

**CITY OF PINEVILLE  
REGULAR COUNCIL MEETING  
JUNE 12, 2007**

**MINUTES**

Mayor Clarence R. Fields and the Council of the City of Pineville, Louisiana, met in regular session on Tuesday June 12, 2007 at 6:00 p.m. in the Council room of City Hall, 910 Main Street, Pineville, Louisiana.

1. Mayor Fields called the meeting to order at 6:05 pm.
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 Bouchie, seconded by Councilwoman Van Mol and passed, it was resolved to accept the minutes of the May 8<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 Mr. Mark Roberts of the recently reorganized Finance Department.
7. On motion by Councilman Dorn and seconded by Councilwoman Van Mol and passed, it was resolved to adopt an ordinance for annexation of property located at 904 Executive Court belonging to Larry Willis. Roll call was as follows:  

Yeas	Councilpersons Bishop, Dorn, Van Mol, Bouchie, Martin
Nays	None
Abstain	None
8. The Mayor and Police Chief Jay Barber together announced Chief Barber's unofficial retirement in the near future.
9. On motion by Councilman Bouchie, seconded by Councilman Dorn and passed, it was resolved to move the July 10<sup>th</sup> regular meeting to July 17<sup>th</sup>, 2007.
10. On motion by Councilwoman Van Mol, seconded by Councilman Martin and passed, it was resolved to hold a Public Hearing & Special Council Meeting on Thursday June 28, 2007 at 12 noon for the purpose of adopting the amended budget for fiscal year 2006-2007 and the proposed operating budget for fiscal year 2007-2008. Roll call was as follows:  

Yeas	Councilpersons Bishop, Dorn, Van Mol, Bouchie, Martin
Nays	None
Abstain	None
11. On motion by Councilman Dorn, seconded by Councilman Martin and passed, it was resolved to declare miscellaneous non-working computer parts surplus so that they may be disposed of as necessary.
12. On motion by Councilman Bishop, seconded by Councilman Bouchie and passed, it was resolved to advertise for bids for a loader & two (2) trailers, an excavator and a street sweeper.
13. On motion by Councilwoman Van Mol, seconded by Councilman Bouchie and passed, it was resolved to authorize the Mayor to enter into an Intergovernmental Agreement with the Town of Ball relative to the building inspector.
14. On motion by Councilman Martin, seconded by Councilman Dorn and passed, with Councilwoman Van Mol abstaining due to the fact she and the Developer have the same last name, it was resolved to approve a resolution:  

WHEREAS, the Developer (Van Mol & Sons) for the proposed "Lot "A" of Van Mol and Sons Business Park", has submitted a "Short Form" Application for Subdivision Review and Plat approval; and,

WHEREAS, the Application and Plat have been reviewed and approved by the City

Engineer;

NOW, THEREFORE BE IT RESOLVED that the Mayor is authorized to approve and accept the subdivision as shown on the filing plat. Roll call was as follows:

Yeas	Councilmen Bishop, Dorn, Bouchie, Martin
Nays	None
Abstain	Councilwoman Van Mol

15. On motion by Councilman Bishop, seconded by Councilwoman Van Mol and passed, it was resolved to accept for publication an ordinance amending the operating budget for the City of Pineville for fiscal year 2006-2007 and other matters with respect thereto.
16. On motion by Councilman Martin. Seconded by Councilman Dorn and passed, it was resolved to accept for publication a petition for annexation of property located at 3292 Donahue Ferry Road belonging to Raymond and Pat Paul.
17. On motion by Councilman Dorn, seconded by Councilman Bishop and passed, it was resolved to accept for publication a petition for annexation of 2.71 acres located on Davis Drive belonging to David and Rhonda Gaspard. Roll call as follows:

Yeas	Councilpersons Bishop, Dorn, Van Mol, Bouchie, Martin
Nays	None
Abstain	None
18. On motion by Councilman Bouchie, seconded by Councilman Martin and passed, it was resolved to accept for publication a petition for annexation of property of .302 acre portion of lot 12 of Green Mountain Subdivision and a portion of Skyline Drive to serve as an access to Shadow Creek Ranch.
19. On motion by Councilwoman Van Mol, seconded by Councilman Bouchie and passed, it was resolved to refer to the Zoning Commission a petition from Jimmy and Eva Worsham for rezoning of property located at 1511 Donahue Ferry Road from R1 to R2.
20. On Motion by Councilman Dorn, seconded by Councilman Martin and passed, it was resolved to approve a resolution:

WHEREAS, as local services agreement concerning adjudicated property was previously entered into between the Parish of Rapides, State of Louisiana; the City of Alexandria; the Rapides Parish Law Enforcement District; the Rapides Parish School Board; the Rapides Parish Library Board; the Board of Levee Commissioners of the Red River, Atchafalaya, Bayou Boeuf Levee District; the Fire Protection District No. 2 of the Rapides Parish, Louisiana; and the Gravity Drainage District No. 1 of the Parish of Rapides to expedite the return of abandoned/adjudicated property into the stream of commerce and back on the tax rolls in 1998.

