

REGULAR MEETING
May 25, 2010

A Regular Meeting of the Mayor and Board of Aldermen of the City of Natchez, Mississippi, was held in the City Council Chamber at 6:00 P.M. on Tuesday, May 25, 2010. Mayor Jake Middleton presided at the meeting, which was opened with prayer by Dr. Jason Cole of Parkway Baptist Church.

MAYOR & BOARD PRESENT	ELECTED OFFICIALS ABSENT	CITY OFFICIALS & DEPARTMENT HEADS
John ‘Jake’ Middleton Mayor		Donnie Holloway, City Clerk Coretta L. Logan, Deputy Clerk Darlene Jones, Community Development Sabrena Bartley, Senior Center Ralph Tedder, Recreation Dept. Director Paul Dawes, Building Official Everett Sanders, City Attorney David Gardner, City Engineer Connie Taunton, Tourism Director Mike Mullins, Police Chief Oliver Stewart, Fire Chief Natchez Democrat
Joyce Arceneaux-Mathis Alderwoman, Ward 1		
J. ‘Ricky’ Gray, Jr. Alderman, Ward 2		
Bob Pollard Alderman, Ward 3		
Ernest ‘Tony’ Fields Alderman, Ward 4		
Mark Fortenbery Alderman, Ward 5		
Daniel Dillard Alderman, Ward 6		

MINUTES APPROVED

A motion was made by Alderman Fields to dispense with the reading of the minutes of the Regular Meeting of May 11, 2010 and approve with one clerical correction. The motion was seconded by Alderman Pollard. The motion carried unanimously.

VISITORS WELCOMED

Alderman Pollard made a motion to go out of order to recognize the visitors. Seconded by Fortenbery. The motion carried unanimously.

Special Olympics Athletes

Mayor Middleton presented awards to the athletes of the Special Olympics. He thanked Mrs. Jones for doing a wonderful job with the athletes.

SMR Health Coalition

Dr. Johnson, President of the SMR Health Coalition presented brochures to the board called Synergy N Motion. He stated that they accept all forms of donations such as moveable property, land, homes, and motorized vehicles in order to fund projects. He added that the organization is a non profit charity and all donations are tax deductible.

The SMR Health Coalition presented the board with an award to the City of Natchez for being an outstanding community.

Colonel Erle Drane – Memorial Day

Mr. Drane reminded everyone that Monday is Memorial Day and the Chief Operating Officer of the VA Medical Center will be the guest speaker in Natchez.

Mr. Drane stated that they are in need of more veteran stories to add to the Veterans' book that is being written.

Mr. Drane stated that there will be another Veterans Hospital opening up and Natchez would be a great place to have the facility. He stated that when the guest speaker from the VA Medical Center arrives to Natchez for Memorial Day, we need to do everything in our power to show him hospitality and welcome him, because he is the key element in getting the VA Medical Center housed in Natchez.

Alderwoman Arceneaux-Mathis asked what lobbying tactics he suggests that the board do for the VA Medical Center to be housed in Natchez.

Mr. Drane stated that he knows that the Board of Supervisors have already talked with some of the Committees. He stated that it will boil down to the board speaking with the House Appropriation Committee and Congress.

Alderwoman Arceneaux-Mathis asked if a resolution would help.

Mr. Drane stated that anything will help at this point to reinforce this effort.

Alderwoman Arceneaux-Mathis made a motion that the City along with the Mayor and City Attorney develop a resolution and pass it in support of the VA Medical Center effort. Seconded by Alderman Dillard. The motion carried unanimously.

OPENING BIDS – PHASE 592 Project Phase 2-A

Mayor Middleton opened and acknowledged the bids from:

Southern Rock, LLC – Brandon, MS \$3,378,850.00

Dozer Inc – Natchez, MS \$4,850,349.37

Dirt Works Inc – Vicksburg, MS \$2,535,002.19

Alderwoman Arceneaux-Mathis made a motion to go back into regular order. Seconded by Alderman Dillard. The motion carried unanimously.

Alderman Fortenbery made a motion to take the 592 Project Phase 2-A bids under advisement. Seconded by Alderman Pollard. The motion carried unanimously.

