

REGULAR MEETING
November 8, 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, November 8, 2011. Mayor Middleton presided at the meeting, which was opened with prayer by Alderman Tony Fields.

| MAYOR & BOARD PRESENT | ELECTED OFFICIALS ABSENT | CITY OFFICIALS & DEPARTMENT HEADS |
|--|-------------------------------------|---|
| John ‘Jake’ Middleton Mayor | | Donnie Holloway, City Clerk Coretta L. Logan, Deputy Clerk 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 Fortenbery to dispense with the reading of the minutes of the Special Call meeting of October 27, 2011 & November 1, 2011 and the Regular & Finance Meeting October 11, 2011 pending name correction requested by Alderman Gray. The motion was seconded by Alderman Pollard. The motion carried unanimously.

Alderman Fields made a motion to go out of order to open bids for the FAU project. Seconded by Alderman Fortenbery. The motion carried unanimously.

OPENING BIDS

Mayor Middleton opened an acknowledged the one bid:

WE Blain & Sons, Mount Olive, MS \$353,160.75

Alderman made a motion to go back into regular order of business. Seconded by Alderman Fortenbery. The motion carried unanimously.

Alderman Fortenbery made a motion to take the bids under advisement. Seconded by Alderman Fields. The motion carried unanimously.

WELCOME VISITORS

Robert Lewis Middle School

Mayor Middleton welcomed the Robert Lewis Middle School and the FBLA.

Mr. Jim Mangum

Mr. Jim Mangum stated that he has a request for cash for the Community Development Block Grant Gustav project for roof replacements on several buildings. He added that \$20,843 will go to Salmon Architect and \$500 will go for an asbestos inspection.

Alderwoman Arceneaux-Mathis made a motion to approve the cash request for the Community Development Block Grant Gustav project for roof replacement. Seconded by Alderman Dillard. The motion carried unanimously.

UNFINISHED BUSINESS

Alderman Fortenbery asked Attorney Sanders the status of the redistricting plan and if it had been sent to the Department of Justice.

Attorney Sanders stated that an ordinance has to be adopted today and then it will be published in the newspaper. After it has been published in the newspaper, the governor has to approve it and the consultant is preparing the package in the meantime. He added that we are within our timeframe.

Alderwoman Arceneaux-Mathis stated that she would like the City Attorney to provide the board with a sheet explaining the process of the redistricting.

Alderman Dillard made a motion the \$15,000 be set aside from the Road and Bridge Tax for the purchase and installation of pre-manufactured modular re-cycled rubber speed humps and that they be installed equally between the six wards locations. Seconded Alderwoman Arceneaux-Mathis. The motion carried unanimously.

Alderman Gray made a motion to go out of order to have a public hearing on the TIF bond for Holiday Inn Express. Seconded by Alderman Fields. The motion carried unanimously.

Mr. Bill Williams of Biloxi Mississippi stated that that TIF bonds will allow the city to issue bonds and use increment tax dollars that are created by the project. He said once the project is completed and generating tax dollars, those taxes that the city pledged will be set aside to reimburse costs of the road and water utilities, which will be public infrastructure. He added that the county has already agreed to pledge up to 50% of the increase in ad valorem tax.

Alderwoman Arceneaux-Mathis asked what the time length was for the TIF Bond.

Mr. Williams stated that it will be up to the city's financial consultant but typically it is around ten years or up to fifteen years.

Mayor Middleton asked if there was anyone from the public who would like to speak in regards to the TIF plan.

Alderwoman Arceneaux-Mathis made a motion to close the public hearing. Seconded by Alderman Gray. The motion carried unanimously.

Alderman Dillard made a motion to approve the TIF Plan resolution. Seconded by Alderwoman Arceneaux-Mathis. The motion carried unanimously.

DEPARTMENT HEAD REPORTS

Bob Nix

Mr. Nix discussed the request for approval of PC-11-46, River Homes, Jody Foster, Duncan Park Place Subdivision, a proposed six lot patio homes subdivision on surplus city property.

Background: The Board of Aldermen approved a Future Land Use Map and a Zoning Map amendment, subject to the recording of property restrictions by the owner to which the city would be a party. The agreement has not been recorded. The staff and the applicant are working on finalizing the agreement before the next Board of Aldermen meeting.

