

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING
AUGUST 6, 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, August 6, 2019, at 3:00 PM

Invocation was given by Council Member Scott Irwin

Pledge of Allegiance led by Council Member Don Williams

Roll Call as follows:

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

Absent: Honorable Councilor David Montgomery, Jr.

Also Present: City Attorney, Jimmy Hall and City Clerk, Phyllis McGraw

By: Mr. Williams

Motion to approve minutes July 16, 2019, Regular Meeting and dispense with the reading.

Seconded by Mr. Larkin

No comment

Motion carried with following vote:

Yeas: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

Nays: none

Absent: Mr. Montgomery, Jr.

Abstain: none

By: Mr. Larkin

Motion to add to Agenda Item #25 under New Business – Adopt an Ordinance to declare that an emergency did exist in the City of Bossier City which affected property, public health and safety due to the requirement for Utility Relocation on Crosscreek Drive for a total of \$210,000.00. Fifty percent of the Funds are to come from the Sewer Capital and Contingency Fund and Fifty percent from the Water Capital and Contingency Fund; and authorizes the City to enter into a contract with Pulley Construction, Inc. for completion of work.

(First and Final Reading) (Glorioso)

Seconded by Mr. Williams

No comment

Motion carried with following vote:

Yeas: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

Nays: none

Absent: Mr. Montgomery, Jr.

Abstain: none

By: Mr. Williams

Motion to approve Agenda as amended.

Seconded by Mr. Free

No comment

Motion carried with following vote:

Yeas: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

Nays: none

Absent: Mr. Montgomery, Jr.

Abstain: none

Ceremonial Matters/Recognition of Guests-

Committee Reports-

Ben Rauschenbach, Manchac, gave update on the status of the P3, Public, Private, Partnership for Utilities and the savings to the City. He went over changes that have been implemented to help improve productivity and cost savings.

Unfinished Business –

The following Ordinance offered and adopted:

Ordinance No. 82 Of 2019

ADOPT 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

WHEREAS, due to a power surge from a storm in June, communication between the server and the Waterfill Station was discontinued. The City will restore operation to the station by replacing with an upgraded controller and keypad; and

WHEREAS, \$15,000.00 may be appropriated from the Water Capital and 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 \$15,000.00 to come from Water Capital and Contingency fund to restore operation to the Water Filling Station.

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 6th day of August, 2019, by the following vote:

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

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

Ordinance No. 83 Of 2019

ADOPT 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.

WHEREAS, The KEEP BOSSIER BEATIFUL (KBB) volunteers have done a good job over the years, but to improve their effectiveness it is anticipated that hiring a full time Executive Director to lead and supervise the KBB will result in significant improvement in the appearance of our City and Parish.; and

WHEREAS, Bossier Parish Sheriff originated this initiative and met with Bossier Police Jury Parish Administrator, and Bossier City Mayor to consider hiring an Executive Director for the KBB. An agreement was reached which, if approved, the expenditure to fill this position, salary and benefits, would be approximately \$65,000 annually divided equally among the three agencies at an annual expense of \$ 21,677 each. This position will be subject to a six-month employment probationary period. (A job description for an Executive Director for the KBB is attached.)

WHEREAS, the amount of \$21,677.00 may be submitted in the 2020 budget as requested.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that the Bossier City Council does hereby authorize and appropriate \$21,677.00 to be included in the 2020 budget for one third of the expense of the salary and benefits for an Executive Director of Keep Bossier Beautiful.

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. Thomas Harvey, and adopted on the 6th day of August, 2019, by the following vote:

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

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

New Business –

Agenda Item – Hearing to review the recommendation of demolition and removal of a dilapidated structure located at the following legal address; 1325 Airline Drive, Bossier City, LA 71112

This item will be continued to the next meeting on August 20, 2019 at the request of the Property Standards Department.

Witness opening of sealed bids for Bid #P19-17 – Parks and Recreation Sports Lighting Replacement

Camus Electric Company, Inc.	\$2,510,300.00
GeoSport Lighting Systems, LLC.	\$2,263,000.00
Musco Lighting	\$2,292,015.00
Wilhite Electric Company, Inc.	\$2,773,825.00

By: Mr. Williams

Motion to approve reading of bids

Seconded by Mr. Free

No comment

Motion carried with following vote:

Yeas: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

Nays: none

Absent: Mr. Montgomery, Jr.

