

**PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING
JUNE 15, 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, Tuesday, June 15, 2010 at 3:00PM

Invocation was given by Council Member Jeffery Darby

Pledge of Allegiance by Council Member Timothy Larkin

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, Phyllis McGraw, Acting City Clerk.

By: Mr. Jones

Motion made to approve minutes of the June 1, 2010 meeting and dispense with the reading.

Seconded by Mr. Knight

Vote in favor of motion is unanimous.

By: Motion made to add to agenda (12.a new) Change Order for Fire Training Academy expansion

Seconded by Mr. Darby

No Public Comment

Vote in favor of motion is unanimous

By: Mr. Jones

Motion made to approve agenda as amended

Seconded by Mr. Irwin

Vote in favor of motion is unanimous.

Report: Monthly Finance Update from Joe Buffington, Director of Finance

The following ordinance offered and adopted:

ORDINANCE NO. 63 OF 2010

AN ORDINANCE AMENDING ORDINANCE NO. 126 OF 2003, THE BOSSIER CITY UNIFIED DEVELOPMENT CODE, TO CHANGE THE STANDARD REAR YARD SETBACK OF 25' TO 20' FOR SINGLE FAMILY DEVELOPMENT IN THE R-LD; RESIDENTIAL LOW DENSITY AND THE R-MD; MEDIUM DENSITY DISTRICTS. (MPC)

WHEREAS, the Bossier City-Parish Metropolitan Planning Commission has found that because of increased land costs, single family lot sizes have become increasingly more shallow in depth and it is difficult for new residences to comply with the current 25' rear setback requirement;

BE IT ORDAINED, that Section 6.4 of the Unified Development Code, be amended to reflect, in the yard requirement table, that rear yard setbacks for single family residences shall be 20';

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

adopted this 15th day of June, 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

PHYLLIS MCGRAW, ACTING CITY CLERK

C-30-10

The following Ordinance offered and adopted:

Ordinance No. 64 Of 2010

AN ORDINANCE APPROPRIATING \$5,000.00 FROM THE GENERAL FUND TO HIRE A CONSULTANT TO STUDY OPERATIONS OF SHREVEPORT REGIONAL AIRPORT.

WHEREAS, a Task Force has been appointed with former Shreveport Mayor John Hussey as chairman; and

WHEREAS, the task force desires to hire a consultant to study operations of Shreveport Regional airport with the Airport Authority providing \$15,000.00 and the City of Bossier City, Bossier Parish Police Jury, City of Shreveport and Caddo Commission each providing \$5,000.00.

WHEREAS, this appropriation is contingent on all the named agencies providing the funding referenced herein;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that \$5,000.00 dollars is hereby appropriated from the General Fund to pay the COBC pro-rata share of hiring a consultant to review operations of Shreveport Regional Airport.

BE IT FURTHER ORDAINED that said appropriation is contingent on all the agencies referenced herein funding their pro-rata share of the expenses.

BE IT FURTHER ORDAINED that this appropriation does not commit the City of Bossier City to any future funding of Airport Studies or activities.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. Jones, and seconded by Mr. Knight, and adopted on the 15th, day of June, 2010, by the following vote:

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

NAYS: Mr. Williams, Mr. Darby

ABSENT: none

ABSTAIN: none

Don Williams, President

Phyllis McGraw, Acting City Clerk

By: Mr. Jones

Motion made to approve reappointment of Wes Burdine to the Cypress Black Bayou Board of Commissioners for a term of five years. Term effective July 31, 2010 and expires July 31, 2015.

Seconded by Mr. Knight

Vote in favor of motion is unanimous.

By: Mr. Irwin

Motion made to approve reappointment of Mr. Charles Maxie to the City of Bossier City Housing Authority Board of Commissioners. Term effective July 8, 2010 and expires July 8, 2015.

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

By: Mr. Jones

Motion made to introduce Ordinance to appropriate \$90,000 from the Water Contingency Fund to purchase and install a bulk water dispensing station.

Seconded by Mr. Knight

Vote in favor of motion is unanimous.

By: Mr. Jones

Motion made to introduce Ordinance to appropriate \$350,000 from the Water Contingency Fund to install a new 20" water main under Alligator Bayou on Highway 80.

Seconded by Mr. Knight

Vote in favor of motion is unanimous.

By: Mr. Irwin

Motion made to introduce Ordinance permitting Bossier City, Louisiana, to redeem in advance of maturity the City's \$4,880,000 2001 Revenue Bonds.

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

By: Mr. Jones

Motion made to introduce Ordinance to amend Section 114-4 of the Code of Ordinances of Bossier City, Louisiana by increasing sewer rates.

Seconded by Mr. Knight

(Discussion)

Bryan Kauffer, Director of Public Utilities, answered questions from Council concerning sewer system and explained the upgrade.

Councilman Darby stated he was concerned that a public hearing was not held to discuss rate increase.

