

**NATCHITOCHEES CITY COUNCIL MEETING
NOVEMBER 9, 2009 - 7:00 P.M.**

AGENDA

1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **READING AND APPROVAL OF THE MINUTES OF OCTOBER 26, 2009**
5. **GUESTS:** Representatives of the Natchitoches Parish Citizen League
6. **PRESENTATION OF MISS MERRY CHRISTMAS AND CHRISTMAS BELLES**
 - Miss Merry Christmas - Hannah Crews
 - Christmas Belles - Hillary Ackel, Paige Anderson, Jameshia Below,
Lenee Gill, Karlye Pope, Hailey Warner
 - Miss Natchitoches Teen - Roxy Ramirez
7. **BIDS - ADVERTISE:**
 - #122 Mims** Resolution Authorizing The Mayor To Advertise For Bids For The Rehabilitation Of Water Treatment Plant No. 1 (Bid No. 0495)
8. **BIDS - CHANGE ORDER:**
 - #123 Mims** Resolution Authorizing the Mayor to Execute Change Order No. 1 to the Bid for the New Sludge Press Equipment for the Water Treatment Plant (Bid No. 0468)
9. **BIDS - SUBSTANTIAL COMPLETION:**
 - #124 Mims** A Resolution Authorizing The Execution Of The Certificate Of Substantial Completion For The New Sludge Press Equipment For The City Of Natchitoches (Bid No. 0468)
10. **ORDINANCES - INTRODUCTION:**
 - #074 Payne** Ordinance Authorizing The Mayor Of The City Of Natchitoches To Execute A Cooperative Endeavor Agreement Between The State Of Louisiana And The City Of Natchitoches, Louisiana For The South Natchitoches Drainage Project FP&C Project #50-Mk9-09-01

 - #075 Nielsen** An Ordinance Approving And Consenting To The Granting Of A Mortgage By Pilgrim's Pride Corporation Of Its Leasehold Interest In Those Facilities Located On Louisiana Highway 1 By-Pass, Including Those Properties Commonly Referred To As The Feed Mill, The Processing Plant And The Incubator Site, And Authorizing The Mayor Of The City Of Natchitoches To Execute Those Documents Necessary To Evidence The Consent Of The City Of Natchitoches
11. **ORDINANCES - FINAL:**
 - #068 McCain** Ordinance Authorizing The Mayor Of The City Of Natchitoches, Wayne McCullen, To Execute A Lease In Favor Of Red River Dusting, Inc., Of That 24,000 Square Foot Area Shown And Depicted On An April 27, 2001 Airport Layout By Alliance Incorporated, And Further Providing For Advertising Of The Lease And An Effective Date

Need lease
12. **REPORTS:**
 - Bryan Wimberly - Utility Report

13. **RESOLUTIONS:**

#118 McCain

Resolution Authorizing a One-Time Salary Supplement Payment to the City of Natchitoches Employees

#119 Nielsen
TABLED

Resolution Authorizing Mayor Wayne McCullen To Execute Any And All Documents Exempting Northwestern State University From Franchise Fees For Natural Gas Services Provided By Atmos Energy Corporation

#120 Morrow

Resolution Authorizing the Mayor to Enter Into an Agreement with American Bass Anglers, Inc. (ABA) to Host a Bassmaster Weekend Series Tournament on Red River on March 20, 2010

#121 Payne

Resolution Authorizing the Mayor to Enter Into an Agreement with American Bass Anglers, Inc. (ABA) to Host a Bassmaster Weekend Series Tournament on Red River on September 4 and 5, 2010

MOTION TO ADD:

#125 Mims

Resolution Addressing Engineering Aspects of the Proposed FY 2010-FY 2011 Louisiana Community Development Block Grant Project

#126 McCain

Resolution Addressing Administrative Aspects of the Proposed FY 2010-FY 2011 Louisiana Community Development Block Grant Project

14. **ADJOURNMENT**

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 "Public to Address the Council Meeting" form located on the Clerk's table at the entrance of the meeting room.

**PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF NATCHITOCHEES, STATE OF LOUISIANA,
REGULAR MEETING HELD ON
MONDAY, NOVEMBER 9, 2009, 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, November 9, 2009, 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. Nielsen.

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 Mayor then recognized members of the Natchitoches Parish Citizen's League, and called on a representative to address the Council. Mr. Robert Jackson made reference to the meeting as a typical example of how democracy functions in America and that is what the Citizen's League is asking for in city government. He said he believes, in the past, there has not been enough inclusion of African-Americans in city government. He then commented about the community service block grant money, noting that the amount of money received from block grants is based upon the poverty level of your city, but we don't see the block grant money being utilized in the areas in which the vast majority of the poverty area people exist. He stated that on Pavie Street, we still have sewerage in the ditch, and he doesn't know of any other part of the city you allow sewerage to still exist in the ditch. He also commented that the roads are just pitiful. He said it is alleged that we don't have money, but there is money for these other projects. He said he can see all these projects going around here in Natchitoches, and there was enough money to buy the oil mill, and enough money to buy the property from Mr. Braxton to build the Hall of Fame. He said we have enough money to have all of those beautiful flowers in this community, so it's time that the total community has a piece of the rock, because they're not getting it. He said the

other thing they are concerned about is the impartial decision making of Planning and Zoning. He referred to one lady who came and asked for a 13-foot waiver to build a room on her house, and the City Council told her no, and to tear it down, and she lost almost \$10,000.00. He stated that the same City Council, on November 7, 2006, passed two waivers, one being for 25 feet. He said that this lady was discriminated against, and you can't justify that particular action, so if we're being fair, we need to pay this lady. He then addressed matter of the roughly \$14,000,000.00 spent on the Events Center, and no minority, including women, received one contract. He went on to say that when the staff at the Events Center was hired, two positions were given to African-Americans, and the two positions are the custodian and the janitor, but the name was changed to curator with the same job description. He said he has experienced more racism during the time he was down here than any period in his life. Mr. Jackson then addressed a letter written to the Louisiana Housing Authority saying that they had passed a survey among property owners in Natchitoches and there was no more need for moderate and low-income housing. He said he has the letter that Mr. McCain, Mr. Posey and the Mayor wrote. He said if you would consult with some of the private property owners in the African-American community and if they agree, then you would have a legitimate reason to write those letters. He went on to ask that the City ask the Ethics Board to come in and investigate two City departments. He said they believe there is a serious ethics violation in this City and that Revised Statute 42:1117 has been violated. He said once the investigation is done, they are asking the Council to advise the general public of the findings. He said that they believe there is no justification for B & D Trailer Park and Payne Subdivision to not be in the City when you go all the way out to the I-49 and you bring that in, and you go all the way down Old River Road and bring that into the City, and then, you pass B & D Trailer Park every day. He said the mass of the people believe that you feel as long as you're taking care of First, Second and Third Street, and hide the rest of Natchitoches, you have no problem. He said the Public Service Commission sent the Council members a letter saying for us to develop, by ordinance, a plan to help low-income and battered women with their energy bill through hard times, and they said they had one. He asked that someone go get it and show it to him and show it to these people. Mr. Jackson closed by saying if you really want to see this community move forward the first thing is, you have to get the City Attorney to start interpreting the law according to what it's supposed to be, and asked that a committee be formed of half black members and half white members to sit down and work out some of these issues.