Abstain: none

The following ordinance offered and adopted:

ORDINANCE NO. 84 OF 2019

AN ORDINANCE APPROVING A CONDITIONAL USE FOR THE SALE OF HIGH CONTENT ALCOHOL FOR OFF PREMISE CONSUMPTION AT A DISCOUNT TOBACCO OUTLET LOCATED AT 1650 OLD MINDEN ROAD, BOSSIER CITY, LOUISIANA.

WHEREAS; Michael Wagon has applied to the Bossier City-Parish Metropolitan Planning Commission for Conditional Use Approval for the retail sale of high content alcohol, for off premise consumption, at a Discount Tobacco Outlet located at 1650 Old Minden Road, Bossier City, Louisiana; and

WHEREAS; a public hearing for the Conditional Use application was held on July 8, 2019; 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 content alcohol for off premise consumption at 1650 Old Minden Road, Bossier City, Louisiana is hereby approved.

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

to adopt the above ordinance. Upon the following vote, the ordinance was duly

adopted this 6th day of August, 2019.

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

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

C-42-19

The following ordinance offered and adopted:

ORDINANCE NO. 85 OF 2019

AN ORDINANCE APPROVING A CONDITIONAL USE ON A TRACT OF LAND ZONED B-3 (GENERAL BUSINESS) LOCATED AT 2360 BARKSDALE BOULEVARD, BOSSIER CITY, LOUISIANA FOR A WIRELESS TELECOMMUNICATION TOWER.

WHEREAS; Hemphill, LLC has applied to the Bossier City-Parish Metropolitan Planning Commission for Conditional Use approval for a wireless telecommunication tower located at 2360 Barksdale Boulevard, Bossier City, LA; and

WHEREAS; a public hearing for the Conditional Use application was held on July 8, 2019; 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; and

WHEREAS; the Conditional Use approval shall expire after One (1) year from the date of approval unless the project has begun or the applicant re-submits a complete Conditional Use review application to the MPC.

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

SECTION 1. That the Conditional Use, for Hemphill, LLC located at 2360 Barksdale Boulevard, Bossier City, LA 71111, is hereby approved.

Motion was made by Mr. Jeffery Darby and seconded by Mr. Timothy Larkin

to adopt the above ordinance. Upon the following vote, the ordinance

was duly adopted this 6th day of August, 2019.

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

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

C-5-19

By: Mr. Williams

Motion to Introduce an Ordinance to appropriate \$80,000.00 from the Sales Tax Capital Projects Fund, to be used to supplement the already appropriated \$90,000.00 with all funds to be used for concrete repairs at City Hall Parking Lots.

Seconded by Mr. Darby

No comment

Motion carried with following vote:

Yeas: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

Nays: none

Absent: Mr. Montgomery, Jr.

Abstain: none

By: Mr. Harvey

Motion to introduce an Ordinance to conduct repairs for the Northside Drive and Rome Street Gravity Mains at a cost of \$300,000 to come from the Sewer Capital and Contingency Fund.

Seconded by Mr. Darby

No comment

Motion carried with following vote:

Yeas: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

Nays: none

Absent: Mr. Montgomery, Jr.

Abstain: none

By: Mr. Williams

Motion to introduce an Ordinance to appropriate funds to cover construction cost for the Sewer Sub-Basin BC-20 Rehabilitation Project for a total of \$600,000.00 to come from the 2016 LDEQ Loan CS-221103-02.

Seconded by Mr. Free

No comment

Motion carried with following vote:

Yeas: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

Nays: none

Absent: Mr. Montgomery, Jr.

Abstain: none

By: Mr. Harvey

Motion to introduce an Ordinance to appropriate Sixty Thousand Dollars from the Sales Tax Capital Improvement Fund to restripe parking lots at North Bossier Park and Tennis Center and several other parks.

Seconded by Mr. Darby

No comment

Motion carried with following vote:

Yeas: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

Nays: none

Absent: Mr. Montgomery, Jr.

