

CITY OF PINEVILLE
Regular Council Meeting
August 14, 2007 - 6:00 P.M.
Pineville City Hall

MINUTES

Mayor Clarence R. Fields and the Council of the City of Pineville, Louisiana, met in Regular Session on Tuesday August 14, 2007 at 6:00 p.m. in the council room of Pineville City Hall located at 910 Main Street, Pineville, Louisiana.

1. The Mayor called the meeting to order.
2. Councilman Dorn 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
<u>Absent</u>	Councilman Martin
5. On motion by Councilman Bouchie, seconded by Councilwoman Van Mol and passed, it was resolved to accept the minutes of the July 17th meeting as published.
6. On motion by Councilman Dorn, seconded by Councilman Bouchie and passed, it was resolved to accept the financial report as read by Mr. Mark Roberts.
7. The Mayor recognized the Pineville Darling All Stars for winning the 2007 Dixie World Series in West Stanley County, North Carolina.
8. On motion by Councilwoman Van Mol, seconded by Councilman Bouchie and passed, it was resolved to table this item.
9. On behalf of the Zoning Commission, Chairman Tom David, reported that it was the recommendation of the Commission that no action be taken until procedures for notification of property owners are put into place. On motion by Councilman Dorn, seconded by Councilman Bishop and passed, it was resolved to approve the recommendation of the Zoning Commission and table this item until such guidelines are established.
10. On motion by Councilman Bouchie, seconded by Councilwoman Van Mol and passed, it was resolved to adopt an ordinance for annexation of property located at 3120 Hwy. 28 East, belonging to Petron, Inc, and known as Red River Bank. Roll call is as follows:

Yeas	Councilpersons Bishop, Dorn, Van Mol, Bouchie
Nays	None
Abstain	None
Absent	Councilman Martin
11. On motion by Councilman Bouchie, seconded by Councilwoman Van Mol and passed, it was resolved to adopt an ordinance for annexation of property located at 3305 Hwy. 28 E belonging to First Federal Bank. Roll call was as follows:

Yeas	Councilpersons Bishop, Dorn, Van Mol, Bouchie
Nays	None
Abstain	None
Absent	Councilman Martin
12. On motion by Councilwoman Van Mol, seconded by Councilman Dorn and passed, it was resolved to declare surplus from various departments.
13. On motion by Councilwoman Van Mol, seconded by Councilman Bouchie and passed, it was resolved to approve advertising, with the authority to award, for yearly bids for commonly used items.
14. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to table the nomination and election of Mayor Pro-Tempore for fiscal year 2007-2008 until all Councilpersons were present. Roll call was as follows:

Yeas	Councilpersons Bishop, Dorn, Van Mol, Bouchie
Nays	None
Abstain	None
Absent	Councilman Martin

15. On motion by Councilman Bishop, seconded by Councilman Bouchie and passed, it was resolved to approve staff and committee appointments for fiscal year 2007-2008 as follows:
Finance Committee – Kevin Dorn, Chairperson
Planning Commission – Mayor Fields (Alt. Rich Dupree), Carol Van Mol (Alt. Wayne Dauzat), Kevin Dorn (Alt. Tom Bouchie or Charles Hurks)
Legal Committee – Tom Bouchie, Chairperson
Recreation Committee – Carol Van Mol, Chairperson
Insurance Committee – Diane Ray, Chairperson
Infrastructure Committee – Nathan Martin, Chairperson
Electrical Board – E. C. Evans, Chairperson
Plumbing Board – Joe Bishop, Chairperson
Zoning Commission – Thomas David, Chairperson
Metropolitan Planning Organization – Mayor Fields, Nathan Martin
Staff – Ellen Melancon, City Clerk, Charles Moore, Public Works Director, Eddie Laborde, Fire Chief
16. On motion by Councilman Bouchie, seconded by Councilwoman Van Mol and passed, it was resolved to designate the Alexandria Daily Town Talk as the official journal, fiscal year 2007-2008.
17. On motion by Councilman Bishop, seconded by Councilman Bouchie and passed, it was resolved to designate Pan American Engineers as City Engineer, fiscal year 2007-2008.
18. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to designate the firm of Rozier, Harrington and McKay as City Auditors, fiscal year 2007-2008.
19. On motion by Councilwoman Van Mol, seconded by Councilman Bouchie and passed, it was resolved to designate the firm of Faircloth, Vilar and Elliot, LLC, as City Attorney, fiscal year 2007-2008.
20. On motion by Councilman Bishop, seconded by Councilman Dorn and passed, it was resolved to designate Gary Hayes as City Prosecutor, fiscal year 2007-2008.
21. On motion by Councilman Bishop, seconded by Councilman Dorn and passed, it was resolved to accept for publication and refer to the Zoning Commission a petition for variance relative to setback requirements on property located at 1101 Main Street belonging to Lance Lopez, owner of Express Auto Glass.
22. 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 for variance relative to the proposed site plan of Cenla Ice House, LLC, located at 4811 Hwy. 28 East, belonging to Kirk Garber.
23. On motion by Councilman Dorn, seconded by Councilman Bishop and passed, it was resolved to accept for publication and refer to the Zoning Commission a petition for rezoning of property located at 2002 Melrose Street, belonging to Ronnie Price, owner of Cenla Motors.
24. 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 received the recommendation of Linfield, Hunter & Julius, Inc., Architects and Engineers that the water and sewer extensions to the municipal facilities of the City of Pineville, constructed by Redd Realty Services, Inc. as Developer and known as CVS Pharmacy – Edgewood Drive and LA Hwy 28, have been satisfactorily completed according to the plans and specifications previously 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, that 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.

