

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING
JULY 16, 2019

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 16, 2019, at 3:00 PM

Invocation was given by Council Member Jeffery Darby

Pledge of Allegiance led by Council Member Jeff Free

Roll Call as follows:

Present: Honorable Councilor Scott Irwin, President, Honorable Councilors, David Montgomery, Jr, Timothy Larkin, Jeffery Darby, 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. Larkin

Motion to approve minutes July 2, 2019, Regular Meeting and dispense with the reading.

Seconded by Mr. Harvey

No comment

Motion carried with following vote:

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

Nays: none

Absent: Mr. Williams

Abstain: none

By: Mr. Montgomery, Jr.

Motion to add to Agenda Item #9 under New Business – Adopt a Resolution authorizing the hiring of an Assistant Superintendent for the Public Utilities Department.

Seconded by Mr. Larkin

No comment

Motion carried with following vote:

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

Nays: none

Absent: Mr. Williams

Abstain: none

By: Mr. Montgomery, Jr.

Motion to approve Agenda as amended.

Seconded by Mr. Darby

No comment

Motion carried with following vote:

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

Nays: none

Absent: Mr. Williams

Abstain: none

Ceremonial Matters/Recognition of Guests-

Mr. Irwin welcomed the Bossier Youth Leadership Students to the Meeting.

Committee Reports-

Jeremy Hefner – Bossier Arts Council - Gave an update on the Eastbank District. He listed past and future events at the Eastbank District and spoke about some of the successes. He showed Council and audience some of the pictures from the recent 4th of July event.

Mark Hudson – City Engineer – gave Council the Monthly Project Report. He stated that striping should begin soon on Shed Road and that the barricades will be removed. He also went over other projects including the roof on the Arena, KCS railroad crossing replacement at Robert E. Lee and the Bigby Carriageway. Mr. Irwin spoke about his disappointment and frustration with an Amendment that was made on the Jimmy Davis Bridge funding Bill from the State that removed all the funding from the Bridge and redirected it to the I-49 Inner City Connector.

Stacie Fernandez – City Finance Director – Gave the Monthly Financial Report, she noted that the Sales Tax Year to Date numbers are only 1.2% down from last year this time. She also went over the employee manning report and the Water and Sewer Fund.

Unfinished Business –

RESOLUTION NO. 49 OF 2019

A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY THROUGH INSTITUTION OF EXPROPRIATION PROCEEDINGS FOR A STREET AND TRAFFIC SAFETY PROJECT IN CONNECTION WITH TWO CROSS-ACCESS

DRIVES AT WALMART SUPERCENTER AND KROGER MARKETPLACE

WHEREAS, the City of Bossier City is in the process of acquiring needed properties necessary to facilitate construction and completion of a street and traffic safety project in connection with 2 cross – access drives at Walmart Supercenter and Kroger Marketplace (the “Project”);

WHEREAS, the Project will require the acquisition of additional parcels of property, specifically including, but not limited to, the following property parcels:

Owner: Wal-Mart Real Estate Business Trust

Wal-Mart East Parcel, 1,442.00 square feet and measuring 108.99’ (northwest) x 12.00’ (northeast) x 108.58’ (southeast) x 12.00’ (southwest).

Wal-Mart West Parcel, 1,213.00 square feet and measuring 86.27’ (northwest) x 12.30’ (northeast) x 85.97’ (southeast) x 12.99’ (southwest).

Owner: The Kroger Company

Kroger East Parcel, 1,190.00 square feet and measuring 81.08' (southeast) x 27.50' (northwest) x 48.29' (northwest) x 27.00' (northeast).

Kroger West Parcel, 891.00 square feet and measuring 38.03' (southwest) x 31.72' (northwest) x 6.62' (northeast) x 5.00' (south) x 39.32' (east) x 30.08' (southeast)

Owner: CFT NV Developments, LLC

CFT NV Parcel, 803.00 square feet and measuring 28.18' (southeast), x 40.96' (southwest) x 20.34' (northwest) x 38.03' (northeast).

All parcels as more fully described on **Exhibit 1**, attached.

