

**REGULAR MEETING
FEBRUARY 13, 2007**

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, February 13, 2007. Mayor Phillip C. West presided at the meeting, which was opened with prayer by Sabrena Bartley, Executive Director of Senior Center.

MAYOR & BOARD PRESENT	ELECTED OFFICIALS ABSENT	CITY OFFICIALS & DEPARTMENT HEADS
Phillip C. West Mayor Joyce Arceneaux-Mathis Alderman, Ward 1 J. "Ricky" Gray, Jr. Alderman, Ward 2 Bob Pollard Alderman, Ward 3 Theodore West Alderman, Ward 4 Jake Middleton Alderman, Ward 6	David Massey Alderman, Ward 5	Donnie Holloway, City Clerk Everette Sanders, City Attorney Darlene D. Williams, Dep. City Clerk Sabrena Bartley, Director Senior Center Jim Blough, Municipal Judge Brett Brinegar, Grants Coordinator Temple Hendricks, Mayor's Secretary Paul Dawes, Building Official Salena Edwards, Recreation Rick Freeman, Traffic Dept. David Gardner, Water Superintendent Patricia Gibson, Personnel Director Ron Ivey, Public Works Director Paul Johnson, Fire Chief Mike Mullins, Police Chief Dennis Story, City Planner Eric Smith, Public Works Administrator Walter Tipton, Convention Center Katie Sthalcup, Natchez Democrat William Terrell, Bluff City Post

MINUTES APPROVED

A motion was made by Alderman West to dispense with the reading of the minutes of the regular meeting of January 31, 2007 and approve as submitted. The motion was seconded by Alderman Pollard. The motion carried unanimously.

AWARD OF BIDS

North Natchez Tennis Court - Resurface

Mayor West opened the bid from Australian Court Works, Brandon, Mississippi. He presented the bid in the amount of \$7,500 for the resurface of the North Natchez Tennis Courts. Mayor West requested a motion to take the bid under advisement.

A motion was made by Alderwoman Arceneaux-Mathis and seconded by Alderman West to take the bid under advisement. The motion carried unanimously.

VISITORS WELCOMED

Mayor West welcomed all visitors to the meeting. He reminded everyone of the policy that allows all visitors to speak for three (3) minutes before the board.

A. Larnell Ford - Bibleway Pentacostal Church / Old Washington Road

Mayor West recognized Mr.Larnell Ford.

Mr. Larnell Ford said he was present as the representative of Bibleway Pentecostal Church at 706 Old Washington Road, situated in Ward 5. He said he was present to reacquaint the Board personally as opposed to the previous written petition regarding the deteriorated opened city storm ditch. Mr. Ford said the petition was delivered to the Board of Aldermen on December 3, 2006. The petition was informing the board of the danger of the situation. He said he was present to make the board aware of the problem in Ward 5 along Old Washington Road. The petition noted that following each heavy rain fall the safety issue and the loss of both public and private property washing into the St. Catherine Creek. Mr. Ford said he approached Alderman Gray on January 23, 2007, and briefly discussed the situation and asked him to contact the Public Works Department to see what could be done in the area. Mr. Ford said following the many calls and the petition there was no response from the city or the Alderman of Ward 5. Alderman Gray was asked to look at the situation.

Mr. Ford said the problem occurs with the heavy rains because there is a decline and all the rushing water drains into the storm ditch. The water flow starts in the area of the Magnolia Mall and ends on Old Washington Road because of the grade of the land. Along with the water there is a large amount of debris. The soil is being washed away on both sides of the street and under the street with will eventually cause a greater problem for the city. As a taxpayer he did not want to be responsible for paying additional money when the problem can be handle. Mr. Ford said the children in the area are attracted to the rushing water following a rain, and this is very dangerous. Mr. Ford said he would like to have this situation corrected.

Mayor West requested comments.

