

CITY OF PINEVILLE
Regular Council Meeting
February 14, 2006 - 6:00 P.M.
City Hall Council Room

MINUTES

The Mayor and Council of the City of Pineville, Louisiana, met in Regular Session on Tuesday February 14, 2006 at 6:00 p.m. in the council room of Pineville City Hall, 910 Main Street, Pineville, Louisiana.

1. Mayor Clarence R. Fields called the meeting to order.
2. Council 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 Martin, seconded by Councilwoman Van Mol and passed, it was resolved to accept the minutes from the January 10th meeting as published.
6. On motion by Councilman Bouchie, seconded by Councilman Dorn and passed, it was resolved to accept the financial report as read by Ms. Kim Portier, Finance Director.
7. Chairman of the Zoning Commission, Mr. Tom David, addressed the Council stating that the Zoning Commission met earlier at 5:00 p.m. to discuss several items and the recommendations of the Commission are as follows:
 - a. The Zoning Commission recommended that the Council deny the request for a variance relative to the required lot size for placement of a house on property located at 5B Smith Street belonging to James and Donna Crooks due to the extreme small size and position of the lot. On motion by Councilman Dorn, seconded by Councilman Martin and passed, it was resolved to accept the recommendation of the Zoning Commission and deny the variance.
 - b. The Zoning Commission recommended the Council table the request to rezone property owned by New Way Investments, being lots 16, 17 & 18 of Beth Subdivision, from R-1 to R-2 to allow for construction of duplexes be tabled, with the understanding that if the request is not revised within sixty (60) days, it will not be eligible for consideration again for one year as stipulated in the zoning code. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to accept the recommendation of the Zoning Commission and table this item for sixty (60) days as stipulated.
 - c. The Zoning Commission recommended the Council table this item relative to the rezoning of property located at 4817 Hwy. 28 East, belonging to William Self, from residential to commercial, until next month when there will be another petition for rezoning of property adjacent to this lot. On motion by Councilman Bishop, seconded by Councilman Bouchie and passed, it was resolved to accept the recommendation of the Zoning Commission and table this item until the next meeting as stated with new notices to property owners being issued.
- On motion by Councilwoman Van Mol, seconded by Councilman Bishop and passed, it was resolved to amend the wording of item #8.
8. On motion by Councilman Martin, seconded by Councilman Bishop and passed, it was resolved to adopt an ordinance for annexation, *with stipulations relative to zoning*, of

property located near the intersection of Skyline Drive and Highway 28 East belonging to Verch, LLC & Vollman, LLC. Roll call was as follows:

Yeas Councilpersons Bishop, Dorn, Van Mol, Bouchie, Martin
Nays None

9. On motion by Councilman Dorn, seconded by Councilman Bouchie and passed, it was resolved to declare miscellaneous items as surplus.
10. On motion by Councilman Martin, seconded by Councilman Bouchie and passed, it was resolved to award the bid to the lowest bidder meeting the specifications as required for the purchase of turnout gear and air packs as stipulated in the grant award. For turnout gear, the bid was awarded to First In for the amount of \$31,624.00. For the air packs, the bid was awarded to Ferrera for \$130,754.50.
11. On motion by Councilman Bishop, seconded by Councilwoman Van Mol and passed, it was resolved to approve advertising for bids for a “welcome sign” to be placed at the Purple Heart Bridge entrance to Pineville.
12. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to accept for publication and refer to the zoning commission a petition from Dale and Donna Smith, Blessed Ventures, LLC, for rezoning of 7.83 acres off Slaughterhouse Road from R-1 Residential to Commercial.
13. On motion by Councilman Martin, seconded by Councilman Dorn and passed, it was resolved to accept for publication and refer to the zoning commission a petition from William Barron, MRL, LLC, for rezoning of property fronting Highway 28 East and Brown’s Road from R-1 (Residential) to Commercial.
14. On motion by Councilman Bishop, seconded by Councilman Bouchie and passed, it was resolved approve a resolution:

WHEREAS, Corley, Inc., the Contractor for the **Industrial Park 8" Sewer Force Main Relocation**, has “*Substantially Completed*” the work under the Contract as recommended by the Engineer.

