

CITY OF PINEVILLE
REGULAR COUNCIL MEETING
SEPTEMBER 13, 2005 – 6:00 P.M.

MINUTES

A meeting of the Mayor and Council of the City of Pineville, Louisiana, was held in the council room of City Hall on Tuesday September 13, 2005 at 6:00 p.m. where business was conducted as follows.

1. Mayor Clarence R. Fields called the meeting to order.
2. Councilman Martin gave 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 Martin, seconded by Councilman Bouchie and passed, it was resolved to accept the minutes of the August 9th meeting as published.
6. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to approve the financial report as read by Kim Portier, Finance Director.
7. On motion by Councilman Bishop, seconded by Councilwoman Van Mol and passed, it was resolved to adopt an ordinance providing for the levy within the City of Pineville, State of Louisiana, effective October 1, 2005, of a one-half of one percent (1/2%) sales and use tax upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and upon the sale of services in said City, providing for the assessment, collection, payment thereof and the dedication of the proceeds of said tax and the purpose for which the proceeds of the tax may be expended, such tax having been authorized at a special election held in the City on July 16, 2005.
Roll call was as follows: **Yeas** Councilpersons Bishop, Dorn, Van Mol, Bouchie, Martin
Nays None
8. On motion by Councilwoman Van Mol, seconded by Councilman Martin and passed, it was resolved to table this item relative to the annexation of 200 Northwood Drive until service availability could be assessed.
9. On motion by Councilman Bouchie, seconded by Councilman Martin and passed, it was resolved to declare a broken copier and non-working computers, or parts thereof, as surplus so they may be disposed of.
10. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to authorize the Mayor to move forward in the process of implementing salary increases for Public Works, Police and Fire Department employees, upon adoption of the above ordinance (item #7) which provides for the levy of a sales tax which specifically dedicates a portion of its proceeds to employee salaries.
11. On motion by Councilman Martin, seconded by Councilwoman Van Mol and passed, it was resolved to accept for publication an ordinance amending section 2-1.5 of the Code of Ordinances for the City of Pineville to modify the salary of the City Clerk.
12. On motion by Councilman Dorn, seconded by Councilman Bishop and passed, it was resolved to add 315 Ruth Street and 114 Lizzie Street to the condemnation list.
13. On motion by Councilman Bishop, seconded by Councilman Martin and passed, it was resolved to approve a resolution:

WHEREAS, the City of Pineville, received the following bids on Thursday, September 8, 2005, for the *Sewer System Improvements U.S. 165/ Industrial Corridor 1.5 MGD Wastewater Treatment Plant*:

<u>CONTRACTOR</u>	<u>LUMP SUM BASE BID</u>	<u>DEDUCTIVE ALTERNATIVE NO. 1</u>	<u>DEDUCTIVE ALTERNATIVE NO. 2</u>	<u>DEDUCTIVE ALTERNATIVE NO. 3</u>
MCINNIS BROS CONST., INC. Base Bid Less Deductive Alternates	\$ 9,214,000.00	\$ 3 09,000.00 \$ 8,905,000.00	\$ 221,000.00 \$ 8,684,000.00	\$ 235,000.00 \$ 8,449,000.00
MAX FOOTE CONST. CO., INC. Base Bid Less Deductive Alternates	\$ 10,040,000.00	\$ 290,000.00 \$ 9,750,000.00	\$ 200,000.00 \$ 9,550,000.00	\$ 395,000.00 \$ 9,155,000.00

NOW THEREFORE BE IT RESOLVED, that the Contract for said construction work is hereby awarded to the apparent low Bidder, McInnis Brothers Construction, Inc. for the Lump Sum Base Bid less Deductive Alternate Bids Nos. 1, 2 and 3 in the total amount of \$8,449,000.00; contingent upon successful negotiation and execution of a Contract Change Order further reducing the contract amount

to within the funds available for construction; and, further contingent upon verification and approval by the Office of Facility Planning and Control and the U.S. Department of Commerce Economic, Development Administration.

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

- On motion by Councilman Martin, seconded by Councilwoman Van Mol and passed, it was resolved to add an Item #14 to the agenda.

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

WHEREAS, the Uniform Local Sales Tax Code of 2003 nor the local sales tax ordinances provide for the granting of extensions to file sales and use tax returns, and in consideration of hundreds of businesses that are required to file said returns with this parish who have been affected by Hurricane Katrina;

IT IS HEREBY RESOLVED that the Rapides Parish Tax Administrator is authorized to grant automatic sixty (60) day extensions to file parish sales and use tax returns due September 1 and October 1, 2005, for registered businesses in the followings parishes: Orleans, Jefferson, Plaquemines, St. Bernard, St. Tammany and Washington.

BE IT ALSO RESOLVED that the Rapides Parish Tax Administrator is authorized to grant an additional extension to the above parishes not to exceed sixty (60) days if a written request is received from the affected business.

BE IT FURTHER RESOLVED that businesses required to file with this parish that are located in any of the other parishes declared federal disaster areas may also request in writing a sixty (60) day extension of time to file sales and use tax returns due September 1 and October 1, 2005.

BE IT STILL FURTHER RESOLVED that such authorization also permits the Rapides Parish Tax Administrator to suspend the imposition of delinquent interest and penalties for late filing insofar as the delinquency is attributed solely to the inability of the business to meet its filing responsibility because of consequences arising from Hurricane Katrina.