WHEREAS, in the event that the offer of compensation for the purchase of the necessary additional parcels of property are not accepted by any property owner, and a voluntary agreement and/or settlement for the purchase of said property cannot be reach for the property parcel listed above, then in that event the City of Bossier City, acting under the authority and in a manner authorized by Art. 1, Sec. 4 of the Constitution of the State of Louisiana (1974), La. R.S. 19:121-129 and La. R.S. 48:449-459, or any other applicable laws of the State of Louisiana, desires to acquire said expropriation pursuant to applicable law;

WHEREAS, public necessity dictates that the property described herein must be owned by and subject to use by the City of Bossier City; and

WHEREAS, in accordance with La. R.S. 19:123(3)(a) the City Council declares that the acquisition or taking of the property described herein is necessary or useful for street, drainage, water or sewerage purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bossier, in regular session convened, that the City is authorized to acquire all property necessary to facilitate construction and completion of the Project, including, if necessary, the filing and prosecution of any expropriation or taking actions related to the Project in the proper court of law, with the law firm of Neil

Erwin Law, LLC, being hereby authorized to represent the City with the expropriation proceedings involving the property described on Exhibit 1.

BE IT FURTHER RESOLVED, that the Mayor is authorized is hereby authorized to execute any documents in furtherance of this Resolution.

If any provision or item of this Resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications and to this end, the provisions of this Resolution are hereby declared severable.

BE IT FURTHER RESOLVED that the City of Bossier City authorizes the City Attorney to take whatever action necessary in furtherance of this Resolution.

The above and foregoing Resolution was read in full in open and legal session convened, was on motion of Mr. Thomas Harvey, and seconded by Mr. David Montgomery, Jr., and adopted on the 16th day of July, 2019, 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

Scott Irwin, President

Phyllis McGraw, City Clerk

Exhibit 1
A LEGAL DESCRIPTION OF A
1,442.00 SQUARE FOOT PARCEL OF LAND
OWNED BY WAL-MART REAL ESTATE BUSINESS TRUST
LOCATED IN CITY OF BOSSIER CITY,
BOSSIER PARISH, LOUISIANA

Wal-Mart East Parcel:

Commencing at the southeast corner of Lot 3, Block 1 of Red Bend Crossing, a subdivision located in Bossier City, Bossier Parish, Louisiana, as per plat recorded in Conveyance Book 1601, Page 325 of the records of Bossier Parish, Louisiana and proceed South 83 degrees 58 minutes 34 seconds West along the south line of said Lot 3 and north line of said 21.724 acre tract a distance of 174.32 feet to the POINT OF BEGINNING; thence leaving said line proceed along a curve to the left, said curve having a radius of 25.00 feet (chord bearing South 85 degrees 08 minutes 30 seconds East a distance of 8.75 feet), an arc distance of 8.80 feet to a set ½” iron pipe; thence proceed North 84 degrees 46 minutes 28 seconds East a distance of 5.00 feet to a set

½“ iron pipe; thence proceed South 05 degrees 13 minutes 32 seconds East a distance of 12.00 feet to a set nail; thence proceed South 84 degrees 06 minutes 17 seconds West a distance of 108.58 feet to a set nail; thence proceed North 05 degrees 20 minutes 46 seconds West a distance of 12.00 feet to a set ½” iron pipe; thence proceed North 84 degrees 39 minutes 14 seconds East a distance of 5.00 feet to a set ½” iron pipe; then proceed along a curve to the left, said curve having a radius of 25.00 feet (chord bearing North 74 degrees 12 minutes 32 seconds East a distance of 9.06 feet), an arc distance of 9.11 feet to said south line of Lot 3 and north line of said 21.724 acre tract; thence proceed North 83 degrees 58 minutes 34 seconds East along said line a distance of 81.08 feet to the POINT OF BEGINNING, being a portion of the tract as shown on the plat titled “Red Bend-Walmart Access Connection (East)”, prepared by Coyle Engineering Co., Inc., dated March 1, 2019, being subject to the servitudes, easements and/or rights of way shown on said plat and any and all others of record or of use.