The Mayor said the Council takes exception to a few points Mr. Jackson made, but certainly approve of him coming and voicing his opinion, and being part of the democratic society.

The Meeting continued with Bids, as follows:

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

RESOLUTION NO. 122 OF 2009

**A RESOLUTION AUTHORIZING THE MAYOR TO
ADVERTISE FOR BIDS FOR THE REHABILITATION
OF WATER TREATMENT PLANT NO. 1**

(BID NO. 0495)

WHEREAS, the City wishes to advertise for Public Bids for the Rehabilitation of Water Treatment Plant No. 1. (Bid No. 0495); and

WHEREAS, advertisement of this bid is contingent upon approval of the Drinking Water Revolving Loan Fund Program; and

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 advertise for public bids for the Rehabilitation of Water Treatment Plant No. 1 (Bid No. 0495), contingent upon the approval of the Drinking Water Revolving Loan Fund Program.

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

AYES:	Mims, Morrow, Payne, Nielsen, 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 9th day of November, 2009.


WAYNE McCULLEN, MAYOR

ADVERTISEMENT FOR BIDS

**CITY OF NATCHITOCHEs, LOUISIANA
(OWNER)**

Sealed Bids for the REHABILITATION OF WATER TREATMENT PLANT NO. 1 (Bid No. 0495) will be received by the CITY OF NATCHITOCHEs, LOUISIANA, at the CITY OF NATCHITOCHEs - PURCHASING DEPARTMENT, 1400 SABINE STREET, NATCHITOCHEs, LA 71457 until 10:00 AM on Wednesday, December 23, 2009 and then at said location publicly opened and read aloud.

The Instructions To Bidders, Bid Form, form of Bid Bond, Agreement Between Owner and Contractor, forms of Performance and Payment Bonds, Drawings, Specifications and other Contract Documents may be examined at the office of the Engineer at:

Nassif Engineering & Architecture, LLC
270 Blanchard Road
Natchitoches, LA 71457
(318) 527-4409

Copies may be obtained from the Engineer, Nassif Engineering and Architecture, LLC, 270 Blanchard Road, Natchitoches, LA 71457, (318) 527-4409, upon payment of \$ 125.00 for each set.

Each Bid is to be accompanied by Bid Security as provided in the Instructions To Bidders and General Conditions. No Bidder may withdraw his Bid within forty-five (45) days after the actual date of opening thereof, except as prescribed in Louisiana Revised Statute 38:2214.C. The Owner reserves the right to waive any informality and to reject any or all Bids for just cause.

Bidder shall provide necessary evidence of authority to sign Bids on behalf of corporations and other legal entities in accord with Louisiana Revised Statute 2212.O.

A mandatory pre-bid conference will be held on Friday, December 11 2009, at 10:00 AM, at the City of Natchitoches – Utility Office, located at 1110 Power Plant Road, Natchitoches, LA 71457. All Bidders who submit a Bid for this project must attend this pre-bid conference. Failure to do so will constitute automatic Bid rejection.

Funding for this project may be through the American Recovery and Reinvestment Act of 2009 (ARRA). All contractors and sub-contractors will be required to comply with the Buy American provisions and Davis-Bacon and Related Acts provisions of the ARRA. In addition to LDHH's Drinking Water Revolving Loan Fund (DWRLF) program's normal requirements, all projects that plan to qualify for and receive all or part of their funding with funds from the ARRA must be under contract for construction by February 17, 2010."

Contractors will be required to comply with executive Order No. 11246 for Equal Employment Opportunity.

This project is classified as Municipal & Public Works Construction in accord with Louisiana Revised Statute 37:2163.

Date: November 9, 2009

/s/

Wayne McCullen

Mayor

Publishing Dates:

Friday, November 20, 2009

Friday, November 27, 2009

Friday, December 4, 2009

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

RESOLUTION NO. 123 OF 2009

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
CHANGE ORDER NO. 1 TO THE BID FOR THE NEW SLUDGE PRESS
EQUIPMENT FOR THE WATER TREATMENT PLANT**

(BID NO. 0468)

WHEREAS, the CITY awarded a contract to Cecil D. Gassiott, LLC (CONTRACTOR) on December 8, 2008 in the base bid amount of \$275,822.00 for the new sludge press equipment for the Water Treatment Plant (Bid No. 0468); and,

WHEREAS, the Engineer has recommended Change Order No. 1 dated November 10, 2009 reflecting an increase of 139 days to the contract time, as itemized in attached Change Order No. 1 (Final); and

WHEREAS, Nassif Engineering & Architecture, LLC, project Engineer, recommends approval of Change Order No. 1; and

WHEREAS, the City is of the opinion that Change Order No. 1 is in the best interest of the City.

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 execute the referenced Change Order No. 1 to the agreement between the City and the Contractor.

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

AYES:	Mims, Payne, Nielsen, 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 9th day of November, 2009.



WAYNE McCULLEN, MAYOR

CHANGE ORDER

Change Order No.: One (1) - Final
Change Order Date: November 10, 2009 (effective date of Change Order)

PROJECT: New Sludge Press Equipment For Water Treatment Plant
OWNER: City of Natchitoches
CONTRACTOR: Cecil D. Gassiot, LLC

The Contract Documents are modified as follows upon execution of this Change Order:

Contract Time Extension due to equipment manufacturing time delays.

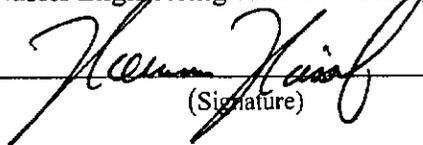
Change in Contract Price:

Original Contract Price:\$ 275,822.00
Contract Price adjusted by prior Change Orders.....\$ N/A
Contract Price due to this Change Order (will not change):\$ N/A
Contract Price incorporating this Change Order will be:\$ 275,822.00

Change in Contract Time:

Original Contract Time (calendar days)..... 195
Contract Time adjusted by prior Change Orders N/A
Contract Time due to this Change Order (will increase): 139
Contract Time incorporating this Change Order will be: 334

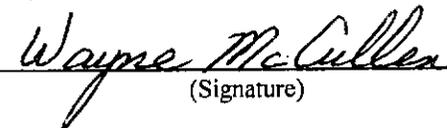
Recommended by (Engineer): Nassif Engineering & Architecture, LLC

 11/3/09
(Signature) Date

Accepted by (Contractor): Diamond Enterprises, Inc.

