

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING
SEPTEMBER 2, 2014

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, September 2, 2014, at 3:00 PM

Invocation was given by Council Member Scott Irwin

Pledge of Allegiance led by Council Member Timothy Larkin

Roll Call as follows:

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

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

By: Mr. Williams

Motion to approve the minutes of the August 19, 2014, Regular Meeting and August 26, 2014, Special Meeting and dispense with the reading.

Seconded by Mr. Darby

No comment

Vote in favor of motion is unanimous

By: Mr. Irwin

Motion to approve agenda.

Seconded by Mr. Darby

No Comment

Vote in favor of motion is unanimous

Ceremonial Matters:

Mayor Walker presented a Proclamation to Pam Simek, with the Bossier City Police Department in celebration of her 40 years of service.

Mayor Walker and Councilman Williams recognized the Little League Girls World Series team and presented them with a Proclamation.

Committee Reports:

None.

Unfinished Business:

The following Ordinance offered and adopted:

ORDINANCE NO. 67 OF 2014

AN ORDINANCE TO APPROVE REPORT OF CHANGE TO CLOSEOUT CHANGE ORDER FOR SCHEX DRIVE WATER LINE PROJECT, AND TRANSFER THE REDUCED AMOUNT TO THE DESIGN PROFESSIONALS PURCHASE ORDER TO PROVIDE FOR INCURRED OVERTIME EXPENSE.

WHEREAS, the construction services for the Schex Drive Waterline Project are substantially complete and the project has been formally closed with a change order, and

WHEREAS, the aforementioned change order did not include the incremental decrease in contract amount to cover the cost of incurred overtime expense for resident inspection on the aforementioned project, and

WHEREAS, said overtime will need to be paid to the design professional through the exchange of funds from the contractor's purchase order to the engineer's purchase order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, hereby declares that the close out change order of Schex Drive be amended by reducing the amount paid to the contractor by \$1,125.00 (One-Thousand, One-Hundred and Twenty Five and 00/100 dollars) and transferring this balance of \$1,125.00 (One-Thousand, One-Hundred and Twenty Five and 00/100 dollars) from the contractor's purchase order contract to the Engineer's purchase order contract to compensate said engineer for overtime inspection expense in accordance with the contract documents of said job.

BE IT FURTHER ORDAINED, that Mayor Lorenz Walker is hereby authorized to sign any and all instruments in connection with the furtherance of this Ordinance.

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 2nd day of September, 2014, 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

Timothy Larkin, Council President

Phyllis McGraw, City Clerk

Ordinance No. 68 of 2014

AN ORDINANCE DECLARING K-9 OFFICER RICO RETIRED FROM SERVICE TO THE BOSSIER CITY POLICE DEPARTMENT AND DONATING HIM TO HIS PARTNER AND HANDLER, OFFICER N. R. NUNNERY OF THE BOSSIER CITY POLICE DEPARTMENT

WHEREAS, K9 Officer Rico is a 9-year old black Belgian Malinois with a date of birth of July 13, 2005. K9 Rico will be retired from service to the Bossier City Police Department and Officer N. R. Nunnery will accept full responsibility for him; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that K9 Officer Rico is hereby declared retired and same is authorized to be donated to Officer N. R. Nunnery of the Bossier City Police Department.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Jeff Free, and seconded by Mr. Thomas Harvey, and adopted on the 2nd, day of September, 2014, 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

Timothy Larkin, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

Ordinance No. 69 Of 2014

AN ORDINANCE AUTHORIZING MAYOR LORENZ WALKER TO EXECUTE THE ATTACHED CONTRACT BETWEEN THE CITY OF BOSSIER CITY AND CBB WATER SYSTEM, INC.

WHEREAS, the City of Bossier City has provided water to CBB Water System, Inc. for a number of years but that contract has expired; and

WHEREAS, the parties desire to enter into a new contract for the purchase of water by CBB Water System, Inc. from the City of Bossier City for a term of 20 years;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that Mayor Lorenz Walker is hereby authorized to execute the attached agreement.

