

REGULAR MEETING
June 9, 2009

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, June 9, 2009. Mayor Jake Middleton presided at the meeting, which was opened with prayer by Mrs. Sabrena Bartley.

| MAYOR & BOARD PRESENT | ELECTED OFFICIALS ABSENT | CITY OFFICIALS & DEPARTMENT HEADS |
|---|---|---|
| John ‘Jake’ Middleton Mayor | Ernest “Tony” Fields Alderman, Ward 4 | Donnie Holloway, City Clerk Coretta L. Logan, Deputy Clerk Darlene Jones, Community Development Sabrena Bartley, Senior Center Paul Dawes, Building Official Patricia Gibson, Personnel Director Connie Taunton, Tourism Director David Gardner, Engineering Mike Mullins, Police Chief Oliver Stewart, Fire Chief Brett Brinegar, Grants Coordinator Natchez Democrat |
| Joyce Arceneaux-Mathis Alderwoman, Ward 1 | | |
| J. “Ricky” Gray, Jr. Alderman, Ward 2 | | |
| Bob Pollard Alderman, Ward 3 | | |
| 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 Meeting of May 26, 2009 and approve the minutes with the exception of any clerical error. The motion was seconded by Alderman Fortenbery. The motion carried unanimously.

Alderman Pollard made a motion to go out of order to conduct a public hearing on a text amendment. Seconded by Alderman Fortenbery. The motion carried unanimously.

PUBLIC HEARING

Mr. Lewis asked that the board to approve a proposed text amendment to allow industrial sales with indoor storage as a permitted land use on parcels in a I-1 zoning district within the City of Natchez corporate boundaries.

Alderman Dillard made a motion to come out of the public hearing. Seconded by Alderman Pollard. The motion carried unanimously.

Alderman Pollard made a motion to allow industrial sales with indoor storage as a permitted land use on parcels in an I-1 zoning district within the City of Natchez corporate boundaries.

GRASS CUTTING

Mrs. Anita Smith presented a list of properties for Nuisance Abatement to the board.

Alderwoman Arceneaux-Mathis made a motion to accept the listed properties for Public Works to cut the grass and place a lien on the properties. Seconded by Alderman Dillard. The motion carried unanimously.

VISITORS WELCOMED

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

Julius Calhoun Sr.

Mr. Calhoun of 9 Quitman Street stated that he would like to be on the grass cutting list. He stated that to the right of him is Zion Chapel No. 2. He stated that it should be on the National Historical Register. He stated that it looks like a jungle.

Mr. Calhoun stated that he would like the Quitman Street's name to be changed because his mail is always being sent to the Quitman Road in the county. He indicated that he would like the name to be changed to A.M. Calhoun. He added that he spoke with previous Alderman Bubba West and nothing was ever done. He added that he attended Alderman Field's first meeting at Zion Chapel Church and spoke to him about it.

Mayor Middleton stated that it has been noted and the matter will be addressed.

UNFINISHED BUSINESS

Alderwoman Arceneaux-Mathis stated that she got a letter back from Michael J. Walsh. She read the letter and stated that this was from when she went to the meeting on April 1st. She told Mr. Gardner that Mr. Walsh has not received the back up letters with the information that was put together last week.

Alderman Dillard asked Mr. Gardner to bring a set of plans from the 592 Project to the City Hall as it was proposed originally.

DEPARTMENT HEAD REPORTS

POLICE DEPARTMENT, Commander White

Commander White stated that there is a Seat Belt & Traffic Safety Enforcement grant in the amount of \$28,962.00. He added that the grant will pay for the office overtime, administrative costs, and any travel training. He added that there is no match required. He added that the deadline for the grant is June 15, 2009 and he would like permission from the board to submit the application for the grant.

Alderman Gray made a motion to allow the Natchez Police Department to submit the application for the Seat Belt & Traffic Safety Enforcement Grant. Seconded by Alderman Fortenbery. The motion carried unanimously.

VISITORS CENTER, Connie Taunton

Mrs. Taunton stated that since they have started collecting the \$2, they have collected right at \$257,000, which includes part of the last fiscal year. She added for last fiscal year the \$2 amount was \$88,276.79 and for this fiscal year to date is \$109,157.89. She added that as to Hamburger 1 & 2 for this fiscal year, they have collected \$637,483.14 through May, which is their portion.

Mrs. Taunton stated that her new worker has hit the ground running and has done a marvelous job for Natchez. She added that she is very pleased with what she has done. She added that in the last three weeks she has really had her on the road.

