

**PROCEEDINGS OF CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING
MARCH 16, 2010**

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, March 16, 2010 at 3:00 PM

Invocation was given by Council Member Jeffery Darby

Pledge of Allegiance led by Council Member Don Williams

Roll Call as Follows:

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

Absent: none

Present: Mayor Lorenz Walker, James Hall, City Attorney, Helen Thornton, City Clerk.

By: Mr. Jones

Motion made to approve minutes of the March 2, 2010 meeting and dispense the reading.

Seconded by Mr. Darby

Vote in favor of motion is unanimous.

By: Mr. Jones

Motion made to continue item VIII. Reports (Kurt Foreman – NLEP) to the April 6th meeting; add Joe Buffington, Financial report and approve agenda.

Seconded by Mr. Knight

Vote in favor of motion is unanimous.

Ceremonial Matters:

Bossier Fire Department Citizens Life Saving Award –

Presented to Jennifer Terrell, David Riley, Jacob Dyson for providing medical aid to Edward Williams after being injured in a motorcycle accident.

Ms. Kimberly Rusley, “Ms Bossier City”, is recognized by the City Council.

She will compete in the Ms Louisiana Pageant in June.

Finance Director, Joe Buffington, presented year to date of revenue funds for the City of Bossier City.

The following bids read by Steve Westbrook, Purchasing Agent:

- A. Traffic Street Widening for Engineering Department:**
- | | |
|---------------------------------|-----------------|
| 1. Austin Bridge & Road Co. | \$10,166,000.00 |
| 2. Hill Brothers Construction | \$ 9,407,582.99 |
| 3. James Construction Group | \$ 9,978,380.77 |
| 4. OCCI Engineering Contractors | \$ 8,597,807.90 |
| 5. J B James Construction | \$10,481,769.51 |

By: Mr. Jones

Motion made to approve reading of bids.

Seconded by Mr. Williams

Vote in favor of motion is unanimous.

- B. Bossier City Alternative Fuel Stations for Engineering:**
- | | |
|----------------------------------|----------------|
| 1. Boggs & Poole Contracting | \$1,998,000.00 |
| 2. Carter Construction | \$1,368,000.00 |
| 3. Hand Construction | \$2,640,000.00 |
| 4. Integrity, Inc. | \$2,342,000.00 |
| 5. McInnis Brothers Construction | \$2,003,000.00 |
| 6. Brown Builders | \$2,399,000.00 |

By: Mr. Jones

Motion made to approve reading of bids.

Seconded by Mr. Williams

Vote in favor of motion is unanimous.

The following Ordinance offered and adopted:

ORDINANCE NO. 32 OF 2010

AN ORDINANCE TO APPROPRIATE \$44,275 FROM THE 2007 BOND ISSUE TO SUPPLEMENT THE \$577,100 PREVIOUSLY APPROPRIATED TO BE USED TO CONTRACT WITH BBC ENGINEERING FOR THE DESIGN OF U.S. HIGHWAY 80 IMPROVEMENTS FROM TRAFFIC STREET TO OLD BENTON ROAD.

WHEREAS, Ordinance 16 of 2009 and Ordinance No. 53 of 2008 together appropriated \$577,100 for engineering design of U.S. Highway 80 (Traffic Street to Old Benton Road); and

WHEREAS, BBC Engineering, Inc. proposes additional engineering fees of \$28,875 for drainage outfall design and additional \$15,400 for extra topographic survey; and

WHEREAS, the total fee for BBC Engineering, Inc. for design and survey of this project shall now be a total of \$621,375.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Bossier City, in regular session convened, hereby appropriates \$44,275 from the 2007 Bond Issue to supplement the \$577,100 previously appropriated for the design and survey of U.S. Highway 80 Improvements from Traffic Street to Old Benton Road.

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 Mr. Irwin and seconded by Mr. Jones, and adopted on the 16th day of March, 2010, by the following vote:

AYES: Mr. Larkin, Mr. Montgomery, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones, Mr. Knight

NAYS: none

ABSENT: none

ABSTAIN: none

Don Williams, President

Helen Thornton, City Clerk

ORDINANCE NO.33 OF 2010

AN ORDINANCE TO AMEND ORDINANCE NO. 126 OF 2003, THE BOSSIER CITY UNIFIED DEVELOPMENT CODE, TO REFLECT CHANGES TO THE OFF-PREMISE SIGN ORDINANCE BY ESTABLISHING NEW REGULATIONS GOVERNING ALTERATIONS OF EXISTING OFF-PREMISE SIGNS AND THE PLACEMENT OF NEW OFF-PREMISE SIGNS.