The staff received and processed an application for approval of a proposed subdivision on the property.

Staff Findings: Staff finds that the required plan amendment, rezoning, and property use restrictions on this site are not effective, and will not be effective on the date of the Board's consideration of the subdivision. Staff also finds that the subdivision plat available on the date of this memorandum does not comply with state survey standards, and must be amended. Copies of the City Surveyor's findings and recommendation of the City Engineer are attached.

Alderman Dillard made a motion to approve the final plat proposed by Application PC-11-46, Duncan Park Place six lot patio home subdivision, with the conditions

that before the plat is recorded the plat must be submitted to the City Surveyor for approval and the required property restrictions must be reviewed by the City Attorney and the Planning and Zoning Director and brought to the Board of Aldermen for approval. Seconded by Alderwoman Arceneaux-Mathis. The motion carried unanimously.

Mr. Nix requested for approval of PC-11-48, Habitat for Humanity, proposed lot split to create two lots out of one. The two lots comply with the zoning code requirements, and the staff found no public easements or rights-of-way that are adversely affected by the proposed subdivision. An existing easement was determined to be private, not public, and not adversely affected by the proposed lot split.

Mr. Nix said since Habitat for Humanity intends to build a house on the new vacant lot, staff suggests that should the Board of Aldermen approve the lot split, they should also consider waiving the building permit fees that would otherwise be collected from Habitat for Humanity for construction of affordable housing on the new lot.

Alderman Fields made a motion to approve the final plat proposed by Application PC-11-48, a lot split to create two lots from one lot at 1117 Dr. Martin Luther King, Jr. Street, and to waive building permit fees for the construction of affordable housing by Habitat for Humanity on the new vacant lot. Seconded by Alderwoman Arceneaux-Mathis. The motion carried unanimously.

Debbie Owens, Municipal Court Clerk

Mrs. Owens submitted the municipal court report for the month of October.

David Gardner, Engineering

Mr. Gardner stated that he would like to make a formal request to MDOT Project Activation started through MDOT for the Roth Hill Bridge. He added that this is a \$200,000 funded project. He added that by getting two \$100,000 grants, it has lowered our out of pocket expense. He further added that they are well within their budget. Mr. Gardner stated that he would like to instigate the project activation request to MDOT for the project.

Alderwoman Arceneaux-Mathis made a motion to allow Mr. Gardner to make application to MDOT for Project Activation of the Roth Hill Bridge. Seconded by Alderman Fields. The motion carried unanimously.

Mr. Gardner stated that they have received the bids for the Brenham Avenue, Liberty Road, and Ratcliff FAU project. He added that the amount that was taken under advisement was \$353,160.75. He added that the corporate affidavit and bid bond is in place, the certificate of responsibility was listed, the addendum #1 has been acknowledged. He said that the bid was well within their budget which was an engineer's estimate of \$342,495.00 and had an allowable contingency of \$15,770.23. Mr. Gardner

stated that he would like to make a recommendation award to Blain Companies for the project contingent upon MDOT concurrence.

Alderman Dillard made a motion to award Blain Companies for the FAU project. Seconded by Alderman Fields. The motion carried unanimously.

Mr. Gardner stated that they discussed in the finance meeting about allowing \$5,000 out of the Public properties account for the preparation of the Christmas lights until the Bridge of Sighs can get done. He stated that they will need to do this temporarily to take care of our electrical needs.

Alderwoman Arceneaux-Mathis made a motion to allow Mr. Gardner a \$5,000 allowance out of the Public Properties account for the Christmas lights preparation. Seconded by Alderman Dillard. The motion carried unanimously.

Mr. Gardner stated that he would like to get permission to advertise for the Daisy Street project.

Alderman Gray made a motion to allow Mr. Gardner to advertise for the Daisy Street project. Seconded by Alderman Fields. The motion carried unanimously.

Mr. Gardner stated that they should be closing out on the Daisy Street project by July 2012.

Mr. Gardner stated that he would like a special work session on speed humps to discuss placing speed humps on improper locations.

