

**PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF NATCHITOCHEs, STATE OF LOUISIANA,
REGULAR MEETING HELD ON
MONDAY, JULY 11, 2016 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, July 11, 2016 at 5:30 p.m.

There were present:

Mayor Lee Posey
Councilman At Large Don Mims, Jr.
Councilman Eddie Harrington
Councilman Dale Nielsen
Councilwoman Sylvia Morrow
Councilman Lawrence Batiste

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 Nielsen was asked to lead the pledge of allegiance.

Mayor Posey then called for the reading and approval of the minutes for the June 27, 2016 meeting. Mr. Mims moved that we dispense with the reading of the minutes and approval of same. Seconded by Mr. Harrington the roll call vote was as follows:

Ayes:	Batiste, Nielsen, Mims, Harrington, Morrow
Nays:	None
Absent:	None
Abstain:	None

The following Ordinance was introduced by Mr. Harrington at the Natchitoches City Council meeting held on July 11, 2016 as follows:

ORDINANCE NO. 034 OF 2016

AN ORDINANCE AMENDING ORDINANCE NO. 64 OF 2001 BY CHANGING ZONING CLASSIFICATION OF PROPERTY DESCRIBED AS FOLLOWS:

To rezone the following: Lot Cont. 0.705 AC. On The East Side Of Hwy. #1, Bounded North By Harlan-Harris Autoplex, L.L.C., South By Royal Lodging Of Natchitoches, As Shown On Map Slide 673-B.

(The Wing Grub Restaurant - 5811 Hwy. 1 Bypass)

WHEREAS, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at their meeting of July 5, 2016 that the application of **Jonathan Thompson** to rezone the property described above from B-3 Commercial to an additional B-A zoning to sell beverages of low alcoholic content for consumption on premise (5811 Hwy. 1 Bypass), be **APPROVED**.

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

ORDINANCE NO. 033 OF 2016
AN ORDINANCE DECLARING A CERTAIN BUILDING UNSAFE AND
RECOMMENDING THAT SAME BE DEMOLISHED OR PUT INTO REPAIR TO
COMPLY WITH THE BUILDING CODE, AUTHORIZING NOTICE TO BE
SERVED REQUIRING DEMOLITION / REMOVAL

WHEREAS, the City Building Inspector and Director of Planning and Zoning have filed a written report with the City Council declaring that the building listed below is in a dangerous and unsanitary condition which makes it unsafe and endangering the public welfare, and furthermore poses a grave public emergency; and

WHEREAS, the condition of the building is such as to cause possible immediate loss or damage to person or property, and recommending that said building be condemned after twenty-four (24) hours' notice served upon the owner, and authorizing the City of Natchitoches to demolish the building and remove it without delay, with the building being located on the following property, to-wit:

John L. Ellis
745 Fifth Street
Natchitoches, Louisiana 71457

Lot 5 Block G of Keegan Addition
(207 East Sixth Street)

NOW, THEREFORE, with such ordinance having been introduced and considered on the same date on an emergency basis pursuant to Section 2-13 of the Charter of the City of Natchitoches and Section 8-71 of the Code of Ordinances of the City of Natchitoches, and after confirmation of notice to the owner as required by applicable ordinances, and with such owner noticed to show cause before the Natchitoches City Council on July 11, 2016 at 5:30 p.m. at a Public Hearing, why the above building should not be condemned after twenty-four (24) hours' notice served upon owner, and ordered demolished and removed without delay;

BE IT ORDAINED by the City Council of the City of Natchitoches, Louisiana, in legal session convened, concludes and orders that the condition of the aforementioned building was deemed a grave public emergency that may cause immediate loss or damage to person or property, and that the City condemns such building and orders that it be demolished and removed immediately upon the passing of the forty-eight (48) hour appeal delay provided by Section 8-73 of the Code of Ordinances of the City of Natchitoches, or applicable law, and that owner is ordered to remove the building and all related structures within forty eight (48) hours of this order and that absent such complete removal by the owner, the City may proceed with the demolition or removal of the condemned building in accordance with law.

