

**NATCHITOCHEs CITY COUNCIL MEETING
SEPTEMBER 28, 2009 - 7:00 P.M.**

AGENDA

1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **READING AND APPROVAL OF THE MINUTES OF SEPTEMBER 14, 2009**
5. **CERTIFICATE OF APPRECIATION:**
Morrow Dora Belton, Certificate of Appreciation – Accepting Mrs. Jo Lapaeyrouse
6. **PROCLAMATIONS:**
#100 Payne Fire Prevention Week – Dennie Boyt
7. **BID – AWARD:**
✓ **#063 Nielsen** Ordinance Authorizing the Mayor of the City of Natchitoches to **Award** the Bids for the Purchase of Potassium Permanganate, 25kg Containers Only, for the Water Treatment Plant (Bid #0485)
Committee: Pat Jones, Edd Lee, Larry Payne, Bryan Wimberly
8. ✓ **BID – OPEN:**
#062 McCain Ordinance Authorizing the Mayor of the City of Natchitoches to **Open** the Bids for Boiler #10 Re-Tubing and Repair to the Power Plant (Bid #0487)
Committee: Pat Jones, Edd Lee, Larry Payne, Bryan Wimberly
9. ✓ **BID – REJECT:**
#102 Payne Resolution Authorizing the Mayor of the City of Natchitoches to **Reject** the Bid for the Purchase of Two (2) 69KV Circuit Breakers for the Dixie Street Substation (Bid #0486)
Committee: Pat Jones, Edd Lee, Larry Payne, Bryan Wimberly
10. ✓ **BIDS – ADVERTISE:**
#105 Nielsen Resolution Authorizing the Mayor to Advertise and Accept Bids for the Sewer System Improvements, Contract 2, Automatic Bar Screen and Grit Classifier Replacements at the Wastewater Treatment Plant (Bid No. 0492)
Committee: Pat Jones, Edd Lee, Don Mims, Bryan Wimberly, Norman Nassif
✓ **#106 Morrow** Resolution Authorizing the Mayor to Advertise and Accept Bids for the Sewer System Improvements, Contract 3, For the Purchase of a Vacuum Truck (Bid No. 0493)
Committee: Pat Jones, Edd Lee, Don Mims, Bryan Wimberly, Norman Nassif
11. **PLANNING & ZONING – FINAL:**
#053 Payne An Ordinance Amending Ordinance No. 64 Of 2001 By Changing Zoning Classification Of Property Described As Follows:

West 60 Feet Of Lot 29 Of Springville Addition From B-2 To B-3 For The Placement Of A Mobile Home. Variance Requested:
Variance Of (5) Feet Of The Required (25) Feet Front Yard Setback And (8) Feet Of The Required (25) Feet Rear Yard Setback
(Douglas Lee - 1191 Dorothy Street)

#054 McCain

An Ordinance Amending Ordinance No. 64 Of 2001 By Changing Zoning Classification Of Property Described As Follows:

Lot N Side Ragan St., N By Tauzin, W By DeBlieux, E By Chaplin & Rachal, & Further Shown On Plat In Book 341, Pg. 76 As Beginning At A Point On North Side Regan St. & Designated As Point 1 Thence 83.1 Ft. To Pt. 2, Thence 60.2 Ft., Thence NE 51.16 Ft., Thence 103.6 Ft. To Point 4, Thence 199 Ft. To Point 5, Thence 200 Feet To Point, Thence 82.9 Ft. To Pt. Of Beg. Shown As Tract "A" On Plat In CB 541, Pg. 704 From R-1 To R-2 To Construct Town Houses - 5 Units
(Nicholas Page - 310 Ragan Street)

#055 Payne

An Ordinance Amending Ordinance No. 64 Of 2001 By Changing Zoning Classification Of Property Described As Follows:

Lot 48 of Springville Addition from R-1 to R-1; SPECIAL EXCEPTION, Variance of off-street parking requirements
(Greater New Hope Ministry - 1218 Greenville Street)

#056 McCain

An Ordinance Amending Ordinance No. 64 Of 2001 By Changing Zoning Classification Of Property Described As Follows:

Lot Having Front Of 65.52 Ft. On S Side of Poete Street As Shown on A Plat In Map Slide 619b From R-1 To R-1, Special Exception To Operate Bed & Breakfast Establishments
(Carol Gregorek - 215 & 217 Poete Street)

#057 McCain
TABLED

An Ordinance Amending Ordinance No. 64 Of 2001 By Changing Zoning Classification Of Property Described As Follows:

Lot "A-1" Having A Front Of 116.2 Ft. On West Side Williams Ave., N By T. L. Miller, S By Harper, W By Cane River Lake Being Shown On Map Slide 366-B From R-1 To R-1, Special Exception To Host Special Events/Weddings
(Carol Gregorek - 330 Williams Ave.)

#058 McCain

An Ordinance Amending Ordinance No. 64 Of 2001 By Changing Zoning Classification Of Property Described As Follows:

Lot 100 Ft. Front West Side Second St. Bound N By Carroll And South By Monk From B-2 Special Exception To R-1, Special Exception To Provide Foster Care For Children And Adolescents
(Thomas Palmer - 336 Second Street)

12. ORDINANCES - INTRODUCTION:

#059 Payne

Ordinance Adopting The 2009 Edition Of The NFPA 101, *Life Safety Code* Providing For A Public Hearing, Savings Clause, Effective Date Of Ordinance, And Repealing All Previous Codes Or Portions Of Codes In Conflict Therewith

#060 Nielsen

Ordinance Adopting The 2009 Edition Of The NFPA 1, *Uniform Fire Code* Providing For A Public Hearing, Savings Clause, Effective Date Of Ordinance, And Repealing All Previous Codes Or Portions Of Codes In Conflict Therewith

#061 McCain Ordinance Accepting And Approving A Second Amendment And Extension Of The Service Agreement For Sale Of Power And Energy Between Cleco Power LLC And The City Of Natchitoches, Louisiana, Amending And Extending That Power Service Agreement Dated August 29, 2001 And As Amended On November 12, 2001, And Authorizing The Mayor To Execute The Service Agreement On Behalf Of The City

13. **ORDINANCES – FINAL:**

#049 Morrow An Ordinance Declaring Certain Buildings Unsafe And Recommending That Same Be Demolished Or Put Into Repair To Comply With The Building Code, Authorizing Notice To Be Served, Fixing Hearing Date And Appointing Curator To Represent Absentees

14. **RESOLUTIONS:**

#099 Nielsen Resolution Authorizing the Mayor of the City of Natchitoches, Louisiana to Enter Into a Professional Services Agreement with Attorney John W. Luster for Services Associated with the Bankruptcy Claim Against Pilgrim's Pride Corporation

