

CITY OF PINEVILLE
REGULAR COUNCIL MEETING
JULY 11, 2006

MINUTES

Mayor Pro-tempore Bouchie and the Council of the City of Pineville, Louisiana, met in regular session on Tuesday June 13, 2006 at 6:00 p.m. in the council room of City Hall, 910 Main Street, Pineville, Louisiana.

1. Mayor Pro-tempore Tom Bouchie called the meeting to order.
2. Councilman Martin led the invocation.
3. Councilman Dorn led the Pledge of Allegiance
4. Roll call was as follows:
Present Councilpersons Bishop, Dorn, Van Mol, Bouchie (Mayor Pro-tempore), Martin
Absent Mayor Fields
5. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to accept the minutes of the June 13th and 30th meetings as published.
6. On motion by Councilman Dorn, seconded by Councilman Martin and passed, it was resolved to table the financial report until next month.
7. Mr. Steve Rogge was unavailable to speak on issues relative to the library.
8. On motion by Councilman Martin, seconded by Councilwoman Van Mol and passed, it was resolved to announce bid awards made on June 25, 2006 at 10:00 a.m. for commonly used items. Roll call was as follows:
Yeas Councilpersons Bishop, Dorn, Van Mol, Martin
Nays None
Absent Mayor Fields (Councilman Bouchie served as Mayor Pro-Tempore)
9. On motion by Councilwoman Van Mol, seconded by Councilman Dorn and passed, it was resolved to nominate Councilman Nathan Martin for Mayor Pro Tempore for fiscal year 2006-2007. Roll call was as follows:
Yeas Councilpersons Bishop, Dorn, Van Mol, Martin
Nays None
Absent Mayor Fields (Councilman Bouchie served as Mayor Pro-Tempore)
10. On motion by Councilman Bishop, seconded by Councilman Martin and passed, it was resolved to approve recommendations for staff and committee appointments for fiscal year 2006-2007. Roll call was as follows:
Yeas Councilpersons Bishop, Dorn, Van Mol, Martin
Nays None
Absent Mayor Fields (Councilman Bouchie served as Mayor Pro-Tempore)
Finance Committee – Joe Bishop, Kim Portier-(Ex-Officio), Kevin Dorn-Chairman, Carol Van Mol, Tom Bouchie, Nathan Martin, Jack Wainwright and Joe Wolf
Planning Commission – Mayor Fields (alt. Rich Dupree), Carol Van Mol (alt. Eddie Lashney), Kevin Dorn (alt. Tom Bouchie or Charles Hurks)
Legal Committee – Carol Van Mol-Chairperson, all Council members and Jimmy Faircloth-City Attorney
Recreation Committee– Kevin Dorn, Tom Bouchie-Chairman, Rickey Robison-(Ex-Officio), Chairman to appoint remainder of committee
Insurance Committee – Diane Ray-(Human Resource Director)-Chairman, Kim Portier (Finance Director), Kevin Dorn (Finance Committee Chairman), John Melancon (Cleco Rep.), Bonnie Lemoine (P&G Rep.), Tom Scott (Atmos Rep.), Christie Frederick (IP Rep)
Infrastructure – Joe Bishop-Chairman, Tom Bouchie, Tom David (City Engineer), Charles Moore (Public Works Director), Charles Hurks (Safety Director), Thurman Kelly (Water & Wastewater Superintendent), Leonard Portier (Streets & Drainage Superintendent)
Electrical Board –E. C. Evans (Electrical Inspector)-Chairman, Dan Colvin, Billy Andrews, Kenneth Andrews and Kenneth Rocket
Plumbing Board – Kevin Dorn-Chairman, Fred Hunt (Plumbing Inspector), Ben Baker, Mark Baden, Leroy Carter, Ellen Melancon (City Clerk) - Secretary
Youth Council – Carol Van Mol-Chairperson, Chairperson to appoint remainder of committee
Metropolitan Planning Organization (MPO) – Mayor Fields and Nathan Martin
Zoning Commission – Tom David (City Engineer)-Chairman, Rev. Charles Taylor, Marvin Zochert, Eddie Lashney, Paige Walker, Jimmy Faircloth (City Attorney), Ellen Melancon (City Clerk)-Secretary