This Ordinance was introduced on the 11th day of July, 2016.

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

AYES: Batiste, Nielsen, Mims, Harrington, Morrow
NAYS: None
ABSENT: None

THEREUPON, the Mayor declared the Ordinance **PASSED** this 11th day of July, 2016 by a vote of 5 ayes to 0 nays.

LEE POSEY, MAYOR

DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 11th day of July, 2016 at 6:10 P.M.

Mrs. Fowler stated she is asking the council to pass an emergency ordinance that would call for the removal of the remaining waste of the single family dwelling that started sometime back, but the condition of the property now poses a safety concern as last week one of the walls fell on the neighboring property owners fence and side wall which was a grave concern. The wall has since been removed, but the entire floor of the building still remains as well as other debris including an old shed in the back. She has obtained two proposals on the demolition and would like to move forward with the lowest proposal. If the ordinance is passed tonight we would be able to move forward with the demolition of this property within the next 48 hours.

Mr. Ellis does not feel he has been treated fairly. He has been disposing of the debris himself and hauling it North, but has been unable to do so in a timely manner. He originally intended to renovate the property, but after a tree fell on it he began tearing it down. Mr. Ellis is interested in keeping the shed, but if the demolition is passed the shed would be included. He stated he cannot incur the cost of help to remove the debris to the property and stated it would take him an additional 3-4 months to complete the demolition himself.

Mrs. Fowler stated the costs would include administrative cost and contractor costs which must be paid within 10 days. If left unpaid, this would be added to the tax roll at the end of the year. From there the property owner will not be able to pay the taxes without paying the lien as well resulting in the property being adjudicated to the city or sold in tax sale.

The following Ordinance was Introduced by Ms. Morrow and Seconded by Mr. Harrington as follows, to-wit:

ORDINANCE NO. 031 OF 2016

AN ORDINANCE DECLARING MOVABLE PROPERTY TO BE SURPLUS AND AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHES, LOUISIANA, TO CONVEY SAID MOVABLE SURPLUS PROPERTY TO THE VILLAGE OF NATCHEZ, A POLITICAL SUBDIVISION OF THE STATE WHOSE FUNCTIONS INCLUDE PUBLIC SAFETY, PROVIDING FOR ADVERTISING, FURTHER PROVIDING FOR SEVERABILITY, AND FURTHER PROVIDING FOR A REPEALER AND EFFECTIVE DATE OF ORDINANCE.

WHEREAS, the City of Natchitoches (sometimes hereinafter referred to as the “City”) is a Municipality located in the State of Louisiana, Parish of Natchitoches governed under a Home Rule Charter and a Code of Ordinances adopted by Ordinance No. 5 of 1977, and is a political subdivision of the State of Louisiana; and

WHEREAS FURTHER, the Village of Natchez (sometimes hereinafter referred to as the “Village”) is a Municipality located in the State of Louisiana, Parish of Natchitoches, and is a political subdivision of the State of Louisiana, whose functions include mowing and maintenance of the Village; and

WHEREAS FURTHER, the City is the owner of a Zero Turn Lawn Mower that is more fully described as an Exmark Laser Z, 60’ inch deck, Serial Number 764090, Model Number LZ315V605, (sometimes hereinafter referred to as “Mower”); and

WHEREAS FURTHER, the Mower is in such a condition that it is not currently in service and cannot be placed back in service and the City Council is of the opinion that the Mower is not needed for any public purpose by the City and may be declared to be surplus property; and

WHEREAS FURTHER, the Village has expressed a desire to acquire the Mower for use in the Village; and

WHEREAS FURTHER, there is a general prohibition against the donation of public property set forth in Article 7, Section 14 of the Constitution of the State of Louisiana; however subsection (E) includes an exception which provides as follows, to-wit:

“(E) Surplus Property. Nothing in this Section shall prohibit the donation or exchange of movable surplus property between or among political subdivisions whose functions include public safety.”