**A LEGAL DESCRIPTION OF A
1,213.00 SQUARE FOOT PARCEL OF LAND
OWNED BY WAL-MART REAL ESTATE BUSINESS TRUST
LOCATED IN CITY OF BOSSIER CITY,
BOSSIER PARISH, LOUISIANA**

Wal-Mart West Parcel:

BEGINNING at the southern common corner of Lot 3 and Lot 7, Block 1 of Red Bend Crossing, a subdivision located in Bossier City, Bossier Parish, Louisiana, as per plat recorded in Conveyance Book 1601, Page 325 of the records of Bossier Parish, Louisiana and proceed North 83 degrees 58 minutes 34 seconds along the south line of said Lot 3 and the north line of said 21.724 acre tract a distance of 30.08 feet; thence leaving said line proceed along a curve to the left, said curve having a radius of 20.00 feet (chord bearing South 82 degrees 01 minute 49 seconds East a distance of 10.12 feet), an arc distance of 10.23 feet to a set ½” iron pipe; thence proceed North 83 degrees 18 minutes 45 seconds East a distance of 5.00 feet to a set ½” iron pipe; thence proceed South 06 degrees 41 minutes 15 seconds East a distance of 12.30 feet to a set nail; thence proceed South 83 degrees 58 minutes 34 seconds West a distance of 85.97 feet to a set nail; thence proceed North 04 degrees 47 minutes 35 seconds West a distance of 12.99 feet to a set ½” iron pipe; thence proceed North 85 degrees 12 minutes 25 seconds East a distance of 5.00 feet to a set ½” iron pipe; thence proceed along a curve to the left, said curve having a radius of 15.00 feet (chord bearing North 70 degrees 21 minutes 35 seconds East a distance of 7.69 feet), an arc distance of 7.77 feet to the north line of said 21.724 acre tract and south line of said Lot 7; thence proceed North 83 degrees 58 minutes 34 seconds East along said line a distance of 28.18 feet to the POINT OF BEGINNING, being a portion of the tract as shown on the plat titled “Red Bend-Walmart Access Connection (West)”, prepared by Coyle Engineering Co., Inc., dated March 1, 2019, being subject to the servitudes, easements and/or rights of way shown on said plat and all others of record or of use.

**A LEGAL DESCRIPTION OF A
1,190.00 SQUARE FOOT PARCEL OF LAND
OWNED BY THE KROGER COMPANY**

**LOCATED IN CITY OF BOSSIER CITY,
BOSSIER PARISH, LOUISIANA**

Kroger East Parcel:

Commencing at the southeast corner of Lot 3, Block 1 of Red Bend Crossing, a subdivision located in Bossier City, Bossier Parish, Louisiana, as per plat recorded in Conveyance Book 1601, Page 325 of the records of Bossier Parish, Louisiana and proceed South 83 degrees 58 minutes 34 seconds West along the south line of Lot 3 a distance of 174.32 feet to the POINT OF BEGINNING; continue thence South 83 degrees 58 minutes 34 seconds West along said line a distance of 81.08 feet; thence leaving said line proceed along a curve to the left, said curve having a radius of 25.00 feet (chord bearing North 40 degrees 59 minutes 54 seconds East a distance of 19.35 feet), an arc distance of 19.87 feet to a set ½” iron pipe; thence proceed North 18 degrees 13 minutes 58 seconds East a distance of 4.87 feet to a set ½” iron pipe; thence proceed along a curve to the left, said curve having a radius of 10.00 feet (chord bearing North 10 degrees 19 minutes 17 seconds East a distance of 2.75 feet), an arc distance of 2.76 feet to a set nail; thence proceed North 84 degrees 01 minute 32 seconds East a distance of 48.29 feet to a set nail; thence proceed along a curve to the left, said curve having a radius of 25.00 feet (chord bearing South 44 degrees 07 minutes 06 seconds East a distance of 25.71 feet), an arc distance of 27.00 feet to the POINT OF BEGINNING, being a portion of the tract as shown on the plat titled “Red Bend-Walmart Access Connection (East), prepared by Coyle Engineering Co., Inc., dated March 1, 2019, being subject to the servitudes, easements and/or rights of way shown on said plat and any and all others of record or of use.

