

REGULAR MEETING
April 12, 2011

A Regular Meeting of the Mayor and Board of Aldermen of the City of Natchez, Mississippi, was held in the City Council Chamber at 11:00 a.m. on Tuesday, April 12, 2011. Mayor Jake Middleton presided at the meeting, which was opened with prayer by Reverend Jeff Brewer.

MAYOR & BOARD PRESENT	ELECTED OFFICIALS ABSENT	CITY OFFICIALS & DEPARTMENT HEADS
John ‘Jake’ Middleton Mayor		Coretta L. Logan, Deputy Clerk Donnie Holloway, City Clerk Everett Sanders, City Attorney Sabrena Bartley, Senior Center David Gardner, City Engineer Connie Taunton, Tourism Director Oliver Stewart, Fire Chief Salena Edwards, Recreation 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 Pollard to dispense with the reading of the minutes of the Regular and Finance Meetings of March 22, 2011 and adopt the minutes as presented. The motion was seconded by Alderman Fortenbery. The motion carried unanimously.

Alderman Gray made a motion to go out of regular order to conduct a public hearing. Seconded by Alderman Fields the motion carried unanimously.

PUBLIC HEARING

Mr. Nix said that this public hearing regarding Application Number PC-11-04 by River Homes and Stratton Bull, to move the lot line between two lots in a subdivision fronting on Auburn Avenue between Winchester Road and Audubon Place.

He added that on January 10, 2011, an application was received by the Planning Department to move the lot line between two single family lots fronting on Auburn Avenue. The application was advertised for the February meeting, but an incorrect address was in the newspaper ad. The application was properly re-advertised for the March meeting.

Mr. Nix stated that this Public Hearing is to adjudicate lots as nuisances pursuant to the Mississippi Code of 1972. The locations are 47, 57, and 66 East Oak Street; 34 Garden Street; 6 Laird Street; 5 and 11 Lincoln Street; 103 Louisiana Street; 312 and 322 Lumber Street; 0 and 28 Marblestone Road; 812 West Oak Street; 25 East Woodlawn Street; 0 North Union Street; and 2 Old Brown Lane.

Mr. Nix stated that during the winter months, the staff developed a list of addresses that are the locations of repeat violations. That list was distributed Monday under a separate cover memorandum. As the growing season started, Community Improvement Specialist Anita Smith monitored the lots. When the lots started exhibiting conditions that violate the city code requirements, Community Improvement Specialist Smith began preparing and delivering notices of violation as required by law.

This hearing regards 16 lots that remain noncompliant out of 41 properties that received notices of violation with an April 12th hearing date. We are continuing the enforcement process for all of the lots on our repeat offenders list.

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

Alderman Fields made a motion to move the move to approve application number PC-11-04 to move the lot line between two lots in a subdivision fronting on Auburn Avenue between Winchester Road and Audubon Place. Seconded by Alderman Dillard. The motion carried unanimously.

Alderwoman Arceneaux-Mathis made a motion to declare all of the properties listed as locations in the Staff Memorandum as properties harboring nuisance conditions that violate the Mississippi Code of 1972, and to adopt the Resolutions recommended by the staff. Seconded by Alderman Dillard. The motion carried unanimously.

BUSINESS OF THE MONTH

Mayor Middleton recognized Natchez Steam Laundry as the business of the month.

VISITORS WELCOMED

Walter Brown & Marion Smith – Roth Hill & Trails Project

Mr. Brown discussed the Roth Hill & Trails Project on how best the city could get the maximum use for the citizens of Natchez as well the visitors. He added that the river holds historical and cultural significance, and that is why it is extremely valuable. He further stated that there needs to be something to for children and adults to do along the Riverfront.

Mr. Smith stated that what they would like the board to do is to endorse the project of developing a park along the river at Roth Hill and allow the city's grant writers to make applications for funds to assist with the project. He added that anything that the city can do to develop the Riverfront will enhance economic development and the educational opportunities to teach people about Natchez and the river.