#101 Morrow Resolution Authorizing The Mayor To Enter Into A Contract With Risk Services Of Louisiana, L.L.C. For Property Insurance For The City Of Natchitoches

✓ **#103 Payne** Resolution Authorizing the Mayor to Execute Change Order No. 1 to the Bid for the Sewer System Improvements, FY 2008 LCDBG Project, Rehabilitation of Master Sewer Pump Station Wet Well, ConAgra Sewer Pump Station Wet Well and Wastewater Treatment Plant Headworks (Bid No. 0476)

✓ **#104 Nielsen** Resolution Authorizing The Execution Of The Substantial Completion For The Sewer System Improvements, Fy 2008 LCDBG Project, Rehabilitation Of Master Sewer Pump Station Wet Well, ConAgra Sewer Pump Station Wet Well And Wastewater Treatment Plant Headworks (Bid #0476)

15. **ADJOURNMENT**

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 "Public to Address the Council Meeting" form located on the Clerk's table at the entrance of the meeting room.

PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF NATCHITOCHEs, STATE OF LOUISIANA,
REGULAR MEETING HELD ON
MONDAY, SEPTEMBER 28, 2009, AT SEVEN O'CLOCK, (7:00) 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, September 28, 2009, at 7:00 p.m.

There were present: Councilman at Large, Don Mims, Jr., Councilmen; Jack McCain, Larry Payne, Dale Nielsen and Councilwoman Sylvia Morrow

The Mayor welcomed those in attendance and also the radio audience.

The Mayor asked everyone to rise for the Invocation given by Mr. Michael Braxton, Director of Public Works, followed by the Pledge of Allegiance lead by Mr. McCain.

The Mayor then called for the reading of the Minutes. Mr. McCain made a motion to dispense with the Reading of the Minutes, and Mr. Payne seconded the motion. The roll call vote was as follows:

AYES: McCain, Payne, Nielsen, Mims, Morrow
NAYS: None
ABSENT: None

The Mayor declared the Motion as PASSED.

Ms. Morrow then honored Ms. Dora Belton who has worked throughout the Natchitoches Community over the years, including the apartment complex in Powhatan, and who will be moving from Natchitoches soon to live closer to her children. She then presented Ms. Jo Lapaeyrouse with a Certificate of Appreciation for Ms. Belton who was unable to attend the meeting.

The Meeting continued with Proclamations, as follows:

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

RESOLUTION NO. 100 OF 2009

PROCLAMATION

WHEREAS, in 1922, President Warren G. Harding proclaimed the first Fire Prevention Week as the week that includes the date of October 9, the anniversary of the Great Chicago Fire of 1871, to be National Fire Prevention Week; and

WHEREAS, according to the United States Fire Administration, most fire deaths occur during the winter months, December through February, as a direct result of poorly installed, maintained or misused portable heating equipment; and

WHEREAS, the Natchitoches Fire Department responds to approximately 2,000 emergency incidents annually involving a threat to life, property and/or our environment; and

WHEREAS, Natchitoches' firefighters are dedicated to reducing the occurrence of home fires and home fire injuries by acknowledging Fire Prevention Week as the beginning of their fire prevention, education and safety campaign which will last throughout the year; and

WHEREAS, the residents of Natchitoches are responsive to Public Fire Education measures and are able to take personal steps to increase their safety from fire; and

WHEREAS, the theme for Fire Prevention Week 2009 is, "**It's Fire Prevention Week – Stay Fire Smart, Don't Get Burned**"; effectively serves to remind us all of the simple actions we can take to stay safer from fire year round; and

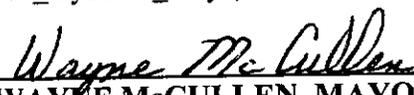
WHEREAS, this week commemorates the Great Chicago Fire of 1871, which killed more than 250 persons, left 100,000 homeless and destroyed more than 17,400 buildings, and serves as the motivating force to bring the people of Natchitoches together to build a safer community.

THEREFORE, I, Wayne McCullen, Mayor, do hereby proclaim October 4 through October 10, 2009 as **Fire Prevention Week** throughout this city, and I urge all the people of Natchitoches to heed the important safety messages of Fire Prevention Week 2009, and to support the many public safety activities and efforts of the Natchitoches Fire Department.

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

AYES:	Payne, Nielsen, Mims, McCain, Morrow
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 28th day of September, 2009.



WAYNE McCULLEN, MAYOR

The meeting continued with Bids, as follows:

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

ORDINANCE NO. 063 OF 2009

ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHEs TO AWARD THE BID FOR THE PURCHASE OF FORTY TONS OF POTASSIUM PERMANGANATE, 25kg CONTAINERS ONLY, FOR THE WATER TREATMENT PLANT

(BID NO. 0485)

WHEREAS, after due advertisement, two bid proposals were received and opened on September 14, 2009 and in accordance with law, as follows:

- (1) Harcros Chemicals
Shreveport, LA.....\$3.42/pound

- (2) Brenntag Southwest, Inc.
Longview, TX.....\$3.87/pound

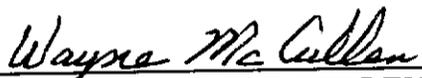
WHEREAS, on September 22, 2009 the appointed committee members, Pat Jones, Director of Finance; Edd Lee, Director of Purchasing; Bryan Wimberly Director of Utilities; and Councilman Larry Payne reviewed the bids received and were unanimous in its decision to award the bid to the lowest bidder, **Harcros Chemicals**, Shreveport, Louisiana, in the sum of \$3.42 per pound.

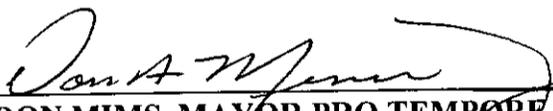
NOW, THEREFORE, BE IT ORDAINED that the Honorable Wayne McCullen, Mayor, or his designee, is hereby authorized, empowered and directed to sign any and all documents necessary for acceptance of the bid for the potassium permanganate.

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

AYES:	Nielsen, Mims, McCain, Morrow, Payne
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, the Mayor declared the Ordinance **PASSED** this 28th day of September, 2009 by a vote of 5 ayes to 0 nays.


MAYOR WAYNE McCULLEN


DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on this the 29th day of September, 2009 at 10:00 A.M.



