

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY  
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING  
JULY 3, 2018

The City Council of the City of Bossier City, State of Louisiana, met in regular session in Council Chambers, 620 Benton Road, Bossier City, Louisiana, July 3, 2018, at 3:00 PM

Invocation was given by Council Member Jeffery Darby

Pledge of Allegiance led by Council Member Thomas Harvey

Roll Call as follows:

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

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

By: Mr. Mr. Irwin

Motion to approve minutes June 19, 2018, Regular Meeting and dispense with the reading.

Seconded by Mr. Harvey

No comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to delete item #5 under Unfinished Business from the Agenda.

Seconded Mr. Harvey

No comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to approve Agenda as amended.

Seconded by Mr. Darby

No comment

Vote in favor of motion is unanimous

**Ceremonial Matters/ Recognition of Guests:**

**Committee Reports:**

**Unfinished Business:**

The following Ordinance offered and adopted:

**Ordinance No. 64 Of 2018**

**ADOPT AN ORDINANCE TO APPROPRIATE FUNDS TO COVER CONSTRUCTION COST FOR THE SEWER SUB-BASIN BC-10 REHABILITATION PROJECT PHASE 1 FOR A TOTAL OF \$1,106,500.00 TO COME FROM THE SEWER CONTINGENCY FUND**

**WHEREAS** the final opinion of construction costs for the Sewer Sub-Basin BC-10 Rehabilitation Project Phase I is \$1,106,500.00. (see attachment *Sewer Sub Basin BC-10 Rehabilitation Project Phase 1 – Final Opinion of Construction Cost* for estimated detailed breakdown of the costs); and

**WHEREAS**, \$1,106,500.00 may be appropriated from the Sewer Contingency Fund.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Bossier City, Louisiana, in regular session convened, that the Bossier City Council does hereby appropriate \$1,106,500.00 may be appropriated from the Sewer Contingency Fund to cover the construction costs for the Sewer Sub-Basin BC-10 rehabilitation Project Phase 1.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Don Williams, and seconded by Mr. Timothy Larkin, and adopted on the 3rd, day of July, 2018, by the following vote:

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

NAYS: none

ABSENT: none

ABSTAIN: none

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**Jeff Free, President**

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**Phyllis McGraw, City Clerk**

*The following Ordinance offered and adopted:*

**ORDINANCE NO. 65 of 2018**

**ADOPT AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN ANY AND ALL DOCUMENTS NECESSARY TO ACQUIRE PROPERTY WHICH IS REQUIRED FOR RIGHT OF WAY AND ALL NECESSARY PROPERTY UTILITY SERVITUDES FOR THE FOLLOWING PROJECTS:  
THE WALTER O. BIGBY CARRIAGEWAY PROJECT AND THE WALTER O. BIGBY WATER LINE RELOCATION PROJECT AND THE SHED ROAD TO AIRLINE DRIVE 42" WATER MAIN RELOCATION PROJECT**

**WHEREAS**, the City of Bossier City desires to facilitate the acquisition of required right of way and utility servitudes for the and for the Walter O. Bigby Carriageway Project and the Walter O. Bigby Water Line Relocation Project and the Shed Road to Airline Drive 42" Water Main Relocation Project; and

**WHEREAS**, the City of Bossier City has commissioned property appraisals of these effected properties and offers will be made in accordance with law to the affected property owners based on the fair market value of the appraisals; and

**WHEREAS**, funds have been appropriated to acquire these properties;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Bossier City, Louisiana in regular session convened, that Mayor Lorenz J. Walker is hereby authorized to sign and all

documents necessary to acquire property and property utility servitudes for the in the Walter O. Bigby Carriageway Project and the Walter O. Bigby Water Line Relocation Project and the Shed Road to Airline Drive 42" Water Main Relocation Project.

