

PROCEEDINGS OF THE CITY COUNCIL OF BOSSIER CITY
STATE OF LOUISIANA TAKEN AT THE REGULAR MEETING
JANUARY 7, 2020

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, January 7, 2020, 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, President Scott Irwin, Honorable Councilors David Montgomery, Jr., Timothy Larkin, Jeffery Darby, Don Williams, Jeff Free and Thomas Harvey

Also Present: Mayor, Lorenz Walker, City Attorney, Jimmy Hall and City Clerk, Phyllis McGraw

By: Mr. Montgomery, Jr.

Motion to approve minutes of December 17, 2019, Regular Meeting and dispense with the reading.

Seconded by Mr. Williams

No comment

Motion carries unanimously

By: Mr. Montgomery, Jr.

Motion to approve Agenda as printed.

Seconded by Mr. Harvey

No comment

Vote in favor of motion is unanimous

President Irwin read the statement concerning public comment and asked if there was any public comment on any item on today's agenda. Several of the Council Members voiced concern about limiting the public comment period to the beginning of the meeting. After discussion, City Attorney Hall stated the Resolution can be brought up again at the next meeting and amended.

Ceremonial Matters/Recognition of Guests-

Michael Corbin, Swepco, spoke to Council concerning the possibility of making changes to the UDC Code allowing for Utilities to be placed in front of residences. Sam Marsiglia, MPC, stated he thinks that it would be a good idea since lot sizes are getting smaller. They will work with MPC Board to see what changes could be made.

Committee Reports-

Mark Hudson, City Engineer, went over the Monthly Project Report, he showed Council map of Coleman Street project and the WOB Carriageway project. He noted that at this time the WOB Carriageway project was about 12 million short. He made some cost saving recommendations for the Council to consider. He also went over the Innovation Drive Project and how it would tie into Swan Lake Road. Mr. Montgomery asked Mr. Hudson to coordinate with the Police Jury on placing their traffic light and ours at the same time and have them synchronized. He also spoke on the Viking Drive widening and announced that ground breaking for improvements to Tinsley Park were coming up.

Lisa Johnson, President of Bossier Chamber of Commerce, updated the Council on the Be Bossier Campaign. She noted that they weren't asking for additional funds at this time due to spending the money allocated to them wisely. She went over the increases in website clicks and searches. Councilman Free spoke on how he uses the website and Be Bossier information to help when trying to sell properties and relocate people to Bossier from other states and locations. She also gave the Council special Coke cans printed for the Be Bossier Campaign.

Unfinished Business –

The following Ordinance offered and adopted:

Ordinance No. 1 Of 2019

AN ORDINANCE AUTHORIZING MAYOR LORENZ WALKER TO EXECUTE THE ATTACHED REVISED COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE CITY OF BOSSIER CITY AND THE VETERANS AFFAIRS

WHEREAS, previously there was a cooperative endeavor agreement between the City of Bossier City and the Veterans Affairs; and

WHEREAS, updates have been made to the previous contract as reflected in the cooperative endeavor agreement attached hereto; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that Mayor Lorenz Walker, on behalf of the City of Bossier City is hereby authorized to execute the attached revised cooperative endeavor agreement between the City of Bossier City and the Veterans Affairs.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. David Montgomery, Jr., and seconded by Mr. Don Williams, and adopted on the 7th, day of January, 2020, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: none

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

The following Ordinance offered and adopted:

Ordinance No. 2 Of 2020

AN ORDINANCE REPEALING SECTION 102-11 OF THE BOSSIER CITY CODE OF ORDINANCES AND REENACTING SECTION 102-11 AS SET FORTH HEREIN

**IN REFERENCE TO PUBLIC SAFETY ACCESS TO
CONTROLLED ACCESS RESIDENTIAL SUBDIVISIONS
AND COMMERCIAL PREMICES**

WHEREAS, the electronic tag receiver system has become obsolete due to the lack of available ports to maintain the systems; and

WHEREAS, this has created a danger to residential and commercial properties by limiting access by public safety; and

WHEREAS, a radio transmitting system is supported by multiple vendors and will provide a reliable and sustainable system for public safety access; and

Chapter 102 - SUBDIVISIONS

Sec. 102-11. - Security gates and limited access gates.