WHEREAS, it is the finding of the City Council of the City of Bossier City, Louisiana, that reasonable regulation of Off-Premise advertising, as set forth herein, will advance the parish's interest in reducing visual clutter, improving the overall aesthetic appearance of Bossier City, and enhancing traffic safety;

NOW THEREFORE BE IT ORDAINED, that Sections 3.4.2, 7.6 and Article 9 of the Unified Development Code are amended to read as follows: (new language is underlined)

3.4.2 Off-Premise Signs

A. Sign Location Permits

1. Purpose

The purpose of the Sign Location Permit is to assure compliance, through review of plans and inspection during construction, with all

of the requirements established by this Ordinance and related provisions of the Building Code.

2. Applicability or Activities Subject to Review

- a. No off-premise sign shall hereafter be demolished, erected, moved, added to, or structurally altered without a Sign Location Permit issued by the Planning Commission in conformity with the provisions of this Section. No Sign Location Permit or Building Permit issued under the provisions of this Chapter shall be considered valid unless signed by the Building Official and the Executive Director or their designees.
- b. Normal maintenance of a sign shall not require a Sign Location Permit.

B. Application

- 1. An application for an off-premise Sign Location Permit shall be filed with the Executive Director shall include the following:
 - a. A completed application on the form provided by the Executive Director.
 - b. A minimum of 8 copies of a site plan showing data about the site and distances to all existing signs and the location, design, materials, colors, height, width, depth, and square footage of the sign;
 - (1) The site plan shall also show all clear visibility triangles, proximity to interstate or arterial that it is directed to and all required setbacks from adjoining properties;
 - (2) If not shown on the site plan, a separate drawing shall show the distance from the nearest residential property and from all off-premise signs larger than 72 square feet and located within 1,000 feet of the proposed sign.
 - c. The name, address and telephone number of the sign owner and of the sign contractor;
 - d. Information on the zoning of the site, surrounding zoning and site access; and
 - e. Any other pertinent data as may be required to ensure compliance with this Article.
 - f. A copy of a recorded lease or memorandum of understanding between the sign company and the property owner.
- 2. **Approval Criteria**

The sign must comply with the requirements of Article 9 and all other applicable requirements of this Code.
- 3. **Review**

If the application is complete, the Executive Director shall schedule the application for the next meeting of the Metropolitan Planning Commission occurring at least 30 days after receipt of the complete application. At that meeting, the MPC shall consider the application and take testimony from the applicant and other interested persons.
- 4. **Action**

The Metropolitan Planning Commission may approve the application, disapprove the application or approve the application with conditions.

5. Permit

If the Metropolitan Planning Commission approves the application or approves it with conditions, the Executive Director shall issue a Sign Location Permit upon receipt of a site plan making the site plan a condition of the permit and including in the permit any non-message oriented conditions imposed by the MPC. If the application is disapproved, the Executive Director shall notify the applicant in writing of the disapproval.

6. Duration, Effect

The permit shall contain an expiration date, which shall be 180 days after the date of approval or approval with conditions by the Metropolitan Planning Commission. From the date of issuance until the expiration date, the Sign Location Permit shall entitle the holder to apply for a Building Permit for the sign subject to the sign location permit. A sign location permit may be extended once by the MPC for a period of not more than 180 days. After the expiration of a sign location permit or any extension thereof, no application for a sign from the same sign vendor on the same lot of record or the same tax parcel may be accepted or considered for a period of at least 1 year from the date of expiration.

C. Enforcement

1. The Director of Permits and Inspections and the Executive Director or their designees are hereby authorized and directed to enforce all the provisions of this code. Upon presentation of proper credentials, the Director of Permits and Inspections and the Executive Director or their designees may enter any building, structure or premises in the Bossier City-Parish MPC planning limits to perform any duty imposed by this Code.
2. The Director of Permits and Inspections or the Executive Director may order the removal of any sign erected or maintained in violation of the ordinance. The Director of Permits and Inspections or the MPC Executive Director or their designee shall give 10 days notice in writing to the owner of such sign or of the buildings structure or premises on which such sign is located, to remove the sign or bring it into compliance. If the sign owner fails to comply with that order, the Director of Permits and Inspection or the MPC Executive Director may:
 - a. Seek prosecution of the sign owner;
 - b. Request that the attorney for the Parish or the City, as applicable, seek a court order of abatement or seek appropriate injunctive relief; or

Authorize the removal of the sign after a temporary restraining order is obtained with the costs to be assessed against the property if the MPC Executive Director or Director of Permits and Inspections finds that the sign presents an immediate threat of danger to the safety of the public.

7.6 Nonconforming Off-Premise Signs

All off-premise signs legally in existence on January 1, 1987 (the effective date of the original off-premise sign ordinance) and not meeting the requirements of this code, shall be classified as "nonconforming" and permitted to remain with reasonable repair and maintenance but may not otherwise be altered. Prohibited alterations to nonconforming signs may include, but are not necessarily limited to, replacement of the pole, such as conversion from wood to metal or changing from multi-pole to single pole or changes to the type of sign face (such as from single face to trivision or electronic technology). Any nonconforming sign damaged, by weather or other natural occurrence, beyond 60 percent of replacement cost of an identical new structure may be repaired or rebuilt, but only in compliance of with the requirements of this Code.

