

**FINANCE MEETING**  
**June 11, 2013**

The Finance Meeting of the City of Natchez met in the Council Chambers on Tuesday, June 11, 2013, at 9:30 a.m.

PRESENT:

Mayor Larry L. "Butch" Brown	
Alderswoman Joyce Arceneaux-Mathis	Ward 1
Alderman Rickey Gray	Ward 2
Alderswoman Sarah Carter Smith	Ward 3
Alderman Tony Fields	Ward 4
Alderman Mark Fortenbery	Ward 5
Alderman Dan Dillard	Ward 6

ALSO PRESENT:

City Clerk Donnie Holloway  
City Attorney Hyde Carby  
Temple Hendricks, Board Secretary  
David Gardner, City Engineer  
James Johnston, Community Development Director  
Connie Taunton, Tourism Director  
Tony Heidelberg, Environmental Court Judge  
Curtis Norton, Traffic Department Director

Tony Heidelberg appeared to provide an update on the new Environmental Court. The first session was April 15<sup>th</sup> and there have been four more sessions. There has been a struggle to get notices sent out as well as serving citations and affidavits. Two weeks ago they had a system in place but now, with recent developments, the system has had to be revamped. The next session is June 17<sup>th</sup> with 20 people on the docket. 25 people are on the docket for July 1<sup>st</sup> so the system is slowly growing. The majority of people are bringing their properties into compliance. An issue is that code enforcement officers are all over town with no system in place—Judge Heidelberg is working to concentrate on certain areas. At this time, the area being addressed is Morgantown. He's asked Code Enforcement to go community by community and the Planning Department has started to receive calls. Code Enforcement has sent out a notice on Arlington and the paperwork has been forwarded to Jackson to be served—so far the paperwork has not been served.

Judge Heidelberg and Judge Blough have a good working relationship. Next week Judge Blough will be attending a conference and Judge Heidelberg will be filling in.

Mayor Brown asked if there will be enough fines to cover expenses and enough to employ cleanup crews. Judge Heidelberg said eventually but probably not until a couple of months. The issue faced is that people become compliant so there are less fines. Another effort is to lessen the cost to the City by having citizens clean their properties. Public Works' crews are being freed up to do other work. Mayor Brown said that he considers the Environmental Court a success.

Alderman Gray asked if people blowing grass into the drains is an issue that is addressed in court. Mr. Carby said that all go to Municipal Court and it will be up to Judge Blough to assign as he sees fit. Judge Heidelberg said if a citation is written by a Code Enforcement Officer, then the case would be held in Environmental Court. Alderman Gray advised that Code Enforcement has been riding with the Police Department to go to some properties and this has helped with people to become compliant. Judge Heidelberg said that a citation or summons can be left with anyone over the age of 18 at the house. He also said a problem is that many people are not home from 8:00 a.m. to 5:00 p.m. Code Enforcement has been serving citations after 5:00 p.m. and on the weekends. Mr. Carby advised that once a citation is issued, there is a summons which the property owner must respond to. The owner has 14 days to comply. After 14 days, if non-compliant, an affidavit goes to Judge Heidelberg, he signs and it summons the person to court. Once the person is served the summons, the paperwork is returned to Municipal Court. If the person is served and doesn't come to court, a bench warrant can be issued or they can be given another court date.

Judge Heidelberg said that many properties are owned by people that don't live here and the City doesn't have jurisdiction to serve outside the area. The statute allows the court to write the homeowner a letter and it will be posted in the paper—targeting owners who live out of state. The same process applies to mortgage companies and real estate companies located outside MS.

Judge Heidelberg, in response to Alderman Dillard, advised that trailers parked on the street can remain in one location for 72 hours. 5 of these cases have been prosecuted.

Judge Heidelberg, in response to Alderwoman Arceneaux-Mathis, said that the City should cut the grass on those properties with grass issues. Although there wouldn't be a violation once the grass is cut, the City can attach a lien to the property but this goes outside the scope of his court. He said that the City can cut a property six times. If proper notice isn't given, the City is cutting the grass at no charge. Mr. Dollar said that they're trying to adjudicate properties through Environmental Court that were adjudicated prior to Tony Heidelberg coming onboard.

