

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY  
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING  
DECEMBER 4, 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, December 4, 2018, at 3:00 PM

Invocation was given by Council Member Jeffery Darby

Pledge of Allegiance led by Council Member Timothy Larkin

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. Irwin

Motion to approve minutes November 20, 2018, Regular Meeting and dispense with the reading.

Seconded by Mr. Montgomery, Jr.

No comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to approve Agenda

Seconded by Mr. Darby

No comment

Vote in favor of motion is unanimous

**Ceremonial Matters/Recognition of Guests**

Councilman Montgomery and Mayor Walker presented a Certificate of Recognition to Jerry and Pat Hawkins for their generous donation to the Police Canine Program

**Committee Reports-**

none

**Unfinished Business –**

The following Ordinance offered and adopted:

ORDINANCE NO. 150 OF 2018

**AN ORDINANCE TO ENLARGE THE LIMITS AND BOUNDARIES OF THE CITY OF BOSSIER CITY BY ANNEXING APROXIMATELY 82.02 ACRES LOCATED IN SECTION 33, TOWNSHIP 19 NORTH, RANGE 13 WEST, BOSSIER PARISH, LOUISIANA.  
(ASSISTED LIVING FACILITY)**

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**WHEREAS**, a petition signed by the property owner has been filed with the City Council of the City of Bossier City, requesting that the property described in Exhibit “A”, attached and made a part hereof, be included in the City Limits of the City of Bossier City Parish of Bossier, Louisiana, subject to the conditions set forth herein.

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Bossier City, in regular session convened, that the limits and boundaries of the City of Bossier City are hereby enlarged and extended so as to include with the limits and boundaries of the City of Bossier City, the property described in Exhibit “A”.

**BE IT FURTHER ORDAINED** that the above referenced annexed area shall be in Council District Number 5 of the City of Bossier City, Louisiana.

**BE IT FURTHER ORDAINED**, that all Ordinances, or parts of Ordinances, in conflict herewith are hereby repealed.

The above and foregoing Ordinance, read in full at open and legal session convened, was on motion of Mr. Don Williams, seconded by Mr. Scott Irwin, and adopted on this the 4<sup>th</sup> day of December, 2018 by the following vote:

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

NAYES: 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.151 Of 2018**

**ADOPT AN ORDINANCE TO APPROPRIATE FUNDS TO COVER CONSTRUCTION COST FOR THE NORTH/SOUTH WATERLINE CONNECTION PROJECT (NORTH PHASE) FOR A TOTAL OF \$2,965,293.00 TO COME FROM THE WATER CAPITAL CONTINGENCY FUND**

**WHEREAS** the final opinion of probable costs for the North/South Waterline Connection Project (North Phase) for a total of \$2,965,293.00 (see attachment *Final Opinion of Probable Cost North/South Waterline Connector Project* - for estimated detailed breakdown of the costs); and

**WHEREAS**, \$2,965,293.00 may be appropriated from the 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 appropriate \$2,965,293.00 to come from the Water Capital Contingency Fund to cover the construction costs for the North/South Waterline Connection Project (North Phase).

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. Timothy Larkin, and adopted on this the 4<sup>th</sup> day of December, 2018 by the following vote:

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

NAYES: 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. 152 Of 2018**

**ADOPT AN ORDINANCE TO APPROPRIATE FUNDS TO COVER CONSTRUCTION COST FOR THE WALTER O. BIGBY WATERLINE RELOCATION PROJECT \$4,476,159.01 TO COME FROM THE 2015 LCDA BOND FUND AND \$735,068.39 TO COME FROM THE WOB CARRIAGEWAY FUND FOR A TOTAL OF \$5,211,227.40**

**WHEREAS** the final opinion of probable costs for the Walter O. Bigby Waterline Relocation Project is \$5,211,227.40. (see attachment *Final Opinion of Probable Cost - Walter O Bigby Waterline Relocation Project* for estimated detailed breakdown of the costs); and

**WHEREAS**, \$4,476,159.01 to come from the 2015 LCDA bond fund and \$735,068.39 to come from the WOB Carriageway fund for a total of \$5,211,227.40.

**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 \$4,476,159.01 to come from the 2015 LCDA bond fund and \$735,068.39 to come from the WOB Carriageway fund for a total of \$5,211,227.40 to cover the construction costs for the Walter O. Bigby Waterline Relocation Project.