7.6.1 Repair of “Nonconforming“ signs

Sign owners shall supply the MPC office with a repair cost estimate of the damaged sign and an estimate of the cost of a new identical sign. The MPC office shall review the repair permit application and either approve or disapprove the request within 10 working days of application submittal.

7.6.2 Burden of Proof

In any matter in which a property owner, sign owner, sign user or other person seeks the protection provided to lawful, nonconforming signs under this section, the burden of proof shall be on the person seeking such protection to prove:

- A. The date of erection or installation of the sign;
- B. The substance of the sign ordinance then in effect;
- C. That the sign fully conformed to the sign ordinance then in effect, as to height, size, location on the property, sign design and lighting;
- D. That the person erecting the sign obtained all necessary permits for the erection of the sign; and
- E. That any changes to the sign have been made in accordance with the requirements of Article 9 and all other parts of this Code and in compliance with all applicable permit requirements.

Article 9. Off-Premise Advertising Signs

9.1 Intent

9.1.1 The purpose of this Article is to establish standards and regulations to insure the orderly and effective display of off-premise advertising and to define those structures that are not in compliance. This will effectuate the intent of the U. S. Congress and the Louisiana State Legislature in adopting the Highway Beautification Act and the state version of that law, who, in so acting, have declared that it is in the public interest to regulate and restrict the erection and maintenance of outdoor advertising devices along the Interstate and Primary Highway Systems, to promote the safety of public travel, and to enhance the beauty and attractiveness of the city to its residents and visitors for residential and commercial growth in an orderly plan.

9.1.2 These regulations, when properly enforced, will control the locations, size, spacing, illumination and maintenance of all off-premise advertising devices thereby resulting in the overall enhancement of the safety, health and welfare of the citizens residing in the planning limits of the Bossier City-Parish Metropolitan Planning Commission.

9.2 Applicability

This Article shall apply to "off-premise advertising devices," as herein defined in Section 18.2.64. Signs with subject matter relating to the premises (business signs) or signs of a non-commercial nature placed on the premises by the owner or, occupant thereof, are subject to regulation under Article 8 of this Code. All signs located in the public right-of-way are expressly prohibited.

9.3 Permits required

9.3.1 No off-premise sign shall be erected, altered, or relocated without first securing a Sign Location Permit from the Metropolitan Planning Commission and a Building Permit from the Permits and Inspections Department. The sign location permit shall contain the location of the sign structure, the name and address of the sign owner, the sign erector, a drawing showing the type, size, location and zoning and such other pertinent information as the MPC may require to ensure compliance with this Code and all ordinances affecting the subject property.

9.3.2 Application and approval procedures for construction or modification of an off-premise sign are specified in Subsection 3.4.2 of this Code.

9.4 Off-Premise Signs Allowed Without a Permit

The following off-premise signs shall be allowed and shall not require a permit, although they may otherwise be subject to this ordinance:

9.4.1 A traffic control sign on private property, such as "Stop," "Yield" and similar signs, the face of which meet Traffic Engineering standards and which contain no commercial message of any sort;

9.4.2 Flags of the United States, state flags, municipal flags, flags of foreign nations and any other flag representing a governmental agency. These flags shall not be associated with any commercial message whatsoever.

9.5 Location of Off-Premise Signs

9.5.1 No new off-premise outdoor advertising device shall be permitted unless it is located adjacent to and oriented toward an Interstate Highway.

9.5.2 Approved off-premise outdoor advertising displays, signs or billboards may be constructed, erected and maintained in the commercial and industrial zoned areas listed in this sub-section and as further defined by the Zoning Ordinances of the City and Parish and the respective official zoning maps. Off-premise signs shall be permitted only in the following zoning districts and not in any others: B-1, B-2, B-3, B-4, RT, I-1, I-2, A-1.

- 9.5.3 No property shall be rezoned to one of the specified zoning districts for the sole purpose of allowing the erection of an off-premise advertising device unless the property proposed for rezoning:
- A. Is designated on the adopted Comprehensive Plan for future industrial or business use or at least 25 percent of the perimeter of the property proposed for rezoning abuts land zoned for industrial or business use and has actually been developed for one or more industrial or business uses other than outdoor advertising devices; and
 - B. Has contiguous access to a major arterial or Interstate Highway frontage road and is otherwise suitable for industrial or business use, although it is not essential that sewer and water service be immediately available.
- 9.5.4 Off-premise advertising devices shall be separated from one another and from other specified uses as set forth in Table 9.5.6. Measurements between off-premise signs shall be performed without regard to which side of the street or highway the sign is on, except the Interstate.
- 9.5.5 For the purpose of these regulations, each side of the interstate system shall be considered separately.
- 9.5.6 V-type or back-to-back sign surfaces on the same device shall be considered one sign.