Alderman Pollard made a motion to go out of order to conduct an Appeal Hearing. Seconded by Alderwoman Arceneaux-Mathis. The motion carried unanimously.

APPEAL HEARINGS

A. Steve Knight – 7 ½ East Woodlawn (reestablish a commercial business in a Residential zone).

Mr. Dawes stated that the City Development Code requires that after a non conforming business or establishment has ceased to function for more than six months that a hearing must go before the Board of Alderman and not to the Planning Commission. He added that the property has been out of operation for about three years and Mr. Knight wants to open it as a neighborhood grocery store.

Alderman Gray asked was any notification sent to the residents of the area.

Mr. Dawes stated that there were letters sent out and also published in the paper.

Alderman Gray stated in the past, the neighbors have been totally against reopening the property, so he will stick to that.

B. Oscar Brown – 801 N. MLK (reestablish a commercial business in a residential zone)

Mr. Dawes stated that Mr. Brown would like to open a restaurant at this property. He added that it is on the corner of Oak and MLK. He further stated that the Planning Commission will make a recommendation to rezone it from Residential to B-1.

Mrs. Debra Martin stated that this request will need to be tabled until next month's board meeting.

Alderman Fields stated that he would like for the neighborhood residents in that area to have the opportunity to object or support it.

Mr. Dawes stated that the same notification process went out to the residents.

Alderman Dillard asked if they had signs posted as it is stated in the development code book.

Mrs. Debrah Martin stated that the Planning Department does not have any signs to post.

Mr. Dawes stated that there were no appropriate signs to post when the Commission Board, Zoning Board, and Metropolitan Commission Board merged as one board.

Alderwoman Arceneaux-Mathis stated that the signs can be reused by painting over the signs and re-lettering them by the Youth Build group. She added that the signs do need to be posted.

C. Manish Patel – 271 Devereaux Drive (digital sign)

Mr. Dawes stated that in 2005 the Econo Lodge was approved for a digital sign to advertise its motel rates. He added that Mr. Patel, of the Red Carpet Inn came before the Planning Commission to place a digital signs to advertise its motel rates and was denied. Mr. Patel request permission from the Board of Alderman for the same opportunity.

Mr. Patel stated that he is losing business because the motel next to him has a digital sign advertising their rates and they do not have a sign.

Mrs. Debrah Martin asked the Board to honor the Planning Commission's formal request in not granting Mr. Patel permission to place a digital sign at his motel site.

Alderman Gray stated that it only fair that the board grants Mr. Patel permission to have a digital sign since the motel next door was allowed to have one.

Alderman Dillard asked Mrs. Martin if she was familiar with Chapter 6 in the development code book. He further asked what the difference was between and electronically controlled message center and a flashing sign.

Mrs. Martin stated that the sign ordinance is totally different from the development code book.

Alderman Dillard stated that it would be almost impossible to make a decision on it since he only has the development code book to go by.

Mr. Dawes stated that this has been the interpretation on this ordinance since day one.

Alderman Dillard stated that there are some interpretations that are not consistent and this is one of them. He further stated that an electronic message center is not a flashing sign.

Alderman Gray made a motion to go back into regular session. Seconded by Alderman Fields. The motion carried unanimously.

Alderman Gray made a motion to deny the reestablishment of a commercial business at 7 ½ Woodlawn. Seconded by Alderwoman Arceneaux-Mathis. The motion carried unanimously.

Alderman Gray made a motion that the board tables 801 N. MLK (reestablish a commercial business in a residential zone) to the first meeting in July. Seconded by Alderman Fields. The motion carried unanimously.

Alderman Gray made a motion to grant Mr. Patel the digital sign at 271 Devereaux Drive. Seconded by Alderwoman Arceneaux-Mathis. The motion carried unanimously.

UNFINISHED BUSINESS

Alderwoman Arceneaux-Mathis asked for the information requested at the last meeting on the 2001 audit findings from the Tax Accessor.

Mr. Holloway stated that he spoke with the auditor and the auditor stated that Mr. Gillon was getting the information for Alderwoman Arceneaux-Mathis.

Alderwoman Arceneaux-Mathis stated that she is very serious about this information. She added that she wants to know if we were underpaid taxes that were collected by the Tax Accessor's Office. She further added that is imperative that this board finds out definitely this year if we are owed those taxes, where they are, and how they will be repaid back to the city.