Alderman Gray said after he talked with Mr. Ford he did inspect the area and found it to be a serious problem. Alderman Gray said 706 Old Washington Road was submitted to Soil Conservation for review and was denied. He said he asked Public Works to review the area.

Mayor West asked Mr. Ivey if he was aware of the situation.

Mr. Ivey said Alderman Massey contacted him about the problem and the department inspected the

site and completed the survey and grades on the ditch. He said there is a serious problem in the area. Mr. Ivey said there is approximately 180 feet of culvert needed to correct the problem. He said he received one bid on the culverts and should receive the second bid on the culverts. Mr. Ivey said he is aware of what is needed on the project.

Mayor West asked that a recommendation be made by the Public Works Department including the total cost so the board can make a determination at the next scheduled meeting.

Mr. Ivey said the information will be provided.

Mayor West thanked Mr. Ford for the presentation and noted that a determination will be made at the next meeting.

UNFINISHED BUSINESS

None

DEPARTMENT HEAD REPORTS

GRANTS DEPARTMENT, Brett Brinegar

Ms. Brinegar said she talked with Alderman Gray about the start of the cleanup for the dump sites approved for the DEQ grant. Ms. Brinegar said she talked with the Public Works Department regarding the schedule for dump site cleanup in Ward 2 and she was told they project will start the first week in April and be complete in August at the latest. Ms. Brinegar said she is in the process of closing out other DEQ grant following receiving reimbursement for the previous project.

Ms. Brinegar said she will attend the Fire Grants Workshop on February 20, 2007 which will qualify the City to apply for Homeland Security Grants through the Fire Department on a yearly basis.

Alderman Gray thanked Ms. Brinegar for her work in securing the DEQ grants for the city. He said he reviewed the information for the installation of cameras in the West Stiers Lane area and asked Ms. Brinegar to review the grant and see if DEQ funds can be used.

Ms. Brinegar said she will talk to Denise Wilson about using DEQ funds to purchase cameras to be installed in the areas.

MUNICIPAL COURT, Jim Blough, Judge

Judge Blough presented the monthly report for the Municipal Court.

Judge Blough said on behalf of the Municipal Court and the Clerks, and the Police Department he noted that they were extremely busy during the months of December and January. Judge Blough noted that there are several individuals in the department that he would like to recognize for an outstanding job during

this busy period, Court Clerk Debbie Owens, Deputy Clerk Tangela Sullivan and Deputy Clerk Jay Wallace. He said these individuals worked harder during the last months than any time over the past years and the reports will reflect that. Judge Blough said the Police Department has handled several serious calls that involved the Municipal Court. He said these calls involved all division of the departments. The clerks have been professional in their actions in handling these cases to move them to the appropriate courts. Judge Blough said the city can be proud of the individuals and the department.

CONVENTION CENTER, Walter Tipton

Mr. Tipton noted that there is a 1998 Dodge Pick-up truck that he would like to declare as surplus property. He said the truck is extremely old and was driven by the Water Works for nine (9) years and the Convention Center for six (6) years. Mr. Tipton said he recently purchased a new truck and would like to dispose of the old truck from the records. He requested a motion to declare the truck surplus property.

Mayor West requested comments.

Alderman Gray questioned the next step once the truck is declared surplus property.

Mr. Tipton said he would advertise for bids to sell the property.

A motion was made by Alderman Pollard to declare the 1998 Dodge truck surplus property. The motion was seconded by Alderwoman Arceneaux-Mathis. The motion carried unanimously.

Mr. Tipton said the Convention Center will host the National Freight Transportation Leadership Forum. He said the CEO of several major industries will fly into the Natchez Airport, the Mississippi Governor will be in town, a tele-conference will be held with Senator Trent Lott. Mr. Tipton said this will be an important and high profile national meeting for the city. There will be approximately 200 individuals involved in the meeting. The group will be in Natchez for three (3) days. Mr. Tipton said there is also conference for the University of Mississippi Dentistry School being held for fifty (5) students. The Literary and Cinema Celebration will be held during the week of February 19, 2007. He said this event will be sold out for the week because there is a lot on the agenda.