Table 9.5.6 Separation Requirements for Off-Premise Advertising Devices (feet)			
OAD Size	< 72 sq.ft.	72-390 sq.ft.	390-672 sq.ft.
Separation from OAD facing same flow of traffic, along major arterials			
OAD <72 sq.ft.,	200	300	500
OAD 72-390 sq.ft.	300	500	720
OAD 390-672 sq.ft.	500	720	1000
Separation from OAD not facing same flow of traffic, along major arterials			
OAD <72 sq.ft.,	100	150	250
OAD 72-390 sq.ft.	150	300	500
OAD 390-672 sq.ft.	250	500	600
Separation of OAD within 660 feet of Interstate Highway from other OAD within 660 feet of same Interstate Highway			
OAD <72 sq.ft.,	1000	1000	1000
OAD 72-390 sq.ft.	1000	1000	1000
OAD 390-672 sq.ft.	1000	1000	1000
Separation of OAD from property zoned R-A, if developed or used for residential, R-LD, R-E or R-MD if vacant or developed for single family residences, or from property used for school or park purposes as measured from the nearest property line of residential to the sign base.			
Residential Property Line	100	200	400

- 9.5.7 Off-premise advertising devices shall be setback from the front property lines on the properties on which they are located by the distances set forth in this paragraph. Set-backs shall be measured from the sign surface. Minimum front yard set-backs shall comply with the requirements of Table 9.5.7.

Table 9.5.7 Required Setbacks for Off-Premise Advertising Devices from Front Property Lines (in feet)			
District	Sign Size		
	<72 sq.ft.	72-390 sq.ft.	390-672 sq.ft.
Any B District and RT	30	30	30
Industrial District and A-1	10	15	15

- 9.5.8 Side and rear minimum setbacks shall be 5 feet.
- 9.5.9 Where Table 9.5.6 requires a separation from another sign or another use and that separation requirement is greater than the setback requirement under this paragraph, the greater separation requirement shall apply.
- 9.5.10 No off-premise sign shall be located on or project over a building.
- 9.5.11 No off-premise sign shall be located in such a manner as to obscure, obstruct, or otherwise physically interfere with the clear or unobstructed view of an official traffic sign, signal, or device, or obstruct or physically interfere with the driver's view of approaching merging or intersecting traffic.

- 9.5.12 No off-premise outdoor advertising device shall be located within 1,000 feet of the Arthur Ray Teague Parkway,
- 9.5.13 No off-premise advertising sign larger than 72 square feet, except temporary signs may be built on wooden poles; all other off-premise signs must be constructed on steel beams, metal pipes, or similar material and painted with a neutral or subdued color.
- 9.5.14 Public transportation benches and transit shelters or similar structures are permitted within the public right of way only and must have approval of the Bossier City Council or Bossier Parish Police Jury. Off-Premise Advertising on the bench or shelter shall not exceed 50% of the surface area.

9.6 Off-Premise Sign Height Limitations

No off-premise advertising device shall exceed the most restrictive height applicable to it under Table 9.6, subject to the further specific conditions set forth in this section:

Table 9.6 Height Limits for Off-Premise Advertising Devices (in feet)			
OAD Size	< 72 sq.ft.	72 – 390 sq.ft.	390-672 sq.ft.
B-1 District	15	Not Permitted	Not Permitted
B-2 District	15	50 (Up to 300 sq.ft.)	Not Permitted
B-3, B-4, & Industrial Districts	15	60	60
A-1 District	45		
Within 199 feet of residential property	15	Not Permitted	Not Permitted
200 feet or more from residential property	20	60	60
Oriented toward raised expressway and at least 600 feet from residential	Height allowed by other cells on table or 25 feet above centerline of expressway, whichever is taller		
Note: The maximum height of any signs shall be measured as the vertical distance between the highest part of the sign and either the ground level at its supports or the nearest shoulder of the adjacent Interstate highway right-of-way or public street right-of-way, whichever is higher in elevation.			

9.7 Off-Premise Sign Size Limitations

- 9.7.1 Table 9.7.1 below specifies the maximum permitted sizes for off-premise advertising devices by zoning district.

Table 9.7.1 Size Limits on Off-Premise Advertising Devices, by Zoning District (sizes in square feet)			
	Zoning District		
	Industrial, RT, A-1, B-3 & B-4	B-2	B-1
Maximum area of total sign surface per side (sq. ft.)			
I-20 and I-220 oriented	672	300	72
Major Streets	390	300	72

- 9.7.2 The maximum area, heights of surface, and length of surface dimensions in the above table are exclusive of any border or trim, the base or supports, and other structural members. For signs in I-1, I-2, A-1, RT, B-3 and B-4 Districts, cut-outs or extensions up to 50 square feet of additional area may be allowed without MPC approval and cut-out from 51 to 150 square feet may be permitted with MPC approval.
- 9.7.3 When 2 off-premise sign surfaces are placed back-to-back or V-type on the same device with an angle between them of not more than 60 degrees, each side shall conform to the maximum size limitations. No more than 2 sign surfaces are allowed on one device. Two-sided signs must have the same surface area one each side.
- 9.7.4 Signs and sign faces shall not be stacked; only one sign face is allowed on each side.
- 9.7.5 The maximum area, heights of surface, and length of surface dimensions in the above table are exclusive of any border or trim, the base or supports, and other structural members.