(Signature) Date

Approved by (Owner): City of Natchitoches

 11-10-09
(Signature) Date

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

RESOLUTION NO. 124 OF 2009

**A RESOLUTION AUTHORIZING THE EXECUTION OF THE
CERTIFICATE OF SUBSTANTIAL COMPLETION FOR THE NEW
SLUDGE PRESS EQUIPMENT FOR THE CITY OF NATCHITOCHE**

(BID NO. 0468)

WHEREAS, the City of Natchitoches awarded the contract for the new Sludge Press Equipment for the Water Treatment Plant to the low bidder, Cecil D. Gassiot, LLC, by Ordinance No. 078 on December 8, 2008 in the amount of \$275,822.00; and

WHEREAS, Change Order No. 1 dated November 10, 2009 was approved by Resolution No. 123 of 2009 by adding 139 additional days to the contract, at no additional cost;

WHEREAS, it is the opinion of Norman Nassif of Nassif Engineering & Architecture, LLC, that the work required by the Contract is found to be substantially completed in general conformity with the project plans and specifications as shown by his signature on the Certificate of Substantial Completion dated November 3, 2009.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Natchitoches, in legal session convened:

SECTION 1: That the Honorable Wayne McCullen, Mayor, be and is hereby authorized, empowered and directed to accept the work performed by Contractor in association with the said project and to execute the Certificate of Substantial Completion therewith when presented and approved by the Engineer; and

SECTION 2: That the Honorable Wayne McCullen, Mayor, be and is hereby authorized, empowered and directed to issue final payment to the Contractor upon receipt of the Clear Lien Certificate issued by the Natchitoches Parish Clerk of Court, and upon the recommendation of the Engineer to issue said final payment.

NOW, THEREFORE, BE IT RESOLVED, that the Natchitoches City Council does hereby authorize the Mayor to execute the Certificate of Substantial Completion for new sludge press equipment for the Water Treatment Plan (City Bid No. 0468) and upon presentation and approval by the Engineer, Nassif Engineering & Architecture, 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 9th day of November, 2009.


WAYNE McCULLEN, MAYOR

The meeting continued with Ordinances, as follows:

The following Ordinance was Introduced by Mr. Payne on November 9, 2009 as follows:

ORDINANCE NO. 074 OF 2009

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY
OF NATCHITOCHES TO EXECUTE A COOPERATIVE ENDEAVOR
AGREEMENT BETWEEN THE STATE OF LOUISIANA AND
THE CITY OF NATCHITOCHES, LOUISIANA FOR THE
SOUTH NATCHITOCHES DRAINAGE PROJECT**

FP&C PROJECT #50-MK9-09-01

WHEREAS, the Legislature of the State of Louisiana, through the Office of Facility Planning and Control of The Division of Administration, has approved funding for the South Natchitoches Drainage Project, in the sum of Fifty Thousand and No/100 (\$50,000.00) Dollars; and

WHEREAS, the Legislature of the State of Louisiana requires that a Cooperative Endeavor Agreement be executed in connection with this project; and

WHEREAS, the Mayor of the City of Natchitoches desires approval to sign a Cooperative Endeavor Agreement, and any other documents that may be required, to facilitate the funding of the above-described project.

NOW, THEREFORE, BE IT RESOLVED that Wayne McCullen, Mayor of the City of Natchitoches, be and is hereby authorized and empowered to execute a Cooperative Endeavor Agreement and any other documents necessary and required by the State of Louisiana and the City of Natchitoches to proceed with funding for the South Natchitoches Drainage Project.

ORDINANCE NO. 075 OF 2009

AN ORDINANCE APPROVING AND CONSENTING TO THE GRANTING OF A MORTGAGE BY PILGRIM'S PRIDE CORPORATION IN FAVOR OF COBANK, ACB, OF ITS LEASEHOLD INTEREST IN THOSE FACILITIES LOCATED ON LOUISIANA HIGHWAY 1 BY-PASS, INCLUDING THOSE PROPERTIES COMMONLY REFERRED TO AS THE FEED MILL, THE PROCESSING PLANT AND THE INCUBATOR SITE, AND AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHEs TO EXECUTE THOSE DOCUMENTS NECESSARY TO EVIDENCE THE CONSENT OF THE CITY OF NATCHITOCHEs

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

ORDINANCE NO. 068 OF 2009

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHEs, WAYNE MCCULLEN, TO EXECUTE A LEASE IN FAVOR OF RED RIVER DUSTING, INC., OF THAT 24,000 SQUARE FOOT AREA SHOWN AND DEPICTED AS LOT 20 ON A APRIL 27, 2001 AIRPORT LAYOUT BY ALLIANCE INCORPORATED, AND FURTHER PROVIDING FOR ADVERTISING OF THE LEASE AND AN EFFECTIVE DATE

WHEREAS, the City of Natchitoches is the owner of a 24,000 square foot area, more fully shown and depicted as Lot 20 on the Airport Layout prepared by Alliance Incorporated and dated April 27, 2001, said Lot 20 being 24,000 square feet; and

WHEREAS, the Mayor of the City of Natchitoches, Wayne McCullen, has negotiated the terms of a lease to Red River Dusting, Inc., of that property described as Lot on the Airport Layout prepared by Alliance Incorporated and dated April 27, 2001; and

WHEREAS FURTHER, the terms of the lease are for a ten (10) year period with consideration of One Thousand Nine Hundred Twenty and 00/100 (\$1,920.00) Dollars per year, all as set forth in the attached Lease Agreement by and between the City of Natchitoches, and Red River Dusting, Inc.; and

WHEREAS FURTHER, the terms of the lease further allow for an option to extend the lease for an additional ten year term if the tenant, within the original term of the lease, makes improvements on the property in the amount of at least Twenty Thousand Dollars, or two additional ten-year terms if the tenant, within the original term of the lease, makes improvements on the property in the amount of at least One Hundred and Twenty Thousand Dollars, all in accordance with the terms of R.S. 3:135.1 (B) (2) (b); and

WHEREAS FURTHER, the City desires to lease that property described as Lot 20 on the Airport Layout prepared by Alliance Incorporated and dated April 27, 2001, to Red River Dusting, Inc., under the terms set forth above and more particularly set forth in the lease attached hereto.