- On motion by Councilman Bishop, seconded by Councilman Bouchie and passed, it was resolved to add an Item #15 to the agenda.

15. On motion by Councilman Bishop, seconded by Councilman Bouchie and passed, it was resolved to approve a resolution authorizing the Mayor to execute a Supplemental Agreement with the Louisiana Department of Transportation and Development (LA DOTD) for improvements at the Pineville Municipal Airport.

WHEREAS, Act 451 of the 1989 Regular Session of the Louisiana Legislature authorized the financing of certain airport improvements from funds appropriated from the Transportation Trust Fund; and

WHEREAS, the City Council of the City of Pineville has requested the LA DOTD to execute a supplemental agreement under State Project No. 977-99-0104 for additional airport lighting NAVAID project work at the Pineville Municipal Airport; and

WHEREAS, the LA DOTD is agreeable to the implementation of this project and desires to cooperate with the City Council of the City of Pineville according to the terms and conditions identified in the attached Supplemental Agreement; and

WHEREAS, the LA DOTD will provide additional reimbursement funds to the sponsor up to \$200,00.00 of the actual lighting system engineering and construction costs. Total project reimbursement funds available to the City of Pineville shall not exceed \$325,000.00 with the project value including DOTD furnished equipment not exceeding \$425,000.00.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Pineville that it does hereby authorize the Mayor to execute an Agreement for improvements to the Pineville Municipal Airport identified as State Project No. 977-99-0104, more fully identified in the Agreement attached hereto.

- On motion by Councilman Bishop, seconded by Councilman Bouchie and passed, it was resolved to add an Item #16 to the agenda.

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

WHEREAS, the City of Pineville and the Rapides Parish Police Jury have considered a joint project to reconstruct Pinehurst Drive from LA Highway 28 East to Donahue Ferry Road, utilizing Federal Highway Administration and Louisiana Department of Transportation and Development funds under the Surface Transportation Program; and,

WHEREAS, the Metropolitan Planning Organization has approved the Reconstruction of Pinehurst Drive as an eligible project under the Transportation Improvement Plan subject to funding appropriations; and,

WHEREAS, in order to proceed with the project, a Cooperative Endeavor Agreement is needed between the City of Pineville and the Rapides Parish Police Jury as to how various regulatory and technical aspects of the project will be approached;

NOW THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to enter into a Cooperative Endeavor Agreement with the Rapides Parish Police Jury for the reconstruction of Pinehurst Drive, utilizing Surface Transportation Program funds from the Federal Highway Administration and the Louisiana Department of Transportation and Development for 80% of the cost of eligible construction work;

AND BE IT FURTHER RESOLVED, that the City of Pineville shall serve as the project sponsor and lead agency.

AND BE IT FURTHER RESOLVED, that the joint funding of the project is being pursued under a local cost share split of 50% to the City of Pineville and 50% to the Rapides Parish Police Jury.

- On motion by Councilman Dorn, seconded by Councilman Bouchie and passed, it was resolved to add an Item 16A to the agenda.

16A. On motion by Councilwoman Van Mol, seconded by Councilman Martin and passed, it was resolved to approve a resolution:

WHEREAS, the City of Pineville has agreed to enter into a Cooperative Endeavor Agreement with the Rapides Parish Police Jury for the reconstruction of Pinehurst Drive; and,

WHEREAS, in order to proceed with the implementation project the City of Pineville and the Rapides Parish Police Jury have agreed to pay for 100% of technical and engineering expenses in order to complete plans and specifications meeting Federal Highway Administration and the Louisiana Department of Transportation and Development criteria.

NOW THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to enter into an agreement with Pan American Engineers-Alexandria, Inc. for required technical assistance and engineering services related to the reconstruction of Pinehurst Drive, with the understanding that all expenses related thereto shall be shared on a 50/50 basis with the Rapides Parish Police Jury all as outlined in the Cooperative Endeavor Agreement.

The floor was opened for public comment:

- More than once, Mayor Fields was commended for his superb leadership during the evacuation of Hurricane Katrina survivors from the New Orleans area. Many thanks go out to Mayor Fields for taking the necessary steps in order to get the vacant Wal-Mart building up and functioning as a shelter and command center.
- Many thanks to Pineville's compassionate citizens for the heartfelt welcome they've shown to the New Orleans evacuees.
- The Mayor, Council and all of the City employees and volunteers that not only manned shelters and organized donated supplies but kept up with their normal daily duties as well, are to be commended.
- The Mayor introduced Ms. Jackie Lloyd and Ms. Madonna LeBlanc who will soon be joining our city staff family. Both ladies possess a wealth of knowledge and vital experience that can be utilized in ways beneficial to our city.

There being no further business to come before the Council, a motion to adjourn was offered by Councilman Bouchie. Councilwoman Van Mol seconded the motion and on vote, it unanimously carried. Mr. Lawrence Foster closed the meeting with the benediction.

/s/Clarence R. Fields, Mayor

09.26.05

Date

/s/Ellen Melancon, City Clerk

C E R T I F I C A T E

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 **13th day of September 2 2005.**

/s/Ellen Melancon, City Clerk