WHEREAS, the City of Pineville also has various abandoned/adjudicated properties that it would like returned to the stream of commerce and back on the tax rolls.

WHEREAS, the City of Pineville is a political subdivision of the State of Louisiana and is able to enter into local services agreements with other local, public entities.

WHEREAS, the City of Pineville would like to join and become bound by the local services agreement previously referenced.

WHEREAS, the Parish of Rapides, State of Louisiana, through the Rapides Parish Police Jury, is of the opinion that allowing the City of Pineville to join and become bound by the local services agreement previously referenced would benefit the people/citizens of the Parish of Rapides.

NOW, THEREFORE BE IT RESOLVED that the Mayor is hereby authorized to sign an agreement with the Rapides Parish Police Jury which allows the City of Pineville to become a member of the Local Services Agreement that was signed in 1998, and be allowed to use the procedures set out in said agreement to return abandoned/adjudicated properties into the stream of commerce and back on the tax rolls, subject to the approval of legal counsel.
21. On motion by Councilman Bishop, seconded by Councilwoman Van Mol and passed, it was resolved to approve a resolution:

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 of Pineville has requested funding assistance from the

LA DOTD for the purchasing of equipment and/or reimbursement of funds expended to establish a rapid response airport runway and paved surface Foreign Object Debris (FOD) control safety program; and

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

WHEREAS, the LA DOTD will provide the necessary funding for the purchasing of equipment and/or will reimburse the sponsor up to \$6,285.00 of the equipment purchase costs,

NOW THEREFORE, BE IT RESOLVED by the City of Pineville that it does hereby authorize the Mayor to execute an Agreement for improvements to the Esler Field Airport identified as SPN 977-99-0120, more fully identified in the Agreement attached hereto

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

WHEREAS, the Developer (New Way Investments, LLC) for the proposed Hutch Subdivision, (formerly Ross Subdivision), which is located between McDermott Street and Fairbrook Street, has requested that the City provide for operation and maintenance of the wastewater collection and drainage pipe 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 and water system 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 its intention to operate and maintain the improvements once constructed.

NOW, THEREFORE BE IT RESOLVED, that the City hereby acknowledges its intent 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, 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 the City minimum standards for wastewater improvements;

BE IT FURTHER RESOLVED, that the intent of acceptance as acknowledged 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 Hutch Subdivision Development.

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.

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

WHEREAS, the Developer (Robert Edward Lee, Jr.) for the proposed "Robert Edward Lee, Jr's Subdivision (Parcels 1 & 2)", has submitted a "Short Form" Application for

Subdivision Review and Plat approval; and

WHEREAS, the Application and Plat have been reviewed and approved by the City Engineer;

NOW, THEREFORE BE IT RESOLVED that the Mayor is authorized to approve and Accept the subdivision as shown on the filing plat

24. On motion by Councilman Martin, seconded by Councilman Dorn and passed, it was resolved approve a resolution:

WHEREAS, the City of Pineville, received the following bids on Wednesday, May 23, 2007, for SUSEK DRIVE (EDGEWOOD DRIVE TO PINEHURST DRIVE) CLEARING, GRUBBING, WATER DISTRIBUTION AND SEWER FORCE MAIN RELOCATIONS (RELATED TO STATE PROJECT NO. 742-07-0098):

CONTRACTOR	BASE BID
*1. <del>Wastewater Services, Inc.</del> (Bid Withdrawn)	<del>\$1,285,062.60</del>
2. Nottingham Construction Co., LLC	\$1,441,656.00
3. Cecil D. Gassiott, Contractor	\$1,447,500.00
4. Rylee Contracting, Inc.	\$1,476,275.00

\*WHEREAS, the apparent low Bidder, Wastewater Services, Inc. of Oakdale, Louisiana has withdrawn his bid because of unintentional and substantial mathematical errors in accord with La.R.S. 38:2214 (C) and La.R.S. 48:255 (C); and

WHEREAS, the Engineer has reviewed and tabulated the bids received and has recommended award to the low responsive bidder, Bidder, Nottingham Construction Co., LLC, in the amount of \$1,441,656.00.

NOW THEREFORE BE IT RESOLVED, that the Contract for said construction work is hereby awarded to Nottingham Construction Co., L.L.C., for the Base Bid in the amount of \$1,441,656.00 as recommended by the Engineer; and said award being contingent upon verification and approval of the award by the State of Louisiana, Division of Administration, Office of Facility Planning and Control (FP&C); said contingent award provisions to be applicable if it is determined by FP&C that Capital Outlay funds as appropriated for the Susek Drive project can be utilized on this segment of work.