NOW THEREFORE, BE IT ORDAINED by the City Council in legal session convened as follows:

(1) That after due proceedings and advertisement, the said City does lease that property described as Lot 20 on the Airport Layout prepared by Alliance Incorporated and dated April 27, 2001, to Red River Dusting, Inc., for the term of ten (10) years with the annual consideration of \$1,920.00, with lease extensions under the terms of R.S. 3:135.1 (B) (2) (b).

(2) That notice of this proposed ordinance be published three (3) times in fifteen (15) days, one (1) week apart, in the Natchitoches Times, the legal journal for the City, and that Ordinance be posted in the City Hall.

(3) 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.

(4) That the Mayor, Wayne McCullen, be and he is hereby authorized, after due proceedings had, and after the legal delays have run, to execute a lease in favor of **Red River Dusting, Inc.**, leasing that property described as Lot 20 on the Airport Layout prepared by Alliance Incorporated and dated April 27, 2001, for the term of Ten (10) years with lease extensions under the terms of R.S. 3:135.1 (B) (2) (b).

(5) That the City Clerk be authorized to advertise this proposed lease 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.

(6) That the City takes cognizance of the fact that the property described above is not needed for public purposes by the City.

THIS ORDINANCE was introduced on this the 12th day of October, 2009 and advertised in *The Natchitoches Times* on October 16, 23 and 30, 2009.

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

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

Thereupon, the Mayor declared the Ordinance passed by a vote of five ayes to zero nays, on this the 9th day of November, 2009.


WAYNE McCULLEN, MAYOR


DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 9th day of November, 2009 at 10:00 A.M.

Mr. Bryan Wimberly advised the Mayor and Council that Ricky Moses, of Wildlife and Fisheries, who was supposed to be part of the presentation Mr. Wimberly had planned has notified him that he cannot attend the meeting tonight. Mr. Wimberly then asked that the Council allow him to present his report at a later meeting when Mr. Moses is available.

The meeting continued with Resolutions, as follows:

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

RESOLUTION NO. 118 OF 2009

**A RESOLUTION AUTHORIZING A ONE-TIME
SALARY SUPPLEMENT PAYMENT TO THE
CITY OF NATCHITOCHEES EMPLOYEES**

WHEREAS, the City of Natchitoches recognizes the need to increase the compensation of its employees; and

WHEREAS, due to the City employees maintaining a safe work environment and not utilizing the Worker's Compensation Fund throughout the year, there exists a sufficient surplus in the Worker's Compensation fund of the City Natchitoches to make a one-time salary supplement payment of \$300.00 to the regular full time employees and \$150.00 to the regular part time (non-seasonal) employees; and

WHEREAS, because the source of this salary supplement would be an accumulated surplus in the Worker's Compensation Fund, and not a recurring revenue source, it would not be fiscally responsible to make this payment anything other than a one-time event for this fiscal year only, and which payment would not become a part of any employee's base salary or salary schedule; and

WHEREAS, this one-time salary supplement is not a bonus for work already performed, but is intended as future earned compensation for the remainder of this fiscal year; and

WHEREAS, this payment is for personnel employed as of November 1, 2009; and will be prorated based on the length of service for the previous twelve months.

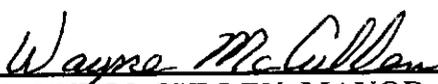
NOW, THEREFORE BE IT RESOLVED, that this salary supplement shall be a one-time payment this fiscal year only; and not an annual event, and shall not become a part of any employee's base salary or salary schedule.

BE IT FURTHER RESOLVED, that this one-time payment is not a bonus for work already performed, but is intended as future earned compensation for the remainder of this fiscal year.

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

AYES: McCain, Morrow, Payne, Nielsen, Mims
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 9th day of November, 2009.



WAYNE McCULLEN, MAYOR

The Mayor asked the Council to table Resolution 119 to allow time to determine that Resolution 119 does not affect the City's existing ordinance regarding franchise fees and to see how other universities handle it.

Mr. McCain made a motion to table Resolution 119 of 2009, and Mr. Mims seconded the motion. The roll call vote was as follows:

AYES: McCain, Mims, Morrow, Payne, Nielsen

NAYS: None

ABSENT: None

The Mayor declared the Motion as PASSED.

The following Resolution was TABLED at the November 9, 2009 city council meeting.

RESOLUTION NO. 119 of 2009

**RESOLUTION AUTHORIZING MAYOR WAYNE McCULLEN TO EXECUTE
ANY AND ALL DOCUMENTS EXEMPTING NORTHWESTERN STATE
UNIVERSITY FROM FRANCHISE FEES FOR NATURAL GAS SERVICES
PROVIDED BY ATMOS ENERGY CORPORATION**

WHEREAS, ATMOS ENERGY CORPORATION has a franchise agreement to serve the City of Natchitoches with its natural gas requirements; and

WHEREAS, NORTHWESTERN STATE UNIVERSITY is a state operated higher education facility located in Natchitoches, Louisiana; and

WHEREAS, NORTHWESTERN STATE UNIVERSITY has never collected or remitted a franchise fee to ATMOS ENERGY CORPORATION; and

WHEREAS, NORTHWESTERN STATE UNIVERSITY wishes to establish, for the benefit of their state auditors, that the CITY OF NATCHITOCHES does exempt NORTHWESTERN STATE UNIVERSITY from remitting an ATMOS ENTERGY CORPORATION franchise fee.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the CITY OF NATCHITOCHES does hereby authorize Wayne McCullen, Mayor, to execute any and all documents relative to exempting NORTHWESTERN STATE UNIVERSITY from franchise fees for natural gas service provided by ATMOS ENERGY CORPORATION on their campus.

Resolutions continued, as follows:

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

RESOLUTION NO. 120 OF 2009

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER
INTO AN AGREEMENT WITH AMERICAN BASS ANGLERS, INC.
(ABA) TO HOST A BASSMASTER WEEKEND SERIES TOURNAMENT
ON RED RIVER ON MARCH 20, 2010**

WHEREAS, The American Bass Anglers ("ABA") is desirous of conducting and promoting a bass tournament on Red River (Grand Ecore Landing); and

WHEREAS, The City of Natchitoches is desirous of hosting and promoting a Bassmaster Weekend Series tournament; and

WHEREAS, The Natchitoches Area Convention and Visitors Bureau (CVB) has agreed to pay fees as well as the hotel rooms; and

WHEREAS, this tournament has previously been hosted in Natchitoches with no problems and has had a strong economic impact on the Natchitoches economy; and

WHEREAS, the date of the tournament is scheduled March 20, 2010 and will be held on Red River.