Alderman Pollard said he was asked by the Krew of Phoneix to thank Mr. Tipton and the Convention Center staff for their assistance during the Mardi Gras Grand Ball.

Alderman West asked Mr. Holloway if there are other items on the city surplus property list to be sold.

Mr. Holloway said there are other items on the surplus property list and the pick up truck will be included with the bid advertisement.

INSPECTION DEPARTMENT, Paul Dawes

Mr. Dawes presented the monthly report for the Inspection Department. He said there are three permits for new construction.

attachment

Alderman Gray requested an update on the properties in Ward 2 that are to be demolished. He asked if the property owners were notified by certified mail.

Mr. Dawes asked Alderman Gray which property he was referring to. Mr. Dawes said he did send out several notifications from the list. He requested an address.

Alderman Gray said the properties that were burned should be first on the list. He said the property owners should be notified immediately. Alderman Gray said a list of properties was submitted to the Inspection Department.

Alderman West said there is a meeting scheduled today to discuss deliapateted properties. He asked that representatives from the Inspection Department, Public Works Department, and Planning Department attend the 2:30 meeting. He invited Alderman Gray and other Alderpersons to attend.

CITY OFFICIALS' REPORTS

ALDERWOMAN ARCENEAUX-MATHIS

Alderwoman Arceneaux-Mathis said she received a report from James Smith regarding the Zoa Street & Bluff Street Drainage CDBG project # 99272PF-01. She said the construction drawings and documents have been completed and the project is expected to be completed within budget. Alderwoman Arceneaux-Mathis said in the construction phase of the project the contractor must coordinate with the utility companies to have underground utility lines installed in advance, contact the city traffic engineer prior to construction date and all home damages, or moves must be restored immediately to the original condition or better. The project team will meet with the Planning Director and the City Engineer prior to advertising the project for bids.

Alderwoman Arceneaux-Mathis said the project team is requesting approval to advertise immediately following Site Plan Review Committee approval. She said the request is so they will not have to wait until the next board meeting before advertisement of bids.

Mr. Story noted that the plans have not been submitted to the department, when they are received they project will be scheduled for Site Plan Review.

Alderwoman Arceneaux-Mathis asked if the committee will be available to review the plans immediately. She requested that the Board of Alderman pre-approve the advertisement for bids given the

fact that the committee will review the plans.

Mr. Gardner said Mr. Smith contacted the Engineering Department regarding the submittal of the plans.

A motion was made by Alderwoman Arceneaux-Mathis to approve the right to advertise for construction bids on the Zoa-Bluff Street Drainage CDBG Project #99272PF-01 immediately following the final approval of the site plan and construction documents by the Site Plan Review committee. The motion was seconded by Alderman Gray. The motion carried unanimously.

Alderwoman Arceneaux-Mathis requested clarification between the federal designation of Union Street and the emergency designation of Marblestone.

Mr. Gardner said for the record the Federal Highway Administration in conjunction with the Mississippi Department of Transportation provides a map for each city depicting the federal aid urban classification system. There are certain streets on the map that are major arterials or collectors that collect traffic from neighborhoods, high volume areas that are classified for federal aid urban money. Mr. Gardner said Minor Street was on the route, and the major routes included Martin L. King, Union Street, Central Business District, is on the map and the highway system. He said the smaller neighborhood streets are not on the list because they are not considered major collectors in the system. Mr. Gardner said Marblestone falls in the lesser category because of the lower volume, although not lesser in need and does not make the classification.

Alderwoman Arceneaux-Mathis asked if there is any classification for the area.

Mr. Gardner said there is no classification for Marblestone Street other than a city street.

ALDERMAN GRAY

Alderman Gray presented the monthly report for the Natchez Fire Department.