Alderwoman Arceneaux-Mathis made a motion that on June 8, 2010 at 8:00 am, the board meets with the auditor, Tax Accessor, City Clerk, and the City Attorney to determine if there is any money owed to the City and how much. Seconded by Alderman Gray. The motion carried unanimously.

Alderwoman Arceneaux-Mathis asked about the status of Mrs. Betty Oliver being invited to come down.

Mr. Gardner stated that she has not responded to the memo. He added that he has made several calls to her as well.

DEPARTMENT HEAD REPORTS

INSPECTION DEPARTMENT, Paul Dawes

Mr. Dawes presented the grass and weeds list to the board for adjudication.

Alderman Gray stated that they are receiving a list every meeting but nothing is being done.

Mayor Middleton stated that the main reason that nothing is being done is because the city is short on Personnel.

Alderwoman Arceneaux-Mathis stated that Public Works need to come up with a rotation schedule on a spreadsheet so that they can give the public an idea around when the grass will be cut.

Mayor Middleton stated that he is working on getting a representative down from the Secretary of State to assist the city on what to do with the dilapidated properties.

Alderwoman Arceneaux-Mathis stated that this is a health and safety situation. She added that there needs to be a plan in place immediately.

Alderwoman Arceneaux-Mathis asked about the piece of property on the corner of Union and Woodlawn.

Mr. Dawes stated that he put it out for bids and the low bidder contractor submitted his insurance certificate which was inadequate and by that time, the property owner came in and got a demolition permit. He added that the secretary that issued the permit was unaware of the situation of the property. He further added that he will be contacting the property owner and advising him that he must begin the demolition of the property immediately.

Alderman Gray asked about the status of the property on Lincoln that was to be demolished.

Mr. Dawes stated that they have not gotten to it yet.

Alderwoman Arceneaux-Mathis made a motion to adjudicate the properties that were presented to the board. Seconded by Alderman Fields. The motion carried unanimously.

Alderwoman Arceneaux-Mathis requested that Mr. Atkins and Mr. Dollar to explain their rotation schedule on the abandoned properties.

Mr. Dollar stated that since the last meeting they have cut Watkins Street, West Steirs, Pogo, North Wall Street, and North Union. He added that the mowers are being used five days a week. He further added that the two prison crews pick up trash and weed eat behind the mowers.

Alderman Dillard stated that it would be beneficial if Mr. Dollar would start sending the board a list of properties that have been cut.

ENGINEERING, David Gardner

Mr. Gardner stated that the low bidder was Dirt Works, Inc. He added that the bid amount of \$2,535,002.19 was incorrect and the correct amount of the bid is \$2,550,024.69, which is a difference of \$15,022.50. He added that all the documents have been submitted. He recommended that the board awards the low bid to Dirt Works, Inc, contingent upon the Corp of Engineers' review and Hartman Engineering's review.

Alderwoman Arceneaux-Mathis made a motion to award Dirt Works, Inc contingent upon the Corp of Engineers' review and Hartman Engineering's review. Seconded by Alderman Gray.

Alderman Dillard asked what accounted for the calculation error.

Mr. Gardner stated that the calculation unit price multiplied by the quantity differed.

Alderman Gray stated that the large difference in the bid amounts makes him feel that there will be a lot of change orders.

Mr. Gardner stated that there will not be.

Alderman Dillard requested that a copy of the bid documents be provided to City Hall.

The motion carried unanimously.

Mr. Gardner stated that regarding the sink hole on George F. West Boulevard, he recommends filing it with asphalt. He added that the estimated price quote to fix two areas on George F. West Boulevard is \$8,197.00 with Blain. He further stated that this is not a budgeted item.

Mr. Gardner stated to Alderman Gray that he has taken care of the street situation on the corner of Daisy Street and West Steirs Lane.

Alderman Dillard stated that Mr. Gardner needs to look at the sites at 425 Walnut, at the corner of Auburn Avenue and Robinson, and at Melrose and Linden where vendors have cut into the streets and those streets have to be repaired as stated in the ordinance.

CITY OFFICIALS' REPORT

ALDERMAN DILLARD – WARD 6

Alderman Dillard stated that the Finance Committee is currently working through their audit. He added that they will not make the deadline and it will probably be six weeks behind. He further stated that once the software is in place, there will be fewer problems.

