

**PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY  
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING  
OCTOBER 7, 2008**

The City Council of the City of Bossier City, State of Louisiana, met in regular session in Council Chambers, 620 Benton Road, Bossier City, Louisiana, Tuesday, October 7, 2008 at 3:00 PM

Invocation was given by Council Member James Rogers

Pledge of Allegiance led by Council Member Don Williams

Roll Call as Follows:

Present: Honorable Scott Irwin, President; Honorable Councilors Timothy Larkin, David Montgomery, Jr., Jeffery Darby, Don Williams, David Jones, Dr. James Rogers.

Absent: none

Present: James Hall, City Attorney, Phyllis McGraw, Deputy City Clerk and Helen Thornton, City Clerk.

By: Mr. Williams

Motion made to approve the minutes of September 16, 2008 meeting and dispense with the reading.

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

By: Dr. Rogers

Motion made to approve agenda

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

**The following Ordinance offered and adopted:**

**Ordinance No. 81 Of 2008**

**AN ORDINANCE RATIFYING, AUTHORIZING AND APPROVING THE ENGAGEMENT OF KPMG LLP TO PROVIDE PROFESSIONAL SERVICES TO AUDIT THE FINANCIAL STATEMENTS OF THE CITY OF BOSSIER CITY; CENTURY TEL ARENA FUND, FIREMEN'S PENSION AND RELIEF FUND, AND POLICEMEN'S PENSION AND RELIEF FUND.**

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**WHEREAS**, KPMG LLP, has conducted audits of the finances of the referenced entities for years; and

**WHEREAS**, the referenced entities are required to have annual audits and receive a comprehensive annual financial report for the year ended December 31, 2008;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Bossier City, Louisiana, in regular session convened, that Scott Irwin is hereby authorized to execute letters of engagement with KPMG LLP and said letters of engagement are hereby ratified and approved.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Dr. James Rogers, and seconded by Mr. David Jones, and adopted on the 7th, day of October, 2008, by the following vote:

AYES: Mr. Larkin, Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones and Dr. Rogers

NAYS: none

ABSENT: none

ABSTAIN: none

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**Scott Irwin, President**

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**Helen Thornton, City Clerk**

The following Ordinance offered and adopted:

**ORDINANCE NO. 82 OF 2008**

**AN ORDINANCE WHEREBY THE CITY COUNCIL OF THE CITY OF BOSSIER CITY AUTHORIZES THE MAYOR TO EXECUTE A STREET AND UTILITY EASEMENT ABANDONMENT PLAT TO ABANDON ALL OF HANSON STREET, ALL OF DENNIS STREET AND PART OF KILPATRICK DRIVE TOGETHER WITH ADJACENT UNUSED UTILITY EASEMENTS.**

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**WHEREAS**, Kilpatrick Place Subdivision was previously dedicated in 1982 into the records of Bossier Parish plat book 583, page 398; and

**WHEREAS**, in order to provide open space for industrial development, some streets and utility easements as previously dedicated to the public are no longer needed; and

**WHEREAS**, only a portion of Kilpatrick Drive was actually constructed with no other dedicated street being constructed; and

**WHEREAS**, a Street and Utility Easement Abandonment Plat is attached to this Ordinance and shall become a part of this ordinance.

**NOW, THEREFORE, BE IT ORDAINED** that the City Council of the City of Bossier City, in regular session convened, hereby authorizes the Mayor to execute a Street and Utility Easement Abandonment Plat to abandon all of Hanson Street, all of Dennis Street, and part of Kilpatrick Drive together with adjacent unused utility easements.

**BE IT FURTHER ORDAINED**, that the Mayor is authorized to sign any and all documents in connection with the furtherance of this Ordinance.

The above and foregoing Ordinance, read in full at open and legal session convened, was on motion of Dr. James Rogers and seconded by Mr. David Jones, and adopted on the 7th day of October, 2008, by the following vote:

AYES: Mr. Larkin, Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones and Dr. Rogers

NAYS: none

ABSENT: none

ABSTAIN: none

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Scott Irwin, President

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Helen Thornton, City Clerk

The following bids read by Steve Westbrook, Purchasing Agent:

A. Bossier City Civic Center Roof replacement and related scopes of work for the Building Maintenance Department:

1.	Grosjean Contractors	Base bid	\$455,400.00
		Alt bid	\$184,900.00
		Total	\$640,300.00
2.	Heritage One Roofing	Base bid	\$442,900.00
		Alt bid	\$165,000.00
		Total	\$607,907.00
3.	John Gibbs Roof System	Base bid	\$446,000.00
		Alt bid	\$168,000.00
		Total	\$614,000.00
4.	LA Roofing Contractors	Base bid	\$472,000.00
		Alt bid	\$176,000.00
		Total	\$648,000.00

By: Mr. Jones

Motion made to approve reading of bids.