NOW, THEREFORE, BE IT RESOLVED that Mayor Wayne McCullen is hereby authorized to enter into an agreement with American Bass Anglers, Inc. (ABA) to host the Bassmaster Weekend Series tournament on March 20, 2010 on Red River.

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

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

THEREUPON, Mayor Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 9th day of November, 2009.


MAYOR WAYNE McCULLEN

BASSMASTER WEEKEND SERIES OPERATED BY AMERICAN BASS ANGLERS
AGREEMENT

MEMORANDUM OF AGREEMENT BETWEEN the City of Natchitoches, P.O. Box 37, Natchitoches, LA 71457 and American Bass Anglers, Inc. (ABA), P.O. Box 475, Athens, AL; 35612.

Whereas, the City of Natchitoches ("Host") is desirous of hosting and promoting a Bassmaster Weekend Series tournament, and,

Whereas, ABA, is desirous of conducting and promoting a bass tournament on Red River (Grand Ecore Landing) and,

Whereas, the parties do desire to enter into an agreement concerning responsibilities in relation to said tournament,

Now therefore, the parties hereto do hereby agree and covenant as follows:

ABA shall conduct a bass tournament on Red River, March 20, 2010 (the "Tournament") launching from the Grand Ecore Landing ramp and it is agreed between the parties that ABA, in connection with the Tournament, shall:

- (a) Stage and be responsible for all expenses incurred in connection with the Tournament (with the exception of those listed below as the Host's responsibility.)
 - (b) Provide rules and regulations for the Tournament, and solicit and acquire all entries for the Tournament.
 - (c) Arrange for all pairings of fishermen and assignment of observers.
 - (d) Pay the expenses of all personnel specifically engaged by ABA to work in connection with the Tournament.
 - (e) Design, arrange, print and distribute the official schedule of events for the Tournament.
 - (f) Brief, supervise and instruct all volunteers working in connection with the Tournament.
2. Host shall pay ABA the sum of \$1000.00 to be paid within five (5) days after the conclusion of the Tournament, and shall provide the following at no cost to ABA:
- (a) Provide a meeting room acceptable to ABA at no charge for the Tournament registration and briefing.
 - (b) Up to four (4) complimentary hotel rooms for a minimum of three (2) nights. Arrival/and departure dates determined by ABA.
3. It is expressly agreed that neither party will incur any expenses in the name of the other party without the express prior written consent of the other party, and that each party shall be liable for

BASSMASTER WEEKEND SERIES OPERATED BY AMERICAN BASS ANGLERS
AGREEMENT

the payment of all expenses incurred by it, unless otherwise agreed to between the parties in writing.

4. At no time shall Host set up displays either at any official ABA function or in and around the weigh-in area without the prior permission of ABA. ABA will have the exclusive right to approve all merchandise and food concessions for the Tournament.

5. Host will be deemed the host sponsor of the Tournament. The Host can not assign, transfer, or sell such sponsorship rights to any other party.

6. During the period **February 20, 2010** to **March 20, 2010**, Host may use ABA trademarks and logos in a form to be provided by ABA to promote itself as Host of the Tournament. Each use of ABA trademarks and logos will be subject ABA's prior approval.

7. Neither party hereto is agent; employee or servant of the other, and this contract is made for the sole purpose of establishing the division of responsibilities in connection with the Tournament and does not in any manner create a partnership between the parties hereto.

8. Each party shall defend, indemnify and hold the other, its parents' subsidiaries and related and affiliated companies of each, and the officers, directors, agents, employees and assigns of each, harmless from and against any and all claims, demands, suites, judgments, losses, or expenses of any nature whatsoever (including attorneys' fees) arising directly or indirectly from or out of:

- (a) any negligent act, error, or omission of the indemnifying party, its officers, directors, agents, subcontractors, invitees or employees
- (b) any occupational injury or illness sustained by an employee or agent of the indemnifying party in furtherance of such party's services hereunder;
- (c) any failure of the indemnifying party to perform its services hereunder in accordance with the highest generally accepted professional standards;
- (d) any breach of the indemnifying party's material obligations as set forth herein; and
- (e) any other breach by the indemnifying party of this agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this

10th day of December, 2009

CITY OF NATCHITOCHEs

Wayne McCallen

AMERICAN BASS ANGLERS, INC.
Porter S. Trimble, II
Regional Tournament Director

Porter S. Trimble, II

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

RESOLUTION NO. 121 OF 2009

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER
INTO AN AGREEMENT WITH AMERICAN BASS ANGLERS, INC.
(ABA) TO HOST A BASSMASTER WEEKEND SERIES TOURNAMENT
ON RED RIVER ON SEPTEMBER 4 AND 5, 2010**

WHEREAS, The American Bass Anglers (“ABA”) is desirous of conducting and promoting a bass tournament on Red River (Grand Ecore Landing); and

WHEREAS, The City of Natchitoches is desirous of hosting and promoting a Bassmaster Weekend Series tournament; and

WHEREAS, The Natchitoches Area Convention and Visitors Bureau (CVB) has agreed to pay fees as well as the hotel rooms; and

WHEREAS, this tournament has previously been hosted in Natchitoches with no problems and has had a strong economic impact on the Natchitoches economy; and

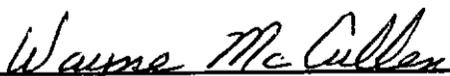
WHEREAS, the date of the tournament is scheduled September 4 and 5, 2010 and will be held on Red River.

NOW, THEREFORE, BE IT RESOLVED that Mayor Wayne McCullen is hereby authorized to enter into an agreement with American Bass Anglers, Inc. (ABA) to host the Bassmaster Weekend Series tournament on September 4 and 5, 2010 on Red River.

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

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

THEREUPON, Mayor Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 9th day of November, 2009.



MAYOR WAYNE McCULLEN

BASSMASTER WEEKEND SERIES OPERATED BY AMERICAN BASS ANGLERS
AGREEMENT

MEMORANDUM OF AGREEMENT BETWEEN the City of Natchitoches, P.O. Box 37, Natchitoches, LA 71457 and American Bass Anglers, Inc. (ABA), P.O. Box 475, Athens, AL; 35612.

