

CITY OF PINEVILLE  
 Regular Council Meeting  
 October 11, 2005 - 6:00 P.M.  
 City Hall Council Room

**MINUTES**

The Mayor and City Council of the City of Pineville, Louisiana, met in Regular Session on Tuesday October 11, 2005 at 6:00 p.m. at Pineville City Hall 910 Main Street, Pineville, Louisiana.

1. The Mayor called the meeting to order.
2. Councilman Martin opened with the invocation.
3. Councilman Bouchie led the Pledge of Allegiance.
4. Roll call was as follows:  
Present Councilpersons Bishop, Dorn, Van Mol, Bouchie and Martin  
Absent None
5. On motion by Councilwoman Van Mol, seconded by Councilman Bouchie and passed, it was resolved to accept the minutes of the September 13<sup>th</sup> meeting as published.
6. On motion by Councilman Bishop, seconded by Councilman Dorn and passed, it was resolved to accept the financial report as read by Finance Director, Kim Portier.
- The Mayor took a moment to introduce Mrs. Patricia Koch and Mr. Greg Upton, who are both candidates for judge in the upcoming October 15<sup>th</sup> election. They were both given a moment to introduce themselves to those in attendance.
7. CONDEMNATION/DEMOLITION HEARINGS:
  - A. On motion by Councilman Bishop, seconded by Councilwoman Van Mol and passed, it was resolved to proceed with the demolition and removal of debris at 318 Andrews as planned. (Case file Co4-300)
  - B. On motion by Councilman Bishop, seconded by Councilman Dorn and passed, it was resolved that Mr. Harry Nelson, who was representing the property owners of 114 Lizzie Street, would have sixty (60) days to voluntarily demolish the structure and remove the resulting debris. (Case file no. C05-400)
  - C. On motion by Councilman Dorn, seconded by Councilman Bishop and passed, it was resolved to move forward with the demolition of the structure located at 315 Ruth Street, contingent upon approval of the City Attorney. (Case file no. C05-500)
8. On motion by Councilman Martin, seconded by Councilwoman Van Mol and passed, it was resolved to adopt an ordinance for annexation of property located at 200 Northwood Drive belonging to Phillip and Vicki Terrell. Roll call was as follows:  
Yeas Councilpersons Bishop, Dorn, Van Mol, Bouchie and Martin  
Nays None
9. On motion by Councilman Martin, seconded by Councilwoman Van Mol and passed, it was resolved to adopt an ordinance amending section 2-1.5 of the Code of Ordinance of the City of Pineville to modify the salary of the City Clerk. Roll call was as follows:  
Yeas Councilpersons Bishop, Dorn, Van Mol, Bouchie and Martin  
Nays None
10. FEMA representative, Kim Hustad, addressed the Council and audience relative to the assistance FEMA is asking for from city officials and citizens in regard to obtaining temporary housing for Hurricane Katrina evacuees still in area shelters. FEMA is presenting looking for RV's or mobile homes available for lease agreements of approximately six (6) to eighteen (18) months or until such time when permanent housing is arranged. In order to participate, evacuees must first register and obtain a voucher, which would then allow them to be matched according to family needs and size, with comparable living quarters. If you are a property owner and feel that you may have something FEMA is looking for, please contact Kim Hustad, directly by cell phone 202-431-7103.
11. On motion by Councilman Bouchie, seconded by Councilman Dorn and passed, it was resolved to approve the release of unclaimed bicycles stored at the Police Department to a charitable organization as provided for in Section 4.5-14 of the City of Pineville Code of Ordinances.
12. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to approve a short form subdivision application submitted by Dean Tyler, New Way Investments, for lots 16, 17 & 18 of Beth Subdivision (with property fronting McDermott, Brook and Glendale Streets) into five lots for residential purposes.

- 13. On motion by Councilman Martin, seconded by Councilman Bouchie and passed, it was resolved to accept for publication an ordinance for annexation of property located at 120 Woodridge belonging to Alan & Margie Hampshire.
- 14. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to accept for publication an ordinance for annexation of property located at 3919 Hwy. 28 E belonging to Glenn and Aleah Ward.
- 15. On motion by Councilwoman Van Mol, seconded by Councilman Dorn and passed, it was resolved to accept for publication an ordinance for the revocation of the right of way on Ellis Drive
- 16. On motion by Councilman Bouchie, seconded by Councilman Martin and passed, it was resolved to accept for publication and refer to the zoning commission a petition for rezoning of property located at 600 Edgewood Drive from Residential to Commercial 1-A to allow for a group home which will house some of the current Pinecrest residents.
- 17. On motion by Councilman Bishop, seconded by Councilman Bouchie and passed, it was resolved to accept for publication a petition for rezoning of property located at 401 Expressway Drive from Commercial-1 to Commercial-2 to allow for an emergency care only animal hospital.