Connie Taunton, Visitors Center

Mrs. Taunton submitted the city of Natchez Tourism Partner Newsletter. She indicated that the newsletter displays the Thanksgiving Day Restaurants that will be open for business, Calendar of events for November, upcoming conventions for the month of November, and the Tourism tax report from August 2011.

WARD 4, ALDERMAN FIELDS

Alderman Fields stated that he would like to take the time out to thank everyone who participated in the Walk against Violence event. He added that it was a great success due to the huge turnout.

Alderman Fields expressed his concerns about the light outages that have been reported to Entergy. He added that it seems though they are not getting to the reported areas quick enough, particularly Vidal Street extension and Fletcher Street.

Alderman Fields recognized Natchez Water Works for being published in several magazines for their great work on bio sludge. He added that he appreciates the entire company and their hard work.

Alderman Fields stated that his condolences go out the Sanchez Champ and Henry Jackson families.

WARD 5, ALDERMAN FORTENBERY

Alderman Fortenbery stated that the blacktopping of the Forest Lawn subdivision has begun. He added that the city's part on record is \$25,000 in addition to what the county is contributing.

WARD 6, ALDERMAN DILLARD

Alderman Dillard asked Mr. Holloway if the Accounting Software training has commenced.

Mr. Holloway stated that yes it has began and he will further discuss it in his report.

Alderman Dillard stated that Mayor's Action Committee on Technology will be preparing a RFP for information on getting an IT person.

Mr. Holloway stated that an IT person is currently being advertised.

Alderman Dillard discussed his concerns regarding Soil Conservation Service Special fund deficit (\$78,654) and Government Fleet Road deficit (\$23,704).

Alderman Dillard made a motion that the City Clerk prepare a financial report to be presented to the board pertaining to the Soil Conservation Special Fund and the Government Fleet Road Fund for the year ending 9/30/11 and to include copies of all bank statements for both funds, Worksheets showing all related expenditures from the Capital Improvements Fund, Worksheets showing all reimbursements from the Granting Agency. Seconded by Alderman Fortenbery. The motion carried with Alderman Gray and Alderman Fields opposing and Alderwoman Arceneaux-Mathis abstaining.

Alderman Dillard made a motion that the City Attorney notify Premier Gaming and request that they provide the City Planner with the most up to date and current Site Plan of the proposed development at Roth Hill Landing and that the City Planner's Office will maintain a full and completes set of Construction Drawings pertaining to this development. Seconded by Alderwoman Arceneaux-Mathis.

Alderman Pollard said he had complete faith that Mr. Nix and his office would stay on top of the casino development.

Mr. Nix said the city only has a lease agreement with the gaming company not a development agreement.

Mr. Nix said after the meeting the construction for the project will happen in phases while negotiations for the development agreement take place.

Mr. Nix said he has sent samples of development agreement forms to the company's attorney for review. He said both the city's attorney and the company's attorney must agree on what format the development agreement will be in before specifics are put into the agreement.

Mr. Nix said that the planning department is currently prepared to issue the company a foundation-only permit. The department is awaiting final foundation design plans for Premier Gaming. The permit means the company will be constructing the foundation at its own risk with the understanding that if an agreement is not in place that satisfies the city once the foundation is complete, construction could be halted until an agreement is reached.

Alderman Arceneaux-Mathis and Alderman Dillard said they wanted to ensure the city was getting the best deal possible with the casino contract.

Alderman Arceneaux-Mathis stated that we need to tie this thing down so we can get the very best contract and to make sure every part of it is honored.

Mr. Nix also said after the meeting that Premier Gaming must receive final approval for the design of the buildings on the property from the Natchez Preservation and Planning commissions. He said the designs need to be approved in December in order for the developers to stay on track for the casino to be completed in a year.

The motion carried with Alderman Pollard opposing.

WARD 1 – ALDERWOMAN ARCENEAUX-MATHIS

Alderman Arceneaux-Mathis made a motion that the Premier Gaming discourse that has just taken place be as a literal word transfer into the minutes. Seconded by Alderman Gray. The motion carried unanimously.

Alderman Arceneaux-Mathis stated that we need to have a work session periodically on the Premiere gaming process so that the board will know where we are in the project.