; and

WHEREAS FURTHER, a similar exception may be found at LA R.S. 38:2319.21, which also permits the donation or exchange of movable surplus property between or among political subdivisions of the state whose functions include public safety; and

WHEREAS FURTHER, the City desires to transfer and convey the Mower to the Village of Natchez where it will be used for a public purpose helping provide for the health and safety of the citizens of the Parish of Natchitoches and the Village of Natchez; and

WHEREAS FURTHER, the City Council of the City of Natchitoches is of the opinion that the transfer of the Mower will promote the health, safety and welfare of the citizens of the Village of Natchez and Parish of Natchitoches, Louisiana and desires to authorize the Mayor of the City of Natchitoches to execute any document necessary to transfer the Mower;

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Natchitoches, Louisiana that it does hereby find that the Mower that is more fully described as an Exmark Laser Z, 60' inch deck, Serial Number 764090, Model Number LZ315V605, is not needed by the City of Natchitoches for lawn maintenance.

BE IT FURTHER ORDAINED that based on its finding that the Mower, Exmark Laser Z, 60' inch deck, Serial Number 764090, Model Number LZ315V605 is not needed for lawn maintenance and the City Council of the City of Natchitoches does hereby declare the Lawn Mower to be surplus property.

BE IT FURTHER ORDAINED by the City Council of the City of Natchitoches, Louisiana, pursuant to the authority set forth in Article 7, Section 14(E) of the Louisiana Constitution and LA R.S. 38:2319.21, desires to and does hereby convey and transfer that Mower, Exmark Laser Z, 60' inch deck, Serial Number 764090, Model Number LZ315V605 to the Village of Natchez, Louisiana, and that the Mayor of the City of Natchitoches, Lee Posey is hereby authorized to execute any and all documents that may be necessary to complete the transfer of the Mower, including, but not limited to, execution of a bill of sale or other act of conveyance and execution of any title on behalf of the City of Natchitoches.

THIS ORDINANCE was introduced on June 27, 2016 and published in the *Natchitoches Times* on June 30, 2016.

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:	Batiste, Nielsen, Mims, Harrington, Morrow
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Lee Posey declared the Ordinance passed by a vote of 5 Ayes to 0 Nays this 11th day of July, 2016.

LEE POSEY, MAYOR

DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 12th day of July, 2016 at 10:00 A.M.

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

RESOLUTION NO. 053 OF 2016

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EXTENSION AGREEMENT TO A CLAIMS ADMINISTRATION SERVICE CONTRACT ENTERED INTO BETWEEN HAMMERMAN & GAINER, INC. AND THE CITY OF NATCHITOCHES, LOUISIANA WHICH WILL EXTEND THE TERM FOR AN ADDITIONAL ONE YEAR PERIOD FROM JULY 1, 2016 THROUGH AND INCLUDING JUNE 30, 2017

WHEREAS, the City of Natchitoches (“CITY”) entered into a Claims Service Agreement with Hammerman & Gainer, Inc. effective March 15, 2000, for an original term of one year and which said contract extended for successive terms to expire at midnight on June 30, 2014; and

WHEREAS FURTHER, the City extended the Claims Service Agreement on June 9, 2014 for additional two-year period from July 1, 2014 through June 30, 2016; and

WHEREAS FURTHER, the CITY and Hammerman & Gainer, Inc. have agreed to extend the Claims Service Agreement without interruption for an additional one-year period from July 1, 2016, through and including June 30, 2017; and

WHEREAS FURTHER, the Service Fee shall be \$36,386.00 for each annual period of this Extension Agreement, all in accordance with the attached Extension Agreement.