Abstain: none

By: Mr. Williams

Motion to introduce an Ordinance to appropriate an additional \$420,000.00 from the Walter O. Bigby Carriageway Fund to be used for additional Engineering and Survey Fees for the design of the Walter O. Bigby Carriageway.

Seconded by Mr. Larkin

No comment

Motion carried with following vote:

Yeas: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

Nays: none

Absent: Mr. Montgomery, Jr.

Abstain: none

By: Mr. Williams

Motion to an Ordinance to appropriate funds to make repairs to Pump #5 at the Reservoir Pump Station at a cost of \$45,000.00 to come from the Water Capital and Contingency Fund.

Seconded by Mr. Larkin

No comment

Motion carried with following vote:

Yeas: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

Nays: none

Absent: Mr. Montgomery, Jr.

Abstain: none

The following Resolution offered and adopted:

RESOLUTION 53 Of 2019

A RESOLUTION AUTHORIZING THE HIRING OF FIVE (5) SEASONAL MONITORS, TEN (10) SEASONAL SCOREKEEPERS AND THIRTY (30) SEASONAL

OFFICIALS FOR YOUTH AND ADULT SPORTS FOR THE PARKS & RECREATION DEPARTMENT

WHEREAS, Ordinance No. 21 of 2018 and Ordinance 76 of 2019 implemented a requirement assuring that the City department budgets not be exceeded by any hiring of any personnel; and

WHEREAS, the position of Seasonal Monitor, Scorekeeper and Official is vacant due to seasonal employment; 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. Don Williams, and seconded by Mr. Timothy Larkin, and adopted on the 6th day of August, 2019, by the following vote:

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

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

Resolution No. 54 Of 2019

A RESOLUTION AUTHORIZING THE REPLACING OF A DEPUTY CITY MARSHAL

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

WHEREAS, the position of Deputy City Marshal is vacant due to a resignation; and

WHEREAS, the department assures that current budgets have been verified and that no authorized salary has been exceeded.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Bossier City, Louisiana, in regular session convened, that the City Marshal can proceed with hiring 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. Don Williams, and seconded by Mr. Timothy Larkin, and adopted on the 6th day of August, 2019, by the following vote:

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

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

RESOLUTION 55 Of 2019

A RESOLUTION AUTHORIZING THE HIRING OF ONE (1) JAILER 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) Jailer due to the death of one Jailer.

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. Don Williams, and seconded by Mr. Jeffery Darby, and adopted on the 6th day of August, 2019, by the following vote:

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

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

Resolution No. 56 Of 2019

A RESOLUTION AUTHORIZING THE REPLACING OF A MAINTENANCE MECHANIC IN THE GARAGE.

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

WHEREAS, the position of maintenance mechanic II is vacant due to a retirement; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of Bossier City, Louisiana, in regular session convened, that the administration can proceed with hiring or promoting 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. Timothy Larkin, and seconded by Mr. Don Williams, and adopted on the 6th day of August, 2019, by the following vote:

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

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

RESOLUTION NO. 57 OF 2019

**A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY THROUGH
INSTITUTION OF EXPROPRIATION PROCEEDINGS FOR STREET AND
WATER PROJECTS IN CONNECTION WITH THE SHED TO AIRLINE
WATER MAIN PROJECT**

WHEREAS, the City of Bossier City is in the process of acquiring needed properties necessary to facilitate construction and completion of street and water projects in connection with the Shed to Airline Water Main Project (the “Project”);

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

A permanent subsurface utility servitude on a 33,195.00 sq. ft. tract of land located in Bossier Parish, Louisiana on Montgomery Lane, Bossier City, Louisiana, owned by Kat Development, LLC, 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 reached 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, La. R.S. 33:1329 and La. R.S. 48:1259, or any other applicable laws of the State of Louisiana, desires to acquire said property by 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) and La. R.S. 48:1259 the City Council declares that the acquisition or taking of the property described herein is necessary or useful for highway, 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. Jeffery Darby, and adopted on the 6th day of August, 2019, by the following vote:

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

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

Exhibit 1

**A LEGAL DESCRIPTION OF A
REQUIRED PERMANENT SUBSURFACE
UTILITY SERVITUDE ON A**

**33,195.00 SQUARE FOOT TRACT OF LAND
OWNED BY KAT DEVELOPMENT, LLC
LOCATED IN THE CITY OF BOSSIER CITY,
BOSSIER PARISH, LOUISIANA**

