

## NOTICE OF PUBLIC MEETING

Notice Posted on Wednesday, March 17, 2010 at the Natchitoches Arts Center located at 716 Second Street, Natchitoches, Louisiana at 3:05 and at City Hall located 700 Second Street, Natchitoches, Louisiana at 3:30 p.m. on Wednesday, March 17, 2010.

A public meeting/hearing will be held on APRIL 12, 2010 for the purposes of:

- 1) Adopting the Millage Rate for the Tax Year 2010
- 2) Adopt the Budget for the Fiscal Year June 1, 2010 through May 31, 2011
- 3) Any and all other business that may properly come forth

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### NATCHITOCHEs CITY COUNCIL MEETING

APRIL 12, 2010 - 7:00 P.M.

#### A G E N D A

1. CALL TO ORDER
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. READING AND APPROVAL OF THE MINUTES OF MARCH 22, 2010
5. CONGRATULATIONS – NATCHITOCHEs AREA JAYCEES - HERO OF THE MONTH – SPECIALIST JOSHUA HAMM – Joe Evans & Jaycees will present award
6. CONGRATULATIONS – 2010 LHSPLA 5A GIRL’S STATE POWERLIFTING CHAMPIONS  
Coaches:     Bob Ralston-Head Coach  
                  Lawson Green-Assistant Coach  
                  Nate Middleton-Assistant Coach  
  
Team:         Lindsey Howell                     Mary Hooper  
                  Lizzy DeBlieux                    Ariel Wilson  
                  Lakendra Robinson               Brittney Wells  
                  Tonika Merritte                     Selena Wester  
                  Katarina Pope                       A’Issa Fowler  
                  Hillery Washington
7. CONGRATULATIONS – MIKE BRAXTON – SEVEN SEALS AWARD
8. PROCLAMATIONS:  
#024 Nielsen       Resolution Proclaiming AUTISM MONTH  
                          Brenda Ingram and Christie Griffin  
  
#026 Morrow       Resolution Proclaiming WEEK OF THE YOUNG CHILD  
                          Rev. Monte Demars and Juanita Williams  
  
#027 Payne         Resolution Proclaiming KEEP NATCHITOCHEs BEAUTIFUL  
                          MONTH - Courtney Hornsby
9. BIDS – REJECT:  
#025 Mims         Resolution Authorizing the Mayor to Reject the Bid Received for the  
                          Window Replacement at the Natchitoches Central Fire Station  
                          (Bid No. 0497)  
                          Committee: Pat Jones, Edd Lee, Jack McCain, Jr., Dennie Boyt,  
                          Norman Nassif, Engineer

10. **ADD TO AGENDA – PLANNING AND ZONING – INTRODUCTION:**  
**#018 Nielsen** Ordinance Amending Ordinance No. 64 Of 2001 By Changing Zoning Classification Of Property Described As Follows:  
 Lot East Side Of Jefferson Street, North By Deblieux, East By Cane River Lake, South By Jordan (417 Jefferson Street – Gary & Susan Howell)
- #019 Nielsen** Ordinance Amending Ordinance No. 64 Of 2001 By Changing Zoning Classification Of Property Described As Follows:  
 Lot 150 Feet Front East Side Highway 1 South Being A Portion Of Lots 7 & 8 Of East Broadmoor Subdivision #2 & The East 39.4 Feet Of Lot 8 & East 39 Ft. Of S ½ Of Lot 7 Unit 2 Of East Broadmoor Subdivision, Less 848.9 Sq. Ft. To Highway Department (115 South Drive-The Frosty, LLC)
11. **ORDINANCES – INTRODUCTION:**  
**#017 Payne** Ordinance Adopting the Budget for the City of Natchitoches for the Fiscal Year June 1, 2010 through May 31, 2011
12. **ORDINANCES – FINAL:**  
**#014 Mims** Ordinance Adopting the Millage Rate for the Tax Year 2010
- #015 McCain** Ordinance Amending the 2009 – 2010 Budget to Reflect Additional Revenues and Expenditures
- #016 Nielsen** Ordinance Authorizing The City To Lease A Tract Of Land Described As Lot 20 Of The Air Industrial Park To Carlton Golden And / Or Builder's Supply, Setting The Terms And Conditions Of Same, And Authorizing The Execution Of The Lease By The Mayor, Wayne McCullen, After Due Compliance With The Law, And Further Providing For Advertising Of The Lease And An Effective Date
13. **REPORTS:** Sylvia Morrow – Leadership Environmental Program
14. **RESOLUTIONS:**  
**#028 McCain** Resolution Authorizing the Mayor to Execute Any Documents Necessary with Regard to Seal Coat Taxiways and Portion of Main Apron for Improvements to the Natchitoches Regional Airport
- #029 Morrow** Resolution Suspending The Annual Cost Of Living Salary Increase For All City Employees For The 2010 - 2011 Budget Year In Order To Address Budget Issues In An Across The Board Equitable Fashion; Providing For An Exception For Any Increases That Are Mandated By State Law
15. **OTHER BUSINESS:** Concerned Citizens regarding Utility Concerns (Light Bills)
16. **NOTICE:** City of Natchitoches offices will be closed May 31, 2010 for the Memorial Day Holiday
17. **ADJOURNMENT**

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**Carol S. Steadman, Clerk**

**NOTICE TO THE PUBLIC**

In accordance with the Americans with Disabilities Act, if you need special assistance, please contact the City Clerk's Office at (318) 352-2772 describing the assistance that is necessary.

If you wish to address the Council, please complete the "[Request to Address City Council](#)" form located on the entrance table.

**PROCEEDINGS OF THE CITY COUNCIL  
OF THE CITY OF NATCHITOCHEs, STATE OF LOUISIANA,  
REGULAR MEETING HELD ON  
MONDAY, APRIL 12, 2010, AT SEVEN O'CLOCK, (7:00) P.M.**

The City Council of the City of Natchitoches met in legal and regular session at the Natchitoches Arts Center, 716 Second Street, Natchitoches, Louisiana, on Monday, April 12, 2010, at 7:00 p.m.

There were present: Councilman at Large, Don Mims, Jr., Councilmen; Jack McCain, Larry Payne, Dale Nielsen and Councilwoman Sylvia Morrow

The Mayor welcomed those in attendance and also the radio audience.

The Mayor asked everyone to rise for the Invocation given by Mr. Michael Braxton, Director of Public Works, followed by the Pledge of Allegiance lead by Mr. Mims.

The Mayor presented Joe Evans and Steve Boyd, Jaycee Members, with a plaque of recognition on behalf of the City for their work with the Hero of the Month program. Mr. Boyd, President of the Natchitoches Area Jaycees, noted that the Jaycees have been a contributing organization within this community for 54 years, and one of their current projects is to provide nearly \$1,000.00 per month to families of troops overseas which they are calling "Heroes of the Month". He then introduced Joe Evans, head of the Jaycee's Hero of the Month program. Mr. Evans stated that the local Army National Guard unit, made up of citizen soldiers, many being members of this community, was activated and is currently deployed in the Middle East. He said the purpose of Hero of the Month is to thank these soldiers and let them know that we, as a community, appreciate their service and their sacrifice. He recognized various businesses that have made donations for the care package to be presented at this meeting, stating that the program will be continued over the next year, and more donations will be needed over this time, as well. He then recognized this month's Hero of the Month, Specialist Joshua Hamm, a gunner in the Second Platoon out of the local Cav. Troop, who was born here in Natchitoches, and is a graduate of Natchitoches Central High School. Mr. Evans and Mr. Boyd presented this month's care package to Specialist Hamm's family.

The Mayor then presented the 2010 LHSPLA 5A Girl's State Powerlifting Champions with a plaque of congratulations. He noted that behind every good team are good coaches, recognizing Head Coach Bob Ralston, along with Assistant Coaches Lawson Green and Nate Middleton, and members of the team.

The Mayor stated that he wants the public to know that the City of Natchitoches is very dedicated to helping our servicemen in any way we can, and that we have a lot of employees that are members of the National Guard that are serving our country. He advised that the City of Natchitoches and, in particular, Mike Braxton, Director of Public Works, was recently honored in Baton Rouge for his contribution to supporting our service people. The Mayor presented Mr. Braxton with the Seven Seals Award for meritorious leadership and initiative in supporting the men and women who serve America in the National Guard and Reserve. Mr. Braxton accepted the award, and recognized one of his staff members, Sgt. Stephenson, who is a veteran and has been a member of the National Guard for many years.

