

Natchitoches City Council will have a pre-council meeting beginning at 5:00 p.m. and ending at 5:30 p.m. to discuss non-agenda items. The City Council meeting will begin promptly at 5:30 p.m. on the second and fourth Monday of each month and will be reserved to only items on the Agenda. The public is invited to both the pre-council meetings and council meetings with the understanding that items not on the agenda will not be discussed at the scheduled council meetings, but the public is welcome to discuss any topic at the pre-council meetings. The City Council Meetings are held at the Natchitoches Arts Center located at 716 Second Street, Natchitoches, Louisiana.

**NATCHITOCHEs CITY COUNCIL MEETING
FEBRUARY 10, 2014
5:30 P.M.**

A G E N D A

1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **READING AND APPROVAL OF THE MINUTES OF JANUARY 27, 2014**
5. **PROCLAMATION:**
#012 Payne African American History Month
6. **ORDINANCES – FINAL:**
#003 Vallien Ordinance Amending The 2013-2014 Budget To Reflect Additional Revenues And Expenditures

#004 Mims Ordinance To Amend And Readopt Sections 28-18, 28-19, 28-20, 28-23 And 28-24 Of The Code Of Ordinances, Which Said Sections Are All Within Article Ii, Entitled "Excavations" Of Chapter 28 Entitled "Streets, Sidewalks And Public Places", Said Sections Being Amended And Re-Adopted To Provide For New Regulations For Excavations Or Cuts In City Streets, Providing For Advertising, Further Providing For Severability, And Further Providing For A Repealer And Effective Date Of Ordinance
7. **RESOLUTIONS:**
#013 Nielsen Resolution In Support Of The Capital Outlay Application Filed By The State Of Louisiana, Department Of Transportation And Development, For Supplemental Funding Of The El Camino East-West Corridor

#014 Mims Resolution Authorizing The Mayor To Execute Change Order No. 1 – Final To The Water System Improvements Grand Ecore 300,000 Elevated Water Tank Repainting (Bid No. 0537)

#015 Stamey Resolution Authorizing The Execution Of The Certificate Of Substantial Completion For The Water System Improvements, Grand Ecore 300,000 Gallon Elevated Tank Repainting (**Bid No. 0537**)

8. **ANNOUNCEMENTS:** The next scheduled City Council meeting will be **February 24, 2014.**

The offices of the City of Natchitoches will be closed **Monday, February 17, 2014** in honor of President's Day

9. **ADJOURMENT:**

NOTICE TO THE PUBLIC

In accordance with the Americans with Disabilities Act, if you need special assistance, please contact the City Clerk's Office at (318) 352-2772 describing the assistance that is necessary.

If you wish to address the Council, please complete the "Request to Address City Council" form located on the entrance table.

**PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF NATCHITOCHES, STATE OF LOUISIANA,
REGULAR MEETING HELD ON
MONDAY, FEBRUARY 10, 2014 AT 5:30 P.M.**

The City Council of the City of Natchitoches met in legal and regular session at the Natchitoches Arts Center, 716 Second Street, Natchitoches, Louisiana on Monday, February 10, 2014 at 5:30 p.m.

There were present:

Mayor Lee Posey
Councilman At Large Don Mims, Jr.
Councilman Dale Nielsen
Councilman David Stamey
Councilman Andrew Vallien

Guests: None

Absent: None

Mayor Lee Posey called the meeting to order and welcomed everyone for coming. Michael Braxton was asked to lead the invocation and Councilman Mims was asked to lead the pledge of allegiance.

Mayor Posey then called for the reading and approval of the minutes for the January 27, 2014 meeting. Mr. Mims moved that we dispense with the reading of the minutes and approval of same. Seconded by Mr. Nielsen. The roll call vote was as follows:

Ayes:	Payne, Nielsen, Mims, Stamey, Vallien
Nays:	None
Absent:	None

The following Resolution was introduced by Mr. Payne and Seconded by Mr. Stamey as follows, to –wit:

RESOLUTION NO. 012 OF 2014

**RESOLUTION PROCLAIMING THE MONTH OF FEBRUARY 2014
AS AFRICAN AMERICAN HISTORY MONTH IN THE CITY OF
NATCHITOCHEs**

WHEREAS, the history of our great country has been written by men and women of every race, religion and ethnic background and African American History Month gives us the opportunity to recognize the extraordinary contributions African Americans have made to the rich cultural history of our nation; and

WHEREAS, we also recognize the courage and tenacity of so many hard-working African Americans whose legacies are woven into the fabric of our country; and

WHEREAS, we as a country must continue to encourage and demand our children to reach for the full measure of their potential and ambitions through education; and

WHEREAS, each February we recognize African American History Month to reflect upon how far we have come as a Nation and community and what challenges remain; and

WHEREAS, this year’s theme, “Civil Rights in America” chronicling the important milestones by African-Americans and others in the battle for civil rights and equal treatment under the law.

NOW, THEREFORE, I, MAYOR LEE POSEY, Mayor of the City of Natchitoches hereby proclaim February 2014 as

AFRICAN AMERICAN HISTORY MONTH

in the City of Natchitoches and call upon all the citizens of Natchitoches to honor and respect the significant contributions African Americans have made to our City and Nation.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES:	Payne, Nielsen, Mims, Stamey, Vallien
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5

Ayes to 0 Nays on this 10th day of February, 2014.



LEE POSEY, MAYOR

Mr. Payne presented the proclamation to Pastor Altorio Holden. Pastor Holden thanked the Council and City for recognizing African American History Month. He stated this country and city was founded on the basis on many people. This may have gone unnoticed in the past, but I commend this Council for noticing the things that have been done. It looks good to see the diversity amongst the Council, Department Heads, and City itself. Along with the other ministers, Pastor Holden recognizes we have a Mayor and a Council who tries to make things equally fair in this community.