**BE IT FURTHER RESOLVED THAT** Mayor Lorenz J. Walker is hereby authorized to sign all deeds, closing statements, required permits, offer letters, options or other agreements necessary to acquire the necessary right of way and property utility servitudes for the Walter O. Bigby Carriageway Project and the Walter O. Bigby Water Line Relocation Project and the Shed Road to Airline Drive 42" Water Main Relocation Project.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Thomas Harvey, and seconded by Mr. Timothy Larkin, and adopted on the 3<sup>rd</sup> day of July, 2018, by the following vote:

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

NAYS: none

ABSENT: none

ABSTAIN:none

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Jeff Free, President

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Phyllis McGraw, City Clerk

**The following Ordinance offered and adopted:**

**Ordinance No. 66 Of 2018**

**AN ORDINANCE AUTHORIZING THE INSTITUTION OF EXPROPRIATION PROCEEDINGS PURSUANT TO A LOCAL SERVICES AGREEMENT EXECUTED BETWEEN THE PARISH OF BOSSIER AND THE CITY OF BOSSIER CITY AGAINST THE PROPERTY LOCATED AT 2124-2130 BENTON ROAD, BOSSIER CITY, LOUISIANA, MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT "A", IN CONNECTION WITH THE WALTER O. BIGBY CARRIAGEWAY PROJECT AKA THE ARTHUR RAY TEAGUE PARKWAY EXTENSION PROJECT AND THE HAMILTON ROAD IMPROVEMENT PROJECT WITH OVERPASS OVER THE UNION PACIFIC RAILROAD**

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**WHEREAS**, the City of Bossier City and the Parish of Bossier have joined together pursuant to a Local Services Agreement (Ordinance 62 of 2017) to, among other things, make improvements to the Walter O. Bigby Carriageway Project, aka the Arthur Ray Teague Parkway Extension project and the Hamilton Road Improvement project with overpass over the Union Pacific Railroad; and

**WHEREAS**, the City and Parish are in the process of acquiring the needed properties for the Walter O. Bigby Carriageway Project aka the Arthur Ray Teague Parkway Extension project and the Hamilton Road Improvement project with overpass over the Union Pacific Railroad; and

**WHEREAS**, the property described in Exhibit "A" is situated in the right of way for the Walter O. Bigby Carriageway Project aka the Arthur Ray Teague Parkway Extension project and the Hamilton Road Improvement project with overpass over the Union Pacific Railroad; and

**WHEREAS**, all attempts to amicably acquire title from Moore Properties, LLP for said properties have failed;

**WHEREAS**, public necessity dictates that this property be owned by and subject to use by the City of Bossier City and the Parish of Bossier.

**WHEREAS**, this taking is necessary for right of way and/or servitudes needed for public works purposes, and the location and design of the proposed roadway project and/or utility improvements are in accordance with the modern practices adopted in the interest of safety and convenience of the public; and

**WHEREAS**, just and adequate compensation for the taking of the subject property is set forth as follows:

<b>Values of Parcels Taken- 2124-2130 Benton Road</b>	<b>\$ 940,000.00</b>
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**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Bossier City, Louisiana, in regular session convened, that the expropriation of this property is necessary for the public interest and the City Attorney, pursuant to the Local Services Agreement between the City of Bossier City and the Parish of Bossier, is hereby authorized to institute expropriation proceedings against the owner or owners of record as they might be at the time of the filing, of the property more particularly described in Exhibit "A" attached hereto.

**BE IT FURTHER ORDAINED**, that if any provision or item of this Ordinance or application thereof is invalid, such invalidity shall not affect other provisions, items or applications and to this end, the provisions of this Ordinance are hereby declared severable.

**BE IT FURTHER ORDAINED**, that all ordinances or resolutions or parts thereof of ordinances or resolutions in conflict herewith are hereby repealed.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Scott Irwin, and seconded by Mr. Don Williams, and adopted on the 3rd, day of July, 2018, by the following vote:

