

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT A REGULAR MEETING
NOVEMBER 16, 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, November 16, 2021 at 3:00 PM

Invocation was given by Council Member Jeffery Darby

Pledge of Allegiance led by Council Member Chris Smith

Roll Call as follows:

Present: Honorable, President Don Williams., Honorable Councilors Chris Smith, Scott Irwin, Jeffery Darby, Jeff Free and Vince Maggio

Absent: Honorable Councilor David Montgomery, Jr.

Also Present: Mayor, Thomas Chandler, City Attorney, Charles Jacobs and City Clerk, Phyllis McGraw

City Clerk, Phyllis McGraw, read statement about decorum during meeting and public participation in the meeting.

By: Mr. Irwin

Motion to approve Minutes of the November 2, 2021, Regular Meeting and dispense with the reading

Seconded by Mr. Darby

No comment

Vote in favor of motion is unanimous

By: Mr. Irwin

Motion to amend agenda to included Unfinished Business #6 – Adopt a Resolution permanently closing Union Pacific Railway located at Old Shed, City of Bossier and authorizing Mayor Thomas H. Chandler to execute any and all documents necessary to effect said closing.

Seconded by Mr. Williams

Objection by audience member John Settle

No further comment

Vote in favor of motion is unanimous

By: Mr. Irwin

Motion to approve Agenda as amended

Seconded by Mr. Williams

No comment

Vote in favor of motion is unanimous

Unfinished Business –

The following Ordinance offered and adopted:

ORDINANCE NO. 158 OF 2021

AN ORDINANCE AMENDING THE 2022 OPERATING BUDGETS TO INCLUDE A 2% RAISE FOR NON-CIVIL SERVICE CITY EMPLOYEES NOT ENTITLED TO STATE MANDATED RAISES.

WHEREAS, Section 6.06 Additional appropriations and budget amendments of the Bossier City Charter provides that budget amendments be made by ordinance; and

WHEREAS, an amendment to the operating budgets adopted for fiscal year 2022 is required to transfer appropriations between budget line items; and

WHEREAS, an increase in salaries and related benefits and reduction of operating expenditures totaling \$273,173 is required to provide a 2% raise for non-civil service City employees not entitled to state mandated raises;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Bossier City, in regular session convened, that the operating budgets for fiscal year 2022 are hereby amended to transfer budget appropriations totaling \$273,173 from the operating expenditure line items to the salaries and related benefits line items.

BE IT FURTHER ORDAINED, that in all other respects the 2022 operating budgets adopted shall remain in full force and effect.

The above and foregoing Ordinance, read in full at open and legal session convened, was on motion of Mr. Chris Smith and seconded by Mr. Scott Irwin, and adopted on the 16th day of November, 2021, by the following vote:

AYES: Mr. Smith, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

Agenda Item called - Adopt an Ordinance authorizing the City of Bossier City to charge an additional fee for all payments made by electronic means.

Carey Chandler – Resident and City Council Members asked questions about issue.

The following Ordinance offered and adopted:

Ordinance No. 159 Of 2021

AN ORDINANCE AUTHORIZING THE CITY OF BOSSIER CITY TO CHARGE AN ADDITIONAL FEE FOR ALL PAYMENTS MADE BY ELECTRONIC MEANS.

WHEREAS, the City of Bossier City allows for the payment of certain bills and fees for services rendered including, but not limited to, water, sewer, permits, inspections et al for the convenience of its citizens and residents; and

WHEREAS, the City of Bossier City incurs certain charges from various service providers used to facilitate said electronic payments hereby preventing the City from collecting the full amount due for said service and/or fee; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Bossier City, Louisiana, in regular session convened, that the City of Bossier City as represented by its various departments shall be authorized to charge any individual or entity a fee equal to the amount of any expense charged to the City of Bossier City by any third party provider used or employed to facilitate any and all payments due the City of Bossier City for any and all services supplied by the City and for any and all fees due the City of Bossier City. Said fee shall be due in addition to any amount due for said service and/or fee.

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 16th day of November, 2021, by the following vote:

AYES: Mr. Smith, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 160 OF 2021

ADOPT AN ORDINANCE TO APPROPRIATE \$14,550.00 TO PERFORM A DRAINAGE STUDY FOR MACK'S BAYOU AND RELATED IMPROVEMENTS WITHIN THE PRESERVE PHASE II RESIDENTIAL DEVELOPMENT TO COME FROM THE RIVERBOAT CAPITAL PROJECTS FUND.

WHEREAS; the City of Bossier City is constantly growing and developing within its residential areas; and

WHEREAS; The Preserve – Phase II has submitted paperwork to begin development; and

WHEREAS; it is the City’s desire to prevent any further flooding issues with the development of property; and

WHEREAS; in order to properly study the impacts of The Preserve – Phase II development, areas of Mack’s Bayou and Sunflower Ditch will need to be studied as well; and

WHEREAS; the developer is requesting the City contribute fifty percent (50%) of the cost of the study as the limits will be of that beyond the proposed development; and

WHEREAS; the cost of the study shall not exceed \$29,100.