WHEREAS FURTHER, after having reviewed the attached “Extension Agreement”, the City Council of the City of Natchitoches desires to authorize the Mayor to execute the agreement on behalf of the City of Natchitoches.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Natchitoches in legal session convened, does hereby authorize, empower, and direct the Honorable Lee Posey, Mayor, to execute the “Extension Agreement” to the Claims Administration Services Contract, between the City of Natchitoches and Hammerman & Gainer, Inc. for the period July 1, 2016 through and including June 30, 2017.

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

AYES: Batiste, Nielsen, Mims, Harrington, Morrow
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 11th day of July, 2016.

LEE POSEY, MAYOR

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

RESOLUTION NO. 054 OF 2016

A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE AND ACCEPT BIDS FOR THE PURCHASE OF A BUCKET TRUCK FOR THE CITY OF NATCHITOCHESS UTILITY DEPARTMENT

BID NO. 0586

WHEREAS, the City wishes to advertise for public bids for the purchase of a Bucket Truck for the Natchitoches Utility Department (Bid No. 0586); and

WHEREAS, sealed proposals shall be addressed to the City of Natchitoches, Office of the Director of Purchasing, 1400 Sabine Street, Natchitoches, Louisiana 71457 or received at the City of Natchitoches Purchasing Department, 1400 Sabine Street, Natchitoches, Louisiana; and

WHEREAS, the City of Natchitoches will accept sealed and electronic bids for the project until 4:00 PM on Wednesday, August 10, 2016 at the office of the Director of Purchasing, 1400 Sabine Street; and

WHEREAS, bids will be publicly opened and read aloud at the location and time herein above; and

WHEREAS, upon receipt of proposals, the committee members consisting of Pat Jones, Director of Finance; Edd Lee, Director of Purchasing; Bryan Wimberly, Utility Director and Dale Nielsen, Councilman, are to review and make a recommendation of the bids received.

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 order the publication of the above bid.

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

AYES:	Batiste, Nielsen, Mims, Harrington, Morrow
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 11th day of July, 2016.

LEE POSEY, MAYOR

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

RESOLUTION NO. 055 OF 2016

A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE AND ACCEPT BIDS FOR THE 2016 CITY STREET REHABILITATION PROJECT

(BID NO. 0584)

WHEREAS, the City wishes to advertise for public bids for the 2016 City Street Rehabilitation Project (Bid No. 0584); and

WHEREAS, sealed proposals shall be addressed to the City of Natchitoches, Office of the Director of Purchasing, 1400 Sabine Street, Natchitoches, Louisiana 71457 or received at the City of Natchitoches Purchasing Department, 1400 Sabine Street, Natchitoches, Louisiana; and

WHEREAS, the City of Natchitoches will accept sealed and electronic bids for the project until 2:00 PM on Monday, August 8, 2016 at the office of the Director of Purchasing, 1400 Sabine Street; and

WHEREAS, bids will be publicly opened and read aloud at the location and time herein above; and

WHEREAS, upon receipt of proposals, the committee members consisting of Pat Jones, Director of Finance; Edd Lee, Director of Purchasing; Randy LaCaze, Community Development Director and Don Mims, Councilman at Large, are to review and make a recommendation of the bids received.

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 order the publication of the above bid.

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

AYES:	Batiste, Nielsen, Mims, Harrington, Morrow
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 11th day of July, 2016.

LEE POSEY, MAYOR

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

RESOLUTION NO. 056 OF 2016

A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE AND ACCEPT BIDS FOR THE LAFAYETTE STREET REHABILITATION PROJECT

(BID NO. 0580)

WHEREAS, the City wishes to advertise for public bids for the Lafayette Street Rehabilitation Project (Bid No. 0580); and

WHEREAS, sealed proposals shall be addressed to the City of Natchitoches, Office of the Director of Purchasing, 1400 Sabine Street, Natchitoches, Louisiana 71457 or received at the City of Natchitoches Purchasing Department, 1400 Sabine Street, Natchitoches, Louisiana; and

WHEREAS, the City of Natchitoches will accept sealed and electronic bids for the project until 2:00 PM on Monday, August 8, 2016 at the office of the Director of Purchasing, 1400 Sabine Street; and

WHEREAS, bids will be publicly opened and read aloud at the location and time herein above; and

WHEREAS, upon receipt of proposals, the committee members consisting of Pat Jones, Director of Finance; Edd Lee, Director of Purchasing; Randy LaCaze, Community Development Director and Eddie Harrington, Councilman, are to review and make a recommendation of the bids received.