Whereas, the City of Natchitoches ("Host") is desirous of hosting and promoting a Bassmaster Weekend Series tournament, and,

Whereas, ABA, is desirous of conducting and promoting a bass tournament on Red River (Grand Ecore Landing) and,

Whereas, the parties do desire to enter into an agreement concerning responsibilities in relation to said tournament,

Now therefore, the parties hereto do hereby agree and covenant as follows:

ABA shall conduct a bass tournament on Red River, September 4 & 5, 2010 (the "Tournament") launching from the Grand Ecore Landing ramp and it is agreed between the parties that ABA, in connection with the Tournament, shall:

- (a) Stage and be responsible for all expenses incurred in connection with the Tournament (with the exception of those listed below as the Host's responsibility.)
 - (b) Provide rules and regulations for the Tournament, and solicit and acquire all entries for the Tournament.
 - (c) Arrange for all pairings of fishermen and assignment of observers.
 - (d) Pay the expenses of all personnel specifically engaged by ABA to work in connection with the Tournament.
 - (e) Design, arrange, print and distribute the official schedule of events for the Tournament.
 - (f) Brief, supervise and instruct all volunteers working in connection with the Tournament.
2. Host shall pay ABA the sum of **\$2500.00** to be paid within five (5) days after the conclusion of the Tournament, and shall provide the following at no cost to ABA:
- (a) Provide a meeting room acceptable to ABA at no charge for the Tournament registration and briefing.
 - (b) Up to four (4) complimentary hotel rooms for a minimum of three (3) nights. Arrival/and departure dates determined by ABA.
3. It is expressly agreed that neither party will incur any expenses in the name of the other party without the express prior written consent of the other party, and that each party shall be liable for

BASSMASTER WEEKEND SERIES OPERATED BY AMERICAN BASS ANGLERS
AGREEMENT

the payment of all expenses incurred by it, unless otherwise agreed to between the parties in writing.

4. At no time shall Host set up displays either at any official ABA function or in and around the weigh-in area without the prior permission of ABA. ABA will have the exclusive right to approve all merchandise and food concessions for the Tournament.

5. Host will be deemed the host sponsor of the Tournament. The Host can not assign, transfer, or sell such sponsorship rights to any other party.

6. During the period August 4, 2010 to September 4, 2010, Host may use ABA trademarks and logos in a form to be provided by ABA to promote itself as Host of the Tournament. Each use of ABA trademarks and logos will be subject ABA's prior approval.

7. Neither party hereto is agent; employee or servant of the other, and this contract is made for the sole purpose of establishing the division of responsibilities in connection with the Tournament and does not in any manner create a partnership between the parties hereto.

8. Each party shall defend, indemnify and hold the other, its parents' subsidiaries and related and affiliated companies of each, and the officers, directors, agents, employees and assigns of each, harmless from and against any and all claims, demands, suites, judgments, losses, or expenses of any nature whatsoever (including attorneys' fees) arising directly or indirectly from or out of:

- (a) any negligent act, error, or omission of the indemnifying party, its officers, directors, agents, subcontractors, invitees or employees
- (b) any occupational injury or illness sustained by an employee or agent of the indemnifying party in furtherance of such party's services hereunder;
- (c) any failure of the indemnifying party to perform its services hereunder in accordance with the highest generally accepted professional standards;
- (d) any breach of the indemnifying party's material obligations as set forth herein; and
- (e) any other breach by the indemnifying party of this agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this
16th day of March, 2009

CITY OF NATCHITOCHEs

Wayne McCullon

AMERICAN BASS ANGLERS, INC.
Porter S. Trimble, II
Regional Tournament Director

Porter S. Trimble II

Upon a motion by Mr. Mims, seconded by Mr. Nielsen, the following resolution was offered for adoption:

RESOLUTION NO. 125 OF 2009

**A RESOLUTION ADDRESSING ENGINEERING ASPECTS
OF THE PROPOSED FY 2010 - FY 2011 LOUISIANA
COMMUNITY DEVELOPMENT BLOCK GRANT
PROJECT**

WHEREAS, the City of Natchitoches is desirous of submitting an application to the State of Louisiana, Division of Administration for funding under the FY 2010 - FY 2011 LCDBG program for streets; and

WHEREAS, it is necessary to pay all engineering costs associated with the implementation of the LCDBG program to receive one bonus point, should funding become available;

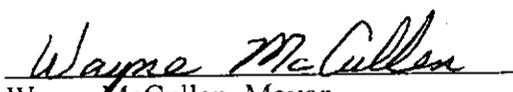
NOW, THEREFORE BE IT RESOLVED that the City of Natchitoches has hired the engineering firm of Nassif Engineering & Architecture, LLC to provide engineering services relative to the LCDBG program. All engineering fees are established in the LCDBG application and are contingent upon funding of the project by the State of Louisiana, Division of Administration under the FY 2010 or the FY 2011 LCDBG program.

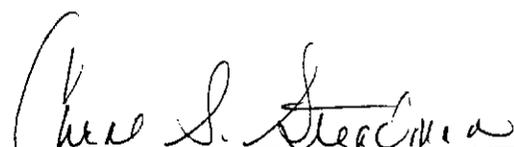
BE IT FURTHER RESOLVED that the City of Natchitoches has agreed to utilize local funds to pay all engineering costs associated with the preparation and implementation of the FY 2010 - FY 2011 LCDBG program.

The above resolution having been read and a vote taken and recorded as follows:

Ayes:	Mims, Nielsen, McCain, Morrow, Payne
Nays:	None
Absent:	None
Abstain:	None

THEREUPON, Mayor Wayne McCullen, declared the Resolution adopted by unanimous vote on this 9th day of November, 2009.


Wayne McCullen, Mayor


Carol Steadman, Clerk

Upon a motion by Mr. McCain, seconded by Mr. Nielsen, the following resolution was offered for adoption:

RESOLUTION NO. 126 OF 2009

A RESOLUTION ADDRESSING ADMINISTRATIVE ASPECTS OF THE PROPOSED FY 2010 - FY 2011 LOUISIANA COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT

WHEREAS, the City of Natchitoches is desirous of submitting an application to the State of Louisiana, Division of Administration for funding under the FY 2010- FY 2011 LCDBG program for streets; and

WHEREAS, it is necessary to pay all administrative costs associated with the implementation of the LCDBG program to receive one bonus point, should funding become available;

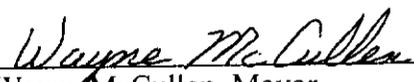
NOW, THEREFORE BE IT RESOLVED that the City of Natchitoches has hired the administrative and engineering firms of GNF Management Company, Inc. and Nassif Engineering & Architecture, LLC, to assist in the preparation of said application for the fees of \$1,400.00 and \$1,500.00, respectively. An additional fee of \$35,000.00 will be paid to the administrative firm of GNF Management Company, Inc., for subsequent program administration of the LCDBG program. All fees are contingent upon funding of the project by the State of Louisiana, Division of Administration under the FY 2010 or the FY 2011 LCDBG program.

BE IT FURTHER RESOLVED that the City of Natchitoches has agreed to utilize local funds to pay the above contract amount and all other administrative costs associated with the preparation and implementation of the FY 2010 - FY 2011 LCDBG program.