A Required Permanent Servitude crossing a portion of Lot 2, Hall Subdivision, as Recorded in Book 583, Page 193, Conveyance Records of Bossier Parish, Louisiana, being located in Section 21, Township 18 North, Range 13 West, Bossier City, Louisiana, and being more particularly described as follows:

Commencing at a found ¾" iron pipe on the north right of way line of Kansas City Southern Railroad, being the easternmost corner of Lot 2, Hall Subdivision as recorded in Book 583, Page 193, Conveyance Records of Bossier Parish, Louisiana, thence North 89 degrees 38 minutes 12 seconds West a distance of 15.80 feet along the north line of said Lot 2 to the Point of Beginning of the Required Permanent Servitude herein described;

Thence South 65 degrees 58 minutes 51 seconds West a distance of 388.94 feet;

Thence South 65 degrees 29 minutes 14 seconds West a distance of 1,296.17 feet;

Thence North 05 degrees 50 minutes 44 seconds West a distance of 21.11 feet;

Thence North 65 degrees 29 minutes 14 seconds East a distance of 1,289.50 feet;

Thence North 65 degrees 58 minutes 51 seconds East a distance of 344.90 feet to the northerly boundary of said Lot 2;

Thence South 89 degrees 38 minutes 12 seconds East a distance of 48.45 feet along said northerly boundary to the Point of Beginning.

Said Required Permanent Servitude herein described containing 33,195 square feet or 0.762 acre, more or less.

This description is based on an actual on the ground survey performed in conjunction with Mohr and Associates, Inc. project No. 36574. Bearings are grid – Louisiana North Zone – NAD83, based on GPS observation utilizing C4GNet RTK Network.

RESOLUTION NO. 58 OF 2019

**A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY THROUGH
INSTITUTION OF EXPROPRIATION PROCEEDINGS FOR STREET AND
WATER PROJECTS IN CONNECTION WITH THE WALTER O. BIGBY
CARRIAGEWAY PARKWAY NORTH EXTENSION ROAD PROJECT
AND WATERLINE PROJECT**

WHEREAS, the City of Bossier City is in the process of acquiring needed properties necessary to facilitate construction and completion of street and water projects in connection with the Walter O. Bigby Carriageway Parkway North Extension road project and waterline project (the "Project");

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

Full ownership, less minerals, of a 1,995.6 sq. ft. tract of land and improvements, located in Bossier Parish, Louisiana at the Northeast corner of East Texas at Hamilton Road, Bossier City, Louisiana, owned by Mr. Jim's Famous Chicken, LLC, more fully described as:

Begin at NEC of Lot 7, Beam Place S/D Begin at the Intersection of the Sly R/W Line of U S Hwy 80 and the West R/W Line of Hamilton Rd, Thence Along said West R/W line S 120.95 Ft, Then leaving said West R/W Line Run S 87 Deg 06 Min 56 Sec W 117.37 Ft, Thence N 00 Deg 42 Min 29 Sec E 115.05 Ft to a Pt on the South R/W Line of U S Hwy 80, Thence Along said South R/W Line N 84 Deg 10 Min 16 Sec E 116.40 Ft to Pt of Begin, being a Portion of Lots 5, 6 & 7, Beam Place Subdivision, Bossier Parish, Louisiana

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 reached for the property parcels- 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, La. R.S. 48:449-459; La. R.S. 33:1329, La. R.S. 48:1259, La. R.S. 48:441-460;

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) and La. R.S. 48:1259 the City Council declares that the acquisition or taking of the property described herein is necessary or useful for highway, 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 herein.