- 9.7.6 For purposes of measurement, Trivision technology, LED, or comparable electronic video or animation technology, faces shall be considered to be one face.

9.9 Lighting of Off-Premise Signs

Signs may be illuminated, subject to the following restrictions:

- 9.9.1 A sign location permit for a new sign or changing a legally existing sign to include LED or similar electronic technology, shall only be issued if the applicant agrees in writing to remove one or more existing off-premise signs, including the poles, with a total area of two (2) times the square footage of the sign face or faces to be approved, altered or upgraded. For example: An off-premise sign with a sign face area of 300 square feet may be upgraded if one or more signs, including the sign poles, that have a sign face area of at least 600 square feet, are removed from the MPC jurisdiction. For the purpose of upgrading to LED or other electronic technology, each sign face shall be treated separately. Any additional square footage, greater than the required amount that is removed, may be credited toward future sign face conversions. Approval shall follow the same process as a new sign location and the location and square footage of signs to be removed shall be included in the application package.
- 9.9.2 No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any sign. Flashing devices shall not be permitted upon a sign except illuminated signs which indicate such customary public service information such as time, date, temperature or other similar information. No flashing sign shall be allowed within 1,000 feet of residential property.
- 9.9.3 No animated signs, including message center or video boards, shall be allowed within 720 feet of property zoned for residential use from which the sign face can be seen; no animated signs, including message center or video boards, shall be allowed under any circumstances within 500 feet of property zoned for residential use. LED or similar electronic static face signs shall not be closer than 200' from residential property as defined in table 9.5.6.
- 9.9.4 No, Neon, LED or similar electronic technology signs shall be allowed within the Air Base Buffer-North (A-1) District or within the area designated by Barksdale Air Force Base as the North Approach Zone. (Site map and legal description available in MPC office)
- 9.9.5 External lighting, such as flood lights, thin line and goose neck reflectors are permitted provided the light source is directed on the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed or reflected onto any portion of the interstate highway or public street. All lighting shall be located below the sign face and directed upward at the sign. Within the A-1 District and the North Approach Zone any legal alterations to existing signs shall include conversion of external lighting so that the lights will be located above the sign and directed downward at the sign face. Any new sign location within the A-1 District and North Approach Zone shall have all external lighting located above the sign and directed downward at the sign face.
- 9.9.6 Neon signage and back-lit signage is permitted subject to the same guidelines as external lighting.

9.10 Temporary Off-Premise Signs without Commercial Message

Temporary signs containing no commercial message and related to an election or other event or matter of public interest may be erected in any zoning district of the City or Parish but not within the public right-of-way. Such signs shall not exceed 9 square feet in residential districts. For the purposes of this paragraph, "temporary signs" shall refer to those described in Subsection 18.2.94.

9.11 Off-Premise Signs Not Allowed

The following signs or sign components shall not be permitted to remain or be erected as a part of an off-premise sign:

- 9.11.1 Any sign that copies or imitates an official sign or purports to have official status;
- 9.11.2 Beacons;
- 9.11.3 Windblown devices;
- 9.11.4 Pennants;
- 9.11.5 Portable signs, including any sign that is not securely fixed on a substantial structure, securely connected to the ground in such a way that it cannot easily be moved from one location to another, including skid mounted or trailer mounted signs;
- 9.11.6 Any sign attached to an accessory structure, except an incidental sign, if such sign is legible from the public right-of-way or from other property;
- 9.11.7 Any other attention-attracting device, except for those conforming to the dimensional, design, lighting and other standards applicable to a sign in the same location;
- 9.11.8 Any sign which is obsolete or abandoned, including any sign which does not have 100 percent of the sign surface fully covered with a promotional panel for a continuous period of 6 months;
- 9.11.9 Any sign which is illegal under State laws or regulations;.
- 9.11.10 Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features;
- 9.11.11 Signs located on public property, unless placed thereon under lease arrangements or otherwise permitted by legal authority;
- 9.11.12 Signs which contain statements, words, or pictures of an obscene nature as defined by law;
- 9.11.13 Signs which contain as part of the message mirror-like surfaces; (Note: 1" reflective discs that do not cover more than 5 percent of the sign surface and produce no traffic impeding glare will be permitted.)
- 9.11.14 Signs which are constructed so as to periodically change the direction toward which any place containing the sign surface area is oriented; and
- 9.11.15 Signs which emit smoke, vapor, particles, or odor.

