

## REGULAR MEETING

May 13, 2014

The Regular Meeting of the Mayor and Board of Aldermen of the City of Natchez, Mississippi, was held in the City Council Chambers at 11:00 a.m. on Thursday, May 13, 2014. Mayor Larry L. "Butch" Brown presided at the meeting which was opened with prayer by Father David O'Connor of St. Mary's Basilica.

<u>Mayor &amp; Board Present</u>	<u>Elected Officials Absent</u>	<u>City Officials &amp; Department</u>
Larry L. "Butch" Brown Mayor		Donnie Holloway, City Clerk Hyde Carby, City Attorney Temple Hendricks, Board Sec
Joyce Arceneaux-Mathis Aldерwoman, Ward 1		Justin Dollar Sabrena Bartley James Johnston
James "Ricky" Gray, Jr. Alderman, Ward 2		Fire Chief Oliver Stewart Police Chief Danny White Creda Stewart
Sarah Carter Smith Aldерwoman, Ward 3		David Gardner Ed Bowser Frankie Legaux
Ernest "Tony" Fields Alderman, Ward 4		
Mark Fortenbery Alderman, Ward 5		
Daniel Dillard Alderman, Ward 6		

Mayor Brown thanked Brett Bruce for his new gavel.

### MINUTES APPROVED

**With a quorum present, a motion was made by Alderman Fortenbery to dispense with the reading of the minutes of the Finance and Regular Meetings of April 22, 2014, and adopt upon legal review. The motion was seconded by Aldерwoman Carter Smith and carried unanimously.**

**A motion was made to close the Regular Meeting go into a public hearing by Alderman Fields and was seconded by Aldерwoman Arceneaux-Mathis. The motion carried unanimously.**

### PUBLIC HEARING

Code Enforcement Officer Anita Smith appeared to adjudicate nuisance properties for grass and weeds and one property for an abandoned vehicle and debris accumulation.

Those properties adjudicated were:

43 Beaumont  
36 and 43 Bishop  
6, 10 and 22 Byrne  
6 and 13 Dunleith  
23 Grant  
100 Louisiana  
87 Marblestone Road  
112 Natchez  
212 Prince  
817, 900, 928 and 937 North Union

A list was presented of those properties that had been adjudicated within the last twelve month but haven't been cut or the structure had not been demolished. Mayor Brown asked that the date of the adjudication appear on Ms. Smith's reports in the future for those properties that haven't been cleaned up nor the structure torn down.

No one appeared to address the properties.

**A motion was made by Alderwoman Arceneaux-Mathis, with a second by Alderman Gray, to close the public hearing. The motion carried unanimously**

**A motion was made by Alderwoman Arceneaux-Mathis to move into the Regular Meeting with a second by Alderman Gray. The motion carried unanimously.**

**Alderwoman Arceneaux-Mathis made a motion to declare all of the properties listed as locations in the staff Memorandum dated May 13, 2014, as properties harboring nuisance conditions that violate the MS Code of 1972 and to adopt the resolutions recommended by the staff. Those properties adjudicated were:**

**43 Beaumont**

**36 and 43 Bishop**

**6, 10 and 22 Byrne**

**6 and 13 Dunleith**

**23 Grant**

**100 Louisiana**

**87 Marblestone Road**

**112 Natchez**

**212 Prince**

**817, 900, 928 and 937 North Union**

**A second was made by Alderman Dillard and the motion carried unanimously.**

Mr. Dollar commented that at least 75 properties are on the list but his department is short-handed, there are no funds for additional help and his department has their regular duties to perform. It takes approximately one day to clean up each property on the list. Alderwoman Arceneaux-Mathis asked for a plan on how to tackle the list.

#### **VISITORS WELCOME**

John Holyoak, Co-Chairman of the Community Alliance, reported that the Community Alliance had spent approximately \$40,000.00 on the bandstand/gazebo which drained CA of \$11,000.00 and was asking the city to restore their coffers in order that they can proceed with the overlook deck on the Trails Project. Mayor Brown asked that CA submit a request for a \$10,000.00 appropriation as the new budget cycle is coming up.

**A motion was made by Alderman Dillard that the city appropriate \$10,000.00 for Community Alliance to be paid out of Public Properties. A second was made by Alderman Fields and carried unanimously.** Alderman Gray asked for a list of CA board members and officers.