Alderman Gray said there is a vacancy on the Library Board with the resignation of Mrs. Minnie Dinelli. He said he would like to make the recommendation that Mrs. Hilda Lomax be appointed to the position.

Mayor West requested comments.

A motion was made by Alderman Gray and seconded by Alderman Pollard to appoint Hilda Lomax to the vacant position on the Library Board. The motion carried unanimously.

Alderman Gray said the State Department at one time provided training for Department Heads. He asked that the city research the training and request the individual to come to Natchez and provide the training for all employees in supervisory positions.

Alderman Gray said at the close of his reports he usually present a bible verse or prayer but thanks to Mrs. Bartley she provided what was needed in the order or prayer.

Alderman Gray presented a copy of the complaint form created for the use in Ward 2. He noted that he can be contacted at 601-597-4302.

Alderman Gray wished Alderman Massey well during his illness.

ALDERMAN POLLARD

Alderman Pollard reported about the visit with MDOT. He said the street issue is what he wanted to address. Alderman Pollard said he did not have to inform anyone about the condition of the city streets. He said last year the gaming bill that was presented before the Legislature included several streets to be overlayed. The gaming bill allows for streets leading to the gaming vessel to be overlayed. Alderman Pollard said the City of Natchez only received three tenths of a mile along Canal Street from the gaming bill. The board has been trying to find ways to provide money to address the issue of street repairs. Alderman Pollard said there is no money to do the streets that are in need of repair. They have gone through every effort to locate funds for the project. Alderman Pollard said there was a meeting held with Butch Brown and Wayne Brown and city representatives, Representative Robert Johnson, Senator Bob Dearing, members of the Board of Aldermen, MDOT Attorney Roy Tipton, MDOT Planner Ray Balentine, and the City Engineer David Gardner. Alderman Pollard said the question was how can you help Natchez help itself through inkind service, ideas and ways to get money. He said the meeting was very casual and informative. The bottom line came down to discussion regarding the four main streets leading into Natchez include Martin Luther King Jr. Street; St. Catherine Street; Homochitto Street and Franklin Street. Alderman Pollard said Representative Johnson noted that he will go before the Legislature and present the information and hopefully there will be more money provided for the city streets.

Alderman Pollard said he wanted to let the citizens of Natchez know that the Board of Aldermen are trying and not just repairing city streets and potholes. He said they are trying to find ways to fix the streets in the proper manner and have them maintained.

Mayor West said he was in Jackson last week and consulted with the lobbyist regarding the bill. Mayor West said the effort was moving forward. He said everyone should understand that with the legislative process you do not know what you will receive until it is at the end or near the end. Mayor West said the meeting was very productive and there were several options put forth to enable the city to accomplish what is to be accomplished. He said everyone will continue to work together and be successful.

ALDERMAN WEST

No Report

ALDERMAN MASSEY

Not Present

ALDERMAN MIDDLETON

Alderman Middleton said the bid was accepted for the North Natchez Tennis Courts and will be taken under advisement.

CITY CLERK'S REPORT, DONNIE HOLLOWAY

Mr. Holloway requested approval of Docket # 2514 - # 3255 as submitted.

Alderman Middleton asked if the docket was reviewed by Attorney Sanders.

Attorney Sanders noted that he did review the docket.

A motion was made by Alderman Pollard and seconded by Alderwoman Arceneaux Mathis to approve Docket #2514 - 3255 as submitted. The motion carried unanimously.

CITY ATTORNEY'S REPORT, EVERETT SANDERS

NO REPORT

MAYOR'S REPORT

Mayor West said he would like to make statements to be entered as a part of the record from the Mayor of the City of Natchez. He asked that the Board of Alderpersons endorse his statements as a part of the record.

