

CITY OF PINEVILLE  
REGULAR COUNCIL MEETING  
SEPTEMBER 11, 2007

MINUTES

*Mayor Clarence R. Fields and the Council of the City of Pineville met in Regular Session on Tuesday September 11, 2007 at 6:00 p.m. in the Council Room of Pineville City Hall located at 910 Main Street Pineville, Louisiana.*

1. Mayor Fields called the meeting to order asking for a moment of silence in memory of the September 11, 2001 tragedy.
2. Councilman Martin offered the invocation
3. Councilman Dorn led the Pledge of Allegiance.
4. Roll call was as follows:

<u>Present</u>	Councilpersons Bishop, Dorn, Van Mol, Martin
<u>Absent</u>	Councilman Bouchie
- On motion by Councilman Martin, seconded by Councilwoman Van Mol and passed, it was resolved to add an item to the agenda.
- 4a. Mayor Fields presented a certificate of recognition to seven-year-old Trever Moran for winning the 2007 World Championship – Kumite for the second time since 2005.
5. On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to accept the minutes of the August 14<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 Ms. Jackie Loyd, Finance Department.
7. Mayor Fields recognized Y.A.L.E. high school student Devin West for writing the winning essay of a contest offered by The Young Lawyers Division of the Alexandria Bar Association in connection with Law Day 2007
8. Mayor Fields recognized Pineville High School students Kristie Maria Aaron, Philip Melder and Wesley Rougeou for being chosen to march in the 81<sup>st</sup> Annual Macy's Thanksgiving Day Parade
9. Mayor Fields recognized Mr. Michael Tudor for his years of service to the England Authority and on behalf of the Council wished him well in his retirement.
- On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to skip to Item #13.
13. On motion by Councilman Bishop, seconded by Councilman Dorn and passed, it was resolved to approve the appointment of Mr. Willie Spears to the England Authority.

Roll call was as follows:	
Yeas	Councilpersons Bishop, Dorn, Van Mol, Martin
Nays	None
Abstain	None
Absent	Councilman Bouchie
10. In the absence of Zoning Commission Chairman, Tom David, Mr. Eddy Lashney gave the report of the Zoning Commission as follows:
  - A. This item relative to the rezoning of property located at 1804 Melrose Street, belonging to Dr. Bruce Guillory, DVM, from Commercial-1 to Commercial-2, was tabled.
  - B. On motion by Councilman Bishop, seconded by Councilwoman Van Mol and passed, it was resolved to accept the recommendation of the Zoning Commission and approve the variance relative to setback requirements on property located at 1101 Main Street belonging to Lance Lopez, owner of Express Auto Glass. This variance would allow for placement of the building eighteen feet (18') from the property line instead of the usual twenty-five feet (25').

Roll call was as follows:

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

- C. On motion by Councilman Martin, seconded by Councilwoman Van Mol and passed, it was resolved to accept the recommendation of the Zoning Commission and approve the site plan of the proposed Cenla Ice House, LLC, located at 4811 Hwy. 28 East, with the addition of a hard surface driveway to be installed at a length to be determined by Code Enforcement.

Roll call was as follows:

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

- D. On motion by Councilman Dorn, seconded by Councilman Bishop and passed, it was resolved to accept the recommendation of the Zoning Commission and approve the rezoning of property located at 2002 Melrose Street, belonging to Ronnie Price, owner of Cenla Motors, from Commercial-1 to Commercial-2, for the sale of used cars. Roll call was as follows:

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

11. On motion by Councilwoman Van Mol, seconded by Councilman Dorn and passed, it was resolved to nominate Councilman Nathan Martin as Mayor Pro Tempore for fiscal year 2007-2008. Roll call was as follows:
- |         |   |
|---------|---|
| Yeas    | Councilperson Bishop, Dorn, Van Mol, Martin |
| Nays    | None  |
| Abstain | None  |
| Absent  | Councilman Bouchie                          |
12. On motion by Councilwoman Van Mol, seconded by Councilman Martin and passed, it was resolved to declare as surplus a radio tower antenna no longer used in the Public Works Department.
13. This item was addressed after item 9.
14. 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 518 Edgewood Drive belonging to Rose Mary Sandefur from R-1 to C-1, for use as a beauty salon.
15. 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 a variance of the billboard ordinance relative to property located at Hwy. 165 and Maryhill Road, belonging to Eddie Laborde.
- On motion by Councilman Dorn, seconded by Councilwoman Van Mol and passed, it was resolved to amend item 16 to “refer to the Zoning Commission.”
16. 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 an ordinance amending the Mobile Home Overlay District to include JoAnne and Pelican Drive.
17. On motion by Councilman Bishop, seconded by Councilman Martin and passed, it was resolved to accept for publication an ordinance authorizing the Mayor to enter into an Intergovernmental Agreement with the City of Alexandria relative to animal control.

