

CITY OF PINEVILLE
REGULAR COUNCIL MEETING

JUNE 14, 2005 – 6:00 P.M.
PINEVILLE CITY HALL
COUNCIL CHAMBERS

MINUTES

The Mayor and Council of the City of Pineville, Louisiana, met in regular session at Pineville City Hall on Tuesday, June 14th at 6:00 p.m.

1. The Mayor called the meeting to order.
2. Councilman Martin led the invocation.
3. Councilman Bouchie led the pledge of allegiance.
4. Roll call was as follows:

<u>Present</u>	Councilpersons Bishop, Dorn, Van Mol, Bouchie, Martin
<u>Absent</u>	None
5. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to accept the minutes of the May 10th meeting as published.
6. On motion by Councilman Bishop, seconded by Councilman Dorn and passed, it was resolved to accept the finance report as read by Councilman Tom Bouchie who is also the Chairman of the Finance Committee
7. On motion by Councilman Bouchie, seconded by Councilwoman Van Mol and passed, it was resolved to skip this item to allow more time for a representative from Pineville High School to arrive.
8. Mrs. Cindy Bouchie who is chairperson of the Pineville Tree Board presented the Mayor and Council with a plaque and flag from the National Arbor Day Foundation designating Pineville once again, as "Tree City USA." Mrs. Bouchie also spoke about the accomplishments made by the board this past year. They were successful in putting together a Commercial Landscaping Ordinance, which was adopted by the Mayor and Council. They held an educational workshop on the care and maintenance of trees, applied for a grant for a Tree Resource Inventory, began a Gateway Landscaping project and has participated in Arbor Day events. Councilman Bishop thanked the Board for all of the work they've done in District 1. The Mayor added that it was organizations of this nature that is the driving force for getting people involved in making Pineville a better place to live. Both Councilmen Bouchie and Dorn went on record thanking the Tree Board for their efforts as well.
9. On motion by Councilman Bouchie, seconded by Councilwoman Van Mol and passed, it was resolved that a public forum to discuss the upcoming half cent sales tax would be held on July 5 at 6:00 p.m. in the Council room of City Hall. Everyone is invited to attend.
10. On motion by Councilman Bouchie, seconded by Councilman Martin and passed, it was resolved to adopt an ordinance for annexation of property located at *2404 Donahue Ferry* belonging to E. J. & Jessie Martin. Roll call was as follows:

<u>Yeas</u>	Councilpersons Bishop, Dorn, Van Mol, Bouchie, Martin
<u>Nays</u>	None
11. **CONDEMNATION REPORT: 440 WADLEY STREET**

Mrs. Ruby Freeman, attorney appointed by the Council to represent absent property owner, Larissa Coburn, addressed the Mayor and Council. Ms. Freeman stated that the original owner, Ola Mae Coburn is deceased, with a last known mailing address of 118 Pine Hill Road c/o Larissa Coburn. Ms. Freeman stated that even after a diligent search, she was unable to make contact with the current owner and therefore recommended the City move forward with the demolition as planned. On motion by Councilman Dorn, seconded by Councilman Bishop and passed, it was resolved to accept the recommendation and proceed with the demolition in thirty(30) days.

- On motion by Councilman Dorn, seconded by Councilman Bishop and passed, it was resolved to add an item to the agenda.

11a. Since there has been no conclusion as to the true owner of the property located at 318 Andrews Street, Ms. Ruby Freeman, attorney, suggested that an abstractor be hired to determine ownership. On motion by Councilman Bishop, seconded by Councilwoman Van Mol and passed, it was resolved to authorize Attorney Freeman to move forward with whatever needs to be done in order for the condemnation of 318 Andrews Street to occur.

12. On motion by Councilman Martin, seconded by Councilman Bouchie and passed, it was resolved to approve advertising for bids for commonly used items for the 2005-2006 fiscal year.
13. Due to unforeseen circumstances, a motion was made by Councilman Bouchie, seconded by Councilwoman Van Mol and passed, to delay the introduction of an ordinance amending the operating budget for the City of Pineville fiscal year 2004-2005 and other matters with respect thereto, until a future meeting is held.
14. Due to unforeseen circumstances, a motion was made by Councilman Dorn, seconded by Councilman Bouchie and passed, to delay the introduction of an ordinance adopting and appropriating budgets for the City of Pineville for fiscal year 2005-2006 and other matters with respect thereto, until a future meeting is held.
15. On motion by Councilman Martin, seconded by Councilwoman Van Mol and passed, it was resolved to accept for publication an ordinance to amend the zoning of property located on Medical Park Blvd. belonging to Rapides Healthcare System, L.L.C represented by President/CEO, A.C. Buchanan, from R-1 to Commercial to more accurately represent the existing use of the property.
16. On motion by Councilman Bouchie, seconded by Councilwoman Van Mol and passed, it was resolved to call for a public hearing on June 30th at 12:00 p.m. and a special meeting at 12:15 p.m. to adopt an ordinance to amend the operating budget for fiscal 2004-2005 and to adopt an ordinance appropriating the operating budget for fiscal year 2005-2006.
 - On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed it was resolved to add an item to the agenda.
 - 16a. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to announce a special council meeting to be held tomorrow June 15th at 6 p.m. to introduce items that were delayed here today due to unforeseen circumstances.
17. On motion by Councilman Bouchie, seconded by Councilman Dorn and passed, it was resolved to approve a resolution:

BE IT RESOLVED, that the City Council of the City of Pineville, do hereby authorize *Clarence R. Fields, Mayor* and his successors in office, to negotiate, on terms and conditions that he may deem advisable, a contract or contracts with the **Louisiana Department of Agriculture and Forestry**, and to execute said documents on their behalf, and further we do hereby give him the power and authority to do all things necessary to implement, maintain, amend or renew said document.
18. On motion by Councilman Dorn, seconded by Councilman Bishop and passed, it was resolved to approve a resolution:

WHEREAS, the Developer (Randy Perego), for the proposed **Phase I of Nicole's Place Subdivision, (Lots 1 thru 10)**, which is located on Stilley Road, has requested that

the City provide for operation and maintenance of the *wastewater collection improvements* that are to be constructed by the Developer and conforming to City standards under the *City Standard Developer Permit*; and,

WHEREAS, the Plans and Specifications for the wastewater collection improvements are being prepared for submission to the Department of Health and Hospitals (DHH) for review and approval by the Developer's Engineer; and

WHEREAS, DHH requires that the City provide a Resolution indicating their intent to operate and maintain the improvements once constructed.

NOW, THEREFORE BE IT RESOLVED that the City hereby agrees to accept for operation and maintenance of the wastewater collection improvements contingent upon the following:

- (1) receipt of Board of Health approval of the design;
- (2) receipt of all Permits and Certifications as required under the City's Third Party Developer Improvements procedures;
- (3) receipt of appropriate Development permit fees;
- (4) receipt of As-Built Record Drawings indicating locations of all lines, sewer manholes, sewer wyes and services, etc;
- (5) receipt of certification from Developer's Engineer that improvements have been constructed in accordance with designs as approved by the Board of Health and in conformity to minimum standards established by the City as contained in the Developer's Agreement;
- (6) receipt from City Engineer of a report of inspection stating that improvements constructed have met designs as approved;
- (7) receipt of appropriate documentation, meeting the approval of the City Attorney, that all improvements located on property not within publicly dedicated rights-of-way have been installed within easements or servitude acceptable to the City and meeting the minimum width requirements as required by the City Engineer;
- (8) that the Plans and Specifications once receiving approval from the DHH shall be reviewed by the City Engineer to insure conformance for materials specified with City minimum standards for wastewater improvements.

BE IT FURTHER RESOLVED, that this acceptance is contingent on review and approval by the City Engineer of the Developer's Drawings and Specifications for the work.

BE IT FURTHER RESOLVED, that the City's sewage treatment facilities can adequately handle the increased flow proposed for **Nicole's Place Subdivision Development**.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be submitted to the State of Louisiana Department of Health and Hospitals.

19. On motion by Councilman Bishop, seconded by Councilman Martin and passed, it was resolved to approve a resolution:

WHEREAS, the City of Pineville has received the Cooperative Endeavor Agreement between the *State of Louisiana* and the *Department of Economic Development* and the *City* related to **funding of improvements at the Wastewater Treatment Plant** as part of the **Economic Development Incentive** package related to the **Procter & Gamble Expansion**; and,

WHEREAS, as a condition of funding the City must designate the individual who is authorized to act on behalf of the City related to this program;

NOW THEREFORE BE IT RESOLVED, that Clarence R. Fields, Mayor, is hereby authorized to act on all matters pertaining to this project, including certifying Requests to the State for disbursements.

20. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to approve a resolution:

WHEREAS, **Johnny Williams Plumbing & Mechanical, LLC.**, the Contractor for *Sewer Extension to serve Calvary Industries on Pardue Road*, has "substantially completed" the work under the Contract as recommended by the Engineer;

NOW THEREFORE BE IT RESOLVED, that the Contract of Johnny Williams Plumbing & Mechanical, LLC., the Contractor, for said work is hereby accepted at "Substantially Complete" with the understanding that the final retainage payment will be made upon satisfactory completion of any Punch List items and presentation of the Lien Certificate as required by law; and,

BE IT FURTHER RESOLVED, that the signing and filing with the Clerk of Court of this Acceptance of Contract Resolution by the Mayor is hereby authorized; and,

It is HEREBY FURTHER RESOLVED, that the Mayor is authorized to sign a Final Recap Change Order adjusting the final contract quantities and time period as necessary.