The above resolution having been read and a vote taken and recorded as follows:

Ayes:	Mims, Nielsen, McCain, Morrow, Payne
Nays:	None
Absent:	None
Abstain:	None

THEREUPON, Mayor Wayne McCullen, declared the Resolution adopted by unanimous vote on this 9th day of November, 2009.


Wayne McCullen, Mayor


Carol Steadman, Clerk

The Mayor noted that there were additional people who have requested to address the Council, including Dr. Jim Metcalf.

Dr. Metcalf, of 910 Washington Street, said he has noticed in the Events Center some artwork and would like to present the City with a couple of additional pieces. The Mayor said the City would proudly display the pieces at the Events Center.

Dr. Metcalf also noted that he has purchased a bat house and is going to put it up in an attempt to control mosquitoes and wondered if the City might be interested in doing the same. He noted that Austin has been tremendously successful with their bats under the bridge which is quite a tourist attraction. He said he had sent pictures of our bridges to some experts and they say ours don't have enough crevices for the bats.

Dr. Metcalf also addressed the fact that events being held at the Events Center only last one day as opposed to multiple days and said we should be looking to have people come here and take advantage of this thing.

Dr. Metcalf went on to address several other issues, including properties in the Historic District that meet the requirements for upkeep on the front, however, are not kept up in the back and weeds and things grow up four or five feet. He also noted that there needs to be more signage regarding the truck route because we are still getting trucks down Washington and recommended that some kind of signage saying "No Through Trucks" be placed north of Texas to prevent trucks from coming down and through town. He also commented on the speeding on Washington Street, and rolling through stop signs.

The Mayor then called on Mr. Edward Creighton who had requested to speak. Mr. Creighton agreed that there is a lot of speeding, as mentioned, and said he would like for this to be addressed. He wanted to know what is being done to stop the speeding in the downtown areas. Chief Dove said they are writing citations when they are seen, but they have no control over what happens once the citations are written, and they go to the District Attorney's Office. Mr. Creighton said he has not been able to get any information about how many people are being fined for speeding, and he doesn't believe people are being prosecuted. He said he wants something to happen, and the City deserves for something to happen. Mr. Creighton was advised that he would have to go to the District Attorney for information. Mr. Creighton said that the District Attorney told him to go to the City Clerk for information and the City Clerk told him to go to the District Attorney. The Mayor advised Mr. Creighton that the policemen are out there, enforcing the laws, writing tickets and everything, and we can tell how many we wrote, but after that, how many is prosecuted, he has no idea. Mr. Nielsen noted that it's a constant battle, and the bottom line is to let the Police Department know that there is a need for extra help in certain areas. He said they have moved around, and he believes they have been in every district, and have been very accommodating when

asked. He said that is the solution he can offer. Mr. Nielsen said he would call Chief Dove, himself, and they would address this, and get them in the neighborhoods and focused on the speeding. Mr. Creighton then said one of the most disturbing things that was said was about the sewerage on Pavie Street, and wanted to know if that is true, or is that a lie, and if that has been brought to the Council before? The Mayor said he is not aware of raw sewerage on Pavie Street. He advised that Mr. Steadman heads up the Water and Sewer Department, and any time he gets a report, he is very diligent in going out and evaluating it and correcting it. He also advised Mr. Creighton that the City of Natchitoches just received some stimulus money to rehab the sewer line that runs along Bayou Jacko and Pavie Street.

Tommy Ward noted that he has taken on a job as a bus driver, and as he turns onto Deen Street to go to Parks Elementary, the sidewalk stops, and the kids are walking in the street, and wanted to know if it is on the agenda to extend the sidewalk and maybe get a crossing guard there on Deen Street. The Mayor advised that this is in Mr. Payne's district, and they have ridden out there and taken a look at it. He asked that Mr. Ward recall that Parks used to have the bus pickup back to the north, on Koonce Street, and at that time, they took the sidewalk down Deen Street and back one block and back to where the buses picked up so the kids would have a walking path to where the buses were. He went on to say that the school changed and started picking up the kids at another spot so now they are addressing it to try to extend that walk or do something to go back to where the buses pick up. Mr. Ward said he's talking about the kids that have to walk to school, not those that are riding the bus and being picked up by the bus. Mr. Payne said that's what the Mayor was talking about, and they looked at extending that sidewalk back up to the school. He said, originally, the sidewalk actually came off of Koonce and went up Hill Street, and came back down Dorothy and back to Deen, but in the last year or so, when they rebuilt the school, they started letting out on Deen Street. He said the sidewalk was originally set up for the kids to come off of Koonce, and the School Board changed that direction, but we are looking into replacing the sidewalk on Deen Street. Tommy Ward said that you listen to the problems of the people, and he wants to find out who they talk to about how we are justifying the stopping and the starting of the City line and also the basketball goals on Martin Luther King Street because there is a need for them. The Mayor advised that anyone that signs a petition wanting to annex is brought before the Council, and he does not know of any that have been turned down. He said they do not force anybody to come into the City. He said they have made attempts before to try to accommodate areas like Payne Subdivision, but it's really not contiguous to the City. He noted that you can't go out and annex an island out away from the City; you have to annex everything to that point, and there were not enough signatures. He said they made an effort, and Ms. Fowler worked with the group to try to accomplish that, but they were not able to accomplish it. Mr. Ward asked whose signatures are required. Ms. Fowler, Director of Planning and Zoning, said that the signatures of 50 percent of the resident assessed property owner

signatures must be secured, and the proposed area to be annexed must be contiguous to the City limits. Ms. Morrow addressed the matter of the basketball goals, advising that there is money available, and they will be starting that project shortly.

Mr. Stephen Harris, Sr. said that the initial matter that brought the group to the meeting was the resolution that was supposed to be on the agenda to recant (referring to the "Uncle Jack" statue). He said that's what he's here for. The Mayor said that there was no reason to recant because the request was denied by LSU so it's not even an issue anymore. Mr. Harris said it might not be an issue to the Council anymore, but in his community, it's an issue because they are wondering how did it ever get on the agenda. The Mayor said he certainly appreciated the group coming, and noted that he had met with eight pastors the other day, and he appreciated the way it was handled. Mr. Harris said, personally, it was not an issue anymore, and he had told the Mayor how he felt about it, and that's why he is here tonight, to make sure it was followed through.