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

**NAYS:** none

**ABSENT:** none

**ABSTAIN:** none

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Jeff Free, President

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Phyllis McGraw, City Clerk

**EXHIBIT "A" TO ORDINANCE 66 OF 2018**

**DESCRIPTION OF PROPERTY TO BE EXPROPRIATED**

**LEGAL DESCRIPTION FOR**

**PARCEL – 2121-2130 BENTON ROAD, BOSSIER CITY, LA**

PARCEL – 2124-2130 Benton Road, Bossier City, LA 71111

**Property Owner:**

Moore Properties, LLP

Attn: Mr. Marvin Lynn Moore

404 West Madison

Bastrop, LA 71220

**LEGAL DESCRIPTION:**

Begin at SW cor of lot 2 Greenacres Subdv unit #1, thence s 89 deg 56 min 08 sec e along the rear line of said lot 2, 6.50 ft, thence leaving said rear line of said lot 2 run s 10 deg 37 min 28 sec e 749.75 ft to pt of begin, thence n 45 deg 52 min 43 sec e 55.19 ft, thence s 44 deg 07 min 17 sec e 223.16 ft to pt of curvature of a curve to the right (said curve having a radius of 30 ft and a chord bearing s 04 deg 34 min 32 sec e 38.20 ft), thence SELY along said curve 41.41 ft to the pt of tangency of said curve, said pt of tangency also being a pt on the nly r/w line of Riverwood Dr, said pt also being on a curve to the left (said curve having a radius of 731.97 ft and a chord bearing s 32 deg 36 min 37 sec w 60.29 ft), thence SWLY along said r/w and curve 60.31 ft to the pt of tangency of said curve, thence leaving said curve and nly r/w line run n 55 deg 25 min 40 sec w 150 ft, thence s 26 deg 37 min 58 sec w 30 ft, thence s 79 deg 18 min 43 sec w 185.79 ft to a pt on the ely r/w of Benton Rd, thence along said ELY r/w line n 10 deg 38 min 46 sec w 155 ft, thence leaving said ELY r/w line of Benton Rd run n 79 deg 18 min 43 sec e 185.85 ft to pt of begin, Bossier Parish, Louisiana

**Source:** Bossier Parish Assessor's records

LEGAL DESCRIPTION FOR REQUIRED PERMANENT SEWER SERVITUDE PARCEL P-7:

A required 20.00 foot wide permanent sewer servitude across Lot 7, The Pierre Bossier Subdivision Re-Plat, as recorded in Book 583, Pages 559-561, Conveyance Records of Bossier Parish, Louisiana, being located in the northwest quarter of the northwest quarter of Section 27, Township 18 North, Range 13 West, Bossier City, Bossier Parish, Louisiana, and being more particularly described as follows:

Commencing on the west right of way line of Airline Drive (La. Hwy. 3105) at the southeast corner of Lot 7, The Pierre Bossier Subdivision Re-plat as recorded in Book 583, Pages 559-561, also being the southeast corner of a 0.679 acre tract recorded in Book 1640, Page 446, both in Conveyance Records of Bossier Parish, Louisiana, thence North 39°31'19" East a distance of 114.97 feet along said west right of way line to a found 1/2" iron pipe being the northeast corner of said 0.679 acre tract, also being the Point of Beginning of the required permanent Sewer Servitude herein described:

Thence South 50°44'55" West a distance of 265.40 feet along the north line of said 0.679 acre tract to a found 1/2" iron rod on the easterly boundary of Lot 1, said The Pierre Bossier Subdivision Re-Plat, being the northwest corner of said 0.679 acre tract;

Thence along the arc of a curve to the left (Radius = 352.79', Chord Bearing = N55°50'11"W - 30.61') a distance of 30.62 feet along the common line between said Lot 7 and said Lot 1;

Thence meandering across said Lot 7 the following two courses:

North 84°53'49" East a distance of 16.63 feet;

North 50°44'55" East a distance of 234.65 feet to the easterly boundary of said Lot 7;

Thence North 88°36'53" East a distance of 32.58 feet along the easterly boundary of said Lot 7 to the Point of Beginning.

The following ordinance offered and adopted:

ORDINANCE NO. 67 OF 2018

AN ORDINANCE APPROVING AN AMENDMENT TO THE UNIFIED DEVELOPMENT CODE CREATING COMPREHENSIVE OPERATING REGULATIONS FOR USED TIRE DEALERS THAT ARE OPERATING OR PLAN TO OPERATE WITHIN THE CITY LIMITS OF BOSSIER CITY.

WHEREAS, the City of Bossier City realizes that the improper storage and disposal of used tires, within the city limits of Bossier City, creates a threat to public health, safety and welfare by harboring mosquitos, insects, rodents and other vermin, creating fire hazards, and causing blight problems; and

WHEREAS, a public hearing was held on May 14, 2018; and

WHEREAS, the Bossier City-Parish Metropolitan Planning Commission has submitted the results of said public hearing to the Mayor and City Council of the City of Bossier City;

THE CITY COUNCIL FOR THE CITY OF BOSSIER HEREBY ORDAINS:

That the Unified Development Code be amended to include the following language and provisions in Article 5, Sections 5.3, 5.4, 5.6 and Article 18:

5.3 Use Table: to add the following use “Used Tire Dealer” to the Table of Uses as a “Provisional Use” in the B-3; General Business, I-1; Light Industrial and the A-1; North Airbase Buffer zoning classification.

