clinton. **MOTION CARRIED UNANIMOUSLY**

DIMENSIONAL VARIANCE – 489 SPRINGRIDGE ROAD – MISSISSIPPI SCHOOL BOARDS ASSOCIATION

Upon presentation by Jerry Bounds, Director of Community Development, **MOTION** made by Alderman Barnett and **SECONDED** by Alderwoman Peace the board approved a resolution approving a dimensional variance to the Mississippi School Boards Association to build an addition allowing a five (5) foot side set back located on 489 Springridge Road in the City of Clinton, Mississippi. The Architectural review and the Planning and Zoning Commission recommended approval. The resolution is on file with the City Clerk. **MOTION CARRIED UNANIMOUSLY**

FIELD IMPROVEMENTS – CLINTON HIGH SCHOOL – BASEBALL FIELD

Upon presentation by Jerry Bounds, Director of Community Development, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Bishop the board approved field improvements to be made to the Clinton High School Baseball field. The Architectural Review and the Planning and Zoning Commission recommended approval. **MOTION CARRIED UNANIMOUSLY**

PRELIMINARY SITE PLAN – 399 CLINTON PARKWAY – DANNY NIOLET

Upon presentation by Jerry Bounds, Director of Community Development, **MOTION** made by Alderwoman Peace and **SECONDED** by Alderman Morgan the board approved the preliminary site plan for a new building to be located at 399 Clinton Parkway to be built by Danny Niolet. The Architectural Review and the Planning and Zoning Commission recommended approval. The site plan is on file with the Community Development Department. **MOTION CARRIED UNANIMOUSLY**

SIGN PERMIT – 104 W LEAKE STREET – PETRA CAFE

Upon presentation by Jerry Bounds, Director of Community Development, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Brabham the board approved a sign permit to the Petra Café located at 104 W Leake Street. A copy of the permit is on file with the Community Development Department. **MOTION CARRIED UNANIMOUSLY**

ACCEPTANCE OF A DONATION FROM THE CLINTON GIRLS SOFTBALL ASSOCIATION IN THE AMOUNT OF $1,200.00 FOR A PAYMENT OF HALF OF THE COST OF A TEMPORARY "HOME RUN" FENCE FOR SOFTBALL

Upon presentation by Ray Holloway, Director of Parks and Recreation, **MOTION** made by Alderman Bishop and **SECONDED** by Alderman Greer the board accepted a donation from the Clinton Girls Softball Association in the amount of $1,200.00 for a payment of half of the cost of a temporary "Home Run" fence for softball. **MOTION CARRIED UNANIMOUSLY**

ACCEPTANCE OF A DONATION FROM THE CLINTON GIRLS SOFTBALL ASSOCIATION IN THE AMOUNT OF $1,850.00 FOR LAZER GRADING FOR FIELDS 1 AND 3

Upon presentation by Ray Holloway, Director of Parks and Recreation, **MOTION** made by Alderwoman Peace and **SECONDED** by Alderman Brabham the board accepted a donation from the Clinton Girls Softball Association in the amount of $1,850.00 for lazer grading for fields 1 and 3. **MOTION CARRIED UNANIMOUSLY**

APPROVE AUTHORIZING THE MAYOR TO REQUEST AUTHORIZATION FOR THE CITY OF CLINTON BRIDGE REPLACEMENT PROGRAM PROJECT FROM MDOT

Upon presentation by Richard Broome, City Engineer, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Barnett the board approved authorizing the Mayor to request authorization for the City of Clinton Bridge Replacement Program Project from MDOT. **MOTION CARRIED UNANIMOUSLY**

APPROVE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN THE MISSISSIPPI TRANSPORTATION COMMISSION AND THE CITY OF CLINTON, MISSISSIPPI UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT

Upon presentation by Richard Broome, City Engineer, **MOTION** made by Alderman Bishop and **SECONDED** by Alderwoman Peace the board approved authorizing the Mayor to enter into a memorandum of agreement between the Mississippi Transportation Commission and the City of Clinton, Mississippi under the American Recovery and Reinvestment Act. **MOTION CARRIED UNANIMOUSLY**

APPROVE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF CLINTON AND WILLIFORD, GEARHART & KNIGHT, INC. FOR THE 2008 STATE REVOLVING FUND (SRF) FACILITIES PLAN UPDATE (SEWER) PROJECT

Upon presentation by Richard Broome, City Engineer, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Morgan the board approved an amendment to the Professional Services Agreement between the City of Clinton and Williford, Gearhart & Knight, Inc. for the 2008 State Revolving Fund (SRF) Facilities Plan Update (Sewer) Project. **MOTION CARRIED UNANIMOUSLY**

ADJOURN 7:22 P.M.

MOTION made by Alderman Brabham and **SECONDED** by Alderman Barnett to adjourn until the next regular meeting of the Mayor and Board of Aldermen to be held on May 19, 2009 at 7:00 pm. **MOTION CARRIED UNANIMOUSLY**

APPROVED: ______________________ May 6, 2009
Rosemary Aultman, Mayor Date

ATTEST: ______________________ May 6, 2009
Russell L. Wall, City Clerk Date

CITY OF CLINTON OFFICIAL SEAL MISSISSIPPI

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: May 5, 2009 AGENDA ITEM NO. 7A

CONSENT AGENDA:

TO:
FOR:
ACCT. NO :

DISCUSSION/ACTION: Resolution for approving a dimensional variance to MS School Boards Association for building a file room addition, 489 Springridge Road

INTRODUCED BY: Jerry Bounds TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes	Invoice	Other: ______
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION: Architectural Review and Planning and Zoning Commission recommend approval

BOARD ACTION:

MOTION MADE BY: Barnett

SECONDED BY: Peace

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

RESOLUTION APPROVING A DIMENSIONAL VARIANCE TO MISSISSIPPI SCHOOL BOARDS ASSOCIATION TO BUILD AN ADDITION ALLOWING A 5 FOOT SIDE SET BACK LOCATED ON 489 SPRINGRIDGE ROAD, CLINTON, MISSISSIPPI

WHEREAS, Mississippi School Boards Association, did file a request for a dimensional variance for the property located on 489 Springridge Road to build an addition to their existing building allowing a 5 foot side set back; and

WHEREAS, the Planning and Zoning Commission upon conclusion of the public hearing on April 28, 2009 adopted a motion to approve the request of Mississippi School Boards Association for a dimensional variance of the property to build an addition to their existing building which will allow a 5 foot side set back, that the motion be forwarded to the next meeting of the Mayor and Board of Aldermen for their consideration.

WHEREAS, the Mayor and Board of Aldermen are fully familiar with the request and the area involved in the request; and

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi that the request of the Mississippi School Boards Association for the property on 489 Springridge Road to build an addition to their present building which will encroach on the 10 foot side set back by 5 feet and hereby granted and such action is taken pursuant to the findings of fact set out as follows:

1. The Mayor and board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinance.
2. The recommendation of the Planning and Zoning commission is advisory in nature.
3. The Mayor and Board of Aldermen have knowledge of the area involved and are aware of the need for the dimensional variance.
4. The requested designation meets the definition of a Dimensional Variance of the Zoning Ordinance.
5. The Dimensional Variance will promote the general welfare of the City of Clinton and will not adversely affect adjacent property. Future projects within the designation area will remain subject to the Zoning Ordinance and approval of site plans or other matter will allow the City to continue to monitor the area.
6. The Mayor and Board of Aldermen find that Section 2404 of the City of Clinton Zoning Ordinances have been complied with and that the requirements of Section 2404 of the City of Clinton Zoning Ordinances are satisfied based upon the presentation of the applicants

and the site plan presented to the Planning Commission and to the Mayor and Board of Aldermen.