Mayor Posey thanked Pastor Holden along with other for their help recently in increasing the numbers in the after school programs in Breda Town. The numbers have increased and he encouraged Pastor Holden to continue to get the children in the community to attend.

The following ordinance was introduced by Mr. Vallien and seconded by Mr. Payne as follows to-wit:

ORDINANCE NO. 003 OF 2014

AN ORDINANCE AMENDING THE 2013-2014 BUDGET TO REFLECT ADDITIONAL REVENUES AND EXPENDITURES

WHEREAS, Louisiana Statute (R.S. 39: 1310-1311) requires that the City amend its operating budgets when fund balance is being budgeted, and there is a 5% unfavorable variance in revenues or expenditures.

NOW, THEREFORE BE IT RESOLVED, that the budget be amended to reflect these additional revenues and expenditures as follows:

	2013-14 Original Budget	Increase/ Decrease	2013-14 Amended Budget
<u>Fund 026: LAC/Traffic Enforcement Program</u>			
026-0000-446-10-00 Traffic Tickets	16,000	34,000	50,000
026-0000-591-10-50 Overtime	-	20,000	20,000
026-0000-591-11-12 FICA/Medicare	-	2,500	2,500
026-0000-591-11-14 Worker's Comp	-	2,500	2,500
026-0000-591-35-55 District Atty/City Court	8,000	17,000	25,000
<u>Fund 027: Prisoner Bond/Release</u>			
027-0000-446-02-00 Bond Fee	14,000	12,000	26,000
027-0000-446-11-00 Finger Print Fee	-	1,000	1,000
027-0000-591-40-02 Travel/Per Diem	7,000	13,000	20,000
<u>Fund 054: Cane River Green Market</u>			
054-0000-431-14-00 Market Umbrella	-	1,000	1,000
054-0000-481-23-00 Token Sales	-	1,500	1,500
054-0000-481-24-00 EBT Token Sales	-	1,000	1,000
054-0000-591-30-35 Vendor Coupon Remissions	-	2,500	2,500
054-0000-591-35-75 SNAP Implementation	-	1,000	1,000
<u>Fund 064: NW Law Enforcement Plan Agency</u>			
064-0000-481-00-00 Miscellaneous Income	1,500	1,500	3,000
064-0000-591-40-02 Travel/Per Diem	1,500	1,500	3,000
<u>Fund 068: HDDC Projects</u>			
068-0000-432-07-00 NHDDC Reimbursements	-	13,500	13,500
068-0000-591-26-03 Repairs/Buildings and Grounds	-	3,500	3,500
068-0000-591-30-13 Materials/Buildings and Grounds	-	10,000	10,000
<u>Fund 074: Capital Project/Sales Tax</u>			
074-0000-591-45-02 Transfer Out/Utility Fund	110,000	800,000	910,000
074-0000-591-50-05 Principal	850,000	660,000	1,510,000
<u>Fund 075: Capital Project/Water Treatment</u>			
075-0000-482-01-01 Bond Proceeds	-	503,610	503,610
075-0000-591-20-03 Engineering Services	-	62,200	62,000

	2013-14		2013-14
	Original Budget	Increase/ Decrease	Amended Budget
075-0000-591-20-13 Construction	-	441,410	441,410
<u>Fund 113: University Gateway Phase II</u>			
113-0000-591-20-04 Consultants	-	1,500	1,500
<u>Fund 122: LCDBG Projects</u>			
122-0000-491-72-00 Transfers/Street Fund	-	113,500	113,500
122-0000-591-20-04 Consultants	-	113,500	113,500
<u>Fund 142: DOTD/LA 478 UT Relocation</u>			
142-0000-432-09-00 State Grant	-	53,000	53,000
142-0000-591-20-13 Construction	-	53,000	53,000
<u>Fund 143: Community Water Enrichment</u>			
143-0000-432-09-00 State Grant	-	50,000	50,000
143-0000-591-40-99 Other Expense	-	50,000	50,000
<u>Fund 205: Asst. FF Grant/Reg/Communication</u>			
205-0000-491-11-00 Transfers/Hazard Tax	-	2,300	2,300
205-0000-591-30-36 Radio Equipment	-	15,600	15,600

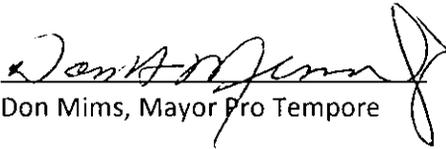
THIS ORDINANCE was introduced on January 27, 2014 and published in the *Natchitoches Times* on February 1, 2014.

The above Ordinance having been duly advertised in accordance with law and public hearing had on same, was put to a vote by the Mayor and the vote was recored as follows:

AYES: Payne, Nielsen, Mims, Stamey, Vallien
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, Mayor Lee Posey declared the Ordinance passed by a vote of 5 Ayes to 0 Nays this 10th day of February, 2014.


 Lee Posey, Mayor


 Don Mims, Mayor Pro Tempore

Delivered to the Mayor on the 11th day of February, 2014 at 10:00 A.M.

The following Ordinance was Introduced by Mr. Mims and Seconded by Mr. Nielsen as follows, to-wit:

ORDINANCE NUMBER 004 OF 2014

AN ORDINANCE TO AMEND AND RE-ADOPT SECTIONS 28-18, 28-19, 28-20, 28-23 and 28-24 OF THE CODE OF ORDINANCES, WHICH SAID SECTIONS ARE ALL WITHIN ARTICLE II, ENTITLED "EXCAVATIONS" OF CHAPTER 28 ENTITLED "STREETS, SIDEWALKS AND PUBLIC PLACES", SAID SECTIONS BEING AMENDED AND RE-ADOPTED TO PROVIDE FOR NEW REGULATIONS FOR EXCAVATIONS OR CUTS IN CITY STREETS, PROVIDING FOR ADVERTISING, FURTHER PROVIDING FOR SEVERABILITY, AND FURTHER PROVIDING FOR A REPEALER AND EFFECTIVE DATE OF ORDINANCE.