Alderman Arceneaux-Mathis made a motion that the board spread the Gaming Commission minutes from the meeting of October 27th across the City's minutes. She added that Premiere Gaming was added as an addendum to the meeting's agenda under item J. Seconded by Alderman Gray. The motion carried unanimously.

Alderman Arceneaux-Mathis stated that the Mississippi Gaming Commission meeting that she attended was a very interesting meeting because the Chair had been in Natchez the night before and visited the site. She added that at the meeting, **Premier Gaming** showed illustrations of the bridge, casino, two restaurants, parking lot for 314 vehicles, and the estimated 300 jobs. Alderwoman Arceneaux-Mathis stated that the group stated that they were looking to break ground for the development in two weeks before the rainy season comes in.

WARD 2 – Alderman Gray

Alderman Gray read the monthly Police report for the month of October.

Alderman Gray stated that the city is accepting applications for probationary firefighters and police officers. He added that the deadline for applications is November 14th.

Alderman Gray stated that he attended the meeting in search of a Superintendent for the Natchez Adams Public School district. He added that he will pass out forms for the board members to complete.

Alderman Gray stated that that he would like to ask the citizens to help keep our city clean by picking up paper and trash that is in front of your property. He also asked citizens not to spray paint gang related signs on other people's property.

Alderman Gray stated that his condolences go out to the Clark, Terrell, Arbuthnot, Robinson, Connor, Champ, and Mrs. Candice Rose Jones Ealey families. He added that he asked the secretary to prepare a resolution for Mr. Sanchez Champ and Mrs. Teresa Ford.

Alderman Gray stated that he attended the memorial service for Mr. Henry Jackson. He added that the Army, Fire Academy, Vicksburg, Jackson, Natchez, Vidalia, and Port Gibson Fire Departments were represented as well as local and surrounding counties law enforcement.

Alderman Gray asked Mr. Nix to look into the Neighborhood Stabilization program funds for revitalizing a lot of poverty areas.

Alderman Grays stated that the main thing is to keep the main thing, the main thing.

WARD 3 – ALDERMAN POLLARD

Alderman Pollard stated that as Chairman of the Fire Committee; he would like to offer his condolences to the family of Mr. Henry Jackson.

Alderman Pollard stated that the tourism's efforts are headed in the right direction and seems to be going quite well. He added that it is time for a marquee that says Welcome to

Natchez. He added that he will formulated a plan and come back with a motion for the board.

CITY CLERK, Donnie Holloway

Mr. Holloway asked the board to approve docket # 800 – 1058 and docket # 382 – 789.

Alderman Fortenbery made a motion to approve docket # 800 – 1058 and docket #382 – 789. Seconded by Alderman Pollard. The motion carried unanimously.

CITY ATTORNEY, Everett Sanders

Attorney Sanders stated that he has a proposed ordinance in regards to the redistricting plan. It ordinance will amend section 3 of the charter of the City of Natchez to reapportion districts based on the 2010 Census.

Alderman Pollard made a motion to suspend the reading of the ordinance and adopt the ordinance amending section 3 of the charter of the City of Natchez to reapportion districts based on the 2010 Census. Seconded by Alderman Fortenbery.

Alderman Gray stated that things that Mr. Rigby said that he actually did and it is confusing to him. He added that Mr. Rigby stated that he can't go down in minority wards but he did.

Alderwoman Arceneaux-Mathis: naye

Alderman Gray: naye

Alderman Pollard: aye

Alderman Fields: naye

Alderman Fortenbery: aye

Alderman Dillard: aye

Mayor Middleton voted aye. The motion carried.

MAYOR'S REPORT

Mayor Middleton announced that Natchez Police Chief Mike Mullins will be retiring effective Monday, and Commander Danny White will be serving as interim police chief until a new chief is hired. He added that the city hopes to hire a chief by January.

ADJOURNMENT

A motion was made by Alderman Fields, seconded by Alderman Pollard to Adjourn the Regular Meeting of November 8, 2011. The motion carried unanimously.

**JAKE MIDDLETON
MAYOR**

ATTEST:

**DONNIE HOLLOWAY
CITY CLERK**