7. The granting of this dimensional variance does not relieve the requestor from compliance with any applicable law, court order, covenants or contracts.

The foregoing Resolution, having been reduced to writing, Alderman BARNETT moved that said Resolution be adopted. Alder~~man~~ WOMAN PEACE seconded. The vote was as follows:

Alderman Brabham voted:	AYE
Alderman Hisaw voted:	AYE
Alderman Greer voted:	AYE
Alderman Bishop voted:	AYE
Alderman Peace voted:	AYE
Alderman Morgan voted:	AYE
Alderman Barnett voted:	AYE

Whereupon the Mayor declared the Motion carried and the resolution approved and adopted. The foregoing resolution was approved this the 5th day of MAY 2009.

CITY OF CLINTON

BY: Rosemary D. Aultman

Rosemary Aultman, Mayor

ATTEST:

Russell Wall

Russell Wall, City Clerk

(SEAL)

Mississippi School Boards Association

P.O. Box 203 / Clinton, Mississippi 39060
(601) 924-2001 / Fax: (601) 924-2003 / Toll Free: 1-888-367-6722
www.msbaonline.org

March 16, 2009

Mr. J. B. Bounds
Community Development
City of Clinton

RE: Mississippi School Boards Association
File Room Addition

Dear Mr. Bounds:

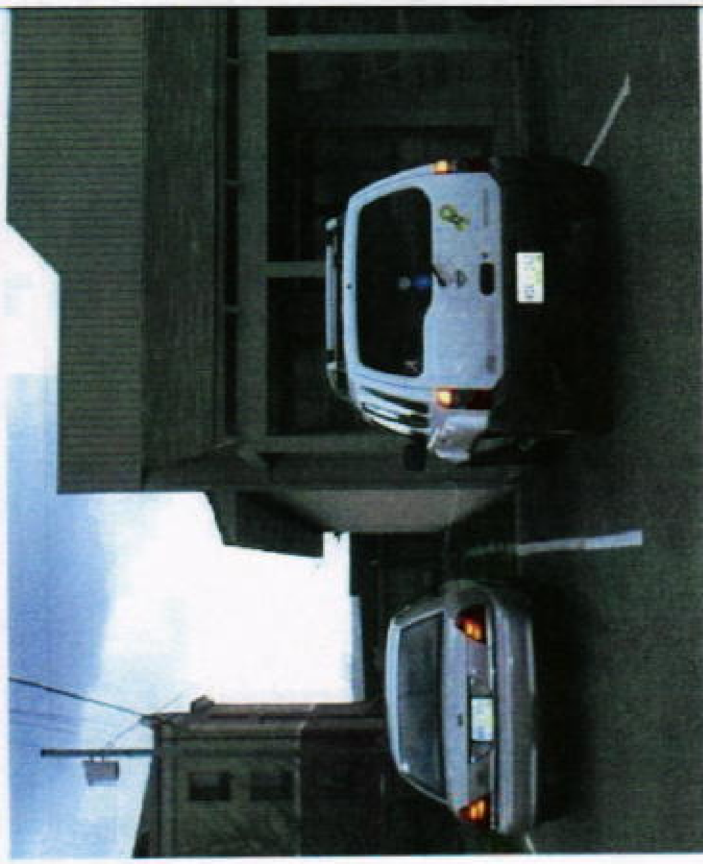
Please accept this letter as our request for dimensional variance with regard to the file room we hope to build. Apparently our building was constructed when the "set back" requirement was less than 10 feet, so the slab which we hope to build upon was laid at that time and is also less than 10 feet from the property line.

If you need any other information, please call me at 601-924-2001.

Sincerely,

Darla J. Warren

Darla J. Warren
Business Manager



City of Clinton
Mississippi
Community Development

April 3, 2009

Mrs. Darla Warren
P.O. Box 203
Clinton, MS 39060

Mrs. Warren:

I have received your application for a dimensional variance to construct a file room on the south east corner of your building. During the processing of your application there are two meetings that you or your representative must attend. The Planning and Zoning Committee meeting, which will be on April 28, 2009 and the Mayor and Board of Alderman meeting which will be on May 5, 2009. Both of these meetings will be held at the Clinton Police Department located at 305 Monroe Street, beginning at 7:00 pm.

If I can be of any further assistance, I can be reached at (601) 924-2256.

Sincerely,

JB

Jerry "J.B."Bounds

P.O. Box 156 • 202 W. Leake St. • Clinton, MS 39060 • (601) 924-2256 • Fax (601) 924-0837

PLANNING AND ZONING COMMISSION
Clinton, MS
Tuesday April 28, 2009
7:00 p.m.
Municipal Courtroom
305 Monroe Street

Minutes by Cassie Cutrer, Assistant

Commission Members Present: Bettye King, Pat Smith, Nancy Davis, Jim Martin, Mark Williams

City Officials Present: Ken Dreher, City Attorney, Jerry Bounds, Director

I. Call to Order

The meeting was called to order at 7:00 p.m. by Jim Martin.

II. Consideration and Approval of March 24, 2009 Minutes

MOTION made by Bettye King to approve the March 24, 2009 minutes as written. SECOND by Nancy Davis. MOTION carried UNANIMOUSLY, NONE opposed

III. New Considerations

A. Dimensional Variance: MS School Boards Association, 489 Springridge Road

Rep: Darla Warren

Jerry Bounds explained that the City requires 10 foot set backs from the property line for zone C-2. The MSSBA is requesting a dimensional variance for a set back of 5 feet in order to build a filing room attached to their current office. The plans show that they will be using hardi-board material for the walls and a metal roof. The addition will only be used for filing. Painting swatches were shown to the board for roof and walls.

Darla Warren commented that they bought the building as it stands today. It was first used as an exercise facility, then a factory for knitting socks she believed. The slab was there with the building when purchased. MSSBA wants to make use of the slab now which is 10 by 20 feet—adequate size for file cabinets and the intended storage.

Jim Martin asked if there would be separate heating and cooling and if there would be exit doors.

Darla Warren answered that yes, there were doors leading into the area and out. Vents would be placed from the current building into the storage area. She stated that no walls would need to be moved as there was plenty of space to move things as the doors are very large.

Jerry Bounds added that there is also a door on the outside of the storage addition.

Darla Warren affirmed that there were two exit doors, one leading to the slab (from the current building) and one just beyond the slab (from the current building).

Bettye King asked what the actual address would be. She asked what was adjacent to the current building.

Darla Warren stated that nothing was in front of the building as it faced the freeway. Darla Warren explained that MSSBA sold Hampton Inn (located on east side of the MSSBA building) some of their land which Hampton Inn used for their parking lot. Holiday Inn faces the back of the building.

Mark Williams asked if there was a fence.

Darla Warren said that, yes, there was a fence on the rear and where the Cyprus trees separate them on the east side.

Bettye King asked if they had another location. Darla Warren said no.

Jim Martin asked if the fence was at the original property line.

Darla Warren said yes.

Jim Martin asked if anyone had spoken to the Holiday Inn about the set back. addition.