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. Timothy Larkin, and adopted on this the 4<sup>th</sup> day of December, 2018 by the following vote:

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

NAYES: 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.153 Of 2018**

**ADOPT AN ORDINANCE TO APPROPRIATE FUNDS TO COVER CONSTRUCTION COST FOR THE MEADOWVIEW SEWER LIFT STATION #2 IMPROVEMENT PROJECT FOR A TOTAL OF \$213,200.00 TO COME FROM THE SEWER CAPITAL CONTINGENCY FUND**

**WHEREAS** The final opinion of construction costs for the Meadowview Lift Station #2 project is \$213,200.00. (see attachment *Final Opinion of Construction Costs Meadowview #2Lift Station Rehab* for estimated detailed breakdown of the costs); and

**WHEREAS**, \$213,200.00 may be appropriated from the Sewer 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 appropriate \$213,200.00 to come from the Sewer Capital Contingency Fund to cover the construction costs for the Meadowview Lift Station #2.

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. David Montgomery, Jr., and adopted on this the 4<sup>th</sup> day of December, 2018 by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey  
NAYES: none  
ABSENT: none  
ABSTAIN: none

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Jeff Free, President

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Phyllis McGraw, City Clerk

Agenda Item called: Adopt an Ordinance authorizing the City of Bossier City, Louisiana, to incur debt and to borrow from the Louisiana Local Government Environmental Facilities and Community Development Authority not exceeding \$60,000,000 to mature not later than thirty (30) years from date of original issue, at a rate or rates not exceeding six (6%) percent per annum, for the purpose of financing the cost of acquisitions, repairs and/or expansions needed to maintain city owned works of public improvement, and paying the costs of issuance of the bonds; and providing for other matters in connection with the foregoing.

Mr. Montgomery complimented the Administration and Council for running the City more like a business and updated Council and public on exact numbers received at the Bond Commission. During this time Mr. Free also recognized the Bossier Youth Leadership Students in the audience and had them to introduce themselves.

The following ordinance, having been introduced at a duly convened meeting on December 4, 2018, and notice of its introduction having been published, as required by Section 3.14 of the City Charter, was offered for final adoption by Mr. David Montgomery, Jr. and seconded by Mr. Timothy Larkin:

**Ordinance No. 154 of 2018**

**AN ORDINANCE AUTHORIZING THE CITY OF BOSSIER CITY, LOUISIANA, TO INCUR DEBT AND TO BORROW FROM THE LOUISIANA LOCAL GOVERNMENT ENVIRONMENTAL FACILITIES AND COMMUNITY DEVELOPMENT AUTHORITY NOT EXCEEDING \$60,000,000 TO MATURE NOT LATER THAN THIRTY (30) YEARS FROM DATE OF ORIGINAL ISSUE, AT A RATE**

**OR RATES NOT EXCEEDING SIX (6%) PERCENT PER ANNUM, FOR THE PURPOSE OF FINANCING THE COST OF ACQUISITIONS, REPAIRS AND/OR EXPANSIONS NEEDED TO MAINTAIN CITY OWNED WORKS OF PUBLIC IMPROVEMENT, AND PAYING THE COSTS OF ISSUANCE OF THE BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION WITH THE FOREGOING.**

WHEREAS, the City of Bossier City, Louisiana, a political subdivision of the State of Louisiana (the "City"), after examining available data, has determined that there is substantial need for financing the costs of additions, acquisitions, repairs and/or expansions needed to maintain City owned public improvements and that the issuance by the Louisiana Local Government Environmental Facilities and Community Development Authority (the "Authority") of its revenue bonds on behalf of the City will assist in alleviating such need, to the City's benefit; and

WHEREAS, the Authority is a political subdivision of the State of Louisiana (the "State"), created pursuant to the authority of Chapter 10-D of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:4548.1 through 4548.16) (the "Act"), and certain related constitutional and statutory authority; and

WHEREAS, pursuant to the authority granted to it in the Act, the City has requested the Authority to issue not exceeding \$60,000,000 of its Revenue Bonds (City of Bossier City, Louisiana Project), Series 2018 (the "Bonds") for the purpose of assisting the City in financing additions, acquisitions, repairs and/or expansions needed to maintain City owned works of public improvement, and paying costs of issuance of the bonds; (the "Project"); and

WHEREAS, pursuant to and in accordance with the Act and a Loan Agreement dated as of December 1, 2018 (the "Loan Agreement") to be entered into by and between the Authority and the City, the City will borrow from the Authority the proceeds of the Bonds to finance the Project under the terms and conditions more fully described in the Loan Agreement; and

WHEREAS, in turn, for payment and security of the Bonds, the Loan Agreement will provide for a pledge by the City of the funds, income, revenue, fees, receipts or charges of any nature from any source whatsoever on deposit with or accruing from time to time to the City, provided that no such funds, income, revenue, fees, receipts or charges shall be so included in this definition which have been or are in the future legally dedicated and required for other purposes by the electorate, by the terms of specific grants, by the terms of particular obligations issued or to be issued (to the extent pledged or budgeted to pay debt service on such other obligations) or by operation of law, and provided further that the full faith and credit of the City is not pledged, and there is no obligation to levy or increase taxes or other sources of revenue above any legal limits applicable to the Borrower from time to time ("Lawfully Available Funds"), thereby obligating the City to pay to the Authority amounts necessary to allow the Authority to make principal and interest payments on the Bonds; **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOSSIER CITY, LOUISIANA**, in regular session convened, that:

SECTION 1. In compliance with the applicable provisions of the City Charter and Code of Ordinances, the Act and other constitutional and statutory authority supplemental thereto, there be and there is hereby authorized the incurring of indebtedness and the borrowing from the Authority of the proceeds of not exceeding Sixty Million and No/100 Dollars (\$60,000,000) Revenue Bonds (City of Bossier City, Louisiana Project), Series 2018 (the "Bonds"), said Bonds maturing not later than thirty (30) years from date of original issue, bearing interest at a fixed rate or rates not exceeding six (6%) per annum, to be secured by and payable from Lawfully Available Funds of the City, including the funds, income, revenue, fees, receipts or charges of any nature from any source whatsoever on deposit with or accruing from time to time to the City, provided that no such funds, income, revenue, fees, receipts or charges shall be so included in this definition which have been or are in the future legally dedicated and required for other purposes by the electorate, by the terms of specific grants, by the terms of particular obligations issued or to be issued (to the extent pledged or budgeted to pay debt service on such other obligations) or by operation of law, and provided further that the full faith

and credit of the City is not pledged, and there is no obligation to levy or increase taxes or other sources of revenue above any legal limits applicable to the City from time to time.

SECTION 2. This City Council does hereby approve execution of the Loan Agreement with the Authority substantially in the form attached hereto as Exhibit A. The Mayor of the City be and he is hereby authorized and directed to execute said Loan Agreement for and on behalf of the City and is further authorized to make and approve any changes required therein, but not inconsistent with the intent of this Ordinance.

SECTION 3. Application by the Authority to the Louisiana State Bond Commission, including the estimated costs of issuance shown on the Financial Disclosure Form attached thereto, pursuant to the provisions of Act for consent, approval and authority to incur debt and borrow moneys for financing the Project, to be secured by and payable from Lawfully Available Funds of the City is hereby ratified and approved.

SECTION 4. The Mayor and/or Clerk of the Council be and they are further authorized, empowered, and directed to execute on behalf of the City any and all other documents deemed necessary by Bond Counsel to the City, in order to facilitate the Authority's issuance of the Bonds for financing the Project.

SECTION 5. The City Council does hereby approve execution of a Bond Purchase Agreement among the City, Stifel, Nicolaus & Company, Incorporated, Sisung Securities Corporation and the Authority, and a Tax Exemption Certificate and Agreement among the City, the Authority, and Hancock Whitney Bank, as Trustee, in such forms as may be approved by Bond Counsel and Counsel to the City. The Mayor is hereby authorized and directed to execute the Bond Purchase Agreement and the Tax Agreement for and on behalf of the City.

SECTION 6. The Mayor and such other officials of the City as may be appropriate shall be and they are hereby authorized and directed to take and perform any and all actions required and necessary under the terms of the Loan Agreement, including execution of certificates and other documents necessary therefor. The Mayor is hereby further empowered, authorized and directed to take any and all action and to execute and deliver any instrument, document or certificate necessary to effectuate the purposes of this Ordinance.

SECTION 7. The use and distribution of the Preliminary Official Statement and an Official Statement by Stifel, Nicolaus & Company, Incorporated and Sisung Securities Corporation, as Underwriters, in connection with the marketing and sale of the Bonds is hereby ratified and approved.

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. Timothy Larkin, and adopted on this the 4<sup>th</sup> day of December, 2018 by the following vote:

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

NAYES: none

ABSENT: none

ABSTAIN: none

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Jeff Free, President

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Phyllis McGraw, Clerk of Council

**STATE OF LOUISIANA**

**PARISH OF BOSSIER**

I, **PHYLLIS McGRAW**, certify that I am the duly qualified and acting Clerk of the Council of the City of Bossier City, Louisiana.

I further certify that the above and foregoing is a true and correct copy of an excerpt from the minutes of a public meeting of the City Council of the City of Bossier City, Louisiana held on December 4, 2018, and of Ordinance No. 154 of 2018 adopted at said meeting, as said minutes and Ordinance appear officially of record in my possession.

IN WITNESS WHEREOF, witness my official signature and the impress of the official seal of the City of Bossier City, Louisiana, on this 4<sup>th</sup> day of December, 2018.

**PHYLLIS McGRAW**  
**Clerk of the Council**

**New Business –**

Hearing to review the recommendation of demolition and removal of a dilapidated structure located at 1205 Boone Street, Bossier City, LA.