Seconded by Dr. Rogers

Vote in favor of motion is unanimous.

B. HUD – Hooter Park Outdoor Basketball Court for Engineering Dept.

1.	Australian Court Works	\$66,600.00
2.	Quality Court Inc.	\$49,500.00
3.	Thompson General Contractor	\$63,316.00
4.	Vesco Tennis Courts	\$54,920.00

By: Mr. Jones

Motion made to approve reading of bids.

Seconded by Mr. Williams

Vote in favor of motion is unanimous.

C. Centurytel Center Paving replacement for Engineering Dept.

1.	Blount Brothers Construction	\$689,000.00
2.	Hand Construction	\$647,596.00
3.	Hollyfield Construction	\$748,798.79
4.	Ronald G. Carlson	\$718,600.00
5.	William N. Carter	\$1,268,500.00

By: Mr. Jones

Motion made to take bids under advisement

Seconded by Dr. Rogers

Vote in favor of motion is unanimous.

**The following Ordinance offered and adopted:**

**Ordinance No. 83 Of 2008**

**AN ORDINANCE AMENDING ORDINANCE NO. 62 OF 2008 LEVYING A TAX OF 21.69 MILLS ON ALL TAXABLE PROPERTY WITHIN THE LIMITS OF THE CITY OF BOSSIER CITY, LOUISIANA, FOR THE YEAR 2008, AND PROVIDING THE MANNER OF ASSESSMENT AND COLLECTION THEREOF.**

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**WHEREAS**, the referenced ordinance contains a typographical error in Section 2: subpart 4) which reads: 2.79 mills for the purpose of operation and maintenance of the Fire and Police Department, including salaries for the Fire and Police for the City of Bossier City, Louisiana, but should be 2.76 mills; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Bossier City, Louisiana, in regular session convened, that Ordinance 62 of 2008 Section 2 Subpart 4 is hereby amended to read as follows:

4) 2.76 mills for the purpose of operation and maintenance of the Fire and Police Departments, including salaries for the Fire and Police for the City of Bossier City, Louisiana.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Jeff Darby, and seconded by Mr. Don Williams, and adopted on the 7th, day of October, 2008, by the following vote:

AYES: Mr. Larkin, Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones and Dr. Rogers

NAYS: none

ABSENT: none

ABSTAIN: none

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**Scott Irwin, President**

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**Helen Thornton, City Clerk**

The following ordinance offered and adopted:

ORDINANCE NO. 84 OF 2008

AN ORDINANCE AMENDING ORDINANCE NO. 126 OF 2003, BY CHANGING THE ZONING CLASSIFICATION OF A ONE ACRE TRACT OF LAND LOCATED IN SECTION 6, T18N-R12W, BOSSIER CITY, LA, FROM R-LD, RESIDENTIAL-LOW DENSITY DISTRICT, TO B-1, BUSINESS, COMMERCIAL OFFICE DISTRICT, FOR A DAYCARE. (T. K. GLADNEY)

SECTION 1. BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that Ordinance No. 126 of 2003 of the City Council of the City of Bossier City, Louisiana, is hereby amended to provide that the zoning classification is hereby changed from R-LD, Residential-Low Density District, to B-1, Business, Commercial Office District, for the following:

A tract of land described as: from the southeast corner of Section 6, run north 1° 50' east 988.01 feet; thence south 89° 25' west 22 feet to the point of beginning; thence north 1° 50' east 208.71 feet; thence 89° 25' west 208.71 feet; thence south 1° 50' west 208.71 feet; thence north 89° 25' east 208.71 feet to point of beginning.

Motion was made by Mr. David Jones and seconded by Mr. Don Williams

to adopt the above ordinance. Upon the following vote, the ordinance was duly adopted this 7th day of October, 2008.