**A LEGAL DESCRIPTION OF A
891.00 SQUARE FOOT PARCEL OF LAND
OWNED BY THE KROGER COMPANY
LOCATED IN CITY OF BOSSIER CITY,
BOSSIER PARISH, LOUISIANA**

Kroger West Parcel:

BEGINNING at the southwest corner of said Lot 3, Block 1 of Red Bend Crossing and proceed North 06 degrees 00 minutes 47 seconds West along the west line of said Lot 3 a distance of 38.03 feet; thence leaving said west line proceed North 83 degrees 59 minutes 13 seconds East a distance of 31.72 feet to a set nail; thence proceed South 05 degrees 45 minutes 24 seconds East a distance of 6.62 feet to a set nail; thence proceed South 84 degrees 14 minutes 36 seconds West a distance of 5.00 feet to a set ½” iron pipe; thence proceed along a curve to the left, said curve having a radius of 7.00 feet (chord bearing South 39 degrees 06 minutes 54 seconds West a distance of 9.92 feet), an arc distance of 11.03 feet to a set ½” iron pipe; thence proceed South 06 degrees 00 minutes 47 seconds East a distance of 6.87 feet to a set ½” iron pipe; thence proceed along a curve to the left, said curve having a radius of 20.00 feet (chord bearing South 36 degrees 41 minutes 35 seconds East a distance of 20.41 feet), an arc distance of 21.42 feet to a point on the south line of said Lot 3; thence proceed South 83 degrees 58 minutes 34 seconds West a distance of 30.08 feet to the POINT OF BEGINNING, being a portion of the tract as shown

on the plat titled “Red Bend-Walmart Access Connection (West)”, prepared by Coyle Engineering Co., Inc., dated March 1, 2019, being subject to the servitudes, easements and/or rights of way shown on said plat and any and all others of record or of use.

**A LEGAL DESCRIPTION OF A
803.00 SQUARE FOOT PARCEL OF LAND
OWNED BY CFT NV DEVELOPMENTS, LLC
LOCATED IN CITY OF BOSSIER CITY,
BOSSIER PARISH, LOUISIANA**

CFT NV Parcel:

BEGINNING at the southeast corner of Lot 7, Block 1 of Red Bend Crossing and proceed South 83 degrees 58 minutes 34 seconds West along the south line of said Lot 7 a distance of 28.18 feet; thence leaving said line proceed along a curve to the left, said curve having a radius of 15.00 feet (chord bearing North 24 degrees 44 minutes 59 seconds East a distance of 15.34 feet), an arc distance of 16.11 feet to a set ½” iron pipe; thence proceed North 06 degrees 00 minutes 47 seconds West a distance of 24.85 feet to a set nail; thence proceed North 83 degrees 59 minutes 13 seconds East a distance of 20.34 feet to a point on the east line of said Lot 7; thence proceed South 06 degrees 00 minutes 47 seconds East a distance of 38.03 feet to the POINT OF BEGINNING, being a portion of the tract as shown on the plat titled “Red Bend-Walmart Access Connection (West)”, prepared by Coyle Engineering Co., Inc., dated March 1, 2019, being subject to the servitudes, easements and/or rights of way shown on said plat and any and all others of record or of use.

New Business –

Witness opening of sealed bids for Bid #P19-16 – Walbrook & Field of Dreams Park – Parking Lot Additions

Boggs & Poole Contracting Group, Inc.	\$363,094.00
Bowman Asphalt and Grading, Inc.	\$381,941.00
Cochran Construction Company, Inc.	\$310,640.00
Dale’s Paving, Inc.	\$377,967.00

By: Mr. Free

Motion to approve reading of bids

Seconded by Mr. Larkin

No comment

Motion carried with following vote:

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

Nays: none

Absent: Mr. Williams

Abstain: none

Agenda Item called: Hearing to review the recommendation of demolition and removal of a dilapidated structure located at the following legal address: 708 Leon Street., Bossier City, LA. 71112

City Inspector Roger Voet spoke on the process that led up to the hearing. Appointed Attorney

Robin Harvill has reached out to owner John Clay Mitchell who has passed away. His next relatives are two nephews that were notified and they don't have the ability to remove the trailer from the lot. Questions about whether the trailer could be removed or demolished from lot. Can be demolished.