25. On motion by Councilman Bishop, seconded by Councilman Dorn and passed, it was resolved to approve a resolution calling for redemption on October 1, 2007, all of the outstanding maturities of the Taxable Refunding Certificates of Indebtedness, Series 2001B, dated September 13, 2001, of the City of Pineville, State of Louisiana; 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 (the "Board"), acting as the governing authority of the City of Pineville, State of Louisiana (the "Issuer"), that:

SECTION 1) There is hereby authorized and approved the call for redemption on October 1, 2007, of all of the Issuer's currently outstanding Taxable Refunding Certificates of Indebtedness, Series 2001B, dated September 13, 2001 (the "Series 2001B Bonds"), consisting of \$405,000 principal amount of said Bonds, maturing September 1, 2008 to September 1, 2010, inclusive, to be redeemed at a price of par, plus accrued interest.

SECTION 2) The Notice of Redemption attached hereto and identified as Exhibit "A" is hereby approved and the City Clerk is hereby authorized to execute said Notice for, on behalf of and in the name of the Issuer, such Notice to be in substantially the form appearing as Exhibit "A" hereto with such completions and additions as are necessary to carry out the intent of this resolution.

SECTION 3) In accordance with the provisions of the ordinance of July 24, 2001, providing for the issuance of the Series 2001B Bonds, the notice shall be given by first class mail, postage prepaid, mailed at least thirty (30) days prior to the redemption date to the owner of each Series 2001B Bonds.

SECTION 4. All Series 2001B Bonds thus called for redemption will cease to bear interest from and after October 1, 2007.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Councilpersons Bishop, Dorn, Van Mol, Bouchie

NAYS: None

ABSENT: Councilman Martin

**NOTICE OF CALL FOR REDEMPTION
CITY OF PINEVILLE, STATE OF LOUISIANA
TAXABLE REFUNDING CERTIFICATES OF INDEBTEDNESS
SERIES 2001B DATED SEPTEMBER 13, 2001**

NOTICE IS HEREBY GIVEN pursuant to a resolution adopted by the Mayor and Board of Aldermen of the City of Pineville, State of Louisiana, acting as the governing authority of the City of Pineville, State of Louisiana, on August 14, 2007, \$405,000 aggregate principal amount of outstanding Taxable Refunding Certificates of Indebtedness, Series 2001B, dated September 13, 2001, consisting of all of the certificates of said issue maturing on September 1, 2008 to September 1, 2010, inclusive (the "2001B Bonds"), are hereby called for redemption on October 1, 2007, as follows:

<u>Maturity</u> <u>Date</u>	<u>Principal</u>	<u>Interest</u> <u>Rate</u>	<u>CUSIP</u> <u>Numbers</u>
September 1, 2008	\$125,000	7.00%	723359 HD0
September 1, 2009	135,000	7.00%	723359 HE8
September 1, 2010	145,000	7.00%	723359 HF5

No further interest will accrue and be payable on the 2001B Bonds from and after October 1, 2007. The 2001B Bonds should not be surrendered for payment until October 1, 2007, and then at Argent Trust, a division of National Independent Trust Company, in the City of Ruston, Louisiana, as paying agent and registrar for the 2001B Bonds, as follows:

By Hand, Express Mail

or Courier Service

Argent Trust
Attn: Lana Wade
500 E. Reynolds Drive
Ruston, Louisiana 71270

By Mail

Argent Trust
Attn: Lana Wade
P. O. Drawer 1410
Ruston, Louisiana 71270

The Owners of the 2001B Bonds are reminded that the Federal Interest and Dividend Tax Compliance Act of 1983 requires that the paying agent, as payor, withhold 30% of the principal amount if a Taxpayer Identification Number has not been provided by the owner as payee. If the Tax Identification Number has not previously been provided to the paying agent, then the owners of the 2001B Bonds are requested to provide this information to the paying agent with a Form W-9 in order to avoid the aforesaid withholding.

The CUSIP Numbers listed above are provided for convenience of the bondholders. The Issuer does not certify as to their correctness.

- On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to add an item to the agenda.

26. On motion by Councilman Bouchie, seconded by Councilman Bishop and passed, it was resolved to change next month's Zoning Commission meeting to Monday September 10, 2007 at 5:30 p.m. Roll call was as follows:
- | | |
|---------|---|
| Yeas | Councilpersons Bishop, Dorn, Van Mol, Bouchie |
| Nays | None |
| Abstain | None |
| Absent | Councilman Martin |
- On motion by Councilman Bouchie, seconded by Councilman Bishop and passed, it was resolved to add an item to the agenda.
27. On motion by Councilwoman Van Mol, seconded by Councilman Dorn and passed, it was resolved to enter into executive session relative to the City of Pineville v. Greg Aymond
- Instead of going into Executive Session, discussion was held in open session with City Attorney, Jimmy Faircloth, stating various facts and dates relative to the City of Pineville v. Greg Aymond.
 - Ms. Madonna Leblanc commended Mayor Fields for his recent installation as President of the Louisiana Municipal Association, stating that the City of Pineville was proud to have him as our representative.

There being no further business to come before the Council, a motion to adjourn was made by Councilwoman Van Mol and seconded by Councilman Bishop. The motion unanimously carried and Mr. Lawrence Foster closed with the benediction.

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

08/21/2007
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 14th day of August 2007.

/s/Ellen Melancon
Ellen Melancon, City Clerk