Darla Warren said no.

Jim Martin said he was concerned about the neighbor's (Holiday Inn) feelings on this. He would have liked to have had a response from the Holiday Inn and suggested that if the dimensional variance is approved, someone from MSSBA take a step to talk to the Holiday Inn so they could report to the Mayor and Board if needed.

Darla Warren affirmed that she would do so.

Mark Williams asked what the height of the building was.

Jerry Bounds said it was right under the eve of the existing building and showed the drawings.

A PUBLIC HEARING was held. A lady asked if she was correct in understanding the addition would back up to the parking lot of the Holiday Inn rather than the hotel itself. Darla Warren affirmed that this was correct.

MOTION made by Jim Martin to recommend approval of the dimensional variance and storage addition plans as submitted with the condition that the applicant be required to inform the Holiday Inn Express and Hampton Inn of their plans. SECOND by Bettye King. MOTION carried UNANIMOUSLY, NONE opposed.

B. Sign Permit: Petra Café, 104 W Leake Street

Jerry Bounds explained that Ayman Al-Bataineh was moving his restaurant from Ridgeland and wants to use the same sign from his former location in Ridgeland. He already has the base of sign hanging where he wants it to go. The commission members looked at their pictures they had been given earlier of the sign. Jerry Bounds explained that Ayman Al-Bataineh's intention was to take down all temporary signs as soon as the permanent sign is approved.

Jim Martin asked if the sign adheres to the required deminsions.

Jerry Bounds said he is allowed 26 feet and the sign is only 18 feet.

Ayman Al-Bataineh commented that he would like a nice sign that would give good light (for people to see clearly).

Jim Martin asked if he would take the temporary signs down.

Bettye Kings asked if the new sign would be hung on the front porch on the roofline.

Ayman Al-Bataineh answered yes.

Bettye King asked if there would be only one sign.
Ayman Al-Bataineh answered yes.
Jim Martin explained their questions of number of signs because the two together would be too big.

A PUBLIC HEARING was held and no comments were voiced.

MOTION was made by Mark Williams to recommend to the Mayor and Board of Alderman that the sign permit be approved. SECOND made by Nancy Davis. MOTION carried UNANIMOUSLY, NONE opposed.

C. Clinton High School Baseball Field Improvements
Representatives: Bo Barksdale and Paul Baggett

Jerry Bounds stated that CHS would be removing the existing dugouts and replacing them with new ones, building a concession stand, and several other structures as shown on the plans (the committee members each had a copy of these plans). All the red color of the football stadium would be used on the tin roof. The site plan review was okay with all of these.

Bo Barksdale and Paul Baggett stated they were excited to be doing this (project) and that Clinton High School as one of the nicer baseball playing fields in the state, but the facilities are old. The baseball complex will complete the baseball field. Barksdale said they are adding new restroom facilities, grandstands, 500 plus seating, new sunk in dugouts, new back stop with netting, and a brand new locker room facility. They have never had a locker room for the baseball players. They would also be adding a covered batting cage. Seating now is a little over 200. Most like to sit on the grass and hill.

Jim Martin commented that the plans looked nice.

PUBLIC HEARING was held and no comments were made.

MOTION made by Bettye King to recommend to the Mayor and Board of Aldermen to approve the Clinton High School Baseball Field Improvements as submitted in the plans. SECOND by Pat Smith. MOTION carried UNANIMOUSLY, NONE opposed.

D. Site Plan for Danny Niolett: 399 Clinton Parkway

Jerry Bounds stated that the existing office of Dr. Niolet would be leased to an oral surgeon. He showed the committee plans of the present office and location of the plans for the new office. Jerry Bounds stated that Dr. Niolet's new office would be set 51 feet from residential area. The rest of the building is within required set backs. He is required to have 9 spaces for parking, which he has. He is moving because he needs smaller space. Siding will look pretty much like the old building with the same colors.

Bettye King asked if the new building was behind the old building.

Danny Niolet said the new building was to the side of the old, between the railway pass and existing building. The floor elevation would be two feet lower because of elevation changes in the land. The roof tops will be approximately 2 feet lower as well. The roofs would use the same type of shingles with the only difference being they would Hip? The other materials would be the same as well: hardiboard siding, lap siding, conventional foundation with brick underneath.

Nancy Davis commented that the present dental office is beautiful.

Jerry Bounds explained that the land joined the Clinton Parkway.
Jim Martin asked what the square footing was.
Danny Niolet stated it was just under 3,000.
Jerry Bounds said it was exactly 2,880 square feet.
Jim Martin asked how those numbers compared with the present building.
Bettye King asked if he practiced general dentistry.
Danny Niolet said yes.
Nancy Davis asked where his other practice was.
Danny Niolet stated he works two days a week in Long Beach.

A PUBLIC HEARING was held and no comments were made.

MOTION by Nancy Davis to recommend to the Mayor and Board of Aldermen to approve the plans for Danny Niolet as submitted. SECOND by Bettye King. MOTION carried UNANIMOUSLY, NONE opposed.

IV. Other Business

V. Next Meeting

The next meeting will be held on May 26, 2009, at 7:00 p.m. in the Municipal Courtroom.

VI. Adjournment

MOTION made by Bettye King to adjourn the April 24, 2009 Planning and Zoning Commission meeting. SECOND by Pat Smith. MOTION carried UNANIMOUSLY, NONE opposed.

The meeting was adjourned at 7:28 p.m.

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: May 5, 2009 AGENDA ITEM NO. 7 B

CONSENT AGENDA:

TO:
FOR:
ACCT. NO :

DISCUSSION/ACTION: Approval of Clinton High School Baseball Field Improvements

INTRODUCED BY: Jerry Bounds TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes	Invoice	Other: ______
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION: Architectural Review and Planning and Zoning Commission recommend approval.

BOARD ACTION:

MOTION MADE BY: Brabham

SECONDED BY: Bishop

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

City of Clinton
Mississippi
Community Development

April 6, 2009

Mr. Larry Bishop
3760 I-55 North
Suite 200
Jackson, MS 39211-6323

RE: Clinton High School
Baseball Field Improvements

Mr. Bishop:

Thank you for your prompt attention in furnishing the information I requested for baseball improvements. We are processing the information now. There are two meetings that you or your representative must attend. These meetings are Planning and Zoning on April 28, 2009, and The Mayor and Board of Alderman on May 5, 2009. Both meetings will be held in the Police Department located at 305 Monroe Street starting at 7:00 pm.