9.12 Design, Construction and Maintenance Standards for Off-Premise Signs

9.12.1 Construction Standards

All off-premise signs shall be designed, constructed and maintained in accordance with the following standards:

- A. All signs shall comply with applicable provisions of the City or Parish building code.
- B. All wiring to new signs and existing signs that are being upgraded shall be placed underground, Electric signs that have internal wiring or lighting equipment, and external lighting equipment that directs light on signs, shall not be erected or installed until an electrical permit has been obtained from the building official. Signs and their installation shall conform to applicable construction and electrical codes. All electric signs shall have a power disconnect switch located either on the exterior of the sign or accessible through an operable cover, and shall be labeled with a sticker or other notice on the exterior of the sign to indicate the voltage and amperage of electrical circuits connected to the sign.
- C. Except for permitted banners, flags, temporary signs and window signs conforming in all respects with the requirements of this Article, all signs shall be constructed of permanent materials and shall be attached to the

ground, a building or another structure by direct attachment to a wall, frame or structure.

9.12.2 **Backs of Signs**

Visible backs of signs shall be suitably painted or otherwise covered to present a neat and clean appearance.

9.12.3 **Maintenance Standards**

All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Code.

Specifically:

- A. A sign shall have no more than 20 percent of its surface area covered with disfigured, cracked, ripped or peeling paint, poster paper or other material for a period of more than 30 successive days.
- B. A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, or more than 15 degrees from vertical for a period of more than ten successive days.
- C. A sign shall not have weeds, trees, vines, or other vegetation growing upon it, or obscuring the view of the sign from the public right-of-way from which it is to be viewed, for a period of more than 30 successive days.
- D. An internally illuminated sign shall be allowed to stand with only partial illumination for a period of no more than 30 successive days.
- E. Electronic signs, such as LED illuminated, with a static face shall have a minimum display time of 8 seconds and transition time between advertisers of 1 second or less.
- F. All internally illuminated signs shall meet the following brightness standards:

No sign shall be brighter than .3 footcandles over ambient lighting conditions and shall have automatic dimming capability. An automatic light sensing device (such as photocell or similar technology) shall be utilized for automatically adjusting the digital billboard's brightness. Brightness measurement shall be taken with a footcandle meter, perpendicular to the sign face from a distance of 200' for signs less than 390 square feet in size and from 250' for all others.

2. No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver or to otherwise interfere with the driver's operation of a motor vehicle.

3. No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.

9.12.4 **Signs in the A-1 Airbase Buffer District**

In addition to meeting the above standards, any sign constructed in the A-1 district must also meet regulations set forth by the Federal Aviation Administration and the U.S. Air Force.

9.13 Nonconforming Off-Premise Signs

Nonconforming off-premise signs shall comply with the requirements specified in Section 7.6 of this Code.

9.14 Eminent Domain Relocation of Off-Premise Signs

In the event of Eminent Domain, the relocation of an existing sign on the same land parcel shall follow the same approval procedures of Section 3.4.2 of this code. The new location shall meet all requirements of this article.

Motion was made by Mr. Jones and Seconded by Mr. Darby to adopt the above ordinance.
Upon the following vote, the ordinance was duly

adopted this 16th day of March, 2010.

YEAS: Mr. Larkin, Mr. Montgomery, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones,
Mr. Knight

NAYS: none

ABSTAIN: none

ABSENT: none

DON WILLIAMS, PRESIDENT

HELEN THORNTON, CITY CLERK

C-52-08

By: Mr. Jones

Motion made to introduce Ordinance appropriating Seven Million Dollars from the Transportation Improvement Fund for the purchase of right of way for the Swan Lake Road Project.

Seconded by Mr. Williams

Vote in favor of motion is unanimous.

By: Mr. Jones

Motion made to introduce Ordinance amending Section 26-33 of the Code of Ordinances to amend the definition of uniformed security personnel.

Seconded by Mr. Knight

Vote in favor of motion is unanimous.

By: Mr. Irwin

Motion made to introduce Ordinance to appropriate \$250,000.00 to come from the Sales Tax Capital Improvement Fund to be used to repair the sanitary sewer service mains of the Kroger Grocery Store.

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

By: Mr. Jones

Motion made to introduce Ordinance authorizing the Mayor to sign any and all documents necessary to acquire property for the widening and drainage improvement of Hwy 80 project.

Seconded by Mr. Darby

Vote in favor of motion is unanimous.

By: Mr. Jones

Motion made to introduce Ordinance authorizing the Mayor to sign any and all documents necessary to acquire property for the widening and drainage improvements of Swan Lake Road from Hwy 80 to Shed Road.

Seconded by Mr. Larkin

Vote in favor of motion is unanimous.

By: Mr. Jones

Motion made to introduce Ordinance authorizing the City of Bossier City to enter into a contract with Camp Dresser and McKee for design and technical services for the Energy Efficiency and Conservation Block Grant program in the amount of \$37,111.00

Seconded by Mr. Knight

Vote in favor of motion is unanimous.