John Hilbert – Cable One

Mr. Hilbert's Report

I would like to thank the Mayor's office for inviting me and Cable One to this meeting. This will give me an opportunity to officially introduce myself to you all and the city of Natchez. My name is John Hilbert and I currently reside in McComb, MS. I have been associated with of Cable One since 1995, right after I graduated from Alcorn State University. I was promoted to General Manager for Natchez in February of this year and I am very excited about this opportunity! Although some of you may look at me as the new guy on the block, I have been connected with Natchez since 1996. I served under the retired Bobby McCool from 1998 until 2009 as his Technical Manager. In that timeframe, I was very active with the Natchez system and I'm quite familiar with the system's operations. I really look forward to working in this great community and hopefully, I will get chance to work with you all as well.

I'm also excited to announce that on May 2, 2011 we will be relocating our Natchez office to a more customer friendly location in Natchez at 412 HWY 61 North. We will continue to offer the same services to our customers that we have offered for many of years. As always, our local phone number is 601-442-5418. Our customers will continue to speak with the same local CSRs as in the past. Our service technicians will remain local as well.

2011 promises to be an exciting year for Cable One! We are planning to launch our ALL-DIGITAL platform this year. Plans are now in process to increase our internet speeds from 10 Meg to 50 Meg. We are also very dedicated to improving our customer service and to becoming a more reliable provider.

We know reasonable prices are important to our customers. Cable ONE did not take a video rate increase in 2010 and we don't plan to for at least another 3 years. Unlike our competitors, we do business and pay taxes in Natchez, Adams County and Vidalia, putting dollars back into the community. Our entire service area has not only cable but High Speed Data, High Definition Channels and Phones-thanks to a significant investment from Cable ONE.

We thank you all for all of your support that you have given us in the past and we look forward to working with you all in the future.

UNFINISHED BUSINESS

NONE

DEPARTMENT HEAD REPORTS

PLANNING – BOB NIX

Mr. Nix asked approval from the board to allow the Assistant Planner, to attend the State Historic Preservation Conference in Jackson at a cost of \$137.53.

Mr. Nix requested that the board allow him to attend the Association of Flood Planning Managers Mississippi Conference in Natchez. He added that it is a \$150, which he will be requesting reimbursement.

Alderman Dillard made a motion to allow Assistant City Planner to travel to Jackson to attend the State Historic Preservation Conference in Jackson. Seconded by Alderman Gray. The motion carried unanimously.

Alderman Dillard made a motion to allow the City Planner to attend the Association of Flood Planning Managers Mississippi Conference in Natchez and allow \$150 reimbursement. Seconded by Alderman Gray. The motion carried unanimously.

ENGINEERING – David Gardner

Mr. Gardner stated that he would like to request permission to advertise for the demolition of the old A& B Motor Co building to make way for the planned Regional Transportation Facility. He added that it is anticipated that costs associated with this work will be minimal. It is anticipated this work could be done separately and outside of the federal funding sources for the project and it should save a substantial amount of the money allocated to the demolition that can be reallocated into the building budget. He added that he will bring to bids back to the board for further action.

Alderman Fields made a motion to allow the City Engineer to advertise for the demolition of the old A& B Motor Co building to make way for the planned Regional Transportation Facility. Seconded by Alderman Fortenbery. The motion carried unanimously.

Mr. Gardner stated that in regard to the North Natchez Drainage Project Phase II-A, he is requesting approval of change order #4 to establish a unit price for soil cement reclamation and to establish a unit price for the removal of a tree at station 502+37. He

noted that due to the extension of pipe at the EOP, an additional time extension of 24 days to complete the required work is needed. He further added that the change order is a total net increase of \$26,362.50 that will allow a 24 day extension.

Alderman Arceneaux-Mathis made a motion to approve Change Order #4 as recommended by the City Engineer. Seconded by Alderman Fields. The motion carried unanimously.

RECREATION – Salina Edwards

REPORT FROM THE NATCHEZ RECREATION DEPARTMENT

Mrs. Edwards stated that the month of April has started to be very busy time for Duncan Park. The Harvest Club held their annual 2 day tournament at the Duncan Park Golf course on April 2nd and 3rd. They had 91 players. Even though the tournament didn't start until Saturday, the course parking lot was filled with everyone playing their practice rounds on Friday. It was a great turn-out and I believe everyone was satisfied with the service and the condition of the course.