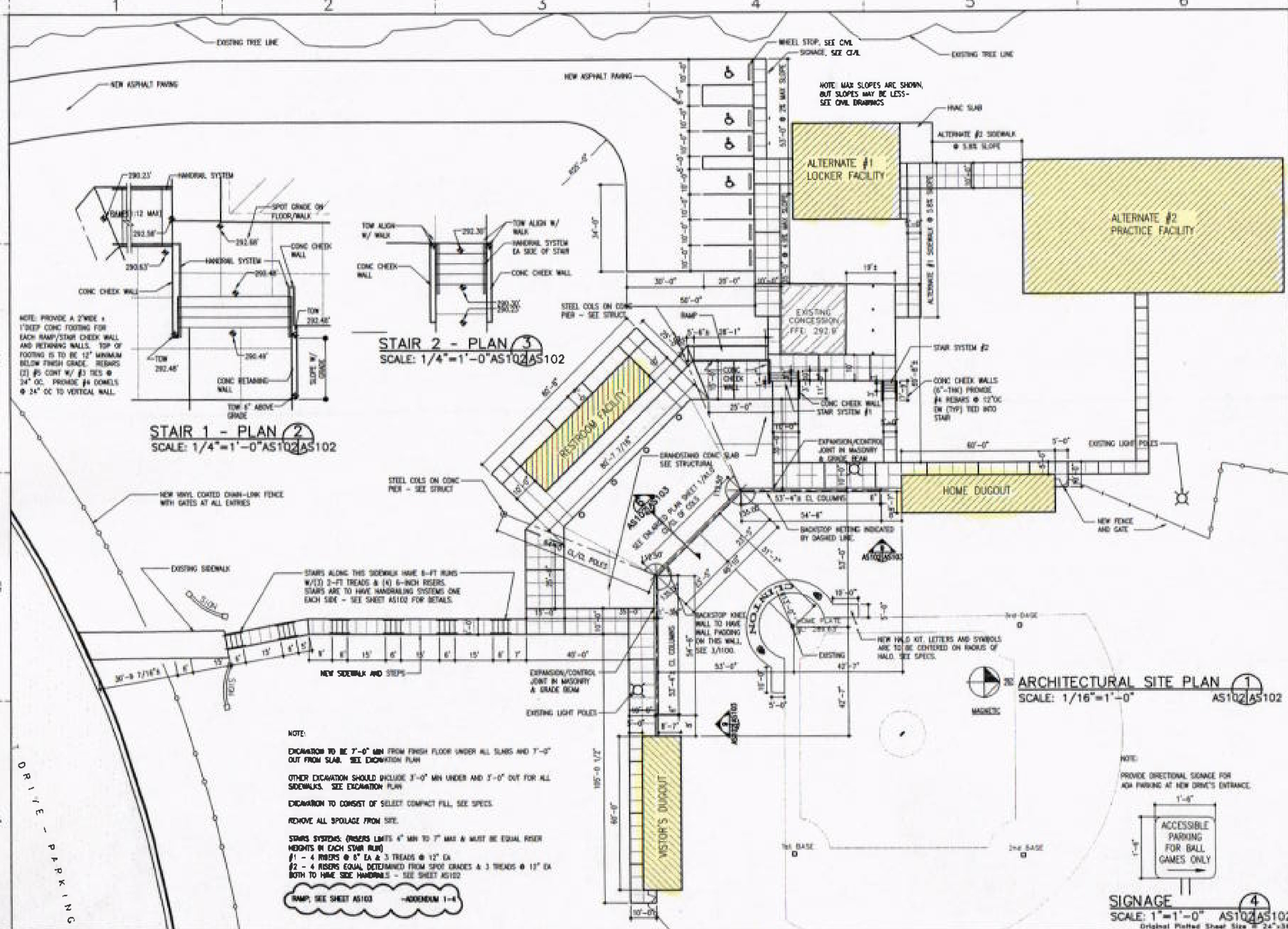
If I can be of any further assistance, I can be reached at (601) 924-2256.

Sincerely,

Jerry " J.B."Bounds


BASEBALL


HOME OF THE
CLINTON ARROWS



©2008

JH&H Architects Planners Interiors P.A.
3760 I-55 North Suite 200
Jackson, MS 39211-6323

Revisions	1 ADD. 02/26/09
	2
	3
	4

These drawings are the property of the architect and are not to be used on other projects or extensions except by agreement in writing with the architect.

Project Architect: JLB
Project Number: 08101A
Date: 11/25/08
Drawn by: LMF
Checked by: JLB

Project
CLINTON HIGH SCHOOL
BASEBALL STADIUM IMPROVEMENTS
CLINTON, MS

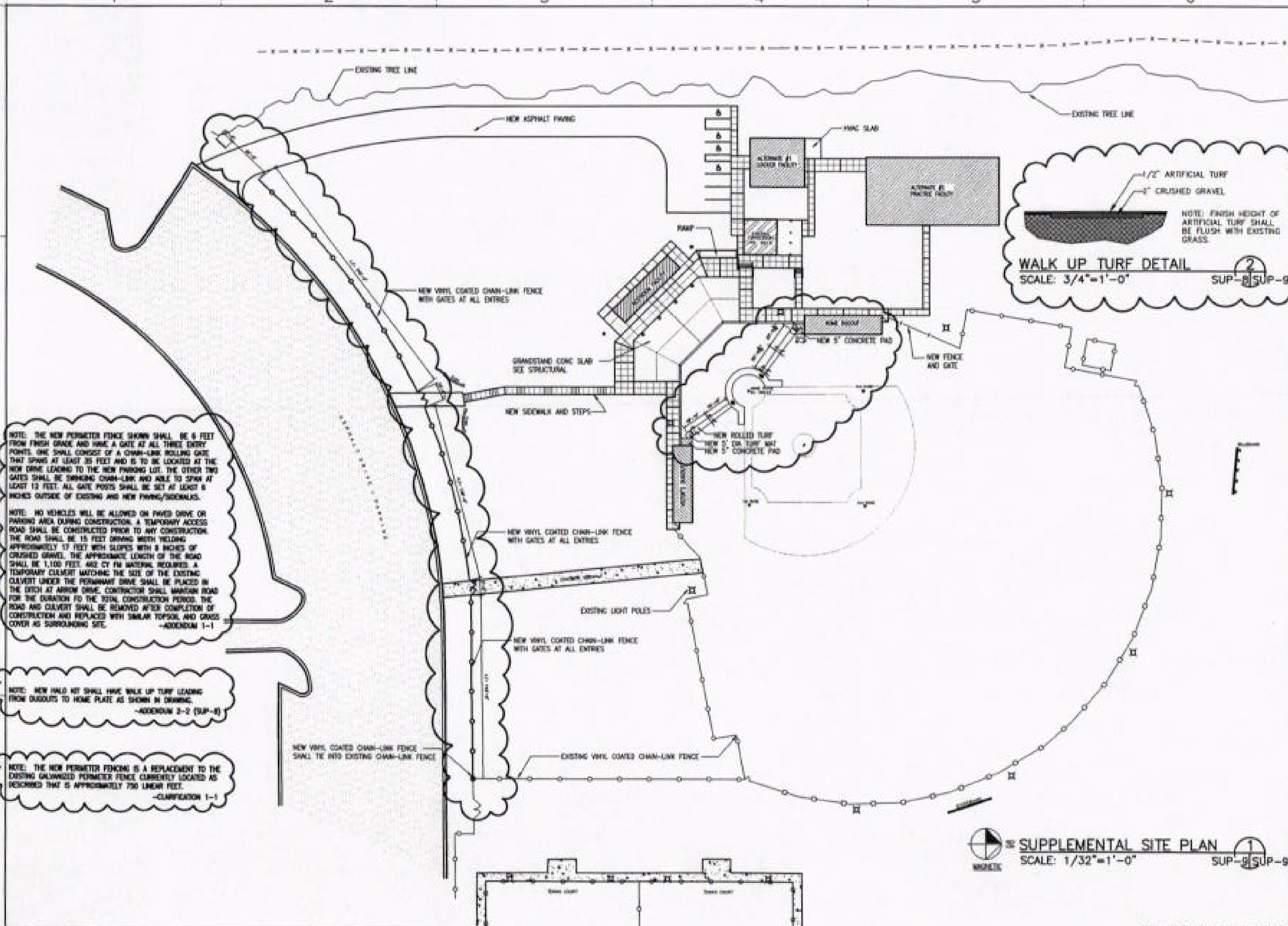
Seal

Sheet Title
ARCHITECTURAL SITE & SIDEWALK PLAN

ANNOTATED CONSTRUCTION SET

Sheet Number of

AS102



JH & H
professional association

©2008

JH&H Architects
Planners Interiors P.A.
3760 I-55 North Suite 200
Jackson, MS 39211-6323

Revisions: 1. ANNO. 02/24/09

These drawings are the property of the architect and are not to be used on other projects or extensions except by agreement in writing with the architect.