By: Mr. Darby

Motion made to introduce Ordinance authorizing the Mayor to sign and all documents necessary to acquire property necessary for the widening and drainage improvements of Shed Road from Benton Road to Airline Drive. (State Project)

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

ADOPT A RESOLUTION AMENDING RESOLUTION 39 OF 2009 SUPPORTING THE CITY OF BOSSIER CITY'S SPONSORSHIP OF AN APPLICATION FROM BOSSIER PARISH COMMUNITY COLLEGE TO THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT'S TRANSPORTATION ENHANCEMENT PROGRAM AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS FOR THE LATEP PROGRAM TO ACCEPT THE INCREASE AVAILABLE FEDERAL FUNDS UP TO \$380,000.00.

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 Bossier Parish Community College has applied in 2004 to the State of Louisiana Department of Transportation to improve and landscape the new campus entrance at Hwy.80; and

WHEREAS, the City of Bossier City will be known as the sponsor for the Bossier Parish Community College Transportation Enhancement Project; and

WHEREAS, Bossier Parish Community College is the applicant and hereby certifies and accepts and assumes full responsibility for the LaDOTD's Transportation Enhancement Program requirements: (1) a 5% matching funds for the cost-reimbursable program, (2) the City of Bossier City will manage project; (3) the Bossier Parish Community College will assume any legal liability incurred as a result of the project; and

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

WHEREAS, the Department Transportation and Development has agreed to increase Federal Funding for the project up to a maximum of \$380,000.00; and

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

NOW, THEREFORE, BE IT RESOLVED by the Bossier City Council in regular session convened does hereby authorize Mayor Lorenz J. Walker 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 supplemental agreement 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. Larkin, and seconded by Mr. Irwin, and adopted on the 16th day of March, 2010, by the following vote:

AYES: Mr. Larkin, Mr. Montgomery, Mr. Irwin, Mr. Williams, Mr. Jones, Mr. Knight

NAYS: none

ABSENT: none

ABSTAIN: Mr. Darby

Don Williams, President

Helen Thornton, City Clerk

The following Ordinance offered and adopted:

ORDINANCE NO. 34 OF 2010

AN ORDINANCE DECLARING THAT AN EMERGENCY EXISTS IN THE CITY OF BOSSIER CITY WHICH AFFECTS PUBLIC HEALTH AND SAFETY DUE TO A SANITARY SEWER MAIN BREAK AT AIRLINE AND INDA AUTHORIZING REPAIRS FROM THE SEWER CONTINGENCY FUNDS NOT TO EXCEED \$100,000.

WHEREAS, a sewer main break located at Airline and Inda has created a situation affecting the health and safety of the citizens.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, hereby declares that this situation affects the health and safety of the citizens of Bossier City due to the sanitary sewer main break at this location.

BE IT FURTHER ORDAINED, that funds to repair the sanitary sewer will come from Utilities Retained Earnings, in an amount not to exceed \$100,000, with the furtherance of this Ordinance.

The above and foregoing Ordinance was read in full at open and legal session convened,

was on motion of Mr. Darby, and seconded by Mr. Jones, and adopted on the 16th day of March, 2010, by the following vote:

AYES: Mr. Larkin, Mr. Montgomery, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones, Mr. Knight

NAYS: none

ABSENT: none

ABSTAIN: none

Don Williams, President

Helen Thornton, City Clerk

Public Hearing held to amend the CDBG FY Funds.

Present: Bob Brown, Director Community Development Office

NO PUBLIC COMMENT

RESOLUTION NO. 6 OF 2010

A RESOLUTION ADOPTING AN AMENDMENT TO THE FISCAL YEAR 2001, 2004, 2005, 2007, 2008 AND 2009 ACTION PLANS FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, the primary objective of the Community Development Entitlement Program is the development of viable urban communities, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income, and whereas, consistent with this primary objective, the Federal Assistance realized from this application is for the support of community development activities which are directed toward the following specific objectives:

- (1) The elimination of slums and blight and the prevention of blighting influences and the deterioration of property and neighborhood and community facilities of importance to the welfare of the community, principally persons of low and moderate income;
- (2) The elimination of conditions which are detrimental to health, safety and public welfare, through code enforcement, demolition, interim rehabilitation assistance, and related activities;
- (3) The conversion of the city's housing stock in order to provide a decent home and a suitable living environment for all persons, but principally those of low and moderate income;
- (4) The improvement of the quality of community services, principally for persons of low and moderate income, which are essential for sound community development;
- (5) The reduction of the isolation of income groups within communities and geographical areas and the promotion of an increase in the diversity and vitality of neighborhoods of housing opportunities for person of lower income and the revitalization of deteriorating neighborhoods to attract persons of higher income; and
- (6) The restoration and preservation of properties of special value or historic, architecture or aesthetic reasons.