The Mayor then called for the reading of the Minutes. Mr. McCain made a motion to dispense with the Reading of the Minutes, and Ms. Morrow seconded the motion. The roll call vote was as follows:

**AYES: McCain, Morrow, Payne, Nielsen, Mims**  
**NAYS: None**  
**ABSENT: None**

The Mayor declared the Motion as **PASSED**.

The meeting continued with Proclamations, as follows:

The following Resolution was Introduced by Mr. Nielsen and Seconded by Mr. Payne as follows, to-wit:

**RESOLUTION NO. 024 OF 2010**

**PROCLAMATION  
AUTISM AWARENESS MONTH**

**WHEREAS**, autism is the fastest growing serious developmental disability in the United States; and

**WHEREAS**, today it is estimated that one in every 110 children is diagnosed with autism, making it more common than childhood cancer, juvenile diabetes and pediatric AIDS combined; and

**WHEREAS**, though there is no single known cause or cure, autism is treatable. Children do not “outgrow” autism, but studies show that early diagnosis and intervention can lead to significantly improved outcome; and

**WHEREAS**, currently, the Autism Society estimates that the lifetime cost of caring for a child with autism ranges from \$3.5 million to \$5 million, and that the United States is facing almost \$90 billion annually in costs for autism; and

**WHEREAS**, **Autism Awareness Month** is celebrated nationally every year in April, providing an opportunity for families, friends, and local communities to raise public awareness.

**NOW, THEREFORE BE IT RESOLVED** that I, Wayne McCullen, Mayor, do hereby proclaim the month of April as

**AUTISM AWARENESS MONTH**

in the City of Natchitoches and urge all employees and residents to participate in our municipality's Autism Awareness Month activities to become better educated and more aware of autism in our country and parish.

This Resolution was then presented for a vote, and the vote was recorded as follows:

**AYES:** Nielsen, Payne, Mims, McCain, Morrow  
**NAYS:** None  
**ABSENT:** None  
**ABSTAIN:** None

**THEREUPON**, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 12<sup>th</sup> day of April, 2010.

  
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WAYNE McCULLEN, MAYOR

The following Resolution was Introduced by Ms. Morrow and Seconded by Mr. Nielsen as follows, to-wit:

**RESOLUTION NO. 026 OF 2010**

**PROCLAMATION**

**THE WEEK OF THE YOUNG CHILD**

**WHEREAS**, Natchitoches is blessed by its population of young children, who are an integral and aspiring part of the culture and future of Natchitoches; and

**WHEREAS**, Natchitoches recognizes the rights and needs of young children and their families and the early childhood programs and services that are necessary to meet those needs; and

**WHEREAS**, Natchitoches acknowledges that the early childhood years lay the foundation for children's success in school and later life; and

**WHEREAS**, everyone, as citizens of a community, state and nation, has a role to play in making young children successful and healthy as they mature; and

**WHEREAS**, the **Week of the Young Child** is an annual celebration sponsored by the National Association for the Education of Young Children (NAEYC), the world's largest early childhood education association; and

**WHEREAS**, we should take time to honor the importance of young children, and recognize those that support and strengthen the needs of young children year-round; and

**WHEREAS**, we should all renew our commitment to the augmentation and implementation of all connections that honor and encourage the growth and education of young children; and

**WHEREAS**, with the assistance and resources of all agencies, Churches and citizens, we can help create a better and promising future for the young children of Natchitoches.

**NOW, THEREFORE, I, Mayor Wayne McCullen** and the **Natchitoches City Council**, do hereby proclaim the week of April 11 to 17, 2010 as the

**WEEK OF THE YOUNG CHILD**

in the City of Natchitoches and urge all residents to support the needs of our youth.

This Resolution was then presented for a vote, and the vote was recorded as follows:

<b>AYES:</b>	Morrow, Nielsen, Mims, McCain, Payne
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

**THEREUPON**, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 12<sup>th</sup> day of April, 2010.

  
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**WAYNE McCULLEN, MAYOR**

The following Resolution was introduced by Mr. Payne and seconded by Ms. Mims as follows, to-wit:

**RESOLUTION NO. 027 OF 2010**

**PROCLAMATION  
KEEP NATCHITOCHE BEAUTIFUL MONTH**

**WHEREAS**, the City and Parish of Natchitoches are rich in natural resources and beauty; and

**WHEREAS**, every citizen should contribute to keeping their environment clean and beautiful, and should work together to preserve the natural beauty of their surroundings; and

**WHEREAS**, Keep America Beautiful, Inc. has organized millions of Americans for more than 30 years in a nationwide effort to improve community environments by establishing a nationwide cleanup event; and

**WHEREAS**, Keep America Beautiful, a nation, nonprofit, public-education organization, dedicated to improving waste handling practices in American communities, originated Keep America Beautiful Month to focus attention on the efforts of concerned citizens across America who demonstrate daily that keeping America beautiful is more than a slogan; and

**WHEREAS**, Keep Natchitoches Beautiful is an affiliate of Keep America Beautiful, and is sponsoring community cleanups and an Earth Day celebration in Natchitoches on April 25<sup>th</sup>; and

**WHEREAS**, Keep Natchitoches Beautiful is asking all citizens to become involved in the statewide anti-litter efforts through their participation in their local beautification, educational and cleanup events.

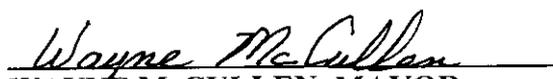
**NOW, THEREFORE, BE IT RESOLVED** by Wayne McCullen, Mayor of the City of Natchitoches, that the month of April 2010 be proclaimed as

**KEEP NATCHITOCHE BEAUTIFUL MONTH**

This Resolution was then presented for a vote, and the vote was recorded as follows:

**AYES:** Payne, Mims, McCain, Morrow, Nielsen  
**NAYS:** None  
**ABSENT:** None  
**ABSTAIN:** None

**THEREUPON**, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 12<sup>th</sup> day of April, 2010.

  
WAYNE McCULLEN, MAYOR

The meeting continued with Bids, as follows:

The Following Resolution was Introduced by Mr. Mims and Seconded by Mr. Nielsen as follows, to-wit:

**RESOLUTION NO. 025 OF 2010**

**A RESOLUTION AUTHORIZING THE MAYOR  
TO REJECT THE BID RECEIVED FOR THE WINDOW  
REPLACEMENT AT THE CENTRAL FIRE STATION**

**(BID NO. 0497)**

**WHEREAS**, after due advertisement in the *Natchitoches Times* on February 23, March 2 and March 9, 2010 one (1) bid was received and opened on March 22, 2010 for the window replacement at the Central Fire Station, (Bid No. 0497); and

**WHEREAS**, the appointed committee of Pat Jones, Director of Finance; Edd Lee, Director of Purchasing; Jack McCain, Councilman; Dennie Boyt, Fire Chief; and Norman Nassif, Engineer, reviewed the bid proposal received; and

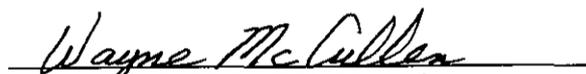
**WHEREAS**, after review of the bid received and the bid being in excess of the designer's estimate and budgeted amount, the appointed committee was unanimous in its decision to **reject** the bid from RDS Construction, LLC in the amount of \$76,200.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Natchitoches, in legal session convened, that the Honorable Wayne McCullen, Mayor, be and is hereby authorized, empowered and directed to **reject** the bid submitted by RDS Construction, LLC.