Project Architect: JLB
Project Number: 08101A
Date: 11/25/08
Drawn by: LMF
Checked by: JLB

Project
CLINTON HIGH SCHOOL
BASEBALL STADIUM IMPROVEMENTS
CLINTON, MS

Seal

Sheet Title
SUPPLEMENTAL SITE PLAN

ANNOTATED CONSTRUCTION SET

Sheet Number of

SUP-9

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: May 5, 2009 AGENDA ITEM NO. 7C

CONSENT AGENDA:

TO:
FOR:
ACCT. NO :

DISCUSSION/ACTION: Preliminary Site Plan, Danny Niolet, 399 Clinton Parkway

INTRODUCED BY: Jerry Bounds TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes	Invoice	Other: ______
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION: Architectural Review and Planning and Zoning Commission recommend approval.

BOARD ACTION: MOTION MADE BY: Peace

SECONDED BY: Morgan

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

April 13, 2009

Jerry Bounds
City of Clinton
Planning and Zoning Dept.
200 W. Leake St.
Clinton, MS 39056

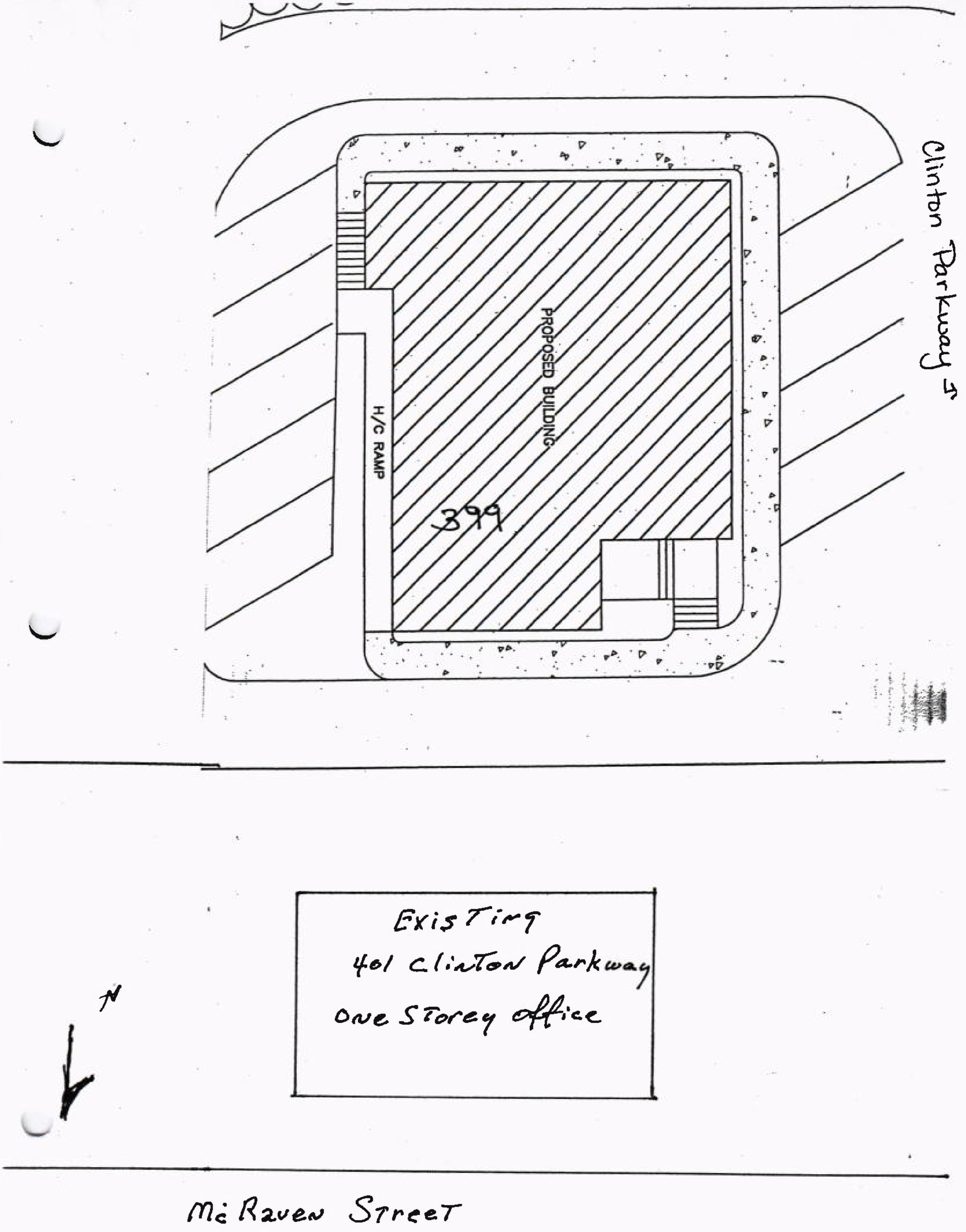
Dear Mr. Bounds:

It is my intention to build a building adjacent to my existing building located at 401 Clinton Parkway. It will be approximately 2880 square feet under roof with approximately 2600 square feet heated and cooled. It will be similar in appearance to the existing building which is Parkway Dental of Clinton.

Sincerely,

Danny Niolet

Danny Niolet, D.M.D., P.A.


Clinton Parkway
PROPOSED BUILDING
H/C RAMP
399
Existing
401 Clinton Parkway
One Storey office
N
Mc Raven Street

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: May 5, 2009 AGENDA ITEM NO. 7D

CONSENT AGENDA:

TO:
FOR:
ACCT. NO :

DISCUSSION/ACTION: Acceptance of Petra Café Sign Permit, 104 W. Leake Street, Ayman Al-Bataineh

INTRODUCED BY: Jerry Bounds TELEPHONE: 924-2256

EXHIBITS FOR REVIEW:

Minutes	Invoice	Other: ______
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION: Historical Preservation Committee, Architectural Review Committee, and Planning and Zoning Commission recommend approval

BOARD ACTION: MOTION MADE BY: Greer

SECONDED BY: Brabham

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

City of Clinton
Mississippi
Community Development

April 3, 2009

Mr. Ayman Al-Bataineh
104 W. Leake St.
Clinton, MS 39060

Mr. Al-Bataineh:

I have received your request to place a sigh at 104 W. Leake St. Your request is being processed. During the processing of your request there are two meetings that you or your representative must attend. The Planning and Zoning Committee meeting, which will be on April 28, 2009 and the Mayor and Board of Alderman meeting which will be on May 5, 2009. Both of these meetings will be held at the Clinton Police Department located at 305 Monroe Street, beginning at 7:00 pm.