WHEREAS, the City of Bossier City possesses legal authority to apply for this grant amendment:

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Bossier City, Louisiana that the City of Bossier City Council hereby supports the City's Five-Year Consolidated Strategy Plan and Action Plan and application to the U.S. Department of Housing and Urban Development for funding (Entitlement Status) under authority of the Consolidation for the following: Comprehensive Housing Affordability Strategy (CHAS): title I of the Cranston-Gonzalez National Affordable Housing Act, 42 U.S.C. 12702-12711; Community Development Block Grants (CDBG): title I of the Housing and Community Development Act of 1974, 42 U.S.C. 5304-5320; Emergency Shelter Grants (ESG): title VI, subtitle B, of the Stewart B. McKinney Homeless Assistance Act, 42 U.S.C. 11371-11378; HOME Investment Partnerships (HOME): title II of the Cranston-Gonzalez Nation Affordable Housing Act, 42 U.S.C. 12741-12839; Housing Opportunities for Persons With AIDS (HOPWA): the AIDS; Housing

Opportunity Act, 42 U.S.C. 12901-12912; Also serving as a basis for determining requirements in this rule are the Fair Housing Act (42 U.S.C. 3601-3619), title VI of the Civil Rights Act of 1964 section 504 of the Rehabilitation Act of 1973, title II of the Americans With Disabilities Act, and Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u).

BE IT FURTHER RESOLVED that the City of Bossier City hereby supports Lorenz J. Walker, Mayor of Bossier City, Louisiana, the chief official of Bossier City, to apply for and sign all documents as necessary and appropriate to transfer funds in the following amounts:

Funding will be transferred from the following:

2.1	Name Amount		FY	HUD #	ID#
	Boys and Girls Club	2008	244	0014	\$4,700.00
	Low Income Youth Sports		2008	242	0012
	\$2,875.00				
	Fire Prevention Activities		2008	238	0008
	\$2,750.00				
	Low Income Youth Sports		2007	227	0016
	\$1,120.00				
	Riverwood Infrastructure		2005	177	0002
	\$6,198.34				
	Northwest Louisiana Food Bank		2004	167	0011
	158.69				\$
	Low Income Youth Programs	2001	105	0010	\$4,160.00
	TOTAL:				\$21,962.03
	\$21,962.03 will be transferred <u>to</u> the newly created FY 2009 Emergency Ramps and Critical Repair Program				

2.2	Name Amount		FY	HUD #	ID#
	Emergency Ramps & Critical Repair Program		2009		0018
	\$21,962.03				
	For a single family homeowner, in the case of an imminent threat, Interim Repairs will be made to the envelope of the home to preserve its integrity, and to improve energy efficiency and prevent further deterioration until a full housing rehabilitation can be done. Ramps for Handicapped Accessibility may also be done with this program.				
	Location: Community Wide				
	Total New Funding Amount: \$21,962.03				
	Outcome/Objective Number: DH-3				
	Performance Indicator: Number of Houses that have been improved by this Activity				
	Regulatory Cites: 24CFR 570.208(a)(3) Low/Mod Housing Benefit; 24 CFR 570.202(a)(1) AND A change to the use of the funds programmed for Centerpoint, for the FY2009 and FY2010 funding years, from the use for operation of Transitional Housing for the Homeless to the Public Service of Homeless Prevention to allow a one time payment per year for Rent, Mortgage, or Utility Assistance for the “at risk” of homelessness population that provide the evidence of an eviction, foreclosure, cut-off or shut-off notice.				

2.3	Name Amount		FY	HUD #	ID#
	Centerpoint (Cottages of Hope) Homeless Prevention			2009	260
	\$9,100				
	Centerpoint (Cottages of Hope) Homeless prevention			2010	
	\$9,000				

BE IT FURTHER RESOLVED, that the City of Bossier City hereby supports Lorenz Walker, Mayor of Bossier City, Louisiana, the chief official of Bossier City, to

apply for and sign all documents as necessary and appropriate in the City's application of Housing and Urban Development Programs.

This resolution having been submitted to a vote and declared adopted on the 16th day of March, 2010 by the following vote is on motion of Mr. Jones and seconded by Mr. Knight.

AYES: Mr. Larkin, Mr. Montgomery, Mr. Irwin, Mr. Williams, Mr. Jones, Mr. Knight

NAYS: none

ABSENT: none

ABSTAIN: Mr. Darby

Don Williams, President

Helen Thornton, City Clerk

By: Mr. Jones

Motion made to approve report of Change Order for Mitchell Park improvements, decrease of \$225.00, total cost \$88,700.00

Seconded by Mr. Darby

Vote in favor of motion is unanimous.

By: Mr. Darby

Motion made to approve parade permit for JDRF Walk for the Cure, September 11, 2010.

Seconded by Mr. Irwin

Vote in favor of motion is unanimous.

By: Mr. Darby

Motion made to approve parade permit for MayDay 5K Run, May 1, 2010

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

Councilman Scott Irwin comments on the Tax Renewal Election, May 1, 2010.

There being no further business to come before this meeting, meeting adjourned at 3:54PM

Respectfully submitted:

Helen Thornton, City Clerk

Bossier Press Tribune

March 26, 2010