This Resolution was then presented for a vote, and the vote was recorded as follows:

**AYES: Mims, Nielsen, McCain, Morrow, Payne**  
**NAYS: None**  
**ABSENT: None**  
**ABSTAIN: None**

**THEREUPON**, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 12<sup>th</sup> day of April, 2010.

  
WAYNE McCULLEN, MAYOR



# CITY OF NATCHITOCHES

Oldest Settlement in the Louisiana Purchase

## OFFICE OF PURCHASING

Wayne McCullen  
Mayor

**March 29, 2010**

Don Mims, Jr.  
Councilman At Large

Jack McCain, Jr.  
Councilman  
District 1

**Mayor Wayne McCullen  
City Hall  
Natchitoches, LA 71457**

Dale Nielsen  
Councilman  
District 2

**Dear Mayor McCullen,**

Sylvia Morrow  
Councilwoman  
District 3

**The appointed committee of Pat Jones, Edd Lee, Jack McCain and Chief Dennie Boyt, has reviewed the engineer's recommendation submitted by Mr. Norman Nassif, with**

Larry Payne  
Councilman  
District 4

**Nassif Engineering, Natchitoches, LA, on Bid # 0497, - Window Replacement at Central Fire Station.**

**The committee was unanimous in its decision to reject the bid received from RDS Construction, LLC, in the amount of \$76,200.00. The bid was in excess of the designer's estimate and the budgeted amount.**

**All bids are kept at the City Purchasing Department, 1400 Sabine Street, Natchitoches, LA 71457. Anyone desiring to view the bids may do so at that location.**

**Request ratification of this award at the next City Council meeting on April 12, 2010.**

Sincerely,

**Pat Jones  
Director of Finance**

**Edd Lee  
Director of Purchasing**

**Jack McCain Jr.  
Councilman Dist. 1**

**Dennie Boyt  
Fire Chief**

The Mayor asked for approval to add Ordinance Numbers 18 and 19 to the Agenda.

Mr. Nielsen moved that Ordinance Numbers 18 and 19 be added to the Agenda. Mr. Mims seconded.

This motion was then presented for a vote, and the vote was recorded as follows:

**AYES: Nielsen, Mims, McCain, Morrow, Payne**  
**NAYS: None**  
**ABSENT: None**

**THEREUPON**, the Mayor, Wayne McCullen, declared the Motion passed by a vote of 5 ayes to 0 nays, and that Ordinance 18 of 2010 and Ordinance 19 of 2010 would be added to the Agenda.

The following Ordinance was Introduced by Councilman Nielsen, as follows:

**ORDINANCE NO. 018 OF 2010**

**AN ORDINANCE AMENDING ORDINANCE NO. 64 OF 2001 BY CHANGING  
ZONING CLASSIFICATION OF PROPERTY DESCRIBED AS FOLLOWS:**

**LOT EAST SIDE OF JEFFERSON STREET, NORTH BY DeBLIEUX,  
EAST BY CANE RIVER LAKE, SOUTH BY JORDAN**

**(417 JEFFERSON STREET)**

**WHEREAS**, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at their meeting of Friday, April 9, 2010 that the request of Gary and Susan Howell to rezone the property described above from **R-1** to **R-2** to use an accessory structure as a single-family dwelling (417 Jefferson Street), be **APPROVED**.

The following Ordinance was Introduced by Councilman Nielsen, as follows:

**ORDINANCE NO. 019 OF 2010**

**AN ORDINANCE AMENDING ORDINANCE NO. 64 OF 2001 BY CHANGING ZONING CLASSIFICATION OF PROPERTY DESCRIBED AS FOLLOWS:**

**LOT 150 FEET FRONT EAST SIDE HIGHWAY 1 SOUTH BEING A PORTION OF LOTS 7 & 8 OF EAST BROADMOOR SUBDIVISION #2 & THE EAST 39.4 FEET OF LOT 8 & EAST 39 FT. OF S ½ OF LOT 7, UNIT 2, OF EAST BROADMOOR SUBDIVISION, LESS 848.9 SQ. FT. TO HIGHWAY DEPARTMENT  
(115 SOUTH DRIVE)**

**WHEREAS**, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at their meeting of Friday, April 9, 2010 that the request of The Frosty, LLC, c/o Dwane T. Arnold, to rezone the property described above from **B-3** to **AN ADDITIONAL B-A ZONING** to sell mixed drinks (115 South Drive), be **APPROVED**.

Mr. Dewayne Arnold, with The Frosty, LLC, addressed the meeting, stating that they have been in business for about a year, and are finding that they are at a disadvantage because they are not able to offer their customers the same things other businesses around them do. He said he was asking to be put on a level playing field with his competitors, and requested approval of the rezoning request.

Ms. Billie Edwards, co-owner of the building at 126 South Drive, which is within 300 feet of The Frosty Factory, addressed the meeting, saying she objects to mixed drinks being sold there because it is a narrow street, with heavy traffic. She said she is concerned that people who have been drinking could be driving in an area where many people travel at night, going to and from nearby homes, stores, churches, restaurants, and the hospital. She stated that she thinks businesses that sell drinks need to be in another location of town, and if South Drive is turned into a bar district, it will make the area undesirable for ordinary businesses. She said it should not be a consideration that *The Frosty* needs to compete with Maggio's and other stores that had such a permit before the law was changed. Ms. Edwards closed by saying that she had a nephew who was killed in this area due to an alcohol-related accident.

Dr. Chris Ingram, a property owner in close proximity to The Frosty, stated that he and his family are opposed to zoning it into a bar-like scenario for obvious reasons.

Mr. Mims asked if this zoning does allow for the establishment of a bar. The Mayor stated that it would be for retail sales of mixed drinks at the window. Mr. Mims said that that is what is being asked for, but he believes this rezoning will allow for a bar to be established. The Mayor confirmed that that is correct.

Ms. Joan Edwards, co-owner of the old Carter's Jewelry Store building, then addressed the meeting, stating that she is the mother of the son who died on the strip, and it was alcohol-related, so she wants to stand and be counted as opposing it because she is for a positive lifestyle for all people of Natchitoches Parish.

The meeting continued with Ordinances, as follows:

The Mayor called on Mr. Pat Jones, Director of Finance, to give an overview of the budget, prior to the introduction of Ordinance 17. Mr. Jones stated that this was one of the roughest budgets they have had to put together because of the standstill, or decline, in the sales tax this year that is expected to carry forward into next year, and also, the increase in the police and fire retirement fund. He advised that the contributions to the fund are going to be in excess of \$430,000.00 so there is double the problem of reducing revenues and increasing costs. He noted that there will be a Public Hearing on the budget prior to the next Council meeting.

The following Ordinance was Introduced by Councilman Payne, as follows:

**ORDINANCE NO. 017 OF 2010**

**AN ORDINANCE ADOPTING THE BUDGET FOR THE  
CITY OF NATCHITOCHES FOR THE FISCAL YEAR  
JUNE 1, 2010 THROUGH MAY 31, 2011**

**WHEREAS**, the fiscal year of the City of Natchitoches is from June 1 through May 31 of each year; and

**WHEREAS**, a budget has been prepared by the Finance Director, Mr. Patrick Jones, and has been submitted by the Mayor, Wayne McCullen, to the City Council for review and consideration.

**NOW, THEREFORE**, be it ordained that the Natchitoches City Council does hereby adopt the budget for the fiscal year June 1, 2010 through May 31, 2011.

**CITY OF NATCHITOCHES 2010 - 2011 FY**

General Fund	\$ 13,163,776
Proprietary Fund (Utility)	\$ 39,899,271
Special and Capital Project Funds	\$ 15,873,576

**BE IT FURTHER ORDAINED**, in accordance with L.R.S. 39:1305, the following specifies the Mayor's authority to make budgetary amendments without approval of the governing authority, as well as those powers reserved solely to the governing authority:

The Home Rule Charter of the City of Natchitoches states in part "... at any time during the fiscal year the mayor may transfer part or all of any unencumbered appropriation balance among programs within a department, office, or agency. Upon written request by the Mayor, the Council may by ordinance transfer part or all of any unencumbered appropriation balance from one department, office, or agency to another..." (Section 5.05 D) Supplemental, emergency, and reductions of appropriations must be submitted to the Council for approval by Ordinance. (Section 5.05 A-C)

The following Ordinance was Introduced by Mr. Mims and Seconded by Mr. Nielsen as follows, to-wit:

**ORDINANCE NO. 014 OF 2010**

**AN ORDINANCE ADOPTING THE  
MILLAGE RATE FOR THE TAX YEAR 2010**

**BE IT ORDAINED**, that the following millage(s) are hereby levied on the 2010 tax roll on all property subject to taxation by the City of Natchitoches:

**MILLAGE**

<b>Public Safety Tax</b>	<b>10.0 mills</b>
<b>General Alimony Tax</b>	<b><u>7.03</u> mills</b>
<b>TOTAL MILLAGE</b>	<b>17.03 mills</b>

**BE IT FURTHER ORDAINED** that the proper administrative officials of the Parish of Natchitoches, Louisiana, be and they are hereby empowered, authorized and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the Year 2010, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

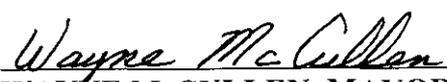
**BE IT FURTHER ORDAINED**, that cognizance is taken by the City Council that this Ordinance was introduced on the 22<sup>nd</sup> day of March, 2010 and duly advertised in accordance with law.