Staff Appointments – Ellen Melancon-City Clerk, Charlie Moore-Public Works Director, Jay Barber-Police Chief, Eddie Laborde-Fire Chief, Kim Portier-Finance Director

11. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to designate the Alexandria Daily Town Talk as the official journal for the fiscal year 2006-2007. Roll call was as follows:

<u>Yeas</u>	Councilpersons Bishop, Dorn, Van Mol, Martin
<u>Nays</u>	None
<u>Absent</u>	Mayor Fields (Councilman Bouchie served as Mayor Pro-Tempore)
12. On motion by Councilman Martin, seconded by Councilwoman Van Mol and passed, it was resolved to designate Pan American Engineers as City Engineer for fiscal year 2006-2007. Roll call was as follows:

<u>Yeas</u>	Councilpersons Bishop, Dorn, Van Mol, Martin
<u>Nays</u>	None
<u>Absent</u>	Mayor Fields (Councilman Bouchie served as Mayor Pro-Tempore)
13. On motion by Councilman Bishop, seconded by Councilman Martin and passed, it was resolved to designate Rozier, Harrington and McKay as City Auditors for fiscal year 2006-2007. Roll call was as follows:

<u>Yeas</u>	Councilpersons Bishop, Dorn, Van Mol, Martin
<u>Nays</u>	None
<u>Absent</u>	Mayor Fields (Councilman Bouchie served as Mayor Pro-Tempore)
14. On motion by Councilwoman Van Mol, seconded by Councilman Bishop and passed, it was resolved to designate Faircloth, Vilar and Elliot, LLC as City Attorney fiscal year for 2006-2007. Roll call was as follows:

<u>Yeas</u>	Councilpersons Bishop, Dorn, Van Mol, Martin
<u>Nays</u>	None
<u>Absent</u>	Mayor Fields (Councilman Bouchie served as Mayor Pro-Tempore)
15. On motion by Councilman Dorn, seconded by Councilman Martin and passed, it was resolved to designate Gary Hayes as City Prosecutor for fiscal year 2006-2007. Roll call was as follows:

<u>Yeas</u>	Councilpersons Bishop, Dorn, Van Mol, Martin
<u>Nays</u>	None
<u>Absent</u>	Mayor Fields (Councilman Bouchie served as Mayor Pro-Tempore)
16. On motion by Councilman Martin, seconded by Councilwoman Van Mol and passed, it was resolved to approve the appointments of Darren Green and Dale Starkey to the Pineville Tree Board.
17. On motion by Councilman Martin, seconded by Councilman Dorn and passed, it was resolved to table this item relative to annexation of property located at 3015 Military Highway.
18. On motion by Councilman Martin, seconded by Councilwoman Van Mol and passed, it was resolved to accept for publication a refer to the Zoning Commission a petition for rezoning of property located at 3919 Suite C Hwy 28 E, belonging to Glenn Ward from C-1 to C-2, for the sale of mini four wheelers.
19. On motion by Councilman Martin, seconded by Councilwoman Van Mol and passed, it was resolved to accept for publication and refer to the Zoning Commission a petition for rezoning of property located at 2665 Hwy. 28 East, belonging to Salah Abdelsalam, from C-1 to C-2, for the sale of used cars.
20. On motion by Councilman Bishop, seconded by Councilman Dorn and passed, it was resolved to approve a resolution:
WHEREAS, the Developer, Entrust Mid South, L.L.C. (Represented by Stephen Snow) for the proposed Phase I of Richfield Subdivision, (Lots 1 thru 31), which is located between Walden Point and Donahue East, 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's Standard Developer's Permit; and,
WHEREAS, the Plans and Specifications for the wastewater collection improvements are being prepared by the Developer's Engineer for submission to the Department of Health and Hospitals (DHH) for review and approval, 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 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 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 collection and treatment facilities can adequately handle the increased flow proposed for Phase I of Richfield 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.