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. Timothy Larkin, and adopted on the 6th day of August, 2019, by the following vote:

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

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

RESOLUTION NO. 59 OF 2019

A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY THROUGH INSTITUTION OF EXPROPRIATION PROCEEDINGS FOR STREET AND WATER PROJECTS IN CONNECTION WITH THE WALTER O. BIGBY CARRIAGEWAY PARKWAY NORTH EXTENSION ROAD PROJECT AND WATERLINE PROJECT

WHEREAS, the City of Bossier City is in the process of acquiring needed properties necessary to facilitate construction and completion of street and water projects in connection with the Walter O. Bigby Carriageway Parkway North Extension road project and waterline project (the "Project");

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

Full ownership of a 16,742.00 sq. ft. tract of land and improvements, located in Bossier Parish, Louisiana at 2110 Benton Road, Bossier City, Louisiana, owned by Nichols Lube Center, Inc., 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 reached 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, La. R.S. 33:1329 and La. R.S. 48:1259, or any other

applicable laws of the State of Louisiana, desires to acquire said property by 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) and La. R.S. 48:1259 the City Council declares that the acquisition or taking of the property described herein is necessary or useful for highway, 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. Don Williams, and adopted on the 6th day of August, 2019, by the following vote:

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

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

Exhibit 1

**A LEGAL DESCRIPTION OF A
16,742.00 SQUARE FOOT TRACT OF LAND
OWNED BY NICHOLS LUBE CENTER, INC.
LOCATED IN THE CITY OF BOSSIER CITY,
BOSSIER PARISH, LOUISIANA**

Begin a 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 Lot Line run S 10 Deg 37 Min 28 Sec E 749.75 Ft, 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 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 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 Line and Curve 60.31 Ft to Pt of Tangency of said Curve, thence Leaving said Curve and Nly R/W Line N 55 Deg 25 Min 40 Sec W 150 Ft, thence S 26 Deg 37 Min 58 Sec W 30 Ft to Pt of Begin, then S 11 Deg 53 Min 57 Sec E 80.02 Ft, thence S 79 Deg 18 Min 43 Sec W 187.54 Ft to a Pt on the Ely R/W Line of Benton Rd, thence along said Ely R/W Line N 10 Deg 38 Min 46 Sec W 80 Ft, thence leaving said Ely R/W Line run N 79 Deg 18 Min 43 Sec E 185.79 Ft to Pt of Begin, Bossier Parish, LA

AND

Begin at the SW Cor of Lot 2 Greenacres #1, Run 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, S 10 Deg 37 Min 28 Sec E 749.75 Ft, thence S 10 Deg 38 Min 46 Sec E 155 Ft More or Less to Pt of Begin, thence S 79 Deg 18 Min 43 Sec W 185.79 Ft to a Pt on the Ely R/W Line of Benton Rd, then along said R/W Line N 10 Deg 38 Min 46 Sec W 10 Ft, then leaving said Ely R/W Line of Benton Road N

79 Deg 18 Min 43 Sec E 185.80 Ft, thence S 10 Deg 38 Min 46 Sec E 10 Ft to Pt of Begin, Bossier Parish, LA

The following Resolution offered and adopted:

RESOLUTION 60 Of 2019

A RESOLUTION AUTHORIZING THE HIRING OF ONE LABORER II AND ONE SEASONAL MOSQUITO SPRAYER FOR THE PUBLIC WORKS 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, one Laborer II and one Seasonal Mosquito Sprayer 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 these positions.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Don Williams, and seconded by Mr. Jeff Free, and adopted on the 6th day of August, 2019, by the following vote:

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

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

By: Mr. Williams

Motion to approve Report of Change Order #2 for the NE WWTP Improvement Project for an increase of \$58,464.87. Total cost of contract with increase \$12,814,344.94.

Seconded by Mr. Larkin

No comment

Motion carried with following vote:

Yeas: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

Nays: none

Absent: Mr. Montgomery, Jr.

Abstain: none

By: Mr. Darby

Motion to approve Report of Change Order #1 for the RR WWTP Sludge Transfer Pump Project for an increase of \$5,165.04. Total of contract with increase \$201,165.04.

Seconded by Mr. Larkin

No comment

Motion carried with following vote:

Yeas: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

Nays: none

Absent: Mr. Montgomery, Jr.

Abstain: none

By: Mr. Free

Motion to reappoint Billy Montgomery as the joint representative to the Shreveport-Bossier Sports Commission. Appointment effective August 30, 2019 and expires August 30, 2021.

Seconded by Mr. Larkin

No comment

Motion carried with following vote:

Yeas: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

Nays: none

Absent: Mr. Montgomery, Jr.

