

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT THE SPECIAL MEETING
JANUARY 30, 2018

The City Council of the City of Bossier City, State of Louisiana, met in special session in Council Chambers, 620 Benton Road, Bossier City, Louisiana, January 30, 2018, immediately following the Regular Agenda Meeting.

Council President Jeffery Darby called the meeting to order at 3:11 PM

Invocation was given by Council Member Scott Irwin

Pledge of Allegiance led by Council Member Timothy Larkin

Roll Call as follows:

Present: Honorable Councilor Jeffery Darby, President, Honorable Councilors, David Montgomery, Jr, Timothy Larkin, Scott Irwin, Jeff Free and Thomas Harvey

Absent: Honorable Councilor Don Williams

Also Present: Mayor, Lorenz Walker, City Attorney, Jimmy Hall and City Clerk, Phyllis McGraw.

By: Mr. Montgomery, Jr.

Motion to approve the minutes of the January 3, 2018, Regular Meeting and dispense with the reading.

Seconded by Mr. Irwin

No comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to add to the Agenda #10 under New Business - Introduce an Ordinance to correct typographical errors in the legal description set forth in Ordinance No. 164 of 2017 regarding an Aerial Easement over an alley located behind 145 Evans Place Subdivision of Bossier City, Louisiana.

Seconded by Mr. Irwin

No comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to add to the Agenda #11 under New Business - Adopt a Resolution authorizing the promotion of an Assistant Secretary for the City Attorney to the Secretary for the City Attorney due to a retirement and the hiring of an Assistant Secretary to fill the vacant position due to a promotion.

Seconded by Mr. Irwin

No comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to approve Agenda as amended.

Seconded by Mr. Free

No comment

Vote in favor of motion is unanimous

Ceremonial Matters/ Recognition of Guests:

none

Committee Reports:

Stacie Fernandez, Finance Director, gave the City Council the Monthly Financial Report

Unfinished Business:

Ordinance No. 6 Of 2018

AN ORDINANCE TO DECARE CERTAIN MOVABLE EQUIPEMENT OWNED BY THE CITY OF BOSSIER CITY AS SUPLUS TO THE CITY'S NEED AND TO AUTHORIZE THE DONATION OF TO BOSSIER PARISH COMMUNITY COLLEGE'S COMMUNICATIONS AND PERFORMING ARTS DEPARTMENT

WHEREAS, the City of Bossier City has accumulated certain movable video equipment which is now surplus to the City's needs and declares it surplus according to law; and

WHEREAS, the City desire to donate the surplus video equipment the Bossier Parish Community College Communication ad Performing Arts Department; and

BE IT ORDAINED, by the City Council of Bossier City, Louisiana in regular session convened that the following video equipment is surplus to the City's need:

Description	Serial #
4-Channel Stereo Micro Mixer	RS29000559
Jerrold Commander IV Modulator	A2840548
JVC AC Power Adaptor	12557381
JVC AC Power Adaptor	12557394
JVC Camera Package with Lens, Viewfinder, and Tripod Plate	8934540
JVC Color Video Monitor	15701634
JVC Remote Control Unit	8951655
JVC Studio DV Camcorder Package	17831541
JVC UL16 DV Camcorder Camera Package	14831175
Panasonic DVD Recorder	VN7FA001888R
TV One Multi-System Time Base Corrector	200401070009
TV One Multi-System Time Base Corrector	200401070004
TV One Multi-System Time Base Corrector	200401070010
Westinghouse Monitor	W1903CMN054601881

NOW THEREFORE BE IT ORDAINED by the City Council of Bossier City, Louisiana in regular session convened, that the City Purchasing Agent is authorized to dispose of the said equipment in accordance to Louisiana Law.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. David Montgomery, Jr.and seconded by Mr. Scott Irwin and adopted on the 30th day of January, 2018, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: Mr. Williams

ABSTAIN: none

Jeffery D. Darby, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

Ordinance No. 7 Of 2018

AN ORDINANCE TO APPROPRIATE \$2.55 MILLION DOLLARS FROM THE 2018 GENERAL FUND, FUND BALANCE AND EACH OF THE RESPECTIVE ENTERPRISE FUNDS PROVIDING CITY SERVICES FOR SALARY AND BENEFIT INCREASES FOR POLICE, FIRE AND ALL OTHER CITY EMPLOYEES AND AN ADDITIONAL IDENTICAL BENEFIT SHALL BE PROVIDED UPON THE FUNDING OF THE MUNICIPAL POLICE AND FIRE PENSION LIABILITIES BY THE ½% SALES AND USE TAX OF 1982, TO POLICE, FIRE AND ALL OTHER CITY EMPLOYEES FROM THE SAID SALES TAX REVENUE AND EACH OF THE RESPECTIVE ENTERPRISE FUNDS PROVIDING CITY SERVICES.