WHEREAS, Sections 28-18 through 28-24 of the Code of Ordinances of the City of Natchitoches provide for the issuance of permits for the cutting, breaking or otherwise disturbing a street, curb, curb and gutter or sidewalk of the City of Natchitoches, and further provides for fees, a bond or guaranty, and other requirements for the breaking or otherwise disturbing a street, curb, curb and gutter or sidewalk of the City of Natchitoches; and

WHEREAS FURTHER, the Director of Utilities has made certain recommendation for the amendment of Sections 28-18, 28-19, 28-20, 28-23 and 28-24 which will provide additional security to the City of Natchitoches to insure that streets, curbs, curbs and gutters or sidewalks of the City of Natchitoches are properly restored after being disturbed; and

WHEREAS FURTHER, Section 28-18 currently provides as follows, to-wit:

"Sec. 28-18. Permit--Required.

No person shall cut, break or otherwise cross a street, curb, curb and gutter or sidewalk without first obtaining a permit from the city and paying for such permit, posting a bond as hereinafter provided for, and warranting to the city that the city property will be repaired at the contractor's expense and placed back in good condition and in accordance with the city's instructions and requirements."

; and

WHEREAS FURTHER, it is proposed that Section 28-18 be amended to provide as follows, to-wit:

"Sec. 28-18. Permit--Required.

No person shall cut, break or otherwise cross a street, curb, curb and gutter or sidewalk without first obtaining a permit from the Public Works Department of the City of Natchitoches and paying for such permit, posting a bond as hereinafter provided for, and warranting to the city that the city property will be repaired at the contractor's expense and placed back in good condition and in accordance with the city's instructions and requirements which will be provided by the City at the issuance of the permit. The person obtaining the permit shall sign an acknowledgment recognizing receipt of the city's instructions and requirements as well as drawings of minimal requirements for backfill of trench and paving repair."

; and

WHEREAS FURTHER, Section 28-19 currently provides as follows, to-wit:

"Sec. 28-19. Same--Fees.

The charges to be made by the city for permits required by section 28-18 are as follows:

- (1) For streets hard surfaced with concrete, soil cement and asphalt wearing surface, or asphalt streets with curb and gutter, a fixed fee of thirty dollars (\$30.00).
- (2) Streets hard surfaced with concrete, soil cement and asphalt wearing surface, or asphalt streets but without curb and gutter, a fixed fee of twenty-five dollars (\$25.00).
- (3) For graveled streets with curb and gutter, a fixed fee of twenty dollars (\$20.00).
- (4) Graveled street without curb and gutter, a fixed fee of ten dollars (\$10.00).
- (5) For dirt streets without curb and gutter, a fixed fee of ten dollars (\$10.00).
- (6) For sidewalks, a fixed fee of ten dollars (\$10.00).
- (7) For curb, or curb and gutter, a fixed fee of ten dollars (\$10.00).

The charges are to be used to partially defray the cost of inspecting the job and insuring that the city property is repaired and replaced to the city's satisfaction."

; and

WHEREAS FURTHER, it is proposed that Section 28-19 be amended to provide as follows, to-wit:

"Sec. 28-19. Same--Fees.

The charge to be made by the city for permits required by section 28-18 is twenty-five dollars (\$25.00).

This charge will be used to partially defray the cost of inspecting the job and insuring that the city property is repaired and replaced to the city's satisfaction."

; and

WHEREAS FURTHER, Section 28-20 currently provides as follows, to-wit:

“Sec. 28-20. Replacement guaranty and bond.

No person shall cut, break or otherwise cross a street, curb, curb and gutter, or sidewalk without first, in addition to paying for the fixed fee for the permit required

above, posting with the city a bond, either a cash bond or surety bond acceptable to the city, in a sum sufficient to assure the proper replacement of the street, curb, curb and gutter, and/or sidewalk removed.”

; and

WHEREAS FURTHER, it is proposed that Section 28-20 be amended to provide as follows, to-wit:

“Sec. 28-20. Replacement guaranty and bond.

No person shall cut, break or otherwise cross a street, curb, curb and gutter, or sidewalk without first, in addition to paying for the fixed fee for the permit required above, posting with the city a bond, either a cash bond or surety bond acceptable to the city, in the sum of \$1,000.00 which shall assure the proper replacement of the street, curb, curb and gutter, and/or sidewalk removed.”

; and

WHEREAS FURTHER, Section 28-23 currently provides as follows, to-wit:

“Sec. 28-23. Removal of pavement; backfilling; inspections by city; cancellation of bond or forfeiture of bond.

After a person has obtained the permit required by section 28-18, and has posted the bond required by section 28-20, he shall be permitted, at his own expense, to remove all the pavement necessary for his operations, install the service or utility contemplated under the permit, and shall then backfill the excavation with dry, loose dirt in six-inch layers, each layer being thoroughly tamped. If the material is too dry to compact properly, it shall be wetted and tamped until thoroughly compacted. This filling and tamping operation shall continue to a point two (2) inches above the grade of the existing roadway and shall be maintained by the person doing this work in the same condition until the city has inspected the work and approved it, and after the approval is obtained from the city, the contractor shall immediately replace, at its cost, the pavement removed. After the city has inspected and approved the replaced pavement, the bond required by section 28-20 can be cancelled. In the event that the contractor fails to comply with any portion of this article, the city may, after first giving seven (7) days' written notice to the contractor, declare the bond forfeited, and execute on the bond and do the necessary repair work itself or by separate contract and if the cost of the work exceeds the amount of the bond, the contractor shall be liable for the difference.”