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

WHEREAS, the City of Pineville has entered into an Agreement with the Department of Transportation and Development (DOTD) to construct a multi-use path, lighting and hard-scape and related work along City, State and Red River Waterway Commission rights-of-way as part of the Riverfront development; being known as the “Old Town Trail System”; and,

WHEREAS, Bids have been received by DOTD for this project and contracts are awaiting to be awarded subject to development and executing an Amendment to the original Agreement between DOTD and the City related to the project scope and funding; and,

WHEREAS, DOTD has prepared the First Amended Agreement related to this project and said Amendment is agreeable to the City related to the amended project scope and amended maximum federal funds available, currently being established at \$880,000.

NOW THEREFORE BE IT RESOLVED, that the Mayor is hereby designated as the authorized Signatory Party to execute the First Amended Agreement (Supplemental Agreement No. 1), for State Project No. 744-40-0015, FAP No. ENH – 4000(512) – Old Town Trail System in Pineville, Rapides Parish

Roll call was as follows:

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

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

WHEREAS, the City of Pineville has been informed that the State of Louisiana, Division of Administration, CDBG Section will be accepting applications for FY 2008/2009 Louisiana Community Development Block Grants (LCDBG); and,

WHEREAS, the City of Pineville acknowledges that the Louisiana Community Development Block Grant program is an excellent source of funding for needed community improvements;

NOW, THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to hold a public hearing on September 24, 2007 at 5:00p.m. at City Hall to obtain citizen views on community needs.

Roll call was as follows:

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

20. On motion by Councilwoman Van Mol, seconded by Councilman Martin and passed, it was resolved to approve a resolution supporting the expansion of Fort Polk and requesting support of the Louisiana Congressional Delegation:

WHEREAS, Central Louisiana has had a historic association with significant military installations including Fort Polk, Camp Beauregard and England Air Force Base (before its closing); and,

WHEREAS, the business communities of these parishes, through their respective Chambers of Commerce, have endorsed the expansion of military operations in the parishes; and,

WHEREAS, Fort Polk is being considered for the stationing of a new Army brigade that would increase its troop strength by approximately 4,000 Soldiers and 5,400 Family members; and,

WHEREAS, the increase in troop strength will generate an estimated 7,000 new jobs; and,

WHEREAS, Fort Polk is a huge economic engine for the region and the largest employer in the State of Louisiana; and,

WHEREAS, Vernon, Beauregard and Rapides Parishes have united in a Tri-Parish Coalition to work in partnership with Fort Polk for the betterment of the quality of life for Fort Polk Soldiers, their Families and the residents of the three parishes; and,

WHEREAS, the business, political and educational leadership of the three parishes has pledged their support for expanded infrastructure in terms of transportation, business opportunities, employment opportunities and educational opportunities as well as appropriate and continuing attention to a stronger and family friendly quality of life for military personnel;

NOW, THEREFORE BE IT RESOLVED, that the City of Pineville, Louisiana does hereby pledge its full support to work to provide the desired quality of life to incoming Soldiers, their Families, supporting civilians and contractors; and,

BE IT RESOLVED that the City of Pineville strongly encourages the Louisiana Congressional delegation to unite in their support and to take all appropriate steps to secure the location of a brigade size unit at Fort Polk.

BE IT FURTHER RESOLVED, that the Louisiana Congressional delegation is encouraged to secure adequate funding to provide quality operational and administrative facilities for the new Brigade and associated family members.

Roll call was as follows:

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

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

WHEREAS, the City of Pineville has not been able to amicably acquire Parcel No. 9-5 of State Project No. 742-40-0014 identified on the plat attached hereto (the "Property").