WHEREAS, the budgeted 2018 General Fund, Fund Balance has a surplus of \$4,031,508.00; and

WHEREAS, in addition to the general fund the following enterprise funds have adequate funding to sustain their respective costs for the designated salary and benefit increases;

Streets and Sanitation (Public Works)	\$89,949.60
Sales Tax Fund	34,819.20
Civic Center Fund	20,311.20
Water & Sewer	220,521.60

WHEREAS, the funding of the Municipal Fire and Police pension funds will provide a stream of additional revenue along with funds from the respective Enterprise Funds providing City services to facilitate an additional raise for Fire, Police and all City Employees and allow the funds taken from General Fund, Fund Balance to be replaced.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that \$2.55 million dollars is hereby appropriated from General Fund, Fund Balance and each of the respective Enterprise Funds providing City services and is hereby apportioned \$850,000.00 each for Salary and Benefits for Police, Fire and all other City Employees;

BE IT FURTHER ORDAINED that upon the Funding of the Municipal Police and Fire Pension liabilities from the ½% Sales and Use Tax of 1982, an additional \$2.55 million dollars shall be appropriated from said sales tax and each of the respective Enterprise Funds providing City services to be apportioned \$850,000.00 each for Salary and Benefits of Police, Fire and all other City Employees;

BE IT FURTHER ORDAINED that the \$2.55 million dollars taken from the General Fund, Fund Balance shall be replaced from the sales tax revenue when the Municipal Police and Fire pension liabilities are funded from the ½% Sales and Use Tax of 1982.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. David Montgomery, Jr., and seconded by Mr. Jeff Free, and adopted on the 30th day of January, 2018, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: Mr. Williams

ABSTAIN: none

Jeffery D. Darby, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 8 OF 2018

AN ORDINANCE TO ESTABLISH THE FESTIVAL PLAZA REGION.

WHEREAS, the Festival Plaza Region contemplates festivals and activities in the area; and

WHEREAS, the pedestrian nature of the Festival Plaza Region contemplates the ability of individuals to move through the festival area with alcoholic beverages in designated plastic containers;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Bossier City, in regular session convened, does hereby establish the **FESTIVAL PLAZA REGION** described in Exhibit “A” attached hereto.

BE IT FURTHER ORDAINED that in the **FESTIVAL PLAZA REGION** Section 6-8 of the Bossier City Code of Ordinances is hereby amended to include Section 9:

(9) The provisions of this section shall not apply to persons consuming alcoholic beverages in designated containers on any public street, sidewalk or public area located within the Festival Plaza Region as described in the map designated as Exhibit “A” attached hereto further described in the legal description attached hereto as Exhibit “B”.

I. Permitting

(a) In order to qualify for a permit in the region under the provisions of this section the applicant shall be a city licensee that is authorized by the City to sell alcoholic beverages at retail for on-premises consumption; and

(b) No adverse criminal, quasi-criminal, or administrative action shall be pending or shall have been taken in the immediately preceding 12-month period against the city licensee or its owner related to the retention of the license or the operation of the city licensed premises.

(c) A city licensee that meets the qualifications of sections (a) and (b) may apply to the BCPD for a permit.

II. Regulations

(a) It shall be unlawful for any permittee to sell, barter, give or otherwise dispense alcoholic beverages under the provisions of this section between the hours of 2:00 a.m. to 10:00 a.m. each day of the week.

- (b) It shall be unlawful for any person to possess or consume alcoholic beverages in any parking area in the region.
- (c) It shall be unlawful for any permittee to allow any person to leave the premises with an alcoholic beverage except in a non-glass container not exceeding a volume of 16 fluid ounces which is provided to a customer by the permittee bearing the name or logo of the establishment and that has been approved for use by the Bossier City Police Department.
- (d) It shall be unlawful for any person to possess or consume alcoholic beverages from any container in the region other than a non-glass container received from a permittee bearing the name or logo of the establishment from which it was received.
- (e) It shall be unlawful for any person to re-use or to knowingly allow the re-use of an approved container for an alcoholic beverage and nothing in this section shall be construed to authorize the same.
- (f) It shall be unlawful for any person to possess, dispense or consume any alcohol in the region from an ice chest, vehicle, recreational vehicle or in any other manner except from a licensed permittee in the approved container provided by the permittee.
- (g) It shall be unlawful to use any recreational vehicle, tent, truck or other facility within the region for tailgating, serving, consuming or possessing alcoholic beverages except by licensed permittees from the licensed retail premises.
- (h) Nothing in this section shall be construed to authorize any person to violate the open container law of the City of Bossier City.
- (i) Nothing in this section shall be construed to authorize any person to violate the state and city laws against underage drinking.

BE IT FURTHER ORDAINED that during festival events that have projected capacity to warrant it, traffic control devices shall be utilized to control traffic on streets in the Festival Plaza Region.