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 order the publication of the above bid.

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

AYES:	Batiste, Nielsen, Mims, Harrington, Morrow
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 11th day of July, 2016.

LEE POSEY, MAYOR

The following Resolution was introduced by Ms. Morrow and Seconded by Mr. Harrington as follows, to –wit:

RESOLUTION NO. 057 OF 2016

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
CHANGE ORDER NO. 2 TO THE
WATER TREATMENT SYSTEM RENOVATIONS.**

SSC PROJECT NO. 2652

(BID NO. 0562)

WHEREAS, the City of Natchitoches (CITY) awarded a contract to Cecil D. Gassiott, LLC., (CONTRACTOR) by Ordinance No. 021 passed on April 27, 2015 in the base bid amount of \$1,527,868.00 for the Water Treatment System Renovations, (Bid No. 0562); and

WHEREAS, on June 14, 2016, CONTRACTOR issued Change Order No. 2, fully described in Attachment “A”; and

WHEREAS, the contract time will be increase by this Change Order No. 2 reflecting an increase of 37 days; and

WHEREAS, the project engineer, Henry Shuler of Shuler Consulting Company has recommended this change order; and

WHEREAS, the City is of the opinion that Change Order No. 2 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. 2 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:	Batiste, Nielsen, Mims, Harrington, Morrow
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 11th day of July, 2016.

LEE POSEY, MAYOR

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

RESOLUTION NO. 058 OF 2016

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CERTIFICATE OF SUBSTANTIAL COMPLETION TO THE CONTRACT BETWEEN THE CITY OF NATCHITOCHES AND CECIL D. GASSIOTT, LLC FOR THE WATER TREATMENT SYSTEM RENOVATIONS.

SSC PROJECT NO. 2652

BID NO. 0562

WHEREAS, the City of Natchitoches has contracted with Cecil D. Gassiott, LLC for the Water Treatment System Renovations; and

WHEREAS, this work has been completed; and

WHEREAS, a substantial completion inspection has been performed by the Engineer and a representative of the Utility Department for the City of Natchitoches, and they find the project to be complete.

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 Certificate of Substantial Completion for the Water Treatment System Renovations.

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

AYES:	Batiste, Nielsen, Mims, Harrington, Morrow
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 11th day of July, 2016.

LEE POSEY, MAYOR

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

RESOLUTION NO. 059 OF 2016

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
CHANGE ORDER NO. 1 FOR THE CHATEAU SAINT DENIS PARKING LOT**

(BID NO. 0579)

WHEREAS, the City of Natchitoches (CITY) awarded a contract to Page Builders (CONTRACTOR) by Ordinance No. 014 passed on April 11, 2016 in the base bid amount of \$394,440.00 for the Chateau Saint Denis Parking Lot, (Bid No. 0579); and

WHEREAS, on July 6, 2016, CONTRACTOR issued Change Order No. 1, fully described in Attachment “A”; and

WHEREAS, the contract sum will be increase by this Change Order No. 1 in the amount of \$7,920.00 and the revised contract total will be \$402,360.00; and

WHEREAS, the project Architect, George W. Minturn has recommended this change order; and

WHEREAS, the City is of the opinion that Change Order No. 1 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 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:	Batiste, Nielsen, Mims, Harrington, Morrow
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 11th day of July, 2016.

LEE POSEY, MAYOR

The next scheduled City Council meeting will be **July 25, 2016**.

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

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

 /s/ Lee Posey
LEE POSEY, MAYOR

 /s/Don Mims
DON MIMS, MAYOR PRO-TEMPORE