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

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

WHEREAS, the Developer (Petron, L.L.C) for the proposed of Petron Commercial Park at Kingsville, 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 for submission to the Department of Health and Hospitals (DHH) for review and approval by the Developer's Engineer; and,

WHEREAS, DHH has requires that the City provide a Resolution indicating its intention to operate and maintain the improvements once constructed.

NOW, THEREFORE BE IT RESOLVED, that the City hereby acknowledges its intent 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 permits 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 the City minimum standards for wastewater improvements;

BE IT FURTHER RESOLVED, that any 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 Petron Commercial Park at Kingsville.

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

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

WHEREAS, the City of Pineville has received the request of Petron, Inc., that the subdivision known as Petron Commercial Park Kingsville/ Lots 1 - 11 be approved and accepted by the City of Pineville; and,

WHEREAS, the City of Pineville has received a recommendation of approval from the City's Engineer;

NOW THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to execute the Filing Plat of the subdivision and other documents showing the dedication of public servitudes and property lines; and further authority that the Filing Plat to be recorded with the Rapides Parish Clerk of Court.

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

WHEREAS, the City of Pineville, received the following bids on Thursday, May 31, 2007, for CITY OF PINEVILLE, TWO (2) WATER PRODUCTION WELLS AND ASSOCIATED WATER MAINS 2006 CAPITAL IMPROVEMENTS LOUISIANA HIGHWAY 28 EAST AREA:

CONTRACTOR	BASE BID
1. G.D.Womack Trenching, Inc.	\$1,515,442.20
2. Trek, Inc.	\$1,580,320.36
3. Mid-South Water and Machine Works, LLC	\$1,607,078.00

WHEREAS, the Engineer has reviewed and tabulated the bids received and had recommended award to the low bidder, G.D. Womack Trenching, Inc. in the amount of \$1,515,442.20.

NOW THEREFORE BE IT RESOLVED, that the Contract for said construction work is hereby awarded to the low bidder, G.D. Womack Trenching, Inc. for the Base Bid in the amount of \$1,515,442.20 as recommended by the Engineer.

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

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

WHEREAS, the City of Pineville has received the recommendation of Monceaux-Buller and Associates, L.L.C., that the sewer system extensions to the municipal facilities of the City of Pineville, constructed by C.G. Logan Construction Inc. as Contractor for Richfield Development, L.L.C. as Developer and known as Richfield Subdivision- Phase I, have been satisfactorily completed according to the plans and specifications approved by the City; and has received a form of Dedication of Facilities and Agreement for Maintenance from the Developer; and

WHEREAS, the City of Pineville has received a recommendation of acceptance from the City Engineer;

NOW THEREFORE BE IT RESOLVED, the Mayor is hereby authorized to accept a dedication of said facilities to the City of Pineville as a donation for public use as a part of the City's municipal facilities provided the City is held harmless from all costs of liens, claims and damages, and provided the Developer furnishes all maintenance and repair on the facilities for two (2) years from the date of the acceptance of the dedication of the facilities to the City.

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

WHEREAS, the City of Pineville has received the request of Richfield Developments, L.L.C., that the Subdivision Plat and Utility Servitude for sewer lines in the subdivision known as Richfield Subdivision – Phase I be approved and accepted by the City of

Pineville; and,

WHEREAS, the City of Pineville has received a recommendation of approval from The City's Engineer;

NOW THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to execute the Utility Servitude and other documents showing the dedication of servitudes and property lines, said Utility Servitude Documents to be recorded with the Rapides Parish Clerk of Court.

- At this time, the Mayor called for any public comments.
- Mr. Freddie Mack approached the podium and addressed the Mayor and the Council regarding the FOD Program at the Pineville Airport
- Code Enforcement Officer Wayne Dauzat informed the Mayor and Council that Mr. Gaspard from item #17 has already obtained a permit from the Parish and has begun work at the property located on Davis Drive.
- Madonna LeBlanc, Special Events Coordinator, announced Fireworks over Buhlow, Wednesday July 3<sup>rd</sup>, and other upcoming events later in the year.
- Public Works Director, Charlie Moore announced Ward 9 would host USSSA World Series Games July 8<sup>th</sup> through July 14<sup>th</sup>, 2007.

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

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

06/15/2007  
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 meeting of the Mayor and Council of the City of Pineville, State of Louisiana, in legal session convened on the 12<sup>th</sup> day of June 2007.

/s/ Ellen Melancon  
Ellen Melancon, City Clerk