NOW, THEREFORE, BE IT ORDAINED, in regular session convened that the City Council of Bossier City, Louisiana, does hereby appropriate \$14,550.00 to come from Riverboat Capital Projects Fund to cover the requested fifty percent (50%) and maximum \$14,550.00 contribution for the above referenced drainage study.

BE IT FURTHER ORDAINED, that the Mayor is authorized to sign any and all documents 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. Vince Maggio, and adopted on the 16th day of November, 2021, by the following vote:

AYES: Mr. Smith, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 161 OF 2021

AN ORDINANCE TO DECLARE THE COMPLETION OF THE WATER MAIN ABANDONMENT PROJECT BY ASB UTILITY CONSTRUCTION, LLC AT A TOTAL PROJECT COST OF \$410,643.25, INCLUDING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$33,319.50; AND TO AMEND ORDINANCE 3 OF 2020 LEAVING A SURPLUS OF FUNDING TO SUPPLEMENT THE WALTER O. BIGBY CARRIAGEWAY FUND.

WHEREAS; Ordinance No. 3 of 2020 transferred \$1,000,000.00 to be available to complete the Walter O. Bigby Carriageway to include but not be limited to engineering design, right-of-way acquisitions, utility relocations, street lights and construction;

WHEREAS; the Water Main Abandonment Project budgeted \$433,432.00;

WHEREAS; an increase in contract price to ASB Utility Construction, LLC. via Change Order No. 1 in the amount of \$33,319.50 is required to cover the cost of the additional scope of work added to the Water Main Abandonment Project;

WHEREAS; total project cost of \$410,643.25 including reconciliation of final contract quantities left a surplus of construction funds; and

WHEREAS; an additional three hundred fifty-four (354) days need to be added to the Contract via Change Order No. 1; and

NOW, THEREFORE, BE IT RESOLVED, in regular session convened that the City Council of Bossier City, Louisiana, does hereby declare the completion of the Water Main Abandonment Project with a total project cost of \$410,643.25, and to amend their contract with ASB Utility Construction, LLC for an increase in price of \$33,319.50 and an increase of three hundred fifty-four (354) days. The remaining surplus funds in Ordinance 3 of 2020 are to be used to supplement the Walter O. Bigby Carriageway Phase 2 project.

The above and foregoing Report was read in full at open and legal session convened, was on motion of Mr. Don Williams, and seconded by Mr. Vince Maggio, and adopted on the 16th day of November, 2021, by the following vote:

AYES: Mr. Smith, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

Agenda item called - Adopt an Ordinance adding Civic Center Supervision to the Job Duty of the Executive Assistant Carol King Andersen and increasing the salary by \$18,000 for the increased job responsibilities.

Amy Dennis-Resident, spoke on issue.

The following Ordinance offered and adopted:

Ordinance No. 162 Of 2021

AN ORDINANCE ADDING CIVIC CENTER SUPERVISION TO THE JOB DUTY OF THE EXECUTIVE ASSISTANT CAROL KING ANDERSEN AND INCREASING THE SALARY BY \$18,000 FOR THE INCREASED JOB RESPONSIBILITIES

WHEREAS, Carol King Andersen is currently serving in the position of Executive Assistant to the Mayor of the City of Bossier City; and

WHEREAS, there exist a need for someone to supervise Civic Center operations and future projects contemplated by the Mayor; and

WHEREAS, the position with the addition in salary the Executive Assistant shall be responsible for Civic Center Operations pending further action of the Mayor and the City Council;

WHEREAS, \$18,000 needs to be appropriated from the Civic Center Budget to supplement the already existing salary for the Executive Assistant for the increase in job duties;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Bossier City, Louisiana, in regular session convened, that the job duties of Carol King Andersen, Executive Assistant, will be increased to include supervising Civic Center operations and the annual salary for the increased job responsibilities will be increased to \$60,000.00; Carol King Andersen shall further continue in her duties as Executive Assistant to the Mayor; \$42,000 of her salary shall be continued to be paid from the General Fund Operating Budget and the remaining \$18,000 of said salary shall be paid from the Civic Center Operating Budget.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Chris Smith, and seconded by Mr. Vince Maggio, and adopted on the 16th day of November, 2021, by the following vote:

AYES: Mr. Smith, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

Agenda Item called: Adopt a Resolution permanently closing Union Pacific Railway located at Old Shed, City of Bossier and authorizing Mayor Thomas H. Chandler to execute any and all documents necessary to effect said closing.