(a) Except as prohibited by other ordinances and when approved by the code official, gates may be installed that restrict access to the public, police and fire lane provided that at least one entrance is either left unobstructed (no gate) or an electrically operated gate is installed that can be operated with a manual key switch and a radio transmitting system which is compatible with the radio transmitting system used by the city. The switch and receiver shall be installed on the column or post near the electrical control box (preferably on the right hand side). When the switch is operated, the gate shall remain in the open position until either automatically or manually reset. A battery back-up and manual override shall be provided to be used in case of power outage. Additional gates may be manually operated gates that have an approved padlock installed to permit fire and police department access. This shall allow emergency access to the property by the police and fire departments.

(b) Requirement of emergency rapid access devices for gated communities or gated commercial premises.

(1) *Gated communities or gated commercial premises.* For purposes of this section, gated communities shall include all commercial properties, housing developments, apartment and townhouse complexes, and all other residential

communities, which have limited access electronic gates for ingress into and egress from the community or commercial premises.

(2) *Emergency rapid access devices.* For purposes of this section, emergency rapid access devices include rapid access key boxes, switch control devices, receivers, security padlocks, and the locks and keys used in such devices, which shall be UL certified and approved by the fire marshal.

(3) *Requirement.* All gated communities or gated commercial premises shall install rapid access key boxes, switch control devices, and a radio transmitting system which is compatible with the radio transmitting system used by the city at the primary gated entrance on the gate control panel that is readily visible and accessible. All secondary gated entrances/exits shall have key boxes, switch control devices or security padlocks.

(4) *Time for compliance.* All existing gated communities and gated commercial premises shall be in compliance with this section before December 31, 2020 and all new gated communities and commercial premises shall comply with this section prior to occupancy.

(5) *Responsible persons/entities.* For existing gated communities and gated commercial premises, the person/entity responsible for compliance with this section shall be the person/entity responsible for maintenance of the gated access. For new-gated communities or gated commercial premises, the person/entity responsible for compliance with this section shall be the developer or builder of the gated community or gated commercial premises.

(c) *Penalties.* Whoever shall be found guilty of violating any provision of this article shall, upon conviction be punished pursuant to section 1-9 of the Bossier City Code of Ordinances. Application of the penal provision of section 1-9 shall not prevent removal of prohibited conditions, either under the adopted fire prevention code or under applicable provisions of state or local law.

(d) *Enforcement.* The division of fire prevention of the Bossier City Fire Department shall be responsible for enforcement of this requirement.

(Ord. No. 45-2006, 5-23-2006)

NOW, THEREFORE BE IT ORDAINED by the City Council of Bossier City, Louisiana, in regular session convened, that Section 102-11 of the Bossier City Code of Ordinances is hereby repealed and reenacted as set forth herein.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion of Mr. David Montgomery, Jr., and seconded by Mr. Don Williams, and adopted on the 7th, day of January, 2020, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: none

ABSENT: none

ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

New Business –

By: Mr. Montgomery, Jr.

Motion to introduce an Ordinance to transfer \$1 Million from the Riverboat Capital Projects Fund into the Walter O. Bigby Carriageway Fund to be used to supplement existing funds in the Walter O. Bigby Carriageway Fund.

Seconded by Mr. Williams

No comment

Vote in favor of motion is unanimous

By: Mr. Harvey

Motion to introduce an Ordinance to dedicate \$1 Million from the 2016 Sales Tax Bond – Downtown Re-Envisioning Fund to be used to supplement existing funds for the Coleman Street Improvements Projects.

Seconded by Mr. Montgomery, Jr.

No comment

Vote in favor of motion is unanimous

By: Mr. Williams

Motion to introduce an Ordinance to dedicate \$600,000 from the 2018 LCDA Bond Funds to be used to supplement existing funds dedicated to the Viking Drive Widening Urban System Project.

Seconded by Mr. Darby

No comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to introduce an Ordinance to appropriate \$3,150,000 from the Land Acquisition Fund to be used to complete Right-of-Acquisitions for the Walter O. Bigby Carriageway.

Seconded by Mr. Williams

No comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to introduce an Ordinance to re-appropriate \$62,000 from the Parks and Recreation Salary and Benefits to Contract Services, in the Building Maintenance Division to provide for a private contractor for Lawn Maintenance at City Hall, the East Texas Fuel Station and the Fire Training Center on Shed Road.

Seconded by Mr. Williams

Questions if we were bidding this out or contracting it out. Mr. Hudson stated it would be bid out.