Property Standards Roger Voet went over the process of the condemnation of the property. Luke Hutchinson, Attorney at Robin Harvill's office, described the notice process. No public Comment.

By: Mr. Montgomery, Jr.

Motion to demolish as soon as legally possible.

Seconded by: Mr. Williams

No comment

Vote in favor of motion is unanimous

Witness opening of sealed bids for – Bid #P18-28 Water Treatment Plant Transmission Mains.

1.	Belt Construction, Inc.	\$2,220,016.10
2.	David Lawler Construction	\$3,176,150.00
3.	Dixie Overland Construction, LLC	\$2,658,161.00
4.	Don M. Barron Contractor, Inc.	\$2,435,106.00
5.	Eutaw Construction Company, Inc.	\$3,237,064.00
6.	Hemphill Construction Company, Inc.	\$2,519,196.00
7.	John Plott Company, Inc.	\$2,792,222.801
8.	Pulley Construction, Inc.	\$2,200,020.00
9.	Wicker Construction, Inc.	\$2,343,172.00
10.	Yor-Wic Construction	\$3,055,325.01

By: Mr. Irwin

Motion to approve reading of bids.

Seconded by Mr. Harvey

No comment

Vote in favor of motion is unanimous

The following ordinance offered and adopted:

**ORDINANCE NO. 155 OF 2018**

**AN ORDINANCE AMENDING ORDINANCE NO. 126 OF 2003, BY CHANGING THE ZONING CLASSIFICATION OF MULTIPLE LOTS LOCATED IN MARBERRY SUBDIVISION FROM R-LD; RESIDENTIAL LOW DENSITY TO B-3; GENERAL BUSINESS FOR THE FUTURE EXPANSION OF AN EXISTING SIGN COMPANY.**

SECTION 1. BE IT ORDAINED by the Bossier City Council of Bossier City, Louisiana, in regular session convened, that Ordinance 126 of 2003 of the City Council of the City of Bossier City, Louisiana is hereby amended to provide that the zoning classification is changed from R-LD, Residential Low Density to B-3; General Business for the following:

Lots 26, 27A, 27B, 27C, 28 and Lot 29, the Eastern Five (5) feet of Lot 33, also described as Lot 33B, and Lots 34, 35A, 35B and Lots 36 and 37 of Marberry Subdivision located in Section 29, Township 18 North, Range 13 West, Bossier City, Louisiana.

Motion was made by Mr. David Montgomery, Jr. and seconded by Mr. Thomas Harvey to adopt the above ordinance. Upon the following vote, the ordinance was duly adopted this 4th day of December, 2018.

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

NAYES: none

ABSENT: none

ABSTAIN: none

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JEFF FREE, PRESIDENT

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PHYLLIS MCGRAW, CITY CLERK

C-43-18

By: Mr. Montgomery, Jr.

Motion to introduce an Ordinance amending the Police Department Operations Budget by appropriating \$104,282.30 to compensate Canine Handlers for overtime from the 2018 and 2019 General Fund Fund Balance.

Seconded by Mr. Williams

No comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to introduce an Ordinance amending the Fire Department Operations Budget by appropriating \$13,877.67 to compensate a Canine Handler for Overtime from the 2018 and 2019 General Fund Fund Balance.

Seconded by Mr. Larkin

Comments and questions about this Ordinance and how it came about. Chief McWilliams, Chief Zagone and City Attorney Jimmy Hall answered questions as they could and offered to sit down with any of the Council members with more detailed answers on specific numbers.

No further comment

Vote in favor of motion is unanimous

By: Mr. Irwin

Motion to introduce an Ordinance to appropriate funds to make repairs to Emergency Backwash Pump at the Water Treatment Plant at a cost of \$32,000.00 to come from the Water Capital and Contingency Fund.

Seconded by Mr. Montgomery, Jr.

No comment

Vote in favor of motion is unanimous

By: Mr. Larkin

Motion to approve following the Governor's Executive Order making Monday, December 31, 2018 as a designated Holiday and Day of Rest for the Bossier City Council.

Seconded by Mr. Harvey

Discussion about the increased cost to the Fire and Police Departments if the City allowed this day off as well as the burden it would place on citizens.

No further comment

Motion failed with the following votes:

Yeas: Mr. Free

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

Absent: none

Abstain: none

By: Mr. Harvey

Motion to introduce an Ordinance to appropriate \$10.7 Million Dollars to come from the Walter O. Bigby Carriageway Fund to be used to construct Walter O. Bigby Carriageway Highway 80 Improvements.

Seconded by Mr. Montgomery, Jr.

No comment

Vote in favor of motion is unanimous

**There being no further business to come before this Council, meeting adjourned at 4:06PM by Mr. Free**

**Respectfully submitted:**

**Phyllis McGraw**

**City Clerk**

**Publish: December 12, 2018**

**Bossier Press Tribune**