**BE IT FURTHER ORDAINED** that the foregoing Ordinance was read in full, the roll was called on the adoption thereof, and the Ordinance was adopted by the following votes:

The above Ordinance having been duly advertised in accordance with law and a public hearing had on same, the role was called on the adoption thereof, and the Ordinance was adopted by the following votes:

<b>AYES:</b>	<b>MIMS, NIELSEN, McCAIN, MORROW, PAYNE</b>
<b>NAYS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>NONE</b>
<b>ABSTAIN:</b>	<b>NONE</b>

**THEREUPON**, the Mayor declared this Ordinance **PASSED** this the 12<sup>th</sup> day of April, 2010 by a vote of five ayes to zero nays.

  
WAYNE McCULLEN, MAYOR

  
DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 13<sup>th</sup> day of April, 2010 at 10:00 A.M.

The following Ordinance was Introduced by Mr. McCain and Seconded by Ms. Morrow as follows, to-wit:

**ORDINANCE NO. 015 OF 2010**

**AN ORDINANCE AMENDING THE 2009 - 2010 BUDGET  
TO REFLECT ADDITIONAL REVENUES AND EXPENDITURES**

WHEREAS, Louisiana Statute requires that the City amend its operating budgets when fund balance is being budgeted, and there is a 5% unfavorable variance in revenues and expenditures.

NOW, THEREFORE BE IT RESOLVED, that the special funds budget be amended to reflect these additional revenues and expenditures as follows:

	<u>2009-2010 Original Budget</u>	<u>2009-2010 Amended Budget</u>	<u>Increase/ Decrease</u>
<b><u>Hazard Pay Fund (Fund 011)</u></b>			
<b>REVENUES:</b>			
011-0000-591-45-14 Transfer/Grant Match	10,000	104,980	94,980
	<u>10,000</u>	<u>104,980</u>	<u>94,980</u>
<b><u>Drug Recovery Fund (Fund 025)</u></b>			
<b>REVENUES:</b>			
025-0000-481-00-00 Miscellaneous Income	20,100	60,100	40,000
	<u>20,100</u>	<u>60,100</u>	<u>40,000</u>
<b>EXPENDITURES:</b>			
025-0000-591-26-24 Maintenance Contract	0	5,000	5,000
025-0000-591-30-25 Machinery/Equipment (Non-asset)	1,000	20,000	19,000
025-0000-591-40-02 Travel/Per Diem/Hotel	6,000	15,000	9,000
	<u>7,000</u>	<u>40,000</u>	<u>33,000</u>
<b><u>Natchitoches Convention Center (Fund 045)</u></b>			
<b>REVENUES:</b>			
045-0000-432-09-00 State Grant	119,467	180,079	60,612
045-0000-491-02-00 Transfer In from Utility Fund	0	192,000	192,000
	<u>119,467</u>	<u>372,079</u>	<u>252,612</u>
<b><u>Downtown Riverbank Wall (Fund 051)</u></b>			
<b>REVENUES:</b>			
051-0000-431-06-01 Local/Cane River Waterway Commission	40,000	80,000	40,000
051-0000-431-07-01 Local/NHDDC	62,500	100,000	37,500
051-0000-491-02-00 Transfer in from Utility Fund	0	40,000	40,000
	<u>102,500</u>	<u>220,000</u>	<u>117,500</u>
<b>EXPENDITURES:</b>			
051-0000-591-20-03 Contractual Services/Engineering Services	0	3,400	3,400
051-0000-591-20-13 Contractual Services/Construction	45,017	125,520	80,503
051-0000-591-30-13 Materials and Supplies/Buildings & Grounds Maintenance	20,000	41,080	21,080
051-0000-591-30-34 Materials and Supplies/Construction Materials	0	50,000	50,000
	<u>65,017</u>	<u>220,000</u>	<u>154,983</u>
<b><u>D.A.R.E. Grant Fund (Fund 057)</u></b>			
<b>REVENUES:</b>			
057-0000-432-08-00 State/DARE Reimbursement	18,497	0	(18,497)
	<u>18,497</u>	<u>0</u>	<u>(18,497)</u>
<b>EXPENDITURES:</b>			
057-0000-591-35-16 Promotional/Improvement	2,392	0	(2,392)
057-0000-591-45-01 Transfer Out/General Fund	16,105	0	(16,105)
	<u>18,497</u>	<u>0</u>	<u>(18,497)</u>
<b><u>Airport Operations (Fund 061)</u></b>			
<b>REVENUES:</b>			
061-0000-432-04-00 State/Grant	7,500	72,500	65,000
	<u>7,500</u>	<u>72,500</u>	<u>65,000</u>
<b>EXPENDITURES:</b>			
061-0000-591-20-03 Engineering Services	0	13,250	13,250
061-0000-591-20-06 Service Miscellaneous	0	22,000	22,000
061-0000-591-26-03 Repairs & Maintenance/Buildings & Grounds	9,500	39,250	29,750
	<u>9,500</u>	<u>74,500</u>	<u>65,000</u>
<b><u>Animal Shelter (Fund 062)</u></b>			
<b>EXPENDITURES:</b>			
062-0000-591-20-09 Landfill	0	2,000	2,000
062-0000-591-26-03 Repairs & Maintenance/Buildings & Grounds	0	20,000	20,000
062-0000-591-30-13 Materials & Supplies/Building & Ground Maintenance	1,000	5,000	4,000
062-0000-591-30-16 Materials & Supplies/Tools & Equipment	0	1,000	1,000
062-0000-591-30-25 Machinery & Equipment (Non-asset)	0	10,000	10,000
062-0000-591-90-02 Capital Assets/Machinery & Equipment	0	20,000	20,000
	<u>1,000</u>	<u>58,000</u>	<u>57,000</u>
<b><u>Sales Tax Fund (Fund 074)</u></b>			
<b>REVENUES:</b>			
074-0000-431-11-00 Local/Video Bingo	0	600,000	600,000
	<u>0</u>	<u>600,000</u>	<u>600,000</u>
<b>EXPENDITURES:</b>			
074-0000-591-45-01 Transfer Out/General Fund	0	600,000	600,000
	<u>0</u>	<u>600,000</u>	<u>600,000</u>
<b><u>Capital Project/Water Treatment Plant (Fund 075)</u></b>			
<b>REVENUES:</b>			
075-0000-482-00-00 Interest	0	4,000	4,000
	<u>0</u>	<u>4,000</u>	<u>4,000</u>
<b><u>Virginia Baker Park (Fund 079)</u></b>			
<b>REVENUES:</b>			
079-0000-431-03-00 Local Grant	0	50,000	50,000
079-0000-491-02-00 Transfer in from Utility Fund	0	50,000	50,000
	<u>0</u>	<u>100,000</u>	<u>100,000</u>
<b>EXPENDITURES:</b>			
079-0000-591-20-13 Contractual Services/Construction	0	50,000	50,000
079-0000-591-30-13 Materials & Supplies/Buildings and Grounds	0	50,000	50,000
	<u>0</u>	<u>100,000</u>	<u>100,000</u>