Natchez Adams County Chamber Of Commerce held their 18th Annual golf tournament at Duncan Park last Friday, April 8th and they had 80 players. They also included a round robin mixed and double tennis, all held at the Duncan Park. These events went well also.

THE WEATHER WAS GREAT FOR BOTH EVENTS!!!!!!

The Recreation staff, Linda Calcote, golf shop manager and her pro shop staff, Greg Brooking, Joe Green along with all of our groundskeepers and all the of recreation staff did a great job in preparing for these events.

Today Natchez High School is having a golf tournament that began at 8:00 am.

I would also report that the repairs on the Tennis Shop building exterior have been completed.

A SPECIAL THANKS TO: Mrs. Noreen Pyron and the Natchez Community Tennis Association for paying for the needed repairs on the tennis shop deck. When you drive in the park it looks very nice with building and deck repairs.

CITY OFFICIALS' REPORT

ALDERMAN POLLARD – WARD 3

Alderman Pollard stated that he would like to commend the Natchez Police Department on an excellent job well done. He added that there were 14 car burglaries one time at South Union and South Commerce last week; and within hours, the suspect was

identified, arrested, and is still in jail. He further added that he appreciated the good work that they are doing, and it is not going unnoticed.

ALDERMAN FIELDS – WARD 4

Alderman Fields congratulated the Natchez chapter of The Links for their 25th anniversary celebration. He added that this organization promotes Community Service and friendship. He further added that they are looking for more years with The Links.

Alderman Fields stated that there will be an inauguration service Sunday for Dr. Christopher Brown. He added that it will be at Zion Chapel AME Church

ALDERMAN FORTENBERY – WARD 5

Alderman Fortenbery stated that we now have possession of the new backhoe and the workers are currently getting use to the new piece of equipment.

Alderman Fortenbery asked Mr. David Atkins about the status of the pieces of equipment that were traded.

Mr. Atkins stated that the 3 pieces that were traded were a Caterpillar dozer, a Link belt track hoe, and a John Deere backhoe. He added that they elected to get the \$2,100 extended warranty on the new backhoe.

ALDERMAN DILLARD – WARD 6

Alderman Dillard stated that the board voted to go into executive Session regarding the Roth Hill project. He added that he voted against it and he has great concerns about the developer and the means by which they are proceeding. The proof of it is do they have approval to proceed with development from the Mississippi Gaming Commission. He further added that they do not because he has already checked.

Alderman Dillard stated that he has a great concern with the City Clerk's office in the handling of the implementation of the accounting software. He added that he is completely disappointed and frustrated with the efforts to implement the software. He further added that this board is in dire need of accounting. It is impossible to ask the department heads to manage their budgets and they never get a report. We stated that the board approved and allocated money for the implementation of the software and were now into our second quarter of our fiscal year without the software. .

ALDERWOMAN ARCENEUX-MATHIS – Ward 1

Alderman Arceneux-Mathis submitted a report from the League of Cities in Washington to be a part of the minutes.

Alderman Arceneux-Mathis stated that she met with Christopher A. Massingill,

Federal Co-Chairman-Delta Regional Authority. They had a meeting and the tour went from Vidalia to Natchez to Ferriday. She added that Mr. Massingill got a chance to look at the North Natchez drainage project because they are still trying to find grant money to match for the last part of the phase.

Alderman Arceneaux-Mathis stated that there was a bar owners meeting and the club owners Mr. Curtis and Mr. Cox discussed:

- Each Bar Owner responsible for clean up around establishment
- Bar trouble makers from club: severity of problem-1st offense 3 months; 2nd offense out period. Call and notify other Bar Owners of people put out (simple pushing/shoving put out for night)
- Downtown Bar Owners will hire off-duty police officers-Security - Ronnie Cox
- East Franklin - W. C. Curtis responsible to coordinate
- Security - scanners, searching, flash light to check handbags
- Fights: must be prosecuted; patrons fighting must be arrested and charged
- List of phone numbers to communicate in a timely manner
- Association will meet every two (2) months for concerns and follow ups
- Safe, wholesome environment for customers
- Security 12-5 (midnight)
- If no officer available - get Security Guard

