

CITY OF PINEVILLE, LOUISIANA
REGULAR COUNCIL MEETING
JANUARY 13, 2009

MINUTES

Mayor Clarence R. Fields and the Council of the City of Pineville met in Regular Session on Tuesday January 13, 2009 at 6:00 p.m. in the Council Room of Pineville City Hall located at 910 Main Street Pineville, Louisiana.

1. Mayor Clarence R. Fields called the meeting to order.
2. Councilman Martin led the invocation.
3. Councilman Bouchie led the Pledge of Allegiance.
4. Roll call was as follows:

Present:	Councilpersons Galloway, Dorn, Van Mol, Bouchie, Martin
Absent:	None
5. On motion by Councilwoman Van Mol, seconded by Councilman Bouchie and passed, it was resolved to accept the December 9 & 30, 2008 minutes as published.
6. On motion by Councilman Martin, seconded by Councilman Dorn and passed, it was resolved to approve the financial report as read by Finance Manager, Mark Roberts.
7. On motion by Councilwoman Van Mol, seconded by Councilman Bouchie and passed, it was resolved to approve the audit report as given by City Auditor, Mr. Lee Willis. Roll call was as follows:

Yeas	Councilpersons Galloway, Dorn, Van Mol, Bouchie, Martin
Nays	None
Abstain	None
Absent	None
8. Attorney Ruby Freeman stated that after diligently searching for heirs to property located at 111 Holly Oak and being unable to locate any, it was her recommendation that the City move forward with the condemnation. Mr. Tom David stated that he and Code Enforcement Officer, Wayne Dausat, on behalf of the City, agreed with Attorney Freeman's recommendation that the condemnation proceed as planned. On motion by Councilman Dorn, seconded by Councilwoman Galloway and passed, it was resolved to approve the recommendation and proceed with the condemnation as planned. Roll call was as follows:

Yeas	Councilpersons Galloway, Dorn, Van Mol, Bouchie, Martin
Nays	None
Abstain	None
Absent	None
9. On motion by Councilman Dorn, seconded by Councilman Bouchie and passed, it was resolved to table this item relative to a petition to expand the Mobile Home Overlay district to include property located at 406 Kelly Lane, belonging to Staci & Joe Saucier, until February when the property owners would be able to attend the hearing. Roll call was as follows:

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

10. On motion by Councilman Bouchie, seconded by Councilman Martin and passed, it was resolved to adopt an Ordinance Providing For The Incurring of Debt and Issuance of \$8.5 Million Dollars (\$8,500,000.00) of Certificates of Indebtedness, Series 2009, of The City of Pineville, State of Louisiana, Prescribing the Form, Terms And Conditions Thereof and Providing For the Payment Thereof; Awarding Such Certificates To the Purchaser Thereof; and Providing For Other Matters In Connection Therewith. Roll call was as follows:

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

11. On motion by Councilwoman Van Mol, seconded by Councilwoman Galloway and passed, it was resolved to adopt an ordinance for annexation of property located at 3305 Hwy 28. East, belonging to First Federal Bank of Louisiana in order to correct the property description. Roll call was as follows:

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

12. On motion by Councilwoman Van Mol, seconded by Councilman Bouchie and passed, it was resolved to award bids for commonly used items.

13. On motion by Councilman Martin, seconded by Councilman Bouchie and passed, it was resolved to accept for publication a petition for annexation of property located at 3216 Skyline belonging to Helen W. Moore.

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

WHEREAS, the City of Pineville received the following Bids on Thursday, November 13, 2008 for the construction of the Sewer Extension to serve the U.S. 165 Economic Development Corridor Overbrook Drive area; and,

CONTRACTOR	BASE BID
1. Don M. Barron Contractor, Inc.	\$98,600.00
2. Rylee Contracting, Inc.	\$106,485.00
3. C.G. Logan Construction, LLC	\$107,884.50
4. Spinks Construction, Inc.	\$120,401.00
5. Crocker Construction, LLC	\$152,475.00

WHEREAS, the Bids have been checked and tabulated by Pan American Engineers - Alexandria, Inc., with a recommendation of award being made to the low Bidder;

NOW, THEREFORE BE IT RESOLVED, that the contract for said construction is hereby awarded to the low Bidder, Don M. Barron Contractor, Inc. for the Base Bid of \$98,600.00.

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

Roll call was as follows:

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

- On motion by Councilwoman Van Mol, seconded by Councilman Bouchie and passed, it was resolved to move item #17 to be next.