	<u>2009-2010</u> <u>Original Budget</u>	<u>2009-2010</u> <u>Amended Budget</u>	<u>Increase/</u> <u>Decrease</u>
<b><u>Debt Service - ARRA 2009 - Sewer Upgrades (Fund 083)</u></b>			
<b>REVENUES:</b>			
083-0000-433-09-00 Federal Grant	0	1,183,000	1,183,000
	0	1,183,000	1,183,000
<b>EXPENDITURES:</b>			
083-0000-591-20-03 Contractual Services/Engineering	0	95,500	95,500
083-0000-591-20-04 Consultants (GNF)	0	35,000	35,000
083-0000-591-20-13 Construction	0	1,037,977	1,037,977
083-0000-591-50-06 Bond Issuance Costs	0	14,523	14,523
	0	1,183,000	1,183,000
<b><u>LED Grant (Fund 086)</u></b>			
<b>REVENUES:</b>			
086-0000-431-09-00 Local Grant	0	10,000	10,000
086-0000-432-09-00 State Grant	0	25,000	25,000
	0	35,000	35,000
<b>EXPENDITURES:</b>			
086-0000-591-20-04 Contractual Services/Consultants	14,400	35,000	20,600
	14,400	35,000	20,600
<b><u>Miss Merry Christmas (Fund 087)</u></b>			
<b>REVENUES:</b>			
087-0000-475-01-00 Pageant Entry Fees	500	1,350	850
087-0000-475-02-00 Pageant Ad Sales	3,000	6,000	3,000
087-0000-475-03-00 Pageant Program Book Sales	250	500	250
087-0000-475-04-00 Pageant Ticket Sales	1,000	1,350	350
087-0000-475-05-00 Pageant Sponsorship	0	2,157	2,157
	4,750	11,357	6,607
<b>EXPENDITURES:</b>			
087-0000-591-35-16 Operating Expenses/Promotional/Improvement	3,500	8,107	4,607
087-0000-591-40-02 Operating Expenses/Travel/Per Diem/Hotel	2,000	4,000	2,000
	5,500	12,107	6,607
<b><u>Miss City of Lights (Fund 088)</u></b>			
<b>REVENUES:</b>			
088-0000-476-04-00 Pageant Ticket Sales	0	1,600	1,600
088-0000-491-59-00 Transfer in - General Fund	2,300	6,300	4,000
	2,300	7,900	5,600
<b>EXPENDITURES:</b>			
088-0000-591-30-09 Materials & Supplies/Awards	2,500	3,680	1,180
088-0000-591-35-16 Operating Expenses/Promotional/Improvement	300	1,300	1,000
088-0000-591-35-67 Operating Expenses/Entertainment	0	1,000	1,000
088-0000-591-40-02 Operating Expenses/Travel/Per Diem/Hotel	500	2,500	2,000
	3,300	8,480	5,180
<b><u>The Rapides Foundation (Fund 089)</u></b>			
<b>REVENUES:</b>			
089-0000-431-03-00 Local Grant	0	50,000	50,000
	0	50,000	50,000
<b>EXPENDITURES:</b>			
089-0000-591-20-13 Contractual Services/Construction	0	12,500	12,500
089-0000-591-30-13 Materials & Supplies/Buildings and Grounds	0	12,500	12,500
089-0000-591-30-25 Materials & Supplies/Machinery & Equipment (Non-asset)	0	12,500	12,500
089-0000-591-35-16 Operating Services/Promotional	0	12,500	12,500
	0	50,000	50,000
<b><u>Multijurisdictional Task Force (Fund 104)</u></b>			
<b>REVENUES:</b>			
104-0000-432-09-00 State Grant	26,487	51,487	25,000
	26,487	51,487	25,000
<b>EXPENDITURES:</b>			
104-0000-591-30-25 Machinery/Equipment (Non-asset)	0	25,000	25,000
	0	25,000	25,000
<b><u>Keep Louisiana Beautiful (Fund 112)</u></b>			
<b>REVENUES:</b>			
112-0000-432-09-00 State/Grant	0	5,500	5,500
	0	5,500	5,500
<b>EXPENDITURES:</b>			
112-0000-591-35-16 Operating Expenses/Promotional/Improvement	0	5,000	5,000
112-0000-591-35-37 Operating Expenses/Dues	0	500	500
	0	5,500	5,500
<b><u>Louisiana Retirement Development (Fund 115)</u></b>			
<b>EXPENDITURES:</b>			
115-0000-591-30-02 Materials & Supplies/Postage	0	200	200
115-0000-591-35-16 Promotional/Improvement	0	1,000	1,000
	0	1,200	1,200
<b><u>State Office of Cultural Development (Fund 131)</u></b>			
<b>REVENUES:</b>			
131-0000-432-09-00 State/Grant	0	5,000	5,000
	0	5,000	5,000
<b>EXPENDITURES:</b>			
131-0000-591-20-04 Contractual Services/Consultants	0	2,500	2,500
131-0000-591-35-16 Operating Services/Promotional/Improvements	11,000	2,500	13,500
	11,000	5,000	16,000

	<u>2009-2010</u> <u>Original Budget</u>	<u>2009-2010</u> <u>Amended Budget</u>	<u>Increase/</u> <u>Decrease</u>
<b>NSU Turf Replacement (Fund 134)</b>			
<b>REVENUES:</b>			
134-0000-431-09-00 Local Grant	0	65,000	65,000
134-0000-432-09-00 State Grant	500,000	990,000	490,000
	500,000	1,055,000	555,000

<b>EXPENDITURES:</b>			
134-0000-591-20-03 Contractual Services/Engineering Services	0	23,000	23,000
134-0000-591-20-13 Contractual Services/Construction	470,000	700,000	230,000
	470,000	723,000	253,000

**Local Government Assistance Program-LGAP-FY2008-Fire Dept (Fund 137)**

<b>REVENUES:</b>			
137-0000-432-09-00 State Grant	0	20,000	20,000
137-0000-491-11-00 Transfer In - from Fund 011	0	94,980	94,980
	0	114,980	114,980

<b>EXPENDITURES:</b>			
137-0000-591-90-51 Capital Assets/Improvements/Buildings & Grounds	0	114,980	114,980
	0	114,980	114,980

**South Natchitoches Drainage Improvements (Fund 138)**

<b>REVENUES:</b>			
138-0000-432-09-00 State Grant	0	49,000	49,000
	0	49,000	49,000

<b>EXPENDITURES:</b>			
138-0000-591-20-03 Contractual Services/Engineering	0	49,000	49,000
	0	49,000	49,000

**SRAC Arts Funding (Fund 201)**

<b>REVENUES:</b>			
201-0000-431-09-00 Local Grant	1,575	5,000	3,425
	1,575	5,000	3,425

<b>EXPENDITURES:</b>			
201-0000-591-35-16 Operating Services/Promotional/Improvement	1,575	5,000	3,425
	1,575	5,000	3,425

**National Park Service - CRNHA (Fund 208)**

<b>REVENUES:</b>			
208-0000-433-09-00 Federal Grant	0	35,693	35,693
	0	35,693	35,693

<b>EXPENDITURES:</b>			
208-0000-591-20-04 Contractual Services/Consultants	0	700	700
208-0000-591-20-13 Contractual Services/Construction	0	2,000	2,000
208-0000-591-30-13 Materials & Supplies/Buildings and Grounds Maintenance	0	4,000	4,000
208-0000-591-30-20 Materials & Supplies/Street Signs	0	6,000	6,000
208-0000-591-30-30 Materials & Supplies/Freight Expense	0	100	100
208-0000-591-35-16 Operating Expense/Promotional/Improvement	0	100	100
	0	12,900	12,900

**BJA Byrne Jag/Police Dept. & NPSO (Fund 212)**

<b>REVENUES:</b>			
212-0000-433-09-00 Federal Grant	0	161,020	161,020
	0	161,020	161,020

<b>EXPENDITURES:</b>			
212-0000-591-20-99 Contractual Services/Other	0	58,348	58,348
212-0000-591-30-25 Materials & Supplies/Machinery & Equipment (Non-asset)	0	102,672	102,672
	0	161,020	161,020

**BJA Byrne Jag/Criminal Justice Technology Upgrades (Fund 213)**

<b>REVENUES:</b>			
213-0000-433-09-00 Federal Grant	0	70,890	70,890
	0	70,890	70,890

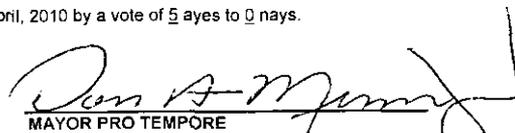
<b>EXPENDITURES:</b>			
213-0000-591-30-25 Materials & Supplies/Machinery & Equipment (Non-asset)	0	35,445	35,445
213-0000-591-30-31 Materials & Supplies/Data Processing Equipment	0	35,445	35,445
	0	70,890	70,890

The Above Ordinance was introduced on the 22nd day of March, having been duly advertised in accordance with law and a public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

**AYES:** McCain, Morrow, Payne, Nielsen, Mims  
**NAYS:** None  
**ABSENT:** None  
**ABSTAIN:** None

THEREUPON, the Mayor declared the Ordinance PASSED this 12th Day of April, 2010 by a vote of 5 ayes to 0 nays.