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

WHEREAS, the City of Pineville has reviewed the plans and specifications for streets, drainage and sewer improvements and attachments to the municipal facilities known as Phase I of Richfield Subdivision (Lots 1 through 31), 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 Entrust Mid-South, L.L.C. as Developer for the above described development.

22. On motion by Councilman Martin, seconded by Councilman Bishop and passed, it was resolved to approve a resolution making application to the State Bond Commission for consent and authority to issue, sell and deliver not exceeding Five Million Eight Hundred Fifty Thousand Dollars (\$5,850,000) of Water and Sewer Revenue Bonds of the City of Pineville, State of Louisiana, all in the manner provided for by Section 1430 of Title 39 of the La. Revised Statutes of 1950, as amended, and other constitutional and statutory authority; and providing for other matters in connection therewith.

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Pineville, State of Louisiana, acting as the governing authority (the "Governing Authority") of the City of Pineville, State of Louisiana, that:

 1. SECTION Application is hereby formally made by the City of Pineville, State of Louisiana (the "Issuer") to the Louisiana State Bond Commission for consent and authority to issue, sell and deliver not exceeding Five Million Eight Hundred Fifty Thousand Dollars (\$5,850,000) of Water and Sewer Revenue Bonds of the Issuer (the "Bonds"), to bear interest at a rate or rates not exceeding seven per centum (7%) per annum, to mature over a period of not exceeding twenty (20) years, and to be sold at premium, par or at a discount not exceeding 3% of the principal amount thereof, plus accrued interest, all in the manner provided for by Section 1430 of Title 39 of the La. Revised Statutes of 1950, as amended (the "Act"), and other constitutional and statutory authority, for the purposes of paying a portion of the costs of (i) constructing and acquiring improvements to the water and sewer systems of the Issuer, including the necessary furnishings and equipment therefor; (ii) providing a reserve for the payment of said Bonds and (iii) paying the costs of issuance of the Bonds, to be issued in series as monies are needed, on a complete parity as to source and security for payment, and will be secured by and payable in principal and interest and redemption premium, if any, solely from the income and revenues derived or to be derived from the operation of the Issuer's combined waterworks plant and sewer system, as a revenue-producing public utility (the "System").
 2. SECTION This Governing Authority hereby determines that there exists a real necessity for the employment of special counsel with respect to the proposed issue described herein, and accordingly, Foley & Judell, L. L. P., Bond Counsel to the Issuer, is hereby authorized and directed to proceed with the necessary legal work in order that the financing through the issuance of the Bonds of the Issuer may be completed as soon as possible. The compensation for such services for each issue or series of bonds shall not exceed that permitted under the Attorney General's schedule for legal and coordinate professional services in connection with the issue of the revenue bonds, together with out-of-pocket expenses, and shall be contingent upon the sale and issuance of the Bonds of the Issuer.
 3. SECTION A certified copy of this resolution shall be forwarded to the Louisiana State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration of this application. Roll call was as follows:

Yeas Councilpersons Bishop, Dorn, Van Mol, Martin
Nays None
Absent Mayor Fields (Councilman Bouchie served as Mayor Pro-Tempore)

- On motion by Councilman Bishop, seconded by Councilwoman Van Mol and passed, it was resolved to add an item to the agenda. Roll call was as follows:

Yeas Councilpersons Bishop, Dorn, Van Mol, Martin
Nays None
Absent Mayor Fields (Councilman Bouchie served as Mayor Pro-Tempore)

23. On motion by Councilman Bishop, seconded by Councilman Martin and passed, it was resolved to approve a resolution authorizing the Mayor to negotiate and enter into an agreement with the Red River Waterway Commission for the donation of property to the City for use as part of the Pineville Trail.

There being no further business to come before the Council, Councilman Martin made a motion to adjourn which was seconded by Councilwoman Van Mol. The motion unanimously carried. Mr. Lawrence Foster 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 Council of the City of Pineville, State of Louisiana, in legal session convened on the 11th day of July 2006.

Ellen Melancon, City Clerk