The Mayor then explained how it came about with the statue. He said the statue was placed at the Louisiana State University Rural Life Center, and in 2006, there was an effort made to see if they would relinquish the statue to be brought back to Natchitoches to be the cornerstone of the African-American Museum. He said they denied the request, but recently, it came out in the paper in Baton Rouge that there was an effort underway to move the statue. He noted that the Smithsonian and various organizations had expressed an interest in the statue, but it had started out in Natchitoches, and we wanted it back for our African-American Museum. He said the resolution was brought to the Council for them to say, yes, they would like to pursue it and if they were going to move it, to have it moved back to Natchitoches. He said they did contact LSU about whether they were going to move it, and if so, they had an interest in it, and they said they were going to move it, but they were moving it to another site they have on the LSU campus that is going to be an African-American Interpretive Center, and that was the end of it. He said we appreciate what the Rural Life Museum and LSU has done, and the professionalism that they used in answering the request. He said it's very easy for people to skew the process along the way, but we were trying to bring it back to the African-American Museum for it to become an economic tool and an attraction for Natchitoches.

Mr. Payne then addressed the matter, saying he had listened hard to the issues, and he then made a motion that Resolution 116 be added to the agenda to be recalled, voided, and vacated by the City Council in the will of the people. He said he felt he needed to move on this to put this to bed. Mr. Nielsen seconded.

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

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

THEREUPON, the Mayor, Wayne McCullen, declared the Motion passed by a vote of 5 ayes to 0 nays, and that Resolution 127 of 2009 would be added to the Agenda for revocation of Resolution 116.

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

RESOLUTION NO. 127 OF 2009

A RESOLUTION RECALLING, REVOKING, ABANDONING AND RESCINDING RESOLUTION NUMBER 116 OF 2009, PROVIDING FOR ADVERTISING, FURTHER PROVIDING FOR SEVERABILITY, AND FURTHER PROVIDING FOR A REPEALER AND EFFECTIVE DATE OF RESOLUTION

WHEREAS, the City Council of the City of Natchitoches adopted Resolution Number 116 of 2009 on October 12, 2009, which said Resolution authorized the Mayor of the City of Natchitoches, Wayne McCullen, to request that Louisiana State University return the statute known as "Uncle Jack" to the City of Natchitoches; and

WHEREAS FURTHER, subsequent to the passage of Resolution Number 116 of 2009, the City Council has become aware of the public sentiment and objection to the returning of the statute; and

WHEREAS FURTHER, in the best interest of the citizens of City of Natchitoches, the Council of desires to revoke and rescind Resolution No. 116 of 2009.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Natchitoches, Louisiana that Resolution No. 116 of 2009 be and is hereby recalled, revoked, abandoned and rescinded.

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

THEREUPON, the Mayor declared the Resolution **PASSED** this 9th day of November, 2009 by a vote of 4 ayes to 0 nays.


WAYNE McCULLEN, MAYOR

Mr. Mims addressed his vote on the initial resolution, stating that the statue was a product of Natchitoches Parish and part of the Natchitoches culture for many, many years, and eventually was lost and sent away, and it's still down at LSU. He said his concept was that if they could get it back, then it's our statue again, and we could control how it's displayed, what is said about it, where it's displayed, and the type of atmosphere that we put it in and the positive flow. Without it, he said we have no control of what they say about it and what they do with it, but yet, wherever it is, it's going to say the people of Natchitoches, whether it's positive and whether it's negative, and that takes away our direction on that statue so his initial vote was to bring the statue back where we can control everything about it, including whether it's displayed or whether it's not displayed, and what we want to say about it. He said his vote as not to bring it back for any negative reason or any negative force in the community at all.

Mr. Nielsen said he agreed 100 percent. He said the intent was to bring it back to the museum as part of our history. He said one day, maybe it will end up back here, but he felt it got out of control and the general consensus was that it didn't need to come back at all and if that's the wishes of the people, he wants to back the wishes of the people.

Mr. McCain said he has the highest regard for Councilman Payne, and generally, he agrees with him, but on this issue, however, he does not agree because we are not considering the hundreds of people in the community that wanted the statue back, but are considering the demands of citizens that might have been here tonight, and might have called. He he noted that there are lots of people out there that wanted the statue back because it's so much a part of Natchitoches. He stated that rescinding the previous resolution really changes nothing because the resolution happened, and the Council all voted for it, and rescinding it doesn't change history, and doesn't really change anything, so he's really not in a position to support it. Mr. Payne said he understands that, but he feels that the negativity that started with this statue really, really escalated out of hand, and he thinks, as a Council member, it was time for him and all of the Council to speak up about this issue. He said race is an issue that not all the time we all agree upon, but it's still there, and this created a real problem in his and Ms. Morrow's district, and they had to sit down and decide the best way to handle this, and he feels this is the best way to handle it. He said he was not in attendance the night it was voted on, but he is here tonight, and he thinks this is the right way to correct it.

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

Robert Jackson, Jr. addressed the Council, saying that he thinks if there had been more dialogue between the City Council and Mayor with the leaders of the black community, he doesn't believe the situation would not have escalated as it has. He said he believed the people felt like they didn't have any voice when the decision was made, and the community was kind of left out. He said that he thinks the next time it comes to an issue like that, we need to get with the leaders of the City and make people feel that they have a part and so forth. He said, it's one thing to say that they do have a part, but when you bring them in, they feel more that they have a part in it. He said that it wasn't really the statue that was the problem, but other issues that were burning on the people's hearts. He said that Natchitoches is not a white Natchitoches or a black Natchitoches, but just Natchitoches.

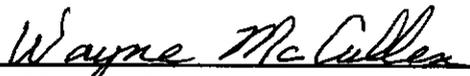
Dr. Jim Metcalf said the Uncle Jack statue was in place when he moved from Natchitoches and it never brought to mind slavery, and it was a beautiful piece of art that represented a gentleman who lived here in Natchitoches. He said that whatever the statue is called, it's still a beautiful piece of art and a dedication to a man who actually lived in Natchitoches, and he feels it should be in place.

Mr. Tommy Ward said he thinks this could have all been avoided. He said when he ran for office, they all ran to change and help Natchitoches go forward, and the one thing he got was that the people gave up on the political system because no one was listening. He said he feels the march that occurred tonight could have been avoided had the people been listened to and the things had been addressed at the Council meetings.

Ms. Morrow thanked the ministers that went to meet with the Mayor, saying that when people get misinformed, you need to send people that understand. Ms. Morrow noted that one of the issues brought up was the desire for inclusion, saying when you are not treated right, it upsets you. Ms. Morrow then corrected a statement that was made regarding the oil mill being purchased by the City, advising that it was donated to the City and not purchased.

The Mayor said that there was a lot of misinformation at the meeting tonight, and he could sit here all night talking about that, and he looks forward to correcting some of this.

There being no further business, Mr. Mims made a motion to adjourn the meeting, Mr. Payne seconded the motion, and the meeting was adjourned at 9:03 p.m.


MAYOR WAYNE McCULLEN


MAYOR PRO TEMPORE