BE IT FURTHER ORDAINED that vendors may be allowed to sell alcoholic beverages from carts on mobile stations in the Festival Plaza Region if licensed to do so by the Bossier City Police Department.

The above and foregoing Ordinance, read in full at open and legal session convened, was on motion of Mr. David Montgomery, Jr., seconded by Mr. Timothy Larkin, and adopted on the 30th day of January, 2018, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin and Mr. Harvey

NAYS: Mr. Darby and Mr. Free

ABSENT: Mr. Williams

ABSTAIN: none

Jeffery D. Darby, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

Ordinance No. 9 Of 2017

AN ORDINANCE TO RESTORE THE 1993 LANDSCAPE BEAUTIFICATION INITIATIVE INSTITUTED TO FOSTER THE BEAUTIFICATION AND CARE OF BOSSIER CITY PUBLIC RIGHTS OF WAY, PUBLIC EASEMENTS AND PUBLICLY OWNED PROPERTIES.

WHEREAS, Resolution No. 18 of 1993 proclaimed one of the top priorities of the City of Bossier City was to make the City as clean and beautiful as resources permit.

WHEREAS, Resolution No. 18 established a Beautification initiative that promoted the establishment of numerous beautification landscapes on publicly owned street rights of way at no cost to the City of Bossier.

WHEREAS, Resolution No. 18 provided that the city would support the Beautification initiative by supplying a meter, a saddle connector and irrigation water to sustain beautification improvements located in publicly owned City rights of way.

WHEREAS, Resolution 18 has been in effect for 24 years and there are now more than 100 municipally owned properties throughout the City, irrigated with water provided by the City.

WHEREAS, on September 19, 2017 the Bossier City Council passed Resolution No. 77 of 2017, providing for the revocation of Resolution 18 of 1993 and

further resolved that billing for the use of water shall begin immediately to the responsible parties.

WHEREAS, The City Council did not intend to shift the cost of irrigation water for publicly owned rights of way and publicly owned property to citizen property owners living in the vicinity.

WHEREAS, The City of Bossier City is in the process of informing individuals, businesses and organizations in the vicinity of beautification areas that they are now being held responsible for reimbursing the City for the cost of the water used to irrigate the City rights of way and City property.

WHEREAS, The City Council recognizes the need to restore and regulate the Beautification initiative and does by these presents clarify that the responsible party for the cost of irrigation water to public rights of way and City owned property is the City of Bossier City.

NOW, THEREFORE, BE IT ORDAINED that the City of Bossier City and the City Council proclaims that it remains a top priority of the City of Bossier City to foster reasonable efforts to encourage the Beautification of City rights of way and City property

NOW, THEREFORE, BE IT FURTHER ORDAINED, that the City of Bossier City, at its cost shall provide a meter, a saddle connector and irrigation water to Public rights of way, public easements and City property provided.

- (1) The applicant for the Beautification meter presents a bona fide landscape plan and irrigation system plan from a licensed landscape contractor or landscape architect to the permits and inspection department along together with typical and customary inspection fees for the improvements. Said plan shall comply with all City of Bossier City building code ordinances.

- (2) Upon completing the improvements and receiving a final inspection the applicant shall register for water service with the department of water and sewer and comply with the Department's regulations.
- (3) Those public rights of way, municipal easements and City owned property presently served by Beautification meters shall be required to be registered with the City of Bossier City Water and Sewer department. Service to unregistered meters shall be discontinued 60 days from the date of adoption of this ordinance.
- (4) All registrants shall acknowledge that the City of Bossier City will discontinue beautification meter service to any area that in the judgement of the property standards department is not being maintained to a commonly accepted standard of care.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Timothy Larkin, and seconded by Mr. David Montgomery, Jr., and adopted on the 30th day of January, 2018, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Free and Mr. Harvey

NAYS: Mr. Darby

ABSENT: Mr. Williams

ABSTAIN: none

Jeffery D. Darby, President

Phyllis McGraw, City Clerk

By: Mr. Montgomery, Jr.

Motion to adopt an Ordinance repealing Ordinance No. 2 of 2010 implementing a hiring freeze, wage and salary freeze and promotional freeze.

Seconded by Mr. Irwin

No comment

Vote as follows:

Yeas: none

Nays: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Free and Mr. Harvey

Absent: Mr. Williams

Abstain: none

Motion fails unanimously

New Business:

Agenda Item called: Witness opening of sealed bids for Chiller Replacement at the Bossier City Civic Center:

1.	Byrnes Mechanical Contractors	\$332,000.00
2.	Fitzgerald Contractors	\$322,000.00
3.	Hamm Mechanical, LLC	\$310,000.00
4.	Quality Sheet Metal	\$370,000.00
5.	Reliance Plumbing Group, Inc.	\$419,800.00
6.	RRAC Contractors	\$310,000.00
7.	Storer Equipment	\$290,500.00
8.	The Payne Company	\$292,900.00
9.	Thermo Technics	\$342,700.00

By: Mr. Irwin

Motion to approve reading of the bids.