21. On motion by Councilman Bouchie, seconded by Councilman Martin and passed, it was resolved to approve a resolution:

WHEREAS, the City of Pineville received the following bids on Monday, May 23, 2005, for **RELOCATION OF 8" SEWER FORCE MAIN FOR CONSTRUCTION OF PARDUE ROAD, TRANSPORTATION IMPROVEMENTS FOR PROCTER & GAMBLE / COUGHLIN – SAUNDERS INDUSTRIAL COMPLEX, PHASE I;**

	<u>Contractor</u>	<u>Base Bid</u>
1.	Corley, Inc.	\$35,198.00
2.	Rylee Contracting, Inc.	\$36,747.75

NOW THEREFORE BE IT RESOLVED, that the contract for said construction work is hereby awarded to the apparent low Bidder, Corley, Inc., of Pineville, Louisiana for the Base Bid in the amount of **\$35,198.00**.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute contracts and change orders between the City of Pineville and the successful Bidder.

22. On motion by Councilman Bouchie, seconded by Councilwoman Van Mol and passed, it was resolved to approve a resolution:

WHEREAS, the City Engineer has reviewed the *Filing Plat* for **Lewis Subdivision on Edgewood Drive** under the *Short Form Subdivision Development Procedures* and has recommended that the Filing Plat be approved and accepted by the City.

NOW THEREFORE BE IT RESOLVED that the Mayor is hereby authorized to approve the filing plat and accept Lewis Subdivision.

23. On motion by Councilman Martin, seconded by Councilman Bishop and passed, it was resolved to approve a resolution:

WHEREAS, the City of Pineville has reviewed the plans and specifications for extensions and attachments to the municipal facilities known as **Grady Lakes Estates**, and said plans and specifications have been approved by the Mayor and the City Engineer.

NOW THEREFORE BE IT RESOLVED, the Mayor is hereby authorized to issue a *Developer's Permit and Agreement* between the City of Pineville and *Blessed Ventures* as Developer for the above described development.

- On motion by Councilman Bishop, seconded by Councilwoman Van Mol and passed, it was resolved to add an item to the agenda.
- **23A.** On motion by Councilman Bishop, seconded by Councilwoman Van Mol and passed, it was resolved to approve a resolution:

BE IT RESOLVED, the Mayor is hereby authorized to enter into an Intergovernmental Agreement with the Rapides Parish Police Jury relative to the construction of six (6) columns under the pier at Buhlow Lake.
- On motion by Councilwoman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to add an item to the agenda.
- **23B.** On motion by Councilwoman Van Mol, seconded by Councilman Dorn and passed, it was resolved to approve a resolution:

BE IT RESOLVED, the City of Pineville agrees to a 75/25 percent cost share, with the *Rapides Parish Police Jury*, to perform a detailed study of **Bayou Marie Tributary 8.**
BE IT FURTHER RESOLVED, that the cost of the project is \$11,500.00
- On motion by Councilwoman Van Mol, seconded by Councilman Bouchie and passed, it was resolved to add an item to the agenda
- **23C.** On motion by Councilman Bouchie, seconded by Councilman Dorn and passed, it was resolved to hold a Finance Committee meeting on Wednesday June 22, 2005 at 5:30 p.m. at Pineville City Hall for the purpose of discussing the proposed budget for fiscal year 2005-2006.

- Revisiting Item #7 –The Mayor read the Proclamation congratulating Pineville High School’s Track Team for winning the 4A State Championship status even though a representative from the school was not present.
24. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to enter into executive session relative to pending litigation.
- Upon returning from executive session, Councilman Bouchie made a motion to reconvene the meeting. Councilman Martin seconded the motion and it carried.

There being no further business to come before the Council, a motion was made by Councilman Bouchie and seconded by Councilwoman Van Mol to adjourn the meeting. The motion unanimously carried. Ms. Jackie Lloyd closed with the benediction.

Clarence R. Fields, Mayor

Date

Ellen Melancon, City Clerk

CERTIFICATE

I, *Ellen Melancon*, Clerk of the City of Pineville, do hereby certify that the attached above and foregoing is a true and correct record of the official action taken at the Regular Council Meeting of the Mayor and City Council of the City of Pineville, State of Louisiana, in legal session convened on the **14th day of June 2005.**

Ellen Melancon, City Clerk