NOW THEREFORE BE IT RESOLVED, that the Contract of Corley, 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 Clear Lien Certificate as required by law; and,

IT IS HEREBY FURTHER RESOLVED, that the signing and filing with the Clerk of Court of this Acceptance of Contract Resolution by the Mayor is hereby authorized.
15. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, with Councilman Martin voting Nay, it was resolved to approve a resolution:

WHEREAS, the City of Pineville has reviewed the plans and specifications for water, sewer, street and drainage extensions and attachments to the municipal facilities known as **Bradley Street Duplexes** 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 *Donald Robinson* as Developer for the above-described development.
16. On motion by Councilman Martin, seconded by Councilwoman Van Mol and passed, it was resolved to approve a resolution:

WHEREAS, the Developer (*New Way Investments, Inc.*) for the proposed **Chapman Subdivision**, which is located on the **extension of Janet Drive**, has requested that the City provide for operation and maintenance of water distribution and 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 water distribution improvements have been submitted to the Department of Health and Hospitals (DHH) for review and approval by the Developer’s Engineer (*Jessie P. Lachney*); and

WHEREAS, DHH has requested 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 the water distribution 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, water valves, fire hydrants, 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 ensure conformance for materials specified with City minimum standards for water distribution improvements; and,

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; and,

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

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

WHEREAS, the Developer (Floyd Hebert) for the proposed **Phase 5B of Woodlake Subdivision**, which is located *adjacent to and east of Village Green Subdivision*, has requested that the City provide for operation and maintenance of water distribution and 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 water distribution and wastewater collection improvements have been submitted to the Department of Health and Hospitals (DHH) for review and approval by the Developer's Engineer (TRC Willis Engineering, Inc.); and

WHEREAS, DHH has requested 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 the water distribution and 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, water valves, fire hydrants, 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 right-of-ways have been installed within easements or servitude acceptable to the City and

- (8) meeting the minimum width requirements as required by the City Engineer;
that the Plans and Specifications once receiving approval from the DHH shall be reviewed by the City Engineer to ensure conformance for materials specified with the City minimum standards for water distribution and wastewater improvements; and,

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; and,

BE IT FURTHER RESOLVED, that the City's sewage treatment facilities can adequately handle the increase flow proposed for this phase of the Woodlake Subdivision Development; and

BE IT FURTHER RESOLVED, that the City Engineer is authorized to notify the Developer that only submersible wastewater pumps meeting the City's specifications are acceptable for installation at lift stations and that the design shall be revised accordingly to include said equipment; and,

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

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

WHEREAS, the Developer (Redd Realty Services of Franklin, Tennessee) for the proposed CVS Pharmacy #5544, which is located at the *corner of La 28 and Edgewood Drive*, has requested that the City provide for operation and maintenance of water distribution and wastewater collection relocations 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 water distribution and wastewater collection relocations have been submitted to the Department of Health and Hospitals (DHH) for review and approval by the Developer's Engineer (Linfield, Hunter & Junius, Inc., Consulting Engineers and Architects of Metairie, Louisiana); and

WHEREAS, DHH has requested 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 the water distribution and 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, water valves, fire hydrants, 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 right-of-ways 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 water distribution and wastewater improvements; and,

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; and,

BE IT FURTHER RESOLVED, that the City's sewage treatment facilities can adequately handle the increase flow proposed for this facility; and

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

- On motion by Councilwoman Van Mol, seconded by Councilman Bouchie and passed, it was resolved to add an item to the agenda.
19. On motion by Councilman Dorn, seconded by Councilman Bouchie and passed, it was resolved to accept for publication and refer to the Zoning Commission a petition for a variance relative to property located at 112 Russell Court belonging to Glen Whatley.
- On motion by Councilwoman Van Mol, seconded by Councilman Bishop and passed, it was resolved to add an item to the agenda.
20. Code Enforcement Officer, Wayne Dausat, recommended that the structure located at 1804 Jewel Street be immediately put on the condemnation list with instructions to the owner that it be town down as soon as possible due to its dangerous condition and threat to the neighborhood. On motion by Councilman Bouchie, seconded by Councilwoman Van Mol and passed, it was resolved to condemn the structure as recommended and give the owner forty-five (45) days to demolish and clear the property.
- Ms. Karen Crawford addressed the Mayor and Council regarding concerns of police brutality and racism in her neighborhood.
 - The Mayor and Council congratulated each other for being unanimously unopposed for the upcoming four (4) years.
 - Pineville Tree Board workshop next Thursday, Darren Green, Consultant, 484-4136
 - Cleanest City Contest
 - Boat races coming in March, with approximately 200 boats expected to attend.
 - This weekend will be the last installment in the overlaying of Highway 165 North.
 - Miss City of Pineville Pageant, March 4, 2006.

There being no further business to come before the Council a motion to adjourn was offered by Councilwoman Van Mol, seconded by Councilman Bouchie and unanimously passed. Mr. Lawrence Foster offered the benediction.

/s/Clarence R. Fields
Clarence R. Fields, Mayor

02.21.06
Date

/s/Ellen Melancon
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 February 2006.

/s/Ellen Melancon
Ellen Melancon, City Clerk