

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT A REGULAR MEETING
JANUARY 5, 2021

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, January 5, 2021 at 3:00 PM

Invocation was given by Council Member Scott Irwin

Pledge of Allegiance led by Council Member Thomas Harvey

Roll Call as follows:

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

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

City Clerk, Phyllis McGraw, read statement about where to watch meetings online, that some Council members may be joining remotely and gave a phone number for members of the public wishing to comment on items in the meeting could do so. Hearing no comments from the public watching virtually, the meeting continued.

By: Mr. Larkin

Motion to approve Minutes of the December 15, 2020, Regular Meeting and dispense with the reading

Seconded by Mr. Williams

No comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to approve Agenda.

Seconded by Mr. Irwin

No comment

Vote in favor of motion is unanimous

Unfinished Business –

The following Ordinance offered and adopted:

Ordinance No. 1 Of 2021

AN ORDINANCE APPROVING THE ATTACHED COOPERATIVE ENDEAVOR AGREEMENT BY AND AMONG THE RED RIVER WATERWAY DISTRICT, THE CITY OF BOSSIER CITY AND THE CITY OF SHREVEPORT FOR THE INSTALLATION OF A PROGRAMMABLE LED LIGHT SYSTEM ON THE TEXAS STREET BRIDGE AND AUTHORIZING MAYOR LORENZ WALKER TO EXECUTE THE SAME.

WHEREAS, the Red River Waterway District has agreed to fund up to one million dollars (\$1,000,000) toward or actual cost towards the installation of a Programmable LED Light System on the Texas Street Bridge; and

WHEREAS, the City of Bossier City and/or Shreveport shall be responsible for other costs and expenses associated with the project to include but not limited to the design, development,

construction not associated with the installation of the lights, operation, maintenance, security, repair and replacement of all aspects of the project for twenty (20) years in a manner satisfactory to the Waterway District; and

WHEREAS, should any of the funding commitments from other sources decrease, Shreveport and the City of Bossier City shall be responsible for the difference; and

WHEREAS, if Shreveport and/or Bossier City fail to operate, maintain, secure, repair or replace the project for a period of twenty (20) years from the date of substantial completion of the project, the parties shall, at the request of the Waterway District, reimburse the Waterway Commission all funds expended by the Waterway Commission on the Project, as follows: (i) Shreveport shall reimburse the Waterway Commission fifty percent (50%) of all funds expended by the Waterway Commission on the Project (up to a maximum of \$500,000) after deducting TWENTY FIVE THOUSAND (\$25,000.00) for each consecutive 12 month period of full and uninterrupted operation; and (ii) Bossier City shall reimburse the Waterway Commission fifty percent (50%) of all funds expended by the Waterway Commission on the Project (up to a maximum of \$500,000) after deducting TWENTY FIVE THOUSAND (\$25,000.00) for each consecutive 12 month period of full and uninterrupted operation.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Bossier City, Louisiana, in regular session convened, that the Bossier City Council does hereby approve the agreement attached hereto as Exhibit "A" and Mayor Lorenz Walker is hereby authorized to execute the referenced 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. Thomas Harvey, and adopted on the 5th, day of January, 2021, by the following vote:

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

NAYS: none

ABSENT: none

ABSTAIN: none

David Montgomery, Jr., President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

Ordinance No. 2 Of 2021

AN ORDINANCE APPROVING A LICENSE AND NAMING AGREEMENT BETWEEN THE CITY OF BOSSIER CITY AND BROOKSHIRES GROCERY COMPANY AND AUTHORIZING MAYOR LORENZ WALKER TO EXECUTE ANY AND ALL DOCUMENTS IN CONJUNCTION THEREWITH.

WHEREAS, the City of Bossier City owns a sports and entertainment facility arena located at 2000 Arthur Ray Teague Parkway; and

WHEREAS, henceforth the name of the aforementioned arena shall be known as the Brookshire Grocery Arena;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Bossier City, Louisiana, in regular session convened, that the Bossier City Council does hereby approve the License and Naming Agreement between the City of Bossier City and Brookshires Grocery Company.

BE IT FURTHER ORDAINED, that Mayor Lorenz Walker is hereby authorized to execute any and all documents in conjunction herewith.

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. Jeff Free, and adopted on the 5th, day of January, 2021, by the following vote:

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

NAYS: none

ABSENT: none

ABSTAIN: none

David Montgomery, Jr., President

Phyllis McGraw, City Clerk

Agenda Item Called: Adopt an Ordinance prohibiting the operation of electric low speed scooters on any sidewalk, bicycle path, public rights of way, streets or highways within the city limits of Bossier City, except residential areas.

Michael Cavato, with Bird, spoke against the Ordinance. Mr. Larkin asked questions concerning Ordinance.