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. Jeff Free, and adopted on the 2nd, day of September, 2014, 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

Timothy Larkin, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

Ordinance No. 70 Of 2014

AN ORDINANCE APPROPRIATING \$73,800.00 FROM THE RIVERBOAT GAMING CAPITAL PROJECTS FUND TO RETAIN MIKE MCSWAIN ARCHITECT TO DEVELOP A MASTER PLAN FOR DOWNTOWN BOSSIER CITY.

WHEREAS, the City of Bossier City desires to stimulate investment and economic growth in Downtown Bossier City; and

WHEREAS, a Masterplan of Downtown Bossier City will be of great benefit in successfully stimulating the development of Downtown Bossier City; and

WHEREAS, Mike McSwain Architect has submitted the attached proposal for services to develop a downtown Master Plan;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that \$73,800.00 is hereby appropriated from the Riverboat Gaming Capital Projects Fund to retain Mike McSwain Architect to develop a Master Plan for Downtown Bossier City.

BE IT FURTHER ORDAINED, that Lorenz Walker is hereby authorized to execute a contract with Mike McSwain Architect for the referenced project.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Jeff Free, and seconded by Mr. Scott Irwin, and adopted on the 2nd, day of September, 2014, 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

Timothy Larkin, President

Phyllis McGraw, City Clerk

Agenda Item called: Adopt an Ordinance authorizing the sale of property located at 700 Barksdale Boulevard and on the Northeast corner of Delhi Street and Monroe Street, Bossier City, Louisiana to Ben Hart conducting business as Flying Heart Brewing, LLC for the appraised value pursuant to Louisiana R.S.33:4712.

No opposition was filed prior to meeting to the City Clerk.

No opposition was voiced during the call for objections at the Council Meeting.

Ben Hart spoke on his plans for the building and his company.

The following Ordinance offered and adopted:

Ordinance No. 71 Of 2014

AN ORDINANCE AUTHORIZING THE SALE OF PROPERTY LOCATED AT 700 BARKSDALE BOULEVARD AND ON THE NORTHEAST CORNER OF DELHI STREET AND MONROE STREET, BOSSIER CITY, LOUISIANA TO BEN HART CONDUCTING BUSINESS AS FLYING HEART BREWING, LLC FOR THE APPRAISED VALUE PURSUANT TO LOUISIANA R.S.33:4712

WHEREAS, the City of Bossier City owns the property located at 700 Barksdale Boulevard, Bossier City, Louisiana and the property behind that address located on the northeast corner of Delhi Street and Monroe Street and the legal description is as follows:

Lots 228 & 229 East Shreveport Subdivision, Bossier City, LA and

Lots 197 & 198 East Shreveport Subdivision, Bossier City, LA; and

WHEREAS, the referenced properties have been appraised by David W. Volentine, MAI and the market value of the properties as of May 30, 2014 is One Hundred Ninety Thousand Dollars and no cents (\$190,000.00); and

WHEREAS, Ben Hart Conducting Business As Flying Heart Brewing, LLC proposes to develop the property into a brewery and tasting room as well as maintaining the historical nature of the building; and

WHEREAS, the proposed facility will generate jobs and sales taxes and will provide a quality development in the area; and

WHEREAS, the City announced the scheduled consideration of this Ordinance at the meeting preceding the meeting at which it is being adopted; and

WHEREAS, the general terms of the Ordinance were published once a week for three consecutive weeks at least 15 days prior to its adoption in the Bossier Press Tribune, the City's official journal; and

WHEREAS, the City heard any and all objections to the sale of the property on the day this Ordinance was adopted; and

WHEREAS, the City is of the opinion after hearing any such objections, that the public interest would be served by the sale of the referenced properties to Ben Hart Conducting Business as Flying Heart Brewing, LLC; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that the referenced properties are surplus to the needs of the City of Bossier City, and it after due notice intends to transfer said property pursuant to the provisions of La. R.S. 33:4712 in consideration of the economic benefit created as a result of said transfer; and