CITY OF NATCHITOCHES

Oldest Settlement in the Louisiana Purchase

OFFICE OF PURCHASING

Wayne McCullen
Mayor

September 22, 2009

Don Mims, Jr.
Councilman At Large

Jack McCain, Jr.
Councilman
District 1

**Mayor Wayne McCullen
City Hall**

Dale Nielsen
Councilman
District 2

Natchitoches, LA 71457

Sylvia Morrow
Councilwoman
District 3

Re: Bid number 0485 – Potassium Permanganate

Larry Payne
Councilman
District 4

Dear Mayor McCullen;

The appointed committee of Pat Jones, Edd Lee, Larry Payne and Bryan Wimberly, have reviewed both bid proposals for the purchase of 40 tons potassium permanganate.

The committee was unanimous in its decision to award the bid to the lowest responsive bidder, Harcros Chemicals, of Shreveport, LA in the amount of \$3.42 per pound. The other bidder, Brenntag Southwest, Inc of Longview, TX, submitted a bid in the amount of \$3.87 per pound.

All bids are kept at the City Purchasing Department, 1400 Sabine Street, Natchitoches, LA 71457. Anyone desiring to view the bids may do so at that location.

Request ratification of this award at the next meeting of the City Council.

Very truly yours,

Larry Payne
Councilman Dist 4

Bryan Wimberly
Water Plant Mgr.

Edd Lee
Director of Purchasing

Pat Jones
Director of Finance

Bids continued, as follows:

Mr. Mims made a motion that bids be opened and the Mayor Authorized to Award the Bid for Boiler #10 Re-Tubing and Repair, being Ordinance 62. The motion was seconded by Ms. Morrow.

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

AYES:	McCain, Morrow, Payne, Nielsen, Mims
NAYS:	None
ABSENT:	None

The Mayor declared the motion as PASSED.

ORDINANCE NO. 062 OF 2009

**ORDINANCE AUTHORIZING THE MAYOR OF THE CITY
OF NATCHITOCHEs TO OPEN THE BIDS FOR
BOILER #10 RE-TUBING AND REPAIR TO THE POWER PLANT**

(BID NO. 0487)

Mr. Edd Lee, Director of Purchasing, advised that of the three bids received, two are not qualified to be opened for various reasons. Mr. Lee and Mr. Bryan Wimberly, Director of Utilities, opened the remaining bid for Boiler #10 Re-Tubing and Repair, bid 0487, as follows:

- 1) Aquilex Southeastern Mechanical Services
St. Petersburg, Florida \$ 792,049.71
Lic. #38471

A committee was appointed to evaluate the bids and report back at the next Council meeting consisting of:

Mr. Pat Jones, Director of Finance
Mr. Bryan Wimberly, Director of Utilities
Mr. Edd Lee, Director of Purchasing
Councilman Larry Payne

Bids continued as follows:

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

RESOLUTION NO. 102 OF 2009

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHEs TO REJECT THE BID FOR PURCHASE OF TWO (2) 69KV CIRCUIT BREAKERS FOR THE DIXIE STREET SUBSTATION

(BID NO. 0486)

WHEREAS, on August 10, 2009, the City passed Resolution No. 085 to advertise for Public Bids for the purchase of two (2) 69KV circuit breakers for the Dixie Street Substation (Bid No. 0486); and

WHEREAS, on September 14, 2009 one bid was received by Wesco Distribution; and

WHEREAS, upon review and evaluation of by the Project Engineer, it was determined that the bid received does not meet the technical nor the commercial specifications as detailed on the bid tabulation, attached hereto; and

WHEREAS, after consideration by the engineer and appointed committee members consisting of Pat Jones, Edd Lee, Bryan Wimberly and Larry Payne, it was unanimously decided to reject the bid received.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Natchitoches, in legal session convened, that the Honorable Wayne McCullen, Mayor, be and is hereby authorized, empowered and directed to reject the bid received from Westo Distribution, Bid No. 0486 for the purchase of the circuit breakers.

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

AYES: Payne, Nielsen, Mims, McCain, Morrow
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 28th day of September, 2009.



WAYNE McCULLEN, MAYOR



CITY OF NATCHITOCHES

Oldest Settlement in the Louisiana Purchase

OFFICE OF PURCHASING

Wayne McCullen
Mayor

September 23, 2009

Don Mims, Jr.
Councilman At Large

Mayor Wayne McCullen

Jack McCain,
Councilman
District 1

City Hall

Natchitoches, LA 71457

Dale Nielsen
Councilman
District 2

Dear Mayor McCullen,

Sylvia Morrow
Councilwoman
District 3

The appointed committee of Pat Jones, Edd Lee, Bryan Wimberly and

Larry Payne
Councilman
District 4

**Larry Payne has reviewed the bid proposal and the engineer's
recommendation for the 69KV, Circuit Breaker, Bid # 0486.**

**The committee was unanimous in its decision to reject the bid from
Wesco Distribution as recommended by Russell Cardella, Project
Engineer for URS.**

**All bids are kept at the City Purchasing Department, 1400 Sabine
Street, Natchitoches, LA 71457. Anyone desiring to view the bids may
do so at that location.**

**Request ratification of this rejection at the next meeting of the City
Council.**

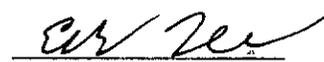
Very truly yours,



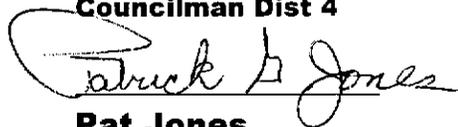
Larry Payne
Councilman Dist 4



Bryan Wimberly
Director of Utilities



Edd Lee
Director of Purchasing



Pat Jones
Director of Finance



URS-NAT-006
File No.: 10.100

September 22, 2009

Mr. Edd Lee
Director of Purchasing
City of Natchitoches
P.O. Box 37
Natchitoches, LA 71458-0037

Re: City Of Natchitoches
Dixie Substation Relay Design
69 kV Breaker Bid Evaluation
Task Order No. URS 003
URS Project No.: 38987532

Dear Mr. Lee:

URS has completed the review of the Bid for the 69 kV Breaker. The breakers do not meet the technical or the commercial specifications. For details see the attached bid tabulation.

URS is not recommending the purchase of the ABB DTB 72.5 kV Breakers. Please address any inquires concerning the recommendation to the undersigned.