The following Ordinance offered and adopted:

Ordinance No. 3 Of 2021

AN ORDINANCE PROHIBITING THE OPERATION OF ELECTRIC LOW SPEED SCOOTERS ON ANY SIDEWALK, BICYCLE PATH, PUBLIC RIGHTS OF WAY, STREETS OR HIGHWAYS WITHIN THE CITY LIMITS OF BOSSIER CITY, EXCEPT RESIDENTIAL AREAS

WHEREAS, due to the risk to pedestrians and riders the Bossier City Council finds that this ordinance is necessary in the interest of safety to protect the public; and

WHEREAS, both streets and sidewalks in Bossier City are congested and the introduction of Low Speed Scooters will increase the risk of injury to the public; and

WHEREAS, the Bossier City Council finds that it is in the interest of public safety and welfare to prohibit the operation of electric low speed scooters (“Scooters”) as defined herein, within the City of Bossier City;

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened:

SECTION 1: All of the aforescribed “Whereas” clauses are adopted as part of this ordinance.

SECTION 2: As utilized herein, the terms “electric low-speed scooter” or “Scooter” shall be defined as a rental or commercial scooter weighing less than 100 pounds that has handlebars and an electric motor, is solely powered by an electric motor or human power, and is capable of a maximum speed of more than five (5 mph) miles per hour on a paved level surface when powered solely by an electric motor.

SECTION 3: To protect the safety and welfare of the public the operation of electric low speed scooters on any and all sidewalks, bicycle paths, public rights-of-way, streets, or highways with in the city limits of the City of Bossier City shall be unlawful, except in residential areas.

SECTION 4: Whoever violates the provisions of this section shall be fined \$100.00 per offense.

SECTION 5: All ordinances and resolutions or parts thereof, in conflict herewith are hereby repealed.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Timothy Larkin, and seconded by Mr. Don Williams, and adopted on the 5th, day of January, 2021, by the following vote:

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

NAYS: none

ABSENT: none

ABSTAIN: none

David Montgomery, Jr., President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 4 of 2021

ADOPT AN ORDINANCE AMENDING ORDINANCE 128 OF 2019 APPROPRIATING AN ADDITIONAL \$244,670.34 FROM THE JAIL AND MUNICIPAL CAPITAL BUILDING FUND FOR THE COMPLETION OF A CONCRETE FLOOD WALL FOR THE POLICE EVIDENCE AND STORAGE BUILDING

WHEREAS, the City of Bossier City authorized utilizing the Jail and Municipal Capital Building Fund for the expenditure of \$300,000 in Ordinance 34 and \$400,000 in Ordinance 128 of 2019 for a retainage wall around the Police Evidence and Storage Buildings to prevent flooding, and

WHEREAS, while completing this work unforeseen subsurface conditions were encountered, including an undocumented building foundation and unsuitable soil conditions, and

WHEREAS, these findings required extensive remediation efforts to complete the project as designed, and

WHEREAS, the additional work increased the total project costs by \$244,670.34, and

WHEREAS, there is available funding remaining in the Jail and Municipal Capital Building fund to cover these unexpected costs: and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, does hereby amend Ordinance 128 of 2019 and appropriates an additional \$244,670.34 from the Jail and Municipal Capital Building Fund to complete the project at a total cost of \$944,670.34; and

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. Thomas Harvey, and adopted on the 5th, day of January, 2021, by the following vote:

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

NAYS: none

ABSENT: none

ABSTAIN: none

David Montgomery, Jr., President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 5 OF 2021

ADOPT AN ORDINANCE AMENDING ORDINANCE 146 OF 2020 CORRECTING THE LIMITS AND BOUNDARIES OF THE CITY OF BOSSIER CITY TO INCLUDE THE CORRECT LEGAL DESCRIPTION OF THE 120 ACRES ZONED RESIDENTIAL AGRICULTURE WHICH AJOINS THE CURRENT CITY LIMITS OF BOSSIER CITY, LOUISIANA

WHEREAS; the City of Bossier City authorized Ordinance 146 of 2020 to enlarge the limits and boundaries of the City of Bossier City by annexing approximately 120 acres zoned residential agriculture which adjoined the city limits of Bossier City, Louisiana; and

WHEREAS; the legal description of Exhibit “A” of Ordinance 146 of 2020 was incorrect; and

WHEREAS; the City of Bossier City is in need of an accurate legal description of its limits and boundaries; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Bossier City, Louisiana in regular session convened, does hereby amend Ordinance 146 of 2020 to include the corrected legal description of the City of Bossier City limits and boundaries described in Exhibit “A”.

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. Scott Irwin, and adopted on the 5th, day of January, 2021, by the following vote:

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

NAYS: none

ABSENT: none

ABSTAIN: none

David Montgomery, Jr., President

Phyllis McGraw, City Clerk

New Business –

The following ordinance offered and adopted:

ORDINANCE NO. 6 OF 2021

AN ORDINANCE APPROVING A CONDITIONAL USE ON A TRACT OF LAND ZONED B-2 (LIMITED BUSINESS) LOCATED AT 1011 CHINABERRY DRIVE, BOSSIER CITY, LOUISIANA FOR A PRIVATE EVENT CENTER.