Mayor West stated the following:

1. As Mayor of the City of Natchez, I respect the Mississippi Department of Archives and History for the important role, it serves in our city and state.
2. As Mayor of the City of Natchez I have the duty and responsibility to help protect the health, safety and welfare of the citizens.
3. The Department of Archives and History had no real interest in the property until the City of Natchez initiated steps to have the property developed two years ago.
4. The City of Natchez did not request and did oppose any Historic Designation of this property known as the Pecan Factory.
5. The Department of Archives and History was made aware of the unsafe conditions of the Pecan Factory site on more than one occasion beginning with the process that took place two years ago and since that time and has not taken any action to correct any concerns.

6. The Mississippi Department of Archives and History in this instance exercised its authority beyond the "Spirit" of the Law to circumvent the authority and will of the duly elected Representatives of the City of Natchez and majority will of its citizens.
7. If any laws were broken, they were not broken by the Mayor of the City of Natchez.

Mayor West said he issued an Emergency Executive Order based on the following:

1. There have been safety problems for a considerable period of time associated with the Pecan Factory site; in regard to persons skate boarding, vandalism and other things that were reported to him on more than one occasion. He said this was also reported in the past and nothing was done in hopes that the process would eliminate the condition. Once legal action was filed, a decision was rendered in the local court and an appeal was made to the Supreme Court, he felt that there was a great danger to allow the situation to remain in effect for two months or two years. If there is an individual harmed on the property the lawsuit will not be against the Department of Archives and History, it will be against the City of Natchez and/or the developers depending on the ruling of the Supreme Court as to the ownership.
2. The Mississippi Department of Archives and History was made aware of these problems as early as 2005 and was reminded of the situation since that time, but had failed or refused to take any action to solve the problem or to authorize any action to address the situation.
3. The Emergency Executive Order was issued to protect the health, safety and welfare of the city of the Natchez and visitors. I, Mayor Phillip West entered an Executive Order authorizing the demolition of the building on the Pecan Factory site for this purpose.

Mayor requested a motion for the statement to be entered as part of the record.

A motion was made by Alderwoman Arceneaux-Mathis and seconded by Alderman West to enter the statement as part of the minutes of the Regular Meeting of February 13, 2007. The motion carried unanimously.

Alderman Gray stated that he was one of the Aldermen who notified Mayor West of the dangerous situations on the site of the Pecan Factory. Alderman Gray said there were children skate boarding around the building that was falling down. He said the community would have been sorry if there was harm to the public because of the building condition.

Mayor West asked everyone to be reminded that everything you read in the media, Natchez Democrat is not in many instances the entire story. He said if the entire story was told it would take up two months of the Natchez Democrat newspaper. Mayor West said the newspaper is not in the business of giving all the information, it is in the business of providing only a snap shot. The snap shot is bias, depending on what the newspaper thinks of the situation. Mayor West said if the record is ever exposed, what was previously shared with the public is factual and if there was neglect in the matter it did not start with Phillip West. Mayor West said as Mayor of the City of Natchez, he will do everything in the best interest of the citizens. He said he was not elected Mayor thinking about being reelected. Mayor West said if the people decide that they want an individual who is more concerned about being re-elected they are welcomed to

have someone else.

Mayor West requested a motion to make a determination to go into Executive Session.

A motion was made by Alderwoman Arceneaux-Mathis to make a determination to go into executive session to discuss industrial development. The motion was seconded by Alderman Gray. The motion carried unanimously.

Mayor West said a determination was made to go into Executive Session to further discuss industrial development.

A motion was made by Alderwoman Arceneaux-Mathis to return to the regular order of business. The motion was seconded by Alderman Gray. The motion carried unanimously.

Mayor West called for a motion to adjourn.

ADJOURNMENT

A motion was made by Alderman Pollard and seconded by Alderman West to adjourn the Regular Meeting of February 13, 2007. The motion carried unanimously.

PHILLIP C. WEST, MAYOR

ATTEST:

DONNIE HOLLOWAY, CITY CLERK