Thomas Lewis appeared to voice his concerns that he was the only person hired by the City to do demolition who was using the landfill. Mr. Lewis said in the past a contractor was only paid for demolition after the landfill receipts had been presented to the Inspection Department. Mayor Brown said that the city needs to meet with Jody Rutter, Building Inspector, to confirm that he has the ordinance, guidelines and a way to monitor the demolition permits for contractors and individuals. Mayor Brown said the city needs a way to police private owners who take out a permit to be sure that their debris is going to the landfill.

Three family members appeared to receive a Proclamation in honor of Irene Baldwin.

Clifton Marvel, President of the local chapter of the NAACP, appeared to ask why the city had been silent regarding the changes at the school district and he had talked to the BOS who stated that they're in agreement with the need for recreation but haven't come to an amicable agreement with the BOA for financing.

Alderwoman Arceneaux-Mathis responded that the BOA had done all it could do regarding recreation—the problem lies with the BOS. Secondly, the city has no input regarding the school board. In fact, once a school board member is appointed, the city has no input or control. She suggested to Clifton Marvel that the NAACP interview possible appointees on the front end. Mayor Brown said that the city has been proactive in regard to education to the extent that it can be—he mentioned the recent trip to

Memphis to learn about Charlie McVean's Peer Power and STEM programs and Mr. McVean will be traveling to Natchez at the behest of the city.

### **UNFINISHED BUSINESS**

None

### **DEPARTMENT HEADS**

*James Johnston, Planning Department*

Mr. Johnston and Mr. Dollar requested the BOA to make a motion to execute the required board order authorizing the execution of the Memorandum of Understanding (MOU) between the MS Transportation Commission (MTC) and City of Natchez that outlines the responsibilities of both parties in regard to implementing the 2014 Urban Youth Corps Program.

**A motion was made by Alderman Fields, with a second by Alderman Fortenbery, for the BOA to execute the board order authorizing approval and execution of the MOU between MTC and the city that outlines the responsibility of both parties with regard to implementing the 2014 Urban Youth Program. The motion carried unanimously.**

**A motion was made by Alderwoman Arceneaux-Mathis, with a second by Alderman Fields, for the execution of (replacement) MOU between the MS Transportation Commission (MTC) and City of Natchez to include the recently approved \$247,500.00 in additional funds for the preservation of the Yazoo & MS Valley Railroad Depot. These monies are in addition to the 2013 grant award, totaling \$500,000.00. Coupled with local matching funds of \$186,875.00, the total project budget is \$943,375.00. The motion carried unanimously.**

**A motion was made by Alderman Gray, seconded by Alderman Fortenbery, for requested concurrence with MDOT on Supplemental Agreement # 1 to incorporate and approve the additional scope of work from the 2014 TAP monies into SSR's professional services agreement. Supplemental Agreement #1 will not exceed \$31,426.16. The motion carried unanimously.**

The required public hearing regarding the application to fund construction of the Satellite Senior Citizens Center at North Natchez Park Community Development Block Grant 2014 Public Facilities Application was held at 10:00 a.m. on Tuesday, April 29th in the Natchez Council Chambers.

**A motion was made by Alderwoman Arceneaux-Mathis, with a second by Alderman Gray, that the minutes of the public hearing of April 29<sup>th</sup> be spread on the city's minutes. The motion carried unanimously.**

Mayor Brown said that he'd spoken with Rev. David Little and World Changers are working on their 2016 gathering.

*Chief Danny White, Police Department*

Chief Danny White gave his monthly report.

**A motion was made by Alderman Gray, with a second by Alderman Fields, that employee #302062 be suspended for ten days without pay. The motion carried unanimously.**

**A motion was made by Alderman Gray, with a second by Alderman Fields, to suspend employee #302226 for three days without pay. A second was made by Alderman Fields and carried unanimously.**

**A motion was made by Alderman Gray, with a second by Alderman Fields, to reimburse employee #302552 for seven days. The motion carried unanimously.**

Alderman Gray thanked PD and Chief White for apprehending a burglar on Louisiana.