WHEREAS, it is necessary or useful for the City of Pineville to take the Property pursuant to and for the purposes of Part III-H of Title 19 of the Revised Statutes.

NOW, THEREFORE BE IT RESOLVED that the City of Pineville does hereby authorize the taking of the Property pursuant to Part III-H of Title 19 of the Revised Statutes.

BE IT FURTHER RESOLVED, that the City of Pineville does hereby declare that the taking of the Property is necessary or useful for the purposes of Part III-H of Title 19 of the Revised Statutes.

Roll call was as follows:

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

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

WHEREAS, the City of Pineville has not been able to amicably acquire Parcel No. 9-6 of State Project No. 742-40-0014 identified on the plat attached hereto (the "Property").

WHEREAS, it is necessary or useful for the City of Pineville to take the Property pursuant to and for the purposes of Part III-H of Title 19 of the Revised Statutes.

NOW, THEREFORE BE IT RESOLVED that the City of Pineville does hereby authorize the taking of the Property pursuant to Part III-H of Title 19 of the Revised Statutes.

BE IT FURTHER RESOLVED, that the City of Pineville does hereby declare that the taking of the Property is necessary or useful for the purposes of Part III-H of Title 19 of the Revised Statutes.

Roll call was as follows:

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

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

WHEREAS, the City of Pineville has not been able to amicably acquire Parcel No. 15-7 of State Project No. 742-40-0014 identified on the plat attached hereto (the "Property").

WHEREAS, it is necessary or useful for the City of Pineville to take the Property pursuant to and for the purposes of Part III-H of Title 19 of the Revised Statutes.

NOW, THEREFORE BE IT RESOLVED that the City of Pineville does hereby authorize the taking of the Property pursuant to Part III-H of Title 19 of the Revised Statutes.

BE IT FURTHER RESOLVED, that the City of Pineville does hereby declare that the taking of the Property is necessary or useful for the purposes of Part III-H of Title 19 of the Revised Statutes.

Roll call was as follows:

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

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

WHEREAS, the City of Pineville has received the request of B.D.R. Properties, L.L.C. that the subdivision known as Beau Chene – Phase II (Lots 32-53) be approved and accepted by the City of Pineville; and,

WHEREAS, the City of Pineville has received a recommendation of approval form the City Engineer;

NOW THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to execute the *Filing Plat* of the subdivision showing the dedication of public rights-of-way, servitudes and property lines, said Filing Plat to be recorded with the Rapides Parish Clerk of Court.

Roll call was as follows:

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

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

WHEREAS, the City of Pineville has reviewed the plans and specifications for streets, drainage, sewer and water improvements and attachments to the municipal facilities known as ***Beau Chene Subdivision Phase II (Lots32-53)***, 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 B.D.R. Properties, L.L.C. as Developer for the above-described development.

Roll call was as follows:

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

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

WHEREAS, the City of Pineville has received the request of Stonegate Condominiums of Pineville, L.L.C., that the development known as Stonegate Condominiums be approved and accepted by the City of Pineville; and,

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

NOW THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to execute the *Filing Plat* of the development showing the dedication of servitudes and property lines, said Filing Plat to be recorded with the Rapides Parish Clerk of Court.

Roll call was as follows:

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

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

WHEREAS, the City of Pineville has reviewed the plans and specifications for extensions and attachments to the municipal facilities known as sewers for Stonegate Condominiums, 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 Stonegate Condominiums of Pineville, L.L.C., as Developer for the above-described development.

Roll call was as follows:

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

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

WHEREAS, the Developer (Verch, L.L.C. & Vollman, L.L.C.) for the proposed Skyline Subdivision (Lots 1 thru 5), which is located on LA 28 East, has requested that the City provide for operation and maintenance of water system/fire protection 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 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 has requested 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 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, 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 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; and,

BE IT FURTHER RESOLVED, that the City's sewage collection and treatment facilities can adequately handle the increased flow proposed for this phase of the Skyline Subdivision (Lots 1 thru 5); and

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

Roll call was as follows:

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

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

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

09/18/2007  
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 11<sup>th</sup> day of September 2007.

/s/ Ellen Melancon  
Ellen Melancon, City Clerk