; and

WHEREAS FURTHER, it is proposed that Section 28-23 be amended to provide

as follows, to-wit:

“Sec. 28-23. Removal of pavement; backfilling; inspections by city; cancellation of bond or forfeiture of bond.

After a person has obtained the permit required by section 28-18, and has posted the bond required by section 28-20, he shall be permitted, at his own expense, to remove all the pavement necessary for his operations, install the service or utility contemplated under the permit, shall backfill the excavation and replace wearing surface.

Removal of pavement. When removing existing concrete or asphalt surface, a full depth saw cut is required around the area to be removed.

Backfilling. Back fill around utility service shall be accomplished using only dry fill material (soil compacted sand or clay material. Soil backfill above utility service shall be limited to one 910 foot maximum fill. Back fill shall be mechanically packed, with maximum fill between pacing limited to 6 inch lifts. Compaction shall be such that no depression or settling of trench occurs. Should settling occur, it shall be corrected to the satisfaction of the City in a reasonable amount of time. Crushed stone backfill (limestone) shall be used to complete back fill of trench. Backfill material shall be mechanically packed, with maximum lift to be 6 inches. Drawings for above requirements showing trench detail and backfill shall be provided to Contractor.

Inspection of backfill. Inspection of backfill process shall be made by a City representative, while on-site. If backfilling operation is to be performed after hours or on a weekend, arrangements for the inspection shall be made in advance. Permittee will be billed for any cost to the City for overtime of the inspector.

Replace wearing surface. Any asphalt or concrete replacement shall be made by a City approved contractor. Asphalt and concrete replacement shall be made in accordance with the drawings provided to Contractor detailing paving repair for asphaltic surfacing or concrete surfacing. Any repairs to concrete pavement shall be performed by the City and the contractor will be billed for the cost of work to repair concrete pavement.

Inspection of replacement wearing surface. Inspection of replacement wearing surface shall be made by a City representative, while on-site. If replacement of wearing surface is to be performed after hours or on a weekend, arrangements for the inspection shall be made in advance. Permittee will be billed for any cost to the City for overtime of the inspector.

After the city has inspected and approved the replaced pavement, the bond required by section 28-20 can be cancelled. In the event that the contractor fails to comply with any portion of this article, the city may, after first giving seven (7) days' written notice to the contractor, declare the bond forfeited, and execute on the bond and do the necessary repair work itself or by separate contract and if the cost of the work exceeds the amount of the bond, the contractor shall be liable for the difference.

Any failure to comply with the requirements of this section may result in immediate termination of a permit, and any contractor who fails to comply

with the requirements of this section may have their right to submit future applications for permits suspended.”

; and

WHEREAS FURTHER, Section 28-24 currently provides as follows, to-wit:

“Sec. 28-24. Safeguards.

(a) It is hereby required that for every excavation made on public property, proper safeguards shall be provided against injury to the public; barricades shall be provided at five (5) feet distance, and such barricades shall completely encircle all open excavations or trenches. All barricades, as required by this section, shall have at least one (1) sign placed thereon on each side in a conspicuous manner, indicating the name of the person causing such excavation. When approved, timbers of sufficient strength may be used to cover an excavation to prevent blocking of streets.

(b) From sunup to sundown, there shall be placed, at a distance of not less than one hundred (100) feet, sufficient numbers of red flags to warn the public of dangerous excavation. From sunset to sunrise, there shall be placed at a distance of not less than one hundred (100) feet, sufficient red lights or flambeaux to indicate the length of the excavation in the public thoroughfare and to warn the public of dangerous excavation. In addition to the above, there shall be placed on or by the barricades sufficient red lights or flambeaux to indicate the point of excavation and its size.”

; and

WHEREAS FURTHER, it is proposed that Section 28-24 be amended to provide

as follows, to-wit:

“Sec. 28-24. Safeguards.

(a) It is hereby required that for every excavation made on public property, proper safeguards shall be provided against injury to the public; barricades shall be provided at five (5) feet distance, and such barricades shall completely encircle all open excavations or trenches. All barricades, as required by this section, shall have at least one (1) sign placed thereon on each side in a conspicuous manner, indicating the name of the person causing such excavation. When approved, timbers of sufficient strength may be used to cover an excavation to prevent blocking of streets.

(b) From sunup to sundown, there shall be placed, at a distance of not less than one hundred (100) feet, sufficient numbers of red flags to warn the public of dangerous excavation. From sunset to sunrise, there shall be placed at a distance of not less than one hundred (100) feet, sufficient red lights or flambeaux to indicate the length of the excavation in the public thoroughfare and to warn the public of dangerous excavation. In addition to the above, there shall be placed on or by the barricades sufficient red lights or flambeaux to indicate the point of excavation and its size.

(c) No material or equipment shall be left on or within any City right of way that will be a hazard to the general public or traffic.

(d) All non-emergency trenching, pipe laying and/or backfilling shall be complete prior to nightfall on the day on which work begins, and no open excavation shall be left overnight.

(e) If any sewer utility service repair is undertaken by contractor, the connection to the sewer main must be inspected by a City representative prior to the placement of any backfill material. ”

; and

WHEREAS FURTHER, the City Council of the City of Natchitoches has reviewed the proposed changes and agrees that the adoption is advisable and in the best interest of the City of Natchitoches and its citizens; and

WHEREAS FURTHER, the City Council of the City of Natchitoches, Louisiana, desires to amend the Code of Ordinances of the City of Natchitoches in order to amend Sections 28-18, 28-19, 28-20, 28-23 and 28-24 as approved and recommended; and

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Natchitoches, Louisiana, as follows:

SECTION 1. Section 28-18 of the Code of Ordinances of the City of Natchitoches is hereby amended and re-enacted to read as follows:

"Sec. 28-18. Permit--Required.