Mike Mullins: Procedure for Police Department

Fight in establishment when police officers not present

- Misdemeanor crime (up to year in city jail); felony goes to prison
- Get to scene and someone shot - can make arrest at scene
- Can't make arrest for misdemeanor unless the misdemeanor occurs in front of police officer (in their presence)
- Take report at time of occurrence
- Come to Police Dept. ask for report and then sign affidavit for simple assault or whatever misdemeanor occurrence was; judge then sign arrest warrant;
- Police needs Bar Owner managers to follow up utilizing process: make report; file affidavit; enforce rule of not allowing those people from establishment; identify people who cause problem; charge them; keep them out of establishment.
- Simple assault - misdemeanor; aggravated assault - felony; determined by court (not always officer's call)

Can file charges for public drunkenness; off duty police (as security guard) if offense committed in presence can arrest. Police officer on duty 24 hours/day. If officer is working security the liability

Alderman Arceneaux-Mathis stated that she and Alderman Gray met with Scott Malvaney, Policy Director - Congressman Gregg Harper, 3rd Congressional District.

She added that they took Mr. Malvaney and toured Marblestone so that he could get a first hand view of the situation which had been previously submitted in Project form to Congressman Harper. She added that hopefully, the hands on experience will enhance his ability to represent our needs for this project in Washington.

Alderwoman Arceneaux-Mathis stated that a meeting was held last night on the North Natchez Drainage Project. She added that she wanted to express her thanks to Reverend Cusiq and the Bright Morning Star Baptist Church for allowing them to meet there. She added that they visited 702 North Wall after the meeting and Mrs. Smith took pictures of possible stopped up drains and area which were flooding behind 700 and 702 North Wall. Phase II-A should be completed sometime in June and hopefully go directly into Phase II-B.

ALDERMAN GRAY, Ward 2

Alderman Gray read the monthly report from the Police Department.

Alderman Gray stated that the Police Department had applied for a camera to cover the stations that are not covered on the outside.

Alderman Gray asked Mr. Gardner for an update on the Daisy Street project.

Mr. Gardner stated that Jordan, Kaiser, and Sessions will be meeting with the Engineering Department this week to go over what right of way is needed. He added that they will then get with Attorney Sanders to get the project underway.

Alderman Gray stated that Mr. Andrew Smith and Mr. Riser came to the Finance meeting and presented a project for the Natchez Youth Center. He added that if we can get this project underway, it would be good.

Alderman Gray thanked Coach Whitley for his work with the kids.

Coach Whitley stated that Mr. Gary Smalls, the owner of the local McDonald's, sponsored and fed all the kids and their parents. He added that over 400 hamburgers were served.

Alderman Gray thanked the Public Works Department for the job they are doing.

Alderman Gray asked if we have received any Hurricane Gustav funds.

Mr. Holloway stated that only a few small checks have been received.

Alderman Gray asked if we have received any bond bill funds.

Mr., Holloway stated that we did not get any money in that.

Alderman Fields recognized Gerald Garrett for winning 2nd place in the Transit Bus Rodeo.

Alderman Gray recognized the teachers of the year Mrs. Noble, Ms. Cowart, Mrs. Sherby, Mrs. Wesley, Mrs. Hale, and Mrs. Barnes. He also congratulated Mrs. Jennifer for staying with the program and working in the public school district.

Alderman Gray recognized Mr. Willie B. Jones for going back to school and obtaining a Masters Degree in Guidance Counseling.

Alderman Gray stated that the deadline for the Calvin Butler scholarship is August 2nd.

Alderman Gray stated that his sympathy goes out to the families of the Fitzgerald, January, Mazique, Moore, Henderson, Chamberlin, Martin, Johnson, Lyles, and Blough.

CITY CLERK'S REPORT, DONNIE HOLLOWAY

Mr. Holloway asked the board to approve docket # 4641 – 4949 and docket #3870 – 4628.

Alderman Fortenbery made a motion to approve docket # 4641 – 4949 and docket #3870 – 4628. Seconded by Alderman Pollard. The motion carried with Alderman Dillard opposing.

Mr. Holloway asked the board for a resolution for Concordia Bank to finance a vehicle for the Fire Chief. He added that it will be \$11,000 for 24 months at 4.24%. He added that the payments will be less than what they were before.