ENGINEERING, David Gardner

Mr. Gardner stated that he is ready to move forward with the available funds that the city has on hand from the Corp of Engineers for the 592 program. He added that he needs to proceed with the advertisement and the execution of the documents by the Mayor with the Corp of Engineers in order to proceed with the project. He added that we have the money in the bank and the funds are accounted for the second phase of the project. He stated that this will hopefully take it to Oak Street.

Alderwoman Arceneaux-Mathis made a motion to allow Mr. Gardner to proceed with the advertisement and the execution of the documents by the Mayor with the Corp of Engineers to proceed with the second phase of the project. Seconded by Alderman Dillard. The motion carried unanimously.

Alderman Gray asked where is the match was coming from.

Mr. Gardner stated that the match is coming out of the MDOT. He said it is a roughly 1.3 million in that.

Alderwoman Arceneaux-Mathis asked if the project will cover Wall Street.

Mr. Gardner stated that they will definitely cover Wall Street. He added that they hope to go pass Walworth to Oak Street. He added that in order for them to do that they are looking at not doing the tie ends on Walworth and it can be tied in on a later date, so that the project can be stretched to Oak Street.

Mr. Gardner stated that their goal is to get to Buckner first, Maple, and then the rest of the streets.

Alderwoman Arceneaux-Mathis stated that she wanted it to be understood by the public that the project will cover Buckner's first and then go on.

Mr. Gardner stated that he needs a general consensus that he move forward with it. He added that they stopped at Oak Street as far as getting real estate. He added that they are trying to spend as much of the 592 money as they can. He added that they don't want to leave anything on the table.

Alderman Dillard asked if he could get the most current or last report in terms of the PCA.

Mr. Gardner stated that he is not familiar with those reports.

Alderman Dillard stated that he just wanted to see where the \$400,000 had been spent for.

Mr. Gardner stated it was spent for Engineering, Real Estate, and some on construction.

Alderwoman Arceneaux-Mathis made a motion that the board move the funding up to an inclusive of what is available this year for any services needed to complete phase 2 including right of way. Seconded by Alderman Fortenbery. The motion carried unanimously.

Alderman Gray asked Mr. Gardener where is he on the Union Street project.

Mr. Gardner stated that they are still waiting on the STIP approval and it is out of his control. He added that MDOT has been overwhelmed with the stimulus projects. He added that he is in constant communication and it should be soon.

Alderman Gray stated that if they continue to delay the process, he does not want to have to spend the money on something else, and then wait on some more money and delay the project.

Alderman Dillard asked for an update on the Trails Project.

Mr. Gardner stated that Thursday is the deadline that they are giving the architects to deliver a set of final drawings. He added that they are waiting on the Environmental approval.

Mr. Gardner stated that four sites have made the cut and are being sent to Washington from the NRCS on the federal level for funding. 1234 Martin Luther King, 10 North Blue Bird, 102 North Street, & 113, 119, & 121 Oak Hill Drive are the EWP sites.

Mr. Gardner stated that they are putting the no parking signs on Maple Street and a motion will be needed in order for the city municipal court to enforce the no parking. He added that a motion needs to be made by the board to restrict parking on the East & West sides of the street.

Alderman Arceneaux-Mathis made a motion to restrict parking on the East and West sides of Maple Street. Seconded by Alderman Gray. The motion carried unanimously.

Alderman Arceneaux-Mathis stated that this is the first step for safety of the children and residents in the area.

PUBLIC WORKS, Eric Smith

Mr. Smith stated that they are approximately 80% complete with the debris cleanup. He added that they are currently working in the Trees Subdivision. He added that they are notifying individuals that Public Works will have to go around the entire city before they can honor second debris pickups. He added that the tree in the Duncan Avenue drainage is being cut and hauled as of now.

Mr. Smith stated that they are spraying for misquotes, starting on Palestine Road, the Morgantown area, and then move downtown. He added that they are using the city map to assure that no area is being omitted. He stated that with this service, each street should be service twice a month.

Mr. Smith stated that the Sweeper truck log has been furnished to Alderman Dillard. He added that the mosquitoes that carry the West Nile must be sprayed at dark.

Alderman Gray stated that the landfill prices on the docket are expensive.

Alderman Arceneaux-Mathis stated that she appreciated him and Public Works and stated that they are doing a wonderful job.