Councilman Jones and Williams thanked Bryan Kauffer for his work on this project.

Speaking:

Elsie Coffey, south Bossier resident

(tapes on file)

Vote in favor of motion by the following vote:

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

Nays: Mr. Darby

Absent: none

Abstain: none

By: Mr. Jones

Motion made to introduce Ordinance authorizing issuance from time to time of Wastewater Revenue Bonds of the City of Bossier City, State of Louisiana; prescribing the form, and certain terms and conditions of said bonds; providing for payment thereof in principal and interest; and providing for other matters in connection therewith.

Seconded by Mr. Williams

Vote in favor of motion is unanimous.

Bossier City, Louisiana

June 15, 2010

The City Council of the City of Bossier City, Louisiana met in regular public session at 3:00 o'clock p.m. on Tuesday, June 15, 2010, at the regular meeting place of said City Council in the Council Chambers located at 620 Benton Road, Bossier City, Louisiana, pursuant

to the provisions of written notice given to each and every member thereof and duly posted in the manner required by law.

Don Williams, Council President, called the meeting to order and on roll call, the following members were present: Mr. Larkin, Mr. Montgomery, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Jones, Mr. Knight

ABSENT: none

Lorenz “Lo” Walker, Mayor, and Phyllis McGraw, Acting Clerk of the Council, also attended. The meeting was called to order and the roll called with the above results.

The following resolution was thereupon introduced, and pursuant to a motion made by Mr. Jones and seconded by Mr. Irwin, was adopted by the following vote:

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

NAYS: none

RESOLUTION NO.17 OF 2010

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF BOSSIER CITY (THE "CITY") TO PROCEED WITH A FINANCING IN AN AMOUNT NOT TO EXCEED SIXTY MILLION AND NO/100 DOLLARS (\$60,000,000) FOR THE PURPOSE OF FINANCING THE COSTS OF ACQUIRING AND CONSTRUCTING IMPROVEMENTS, ENLARGEMENTS AND UPGRADES TO THE SEWER SYSTEM OF THE CITY AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, on by prior resolution, the City of Bossier City, State of Louisiana (the "City") became a participating political subdivision and member of the Louisiana Local Government Environmental Facilities and Community Development Authority (the "Authority"); and

WHEREAS, the City desires to proceed with a financing through the Authority in an amount not to exceed Sixty Million and No/100 Dollars (\$60,000,000) in a manner and structure to be determined by subsequent resolution or ordinance, to finance the cost of acquisition and construction of improvements, enlargements and upgrades to its revenue producing sewer utility system (the "Project");

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bossier City, Louisiana, as follows:

SECTION 1. The City is authorized to proceed with a financing through the Authority in an amount not to exceed Sixty Million and No/100 Dollars (\$60,000,000), represented by the issuance of the Authority's bonds on behalf of the City (the "Bonds") to provide funds to finance the Project.

SECTION 2. The structure, terms and conditions of any such borrowing by the City shall be determined by subsequent resolution or ordinance of the City Council, provided,

however, that the term of said borrowing shall not exceed forty (40) years from their date of issuance and will bear interest at fixed rates not to exceed 7%.

SECTION 3. Prior to issuance of the Bonds, the City anticipates that it may pay a portion of the costs of the Project from other available funds. Upon issuance of the Bonds, the City reasonably expects to reimburse said expenditures from the proceeds of the Bonds. Any such allocation of the proceeds of the Bonds for reimbursement will be made with respect to the capital expenditures (as defined in Treasury Regulation 1.150-1 (h) and will be made upon the delivery of the Bonds and not later than one year after the date of (i) the date such expenditure was made or (ii) the date improvements were placed in service. This resolution is intended to be a declaration of intent to reimburse in accordance with the provisions of the Treasury Regulation 1.150-2.

Section 4. The City hereby finds and determines that a real necessity exists for the employment of special bond counsel in connection with the issuance of the Bonds, and accordingly Joseph A. Delafield, A Professional Corporation (“Bond Counsel”) of Lake Charles, Louisiana, is hereby employed (such employment to be by the Authority) to do and perform comprehensive legal and coordinate professional work with respect to the issuance of the Bonds. Said Bond Counsel shall prepare and submit to such officials of the City for adoption all proceedings incidental to, and shall counsel and advise the Mayor and City Council on the issuance and sale of, the Bonds by the Authority. The fee of Bond Counsel is contingent upon issuance, sale and delivery of the Bonds, and shall be in accordance with the Attorney General’s then current Bond Counsel Fee Schedule and other guidelines, as negotiated, for comprehensive legal and coordinate professional work in the issuance of revenue bonds applied to the actual aggregate principal amount issued, sold, delivered and paid for at the time such Bonds are delivered, together with reimbursement of out-of-pocket expenses incurred and advanced in connection with issuance of the Bonds, said fee to be subject to the Attorney General’s written approval of said employment and fee to be paid with Bond proceeds.