Best Regards,

Russell M. Cardella, P.E.
Senior Project Manager

RMC/mb
Attachments: Bid Tabulation

URS

Process & Energy

URS Corporation
 Customer: City of Natchitoches
 Project: Dixie Substation

Spec. No.: 38987532
 RFP Title: 69kV Circuit Breakers
 BID No.: 0486

Service Type: Equipment & Materials

Equipment Tag Number(s):

Vendor Name:
 Address:
 City, State

Proposal Number:
 Dated:
 Contact Name:
 Phone No.:
 Fax No.:

E-Mail Address:

Wesco Distribution
 Josh Bishop
 501-376-0391
 501-376-8021
 jrb@wesco.com

DESCRIPTION	SPECIFICATION REQUIREMENTS	TECHNICAL EVALUATION					
		Vendor 1	Vendor 2	Vendor 3	Vendor 4	Vendor 5	Vendor 6
General							
1 4.1.1 The breaker shall use SF ₆ gas as the insulating medium.	Meets Requirements						
2 4.1.2 The breaker shall be a 3 pole breaker with a common actuator.	Meets Requirements						
3 4.1.3 The breaker shall be dead tank design.	Meets Requirements						
4 4.1.4 Breaker shall have Control Panel on the side of Bushing 1, 3, and 5.	Meets Requirements						
5 4.1.5 Breaker shall meet the same or better performance and quality standards as ABB 72PM breakers.	ABB D18 72.5 breaker is not shipped with SF ₆ gas. Meets Requirements						
	Service Conditions						
	Unless otherwise specified on the purchaser's datasheet, equipment shall be designed to perform satisfactorily under the following ambient conditions:						
6 4.2.1 Ambient conditions within the limits of -40 °C (-40 °F) and 40 °C (104 °F)	Meets Requirements						
7 4.2.2 Altitude of installation does not exceed 1000 m (3300 feet)	Meets Requirements						
8 4.2.3 Humidity within the limits of 0 - 95% non-condensing	Meets Requirements						
	Requirements						
9 4.3.1 Voltage Rating 72.5 kV	Meets Requirements						
10 4.3.2.1 Continuous current (60Hz) - 1200A	Meets Requirements						
11 4.3.2.2 Max. symmetrical interrupting capability - 3 cycles at 31,500 A	3200A Exceeds Requirements						
12 4.3.2.3 Close and latch capability - 65,000/100,000A (Peak) A	Meets Requirements						
13 4.3.2.4 Three second short time current carrying capability - 31,500 A	Meets Requirements						
14 4.3.2.5 Maximum momentary current - 50,000 A	Peak withstand 82 kA						
15 4.3.4.1 Basic impulse level (withstand) - 350 kV	Meets Requirements						
16 4.3.4.2 Low frequency (FMS) withstand - 150 kV	Meets Requirements						
17 Operating Voltages	Meets Requirements						
18 4.3.4.1 Closing Voltage - 125 VDC	110 VDC						

URS

Process & Energy

URS Corporation
 Customer: City of Natchitoches
 Project: Dixie Substation

Spec No.: 38987532
 RFP Title: 69kV Circuit Breakers
 BID No.: 0486

Service Type: Equipment & Materials

Equipment Tag Number(s):

Vendor Name: Wesco Distribution
 Address:
 City, State
 Proposal Number:
 Dated:
 Contact Name: Josh Bishop
 Phone No.: 501-376-0391
 Fax No.: 501-376-0221
 E-Mail Address: jrbishop@wesco.com

		Vendor 1	Vendor 2	Vendor 3	Vendor 4	Vendor 5	Vendor 6
19	4.3.4.2	Tripping voltage - 125 VDC	110 VDC				
20	4.3.4.3	Motor - 120/240 VAC or 125 VDC	Does not meet requirements for 120VAC				
21	4.3.4.4	Heaters - Rated 240 VAC, operated 120 VAC	Not addressed in bid				
22	4.3.4.5	Light and GFI receptacle - 120 VAC, single phase	Not identified.				
23	4.3.5	Rated maximum interrupting time (80 Hz) basis - 3 cycles at 31,500 kA and 5 cycles at 40 kA	Not identified.				
24	4.3.6	The breaker shall be capable of de-energizing capacitor banks, transformers and transmission lines with charging currents as high as 630 A.	125A, does not meet requirements				
25	4.3.7	The breaker shall meet all performance requirements in ambient temperatures ranging from -40 degrees C to +40 degrees C.	Does not meet Requirements, Acceptable				
26	4.3.8	Breaker shall be capable of 180° out of phase switching	Not identified.				
27	4.3.9	Breaker shall be capable of OPEN-CLOSE-OPEN-15 sec. - CLOSE-OPEN duty cycle without denting.	Meets Requirements				
28	4.3.10	Minimum number of stored CLOSE-OPEN operations: Starting at normal working pressure and without operation of the charging motor shall be: OPEN-CLOSE-OPEN operating Sequence.	Meets Requirements				
29	4.3.11	The supplier shall state values of ratings which differ from those specified.	Does not meet Requirements				
		Conduit	Meets Requirements				
		Trap Circuit Requirements					
		Breaker shall be equipped with two (2) electronically and mechanically independent trip coils. The failure of one trip coil shall not damage or impair the operation of the other coil. The design must be such that the simultaneous energization of both trip coils shall not prevent the breaker from tripping.	Not addressed in bid				
30	4.4.1.1		Not addressed in bid				
31	4.4.1.2	Fused disconnect switches or molded case circuit breakers shall be provided for the trip circuits.	Not addressed in bid				
32	4.4.1.3	Trip circuit operating voltage shall be 125 VDC. Trip circuits shall operate properly within a range of 70 to 140 VDC as measured at the circuit breaker.	Not addressed in bid				
		Closing Circuit Requirements					

URS

Process & Energy

URS Corporation
 Customer: City of Natchitoches
 Project: Dixie Substation
 Spec. No.: 38987532
 RFP Title: 69kV Circuit Breakers
 BID No.: 0488

Service Type: Equipment & Materials

Equipment Tag Number(s):

Vendor Name: Wesco Distribution
 Address: City, State
 Proposal Number:
 Dated: Josh Bishop
 Contact Name: 501-376-0391
 Phone No.: 501-376-8021
 Fax No.:
 E-Mail Address: jbishop@wesco.com

	Vendor 1	Vendor 2	Vendor 3	Vendor 4	Vendor 5	Vendor 6
4.4.2.1	Not addressed in bid					
4.4.2.2	Not addressed in bid					
4.4.3.1	Not addressed in bid					
4.4.3.2	Not addressed in bid					
4.4.3.3	Not addressed in bid					
4.4.3.4	Not addressed in bid					
4.4.3.5	Not addressed in bid					
4.4.4.1	Meets Requirements					
4.4.4.2	Does Not Meet Requirements, 5 "a" and 5 "b" contacts are furnished					
4.4.5.1	Not addressed in bid					
4.4.5.2	Not addressed in bid					
4.4.5.3	Not addressed in bid					