#### 18.2.102 Used Tire Dealer

Any person or business who offers used tires for sale, trade or barter and who may or may not provide installation services as part of the business. This definition shall also include any person whose business is waste or scrap tire hauling and disposal provided to any person or business that sells, trades, barterers or installs used tires.

#### 5.6 Used Tire Dealer

This use is permitted in the B-3; General Business, I-1; Light Industrial and A-1; North Airbase Buffer zone zoning classifications as a Provisional Use. A used tire dealer shall comply with the following requirements;

1. By January 31 of every year, renewal of the Certificate of Occupancy (C/O) shall be required for all retail used tire facilities. Renewal of the C/O may be granted if the dealer has remained in compliance with all the Provisional Use requirements during the previous year. Appropriate fees for a C/O shall apply to the yearly renewal. Failure of renewal of the C/O or non-compliance during the previous year, are grounds for revocation or denial of the business’s Certificate of Occupancy and Occupational License. A Certificate of Occupancy shall not be issued without proof of compliance of state law as stated in R.S. 47:350(E).

2. A schedule of regular pick up of Scrap Tires shall be provided to the MPC office.

Tire pick-up and disposal shall be by a licensed carrier and evidence of disposal at a properly licensed disposal site, such as a disposal receipt, shall be provided to the MPC office prior to renewal of the Certificate of Occupancy. Scrap tires shall be disposed of at minimum of every three (3) months unless otherwise approved by the MPC inspectors following a site inspection.

3. Storage of tires shall be inside the primary building, or inside an accessory building(s) no greater than 3200 cubic feet in volume, so that all tires are shielded from the elements at all times. Movable trailers or other similar vehicles shall not be utilized for use as tire storage. Storage of tires within the service bay area, shall not be in a manner that prohibits the service bay area for use of removal or installation of tires.

4. Outdoor display of tires is limited to the building frontage only and no more than sixteen (16) tires at any given time. Display tires shall not be placed in the street right of way and shall be removed from site during closing hours.

5. Tire removal and installation shall not be conducted in parking areas or within the building frontage, as defined in this code.

6. Existing used tire dealers shall comply with all of the above requirements no later than July 1, 2019.

7. Used tire dealers shall comply with all applicable State of Louisiana requirements.

Motion was made by Mr. Thomas Harvey and seconded by Mr. Don Williams

to adopt the above ordinance. Upon the following vote, the ordinance was duly adopted this 3rd day of July, 2018.

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

NAYS: none

ABSTAIN: none

ABSENT: none

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JEFF FREE, PRESIDENT

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PHYLLIS McGRAW, CITY CLERK

C-52-17

Agenda Item called: Hearing to review the recommendation of demolition and removal of a dilapidated structure located at 715 Butler Street, Bossier City, LA

Roger Voet, Property Standards went over process with Robin Harvill, City appointed attorney. Deacon Henry Johnson asked for 60 days so that they could obtain property and tear down themselves.

By: Mr. Darby

Motion to postpone demolition for 60 days and commence demolition as soon as legally possible if structure is not acquired and removed during those 60 days.

Seconded by Mr. Irwin

No further comment

Vote in favor of motion is unanimous

The following ordinance offered and adopted:

**ORDINANCE NO. 68 OF 2018**

**AN ORDINANCE AMENDING ORDINANCE NO. 126 OF 2003, BY CHANGING THE ZONING CLASSIFICATION OF A OF AIRLINE PARK ESTATES SUBDIVISION, LOTS 1-50, BOSSIER CITY, LOUISIANA FROM B-1 (BUSINESS OFFICE) AND R-LD (RESIDENTIAL LOW DENSITY) TO B-3 (GENERAL BUSINESS).**

**SECTION 1. BE IT ORDAINED** by the City Council of Bossier City, Louisiana, in regular session convened, that Ordinance No. 126 of 2003 of the City Council of the City of Bossier City, Louisiana, is hereby amended to provide that the zoning classification is hereby changed from B-1, Business Office and R-LD, Residential Low Density, to B-3, General Business, for the following:

Airline Park Estates Subdivision, Lots 1-50, Bossier City, Louisiana



Motion was made by Mr. Scott Irwin and seconded by Mr. Thomas Harvey

to adopt the above ordinance. Upon the following vote, the ordinance was duly adopted this 3rd day of July, 2018.