Alderman Dillard stated that there are positions on the Planning Commission's Board that are expiring. He stated that any person that is interested in applying should forward their information to the Mayor's Office.

Alderman Dillard stated that they have two great candidates for the City Planner position. He added that the City Clerk will contact the candidates after they have made a selection. He further stated that he wants to assure the public that they will have someone in office very soon.

ALDERWOMAN ARCENEUX-MATHIS – WARD 1

Alderwoman Arceneux-Mathis stated that the National Council Local Chapter is currently looking for a building to use and they are working with the Recreation Department. She added they will be getting back with the board if they determine that the building is suitable to use or try to figure out some other office space.

ALDERMAN GRAY, WARD – 2

Alderman Gray made a motion that officer with badge number 301290 be suspended for 40 hrs. without pay for violating city policies unbecoming of an officer and such suspension begin immediately. Seconded by Alderman Fields. The motion carried unanimously.

Alderman Gray stated that he attended Awards Day at Frazier Primary and Cathedral and it was a great event.

Alderman Gray stated that Alderman Fields awarded a student for doing an excellent job in the Accelerated Reading program.

Alderman Fields stated that Carley Sproulls did an outstanding job on the Accelerated Reading program. He added that he would like to congratulate all the boys and girls at Frazier Primary.

Alderman Gray stated that his sympathy goes out to the Harris and Hawkins family.

Alderman Gray stated that he read an article that a teacher retired after 63 years and he felt that was amazing.

ALDERMAN POLLARD – WARD 3

Alderman Pollard stated that on behalf of Mrs. Taunton, the ASHTO event was a great success and Mrs. Taunton wanted to thank everyone that participated. He added that they all worked diligently. He further added that special thanks go out to Mr. Robbie Dollar and the Public Works crew for working so hard.

Alderman Pollard stated that he met with a lot of people during the ASHTO Convention and they all were saying that they had never been treated this hospitable. He added that Butch Brown was much appreciated of the way Natchez shined.

ALDERMAN FIELDS, WARD 4

Alderman Fields stated that he would like a speed study done on Old Washington Road to see what can be done.

Alderman Fields stated that we need to apply for a retaining wall on East Oak Street. He further added that the vines need to be cut.

Alderman Fields stated that he would like Mr. Dawes to get the information to him on home addition in an area.

Alderman Fields stated that he, Mayor Middleton, and Mr. Dawes had a good meeting with the management group with Brumfield Apartments. He added that they will keep a close eye with the promises that were made.

Alderman Fields congratulated all the graduates of the area colleges and high schools.

Alderman Fields stated Happy Birthday to Mrs. Ethel Robinson who had a birthday celebration.

Alderman Fields stated that his condolences go out to the Clemmons family.

Alderman Fields made a motion to declare an Emergency Demolition Clean Up on 201 Martin Luther King pending legal. Seconded by Alderwoman Arceneaux-Mathis. The motion carried unanimously.

ALDERMAN FORTENBERY – WARD 5

No Report

CITY CLERK'S REPORT, DONNIE HOLLOWAY

No Report

CITY ATTORNEY'S REPORT, EVERETT SANDERS

Attorney Sanders read the mutual contract terminating the Covington Ball Park Lease.

Alderman Dillard made a motion to agree to the contract terminating the lease between the Covington Road Church of Christ and the City of Natchez. Seconded by Alderman Fortenbery. The motion carried unanimously.

The memorandum agreement between the City of Natchez and Mississippi Development Authority is up for renewal and the Mississippi Development Authority will extend the agreement for another year.

Alderman Arceneaux-Mathis made a motion to allow the Mayor to sign the necessary document to extend the agreement for another year between the Mississippi Development Authority and the City. Seconded by Alderman Pollard. The motion carried unanimously.

MAYOR'S REPORT

No Report

NEW BUSINESS

None

ADJOURNMENT

A motion was made by Alderman Fortenbery seconded by Alderman Pollard to adjourn the meeting until June 8, 2010. The motion carried unanimously.

**JAKE MIDDLETON
MAYOR**

ATTEST:

**DONNIE HOLLOWAY
CITY CLERK**