Vote in favor of motion is unanimous

By: Mr. Darby

Motion to introduce an Ordinance to fund improvements to the Industrial Drive Pump Station at a cost of \$10,000.00 to come from the Sewer Capital and Contingency Fund.

Seconded by Mr. Montgomery, Jr.

No comment

Vote in favor of motion is unanimous

The following Resolution offered and adopted:

RESOLUTION 1 Of 2020

A RESOLUTION AUTHORIZING THE HIRING OF A METER READER FOR THE CUSTOMER SERVICE DEPARTMENT

WHEREAS, Ordinance No. 21 of 2018 implemented a requirement assuring that the City department budgets not be exceeded by any hiring of any personnel;
and

WHEREAS, the position of a METER READER is vacant due to termination;
and

WHEREAS, the administration and the department assures that all current budgets have been verified and that no authorized salary has been exceeded; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Bossier City, Louisiana, in regular session convened, that the administration is authorized to proceed with hiring procedures for the fulfillment of this position.

The above and foregoing Resolution was read in full at open and legal session convened, was on motion of Mr. Jeffery Darby, and seconded by Mr. Don Williams, and adopted on the 7th, day of January, 2020, by the following vote:

AYES: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams, Mr. Free and Mr. Harvey

NAYS: none
ABSENT: none
ABSTAIN: none

Scott Irwin, President

Phyllis McGraw, City Clerk

The following resolution was offered by Mr. David Montgomery, Jr. and seconded by Mr. Timothy Larkin:

RESOLUTION 2 of 2020

A resolution ordering and calling a special election to be held in the City of Bossier City, State of Louisiana, to authorize the continuation of a special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

BE IT RESOLVED by the City Council of the City of Bossier City, State of Louisiana (the "Governing Authority"), acting as the governing authority of the City of Bossier City, State of Louisiana (the "City"), that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by the Constitution of the State of Louisiana of 1974, including Article VI, Section 27 thereof, the applicable provisions of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the City on **SATURDAY, MAY 9, 2020**, between the hours of seven o'clock (7:00) a.m. and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

PROPOSITION

(MILLAGE CONTINUATION)

Shall the City of Bossier City, State of Louisiana (the "City"), be authorized to continue to levy and collect a special tax of six and nineteen hundredths (6.19) mills on all property subject to taxation in the City (an estimated \$3,900,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of operating and maintaining, including salary adjustments, the Fire and Police Departments of the City, said millage to represent a nineteen hundredths (.19) of a mill increase over the 6 mills authorized to be levied through the year 2020 pursuant to an election held on May 1, 2010?

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in *The Bossier Press Tribune*, a newspaper of general circulation within the City, published in and being the official journal of the City, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

Notwithstanding the foregoing, prior to the publication of the Notice of Special Election, the Mayor is authorized and directed to make any amendments to the foregoing proposition that may be required to comply with any state or federal regulatory agencies.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, the City Hall, 620 Benton Road, City, Louisiana, on **TUESDAY, JUNE 16, 2020**, at **THREE O'CLOCK (3:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

SECTION 4. Polling Place. The polling places for the precincts set forth in the aforesaid Notice of Special Election are hereby designated as the polling places at which to hold the said election, and the Commissioner-in-Charge and Commissioners, respectively, shall be those persons designated in accordance with law.

SECTION 5. Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on Tuesday, June 16, 2020, as provided in Section 3 hereof. All registered voters in the City will be entitled to vote at the special election, and voting machines shall be used.

SECTION 6. Authorization of Officers. The Clerk of the City is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Mayor and/or Clerk of the City are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodian of Voting Machines of Bossier Parish and the Registrar of Voters of Bossier Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to continue to levy and collect the special tax provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Montgomery, Jr., Mr. Larkin, Mr. Irwin, Mr. Darby, Mr. Williams,
Mr. Free and Mr. Harvey

NAYS: none

ABSENT: none

And the resolution was declared adopted on this, the 7th day of January, 2020.

City Clerk

President

EXHIBIT "A"

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the City Council of the City of Bossier City, State of Louisiana (the "Governing Authority"), acting as the governing authority of the City of Bossier City, State of Louisiana (the "City"), on January 7, 2020, NOTICE IS HEREBY GIVEN that a special election will be held within the City on **SATURDAY, MAY 9, 2020**, and that at the said election there will be submitted to all registered voters in the City qualified and entitled to vote at the said election under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following proposition, to-wit:

PROPOSITION

(MILLAGE CONTINUATION)

Shall the City of Bossier City, State of Louisiana (the "City"), be authorized to continue to levy and collect a special tax of six and nineteen hundredths (6.19) mills on all property subject to taxation in the City (an estimated \$3,900,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for the purpose of operating and maintaining, including salary adjustments, the Fire and Police Departments of the City, said millage to represent a nineteen hundredths (.19) of a mill increase over the 6 mills authorized to be levied through the year 2020 pursuant to an election held on May 1, 2010?