CITY OFFICIALS' REPORT

ALDERMAN DILLARD - WARD 6

Alderman Dillard stated that he is aware of the debris piles in Roselawn, North & South Circle, Linden Circle, and Montebello Drive and the trees that are down in the drainage system behind Duncan Avenue. He added that he will forward the information to the Public Works Director.

Alderman Dillard stated that he has further business that he will discuss under New Business.

ALDERWOMAN ARCENEUX-MATHIS - WARD 1

Alderwoman Arceneux-Mathis asked for an update on the cleanup for dumpsites.

Alderwoman Arceneux-Mathis made a motion to allow Mrs. Rita Bernard Harris to speak regarding her property on 10 Beaumont Street. Seconded by Alderman Gray. The motion carried unanimously.

Mrs. Rita Bernard Harris of 10 Beaumont Street stated that she presently resides in California. She stated that she is appalled at what has happened to the street in which 10 Beaumont resides. She stated that she cannot bring her friends to Natchez to show them where she grew up. She said the children are exposed detrimental matters. She stated that there is a tree at 9 Beaumont is leaning over her house and it needs to be removed completely.

Alderwoman Arceneux-Mathis stated that she stated to Mrs. Bernard Harris that she will need to notify the property owners in writing and keep a copy so that if it ever has to go to court, she would have all of her documents.

ALDERMAN GRAY, Ward 2

Alderman Gray asked Commander White to notify the police officers to be sure to address the 18 wheeler ordinance inside the city limits.

Alderman Gray asked Mr. Smith how is Public Works with the grass cutting.

Mr. Smith stated that they are cutting lots. He added that they are in the Irving Street area today. He added that he has 10 additional helpers.

Alderman Gray stated that the process that we are using for abandoned houses is broken. He added that every since he has been in office, pieces of property remains the same and we need to get a check and balance system to alleviate the problem.

Alderman Gray asked Ms. Brinegar if she could check into Rehab for Houses funding that Worth Peterson discussed at the last workshop.

Alderman Gray asked Ms. Brinegar for an update on Daisy Street.

Ms. Brinegar stated that everything is going and all information has been submitted.

Alderman Gray asked for a balance on the Capital Improvement Fund.

Mr. Holloway stated that it is \$202,000 as of today and it will be \$269,000 tomorrow. He added the transfers are coming from monies that were in the wrong account.

Alderman Gray stated that he received several calls regarding the Capital Improvement Funds Account and he could not respond until he gets with the City Clerk.

Alderman Gray asked if the Trail money was in the same fund as the Capitol Improvement Fund.

Mr. Holloway stated that there is a separate account for the Trails account. He stated that there were some obligations on the Trails that the city had to pay, so he took monies out of Capital Improvements Fund to pay the obligations until the city receives the \$275,000 back from the state.

Alderman Gray stated that it should be brought to the board on the front end because the board is responsible for paying it back if something goes wrong.

Alderman Gray stated that his condolences go out to the Green, Davis, and Fitzgerald family.

Alderman Gray stated that the Legislative has passed a law that each department head is responsible for their budget.

Alderman Gray stated that when the Trails Project was first set up, it wasn't through the City of Natchez, it was through another entity.

Mr. Gardner stated that it was through the Community Alliance. He added that Community Alliance had to partner with the City of Natchez because the City of Natchez is an entity that can go after the MDOT T21 enhancement funds. He added that it has to go through the city.

Alderman Gray stated that all he is saying is that they should know about it before it's done.

Mr. Gardner stated that the Capitol Improvements Fund Account is designed to do transactions and then later get reimbursed.

Alderman Gray requested that when anything is coming out of Capitol Improvements Account, it is to be clarified in writing what is coming out and for reason so that he will know.

Mr. Holloway stated that when Mr. Gardner emails him; he will copy it to the entire board.

Alderman Dillard requested that Mr. Gardner provide a copy of the documentation from MDOT that the money is still available for this project.

Mr. Gardner stated that he has a Memorandum of Understanding that is on the minutes that shows that. He added that he has a 2 page document that has all the dates that may be helpful for Alderman Dillard.

ALDERMAN POLLARD - WARD 3

Alderman Pollard gave the monthly Fire Department Report for the month of May.

ALDERMAN FIELDS - WARD 4

NOT PRESENT

ALDERMAN FORTENBERY - WARD 5

Alderman Fortenbery stated that he will skip his time due to the lengthy meeting.

CITY CLERK'S REPORT, DONNIE HOLLOWAY

Mr. Holloway asked the board to approve 6193 through 6466 on the claim docket.