URS

Process & Energy

URS Corporation
 Customer: City of Natchitoches
 Project: Dixie Substation

Spec. No.: 38987532
 RFP Title: 69kV Circuit Breakers
 BID No.: 0486

Service Type: Equipment & Materials

Equipment Tag Number(s):

Vendor Name:
 Address:
 City, State

Proposal Number:
 Dated:
 Contact Name:
 Phone No.:
 Fax No.:

E-Mail Address:

Wesco Distributor
 Josh Bishop
 501-376-0391
 501-376-8021
 jrbishop@wesco.com

		Vendor 1	Vendor 2	Vendor 3	Vendor 4	Vendor 5	Vendor 6
44.5.4	A manual trip device shall be furnished, accessible from the control cabinet. Also, an auxiliary electrical contact shall be included in the close circuit to prevent closing until manually reset. The manual trip device shall not require an external power source to trip the circuit breaker. The trip device shall trip all three poles simultaneously.	Not addressed in bid					
44.5.5	Provisions for two (2) remote trip and close stations shall be provided in the breaker control cabinet.	Not addressed in bid					
45	Control Cabinet The breaker control cabinet shall be outdoor, weatherproof design, NEMA 4X aluminum or stainless steel enclosures are preferred. Enclosures shall include hinged doors for full opening with provisions for holding doors in the open position and a handle with three point latch and padlocking provisions for holding doors in closed position.	Not addressed in bid					
46	All breaker controls, terminal blocks, etc., shall be consolidated in the control cabinet, including current transformer secondaries.	Not addressed in bid					
47	The Owner will furnish a 60 Hz, 240/120 VAC, single phase and 125 VDC power supply to the breaker. The manufacturer shall furnish appropriate terminals in the control cabinet for terminating the Owner's Control Circuits.	Not addressed in bid					
48	The control cabinet shall be furnished with suitable space heaters rated for 240 VAC and designed to be operated at 120 VAC for long life, with adjustable thermostat to prevent condensation.	Not addressed in bid					
49	The control cabinet shall have internal, incandescent lighting controlled from a door switch mounted in the cabinet, and a 120 VAC, 20 A, single phase, duplex receptacle with ground fault interrupter. The receptacle shall be mounted outside the cabinet.	Not addressed in bid					
50	The control cabinet shall be in an accessible location mounted at a convenient operating height.	Meets requirements					
51							
52							

URS

Process & Energy

URS Corporation
 Customer: City of Natchitoches
 Project: Dixie Substation
 Spec. No.: 38987532
 RFP Title: 69kV Circuit Breakers
 BID No.: 0486

Service Type: Equipment & Materials

Equipment Tag Number(s):

Vendor Name: Wesco Distribution
 Address:
 City, State:
 Proposal Number:
 Dated:
 Contact Name: Josh Bishop
 Phone No.: 501-376-0391
 Fax No.: 501-376-6021
 E-Mail Address: jbbishop@wesco.com

		Vendor 1	Vendor 2	Vendor 3	Vendor 4	Vendor 5	Vendor 6
4.5.7	All wiring and connections within the control cabinet shall be readily accessible for maintenance.	Not addressed in bid					
4.5.8	Suitable terminal blocks shall be furnished and wired at the control cabinet for connection to the remote control cabinet at control house.	Not addressed in bid					
4.6.1	The circuit breaker shall have a quantity of 12 milliratio bushing-type current transformers 2 per bushing. Ratio shall be 1200:5. Bushing current transformers shall conform to the following requirements: Bushing CT's shall conform to IEEE Standard C 57.13 latest revision. The accuracy class shall be C400. Continuous thermal current rating factor (R.F.) of 2.0	Meets Requirements					
4.6.2	Continuous thermal current rating factor (R.F.) of 2.0	Meets Requirements					
4.6.3	Operating Mechanism The breaker operating mechanism shall be electrically trip free with anti-pump feature.	Meets Requirements					
4.7.1	The breaker operating mechanism shall be spring operated or spring-hydraulic.	Meets Requirements					
4.7.2	The operating mechanism shall be capable of storing one OPEN-CLOSE-OPEN operation manually and furnished with a motor capable of charging in 10 seconds.	Meets Requirements					
4.7.3	The breaker shall monitor low spring charge with alarm function, and be equipped with an indicator for spring charge and discharge status.	Meets Requirements					
4.7.4	The spring charging motor shall be a universal AC/DC motor. An AC/DC transfer scheme shall be provided to automatically switch to DC power upon loss of AC power. The DC power will be externally provided 125 VDC.	Meets Requirements					
4.7.5	Circuit Breaker Tank Filling Each breaker will have a high-density monitor and a temperature compensated pressure gauge. The devices will be mounted directly to the outer phases through Maninquest fittings. All pressure switches, valves, relays, etc. shall be readily accessible and located in suitable outdoor, weatherproof enclosures.	Meets Requirements					
4.8.1		Meets Requirements					



Process & Energy

URS Corporation
Customer: City of Natchitoches
Project: Dixie Substation

Spec. No.: 38987532
RFP Title: 6kV Circuit Breakers
Bid No.: 0486

Service Type: Equipment & Materials

Equipment Tag Number(s):

Vendor Name:
Address:
City, State

Proposal Number:
Dated:

Contact Name:
Phone No.:
Fax No.:

E-Mail Address:

Wesco Distribution

Josh Bishop
501-376-0391
501-376-8021

mailto:jbishop@wesco.com

	Vendor 1	Vendor 2	Vendor 3	Vendor 4	Vendor 5	Vendor 6
4.8.2	Meets Requirements					
4.8.3	Meets Requirements					
4.9.1	Meets Requirements					
4.9.2	Meets Requirements					
4.9.3	Meets Requirements					
4.10.1.1	Meets Requirements					
4.10.1.2	Meets Requirements					
4.10.1.3	Meets Requirements					
4.10.1.4	Meets Requirements					
4.10.1.5	Meets Requirements					
4.10.1.6	Meets Requirements					
4.10.1.7	Meets Requirements					
4.10.1.8	Meets Requirements					
4.10.1.9	Meets Requirements					
4.10.1.10	Meets Requirements					
4.10.1.11	Meets Requirements					
4.10.1.12	Meets Requirements					
4.10.2	Meets Requirements					
4.10.3	Meets Requirements					
4.10.4	Meets Requirements					