WHEREAS; Trey Ferguson, RMB Investments, has applied to the Bossier City-Parish Metropolitan Planning Commission for Conditional Use approval classified as a Private Event Center in the Unified Development Code and being located at 1011 Chinaberry Drive, Bossier City, LA; and

WHEREAS; a public hearing for the Conditional Use application was held on December 14, 2020; 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 Trey Ferguson, RMB Investments, located at 1011 Chinaberry Drive, Bossier City, LA 71111, is hereby approved.

Motion was made by Mr. Thomas Harvey and seconded by Mr. Timothy Larkin

to adopt on the 5th, day of January, 2021, by the following vote:

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

NAYS: none

ABSENT: none

ABSTAIN: none

DAVID MONTGOMERY, JR., PRESIDENT

PHYLLIS MCGRAW, CITY CLERK

C-61-20

The following ordinance offered and adopted:

ORDINANCE NO. 7 OF 2021

AN ORDINANCE APPROVING A CONDITIONAL USE ON A TRACT OF LAND ZONED R-A (RESIDENTIAL AGRICULTURE) LOCATED AT 5600 BARKSDALE BOULEVARD, BOSSIER CITY, LOUISIANA FOR SMALL CELL TOWER.

WHEREAS; MasTec for ATT, has applied to the Bossier City-Parish Metropolitan Planning Commission for Conditional Use approval classified as a Small Cell Tower in the Unified Development Code and being located at 5600 Barksdale Boulevard, Bossier City, LA; and

WHEREAS; a public hearing for the Conditional Use application was held on December 14, 2020; 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 MasTec for ATT, located at

5600 Barksdale Boulevard, Bossier City, LA 71111, is hereby approved.

Motion was made by Mr. Don Williams and seconded by Mr. Scott Irwin

To adopt on the 5th, day of January, 2021, by the following vote:

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

NAYS: none

ABSENT: none

ABSTAIN: none

DAVID MONTGOMERY, JR., PRESIDENT

C-69-20

The following Ordinance offered and adopted:

Ordinance No. 8 Of 2021

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 TO REPLACE SEWER MAIN LOCATED AT ROSH STREET AT A COST OF \$85,000.00 TO COME FROM SEWER CAPITAL CONTINGENCY FUND; AND AUTHORIZES THE CITY TO ENTER INTO A CONTRACT WITH ASB FOR COMPLETION OF WORK.

WHEREAS, an emergency to replace sewer main located on Rosh Street and;

WHEREAS, the Utility Department hereby request \$85,000.00 to 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 declare that an emergency exists and appropriates \$85,000.00 to come from the Sewer Capital Contingency fund for this declared emergency.

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. Don Williams, and adopted on the 5th, day of January, 2021, by the following vote:

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

NAYS: none

ABSENT: none

ABSTAIN: none

David Montgomery, Jr., President

Phyllis McGraw, City Clerk

By: Mr. Free

Motion to introduce an Ordinance authorizing the sale of a 2008 Ferrara Pumper for forty-five thousand dollars (\$45,000.00) to the City of Shreveport.

Seconded by Mr. Larkin

No comment

Vote in favor of motion is unanimous

By: Mr. Irwin

Motion to introduce an Ordinance authorizing the reclassification of the Accounts Clerk II positions and the hiring of one employee due to a retirement in the Customer Service Department, resulting in a net neutral change to the operating budget.

Seconded by Mr. Larkin

No comment

Vote in favor of motion is unanimous

By: Mr. Harvey

Motion to introduce an Ordinance approving the hiring of Beast Engineering, LLC to manage the construction of the Walter O. Bigby Carriageway – Phase II.

Seconded by Mr. Larkin

No comment

Vote in favor of motion is unanimous

The following Resolution offered and adopted:

Resolution No. 1 Of 2021

**A RESOLUTION AUTHORIZING THE REPLACEMENT OF ONE CIVIC CENTER
EVENT COORDINATOR POSITION**

WHEREAS, it is necessary to replace one Event Coordinator at the Civic Center due to a vacancy; and

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 replace one Event Coordinator position at the civic center.

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 5th, day of January, 2021, by the following vote:

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

NAYS: none

ABSENT: none

ABSTAIN: none

David Montgomery, Jr., President

Phyllis McGraw, City Clerk

Agenda item called: Approve Report of Change Order No. 1 for the Police Building – Lighting, with an increase of \$1,600.00 for a contract price with Change Order of \$102,600.00.

By: Mr. Williams

Motion to delete this item at the request of engineering dept.

Seconded by Mr. Larkin

No comment

Vote in favor of motion is unanimous

There being no further business to come before this Council, the meeting adjourned at 3:27 PM by Mr. Montgomery, Jr.

Respectfully submitted:

Phyllis McGraw

City Clerk

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