BE IT FURTHER ORDAINED, that this ordinance and the contract between the City of Bossier City and Ben Hart Conducting Business As Flying Heart Brewing, LLC will remain on file in the office of the Bossier City Council Clerk for public inspection and they constitute the entirety of agreements between the City of Bossier City and Ben Hart Conducting Business As Flying Heart Brewing, LLC; and

BE IT FURTHER ORDAINED, that any and all objections to said transactions shall be filed in the office of the Bossier City Council Clerk prior to the adoption of the ordinance and/or by appearing at the Bossier City Council meeting at which this ordinance will be considered for adoption; and

BE IT FURTHER ORDAINED, that the City of Bossier City is hereby authorized to sell to Ben Hart Conducting Business as Flying Heart Brewing, LLC lots 228, 229, 197 & 198 of East Shreveport Subdivision, Bossier City, Louisiana for the appraised price of \$190,000.00.

BE IT FURTHER ORDAINED, that Mayor Lorenz Walker is hereby authorized to execute any and all documents in furtherance of this transaction.

BE IT FURTHER ORDAINED, that this Ordinance is severable and divisible such that, in the event any provision or portion thereof shall be held or be invalid or unenforceable, the remainder of the provision and remaining provisions shall continue to be in full force and effect.

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. Jeff Free, and adopted on the 2nd, day of September, 2014, 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

Timothy Larkin, President

Phyllis McGraw, City Clerk

New Business:

The following bids were read by Joe Buffington, Finance Director

2014 Asphalt Street Program

- | | |
|-------------------------|--------------|
| 1. Benton & Brown, LLC. | \$484,868.00 |
| 2. Best-Yet Builders | \$476,997.20 |

By: Mr. Williams

Motion to approve reading of the bids.

Seconded by Mr. Irwin

No further comment

Vote in favor of motion is unanimous

The following ordinance offered and adopted:

ORDINANCE NO. 72 OF 2014

AN ORDINANCE AMENDING ORDINANCE NO. 126 OF 2003, BY CHANGING THE ZONING CLASSIFICATION OF A TRACT OF LAND DESCRIBED AS LOT 4, SOUTHERN GARDENS SUBDIVISION, BOSSIER CITY, LA., FROM B-1 (COMMERICAL OFFICE DISTRICT) TO B-2 (LIMITED BUSINESS DISTRICT) FOR A BARBER SHOP. (Henry W. Smith Jr.)

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, Commercial Office District, to B-2,

Limited Business District for the following:

LOT 4, SOUTHERN GARDENS SUBDIVISION

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 2nd day of September, 2014.

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

NAYS: none

ABSTAIN: none

ABSENT: none

TIMOTHY LARKIN, PRESIDENT

PHYLLIS MCGRAW, CITY CLERK

C-45-14

By: Mr. Irwin

Motion to introduce an Ordinance to appropriate \$1.5 Million to come from the Riverboat Gaming Capital Projects Fund and transfer an additional \$293,146 from Riverboat Gaming Capital Project Fund with the sum of \$1,793,146 to be used to contribute to the creation of Walker Place Park.

Seconded by Mr. Williams

No further comment

Vote in favor of motion is unanimous

The following Resolution offered and adopted:

RESOLUTION NO. 60 OF 2014

A RESOLUTION TO HIRE OR PROMOTE ONE UTILITY WORKER I TO REPLACE VACANT POSITION IN PUBLIC UTILITIES.

WHEREAS, the City Council of the City of Bossier City authorizes the hiring or promotion of one Utility Worker I to replace vacant position in Public Utilities.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Bossier City, in regular session convened, does hereby authorize the hiring or promotion of one Utility Worker I to replace vacant position in Public Utilities.