64	Gas piping between phases will be welded stainless steel tubing. All gas piping, fittings, gauges and other connectors shall be made leak tight. Valves used in gas systems shall have seals designed to insure a leak tight breaker with low maintenance requirements.					
65	Breaker tanks containing SF ₆ gas pressure shall be designed, built and tested to meet applicable standards.					
66	Bushing	Meets Requirements				
67	Bushings shall be hollow, one-piece porcelain, 350 KV, BIL, filled with SF ₆ gas conform to the breaker tanks.	Does not Meet Requirements, silicon bushings				
68	Terminals shall be 1-3/4 inch x 1/2 stud suitable for customer connections.	Does not Meet Requirements				
69	Labels	Meets Requirements				
70	A breaker nameplate will be of non-corrosive material and shall be mounted inside the breaker control cabinet with the following date.	Not addressed in bid				
71	Manufacturer's name and address	Not addressed in bid				
72	Breaker type and model number	Not addressed in bid				
73	Rated nominal and maximum voltages	Not addressed in bid				
74	Rated voltage factor, K	Not addressed in bid				
75	Rated continuous current	Not addressed in bid				
76	Rated symmetrical and asymmetrical	Not addressed in bid				
77	Rated frequency	Not addressed in bid				
78	Rated ILL	Not addressed in bid				
79	Quantity of residual medium	Not addressed in bid				
80	Operating ranges of control circuit	Not addressed in bid				
81	4.10.1.12 Date of manufacture.	Not addressed in bid				
82	A current Transformer nameplate will be of non-corrosive material and shall be mounted inside the breaker control cabinet with the following date.	Not addressed in bid				
83	CT Ranks	Not addressed in bid				
84	CT Connections	Not addressed in bid				
85	Permanent engraved jammed nameplates shall be provided identifying each component in the control panel.	Not addressed in bid				
86	Nameplates shall be of following background color and engraving:	Not addressed in bid				

URS

Process & Energy

URS Corporation
 Customer: City of Natchitoches
 Project: Dixie Substation

Spec. No.: 38987532
 RFP Title: 69kV Circuit Breakers
 BID No.: 0466

Service Type: Equipment & Materials

Equipment Tag Number(s):

Vendor Name: Wesco Distribution
 Address:
 City, State:
 Proposal Number:
 Dated:
 Contact Name: Josh Bishop
 Phone No.: 501-376-0391
 Fax No.: 501-376-6021
 E-Mail Address: JBishop@wesco.com

Item No.	Description	Vendor 1	Vendor 2	Vendor 3	Vendor 4	Vendor 5	Vendor 6
87	4.10.4.1 Identification nameplates - White background with black engraving	Not addressed in bid					
88	4.10.4.2 Caution nameplates - Yellow background with black engraving	Not addressed in bid					
89	4.10.4.3 Warning nameplates - Red background with white engraving	Not addressed in bid					
90	4.11 Terminal Pad Furnish silver plated NEMA 4-hole, threaded stud type, terminal pad for each breaker bushing.	Not addressed in bid					
91	4.12.1 Other Features And Accessories The circuit breaker shall be painted ANSI # 70 light gray. The frame and leg extensions will be hot dipped galvanized.	Not addressed in bid					
92	4.12.2 The circuit breaker shall have all three poles mounted on a common steel frame with legs, which bolt directly to the foundation.	Not addressed in bid					
93	4.12.3 Two NEMA, 2-hole drilled and tapped ground pads shall be provided, one each on opposite sides and ends of breaker.	Not addressed in bid					
94	4.12.4 Maintenance Tools One set of special tools shall be provided. The breaker shall have provisions for connecting a travel recorder.	Not addressed in bid					
94	4.12.5 The circuit breaker shall be equipped with pressure relays with adjustable set points to actuate alarms for SF ₆ gas when pressure is lower than normal, and to prevent operation when pressure reaches a value below acceptable limits. Pressure switch shall be temperature compensated.	Not addressed in bid					
94	4.12.6 The breaker shall be shipped fully assembled except extension legs. The breaker shall have at least 5 days SF ₆ gas during shipment. Owner shall not have to evacuate at site during commissioning of the breaker. The vendor shall supply SF ₆ gas to top it off at site.	Does Not Meet Requirements					
95	Test and Inspection Design Tests Supplier shall furnish copies of Certified Reports of all design tests described in IEEE C37.09 Section 4. Production Tests	Not addressed in bid					

URS

Process & Energy

URS Corporation
 Customer: City of Natchitoches
 Project: Dixie Substation

Spec. No.: 38987532
 RFP Title: 69kV Circuit Breakers
 BID No.: 0486

Service Type: Equipment & Materials

Equipment Tag Number(s):

Vendor Name:
 Address:
 City, State

Proposal Number:
 Dated:
 Contact Name:
 Phone No.:
 Fax No.:

Westco Distribution
 Josh Bishop
 501-376-0391
 501-376-6021

E-Mail Address:

jbishop@westco.com

		Vendor 1	Vendor 2	Vendor 3	Vendor 4	Vendor 5	Vendor 6
413.2.1	The entire breaker must be electrically and mechanically assembled into one single line-up prior to final testing, inspection	Not addressed in bid					
413.2.2	Certified Reports of all production tests described in IEEE C37.09, Section 5 shall be provided.	Not addressed in bid					
413.2.3	The control wiring insulation test shall be performed by applying 1500 volts to ground, 60 Hertz for 1 minute.	Not addressed in bid					
413.2.4	Breaker mounted devices that have been individually tested may be disconnected with the permission of the purchaser.	Not addressed in bid					
413.2.5	All control and protective circuits of breakers shall be checked for functional operation, which shall verify the correctness	Not addressed in bid					
413.2.6	All polarity verification shall be performed using primary injection.	Not addressed in bid					
413.3.1	Performance Test Certified Reports of all performance tests described in IEEE C37.09, Section 6.1 shall be provided.	Not addressed in bid					
413.3.2	To meet performance requirements, all assemblies shall successfully pass all tests described above.	Not addressed in bid					
413.3.3	The purchaser reserves the right to observe the manufacturing, fabrication, or any part of work which	Not addressed in bid					
413.3.4	The purchaser or purchaser's inspector shall be provided with free plant access, suitable facilities, Documentation	Not addressed in bid					
414.1.1	Drawings for each lineup of the Breaker shall have a unique number provided by the purchaser.	Not addressed in bid					
414.1.1	Schematic drawings shall include the following information as a minimum:	Not addressed in bid					
414.1.2	Complete schematic diagram with item numbers corresponding to bill of materials	Not addressed in bid					
414.1.3	Operation and contact arrangement of over-current and control relays, and all switches	Not addressed in bid					
414.1.4	Contact position of all components in shelf (normally de-energized) position	Not addressed in bid					