  
 MAYOR

  
 MAYOR PRO TEMPORE

Delivered to the Mayor on the 13th day of April, 2010 at 10:00 A.M.

The following Ordinance was Introduced by Mr. Nielsen and Seconded by Mr. Payne as follows, to-wit:

**ORDINANCE NUMBER 016 OF 2010**

**AN ORDINANCE AUTHORIZING THE CITY TO LEASE A TRACT OF LAND DESCRIBED AS LOT 20 OF THE AIR INDUSTRIAL PARK TO COLD WATER PROPERTIES, L.L.C., SETTING THE TERMS AND CONDITIONS OF SAME, AND AUTHORIZING THE EXECUTION OF THE LEASE BY THE MAYOR, WAYNE MCCULLEN, AFTER DUE COMPLIANCE WITH THE LAW, AND FURTHER PROVIDING FOR ADVERTISING OF THE LEASE AND AN EFFECTIVE DATE**

**WHEREAS**, the City of Natchitoches, Louisiana is the owner of Lot 20 of the Air Industrial Park, which property is currently vacant; and

**WHEREAS FURTHER**, Lot 20 is adjacent and to the West of Lot 19 of the Air Industrial Park which property is currently owned by Cold Water Properties, L.L.C., a Louisiana limited liability company; and

**WHEREAS FURTHER**, Cold Water Properties, L.L.C. anticipates the need for additional property for its business operations and has negotiated with the City for the Lease of Lot 20 of the Air Industrial Park; and

**WHEREAS FURTHER**, the City and Cold Water Properties, L.L.C. have agreed to a five-year lease of Lot 20 of the Air Industrial Park, with two additional five-year options, and they desire to enter into a written lease for a five-year term, with two five-year options, under the terms and conditions as set forth on the attached lease; and

**WHEREAS FURTHER**, the lease will begin May 1, 2010 with consideration in the amount of \$400.00 per month, said consideration shall be paid annually in advance in the amount of \$4,800.00, and annually thereafter; and

**WHEREAS FURTHER**, the City Council of the City of Natchitoches, Louisiana, find that the subject property is not currently needed for any public purpose; and

**WHEREAS FURTHER**, the proposed lease has been reviewed and approved by the City Council of the City of Natchitoches;

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Natchitoches, Louisiana, that the Council finds that the subject property is not currently needed for any public purpose, and that the Council desires to generate rental income on the subject property.

**BE IT FURTHER ORDAINED** by the City Council of the City of Natchitoches, in legal session convened that the lease agreement by and between Cold Water Properties, L.L.C. and the City of Natchitoches is hereby approved, under the terms and conditions set forth therein, and accordingly, the Mayor, Wayne McCullen, is hereby authorized and empowered to act on behalf of the City and execute the said lease agreement.

**BE IT FURTHER ORDAINED** by the City Council of the City of Natchitoches, Louisiana, that the Clerk for the City of Natchitoches be directed to publish notice of this

Ordinance three times in fifteen days, one week apart, in the legal journal for the City of Natchitoches, and that Ordinance be posted in the City Hall.

**BE IT FURTHER ORDAINED** that any opposition to this Ordinance shall be made in writing, filed with the Clerk for the City of Natchitoches within fifteen (15) days after the first publication of this ordinance, and that a public hearing be held after the advertisements have been completed.

**BE IT FURTHER ORDAINED** that the City Clerk be authorized to advertise this proposed sale in accordance with law, i.e., three times in fifteen days, one week apart and to report to the City Council if any opposition is made in writing prior to the time of final adoption.

**THIS ORDINANCE** was introduced on this the 22<sup>nd</sup> day of March, 2010 and advertised in *The Natchitoches Times* on March 26, April 2 and April 9, 2010 in accordance with law.

This Ordinance having been submitted on a roll call vote, the vote thereupon was as follows, to-wit:

**AYES:** Nielsen, Payne, Mims, McCain, Morrow  
**NAYS:** None  
**ABSENT:** None  
**ABSTAIN:** None

**THEREUPON**, the Mayor declared the Ordinance passed by a vote of 5 ayes to 0 nays, on this the 12<sup>th</sup> day of April, 2010

  
WAYNE McCULLEN  
MAYOR

  
DON MIMS  
MAYOR PRO TEMPORE

Delivered to the Mayor on the 13<sup>th</sup> day of April, 2010 at 10:00 A.M.

**STATE OF LOUISIANA  
PARISH OF NATCHITOCHES**

**LEASE**

**BE IT KNOWN**, that on the dates and at the places indicated below, before the undersigned witnesses and Notaries Public, personally came and appeared:

**CITY OF NATCHITOCHES, LOUISIANA**, a municipal corporation, represented herein by Mayor Wayne McCullen pursuant to the authority granted him by Ordinance Number 016 of 2010, with mailing address of Post Office Box 37, Natchitoches, Louisiana, 71458 (hereinafter sometimes called "**LESSOR**")

**AND**

**COLD WATER PROPERTIES, L.L.C.**, a Louisiana limited liability company, with a mailing address of 4461 Viking Drive Bossier City, Louisiana 71111, represented herein by G. Carlton Golden, Jr., its sole member and manager, duly authorized to act herein, (hereinafter sometimes called "**LESSEE**")

**ALL OF WHOM DECLARED AS FOLLOWS:**

**I.**

**LESSOR** does hereby lease, rent, and let unto the **LESSEE**, the following described property, to-wit:

**THAT CERTAIN PARCEL, LOT OR TRACT OF LAND**, together with all buildings and improvements situated thereon, located in Sections 75, 76 and 87, Township 9 North, Range 7 West, situated in the Natchitoches Air Industrial Park, and being more particularly described as follows:

Lot 20 of the Natchitoches Air Industrial Park and being more particularly shown on a Survey by Bernard & Thomas Engineering, Inc. of Baton Rouge, Louisiana, said plat being dated March 13, 1989, and filed of record at Map Slide No. 306-A of the Records of Natchitoches Parish, Louisiana.

Subject to the Restrictive Covenants affecting the property known as Natchitoches Air Industrial Park, dated August 1, 1995, recorded in Conveyance Book 508, page 52 of the Records of Natchitoches Parish, Louisiana.

Also subject to any utility easements shown on the above described survey.

**II.**

**2.1 The** term of this lease shall be from month to month, commencing on the 1<sup>st</sup> day of May, 2010, and continuing through the 30th day of April, 2015, with two options to extend the lease for an additional five year term, said extensions to run from May 1, 2015 through April 30, 2020 and May 1, 2020 through April 30, 2025.

2.2 The rental for this lease shall be \$400.00 per month, which said payment shall be due in annual payments on the first day of May, in the amount of \$4,800.00.

### III.

3.1 The LESSEE shall use the premises for any business purpose which is not unlawful or in violation of any zoning ordinance, or any other laws. The LESSEE shall not use the premises for any purpose that tends to injure or depreciate the property or create a nuisance.

3.2 The LESSOR and the LESSEE acknowledge that there are currently no structures on the premises, and the LESSEE shall maintain the premises and any building, or buildings, which the LESSEE shall locate on the demised premises in a safe and clean.

3.3 The LESSEE shall have the responsibility to repair and maintain the premises.

3.4 LESSEE agrees to obtain the consent of the LESSOR prior to making any improvements on the premises. Any improvements made shall be the property of the LESSOR at the termination of the lease.