Abstain: none

By: Mr. Harvey

Motion to approve Parade Permit Fee Waiver for Melissa Maggio Remembrance Run, Saturday, September 14, 2019.

Seconded by Mr. Free

No comment

Motion carried with following vote:

Yeas: Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

Nays: none

Absent: Mr. Montgomery, Jr.

Abstain: none

The following Resolution offered and adopted:

RESOLUTION 61 Of 2019

A RESOLUTION AUTHORIZING THE HIRING OF ONE PART TIME KENNEL WORKER FOR THE PUBLIC WORKS 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, one Part Time Kennel Worker 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. Don Williams, and seconded by Mr. Timothy Larkin, and adopted on the 6th day of August, 2019, by the following vote:

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

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

RESOLUTION 62 OF 2019

A RESOLUTION AUTHORIZING THE ENGAGEMENT OF AN EMPLOYMENT SERVICE FOR THE HIRING OF TEMPORARY CONTRACT EMPLOYEES FOR LABOR USE FOR THE BOSSIER CIVIC CENTER FOR THE

**EVENTS REQUIRING ADDITIONAL MANPOWER
FOR ANY NIGHT-TIME TURN AROUND REQUIREMENTS.**

WHEREAS, Ordinance No. 21 of 2018 and Ordinance 76 of 2019 implemented a requirement assuring that the City department budgets not be exceeded by any hiring of any personnel; and

WHEREAS, the Bossier Civic Center has existing contract agreements for events to be held in the building, which will require additional manpower to accommodate the event. The city administration request that the department be allowed to hire no more than three (3) temporary workers for each of the one-night turn-arounds for the building in order to accommodate these booked events.

WHEREAS, the administration and the department assures that all current budgets have been verified and that no authorized funds will be 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 contracting 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. Timothy Larkin and seconded by Mr. Jeffery Darby, and adopted on the 6th day of August, 2019, by the following vote:

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

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

Ordinance No. 86 Of 2019

ADOPT AN ORDINANCE TO DECLARE THAT AN EMERGENCY DID EXIST IN THE CITY OF BOSSIER CITY WHICH AFFECTED, PROPERTY, PUBLIC HEALTH AND SAFETY DUE TO THE REQUIREMENT FOR UTILITY RELOCATION ON CROSSCREEK DRIVE FOR A TOTAL OF \$210,000.00. FIFTY PERCENT OF THE FUNDS ARE TO COME FROM THE SEWER CAPITAL AND CONTINGENCY FUND AND FIFTY PERCENT FROM THE WATER CAPITAL AND CONTINGENCY FUND; AND AUTHORIZES THE CITY TO ENTER INTO A CONTRACT WITH PULLEY CONSTRUCTION, INC. FOR COMPLETION OF WORK.

WHEREAS, the final opinion of construction costs for the Project is \$210,000.00. (see attachment *(Crosscreek Drive Utility Relocation Ordinance Recommendation – August 6, 2019* for estimated detailed breakdown of the costs); and

WHEREAS, the City secured three bids to perform the work. Pulley Construction, Inc. submitted the lowest responsive bid to perform the work.

WHEREAS, \$210,000.00 may be appropriated from the Sewer Capital and Contingency fund and Water Capital 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 declare that an emergency exists and appropriates \$210,000.00. Fifty percent to come from the Sewer Capital and Contingency Fund and fifty percent from the Water Capital and Contingency Fund to cover the construction costs for the Relocation of Utilities on Crosscreek Drive.

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 Don Williams, and adopted on the 6th day of August, 2019, by the following vote:

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

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

Mr. Darby asked the Marshal and Police Chief about Reserve Officers and do Commission officers carry guns at all times.

Mr. Irwin read this statement - Notice is hereby given that a workshop will be held Tuesday, August 13, 2019 immediately following the Agenda Meeting at 3:00 P.M. in the Bossier City Council Chambers, 620 Benton Rd., Bossier City, LA. The purpose of this workshop is to go over the proposed 2020 Bossier City Operating and Capital Budgets.

There being no further business to come before this Council, meeting adjourned at 3:38 PM by Mr. Irwin

Respectfully submitted:

Phyllis McGraw

City Clerk

Publish: August 14, 2019

Bossier Press Tribune