*David Gardner, Engineering Department*

**A motion was made by Alderwoman Arceneaux-Mathis, with a second by Alderman Fields, to advertise the closeout of 592 II C. The motion carried unanimously.**

The following sites have been approved and will be sent to the State Office for final evaluation.

George F. West Blvd. (North of house no. 301)

Duster Drive (Across from house no. 129)

122 Jefferson Davis Blvd.

101Thistledown Drive

133 Homochitto St. (Is possibly approved, waiting on official from NRCS)

Microseal-should begin in the next two weeks. The contractor is running out of time.

Bridge of Sighs-currently being advertised and will receive bids on May 27<sup>th</sup>

Colonnade Project-Plans and specs have been forwarded from MDOT to MDAH

**A motion was made by Alderwoman Carter Smith, with a second by Alderman Dillard, that \$400,000.00 be spent on asphalt, per the street inventory, and reserve \$100,000.00 for Microseal, possibly to be used in the future. The motion carried unanimously.**

Mr. Gardner will have a presentation on the street inventory for the May 27th meeting.

Alderman Dillard and Mr. Gardner discussed that a close out had been done on the Regional Transit Center project. Alderman Dillard commented that \$26,000.00 was spent on the docket for Regional Transit Center.

*Justin Dollar, Public Works*

Public Works had cleaned the area where Riverstock 2014 had been held. Ten poop and scoop stations have been ordered. Alderman Fields asked PW to clean up the old PW's property and reinstall a chain where it comes out onto Pernell Hill. Alderman Gray asked Mr. Dollar to check on a mud hole on Woodlawn. Alderman Dillard thanked PW for mowing the property on Roth Hill.

*Fire Chief Oliver Stewart, Fire Department*

Chief Stewart reported 53% of calls were inside the city and 47% were outside. He advised that the volunteers had responded to one call but Stan Owens had reported four—the county will now start reporting times.

*Frankie Legaux, Planning Department*

The Development Code was under review by the steering committee and she'd provide the BOA a copy of the draft after Phil Walker makes his final adjustments.

*Creda Stewart, Interim Tourism Director*

The CVB had a successful Tourism Appreciation Day. Filing, job descriptions and asset inventory are being completed. She presented a short survey to see where tourists are from and what they think of the Visitors Center. A new Chamber magazine is being published. Lindsey Smith will be going to England to market Natchez.

Alderwoman Arceneaux-Mathis asked if the CVB can check into banners which hang on light poles to advertise events. Mrs. Stewart asked about replacing the banners on NAPAC Museum. Alderwoman Arceneaux-Mathis asked if the \$1.00 per bus tour fee will be reinstated—Mayor Brown said that he will wait to discuss.

## **PUBLIC OFFICIALS**

Alderman Fortenbery-no report

Alderwoman Carter Smith-no report

Alderman Dillard asked Mr. Gardner to prepare a cost estimate for repairs to reflective panels on the concrete roadbed on Melrose.

**A motion was made by Alderman Dillard, with a second by Alderman Fortenbery, for the city to solicit bids, through the Inspection Department, for exterior repairs to the Council Chambers to include**

**replacing the exterior windows (30) and doors, repair to plaster on the exterior facade and columns and check to see if the roof is leaking. The motion carried unanimously.**

Alderman Dillard suggested that the city contract with a service provider for mechanical service to inspect the systems twice a year as well as inspect roofs twice a year.

Alderman Fields asked if PD could provide more of a presence on St. Catherine and E. Franklin to catch speeders.

Alderwoman Arceneaux-Mathis asked that Natchez Inc. promote downtown and Natchez Mall (ten empty stores) due to the number of empty storefronts. She asked Mayor Brown to see how other cities are marketing their downtowns. She gave a Power Point presentation to the school board regarding Charlie McVean's program in Memphis.

