

**PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF NATCHITOCHEs, STATE OF LOUISIANA,
REGULAR MEETING HELD ON
MONDAY, AUGUST 12, 2019 AT 5:30 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, August 12, 2019 at 5:30 p.m.

There were present:

Mayor Lee Posey
Councilman At Large Don Mims, Jr.
Councilman Dale Nielsen
Councilwoman Sylvia Morrow
Councilman Lawrence Batiste

Guests: None

Absent: None

Mayor Lee Posey called the meeting to order and welcomed everyone for coming. Michael Braxton was asked to lead the invocation and Councilman Dale Nielson led the Pledge of Allegiance.

Mayor Posey then called for the reading and approval of the minutes for the July 22, 2019 meeting. Mr. Mims moved that we dispense with the reading of the minutes and approval of same. Seconded by Mr. Harrington a roll call vote was as follows:

Ayes:	Batiste, Nielsen, Mims, Harrington, Morrow
Nays:	None
Absent:	None
Abstain:	None

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

ORDINANCE NO. 031 OF 2019

AN ORDINANCE APPROVING AN OPTION AGREEMENT IN FAVOR OF CANE RIVER SOLAR, LLC, GRANTING AN OPTION TO LEASE A TRACT OF LAND IN SECTION 57, TOWNSHIP 8 NORTH, RANGE 7 WEST AND SECTION 88, TOWNSHIP 9 NORTH, RANGE 7 WEST, SAID OPTION BEING FOR A THREE YEAR PERIOD, WITH CONSIDERATION TO BE PAID MONTHLY DURING THE TERM OF THE OPTION, AND AUTHORIZING THE MAYOR, LEE POSEY, TO EXECUTE THE OPTION AGREEMENT AND ANY OTHER DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION ON BEHALF OF THE CITY OF NATCHITOCHEES, AND TO PROVIDE FOR ADVERTISING.

WHEREAS, the City of Natchitoches (sometimes hereinafter referred to as “City”) is the owner of property situated in what is commonly referred to as the Natchitoches South Industrial Park, including a tract of ground being 171.22 acres, more or less, (sometimes hereinafter “Subject Tract”) which tract is situated South of the Pilgrim’s Pride feed mill and located in Section 57, Township 8 North, Range 7 West, and Section 88, Township 9 North, Range 7 West, Natchitoches Parish, Louisiana, and is shown and depicted as Tract “B” on a survey by Glen L. Cannon, dated October, 2005, and which is more fully described thereon as follows, to-wit:

That certain piece, parcel or tract of land, situated and located in Section 57, Township 8 North, Range 7 West and Section 88, Township 9 North, Range 7 West, Natchitoches Parish, Louisiana, being 171.22 acres, more or less, and being more fully shown and depicted as Tract “B” on the survey prepared by Glen L. Cannon, dated October 2005 and recorded at Map Slide 569B of the Records of Natchitoches Parish, Louisiana, and being more fully described thereon as follows, to-wit:

From a set rod marking the Section corner common to Sections 47 and 60, and lying on the East line of Section 57, thence North 47 degrees 25 minutes 3 seconds West a distance of 748.48 feet; thence North 42 degrees 47 minutes 37 seconds West a distance of 275.73 feet to the Point of Beginning of the tract herein described; thence from said Point of Beginning run South 49 degrees 52 minutes 45 seconds West a distance of 3,666.35 feet; thence North 12 degrees 26 minutes 59 seconds West a distance of 533.62 feet; thence North 12 degrees 43 minutes 32 seconds West a distance of 2,763.22 feet; thence North 72 degrees 34 minutes 46 seconds East a distance of 2,257.21 feet; thence South 41 degrees 11 minutes 01 seconds East a distance of 110.03 feet; thence South 41 degrees 16 minutes 47 seconds a distance of 877.79 feet; thence South 42 degrees 13 minutes 50 seconds East a distance of 493.96 feet; thence South 42 degrees 47 minutes 38 seconds East a distance of 574.21 feet to the Point of Beginning, all as more fully shown on the above referenced map by Cannon and recorded at Map Slide 569B.