If I can be of any further assistance, I can be reached at (601) 924-2256.

Sincerely,

Jerry "J.B."Bounds

P.O. Box 156 • 202 W. Leake St. • Clinton, MS 39060 • (601) 924-2256 • Fax (601) 924-0837

CITY OF CLINTON
Department of Community Development

Sign Permit Application

Date: 18-3-2009

Name of Applicant: AYMAN ALBATAINH
Contact:
Address: w Leake ST. 104

Phone # 601 573 8535

Contact Signature:

Property Owner: MaT wiggins
Address:

Phone:

Sign Contractor:
Address:

Phone:

Location of Sign
SAME

Zoning District:

Type of Sign: ✓ Wall ___ Ground Mounted

Sign Dimensions

Wall:
Height: 2F Width: 9F
Total Sq. Ft. 18F
Ground Mounted:
Height: Width:
Total Sq. Ft.

Lineal Ft. of building or space to be leased: 52

Contract Cost: 2800
Permit Cost:
Received by:

PLEASE ATTACH RENDERING OF SIGN TO APPLICATION

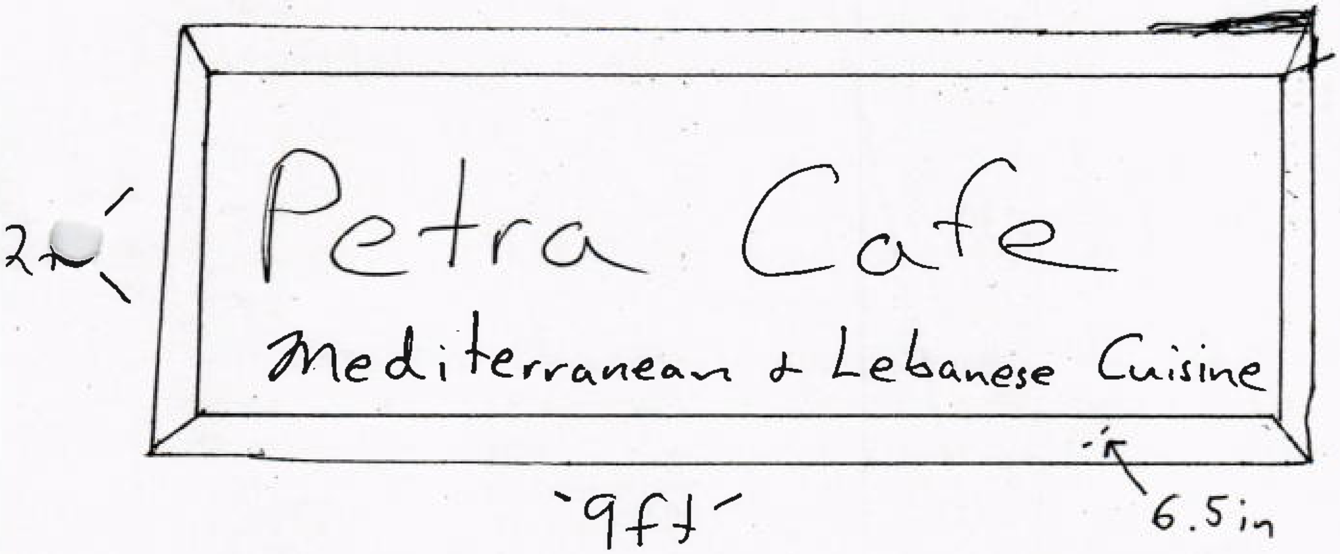
Sign is: APPROVED ________ (Date) DENIED: ________ (Date) BY: ________

Reason for Denial:

Office: 601-924-2256 *Fax: 601-924-0837* *P.O. Box 156* *Clinton, MS 39056*

tRA cafe

Lighting Sign



925.0016


PETRA CAFE
MEDITERRANEAN LEBANESE CUISINE


PETRA CAFE
MEDITERRANEAN LEBANESE CUISINE

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: 05/04/09 AGENDA ITEM NO. 8

CONSENT AGENDA: TO:

FOR:

ACCT. NO.

DISCUSSION/ACTION: Acceptance of Donation from Clinton Girls Softball Association in the amount of $1,200.00 for payment of half the temporary "home run" fence for softball.

INTRODUCED BY: **TELEPHONE:**

EXHIBITS FOR REVIEW:

Minutes ____ Invoice ____ Other ____
Ordinance ____ Plans, Maps ____
Resolution ____ Contract ____

RECOMMENDATION:

BOARD ACTION: MOTION MADE BY: Bishop

SECONDED BY: Greer

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: 05/04/09 AGENDA ITEM NO. 9

CONSENT AGENDA: TO:

FOR:

ACCT. NO.

DISCUSSION/ACTION: Acceptance of Donation from Clinton Girls Softball Association in the amount of $1,850.00 for lazer grading for fields 1 & 3.

INTRODUCED BY: TELEPHONE:

EXHIBITS FOR REVIEW:

Minutes ______ Invoice ______ Other ______
Ordinance ______ Plans, Maps ______
Resolution ______ Contract ______

RECOMMENDATION:

BOARD ACTION: MOTION MADE BY: Peace

SECONDED BY: Brabham

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: May 5, 2009 AGENDA ITEM NO. 10

CONSENT AGENDA: TO:

FOR:

ACCT. NO.

DISCUSSION/ACTION: Authorization for the Mayor to request authorization for the City of Clinton Bridge Replacement Program project from MDOT.

INTRODUCED BY: Richard L. Broome, City Engineer TELEPHONE: 601-925-6102

EXHIBITS FOR REVIEW:

Minutes	Invoice	Other:
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION:

BOARD ACTION: MOTION MADE BY: Greer

SECONDED BY: Barnett

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: May 5, 2009 AGENDA ITEM NO. 11

CONSENT AGENDA: TO:

FOR:

ACCT. NO.

DISCUSSION/ACTION: Authority for the Mayor to enter into Memorandum of Agreement

INTRODUCED BY: Richard L. Broome, City Engineer TELEPHONE: 601-925-6102

EXHIBITS FOR REVIEW:

Minutes	Invoice	Other:
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION:

BOARD ACTION: MOTION MADE BY: Bishop

SECONDED BY: Peace

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

MEMORANDUM OF AGREEMENT
BETWEEN THE MISSISSIPPI TRANSPORTATION COMMISSION
AND THE CITY OF CLINTON, MISSISSIPPI
UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT

Replacement of 4 Bridges
Kickapoo Road over Bogue Chitto Creek (197)
Clinton Tinnon Road over Fence Creek (200)
Magnolia Road over Branch Bogue Chitto Creek (408)
McRaven Road over Smith Creek (164)

BR-0025-00(033)/105586 Hinds County

This Agreement is made between the Mississippi Transportation Commission ("the Commission"), a body corporate of the State of Mississippi, acting by and through the duly authorized Executive Director of the Mississippi Department of Transportation ("MDOT") and the City of Clinton, a municipal corporation of the State of Mississippi, (the "City"), under authority granted under the provisions of Miss. Code Ann. Sections 65-1-8, 65-1-27, 65-1-81, and 65-1-83, effective as of the date of the last execution below.