YEAS: Mr. Larkin, Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones and Dr. Rogers

NAYS: none

ABSTAIN: none

ABSENT: none

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SCOTT IRWIN, PRESIDENT

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HELEN THORNTON, CITY CLERK

C-53-08

**The following ordinance offered and adopted:**

**ORDINANCE NO. 85 OF 2008**

**AN ORDINANCE APPROVING A CONDITIONAL USE AT AN I-1 LOCATION, 3314 OLD MINDEN ROAD, BOSSIER CITY, LA, TO ADD ON-PREMISE CONSUMPTION OF HIGH CONTENT ALCOHOL AT THE EXISTING RESTAURANT IN THE BOWLING ALLEY.**

**WHEREAS, HOLIDAY LANES LLC DBA STRIKER'S CAFE has applied to the Bossier City-Parish, Metropolitan Planning Commission for a Conditional Use at an I-1 location, 3314 Old Minden Rd., Bossier City, LA, to add on-premise consumption of high content alcohol at the existing bowling alley restaurant, and**

**WHEREAS, a public hearing for the application was held on September 15, 2008, and**

**WHEREAS, the Planning Department has submitted the results of said public hearing, to the Mayor and the City Council of the City of Bossier City.**

**THE CITY COUNCIL OF THE CITY OF BOSSIER CITY HEREBY ORDAINS:**

**SECTION 1. That the Conditional Use for on-premise consumption of high content alcohol at an I-1 location, 3314 Old Minden Rd., Bossier City, LA 71112 is hereby approved.**

**Motion was made by Mr. David Jones and seconded by Dr. James Rogers**

**to adopt the above ordinance. Upon the following vote, the ordinance was duly adopted this 7th day of October, 2008.**

**YEAS: Mr. Larkin, Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones and Dr. Rogers**

**NAYS: none**

**ABSTAIN: none**

**ABSENT: none**

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**SCOTT IRWIN, PRESIDENT**

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**HELEN THORNTON, CITY CLERK**

**C-58-08**

By: Dr. Rogers

Motion made to introduce Ordinance providing for the issuance of Utilities Revenue Bonds, Series 2008, of the City of Bossier City, State of Louisiana; for the purpose of making additions, improvements, extensions, renewals, replacements or repairs to the waterworks plant and system and the sewer utility system, prescribing the form, fixing the details and providing for the payment of principal of and interest on said bonds and for the rights of the owners thereof; approving the Official Statement; awarding the bonds to the purchaser thereof; and providing for other matters in connection therewith.

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

By: Mr. Jones

Motion made to introduce Ordinance to appropriate an additional \$24,000.00 to come from the 2007 Bond Issue Funds to be used to supplement the existing contract with Civil Design Group Engineers to include additional survey and right-of-way work for that section of Swan Lake Road running from Shed Road North to I-220.

Seconded by Mr. Williams

Vote in favor of motion is unanimous.

By: Dr. Rogers

Motion made to introduce Ordinance to declare certain movable equipment owned by City of Bossier City as surplus to the City's need and provide for salvage and disposal according to law.

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

By: Mr. Darby

Motion made to introduce Ordinance to appropriate \$20,000.00 to come from the 2008 Sales Tax Capital Improvement to contract with Nicholas Landscape Inc. and to fund the required five percent match for the State of Louisiana Department of Transportation Enhancement Program for the Benton Road Overpass Landscape and Irrigation Project.

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

*The following Resolution offered and adopted:*

**RESOLUTION No 18 of 2008**

**ADOPT A RESOLUTION SUPPORTING THE CITY OF BOSSIER CITY'S SPONSORSHIP OF AN APPLICATION TO THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT'S TRANSPORTATION ENHANCEMENT PROGRAM FOR THE BENTON ROAD OVERPASS LANDSCAPE AND IRRIGATION PROJECT**

**WHEREAS**, the City of Bossier City is desirous of enhancing the City of Bossier City with areas of beautification to be located throughout the community; and

**WHEREAS**, the City of Bossier City has recently applied and has been selected to be included in the LA Transportation Enhancement Program in the amount of \$109,130.00 for the Benton Road Overpass Landscape and Irrigation Project to improve and landscape the new Benton Road Overpass; and

**WHEREAS**, the City of Bossier City will be known as the Sponsor for the project hereby certifies and accepts and assumes full responsibility for the Louisiana Transportation Enhancement Program requirements: (1) a 5% matching funds for the cost-reimbursable program, (2) the City of Bossier City will manage and maintain the project; (3) the City of Bossier City will assume any legal liability incurred as a result of the project (4) have a licensed Louisiana Landscape Architect submit all plans and specification to the Louisiana Department of Transportation as required, the City has selected Nicholas Landscape Incorporated for a cost of \$12,538.00 (Twelve thousand and five hundred thirty eight and no cents); and

**WHEREAS**, as the sponsor the City of Bossier City's matching portion for this cost-reimbursable program shall come from the City of Bossier City; and

**WHEREAS**, the City of Bossier City shall enter into a cooperative endeavor agreement for this project, which will state that the City shall act as the agency for this cost-reimbursable program and that all design, construction, management, maintenance and administrative costs shall be the sole responsibility of the City of Bossier City and the City agrees to assume any legal liability, as a result of the project.