No person shall cut, break or otherwise cross a street, curb, curb and gutter or sidewalk without first obtaining a permit from the Public Works Department of the City of Natchitoches and paying for such permit, posting a bond as hereinafter provided for, and warranting to the city that the city property will be repaired at the contractor's expense and placed back in good condition and in accordance with the city's instructions and requirements which will be provided by the City at the issuance of the permit. The person obtaining the permit shall sign an acknowledgment recognizing receipt of the city's instructions and requirements as well as drawings of minimal requirements for backfill of trench and paving repair."

SECTION 2. Section 28-19 of the Code of Ordinances of the City of Natchitoches is hereby amended and re-enacted to read as follows:

"Sec. 28-19. Same--Fees.

The charge to be made by the city for permits required by section 28-18 is twenty-five dollars (\$25.00).

This charge will be used to partially defray the cost of inspecting the job and insuring that the city property is repaired and replaced to the city's satisfaction."

SECTION 3. Section 28-20 of the Code of Ordinances of the City of Natchitoches is hereby amended and re-enacted to read as follows:

"Sec. 28-20. Replacement guaranty and bond.

No person shall cut, break or otherwise cross a street, curb, curb and gutter, or sidewalk without first, in addition to paying for the fixed fee for the permit required above, posting with the city a bond, either a cash bond or surety bond acceptable to the city, in the sum of \$1,000.00 which shall

assure the proper replacement of the street, curb, curb and gutter, and/or sidewalk removed.”

SECTION 4. Section 28-23 of the Code of Ordinances of the City of Natchitoches is hereby amended and re-enacted to read as follows:

“Sec. 28-23. Removal of pavement; backfilling; inspections by city; cancellation of bond or forfeiture of bond.

After a person has obtained the permit required by section 28-18, and has posted the bond required by section 28-20, he shall be permitted, at his own expense, to remove all the pavement necessary for his operations, install the service or utility contemplated under the permit, shall backfill the excavation and replace wearing surface.

Removal of pavement. When removing existing concrete or asphalt surface, a full depth saw cut is required around the area to be removed.

Backfilling. Back fill around utility service shall be accomplished using only dry fill material (soil compacted sand or clay material. Soil backfill above utility service shall be limited to one 910 foot maximum fill. Back fill shall be mechanically packed, with maximum fill between paving limited to 6 inch lifts. Compaction shall be such that no depression or settling of trench occurs. Should settling occur, it shall be corrected to the satisfaction of the City in a reasonable amount of time. Crushed stone backfill (limestone) shall be used to complete back fill of trench. Backfill material shall be mechanically packed, with maximum lift to be 6 inches. Drawings for above requirements showing trench detail and backfill shall be provided to Contractor.

Inspection of backfill. Inspection of backfill process shall be made by a City representative, while on-site. If backfilling operation is to be performed after hours or on a weekend, arrangements for the inspection shall be made in advance. Permittee will be billed for any cost to the City for overtime of the inspector.

Replace wearing surface. Any asphalt or concrete replacement shall be made by a City approved contractor. Asphalt and concrete replacement shall be made in accordance with the drawings provided to Contractor detailing paving repair for asphaltic surfacing or concrete surfacing. Any repairs to concrete pavement shall be performed by the City and the contractor will be billed for the cost of work to repair concrete pavement.

Inspection of replacement wearing surface. Inspection of replacement wearing surface shall be made by a City representative, while on-site. If replacement of wearing surface is to be performed after hours or on a weekend, arrangements for the inspection shall be made in advance. Permittee will be billed for any cost to the City for overtime of the inspector.

After the city has inspected and approved the replaced pavement, the bond required by section 28-20 can be cancelled. In the event that the contractor fails to comply with any portion of this article, the city may, after first giving seven (7) days' written notice to the contractor, declare the bond forfeited, and execute on the bond and do the necessary repair work itself or by separate contract and if the cost of the work exceeds the amount of the

bond, the contractor shall be liable for the difference.

Any failure to comply with the requirements of this section may result in immediate termination of a permit, and any contractor who fails to comply with the requirements of this section may have their right to submit future applications for permits suspended."

SECTION 5. Section 28-24 of the Code of Ordinances of the City of Natchitoches is hereby amended and re-enacted to read as follows:

"Sec. 28-24. Safeguards.

(a) It is hereby required that for every excavation made on public property, proper safeguards shall be provided against injury to the public; barricades shall be provided at five (5) feet distance, and such barricades shall completely encircle all open excavations or trenches. All barricades, as required by this section, shall have at least one (1) sign placed thereon on each side in a conspicuous manner, indicating the name of the person causing such excavation. When approved, traffic plates of sufficient strength may be used to cover an excavation to prevent blocking of streets.

(b) From sun up to sundown, there shall be placed, at a distance of not less than one hundred (100) feet, sufficient numbers of red flags to warn the public of dangerous excavation. From sunset to sunrise, there shall be placed at a distance of not less than one hundred (100) feet, sufficient red lights or flambeaux to indicate the length of the excavation in the public thoroughfare and to warn the public of dangerous excavation. In addition to the above, there shall be placed on or by the barricades sufficient red lights or flambeaux to indicate the point of excavation and its size.

(c) No material or equipment shall be left on or within any City right of way that will be a hazard to the general public or traffic.

(d) All non-emergency trenching, pipe laying and/or backfilling shall be complete prior to nightfall on the day on which work begins, and no open excavation shall be left overnight.

(e) If any sewer utility service repair is undertaken by contractor, the connection to the sewer main must be inspected by a City representative prior to the placement of any backfill material. "

SECTION 6. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 7. If any portion of this Ordinance is declared to be invalid or unconstitutional in any manner, the invalidity shall be limited to that particular section or provision, and shall not affect the remaining portions of the ordinance, which shall remain valid and enforceable, it being the intention of the City Council that each separate provision shall be deemed independent of all other provisions herein.

SECTION 8. This Ordinance shall go into effect upon publication and in accordance with law.