Discussion held concerning issue from Council members, Charles Jacobs – City Attorney, Paul Rossini-NTB, Amanda Nottingham – Bossier CAO, Ben Rauschenbach – City Engineer, Carey Chandler – Audience Member, Bruce Easterly-Construction Manager, John Settle – Audience Member.

By: Mr. Darby

Motion to continue this item to the November 30, 2021, Bossier City Council Meeting.

Seconded by Mr. Smith

No further comment

Motion carried with the following votes:

Yeas: Mr. Smith, Mr. Darby, Mr. Williams and Mr. Free

Nays: Mr. Irwin and Mr. Maggio

New Business –

By: Mr. Free

Motion to introduce an Ordinance authorizing the sale of a 2002 E-One Heavy Rescue Truck for Fifty Thousand Dollars (\$50,000.00) to Northeast Bossier Fire District #5.

Seconded by Mr. Smith

No comment

Vote in favor of motion is unanimous

By: Mr. Irwin

Motion to introduce an Ordinance to declare the completion of the WOBC Utility Relocation at Greenacres Office Park Project by Don Barron Contractor, Inc. at a total project cost of \$438,046.56, including deductive change Order No. 1 in the amount of (\$29,326.44); and to amend Ordinance 25 of 2021 leaving a surplus of funding to supplement the Water Capital and Contingency Fund.

Seconded by Mr. Williams

No comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to introduce an Ordinance to declare the completion of the 42" Water Main Extension Project by S&J Construction Co. Inc/ASB Utility Construction, LLC at a total project cost of \$5,493,880.09, including Change Order No. 1 in the amount of \$483,328.60; and to amend Ordinance 57 of 2019 leaving a surplus of funding in the 2019 LDH Loan.

Seconded by Mr. Irwin

No comment

Vote in favor of motion is unanimous

By: Mr. Free

Motion to introduce an Ordinance to approve Report of Change Order 1 for the City Wide Street Rehabilitation Phase II with an additional 60 days and an increase of \$227,000.00 for a total contract of \$625,000.00.

Seconded by Mr. Darby

No comment

Vote in favor of motion is unanimous

The following Resolution offered and adopted:

RESOLUTION 130 Of 2021

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

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

WHEREAS, the Hiring is due to resignation

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of Bossier City, Louisiana, in regular session convened, that the administration is authorized to proceed with hiring procedures for the fulfillment of this position.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Jeff Free, and seconded by Mr. Chris Smith, and adopted on the 16th day of November, 2021, by the following vote:

AYES: Mr. Smith, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

RESOLUTION NO. 131 OF 2021

A RESOLUTION AUTHORIZING THE HIRING OF AN ACCOUNTS CLERK III DUE TO A PROMOTION FROM WITHIN THE SALES TAX DEPARTMENT

WHEREAS, the Sales Tax Department has an available position due to a promotion from within; and

WHEREAS, this promotion provides for an opportunity to hire a replacement or promote from within and backfill any positions that the hire or promotion may create; and

WHEREAS, this action will have no impact on the existing budget; and

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that the administration is authorized to hire an Accounts Clerk III, due to a resignation in the Sales Tax Department, with no impact to the existing budget.

The above and foregoing Resolution, read in full at open and legal session convened, was on motion of Mr. Chris Smith and seconded by Mr. Vince Maggio, and adopted on the 16th day of November, 2021, by the following vote:

AYES: Mr. Smith, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

The following Resolution offered and adopted:

RESOLUTION 132 OF 2021

**A RESOLUTION AUTHORIZING THE HIRING OF
AN OPERATIONS MANAGER FOR THE BOSSIER CIVIC
CENTER DUE TO RESIGNATION**

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 an available position of Operations Manager due to the resignation of a former employee; and

WHEREAS, this resignation provides an opportunity to hire a replacement; and

WHEREAS, this action will have no impact on the existing budget; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Bossier City, Louisiana, in regular session convened, that the administration is authorized to hire an Operations Manager, due to resignation, for the Bossier Civic Center, with no impact on the existing budget.

The above and foregoing Resolution, read in full at open and legal session convened, was on motion of Mr. Jeffery Darby and seconded by Mr. Don Williams, and adopted on the 16th day of November, 2021, by the following vote:

AYES: Mr. Smith, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

By: Mr. Free

Motion to approve the 2022 Bossier City Council Regular Meeting Calendar.

Seconded by Mr. Darby

No further comment

Vote in favor of motion is unanimous

Agenda Item Called - Adopt a Resolution authorizing Bossier City (herein referred to "Governmental Unit") to join with the State of Louisiana and other Local Governmental Units as a participant in the Louisiana State-Local Government Opioid Litigation Memorandum of Understanding (MOU) and any subsequent formal agreements necessary to implement the MOU, including but not limited to, the Subdivision Settlement participation form(s) in Exhibit K of the Distributor settlement agreement and the Janssen Settlement Agreement.