(Sometimes hereinafter “Subject Tract”)

; and

WHEREAS FURTHER, the Subject Tract is subject to certain Utility Easements, Drainage Easements and Right of Ways; and

WHEREAS FURTHER, the City has negotiated the terms of an Option Agreement with Cane River Solar, LLC,(sometimes hereinafter “Solar”) which grants Solar an option to lease the Subject Tract; and

WHEREAS FURTHER, the option is for a three year period and the consideration for the option is \$100.00 per acre for the first year and \$150.00 per acre for two additional years; and

WHEREAS FURTHER, if the option is exercised, the Lease provides for an Development Term, and an Operational Term, with rent in the amount of \$300 per acre during the Development Term and \$600 per acre during the Operational Term with an escalation clause that takes effect on the sixth anniversary of the beginning of the Operational Term; the Operational Term is for twenty years with two renewals of five years; and

WHEREAS FURTHER, the Subject Property is currently subject to an agricultural lease for a per acre rate that is significantly less that the consideration under the Option Agreement; and

WHEREAS FURTHER, a copy of the Option Agreement with attached Ground Lease and Easement Agreement is attached hereto, and have been reviewed and approved by the City Council; and

WHEREAS FURTHER, under the provisions of Louisiana R. S. 33:4712, any property owned by the City can be sold or leased to any person after due advertisement and compliance with the law; and

WHEREAS FURTHER, the City Council is of the opinion that the Subject Property is not currently needed by the City for any public purpose, and that the grant of an option to lease in favor of Solar is in the interest to the City; and

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Natchitoches, in legal session convened, that the terms set forth in the proposed Option Agreement with attached Ground Lease and Easement Agreement, both of which are attached hereto are approved; and

BE IT FURTHER ORDAINED that the Letter of Intent for an Option and Lease Agreement as executed by the Mayor, Lee Posey, is approved and ratified.

BE IT FURTHER ORDAINED that Lee Posey, Mayor of the City of Natchitoches, be and he is hereby authorized and empowered to execute the Option Agreement on behalf of the City of Natchitoches and any other documents that may be necessary to complete the transaction contemplated with Cane River Solar, LLC.

BE IT FURTHER ORDAINED 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.

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 conveyance 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.

BE IT FURTHER ORDAINED that the City takes cognizance of the fact that the Subject Property is not currently needed for public purposes by the City.

BE IT FURTHER ORDAINED that the Mayor of the City of Natchitoches, Lee Posey, is authorized and directed to provide notice to its current tenant that the agricultural lease will not be renewed for 2020.

THIS ORDINANCE was introduced on July 22, 2019 and published in the *Natchitoches Times* on July 25, August 1 and August 8, 2019.

The above Ordinance having been duly advertised in accordance with law and public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

AYES: Batiste, Nielsen, Mims, Harrington, Morrow
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, Mayor Lee Posey declared the Ordinance passed by a vote of 5 Ayes to 0 Nays this 12th day of August, 2019.

LEE POSEY, MAYOR

DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 13th day of August, 2019 at 10:00 A.M.

The following Ordinance was introduced by Ms. Morrow at the Natchitoches City Council meeting held on August 12, 2019 as follows:

ORDINANCE NO. 032 OF 2019

AN ORDINANCE APPROVING A CONVEYANCE OF A 0.39 ACRE, MORE OR LESS, TRACT OF LAND IN SECTIONS 48 AND 137, TOWNSHIP 9 NORTH, RANGE 7 WEST, LOCATED ON THE SOUTHERLY RIGHT OF WAY OF OLD ROBELINE ROAD TO EMRES II LOUISIANA, LLC, FOR THE SUM AND PRICE OF \$12,500.00, AND AUTHORIZING THE MAYOR, LEE POSEY, TO EXECUTE A DEED AND ANY OTHER DOCUMENTS NECESSARY TO COMPLETE THE TRANSFER ON BEHALF OF THE CITY OF NATCHITOCHEs, AND TO PROVIDE FOR ADVERTISING.

WHEREAS, the City of Natchitoches (sometimes hereinafter referred to as “City”) is the owner of property situated on the southerly right of way of Old Robeline Road, at the southwest corner of the intersection of Old Robeline Road and the abandoned right of way of Forest Street, said tract being 0.39 acres, more or less, (sometimes hereinafter “Subject Tract”) which tract is situated in Sections 48 and 137, Township 9 North, Range 7 West, Natchitoches Parish, Louisiana, and is shown and depicted as “Substation” on a survey by Meyer, Meyer, LaCroix and Hixson, Inc., a copy of which is recorded at Conveyance Book 577, page 605 of the records of Natchitoches Parish, Louisiana, and which is more fully described as follows, to-wit:

That certain parcel, lot or tract of land, together with all buildings and improvements thereon situated, located in Sections 48 and 137, Township 9 North, Range 7 West, situated on the southerly right of way of Old Robeline Road, and being more particularly described as follows, to-wit:

; and

WHEREAS FURTHER, the Subject Tract is the location of an old electrical substation that is no longer in use by the Utility Department of the City of Natchitoches; and