**NOW, THEREFORE, BE IT RESOLVED** by the Bossier City Council in regular session convened does hereby authorize the Mayor to submit to the Louisiana Department of Transportation this resolution as a form of certification, as a requirement of the program.

**BE IT FURTHER RESOLVED THAT** Mayor Lorenz J. Walker is hereby authorized to sign a cooperative endeavor agreement for this project and any other documents in connection with the furtherance of this Resolution.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Jeff Darby, and seconded by Dr. James Rogers, and adopted on the 7<sup>th</sup> day of October, 2008, by the following vote:

AYES: Mr. Larkin, Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones and Dr. Rogers

NAYS: none

ABSENT: none

ABSTAIN: none

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Scott Irwin, President

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Helen Thornton, City Clerk

**The following Resolution offered and adopted:**

**RESOLUTION NO. 19 OF 2008**

**A RESOLUTION CERTIFYING OFF-SYSTEM BRIDGE PROGRAM COMPLIANCE FOR 2009 FOR THE CITY OF BOSSIER CITY, LOUISIANA**

**WHEREAS**, the Code of Federal Regulations as enacted by the United States Congress mandates that all structures defined as bridges located on all public roads shall be inspected and rated for safe load capacity and posted in accordance with the National Bridge Inspection Standards, and that an inventory of these bridges be maintained by each State; and

**WHEREAS**, responsibility to inspect, rate, and load post these bridges under the authority of Bossier City in accordance with those Standards is delegated by the Louisiana Department of Transportation and Development to Bossier Parish, and is delegated by Bossier Parish to Bossier City.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing authority of Bossier City (herein referred to as the City), that the City in regular meeting assembled does hereby certify to the Louisiana Department of Transportation and Development (herein referred to as the DOTD), that for the period of 1 October, 2008, through 30 September, 2009:

1. The City has performed all interim inspections on all City owned or maintained bridges in accordance with the National Bridge Inspection Standards.
2. All bridges owned or maintained by the City have been structurally analyzed and rated by the City as to the safe load capacity in accordance with AASHTO Manual for Maintenance Inspection of Bridges. The load posting information that has been determined by the LA DOTD for all bridges, where the maximum legal load under

Louisiana State law exceeds the load permitted under the operating rating as determined above, has been critically reviewed by the City. Load posting information has been updated by the City to reflect all structural changes, any obsolete structural ratings or any missing structural ratings.

3. All City owned or maintained bridges which require load posting or closings are load posted or closed in accordance with the table in the DOTD Engineering Directives and Standards Manual Directive No. 1.1.1.8. All DOTD supplied load posting information concerning a bridge has been critically reviewed by the City prior to load posting.
4. All bridges owned or maintained by the City are shown on the attached list in the format specified by the DOTD. Corrections to data supplied to the City by the LA DOTD are noted.

These stipulations are prerequisites to participation by Bossier Parish and Bossier City in the Off-System Bridge Replacement Programs.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. David Jones, and second by Mr. Don Williams, and adopted on the 7th day of October, 2008, by the following vote:

AYES: Mr. Larkin, Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones and Dr. Rogers

NAYS: none

ABSENT: none

ABSTAIN: none

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Scott Irwin, President

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Helen Thornton, City Clerk

**The following Resolution offered and adopted:**

**RESOLUTION NO. 20 OF 2008**

**A RESOLUTION TO ADOPT THE 2008 MUNICIPAL WATER POLLUTION PREVENTION PLAN FOR THE RED RIVER WASTE TREATMENT FACILITY**

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Bossier City,

Louisiana, in regular session convened, hereby adopts 2008 Municipal Pollution Prevention Plan for the Red River Waste Treatment Facility.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Don Williams, and seconded by Mr. David Jones, and adopted on the 7<sup>th</sup> day of October, 2008, by the following vote:

AYES: Mr. Larkin, Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones and Dr. Rogers