URS

Process & Energy

URS Corporation
 Customer: City of Natchitoches
 Project: Dixie Substation
 Spec. No.: 38987532
 RFP Title: 69kV Circuit Breakers
 BID No.: 0486

Service Type: Equipment & Materials

Equipment Tag Number(s):

Vendor Name: Wesco Distribution
 Address:
 City, State:
 Proposal Number:
 Dated:
 Contact Name: Josh Bishop
 Phone No.: 501-376-0391
 Fax No.: 501-376-6021
 E-Mail Address: JBISHOP@WESCO.COM

	Vendor 1	Vendor 2	Vendor 3	Vendor 4	Vendor 5	Vendor 6
111	Not addressed in bid					
414.1.5	Not addressed in bid					
414.1.6	Not addressed in bid					
414.1.7	Not addressed in bid					
112	Not addressed in bid					
414.1.8	Not addressed in bid					
113	Not addressed in bid					
414.1.9	Not addressed in bid					
113						
116	Not addressed in bid					
117	Not addressed in bid					
118	Not addressed in bid					
119	Not addressed in bid					
120	Not addressed in bid					
121	Not addressed in bid					
122	Not addressed in bid					
123	Not addressed in bid					
124						
125						
126						
127						

URS

Process & Energy

URS Corporation
 Customer: City of Natchitoches
 Project: Dixie Substation

Spec. No.: 38987532
 RFP Title: 69kV Circuit Breakers
 BID No.: 0486

Service Type: Equipment & Materials

Equipment Tag Number(s):

Vendor Name: Wesco Distribution
 Address:
 City, State

Proposal Number:

Date:
 Contact Name: Josh Bishop
 Phone No.: 501-376-0391
 Fax No.: 501-376-6021

E-Mail Address:

JBishop@wesco.com

Vendor 1

Vendor 2

Vendor 3

Vendor 4

Vendor 5

Vendor 6

ABB has quoted on a breaker built outside the United States although ABB builds breakers in the U.S. Many items were not addressed by the bid. URS does not recommend purchasing the breakers quoted. The technical reasons are: shipping the breaker without insulation gas, typically breakers are shipped with insulating gas, SF₆ is not included; porcelain bushings are not included; required number of auxiliary contacts are not included and the lack of supporting documentation to determine compliance with approximately half of the specification requirements.

ABB INC Exceptions to Technical Specifications

QA/QC EVALUATION

SCHEDULE MILESTONES

Item No.	Technical Means Requirement	NO						
1	Unit Price Provided							
2	Field Service							
3	Any Alternative Design Proposal Included							
4	FOB: Jobsite or DDP agreed to							
5	Proposed Freight agreed to							
6								

URS

Process & Energy

URS Corporation
 Customer: City of Natchitoches
 Project: Dixie Substation
 Spec. No.: 38987532
 RFP Title: 69kV Circuit Breakers
 BID No.: 0496

Service Type: Equipment & Materials

Equipment Tag Number(s):

Vendor Name: Wesco Distribution
 Address:
 City, State
 Proposal Number:
 Dated:
 Contact Name: Josh Bishop
 Phone No.: 501-376-0391
 Fax No.: 501-376-6021
 E-Mail Address: jbishop@wesco.com

	Vendor 1	Vendor 2	Vendor 3	Vendor 4	Vendor 5	Vendor 6
7	Payment Terms agreed to					
8	Schedule Dates agreed to	NET 30				
9	Lower-Tier Subcontractor/Vendor names listed below	NO				
10	Cancellation Charges furnished					
11	Shipping Point furnished	North Italian Port				
12	Tax status agreed to	Not Included				
13	Commercial Exceptions furnished	Yes - See Proposal Incomplete - See Proposal				
14	Technical Exceptions furnished					
15	Labor Organization & Contract Information furnished					
16	Packing Changes furnished	N/A				
17	Furnished Preliminary Schedule with Proposal	YES				
18	Will Furnish Formal Schedule after award					
19	Duration Proposal valid for	90 Days				
20	Warranty	12 months after installation, not to exceed 18 months after delivery. Refer to proposal for warranty exclusions.				
21	Performance Guarantees					
22	Will Furnish Lien Waiver and Release					
23						
24	Pricing Includes RFP Addendums					
25						
SCHEDULE OF PRICING:		\$43,200.00				
QTY 2 BREAKER BASE:		\$86,400.00				
Freight		Estimated \$xxxx.00				
Taxes		Not Included				

URS

Process & Energy

URS Corporation
 Customer: City of Natchitoches
 Project: Dixie Substation

Spec. No.: 38987532
 RFP Title: 69kV Circuit Breakers
 BID No.: 0486

Service Type: Equipment & Materials

Equipment Tag Number(s):

Vendor Name:
 Address:
 City, State

Proposal Number:
 Dated:
 Contact Name:
 Phone No.:
 Fax No.:

Wesco Distribution

John Bishop
 501-376-0391
 501-376-6021

john.bishop@wesco.com

E-Mail Address:

	Vendor 1	Vendor 2	Vendor 3	Vendor 4	Vendor 5	Vendor 6
Payment & Performance Bonds						
OPTION PRICING:						
Purchase Price 2 Breakers and Freight						
Field Service	Price for Field Service: \$xxxx.00					
Target Cost Estimate \$						
Equipment = \$						
Spares = \$						
Comm/Training = \$						
TERMS OF PAYMENT:	NET 30					
LIST OF SUBCONTRACTORS/VENDORS						

URS

Process & Energy

URS Corporation
 Customer: City of Natchitoches
 Project: Dixie Substation
 Spec. No.: 39987532
 RFP Title: 69kV Circuit Breakers
 BID No.: 0496

Service Type: Equipment & Materials

Equipment Tag Number(s):

Vendor Name: Wesco Distribution
 Address:
 City, State
 Proposal Number:
 Dated:
 Contact Name:
 Phone No.:
 Fax No.:

Vendor 1
 Josh Bishop
 501-376-0391
 501-376-6021
 jbishop@wesco.com

COMMERCIAL EXCEPTIONS

Vendor 2
 Vendor 3
 Vendor 4
 Vendor 5
 Vendor 6

ABB INC. Exceptions to Commercial Terms and Conditions.

In lieu of the Purchaser's commercial terms and conditions, ABB's offering is made on the basis of ORGLINE Supply of Mechanical, Electrical and Electronic Products. FOB Point is not acceptable. Cost for Field Service to commission the breaker including the cost for the insulating gas, SF₆, is not included and can significantly increase the cost.