THIS ORDINANCE was introduced on January 27, 2014 and published in the *Natchitoches Times* on February 1, 2014.

The above Ordinance having been duly advertised in accordance with law and public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

AYES: Stamey, Payne, Nielsen, Mims, Vallien
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, Mayor Lee Posey declared the Ordinance passed by a vote of 5 Ayes to 0 Nays this 10th day of February, 2014.



LEE POSEY, MAYOR



DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 11th day of February, 2014 at 10:00 A.M.

Mr. Payne asked if the City would be responsible for maintaining the streets as well when the City makes cuts to the road. Mayor Posey stated we will have to. When someone cuts into our streets, the City has had to go in and repair the street. This way we are requiring whoever cuts in to the street will have to repair the street to how it was found. The City will have to adhere to the same conditions.

The following Resolution was introduced by Mr. Nielsen and seconded by Mr. Payne as follows, to-wit:

RESOLUTION NO. 013 OF 2014

A RESOLUTION IN SUPPORT OF THE CAPITAL OUTLAY APPLICATION FILED BY THE STATE OF LOUISIANA, DEPARTMENT OF TRANSPORTION AND DEVELOPMENT, FOR SUPPLEMENTAL FUNDING OF THE EL CAMINO EAST-WEST CORRIDOR

WHEREAS, the El Camino Corridor is a five-state highway project whose purpose is to convert the two-lane U.S. Highway 84 in the states of Alabama, Georgia, Louisiana (including a section of LA. 6), Mississippi and Texas to a four lane highway; and

WHEREAS, the corridor begins at Brunswick, Georgia and continues to El Paso, Texas, a route of approximately 1,729 miles; and

WHEREAS, the main purposes of the project are to enhance economic development, tourism, business and student transportation, to promote safe highway traveling conditions, and to provide an additional hurricane evacuation route; and

WHEREAS, the states of Alabama, Georgia, Mississippi and Texas have completed either all or a significant portion of the project sections in their respective states, and are awaiting further construction in the Louisiana section in order to achieve the planned benefits to be derived from the joint project; and

WHEREAS, the Louisiana Department of Transportation and Development has filed a FY 2014-2015 Capital Outlay application (ID number 549930) to request supplemental funding for a small section of the project to be constructed in Natchitoches Parish; and

WHEREAS, Mayor Lee Posey and the Natchitoches City Council fully support the Capital Outlay application for supplemental funding filed by the Louisiana Department of Transportation and Development;

NOW, THEREFORE, BE IT RESOLVED, that Mayor Lee Posey and the Natchitoches City Council, in regular and legal session convened, does hereby state its support of Louisiana Capital Outlay Application No. 549930 that was filed by the Louisiana Department of Transportation and Development for supplemental funding of the El Camino East-West Corridor; and

BE IT FURTHER RESOLVED, that Mayor Lee Posey and the Natchitoches City Council respectfully request that the Legislature of the State of Louisiana includes the FY 2014-2015 Capital Outlay application No. 549930 in House Bill 2 during the 2014 regular session of the legislature; and

BE IT FURTHER RESOLVED, that copies of this Resolution be provided to the Office of the Governor, Division of Administration, the Speaker of the House of Representatives, the Chairman of the House Ways & Means Committee, the President of the Senate, the Chairman of the Senate Revenue & Fiscal Affairs Committee, and members of the legislature whose districts include sections of the El Camino Corridor.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES: Payne, Nielsen, Mims, Stamey, Vallien
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5

Ayes to 0 Nays on this 10th day of February, 2014.



LEE POSEY, MAYOR

Mr. Vallien asked what section this project would cover. The Mayor stated the project would cover I-49 to LA-117 in Hagerwood. Randy LaCaze stated there is about a 2.5 million dollar gap for the right of way acquisition and utility relocation they were short. They have tried a couple of years to get the funding, but the East/West Corridor Commission feels this is the last year before we might lose the project completely if this section does not get underway. The Mayor stated this has been going on for about 25 years. Supposedly Georgia, Alabama, Mississippi, and Texas are almost done with their projects and Texas has stated they will not complete their section until Louisiana starts theirs. Randy LaCaze stated is time for the State to step forward and do this, but there are other groups trying to receive this same funding.

The following Resolution was introduced by Mr. Mims and Seconded by Mr. Payne as follows, to -wit:

RESOLUTION NO. 014 OF 2014

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
CHANGE ORDER NO. 1 - FINAL TO THE
WATER SYSTEM IMPROVEMENTS
GRAND ECORE 300,000 ELEVATED WATER TANK REPAINTING**

(BID NO. 0537)

WHEREAS, the City of Natchitoches awarded a contract to Diamond Enterprise, Inc., the Contractor for the Project, by Ordinance No. 027 of 2013 on June 24, 2013 in the base bid amount of \$226,500.00 for the Water System Improvements, Grand Ecore 300,000 Elevated Water Tank Repainting (Bid No. 0537); and,

WHEREAS, the Engineer, Norman Nassif of Nassif Engineering & Architecture, LLC, has recommended Change Order No. 1 - Final dated February 10, 2014 (attached) reflecting an increase of \$3,100.00 to the contract price for additional required work; and

WHEREAS, additionally, the Engineer, Norman Nassif of Nassif Engineering & Architecture, LLC, has recommended Change Order No. 1 - Final dated February 10, 2014 (attached) reflecting an additional 93 days to the contract time; and

WHEREAS, Nassif Engineering & Architecture, LLC, project Engineer, recommends approval of Change Order No. 1 - Final; and

WHEREAS, the City is of the opinion that Change Order No. 1 - Final is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Natchitoches, in legal session convened, that the Honorable Lee Posey, Mayor, be and is hereby authorized, empowered and directed to execute the referenced Change Order No. 1 - Final to the agreement between the City and the Contractor.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES:	Payne, Nielsen, Mims, Stamey, Vallien
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5 Ayes to 0 Nays on this 10th day of February, 2014.