Seconded by Mr. Montgomery, Jr.

No comment

Vote in favor of motion is unanimous

Hearing to review the recommendation of demolition and removal of a dilapidated structure located at 2451 Hoyer Street, Bossier City, LA.

Kenny Carrington, Property Standards and Robin Harvill, City appointed Attorney updated Council the steps to the condemnation. Property owner Dorothy Owens asked Council for more time for her to demolish the house herself.

By Mr. Montgomery

Motion to give property owner 60 days to demolish the house or the city would proceed with the demolition.

Seconded by Mr. Free

Council asked that property standards explain to Ms. Owens exactly what vote meant.

Vote in favor of motion is unanimous

Hearing to review the recommendation of demolition and removal of a dilapidated structure located at 1821 Green Street, Bossier City, LA

Roger Voet, Property Standards and Robin Harvill, City appointed Attorney updated Council the steps to the condemnation. Property owners, grandchild, Lillian Stevens reported that she had no objections to the demolition.

By: Mr. Montgomery, Jr.

Motion to proceed with demolition as soon as legally possible.

Seconded by Mr. Free

No comment

Vote in favor of motion is unanimous

Hearing to review the recommendation of demolition and removal of a dilapidated structure located at 105 Colquit Street, Bossier City, LA

Roger Voet, Property Standards and Robin Harvill, City appointed Attorney updated Council the steps to the condemnation. Property owners could not be located.

By: Mr. Montgomery, Jr.

Motion to proceed with demolition as soon as legally possible.

Seconded by Mr. Harvey

No comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to introduce an Ordinance to appropriate funds to cover construction cost for the Sewer Sub-Basin BC-19 rehabilitation project for a total of \$2,489,338.00 to come from the 2016 LDEQ Loan CS-221103-02.

Seconded by Mr. Irwin

No comment

Vote in favor of motion is unanimous

By: Mr. Harvey

Motion to approve Report of 1st and Final Change Order for 2016 City Wide Concrete Repairs an increase of \$102,173.50. Total cost of contract with increase \$886,844.00.
Seconded by Mr. Free
No comment
Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to approve Report of Change Order #1 for the project of Greenacres Sewer Lift Station Project an increase of \$2,000. Total cost of contract with increase \$3,657,000.
Seconded by Mr. Harvey
No comment
Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to approve Report of Change Order #1 for the project of Big Airline Sewer Lift Station Project for an increase of \$66,520.00. Total cost of contract with increase \$4,933,520.
Seconded by Mr. Irwin
No comment
Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to approve Parade Permit Fee Waiver for the 2018 Baby Steps Fun Run, April 21, 2018 and 2018 R.V. Kerr Kat Dash 5K, April 14, 2018.
Seconded by Mr. Irwin
No comment
Vote in favor of motion is unanimous

By: Mr. Irwin

Motion to introduce an Ordinance to correct typographical errors in the legal description set forth in Ordinance No. 164 of 2017 regarding an Aerial Easement over an alley located behind 145 Evans Place Subdivision of Bossier City, Louisiana
Seconded by Mr. Montgomery, Jr.
No comment
Vote in favor of motion is unanimous

The following Resolution offered and adopted:

Resolution No. 2 Of 2018

A RESOLUTION AUTHORIZING THE PROMOTION OF AN ASSISTANT SECRETARY FOR THE CITY ATTORNEY TO THE SECRETARY FOR THE CITY ATTORNEY DUE TO A RETIREMENT AND THE HIRING OF AN ASSISTANT SECRETARY TO FILL THE VACANT POSITION DUE TO THE PROMOTION

WHEREAS, Ordinance No. 2 of 2010 implementing a hiring freeze requiring Bossier City Council approval for hiring any personnel, and

WHEREAS, one vacancy now exist in the Office of the City Attorney due to the retirement of the Secretary for the City Attorney and the promotion of the Assistant Secretary to the City Attorney;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Bossier City, Louisiana, in regular session convened, hereby authorizes the administration to

promote the Assistant Secretary to the City Attorney and hire an Assistant Secretary to fill the vacant position due to the promotion.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. David Montgomery, Jr., and seconded by Mr. Thomas Harvey, and adopted on the 30th day of January, 2018, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: Mr. Williams

ABSTAIN: none

Jeffery D. Darby, President

Phyllis McGraw, City Clerk

There being no further business to come before this Council, meeting adjourned at 3:37 P.M. by Mr. Darby

Respectfully submitted:

Phyllis McGraw

City Clerk

Publish: February 7, 2018

Bossier Press Tribune