SECTION 5. The City Council hereby authorizes and directs its Mayor, Chief Administrative Officer, Director of Finance, Clerk and such other officials of the City to do any and all things necessary and incidental to carry out the provisions of this resolution.

SECTION 6. If any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this resolution are hereby declared to be severable.

SECTION 7. The selection of Government Consultants, Inc. as financial advisor, in connection with the issuance and sale of the Bonds, is hereby authorized.

BE IT FURTHER RESOLVED that all resolutions in conflict herewith are hereby repealed.

ADOPTED AND APPROVED this 15th day of June, 2010.

/s/ Don Williams

DON WILLIAMS, President

ATTEST:

Phyllis McGraw, Acting City Clerk

(Other business not pertinent to the present excerpt may be found of record in the official minute book.)

Upon motion duly made and unanimously carried, the meeting was adjourned.

/s/ Don Williams

DON WILLIAMS, President

ATTEST:

Phyllis McGraw

Acting City Clerk

STATE OF LOUISIANA

PARISH OF BOSSIER

I, **HELEN THORNTON**, certify that I am the duly qualified and acting Clerk of the City Council of Bossier City, Louisiana.

I further certify that the foregoing is a true and correct copy of an excerpt from the minutes of a regular meeting of the City Council, held on June 15, 2010, and of a resolution adopted at said meeting, as said minutes and resolution appear officially of record in my possession.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the City of Bossier City, Louisiana, on this 15th day of June, 2010.

HELEN THORNTON, Clerk of Council

[S E A L]

The following Resolution offered and adopted:

RESOLUTION NO. 18 OF 2010

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT WHEREBY BOSSIER CITY WILL ACCEPT THE TRANSFER OF OWNERSHIP OF A SECTION OF THE BENTON ROAD OVERPASS.

WHEREAS, now that the Benton Road Overpass (State Project No. 044-01-0038) is complete, an agreement has been drafted whereby the Louisiana Department of Transportation and Development will own and operate the Benton Road Overpass Bridge and City of Bossier City will own and operate the at grade section of Benton Road that includes the Kansas City Southern Rail Crossing.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Bossier City, in regular session convened; does hereby authorize the Mayor to execute an agreement with the Louisiana Department of Transportation and Development whereby Bossier City will accept the transfer of ownership of a section of the Benton Road Overpass.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign any and all documents in connection with the furtherance of this Resolution.

The above and foregoing Resolution, read in full at open and legal session convened, was on motion of Mr. Jones, and seconded by Mr. Knight, and adopted on the 15th day of June, 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

Phyllis McGraw, Acting City Clerk

The following Resolution offered and adopted:

RESOLUTION NO. 19 OF 2010

A RESOLUTION AUTHORIZING ONE LABORER I POSITION TO BE REPLACED

WHEREAS, Ordinance No. 2 of 2010 implemented a hiring freeze requiring Bossier City Council approval for the hiring of any personnel;

WHEREAS, one vacancy now exist in the Grass Cutting and Street Sweeping division and filling that positions will allow operations to continue;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Bossier City, Louisiana, in regular and legal session convened, that the administration is authorized to replace one Laborer I position.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Darby, and second by Mr. Jones, and adopted on the 15th day of June, 2010, by the following vote:

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

NAYS: none

ABSENT: none

ABSTAIN: none

Don Williams, President

Phyllis McGraw, Acting City Clerk

By: Mr. Jones

Motion made to approve report of Change Order to the 2009 Water Main Improvements, an increase of \$24,362.00. Total cost of contract with increase \$417,442.00

Seconded by Mr. Knight

Vote in favor of motion is unanimous.

By: Mr. Irwin

Motion made to approve report of Change Order to the North Bossier Park Tennis Center-additional clay courts, an increase of \$174,460.00, total cost of contract with increase \$460,460.00

Seconded by Mr. Jones

Vote in favor of motion is unanimous.

By: Mr. Jones

Motion made to approve report of Change Order to the Fire Training Academy expansion, an increase of \$143,455.00, total cost of contract with increase \$753,605.00

Seconded by Mr. Knight

Vote in favor of motion is unanimous.

Elect Bossier City Council President – Council Member Darby nominated Councilman Jones for President

By: Mr. Larkin

Motion made to elect Councilman Jones President for a term of one year.

Seconded by Mr. Knight

Vote in favor of motion is unanimous.

Elect Bossier City Council Vice President – Council Member Larkin nominates Councilman Montgomery

By: Mr. Larkin

Motion made to elect Councilman Montgomery Vice President for a term of one year.

Seconded by Mr. Irwin

Vote in favor of motion is unanimous.

There being no further business to come before this meeting, meeting adjourned at 4:07PM by Mr. Williams.

Respectfully submitted:

Helen Thornton
City Clerk

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