17. On motion by Councilman Bouchie, seconded by Councilwoman Van Mol and passed, it was resolved to change the name of Oak Ridge Service Road to Pearce Road. Roll call was as follows:

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

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

WHEREAS, the updated “Official City Street Map” has been prepared by the City Engineer and has been reviewed by the Mayor’s office, City Public Works Department, City Police Department, and Council Members for completeness and correctness;

NOW THEREFORE BE IT RESOLVED, that the map updated by the City Engineer, and entitled “Official City Street Map” is hereby adopted and those streets so designated on the map as City streets shall be those streets that the City hereby acknowledges as streets which the City maintains and operates improvements constructed thereon. Roll call was as follows:

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

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

WHEREAS, the City Engineer has made preliminary inspections of the following listed property as candidates for condemnation and demolition due to the reported dilapidated condition of the structures:

CASE FILE NO.	STREET ADDRESS
2008-01	1174 Cottingham Expressway (Car Wash Facility Adjacent to Martin Building Materials)

NOW THEREFORE BE IT RESOLVED, that the City Engineer is to serve notice to the property owners of the properties herein listed above and to notify them of the scheduling of a public hearing to consider whether or not the subject properties should be condemned and the structure demolished due to their reported dilapidated condition. Roll call was as follows:

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

17. See item before #15

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

WHEREAS, the City of Pineville and the Rapides Parish Police Jury understands that there are mutual benefits for undertaking a project of roadway improvements to Pinehurst Drive consisting of reconstruction of the base and roadway and correction of various roadway drainage deficiencies; and,

WHEREAS, the entire length of Pinehurst Drive is approximately 1.71 miles and the portion within the corporate limits of Pineville is approximately 0.94 miles, with the remaining portion outside the corporate limits totaling 0.77 miles; and,

WHEREAS, the City intends to award a construction contract for the improvements of Pinehurst Drive with the City serving as the project sponsor; and,

WHEREAS, the Rapides Parish Police Jury has stated its intent to participate in the funding on the project based upon a percentage of the project within the jurisdiction of the Police Jury; and,

WHEREAS, the City and the Police Jury agree that, in order for this project to be implemented, a Cooperative Endeavor Agreement should be developed that outlines the conditions of construction and joint funding.

NOW THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to enter into a Cooperative Endeavor Agreement for the Reconstruction of Pinehurst drive with the Rapides Parish Police Jury. Roll call was as follows:

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

Abstain Councilwoman Galloway
Absent None

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

WHEREAS, the City of Pineville and the Rapides Parish Police Jury understands that there are mutual benefits for undertaking a project of roadway improvements to Pinehurst Drive consisting of reconstruction of the base and roadway and correction of various roadway drainage deficiencies; and,

WHEREAS, the City of Pineville, received the following bids on Monday, December 8, 2008, for RECONSTRUCTION AND OVERLAY OF PINEHURST DRIVE (LA 28 EAST - DONAHUE FERRY ROAD):

CONTRACTOR	BASE BID
1. Tarver Land Development, LLC	\$656,580.00
2. Gilchrist Construction Co., LLC	\$692,236.00
3. Apeck Construction, Inc.	\$748,298.00
4. Progressive Construction Co., Inc.	\$748,479.00
5. Diamond B. Construction Co., LLC	\$763,551.00
6. T.L. Construction, Inc.	\$805,170.00
7. W.E. McDonald & Sons, LLC	\$1,218,974.00

WHEREAS, the Engineer has reviewed and tabulated the bids received and has recommended award to the low bidder, Tarver Land Development, L.L.C., in the amount of \$656,580.00.

NOW THEREFORE BE IT RESOLVED, that the Contract for said construction work is hereby awarded to Tarver Land Development, L.L.C. for the Base Bid in the amount of \$656,580.00 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. Roll call was as follows:

Yeas Councilpersons Dorn, Van Mol, Bouchie, Martin
Nays None
Abstain Councilwoman Galloway
Absent None

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

WHEREAS, the City entered into negotiations with Donald and Lisa Clair for the Acquisition to Right-of-Way related to the Susek Drive project (State Project No. 742-40-0014 related to Parcel Nos. 15-7 and 15-7-C-1); and,

WHEREAS, the initial negotiation efforts were not successful in that no agreement was able to be reached regarding the value of the parcel or potential damages to fixed assets related to the proposed clearing, grubbing and future roadway construction; and,

WHEREAS, the Clair's were represented by Counsel and as such, the Mayor requested that the City be represented in any further discussions by the City Attorney's Office; and,

WHEREAS, after various meetings, negotiations and offers and counteroffers, a value was established that was considered to be equitable for the value of the property acquired, as well as setting a damage value to property; and,

WHEREAS, the Mayor in order to proceed with fulfillment of negotiation agreements proceeded with the execution of the sale documents based upon the recommendation of the City Attorney's Office.

NOW THEREFORE BE IT RESOLVED, that this resolution shall ratify and provide authorization for the Mayor to execute all documents related to the acquisition right-of-way Parcel Nos. 15-7 and 15-7-C-1 from Donald and Lisa Clair for the Susek Drive reconstruction project, based upon recommendations and documents prepared by the City Attorney's Office. Roll call was as follows:

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

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

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

21. On motion by Councilwoman Van Mol, seconded by Councilman Dorn and passed, it was resolved to accept for publication an ordinance for adoption of the International Property Maintenance Code. Roll call was as follows:

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

The floor was opened for public comment. There being no further business to come before the Council, a motion was made by Councilman Bouchie to adjourn. The motion was seconded by Councilwoman Van Mol and unanimously carried. Councilman Dorn closed with the benediction.

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

January 16, 2009
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 a regular meeting of the Mayor and Council of the City of Pineville, Parish of Rapides, State of Louisiana, in legal session convened on the 13th day of January 2009.

/s/ Ellen Melancon /
Ellen Melancon, City Clerk