By: Mr. Larkin

Motion to demolish as soon as legally possible.

Seconded by Mr. Harvey

No comment

Motion carried with following vote:

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

Nays: none

Absent: Mr. Williams

Abstain: none

By: Mr. Montgomery, Jr.

Motion to introduce an Ordinance to appropriate funds to restore operation to water filling station at a cost of \$15,000.00 to come from Water Capital Contingency Fund.

Seconded by Mr. Free

No comment

Motion carried with following vote:

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

Nays: none

Absent: Mr. Williams

Abstain: none

By: Mr. Montgomery, Jr.

Motion to introduce an Ordinance to authorize and appropriate funds to contribute to the employment of an Executive Director for Keep Bossier Beautiful (KBB). The expenditure will be divided equally between the Bossier Parish Sheriff's Office, Bossier Parish Police Jury and the City of Bossier City. The annual salary and benefits package totals \$65,000.00 with the City's portion totaling \$21,677.00.

Seconded by Mr. Larkin

Questions about who this person would report to and it will be the Sheriff and there has been added a 6-month probationary period.

No further comment

Motion carried with following vote:

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

Nays: none

Absent: Mr. Williams

Abstain: none

The following Resolution offered and adopted:

RESOLUTION 50 Of 2019

A RESOLUTION AUTHORIZING THE HIRING OF ONE (1) POLICE OFFICER FOR THE BOSSIER CITY POLICE DEPARTMENT.

WHEREAS, Ordinance No. 21 of 2019 implemented a requirement assuring that the City department budgets not be exceeded by any hiring of any personnel;
and

WHEREAS, the hiring of one (1) Police Officer due to resignation of one Police Officer.

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 16th day of July, 2019, 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

Scott Irwin, President

Phyllis McGraw, City Clerk

By: Mr. Montgomery, Jr.

Motion to approve Report of Final Change Order for A.R.T. Parkway/Swan Lake Road Pavement markings an increase of \$4,063.70. Total cost of contract with increase \$443,452.20.

Seconded by Mr. Larkin

No comment

Motion carried with following vote:

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

Nays: none

Absent: Mr. Williams

Abstain: none

By: Mr. Montgomery, Jr.

Motion to approve Report of Change Order #1 for the LaSands Sewer Lift Station Project for an increase of \$2,100.12. Total cost of contract with increase \$199,900.12.

Seconded by Mr. Darby

No comment

Motion carried with following vote:

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

Nays: none

Absent: Mr. Williams

Abstain: none

The following Resolution offered and adopted:

RESOLUTION 51 Of 2019

A RESOLUTION TO HIRE ONE TRAFFIC CONTROL LEAD TECHICIAN AND HIRE ONE TRAFFIC CONTROL TECHNICIAN, FOR THE TRAFFIC

ENGINEERING DIVISION, WITH BOTH HIRES DUE TO VACANCIES WITHIN THE DIVISION.

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 positions of Traffic Control Lead Technician and Traffic Control Technician are vacant due to retirement, resignation or termination; and

WHEREAS, the administration and the department assures that all current budgets have been verified and not 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 hire one Traffic Control Lead Technician and to hire a Traffic Control Technician, for the Traffic Engineering Division, with both hires due to vacancies within the division.

The above and foregoing Resolution 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 16th day of July, 2019, 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

Scott Irwin, President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

RESOLUTION 52 OF 2019

A RESOLUTION AUTHORIZING THE HIRING OF AN ASSISTANT SUPERINTENDENT FOR THE PUBLIC UTILITIES DEPARTMENT.

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 Assistant Superintendent is vacant due to resignation; 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. Jeff Free and seconded by Mr. Timothy Larkin, and adopted on the 16th day of July, 2019, 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

Scott Irwin, President

Phyllis McGraw, City Clerk

Mr. Irwin announced that there will be no meeting next week.

There being no further business to come before this Council, meeting adjourned at 3:42 PM by Mr. Irwin

Respectfully submitted:

Phyllis McGraw

City Clerk

Publish: July 24, 2019

Bossier Press Tribune