The above and foregoing Resolution, 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 2nd day of September, 2014, 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

Timothy Larkin, Council President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

RESOLUTION NO. 61 OF 2014

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A BASE PAY FOR THE NEW CLASS PLAN OF POLICE COMMUNICATIONS OFFICER II

WHEREAS, the City Council of the City of Bossier City authorizes the administration to establish a base pay for the new class plan of Police Communications Officer II (PCO II). This new class plan was approved by the Bossier City Municipal Fire and Police Civil Service Board on March 19, 2014. The PCO II base pay will be \$150.00 per month more than the Police Communications Officer I (PCO I) base pay.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Bossier City, Louisiana, in regular and legal session convened, that the administration is authorized to establish a base pay for the new class plan of Police Communications Officer II, and this base pay will be \$150.00 per month more than the PCO I base pay.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Don Williams and second by Mr. Timothy Larkin, and adopted on the 2nd day of September, 2014, 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

Timothy Larkin, President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

RESOLUTION NO. 62 OF 2014

A RESOLUTION AUTHORIZING THE HIRING OF A LABORER I TO FILL A VACANT POSITION IN PUBLIC WORKS

WHEREAS, Ordinance No. 2 of 2010 implemented a hiring freeze requiring Bossier City Council approval for the hiring of any personnel;

WHEREAS, a Laborer I position in the Solid Waste division is vacant and filling this position will allow operations to continue.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Bossier City, Louisiana, in regular and legal session convened, that the administration is authorized to hire a Laborer I.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Jeff Free, and second by Mr. Thomas Harvey, and adopted on the 2nd day of September, 2014, 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

Timothy Larkin, President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

RESOLUTION NO. 63 OF 2014

A RESOLUTION TRANSFERRING A LABORER I FROM SOLID WASTE TO STREET SWEEPING AND GRASS CUTTING WITH A ONE STEP PAY RAISE EQUAL TO OTHER GRASS CUTTERS AND TRANSFERRING A LABORER I FROM STREET SWEEPING AND GRASS CUTTING TO SOLID WASTE WITH A PROMOTION TO LABORER II TO LEAD A LITTER CREW

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

WHEREAS, approving these transfers with other changes contained herein will allow operations to continue.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Bossier City, Louisiana, in regular and legal session convened, that the administration is authorized to perform these transfers, one with a one-step increase and another with a promotion.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Thomas Harvey, and second by Mr. Don Williams, and adopted on the 2nd day of September, 2014, 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

Timothy Larkin, President

Phyllis McGraw, City Clerk

By: Mr. Harvey

Motion to approve Parade Fee Waiver for Airline Homecoming Parade, September 18, 2014.

Seconded by: Mr. Free

No Comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to introduce an Ordinance authorizing the transfer of 9.920 acres of land located in the National Cyber Research Park to the State of Louisiana for the benefit of the Louisiana Community and Technical System.

Seconded by: Mr. Free

Questions from some of the Council. No comment from public.

Vote as follows:

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

Nays: none

Absent: none

Abstain: Mr. Darby

Motion Carried

By: Mr. Irwin

Motion to introduce an Ordinance requiring approval of the Bossier City Council to access all City services outside the City Limits of Bossier City.

Seconded by: Mr. Harvey

No Comment

Vote in favor of motion is unanimous.

Announcements

NOTICE is hereby given in compliance with La. R.S. 42:19.1, the City Council of the City of Bossier City, Louisiana, will meet in open and public session on the 4th day of November, 2014, at 3:00 p.m., at the City Council Office located at 620 Benton Road, Bossier City, Louisiana, to consider calling an election to be held in Bossier City, Louisiana on March 28, 2015, for renewal of two ad valorem property tax millages for the purpose of operating and maintaining the Fire and Police Departments of the City.

There will be a Special Call City Council Meeting on Tuesday, September 9, 2014, immediately following the 3:00 P.M. City Council Agenda Meeting.

There being no further business to come before this Council, meeting adjourned at 3:32 PM by Mr. Larkin.

Respectfully submitted:

**Phyllis McGraw
City Clerk**

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