3.5 The LESSEE agrees that the LESSOR will have access to the building and premises for the purpose of inspection at reasonable times and intervals.

3.6 The LESSEE will be responsible for all utility services on the premises, at its expense.

### IV.

4.1 The LESSEE shall at all times during the lease term maintain liability insurance with an insurance company licensed to do business in the State of Louisiana, with a combined single limits of at least \$500,000.00, and will have the insurance policies endorsed to provide that LESSOR will be listed, or shown, as an additional named insured on LESSEE's liability policy, and will, from time to time, at LESSOR's reasonable request provide LESSOR with evidence thereof.

### V.

5.1 The LESSOR shall not be liable to the LESSEE, or to LESSEE's employees, invitees, visitors, or other persons on the premises with or without the permission of the LESSEE for any damage to person or property caused by any act, omission or neglect of LESSEE or any person acting under their direction, either express or implied, and LESSEE

agrees to hold the **LESSOR** and their insurance carrier harmless from all claims for any such damage, whether the injury or damage occurs on or off the leased premises.

**5.2** The **LESSEE** hereby assumes responsibility for the condition of the leased premises and the **LESSOR** shall not be liable for injury caused by any defect to the **LESSEE** or anyone on the premises who derives his right to be thereon from the **LESSEE**, or either of them, unless the **LESSORS** knew of or should have known of the defect or had received notice thereof and failed to remedy it within a reasonable time.

## **VI.**

**6.1** Failure to pay the monthly rental timely, or failure to comply with any of the terms and conditions of this lease shall be deemed a default of this lease, and if the default is not cured within thirty (30) days after written demand by the **LESSOR** to **LESSEE**, the **LESSOR** may proceed to declare the lease in default and the entire amount of the rent for the two year term shall be immediately due and collectible at the option of the **LESSOR**. If the **LESSOR** should declare the lease in default and accelerate the rent, then, in that event, the **LESSEE** shall be entitled to reduce the accelerated rent by the amount which the **LESSEE** has invested in improvements to the property. Any improvements claimed by the **LESSEE** must be proven with receipts therefore. The **LESSOR** reserves any and all rights that it might have under the law, including the right to sue for immediate eviction, rents, damages, reimbursements, costs, and reasonable attorney fees incurred.

## **VII.**

**7.1** Any notices under this lease and option will be considered delivered, if hand delivered to any party, or if mailed by certified mail to the other party at the addresses given in the preamble to this lease, or such other address as may be later furnished by any party to the other.

**THUS DONE AND PASSED** in the presence of the undersigned Notary Public and  
subscribing witnesses on the 1<sup>st</sup> day of May, 2010, at Natchitoches, Louisiana.

**WITNESSES:**

Joseph J. O'Bannon  
Geneva B. Smith

**CITY OF NATCHITOCHEs**

By: Wayne McCullen  
Mayor ~~Wayne McCullen~~

**COLD WATER PROPERTIES, L.L.C.**

By: G. Carlton Golden, Jr. manager  
G. Carlton Golden, Jr.

[Signature]  
NOTARY PUBLIC

The meeting continued with a report by Ms. Morrow on the Louisiana Leadership Environmental Program whose mission is to protect neighborhoods from hazardous, toxic materials, and promoting economic development in blighted areas. She stated that the local organization of Jackson Square, Bailey Heights Community Improvement Corporation is a charter organization of the State of Louisiana and has voluntarily enrolled in the Louisiana Department of Environmental Quality Leadership Program. She then outlined concerns that they have about the local community as well as actions that are being taken to promote a cleaner city.

The meeting continued with Resolutions, as follows:

**The City of Natchitoches**

**RESOLUTION NUMBER: 028**

**Date: April 12, 2010**

**R E S O L U T I O N**

**WHEREAS**, Title 2 of the Louisiana Revised Statutes of 1950 provides that cities, towns, parishes, and other political subdivisions of this State may separately or jointly acquire, establish, construct, expand, own, lease, control, equip, improve, maintain, operate, regulate, and police airports and landing fields for the use of aircraft; and,

**WHEREAS**, the State of Louisiana, Department of Transportation and Development, Division of Aviation (formerly the LA DOTD-OAPT) is charged by Title 2 with the responsibility for the development of aviation facilities within the State to foster air commerce and to safeguard the interests of those engaged in all phases of the aviation industry and of the general public; and,

**WHEREAS**, the City of Natchitoches, hereinafter referred to as "Sponsor", has completed an FAA and DOTD approved Master Plan, Action Plan, and/or Airport Layout Plan which outlines the specific future development of the Natchitoches Regional Airport; and, the Sponsor is desirous of implementing a portion of the approved Plan recommendations which provide for the critically needed improvements as stated below to substantially improve the safety and usability of the Airport, but does not have sufficient funds of its own required for completing the needed improvements; and,

**WHEREAS**, the LA DOTD, Division of Aviation is authorized by Title 2 to expend funds for the construction or enlargement of airports for the safety and advancement of aeronautics;

**NOW, THEREFORE, BE IT RESOLVED:**

**SECTION I.**

That the Sponsor does hereby formally request that the LA DOTD, Division of Aviation provide funds required to complete the airport improvements at the Natchitoches Regional Airport; more specifically to seal coat the taxiways and a portion of the main apron.

**SECTION II.**

That the said LA DOTD, Division of Aviation be and is hereby assured that all necessary servitudes, rights-of-way, rights of ingress and egress and means thereof will be furnished by the Sponsor and the titles thereto will be valid and indefeasible, and that the Sponsor will assume ownership, financial reporting, and complete responsibility for the maintenance and upkeep of the airport after completion of said improvement.

**SECTION III.**

That the Sponsor will save and hold the said LA DOTD, Division of Aviation, its officers, agents, and employees harmless from any liability or claim for damages arising out of the project, including death or injuries to third parties including, but not limited to, liability or claim for damages out of the negligence of said LA DOTD, Division of Aviation, its officers, agents, or employees, and expressly agrees to defend any suit of any nature brought against the LA DOTD, Division of Aviation as a result of this project.

**SECTION IV.**

That the Mayor of the Sponsor be and is hereby authorized and directed to evidence this agreement by affixing his signature at the place provided therefore on this resolution and on subsequent related documents/agreements as required by the rules and regulations of the Federal Aviation Administration and the State of Louisiana and the Clerk is hereby authorized to attest said execution.

**SECTION V.**

That this Resolution shall be in full force and effect from and after its adoption.

The City Council for the Sponsor of the City of Natchitoches met in regular session on this date.

The aforesaid resolution was offered by Mr. McCain and seconded by Mr. Mims.

The aforesaid resolution, having been submitted to a vote, the vote thereon was as follows:

**YEAS: McCain, Mims, Morrow, Payne, Nielsen**  
**NAYS: None**  
**ABSENT: None**  
**ABSTAIN: None**

**WHEREUPON**, the Resolution was declared adopted on the 12<sup>th</sup> day of April, 2010.

The City of Natchitoches

BY: Wayne McCullen  
(Signature)

Wayne McCullen  
(Typed or Printed Name)

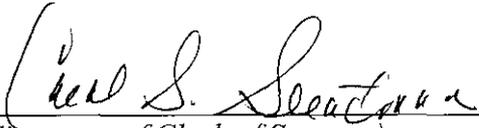
TITLE: Mayor

ATTEST: Chris S. Stockman  
(Signature)

Clerk  
(Title)

**CERTIFICATE**

**IT IS HEREBY CERTIFIED** that the above is a true and correct copy of a Resolution passed by the Sponsor of The City of Natchitoches, Natchitoches Parish, Louisiana in regular session convened on this, the 12<sup>th</sup> day of April, 2010.