NAYS: none

ABSENT: none

ABSTAIN: none

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Scott Irwin, President

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Helen Thornton, City Clerk

The following Resolution offered and adopted:

RESOLUTION NO. 21 OF 2008

A RESOLUTION WHEREBY THE BOSSIER CITY COUNCIL AUTHORIZES THE MAYOR TO EXECUTE THE ATTACHED MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE GOVERNOR'S OFFICE OF HOMELAND SECURITY AND EMERGENCY PREPAREDNESS AND CITY OF BOSSIER CITY WITH RESPECT TO THE DISASTER CONDITIONS RESULTING FROM HURRICANE GUSTAV: (FEMA-1786-DR-LA)

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**WHEREAS**, the Governor's Office of Homeland Security and Emergency Preparedness (hereinafter referred to as GOHSEP) and the City of Bossier City (hereinafter referred to as BOSSIER CITY) desire to enter into the attached Memorandum of Understanding with respect to disaster conditions resulting from Hurricane Gustav; and

**WHEREAS**, The GOHSEP, on behalf of the State of Louisiana, is the Grantee receiving funds under certain programs authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act ("Stafford Act") and has the fiduciary responsibility to ensure those funds are disbursed to subgrantees and expended on eligible and authorized activities;

**WHEREAS**, BOSSIER CITY has become eligible for federal funding under provisions of the Stafford Act as a subgrantee;

**WHEREAS**, the GOHSEP has a legal obligation and right to function as the grantee agency receiving federal funds from the Federal Emergency Management Agency (FEMA) at the time of and subsequent to declared disasters. The GOHSEP, as the grantee, also has the legal obligation and duty to coordinate the reimbursement payments to all sub-grantees who are eligible for assistance pursuant to the Stafford Act, 42 USCA §5121. The GOHSEP chooses to execute this legal obligation and right/public duty/public purpose by contracting with BOSSIER CITY;

**WHEREAS,** BOSSIER CITY has a legal obligation and right to provide for the public health, safety, and welfare of its constituents, as well as to properly seek reimbursement and emergency funds to remedy the disaster conditions resulting from Gustav: FEMA-1786-DR-LA. BOSSIER CITY chooses to execute this legal obligation and right/public duty/public purpose by contracting with the GOHSEP;

**WHEREAS,** the public purpose to be derived from this legal obligation is to ensure that all federal funds, which flow from FEMA to the GOHSEP, are expended for eligible expenses in accord with the Stafford Act, federal regulations, as well as policies and directives of FEMA.

**WHEREAS,** the actions of the GOHSEP and BOSSIER CITY will result in a public benefit described in detail not disproportionate to the consideration in this Agreement;

**NOW, THEREFORE,** in consideration of the mutual covenants herein contained the legal obligation; the public purpose; and the public benefit the parties hereto agree enter into the attached Memorandum of Understanding.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Bossier City, Louisiana, in regular session convened, that Mayor Lorenz Walker is authorized to execute the attached Memorandum of Understanding By and Between the Governor's Office of Homeland Security and Emergency Preparedness and the City of Bossier City.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. David Jones, and seconded by Mr. Don Williams, and adopted on the 7th, day of October, 2008, by the following vote:

AYES: Mr. Larkin, Mr. Montgomery, Jr., Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones and Dr. Rogers

NAYS: none

ABSENT: none

ABSTAIN: none

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**Scott Irwin, President**

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**Helen Thornton, City Clerk**

By: Mr. Jones

Motion made to approve report of Change Order for the North Bossier Park Water Spray Park for Parks and Recreation Department an increase of \$33,412.00, total cost of contract with increase \$249,912.00.

Seconded by Mr. Larkin

Vote in favor of motion is unanimous.

Hearing of appeal for Robert Hardy Thompson, Jr., for violation of Chapter 46, Section 123 'Inoperable Vehicle' located at 1520 Leslie Street, Bossier City, Louisiana.

Present: Mr. Robert H. Thompson, Jr., owner

Mr. Thompson requested at 30 day extension.

By: Mr. Jones

Motion made to give a 30 day extension to have vehicle current or removed.

Seconded by Mr. Williams

Vote in favor of motion is unanimous.

By: Mr. Darby

Motion made to approve waiver of parade fee for "Walk From Obesity", Saturday, October 11, 2008.

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

There being no further business to come before this meeting, meeting adjourned at 3:28PM by President Scott Irwin.

Respectfully submitted:

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HELEN THORNTON

CITY CLERK

Publish: October 17, 2008

Bossier Press Tribune