LEE POSEY, MAYOR

CHANGE ORDER

 ORIGINAL

Change Order No.: One (1) - Final

Change Order Date: February 10, 2014

PROJECT: Water System Improvements
Grand Ecore 300,000 Gallon Elevated Water Tank Painting

OWNER: City of Natchitoches

CONTRACTOR: Diamond Enterprise, Inc.

The Contract Documents are modified as follows upon execution of this Change Order:

1. The following work items are hereby added to the construction contract:
- | | |
|---|------------------|
| a. Repair/replace top vent | \$ 1,200.00 |
| b. Extend dome ladder approximately 10 vlf | \$ 1,400.00 |
| c. Replace damaged bolts on interior ladder | <u>\$ 500.00</u> |
| Subtotal: | \$ 3,100.00 |

2. Change in Contract Time:
 Contract time extension as a result of inclement weather and water leaks in Owner's distribution system. Revised Substantial Completion and Final Completion are February 10, 2014 and March 27, 2014 accordingly.

Change in Contract Price:

Original Contract Price:\$ 226,500.00

Contract Price adjusted by prior Change Orders.....\$ N/A

Contract Price due to this Change Order (will increase):\$ 3,100.00

Contract Price incorporating this Change Order will be:.....\$ 229,600.00

Change in Contract Time:

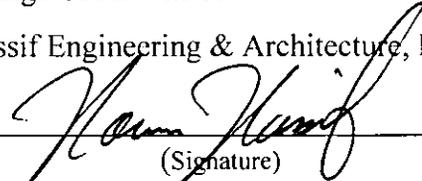
Original Contract Time (calendar days).....120

Contract Time adjusted by prior Change OrdersN/A

Contract Time due to this Change Order (will increase):93

Contract Time incorporating this Change Order will be:213

Recommended by (Engineer): Nassif Engineering & Architecture, LLC

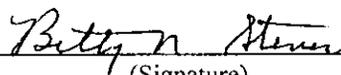


 (Signature)

2/10/14

 Date

Accepted by (Contractor): Diamond Enterprise, Inc.

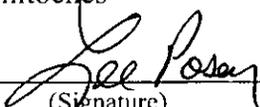


 (Signature)

2-18-14
2/11/14

 Date

Approved by (Owner): City of Natchitoches



 (Signature)

2/11/14

 Date

367002
CHANGE ORDER

ORIGINAL 534

RECEIVED AND FILED
CLAUDE BERNARD
CLERK OF COURT
Change Order No. 31
BY: [Signature]
NATCHITOCHES PARISH

Change Order No. One (1) - Final
Change Order Date February 10, 2014
PROJECT: Water System Improvements
Grand Ecore 300,000 Gallon Elevated Water Tank Painting
OWNER: City of Natchitoches
CONTRACTOR: Diamond Enterprise, Inc.

The Contract Documents are modified as follows upon execution of this Change Order:

1. The following work items are hereby added to the construction contract:

a. Repair/replace top vent	\$ 1,200.00
b. Extend dome ladder approximately 10 vlf	\$ 1,400.00
c. Replace damaged bolts on interior ladder	\$ 500.00
Subtotal:	\$ 3,100.00

2. Change in Contract Time:
 Contract time extension as a result of inclement weather and water leaks in Owner's distribution system. Revised Substantial Completion and Final Completion are February 10, 2014 and March 27, 2014 accordingly.

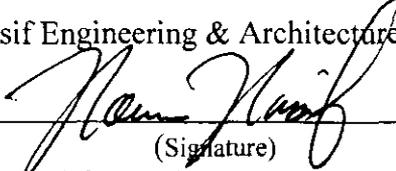
Change in Contract Price:

Original Contract Price:	\$ 226,500.00
Contract Price adjusted by prior Change Orders.....	\$ N/A
Contract Price due to this Change Order (will increase):	\$ 3,100.00
Contract Price incorporating this Change Order will be:.....	\$ 229,600.00

Change in Contract Time:

Original Contract Time (calendar days).....	120
Contract Time adjusted by prior Change Orders	N/A
Contract Time due to this Change Order (will increase):	93
Contract Time incorporating this Change Order will be:	213

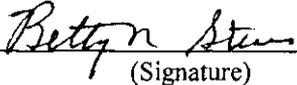
Recommended by (Engineer): Nassif Engineering & Architecture, LLC



 (Signature)

 2/10/14
 Date

Accepted by (Contractor): Diamond Enterprise, Inc.



 (Signature)

 2-18-14
 2/11/14
 Date

Approved by (Owner): City of Natchitoches



 (Signature)

 2/11/14
 Date

The following Resolution was introduced by Mr. Stamey and Seconded by Mr. Vallien as follows, to –wit:

RESOLUTION NO. 015 OF 2014

A RESOLUTION AUTHORIZING THE EXECUTION OF THE CERTIFICATE OF SUBSTANTIAL COMPLETION FOR THE WATER SYSTEM IMPROVEMENTS, GRAND Ecore 300,000 GALLON ELEVATED TANK REPAINTING

(BID NO. 0537)

WHEREAS, the City of Natchitoches awarded the contract for the Water System Improvements, Grand Ecore 300,000 Gallon Elevated Water Tank Repainting (Bid No. 0537) to Diamond Enterprise, Inc. by Ordinance No. 027 of 2013 on June 24, 2013 in the amount of \$226,500.00; and

WHEREAS, it is the opinion of Norman Nassif of Nassif Engineering & Architecture, LLC that the work required by the Contract is found to be substantially completed and in general conformity with the project plans and specifications as shown by his signature on the Certificate of Substantial Completion.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Natchitoches, in legal session convened:

SECTION 1: That the Honorable Lee Posey, Mayor, be and is hereby authorized, empowered and directed to accept the work performed by Contractor in association with the said project and to execute the Certificate of Substantial Completion therewith when presented and approved by the Engineer; and

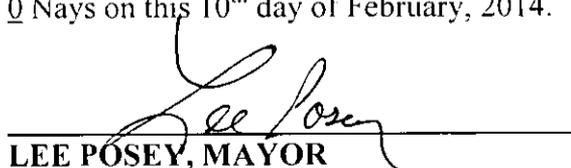
SECTION 2: That the Honorable Lee Posey, Mayor, be and is hereby authorized, empowered and directed to issue final payment to the Contractor upon receipt of the Clear Lien Certificate issued by the Natchitoches Parish Clerk of Court, and upon the recommendation of the Engineer to issue said final payment.