WHEREAS, the Commission and the City have a mutual obligation to provide a safe and efficient transportation system for the benefit of the citizens of the State of Mississippi and other travelers; and

WHEREAS, the United States of America recently enacted the American Recovery and Reinvestment Act ("ARRA"), through which it has made certain funds available to the Commission, to be administered through the Federal Highway Administration; and

WHEREAS, the Commission has broad authority under the above-cited statutes to enter into agreements in order to obtain funds from the United States of America; and

WHEREAS, the City has a number of bridges which it desires to replace in an expedited fashion (the "Project"), and the Commission has agreed to commit $1,500,000.00 of its ARRA funds to further the replacement of these bridges; and

WHEREAS, the City is willing to, at its own expense, acquire any necessary of right-of-way, relocate all utilities where necessary, and advertise and let the contract or contracts to construct the Project; and

WHEREAS, the Commission has agreed to conduct all necessary environmental studies, and to design the Project; and

WHEREAS, FHWA has conditioned allocation of the ARRA funds on the Commission's agreement to undertaking the responsibility for contract engineering and inspection on the Project; and

WHEREAS, the City is willing to appoint MDOT its agent for performing the construction engineering and inspection on the Project; and

WHEREAS, the Commission and the City desire to enter into an agreement setting out their mutual obligations, through which the Project can be completed in the most expeditious manner possible; and

WHEREAS, the Commission authorized execution of this Agreement at its regular meeting of April 14, 2009; and

WHEREAS, the City authorized execution of this Agreement on May 5, 2009.

NOW, THEREFORE, for and in consideration of the premises and agreements of the parties as hereinafter contained, the Commission and the City mutually agree to the following:

ARTICLE I

DUTIES AND RESPONSIBILITIES FOR EACH PARTY

A. IN CONDUCTING ACTIVITIES THE CITY WILL:

1. Agree to allow all employees, agents, and contractors of the Commission and MDOT access to its property as necessary to conduct the environmental studies, planning, contract engineering, and inspection on the Project.

2. Designate a full time employee of the City as the Project Liaison, who will serve as the person of contract for the City and will have the responsible charge of signing documents including, but not limited to, construction documents, estimates, and supplemental agreements, and will coordinate with the appropriate officials within MDOT and its construction engineering and inspection consultant, if any.

3. Relocate at the City's expense all utilities as required to construct the Project.

4. Acquire, at the City's expense, any additional right-of-way or other property right necessary to construct the Project.

5. Advertise the construction phase of the Project, select the contractor or contractors, and award the necessary contract or contracts, all following the procedures set out in the Project Development Manual for Local Public Agencies ("PDM").

6. Designate MDOT as its agent for inspection and construction engineering, and authorize the Commission to enter into, on the City's behalf, any Engineering Services

Master Agreement, Scope of Work, or Work Assignment executed between the Commission, in its own name, and any consultant retained to perform work on the Project.

7. In the event that the Commission is unable to procure One Hundred Percent (100%) funding from FHWA for the entire Project, provide any necessary local matching funds for all costs of the Project including, but not limited to, all cost overruns or supplementary costs.

8. Be responsible for the maintenance of the Project during all phases of work.

9. Promptly pay all contractors monies due them within thirty (30) days of submittal of an invoice.

10. Provide an invoice to the Commission reflecting funds actually paid out in furtherance of the Project, on a form acceptable to MDOT, along with any documentation requested by MDOT.

11. At the point the contractor is released from maintenance, assume all responsibility for permanently maintaining the bridges.

12. Perform, at the City's sole expense, any work ancillary to the Project which the City feels is called for but which is not a part of the bridge replacement. The City may, at its election, negotiate such additional work with the contractor awarded the Project, so long as this work does not delay completion of the Project, or interfere with the contractor's operations.

13. All contracts and subcontracts shall include a provision for compliance with Senate Bill 2988 from the 2008 Session of the Mississippi Legislature entitled "The Mississippi Employment Protection Act," as published in the General Laws of 2008 and codified in the Mississippi Code of 1972, as amended, and any rules or regulations promulgated by the Commission or other state agency in accordance with the Mississippi Administrative Procedures Law regarding compliance with the Act. Under this Act, the City and every sub-recipient or subcontractor shall register with and participate in a federal work authorization program operated by the United States Department of Homeland Security to electronically verify information of newly hired employees pursuant to the Immigration Reform and Control Act of 1986, Pub.L. 99-603, 100 Stat. 3359, as amended.

14. Retain all financial documentation for a minimum period of five (5) years after completion of the Project, and provide any assistance requested by the Commission to respond to any audit by the State of Mississippi, the United States of America, MDOT's internal auditors, or any other agency whatsoever.

B. THE COMMISSION WILL:

1. Take all necessary steps to request funding from FHWA under ARRA or other applicable Federal program to finance all or part of the Project.

2. Perform all necessary environmental studies, design the Project, and cooperate with the City and its agents, employees, and contractors to successfully complete all phases of work on the Project.

3. Under the requirements of FHWA for receiving ARRA funds, act as the City's agent to perform the construction engineering, inspection, and reporting on the Project.

4. In the event that the Commission determines not to perform the design and the construction engineering and inspection with MDOT personnel, select, and enter into any direct agreement deemed appropriate by the Commission with, one or more consultants to perform the design and the contract engineering and inspection of work under the Project,

5. Charge all allowable costs of design, construction engineering and inspection, or any other expense, to the Project and request reimbursement from FHWA.

6. Reimburse to the City all allowable costs incurred by the City on the Project, through its normal procedures, within forty-five (45) days after receipt of an invoice and supporting documentation as requested by MDOT.

ARTICLE II. GENERAL PROVISIONS

A. It is understood that this is a Memorandum of Agreement and that more specific requirements for the conduct of the design of the transportation improvement project are contained in the Federal Statutes, the Code of Federal Regulations, the Mississippi Code, and the Standard Operating Procedures for MDOT, and other related regulatory authorities. The City agrees that it will abide by all such applicable authority.

B. It is understood by both parties that the Commission has allocated no funds toward work on the Project, other than the funds being made available by FHWA through ARRA. In the event that the City takes any action that causes any cost incurred hereunder to be non-reimbursable under ARRA, the City will be responsible for all costs incurred as a result of such action.

C. In the event that it develops that any item of work under the Project is not of a type which makes it eligible for ARRA funds but it is eligible for regular project funds, the work will be financed through the Commission's and MDOT's applicable non-ARRA program, with the City providing the applicable match.

D. In the event that the Commission elects to perform any portion of the design and the construction engineering and inspection through a consultant, the Commission will enter into any appropriate agreement with the consultant directly. The City will not be a party to any such agreement, and will have no right under such agreement, either explicit or implied. The Commission will owe no duty to the City other than to ensure that the work is performed by the consultant in a workmanlike manner, and that the resulting product meets applicable engineering standards.

ARTICLE III. NOTICE & DESIGNATED AGENTS

A. For purposes of implementing this section and all other sections of this Agreement with regard to notice, the following individuals are hereby designated as agents for the respective parties unless otherwise indentured in the addenda hereto:

For Contractual Administrative Matters:

COMMISSION:	CITY:
Larry L. Brown, Executive Director	Rosemary G. Aultman, Mayor
MDOT	City of Clinton
P.O. Box 1850	P. O. Box 156
Jackson, MS 39215-1850	Clinton, MS 39060-0156
Phone: (601) 359-7002	Phone: 601-925-6103
Fax: (601) 359-7110	Fax: 601-924-0113

For Technical Design Matters:

COMMISSION:	CITY
Charles P. Robinson	Richard Broome, PE
MDOT LPA Special Projects Coordinator	City of Clinton, Engineering Dept.
P.O. Box 1850	P. O. Box 156
Jackson, MS 39215-1850	Clinton, MS 39060-0156
Phone: (601) 359-7369	Phone: 601-925-6102
Fax: (601) 359-7050	Fax: 601-924-0113

B. All notices given hereunder shall be by U.S. Certified Mail, return receipt requested, or by facsimile and shall be effective only upon receipt by the addressee at the above addresses or telephone numbers.