The said special election shall be held at the polling place for the following precincts, which polls will open at seven o'clock (7:00) a.m. and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, to wit:

PRECINCTS

01-01

01-02

01-03

01-03A

01-03B

01-04

01-05

02-02

02-03

02-03A

02-04-1(PART)

02-04-2(PART)

02-05A

02-06

02-07

02-08

02-09

02-10

02-11

02-11A

02-12A

02-12B

02-12C

02-13

02-14

02-15

02-16

02-16A

02-17A

02-17B

02-18C

02-18E-1(PART)

02-18E-2(PART)

02-19

02-20

02-21A

02-21B

02-21C-1(PART)

02-21C-2(PART)

02-21D-1(PART)

02-21D-2(PART)

02-23

04-08A

04-08B-1(PART)

04-08B-2(PART)

04-08C

04-08D

04-08E

04-08F

04-10-1(PART)

04-10-2(PART)

The polling places for the precincts set forth above are hereby designated as the polling places at which to hold the said election, and the Commissioner-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

The estimated cost of this election as determined by the Secretary of State based upon the provisions of Chapter 8-A of Title 18 and actual costs of similar elections is \$64,000.

Notice is further given that a portion of the monies collected from the tax described in the Proposition shall be remitted to certain state and statewide retirement systems in the manner required by law.

The said special election will be held in accordance with the applicable provisions of Chapter 5 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and the officers appointed to hold the said election, as provided in this Notice of Special Election, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, will make due returns thereof to said Governing Authority, and NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet at its regular meeting place, the City Hall, 620 Benton Road, Bossier City, Louisiana, on **TUESDAY, JUNE 16, 2020**, at **THREE O'CLOCK (3:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election. All registered voters of the City are entitled to vote at said special election and voting machines will be used.

THUS DONE AND SIGNED at City, Louisiana, on this, the 7th day of January, 2020.

ATTEST:

President

City Clerk

STATE OF LOUISIANA

PARISH OF BOSSIER

I, the undersigned City Clerk of the City of Bossier City, State of Louisiana (the "City"), do hereby certify that the foregoing pages constitute a true and correct copy of the proceedings taken by the City Council of the City of Bossier City, State of Louisiana, on January 7, 2020, ordering and calling a special election to be held in the City to authorize the continuation of a special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature at Bossier City, Louisiana, on this, the 7th day of January, 2020.

City Clerk

By: Mr. Montgomery, Jr.

Motion to approve Parade Permit Fee Waiver for R.V. Kerr Kat 5K Color Run, Saturday, April 18, 2020.

Seconded by Mr. Williams

No Comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to approve Report of Final Change Order for the Century Link Center re-roof an increase of \$44,814.00. Total cost of contract with Change Order \$752,814.00.

Seconded by Mr. Williams

No comment

Vote in favor of motion is unanimous

By: Mr. Free

Motion to approve appointment of Charlie Davis, Jr. to Metropolitan Planning Commission Board of Adjustments to replace Allen Self. Term effective January 7, 2020 and will expire November 2, 2021.

Seconded by Mr. Montgomery, Jr.

No comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to approve Report of Change Order #2 for the WTP Transmission Mains Project for an increase of \$113,871.58. Total cost of contract with Change Order \$2,384,169.73.

Seconded by Mr. Williams

No comment

Vote in favor of motion is unanimous

By: Mr. Montgomery, Jr.

Motion to approve Report of Change Order #5 for the NE WWTP Improvement Project for an increase of \$154,939.82. Total cost of contract with increase \$13,105,655.65.

Seconded by Mr. Darby

No comment

Vote in favor of motion is unanimous

Announcements – Mr. Montgomery congratulated the Cobb Family for 70 years of service in their business and to their community.

There being no further business to come before this Council, meeting adjourned at 4:10 PM by Mr. Irwin

Respectfully submitted:

Phyllis McGraw

City Clerk

Publish: January 15, 2019

Bossier Press Tribune