NOW, THEREFORE, BE IT RESOLVED, that the Natchitoches City Council does hereby authorize the Mayor to execute the Certificate of Substantial Completion for the Water System Improvements, Grand Ecore 300,000 Gallon Elevated Water Tank Repainting (Bid No. 0537) and upon presentation and approval by the engineer, Norman Nassif.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES:	Payne, Nielsen, Mims, Stamey, Vallien
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5 Ayes to 0 Nays on this 10th day of February, 2014.



LEE POSEY, MAYOR

Certificate of Substantial Completion

 ORIGINAL

Project: Water System Improvements – Pilgrim's Pride Elevated Water
Grand Ecore 300,000 Gallon Elevated Water Tank Repainting
Owner: City of Natchitoches
Contractor: Diamond Enterprise, Inc.
Date of Contract: August 12, 2013

This Certificate of Substantial Completion applies to all Work under the Contract Documents.

February 10, 2014
Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Project or portion thereof designated above is hereby declared and is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below.

As applicable, a tentative list of items to be completed or corrected may be attached hereto. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

The responsibilities between OWNER and CONTRACTOR for security, operation, safety, maintenance, heat, utilities, insurance and warranties shall be as provided in the Contract Documents except as amended as follows:

Owner's Amended Responsibilities:

Security, Operation, Safety, Maintenance and Insurance.

Contractor's Amended Responsibilities:

Contractor shall maintain a Performance Bond for this project for a minimum of one year from the designated Substantial Completion date (February 10, 2015).

Contractor shall conduct an 11 month inspection (First Anniversary Inspection) and repair any defects found during the inspection. The tentative date for the inspection is January 10, 2015.

The following documents are attached to and made part of this Certificate:

(None)

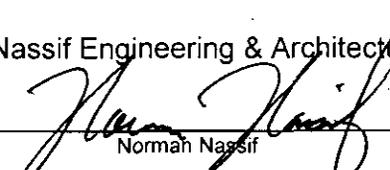
This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

Executed by Owner: City of Natchitoches


Lee Posey

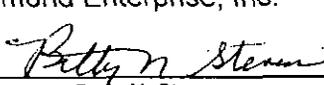
2/11/14
Date

Executed by Engineer: Nassif Engineering & Architecture, LLC


Norman Nassif

2/10/14
Date

Accepted by Contractor: Diamond Enterprise, Inc.


Betty N. Stevens

2-18-14
Date

Certificate of Substantial Completion

OFFICIAL 535

RECEIVED AND FILED
LOUIE BERNARD
CLERK OF COURT

2014 MAR 10 10:22 AM
BY CADOT
NATCHITOCHES PARISH, LA

Project: _____
Owner: _____
Contractor: _____
Date of Contract: _____

Water System Improvements – Pilgrim's Pride Elevated Water
Grand Ecore 300,000 Gallon Elevated Water Tank Repainting
City of Natchitoches
Diamond Enterprise, Inc.
August 12, 2013

This Certificate of Substantial Completion applies to all Work under the Contract Documents.

February 10, 2014
Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Project or portion thereof designated above is hereby declared and is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below.

As applicable, a tentative list of items to be completed or corrected may be attached hereto. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete the Work.

The responsibilities between OWNER and CONTRACTOR for security, operation, safety, maintenance, heat, utilities, insurance and warranties shall be as provided in the Contract Documents except as amended as follows:

Owner's Amended Responsibilities:
Security, Operation, Safety, Maintenance and Insurance.

Contractor's Amended Responsibilities:
Contractor shall maintain a Performance Bond for this project for a minimum of one year from the designated Substantial Completion date (February 10, 2015).
Contractor shall conduct an 11 month inspection (First Anniversary Inspection) and repair any defects found during the inspection. The tentative date for the inspection is January 10, 2015.

The following documents are attached to and made part of this Certificate:
(None)

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

Executed by Owner: City of Natchitoches
Lee Posey 2/11/14
Lee Posey Date

Executed by Engineer: Nassif Engineering & Architecture, LLC
Norman Nassif 2/10/14
Norman Nassif Date

Accepted by Contractor: Diamond Enterprise, Inc.
Betty N. Stevens 2-18-14
Betty N. Stevens Date

Mayor Posey stated on February 22, 2014 will be the Taste of Culture Parade. The next City Council Meeting is scheduled for Monday, February 24, 2014. Also, that night starts a new season of the singing competition The Voice. Deshawn Washington, a Natchitoches native, will be competing so I encourage everyone to watch and support him. The offices of the City of Natchitoches will be closed Monday, February 17, 2014 in honor of President's Day. Everyone is encouraged to participate in the monthly Tri-Centennial events. Most of the events for the year are free as well as open to the public. So far we have had a great turn out for many of the events. Monthly posters are posted throughout businesses in the City as well as advertisements in the newspaper.

With no further discussion, the Mayor made a motion for adjournment and all were in favor.

The meeting was adjourned at 6:00 p.m.


LEE POSEY, MAYOR


DON MIMS, MAYOR PRO TEMPORE