**A motion was made by Alderwoman Arceneaux-Mathis that Magnolia Bluffs Casino be allowed to move their sign ten feet forward or cut the tree down so the sign can be seen. A second was made by Alderman Gray.** Frankie Legaux advised that the sign is an off-premise sign—only a billboard is allowed. Alderwoman Carter Smith asked if any exceptions--Mr. Carby said that the law can be changed. Alderman Dillard asked if any provisions in Development Code for directories especially at the top of locations such as Silver Street. Mrs. Legaux advised that Phil Walker is not addressing the sign ordinance. **After a discussion of a history of the casino's sign and on the legality of the sign, a roll call was asked for:**

<b>Alderwoman Arceneaux-Mathis</b>	<b>aye</b>
<b>Alderman Gray</b>	<b>aye</b>
<b>Alderwoman Carter Smith</b>	<b>nay</b>
<b>Alderman Fields</b>	<b>aye</b>
<b>Alderman Fortenbery</b>	<b>nay</b>
<b>Alderman Dillard</b>	<b>nay</b>

**Mayor Brown provided the tie breaking vote by voting nay. The motion did not carry.**

Alderwoman Carter Smith asked Mr. Carby to research what it would take to make changes to the sign ordinance as another issue is coming up.

Alderman Gray advised that the deadline for the MML Parade of Flags is approaching. Alderman Gray said that he's having a problem with horse droppings and warned that there was an ordinance in place. He asked that the city do a proclamation for Joyce Jackson's retirement.

#### **CITY CLERK**

**A motion was made by Alderman Fortenbery, with a second by Alderman Fields, that the Hire and Termination Report for April be spread on the minutes. The motion carried unanimously.**

**A motion was made by Alderman Gray, with a second by Alderman Fortenbery, that docket #2988-3753 be approved.** Alderman Dillard said that it had been suggested that he put his questions in writing. The docket shows \$35,000.00 (claim 3470) being transferred from Margaret Martin to the North Natchez 592 Drainage Project—there is no money in the Margaret Martin Fund 185 but this was expensed. On the last page of the docket, \$26,671.00 was being paid out of the Regional Transit Facility fund. He asked the City Clerk to check into these two items.

**The motion carried with all voting aye except for Alderman Dillard who voted nay.**

#### **CITY ATTORNEY**

**A motion was made by Alderwoman Arceneaux-Mathis, seconded by Alderman Fields, to authorize Sam Keyes of Butler Snow to prepare documents for the Holiday Inn TIF in increments of 10, 12 and 15 years.** Alderman Fortenbery asked what had previously been done for the Holiday Inn—Mr. Holloway replied that the city had agreed to do a TIF for \$2M but less is now needed, approximately \$800,000.00.

**The motion carried unanimously.**

A petition is before the Federal Energy Regulatory Commission to abandon the pipeline from Monroe to Baton Rouge. The city has reserved a place to speak before FERC.

More information had been provided for the charter amendment. The will of the BOA was to prepare the amendments separately.

In Executive Session, the BOA had authorized Mr. Carby to file a lawsuit against the Cock of the Walk for unpaid rent. The suit was in the amount of \$17,000.00.

**A motion was made by Alderman Dillard, with a second by Alderman Gray, to amend the first set of minutes for March.** A discussion was that Old South Trading had paid its rent directly to the city. Mr. Carby will be attaching litigation costs to the suit. **The motion carried unanimously.**

#### **MAYOR'S REPORT**

Mayor Brown read the privilege license report for March and April. The CVB Director search committee had met and was in the process of approving the job description and advertisement for the position. President Rankins of Alcorn and Teresa Busby of Natchez Co-Lin will participate in Charlie McVean's upcoming trip to Natchez.

**A motion was made by Alderman Gray, seconded by Alderman Fields, to approve travel for Mayor Brown to go to DC next week to meet with Senator Cochran and Representative Harper to try to obtain USDA funding for projects on the bluff area. The motion carried unanimously.**

**A motion was made by Alderman Dillard, with a second by Alderman Gray, to ratify the action of the emergency repair of \$80,000.00-\$90,000.00 for the a/c at the City Auditorium with the money to come out of Public Properties. The motion carried unanimously.**

**A motion was made by Alderman Gray, with a second by Alderman Fortenbery, to cancel the June 24<sup>th</sup> board meeting due to a lack of a quorum as BOA members would be attending the MML Conference in Biloxi. The motion carried unanimously.**

#### **ADJOURNMENT**

**A motion was made by Alderman Fortenbery and seconded by Alderman Dillard to adjourn the meeting of May 13, 2014. The motion carried unanimously.**

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Larry L. "Butch" Brown, Mayor

ATTEST:

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Donnie Holloway, City Clerk