Charles Jacobs – City Attorney explained to Council and audience what this was for.

The following Resolution offered and adopted:

Resolution No. 133 Of 2021

**A RESOLUTION AUTHORIZING BOSSIER CITY (HEREIN REFERRED TO
“GOVERNMENTAL UNIT”) TO JOIN WITH THE STATE OF LOUISIANA AND
OTHER LOCAL GOVERNMENTAL UNITS AS A PARTICIPANT IN THE**

**LOUISIANA STATE-LOCAL GOVERNMENT OPIOID LITIGATION
MEMORANDUM OF UNDERSTANDING (MOU) AND ANY SUBSEQUENT FORMAL
AGREEMENTS NECESSARY TO IMPLEMENT THE MOU, INCLUDING BUT NOT
LIMITED TO, THE SUBDIVISION SETTLEMENT PARTICIPATION FORM(S) IN
EXHIBIT K OF THE DISTRIBUTOR SETTLEMENT AGREEMENT AND THE
JANSSEN SETTLEMENT AGREEMENT.**

WHEREAS, Bossier City has suffered harm from the opioid epidemic;

WHEREAS, Bossier City recognizes that the entire State of Louisiana has suffered harm as a result from the opioid epidemic;

WHEREAS, the State of Louisiana has a pending action in state court, and a number of Louisiana Cities and Parishes have also filed an action *In re: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio) (the “Opioid Litigation”) and Bossier City is a litigating participant in that action;

WHEREAS, the State of Louisiana and lawyers representing certain various local governments involved in the Opioid Litigation have proposed a unified plan for the allocation and use of prospective settlement dollars from opioid related litigation;

WHEREAS, the Louisiana Memorandum of Understanding (the “MOU”) sets forth a framework of a unified plan for the proposed allocation and use of opioid settlement proceeds and it is anticipated that formal agreements implementing the MOU will be entered into at a future date; and,

WHEREAS, participation in the MOU by a large majority of Louisiana cities and parishes will materially increase the amount of funds to Louisiana and should improve Louisiana’s relative bargaining position during additional settlement negotiations;

WHEREAS, failure to participate in the MOU will reduce funds available to the State, Bossier City, and every other Louisiana city and Parish;

NOW, THEREFORE, BE IT RESOLVED BY THIS GOVERNMENTAL UNIT:

SECTION 1. That this Governmental Unit finds that participation in the MOU would be in the best interest of the Governmental Unit and its citizens in that such a plan ensures that almost all of the settlement funds go to abate and resolve the opioid epidemic and each and every City and Parish receives funds for the harm that it has suffered.

SECTION 2. That this Governmental Unit hereby expresses its support of a unified plan for the allocation and use of opioid settlement proceeds as generally described in the MOU, attached hereto as Exhibit “A.”

SECTION 3. John F. Young is hereby expressly authorized to execute the MOU in substantially the form contained in Exhibit “A.”

SECTION 4. That Thomas H. Chandler is hereby authorized to execute any formal agreements implementing a unified plan for the allocation and use of opioid settlement proceeds that is not substantially inconsistent with the MOU and this Resolution including but not limited to the Subdivision Settlement Participation Form(s) in the *Distributor Settlement Agreement* and the *Janssen Settlement Agreement*.

SECTION 5. That the Clerk be and hereby is instructed to record this Resolution in the appropriate record book upon its adoption.

SECTION 6. The Clerk of this Governmental Unit is hereby directed to furnish a certified copy of this Ordinance/Resolution to:

Attorney General Jeff Landry
c/o Bill Stiles
Post Office Box 94005
Baton Rouge, LA 70804

SECTION 7. This Resolution shall take effect immediately upon its adoption.

The above and foregoing Resolution 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 16th day of November, 2021, by the following vote:

AYES: Mr. Smith, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Maggio

NAYS: none

ABSENT: Mr. Montgomery, Jr.

ABSTAIN: none

Don Williams, President

Phyllis McGraw, City Clerk

Reports-

Molly Haugen – Comptroller, went over the monthly Finance Report with Council and audience.

Clinton Patrick – Engineering Department, went over monthly Project Report with Council and audience.

Mayor and Council commended Wade Rich – Public Works Director, staff and volunteers for the recent work cleaning up debris along I-20.

There being no further business to come before this Council, the meeting adjourned at 4:12 PM by Mr. Williams

Respectfully submitted:

Phyllis McGraw

City Clerk

Publish: November 24, 2021

Bossier Press Tribune

Full Video of meeting can be found here:

<https://www.youtube.com/watch?v=JU6juXWi7q0&list=PLygbdpYX8TjVHpcJuezzJMMHhxmHNB-xT&index=25>