  
\_\_\_\_\_  
(Signature of Clerk of Sponsor)

\_\_\_\_\_  
Clerk (Title)

The following Resolution was introduced by Ms. Morrow and seconded by Mr. Payne , as follows, to-wit:

**RESOLUTION NO. 029 OF 2010**

**A RESOLUTION SUSPENDING THE ANNUAL COST OF LIVING SALARY INCREASE FOR ALL CITY EMPLOYEES FOR THE 2010 - 2011 BUDGET YEAR IN ORDER TO ADDRESS BUDGET ISSUES IN AN ACROSS THE BOARD EQUITABLE FASHION; PROVIDING FOR AN EXCEPTION FOR ANY INCREASES THAT ARE MANDATED BY STATE LAW**

**WHEREAS**, by Resolution Number 129 of 2001, the City of Natchitoches implemented a Salary Classification Pay Plan (sometimes hereinafter “Plan”); and

**WHEREAS FURTHER**, the Plan included a ranking of job classifications, job factors and degrees and a salary plan; the Plan was adopted in an attempt to pay its employees fairly and to give consideration to the current rates of pay among public and private employers; and

**WHEREAS FURTHER**, the Plan and the Personnel Policies Manual of the City of Natchitoches also allow adjustments to provide for a cost of living increase in wages of employees of the City of Natchitoches when City revenues are sufficient to fund them; and

**WHEREAS FURTHER**, the City of Natchitoches has been in the process of preparing the budget for the 2010 - 2011 budget year, and it has become apparent that revenues are falling due to the overall economy; and

**WHEREAS FURTHER**, the City Council of the City of Natchitoches finds that the anticipated revenues are not sufficient to fund a cost of living increase for City employees for the coming year; and

**WHEREAS FURTHER**, in the desire to treat all City employees in a fair and equitable fashion the City Council will apply the freeze across the board for all employees other than those that are required to receive a cost of living increase as mandated by State Law; and

**WHEREAS FURTHER**, the City Council desires to state its hope that this freeze is temporary and that revenues will allow a cost of living increase in the following year in order to compensate City employees for the important work that they perform; and

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Natchitoches in due, legal and regular session convened, that the Budget for the 2010 - 2011 fiscal year not include an cost of living increase for employees and that this freeze be across the board for all City employees other than those that are mandated to receive a cost of living increase or raise under applicable State Law.

**BE IT FURTHER RESOLVED** that the Mayor of the City of Natchitoches is requested to take the foregoing into consideration when preparing the budget for the coming fiscal year.

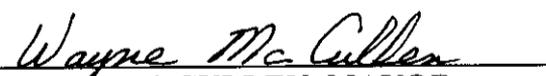
**BE IT FURTHER RESOLVED** that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or application, and to this end, the provisions of this resolution are hereby declared severable.

**BE IT FURTHER RESOLVED** that all resolutions or parts thereof in conflict herewith are hereby repealed.

This Resolution was presented at a Meeting of the City Council on April 12, 2010, and the vote on said Resolution was recorded as follows:

**AYES: Morrow, Payne, Nielsen, Mims, McCain**  
**NAYS: None**  
**ABSENT: None**  
**ABSTAIN: None**

**THEREUPON**, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 12<sup>th</sup> day of April, 2010.

  
**WAYNE McCULLEN, MAYOR**

The Mayor asked if there was any further business to be brought before the Council.

Ms. Morrow advised that she had been asked if some people would still receive raises from June through December. Mr. Jones advised that people who have an anniversary date between now and May 31<sup>st</sup>, the beginning of the new fiscal year, will get their two percent adjustment, but anybody from June 1<sup>st</sup> through the fiscal year, will not, except for the revised statutes with the firemen that requires us to pay those firemen. Ms. Morrow stated that she wanted to make sure the ordinance was followed and it would be done on a temporary basis, and not permanent.

Ms. Morrow noted that there were some citizens who wished to address the Council regarding utility bills and Pan Am, stating that she has a concern that some citizens are able to come here and be on the top of the agenda, but certain other people have to be placed at the bottom of the agenda. She said she has visited with the Clerk of the Council, and she would like to have community groups which address the Council placed at the top of the agenda. Ms. Morrow then called on Ms. Precious Barber, from the Town South community. Ms. Barber said she was standing before the Council as a spokesperson for the residents of Town South and Pan Am. She said they are faced with a major dilemma in their communities because they have only one way in and one way out of their subdivisions. She said their concern has been that one day, they won't be able to get to the other side of the track in case of an emergency, and just a few weeks ago, those very fears were manifested when the citizens of Town South and Pan Am Subdivisions were not able to cross the track because the railroad company was doing work on the track. She said they were forced to go through fields to get out of their communities, and were forced to park their cars at a local gas. She said this has caused some of the residents of these communities to distrust a city that is supposed to protect them by any means necessary, and they are tired of the emotion and mental abuse placed on them by city government. She said she had come to ask that Mr. Nielsen, City Councilman, make a motion to allocate funds for a decent, paved top, asphalt, permanent road in Pan Am and Town South Subdivisions so the residents, of these communities may have another way out in case of an emergency.

Several citizens addressed the Council regarding the size of their utility bills.

Ms. Morrow said she's been provided with some light bills, and some of the amounts started in the \$978.00 range. She said she had about five or six. She stated that Connie works with these citizens, but one of them that went up there had a serious confrontation with her. She said it was reported, when they had the vote that night, that it would be handled on a case-by-case basis, and we're going to have to respect that, and somebody is going to have to work with these citizens. She said she has people calling her from every district, white and black, about their light bills. She said she has one bill that

blew her mind because it started with a zero balance and was at \$1,000.00 and whatever it may be. She noted that when you are elected, you are a public servant, so she recommended taking utility bills to Mayor McCullen, and show them to him.

The Mayor advised that the Utility Department is very generous in working with the residents, and if there is a time that they can't meet a deadline, then there are extensions and everything, and they are very good at working with people.

Ms. Precious Barber addressed the meeting, again, asking if someone would add to the Agenda a motion to start the process to allocate funds for an additional exit at the Pan Am and Town South Subdivisions.

Mr. Nielsen stated that there was a meeting a couple of weeks ago, and he has spoken with a lot of the residents since then, and has worked very hard to try to get a resolution, but he has got to know where we're going, what it will cost, and what are the legal requirements. He said each and every time he's attempted to get it there, it has come to a screeching halt for one reason or another. He said he, personally, would love to see a permanent road into both subdivisions, but the primary focus right now is an emergency ingress and egress. He advised that he had hoped to have a resolution tonight. Ms. Barber asked if he could give them a time. Mr. Nielsen said two weeks, or a month, at the latest. Ms. Barber said she was advised that there was 13 million dollars in the general fund, and asked if these funds could assist getting the road. Mr. Nielsen asked if she meant the permanent road. She said, yes. He said they haven't gotten that far as to where to get the funding because most of the general fund is dedicated. He said as soon as they can position it to get an emergency road in, they will, and you will see a resolution as quickly as that can happen. Ms. Barber asked what has been done in the last two weeks, since the meeting. He said they have worked tirelessly, trying to get another option going, and that one got derailed, as well. He said they are not totally back to the drawing board, but they have to understand that no matter which way they go to interconnect involves someone else, whether it's the railroad, DOT, personal property owners, big land owners, and that kind of thing, and those have to be negotiated and worked out. He said they attempted three previous times to get that done, and each and every time, it hit a stone wall for one reason or another. He said he is focused on the emergency road, and he's not wavering, and somehow or other, they will get an emergency road in. He said they are willing to go through the Industrial Park for a temporary road in emergencies, but they have to seek outside help. Ms. Barber asked for confirmation that within two to four weeks, there will be a resolution. Mr. Nielsen said as soon as he knows where they are going, what it costs, and do we have all the legal put together, they will.

Ms. Morrow noted that everybody at this table has a role to play, and just because you're not a Council member of that district doesn't mean that you cannot voice your opinion. She said she doesn't think it should be a gravel road, and she wants to see a decent road. She noted that Mr. Nielsen said he was going to have this done, and she's going to work with him, but wanted everyone to know how she feels. She stated that it's been 40 years or more, and they need to get something done.

Ms. Morrow then voiced her feelings that she had been treated unfairly, and felt discriminated against by a city employee in a recent situation, and did not feel that the matter had been handled properly, asking the Mayor for a better resolution of the matter.

There being no further business, Mr. Mims made a motion to adjourn the meeting, Mr. McCain seconded the motion, and the meeting was adjourned at 8:55 p.m.

  
**MAYOR WAYNE McCULLEN**

  
**MAYOR PRO TEMPORE**