WHEREAS FURTHER, the City has negotiated with Emres II Louisiana, LLC, (sometimes hereinafter “Emres”) for the sale and purchase of the Subject Tract for the sum and price of 12,500.00; and

WHEREAS FURTHER, the Subject Property has been appraised by Dranguet’s Appraisal Service which said appraisal reflects that the sales price is the same as the appraised value; and

WHEREAS FURTHER, under the provisions of Louisiana R. S. 33:4712, any property owned by the City can be sold or leased to any person after due advertisement and compliance with the law; and

WHEREAS FURTHER, the City Council is of the opinion that the Subject Tract is not currently needed by the City for any public purpose, and that its conveyance to Emres is in the interest to the City; and

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Natchitoches, in legal session convened, that the terms set forth in the proposed Deed attached hereto are approved; and

BE IT FURTHER ORDAINED that Lee Posey, Mayor of the City of Natchitoches, be and he is hereby authorized and empowered to execute the Deed on behalf of the City of Natchitoches and any other documents that may be necessary to complete the conveyance of the property to Emres II Louisiana, LLC.

BE IT FURTHER ORDAINED 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.

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 conveyance 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.

BE IT FURTHER ORDAINED that the City takes cognizance of the fact that the Subject Tract is not currently needed for public purposes by the City.

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

RESOLUTION NO. 057 OF 2019

A RESOLUTION CONFIRMING THE APPOINTMENT OF KEVIN WARNER AS THE RECREATION DIRECTOR FOR THE CITY OF NATCHITOCHEs

WHEREAS, Section 408 of the Home Rule Charter provides that the head of the Recreation Department shall be appointed by the Mayor, subject to confirmation by the Council, and shall serve at the pleasure of the Mayor; and

WHEREAS FURTHER, the position for Recreation Director is vacant; and

WHEREAS FURTHER, The City Council desires to confirm the appointment of Kevin Warner as Recreation Director upon the recommendation of the Mayor.

NOW, THEREFORE, BE IT RESOLVED by the City Council in legal session convened, that the appointment of Kevin Warner to the position of Recreation Director is hereby approved.

BE IT FURTHER RESOLVED, that the duties of the Recreation Director shall be those duties as set forth in Section 4.08 of the Home Rule Charter.

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

AYES:	Batiste, Nielsen, Mims, Harrington, Morrow
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5 Ayes to 0 Nays on this 12th day of August, 2019.

LEE POSEY, MAYOR

Mr. Warner thanked the Council for being given the opportunity to serve as the City's Recreation Director. Mr. Warner stated he has been a teacher for 32 years, bus driver for 20 years, and 15 years teaching drivers education. He is excited about what he will be doing and has a lot of great ideas.

The following Resolution was introduced by Mr. Batiste and Seconded by Mr. Mims as follows, to –wit:

RESOLUTION NO. 058 OF 2019

**A RESOLUTION DESIGNATING FRIDAY, AUGUST 30, 2019
AS AN OFFICIAL HOLIDAY FOR THE EMPLOYEES OF THE CITY
OF NATCHITOCHEs FOR THE YEAR 2019.**

WHEREAS, the Mayor and City Council of the City of Natchitoches appreciate the hard work of the Natchitoches City Employees; and

WHEREAS, to show appreciation for the dedicated efforts of our City Employees, the Mayor and Natchitoches City Council wish to declare, Friday, August 30, 2019 as an official City Holiday for 2019.

NOW, THEREFORE, BE IT RESOLVED, by Mayor Lee Posey, that Friday, August 30, 2019 be declared an Official Holiday for the City of Natchitoches Employees.

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

AYES:	Batiste, Nielsen, Mims, Harrington, Morrow
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5 Ayes to 0 Nays on this 12th day of August, 2019.

LEE POSEY, MAYOR

The following Resolution was introduced by Mr. Harrington and Seconded by Mr. Batiste as follows, to –wit:

RESOLUTION NO. 059 OF 2019

**A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE
AND ACCEPT BIDS FOR 3,000 GALLON REAR MODULE JET REFUELER**

(BID NO. 0620)

WHEREAS, the City wishes to advertise for Public Bids for 3,000 Gallon Rear Module Jet Refueler (Bid No. 0620).