- 18. On motion by Councilman Dorn, seconded by Councilman Bishop 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:  
 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 Nos. 1 & 2 in the total amount of \$8,684,000.00 and contingent upon verification and approval by the Office of Facility Planning and Control and the U.S. Department of Commerce Economic, Development Administration.

<u>CONTRACTOR</u>	<u>LUMP SUM</u> <u>BASE BID</u>	<u>DEDUCTIVE</u> <u>ALTERNATE</u> <u>NO. 1</u> <u>BASE BID LESS</u> <u>DEDUCTIVE</u> <u>ALTERNATE NO. 1</u>	<u>DEDUCTIVE</u> <u>ALTERNATE</u> <u>NO. 2</u> <u>BASE BID LESS</u> <u>DEDUCTIVE</u> <u>ALTERNATE NO. 1</u> <u>AND 2</u>	<u>DEDUCTIVE</u> <u>ALTERNATE</u> <u>NO. 3</u> <u>BASE BID LESS</u> <u>DEDUCTIVE</u> <u>ALTERNATE NO. 1, 2</u> <u>AND 3</u>
McInnis Brothers Const., Inc.	\$9,214,000.00	\$309,000.00	\$221,000.00	\$235,000.00
Base Bid Less Ded. Alts.		\$8,905,000.00	\$8,684,000.00	\$8,449,000.00
Max Foote Construction Co., Inc.	\$10,040,000.00	\$290,000.00	\$200,000.00	\$395,000.00
Base Bid Less Ded. Alts.		\$9,750,000.00	\$9,550,000.00	\$9,155,000.00

BE IT FURTHER RESOLVED that the previous Resolution dated 13<sup>th</sup> September 2005 awarding the Contract in the amount of \$8,449,000.00 is hereby rescinded.

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.

- 19. On motion by Councilman Bouchie, seconded by Councilman Martin and passed, it was resolved to approve a resolution:  
 WHEREAS, Van Tel, Inc. the Contractor for the City of Pineville Water Main Extension Pat Street to Ron Mar project has “substantially completed” the work under the Contract as recommended by the Engineer;  
 NOW THEREFORE BE IT RESOLVED, that the Contract of Van Tel, Inc., the Contractor for said work is hereby accepted as “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.
- On motion by Councilwoman Van Mol, seconded by Councilman Martin and passed, it was resolved to add an item to the agenda.
- 20. On motion by Councilman Bishop, seconded by Councilman Dorn and passed, it was resolved to approve a resolution:  
 WHEREAS, the City has received competitive bids for the construction of wastewater treatment plant improvements as part of the State's and the City's Economic Development Incentive Package to assist the expansions of Procter & Gamble; and,  
 WHEREAS, the low Bidder for the project is McInnis Brothers Construction, Inc. of Minden, Louisiana; and,  
 WHEREAS, the City is proceeding with securing contracts, bonds, etc. from the Contractor including concurrence in the award from outside funding agencies, with the intent of issuance of a Notice to Proceed within the next thirty (30) days; and,

WHEREAS, provisions exist under State law for the City to designate the Contractor as its agent for the purposes of exemption of paying State sales and use tax levied by any political subdivision as it relates to purchases of materials to be incorporated into the wastewater treatment plant project.

NOW THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to designate McInnis Brothers Construction, Inc. as its agent for the purposes of claiming an exclusion from paying State sales and use tax and local political subdivision sales and use taxes on any materials purchased of incorporation into the City's Wastewater Treatment Plant Improvements Project to be constructed under the contract to be entered into between McInnis Brothers Contractors, Inc. and the City for this project; and,

BE IT FURTHER RESOLVED, that the Mayor is authorized submit applications to the Rapides Parish Sales and Use Tax Department and to the State of Louisiana Department of Revenue notifying both agencies of the designation of the Contractor to act as the City's agent in this regard.

BE IT FURTHER RESOLVED, that the City acknowledges that it will acquire title to the property at the time of purchase and further acknowledges, except as otherwise provided in the contract with McInnis Brothers Construction, Inc., the risk of loss will be borne by the City of Pineville for any damage that may occur to the product above and beyond any responsibilities that would accrue the Contractor.

- Marshal Larry Jeane, as well as several other audience members, wanted everyone to know that they were especially proud to say they were from Pineville because of the way our citizens, employees and officials “stepped up” to do all that we could to help the evacuees resulting from Hurricane Katrina.
- Reminder: Pineville High School Homecoming Parade at 6pm this Thursday

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

/s/Clarence R. Fields, Mayor

10.26.05

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 11<sup>th</sup> day of October 2005.

/s/Ellen Melancon, City Clerk