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

NAYS: none

ABSTAIN: none

ABSENT: none

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JEFF FREE, PRESIDENT

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PHYLLIS MCGRAW, CITY CLERK

C-16-17

**New Business:**

The following ordinance offered and adopted:

ORDINANCE NO. 69 OF 2018

AN ORDINANCE APPROVING A CONDITIONAL USE FOR THE SALE OF HIGH AND LOW CONTENT ALCOHOL FOR OFF PREMISE CONSUMPTION AT 5751 SHED ROAD, BOSSIER CITY, LOUISIANA

WHEREAS; Fred's Stores of Tennessee, Inc., has applied to the Bossier City-Parish Metropolitan Planning Commission for Conditional Use Approval for the retail sale of high and low content alcohol, for off premise consumption, located at 5751 Shed, Bossier City, LA; and

WHEREAS; a public hearing for the Conditional Use application was held on May 14, 2018; and

WHEREAS; The Planning Department has submitted the results of said public hearing to the Mayor and the City Council of the City of Bossier City.

THE CITY COUNCIL OF THE CITY OF BOSSIER CITY HEREBY ORDAINS:

SECTION 1. That the Conditional Use for retail sales of high and low content alcohol for off premise consumption at 5751 Shed Road, Bossier City, LA 71111 is hereby approved.

Motion was made by Mr. Don Williams and seconded by Mr. Scott Irwin to adopt the above ordinance. Upon the following vote, the ordinance, was duly adopted this 3rd day of July, 2018.

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

NAYS: none

ABSTAIN: none

ABSENT: none

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JEFF FREE, PRESIDENT

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PHYLLIS MCGRAW, CITY CLERK

C-19-18

By: Mr. Darby

Motion to introduce an Ordinance to appropriate \$550,000 to come from the 2015 LCDA Bond Fund to be used to provide new pavement markings for the Arthur Ray Teague Parkway and Swan Lake Road.

Seconded by Mr. Irwin

No comment

Vote in favor of motion is unanimous

Agenda Item called: Introduce an Ordinance to appropriate \$25,000 to come from the General Fund, Fund Balance to be allocated to the Bossier Arts Council.

By: Mr. Harvey

Motion to add into the Scope of Services that Bossier Arts Council will produce and manage all appropriate venue/plaza agreements and that the Bossier Arts Council will negotiate all agreements with all users of the venue/plaza.

Seconded by Mr. Darby

No comment

Vote in favor of motion is unanimous

By: Mr. Darby

Motion to amend Ordinance to add the East Bank District Oversight Committee into the Scope of Services.

Seconded by Mr. Williams

Discussion on this motion

Vote in favor of motion is unanimous

By: Mr. Darby

Motion to introduce an Ordinance to appropriate \$25,000 to come from the General Fund, Fund Balance to be allocated to the Bossier Arts Council as amended.

Seconded by Mr. Harvey

No comment

Vote in favor of motion is unanimous

The following Resolution offered and adopted:

**RESOLUTION 53 OF 2018**

**A RESOLUTION AUTHORIZING THE HIRING OF A PERMANENT PART-TIME EMPLOYEE IN THE ANIMAL CONTROL DIVISION FOR THE PUBLIC WORKS DEPARTMENT.**

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**WHEREAS**, Ordinance No. 21 of 2018 implemented a requirement assuring that the City department budgets not be exceeded by any hiring of any personnel; and

**WHEREAS**, the position of a permanent part-time is vacant due to retirement, resignation or termination; and

**WHEREAS**, the administration and the department assures that all current budgets have been verified and that no authorized salary has been exceeded; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Bossier City, Louisiana, in regular session convened, that the administration is authorized to proceed with hiring procedures for the fulfillment of this position.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Jeffery Darby and seconded by Mr. Thomas Harvey, and adopted on the 3rd, day of July, 2018, by the following vote:

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

NAYS: none

ABSENT: none

ABSTAIN: none

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**Jeff Free, President**

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**Phyllis McGraw, City Clerk**

**There being no further business to come before this Council, meeting adjourned at 3:29P.M. by Mr. Free**

**Respectfully submitted:**

**Phyllis McGraw  
City Clerk**

**Publish: July 11, 2018  
Bossier Press Tribune**