WHEREAS, sealed proposals shall be addressed to the City of Natchitoches, Office of the Director of Purchasing, City of Natchitoches Purchasing Department, 1400 Sabine Street, Natchitoches, Louisiana, 71457; and

WHEREAS, the City of Natchitoches will accept sealed and electronic bids for the project until 2:00 pm on Monday, September 9, 2019 at the Office of the Director of Purchasing, 1400 Sabine Street; and

WHEREAS, bids will be publicly opened and read aloud at 2:00 pm, on Monday, September 9, 2019 held at the above mentioned Office of the Director of Purchasing; and

WHEREAS, upon receipt of proposals, the committee members consisting of Debbie Miley, Finance Director; Edd Lee, Director of Purchasing; Larry Cooper, Airport Manager; and Lawrence Batiste, Councilman, are to review and make a recommendation of the bids received.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Natchitoches, in legal session convened, that the Honorable Lee Posey, Mayor, be and is hereby authorized, empowered and directed to order the publication of the above bid.

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

AYES: Batiste, Nielsen, Mims, Harrington, Morrow
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5 Ayes to 0 Nays on this 12th day of August, 2019.

LEE POSEY, MAYOR

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

RESOLUTION NO. 060 OF 2019

**A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE
AND ACCEPT BIDS FOR CONSTRUCTION AT THE NATCHITOCHEs REGIONAL
AIRPORT TO INSTALL NEW PERIMETER FENCE AND REPAIR EXISTING FENCE
(STATE PROJECT NO. H.014026)**

(BID NO. 0619)

WHEREAS, the City wishes to advertise for Public Bids for construction at the Natchitoches Regional Airport to install New Perimeter Fence and Repair Existing Fence (Bid No. 0619).

WHEREAS, sealed proposals shall be addressed to the City of Natchitoches, Office of the Director of Purchasing, City of Natchitoches Purchasing Department, 1400 Sabine Street, Natchitoches, Louisiana, 71457; and

WHEREAS, the City of Natchitoches will accept sealed and electronic bids for the project until 2:00 pm on Wednesday, September 25, 2019 at the Office of the Director of Purchasing, 1400 Sabine Street; and

WHEREAS, bids will be publicly opened and read aloud at 2:00 pm, on Wednesday, September 25, 2019 held at the above mentioned Office of the Director of Purchasing; and

WHEREAS, upon receipt of proposals, the committee members consisting of Debbie Miley, Finance Director; Edd Lee, Director of Purchasing; Larry Cooper, Airport Manager; and Eddie Harrington, Councilman, are to review and make a recommendation of the bids received.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Natchitoches, in legal session convened, that the Honorable Lee Posey, Mayor, be and is hereby authorized, empowered and directed to order the publication of the above bid.

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

AYES: Batiste, Nielsen, Mims, Harrington, Morrow
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5 Ayes to 0 Nays on this 12th day of August, 2019.

LEE POSEY, MAYOR

The following Resolution was introduced by Mr. Nielsen and Seconded by Mr. Harrington as follows, to –wit:

RESOLUTION NO. 061 OF 2019

RESOLUTION APPROVING RENEWAL OF STATE RIGHT OF WAY NO. 3669 FOR CONTINUED PLACEMENT OF WASTE WATER PIPE BOTTOM OF CANE RIVER AS PER SURVEY BY JOHN E. BRADFORD DATED OCTOBER 15, 1998 (ATTACHED TO PRIOR RIGHT OF WAY) LAST DATED NOVEMBER 4, 1998, AND AUTHORIZING THE MAYOR TO EXECUTE THE RIGHT OF WAY ON BEHALF OF THE CITY OF NATCHITOCHEs, LOUISIANA

WHEREAS, the City of Natchitoches seeks to renew an existing right of way for a waste water pipeline across the bottom of Cane River, as per the prior State Right of Way last dated November 4, 1998, and as depicted on the Survey attached thereto, which survey was dated October 15, 1998 by John E. Bradford; and

WHEREAS FURTHER, the proposed Right of Way renewal and Survey has been drafted and a copy is attached hereto; and

WHEREAS FURTHER, the City Council of the City of Natchitoches is of the opinion that it is in the best interest of the City of Natchitoches to enter into the proposed renewal of the attached Right of Way, and the Council desires to have the Right of Way executed on behalf of the City; and

NOW, THEREFORE, BE IT RESOLVED, that the Natchitoches City Council, in legal session convened, does hereby approve of the attached Right of Way, and does further hereby authorize the Mayor to execute the Right of Way, on behalf of the City of Natchitoches.

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

AYES:	Batiste, Nielsen, Mims, Harrington, Morrow
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5 Ayes to 0 Nays on this 12th day of August, 2019.

LEE POSEY, MAYOR

The next scheduled City Council meeting will be held on **Monday, August 26, 2019.**

With no further discussion, Mayor Posey made a motion for adjournment and all were in favor.

The meeting was adjourned at 5:45 p.m.

/s/Lee Posey
LEE POSEY, MAYOR

/s/ Don Mims
DON MIMS, MAYOR PRO-TEMPORE