ARTICLE IV. RELATIONSHIP OF THE PARTIES

A. With respect to the City's management of construction activities relating to the Project, the relationship of the City to the Commission is that of an independent contractor, and said City, in accordance with its status as an independent contractor, covenants and agrees that it will conduct itself consistent with such status, and that it and its employees will neither hold themselves out as, nor claim to be, officers or employees of the Commission or MDOT by reason hereof. The City and its employees and officials, will not, by reason hereof, make any claim, demand or application or for any right or privilege applicable to an officer or employee of the Commission, including but not limited to workers' compensation coverage, unemployment insurance benefits, social security coverage, retirement membership or credit, or any form of tax withholding whatsoever.

B. The Commission executes all directives and orders through MDOT. The City executes all directives and orders through its Mayor. All notices, communications, and correspondence between the Commission and the City shall be directed to the designated agents shown above in Article III.

C. In the event that any dispute arises between the parties hereto, they will make a good faith effort to resolve the same in an amicable fashion. If such an amicable resolution cannot be reached, neither party will initiate litigation until at least sixty (60) days after notice of the claim has been received by the non-aggrieved party. Mediation will be required before initiation of a lawsuit, unless both parties specifically waive it. Jurisdiction of any action shall lie in the Second Judicial District of Hinds County, Mississippi.

ARTICLE V. RESPONSIBILITIES FOR CLAIMS

A. No provision of this Agreement is intended, nor shall it be construed, to grant any right, title, or interest to any party not a signatory hereto.

B. The parties agree that the Commission and MDOT bear no responsibility for advertising or bidding the contract or contracts for work on the Project, or for selection of the contractor or contractors, and will not be a party to any contract entered into by the City other than this Memorandum of Agreement. Further, the Commission and MDOT have no day-to-day supervisory authority over the City, or its employees, agents, or contractors. Nothing in this agreement shall supplant or affect any provision of the Mississippi Tort Claims Act.

ARTICLE VI. MODIFICATIONS

A. No modification of this Memorandum of Agreement shall be binding unless such modification shall be in writing and signed by all parties. If any provision of this Memorandum of Understanding shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Memorandum of Agreement is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

B. In the event that the Commission determines in its sole discretion that modifications should be made to the agreement it has with any consultant to work on the Project, the Commission may do so without consulting with the City, and will owe no further duty to the City under its agency except to ensure that the ultimate product meets applicable engineering standards.

ARTICLE VII. TERMINATION

This Agreement may be terminated by either for any reason or no reason. However, after bids are received this Agreement shall be subject to termination only upon written agreement of the parties. Termination shall not, of itself, cancel any contract made in reliance upon the Agreement which is underway at the time of termination.

So Agreed this the 21st day of ~~April~~ May, 2009.

CITY OF Clinton

Rosemary D. Aultman **Mayor**
City of Clinton

So Agreed this the 26th day of ~~April~~ May, 2009.

MISSISSIPPI TRANSPORTATION COMMISSION
By and through the duly authorized
Executive Director

Larry L. "Butch" Brown, Executive Director
Mississippi Department of Transportation

CITY OF CLINTON AGENDA ITEM FACT SHEET

BOARD MEETING DATE: May 5, 2009　　AGENDA ITEM NO. 12

CONSENT AGENDA:　　TO:

FOR:

ACCT. NO.

DISCUSSION/ACTION: Amendment to Professional Services Agreement between the City of Clinton and Williford, Gearhart & Knight, Inc. for the 2008 State Revolving Fund (SRF) Facilities Plan Update (Sewer) Project.

INTRODUCED BY: Richard L. Broome, City Engineer　　TELEPHONE: 601-925-6102

EXHIBITS FOR REVIEW:

Minutes	Invoice	Other:
Ordinance	Plans, Maps	
Resolution	Contract	

RECOMMENDATION:

BOARD ACTION:

MOTION MADE BY: ~~Gregg~~ Greer

SECONDED BY: Morgan

VOTE CAST:	"AYE"	"NAY"	ACTION TAKEN:
Brabham	✓		
Hisaw	✓		
Greer	✓		
Bishop	✓		
Peace	✓		
Morgan	✓		
Barnett	✓		
Mayor Aultman			

AGENDA ITEMS MUST BE TURNED IN TO THE CITY CLERK WITH ALL ATTACHMENTS NO LATER THAN 5 P.M. ON THE WEDNESDAY PRECEEDING THE TUESDAY BOARD MEETING TO BE INCLUDED ON THE AGENDA. THIS DEADLINE WILL BE STRICTLY ENFORCED.

WILLIFORD, GEARHART & KNIGHT, INC.
ENGINEERS & SURVEYORS

AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT ("Amendment") is executed by and between the City of Clinton, MS (the "Owner") and Williford, Gearhart and Knight, Inc. ("WGK"), and amends and/or supplements the Professional Services Agreement, dated ________________, 2008, as amended or modified (the "Agreement"), for the 2008 State Revolving Fund (SRF) Facilities Plan Update (Sewer)(the "Project.

The Professional Services Agreement for the 2008 State Revolving Fund (SRF) Facilities Plan Update (Sewer) is amended as follows to incorporate the provision by WGK of certain additional services. These services are required in response to proposed changes in the draft NPDES Permit for the Southside WWTF, published in February 2009, and the SRF guidelines for compliance with the American Recovery and Reinvestment Act published in April, 2009.

Exhibit B, Scope of Professional Services is amended to include the following items:

- Preliminary evaluation of alternatives for complying with the Draft NPDES Permit for the Southside WWTF, which includes new nutrient limits.
- Determining impact of resulting potential treatment modifications on biosolids management facilities.
- Evaluation of biosolids management facility alternatives for compliance with American Recovery and Reinvestment Act guidelines.
- Preliminary design phase services for the selected biosolids management alternative. A separate Professional Services Agreement will be executed to address the remaining design and construction phase services, when the City elects to proceed with the project.

Exhibit C, Compensation Schedule, is amended as follows:

Paragraph, 2, Planning Phase Services, is increased from a lump sum of $20,000 to $53,600.

This Amendment is executed this 6th day of MAY, 2009, to be effective the effective date of the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment, on the day and year first above written.

WGK: WILLIFORD, GEARHART & KNIGHT, INC.

Name: Greg Gearhart, P.E., Principal

ATTEST:

Name: Bill Owen, P.E., Principal

WGK's address for giving formal notice:
204 West Leake Street
Clinton, Mississippi 39056

OWNER: The City of Clinton, MS

Rosemary G. Aultman

Name: Rosemary Aultman, Mayor

ATTEST:

Russell Wall

Name: Russell Wall, City Clerk

OWNER's address for giving formal notice:
P. O. Box 156
Clinton, Mississippi 39056