#### Engineering:

David Gardner said that the Mayor Brown has contacted Byrne Insurance to see if light poles on State highways can be covered. The out of pocket expense to replace a pole is \$8,000.00 and the insurance premium is \$7,000.00 annually with a \$500.00 deductible. Mr. Gardner would like to pay for the insurance premium out of the light pole fund. 25% of the time poles are hit by uninsured driver but Mr. Carby said that by insuring, the City can shift the burden to the insurance company to go get the funds from the uninsured drivers. Mayor Brown said an average of 12 poles a year is hit; this year three have been struck by an uninsured driver. Mayor Brown said that more details will be obtained from Byrne Insurance regarding insuring poles. Curtis Norton said that the quote on the insurance does not cover the extra 100 or more light poles that will be on the new flyover.

Regarding the colonnade restoration, Mr. Gardner said that the City needs confirmation that the RFPs are handled legally. The easiest way would be to do an RFP and have the contractor to assess and give the scope of the work and price—this is much simpler than hiring an architect. Mr. Gardner will be asking for permission to issue RFPs and cost from qualified contractors. MDOT may or may not want to go this route. City will be asking MDOT if the City can take this approach. MDOT wants to confirm that the City is going to follow state bid laws. Mayor Brown said that he's 99% sure that MDOT will approve the RFP process as proposed. Alderman Dillard suggested that the City keep up with the amount of rotten wood that's removed from the colonnade. Mayor Brown said that MDOT is not going to agree to an open ended RFP. The finished product will have to be described.

Regarding Microseal, some streets on the list will need to have potholes repaired first. Bids will include some prep on the roads. Mr. Gardner is meeting with the contractors to bid Microseal. Mayor Brown said that the City has until about November to asphalt.

Park Place has been approved as an FAU route. Alderman Fields asked Mr. Gardner about the approval of Brenham.

Alderwoman Carter Smith said that Francis Ransom is retiring from the Water Board and Melvin and Paul Hargrave have expressed an interest in serving. The BOA will vote at their next meeting on a replacement.

#### Tourism:

Connie Taunton stated that Robert McNeely was unable to be at the meeting today. She had contacted the State Auditor and Deanne Tanksley to see how to proceed with the expenses for Angela Weathersby. It is not legal for the City to pay her expenses as she's not an employee of the City. Mr. Carby said that there's been some discussion about the entire operation of the Natchez Convention Center covered by legislation so an opinion has been requested. Alderwoman Carter Smith said that many people work out of their homes so \$700.00 for an office is a lot. Mr. Carby said that he'll draft the letter to the State Auditor asking for an opinion.

Mayor Brown said that prior to the BOA's work session with New Orleans Hotel Consultants on March 8, 2013, the Mayor, Warren Reuther, Walter Tipton and Connie Taunton had met. Mr. Reuther at that time had asked about the City paying for Ms. Weathersby's expenses-Mrs. Taunton had said that she would ask her Board to see if approved. Warren Reuther in the Work Session of March 8, 2013, which Mrs. Taunton did not attend, said that Mrs. Taunton had approved the expenses to be covered but Mr. Reuther and Mrs. Taunton had not talked. When the BOA approved to pay New Orleans Hotel Consultants an additional \$4,000.00 per month, it was up to Mr. Reuther to spend as he saw fit. Mrs. Taunton said if these funds are coming out of her budget, she needs Ms. Weathersby to be accountable to her. Mayor Brown said that Mr. Reuther is covering Ms. Weathersby's expenses until this matter can be cleared up.

#### Community Development:

James Johnston advised that the City has received a second commitment for the Depot which means there is \$625,000.00 total to date.

The City is working with Natchez Water Works to address the sanitary overflow issue on Highland Blvd. The City is applying to DRA for \$300,000.00. The total for the project is \$1.129M. Mayor Brown is pursuing the Governor's support the City's application to use separate funds for DRA.

Mayor Brown said that he's asking the BOA to approve \$5,000.00 for World Changers that will be coming to Natchez this summer to work on 13 homes.

Mayor Brown will be asking for support of colleagues in Vidalia for a baseball tournament that will be bringing 250 people with most staying in Natchez hotels. This is a five year commitment.

Mr. Carby asked for a motion to close the Finance meeting to make a determination that a valid reason existed to go into Executive Session. Mr. Carby advised that property needed to be discussed.

**A motion was made by Alderwoman Arceneaux-Mathis, with a second by Alderman Gray, to close the Finance meeting to make a determination that a valid reason existed to go into Executive Session. The motion carried unanimously.**

Mr. Carby returned and advised that it had been determined that a valid reason existed to go into Executive Session which was the discussion of property.

**After meeting in Executive Session, Alderwoman Carter Smith made the motion to go out of Executive Session and adjourn to the Regular Meeting of the Board of Aldermen. Alderman Gray seconded the motion which carried unanimously.**

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Larry "Butch" Brown  
Mayor

Attest:

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Donnie Holloway, City Clerk