Alderman Arceneaux-Mathis stated that she would need further information on #302367. She added that she does not approve of #356820.

Alderman Gray stated that he does not know why vendor #354747 keeps coming back on the docket for.

Alderman Pollard made a motion to approve the docket with the exception of #302367 and #356820. Seconded by Alderman Arceneaux-Mathis. The motion carried with Alderman Gray voting in opposition.

CITY ATTORNEY'S REPORT, EVERETT SANDERS

Attorney Sanders stated that he has a joint resolution authorizing the continuation of the Metro Narcotics Unit. The joint resolution is between the Mayor and Board of Alderman and the Board of Supervisors authorizing the Mayor to sign an inter local agreement for the perpetuation of that Unit.

Alderman Dillard made a motion authorize the continuation of the Metro Narcotics Unit and the joint resolution between the Mayor and Board of Alderman and the Board of Supervisors authorizing the Mayor to sign an inter local agreement for the perpetuation of that Unit. Seconded by Alderman Pollard. The motion carried unanimously.

Attorney Sanders stated the he was provided with 15 property files with reference to the notices. He added that there were no return receipts received from the properties that indicated notices were received by individuals relative to the May 26 hearing.

Attorney stated that perhaps more lead time is needed in receiving the return receipts. The statute states that the property owners are to be notified two weeks before the hearing.

Attorney Sanders stated that a 45 day advance notice will probably have to take place in order to get the return receipt cards back in time. He added that once the return receipt card is received, then the city can publish it in the paper and if no one responds then the board can declare the property to be a nuisance and that it can be demolished.

Attorney Sanders stated that section 21-19-11 has been amended, but you have to send out acknowledgements for individuals to sign with a returned envelope.

MAYOR'S REPORT

Mayor Middleton stated that on June 17 at the Convention Center at 9:00 am, the chamber is partnering with Copiah Lincoln Community College Small Business Development to host a Small Business Workshop to assist anyone who is interested in starting up a business or expanding a business. He added that the program is free to the public.

Mayor Middleton stated that on June 23rd, there will be a membership luncheon with the Vidalia, Ferriday, and Natchez Chambers. He added that it will begin at 11:30 am and Mr. Ronnie Bryant, CEO of the Charlotte North Carolina Regional Partnership will be the guest speaker. He added that tickets for the luncheon are \$15.

NEW BUSINESS

Alderwoman Arceneaux-Mathis stated that she would like Mayor Middleton to get with her at the next work session to discuss the railroad dilemma memo from Mrs. Robinson Horton of Bolton Mississippi.

Alderwoman Arceneaux-Mathis stated that she got a call that a tree fell on a vehicle. She stated that she was happy the driver was not hurt. She added that she is seeing a lot of trees that are hanging over in the middle of the streets and the board needs to get with the Chief and see what type of laws or grants would be available to alleviate the problem.

Mayor Middleton stated that Attorney Sanders can get with the Attorney General's Office to find out what necessary procedure the city can take on the matter.

Alderman Dillard stating that they are going through a proposed budget revision to reconcile the budget and finances. He added that the unscheduled transfers of money have become a problem. He added that they create an unsettled financial standing.

Alderman Dillard made a motion hat the City Clerk shall create and maintain a log of all interfund transfers and loans. And that they shall be enumerated to include the date and the amount of the transfer/loan. And it shall also include the name of the fund from which the funds are being transferred/loaned from and the name of the fund to which the funds are being transferred/loaned to and for what reason. This log shall be presented at each Board of Alderman Meeting and shall be maintained for the entire fiscal year. Seconded by Alderman Gray. The motion carried unanimously.

Alderman Dillard asked Mr. Holloway if any of the money from the \$500,000 tax anticipation loan is being used, dispensed, or borrowed.

Mr. Holloway stated that some of the money was used for payroll.

Alderman Dillard stated that a motion was made previously that it must come before the board but he realized that things are coming at us fast and they will get a chance to talk about it.

Alderman Arceneaux-Mathis made a motion that all the members of the board of Alderman, Mayor, City Clerk, and City Attorney who would like to attend the MML be allowed to go with the provision that the funding is available in the travel budget. Seconded by Alderman Gray. The motion carried unanimously.

RECESSED

A motion was made by Alderman Gray, seconded by Alderman Arceneaux-Mathis to recess the Regular meeting of June 9, 2009 until 4:00 pm. The motion carried unanimously.

**JAKE MIDDLETON
MAYOR**

ATTEST:

**DONNIE HOLLOWAY
CITY CLERK**