Alderman Gray made a motion to allow a resolution for Concordia Bank to finance a vehicle for the Fire Chief. He added that it will be \$11,000 for 24 months at 4.24%. Seconded by Alderman Pollard. The motion carried unanimously.

Mr. Holloway asked the board to authorize the city to enter into a lease contract for 3 copiers. He added that the total savings on all three copiers will be approximately \$200 per month. He further added that the new copiers will give us printing, faxing, and scanning capabilities. He noted that there is a maintenance agreement as well.

Alderman Gray made a motion to authorize the city to enter into a lease contract for 3 copiers. Seconded by Alderman Dillard. The motion carried unanimously.

Mr. Holloway stated that section 25-187 of the Mississippi code indicates that we must have a resolution for approximately 13 unmarked city cars that are used for detective/private work. He added that the resolution must be submitted to the state auditor's office.

Alderman Gray made a motion to authorize a resolution for the city's unmarked cars that are used for detective/investigative work be submitted to the state auditor's office. Seconded by Alderman Dillard. The motion carried unanimously.

CITY ATTORNEY'S REPORT, Everett Sanders

Attorney Sanders stated that the reason he recommend that the board go into Executive Session was because the state law allows for Executive Session when businesses are discuss their finances, business plans, and so forth.

Attorney Sanders recommended that the board approve for the Mayor to sign a Second Amendment to the Option/lease agreement between the City of Natchez and Natchez Enterprises, LLC which will reflect the following conditions:

1. That for the sum of 50,000, the City of Natchez will grant Natchez Enterprise s three (3) month time period during which Natchez Enterprises receive approval to proceed from the Mississippi Gaming Commission.
2. That the Natchez Enterprises will have an opportunity to extend the time period for another three (3) months upon payment of an additional \$50,000.
3. That the payment of such funds shall be nonrefundable.
4. That the failure on the part of Natchez Enterprises to secure such approval shall give the City the right to cancel the lease and/or agreement.
5. That no option to extend the lease period beyond 50 years shall be exercised or approved prior to the opening of the casino.

Alderman Pollard made a motion to approve the Second Amendment and that it is brought back to this board at the last board meeting in this month. Seconded by Alderwoman Arceneaux-Mathis.

Alderman Dillard stated that he has the minutes from the MS Gaming Commission and Natchez Enterprise has not made substantial steps towards development. He added that the mayor cannot act without the approval of the board. Therefore he cannot extend it, amend it, or change it.

The motion carried with Alderman Gray and Alderman Dillard opposing.

Attorney Sanders stated that he needs a motion on 100% waiver of the Blue Cross reimbursement in the case of White vs. City of Natchez and a 30% waiver in respect to Terrance McKinney.

Alderman Gray made a motion to allow the 100% waiver of the Blue Cross reimbursement in the case of White vs. City of Natchez. Seconded by Alderman Fields. The motion carried unanimously.

Alderman Fields made a motion to allow the 30% waiver in respect to Terrance McKinney. Seconded by Alderman Fields. The motion carried unanimously.

Attorney Sanders stated that each year a certification of insurance has to be submitted for the Natchez Transit, certifying that the city is in compliance and does not discriminate.

He added that he would like the board to approve for the Natchez Transit System to submit certification and assurance to the Federal Transit Administration program for 2011, effective March 1, 2011.

Alderman Dillard made a motion to approve for the Natchez Transit System to submit a Certification and Assurance to the Federal Transit Administration program for 2011, effective March 1, 2011. Seconded by Alderman Fields. The motion carried unanimously.

MAYOR'S REPORT

Mayor Middleton presented Mrs. Susan Cassagne the proclamation of National Library Week April 10th through April 16th, 2011

NEW BUSINESS

Alderswoman Arceneaux-Mathis stated that she would like the board to investigate reinstating the dollar per head fee of bus tours. She added that gas is going up, so the tours are going to go up anyway.

Alderman Gray recognized Mrs. Yokena Jenkins for opening up an assisted living headquarters for Senior Citizens on Minor Street.

ADJOURNMENT

A motion was made by Alderman Fields, seconded by Alderman Fortenbery to Adjourn the Regular Meeting of April 12, 2011. The motion carried unanimously.

ATTEST:

**JAKE MIDDLETON
MAYOR**

**DONNIE HOLLOWAY
CITY CLERK**