PURCHASE RECOMMENDATION:

Recommended not purchasing the ABB breaker Bidder did not accept Natchitoches' Terms and Conditions.									
FOB point Italy not acceptable									
Commercial Evaluation By:	QA/QC Approval By:	Project Manager Approval:							
Date:	Date:	Date:							
Commercial Eval. Approval By:									
Date:									
Technical Eval. By:									
Date:									
Technical Eval. Approval By:									
Date:									

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

RESOLUTION NO. 105 OF 2009

**A RESOLUTION AUTHORIZING THE MAYOR TO
ADVERTISE AND ACCEPT BIDS FOR THE SEWER SYSTEM
IMPROVEMENTS, CONTRACT 2, AUTOMATIC BAR SCREEN AND GRIT
CLASSIFIER REPLACEMENTS AT THE WASTEWATER TREATMENT PLANT**

(BID NO. 0492)

WHEREAS, the City wishes to advertise for Public Bids for sewer system improvements, Contract 2, automatic bar screen and grit classifier replacements at the Wastewater Treatment Plant (Bid No. 0492).

WHEREAS, sealed bid proposals for the project will be received by the City of Natchitoches, Louisiana, at the City of Natchitoches Purchasing Department, 1400 Sabine Street, Natchitoches, Louisiana until **10:00 A.M.** on **Wednesday, November 4, 2009** and then at said location publicly opened and read aloud.

WHEREAS, upon receipt of bid proposals, the committee of Pat Jones, Director of Finance; Edd Lee, Director of Purchasing; Don Mims, Councilman; Bryan Wimberly, Utility Director; and Norman Nassif, Engineer, 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 Wayne McCullen, 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: Nielsen, Payne, Mims, McCain, Morrow
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 28th day of September 2009.



WAYNE McCULLEN, MAYOR

ADVERTISEMENT FOR BIDS

**CITY OF NATCHITOCHEs, LOUISIANA
(OWNER)**

Bid #0492

Sealed Bids for the SEWER SYSTEM IMPROVEMENTS, CONTRACT 2, AUTOMATIC BAR SCREEN AND GRIT CLASSIFIER REPLACEMENTS AT WASTEWATER TREATMENT PLANT will be received by the CITY OF NATCHITOCHEs, LOUISIANA, at the CITY OF NATCHITOCHEs - PURCHASING DEPARTMENT, 1400 SABINE STREET, NATCHITOCHEs, LA 71457 until 10:00 AM on November 4, 2009 and then at said location publicly opened and read aloud.

The Instructions To Bidders, Bid Form, form of Bid Bond, Agreement Between Owner and Contractor, forms of Performance and Payment Bonds, Drawings, Specifications and other Contract Documents may be examined at the office of the Engineer at:

Nassif Engineering & Architecture, LLC
270 Blanchard Road
Natchitoches, LA 71457
(318) 527-4409

Copies may be obtained from the Engineer, Nassif Engineering and Architecture, LLC, 270 Blanchard Road, Natchitoches, LA 71457, (318) 527-4409, upon payment of \$100.00 for each set.

Each Bid is to be accompanied by Bid Security as provided in the Instructions To Bidders and General Conditions. No Bidder may withdraw his Bid within forty-five (45) days after the actual date of opening thereof, except as prescribed in Louisiana Revised Statute 38:2214.C. The Owner reserves the right to waive any informality and to reject any or all Bids for just cause.

Bidder shall provide necessary evidence of authority to sign Bids on behalf of corporations and other legal entities in accord with Louisiana Revised Statute 2212.O.

A mandatory pre-bid conference will be held on Wednesday, October 28, 2009, at 10:00 AM, at the City of Natchitoches – Utility Office, located at 1110 Power Plant Road, Natchitoches, LA 71457. All Bidders who submit a Bid for this project must attend this pre-bid conference. Failure to do so will constitute automatic Bid rejection.

This project is classified as Municipal & Public Works Construction in accord with Louisiana Revised Statute 37:2163.

Date: September 28, 2009

/s/ Wayne McCullen
Mayor

Publishing Dates:

Friday, October 2, 2009

Friday, October 9, 2009

Friday, October 16, 2009

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

RESOLUTION NO. 106 OF 2009

**A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE AND
ACCEPT BIDS FOR THE SEWER SYSTEM IMPROVEMENTS,
CONTRACT 3, FOR THE PURCHASE OF A VACUUM TRUCK**

(BID NO. 0493)

WHEREAS, the City wishes to advertise for Public Bids for sewer system improvements, Contract 3, purchase of a vacuum truck (Bid No. 0493).

WHEREAS, sealed bid proposals for the project will be received by the City of Natchitoches, Louisiana, at the City of Natchitoches Purchasing Department, 1400 Sabine Street, Natchitoches, Louisiana until **10:00 A.M. on Wednesday, November 4, 2009** and then at said location publicly opened and read aloud.

WHEREAS, upon receipt of bid proposals, the committee of Pat Jones, Director of Finance; Edd Lee, Director of Purchasing; Don Mims, Councilman; Bryan Wimberly, Utility Director; and Norman Nassif, Engineer, 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 Wayne McCullen, 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:	Morrow, Payne, Nielsen, Mims, McCain
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 28th day of September, 2009.



WAYNE McCULLEN, MAYOR

ADVERTISEMENT FOR BIDS

**CITY OF NATCHITOCHEs, LOUISIANA
(OWNER)**

Bid #0493

Sealed Bids for the SEWER SYSTEM IMPROVEMENTS, CONTRACT 3, PURCHASE OF VACUUM TRUCK will be received by the CITY OF NATCHITOCHEs, LOUISIANA, at the CITY OF NATCHITOCHEs - PURCHASING DEPARTMENT, 1400 SABINE STREET, NATCHITOCHEs, LA 71457 until 10:00 AM on November 4, 2009 and then at said location publicly opened and read aloud.

The Instructions To Bidders, Bid Form, form of Bid Bond, Agreement Between Owner and Contractor, forms of Performance and Payment Bonds, Drawings, Specifications and other Contract Documents may be examined at the office of the Engineer at:

Nassif Engineering & Architecture, LLC
270 Blanchard Road
Natchitoches, LA 71457
(318) 527-4409

Copies may be obtained from the Engineer, Nassif Engineering and Architecture, LLC, 270 Blanchard Road, Natchitoches, LA 71457, (318) 527-4409, upon payment of \$75.00 for each set.

Each Bid is to be accompanied by Bid Security as provided in the Instructions To Bidders and General Conditions. No Bidder may withdraw his Bid within forty-five (45) days after the actual date of opening thereof, except as prescribed in Louisiana Revised Statute 38:2214.C. The Owner reserves the right to waive any informality and to reject any or all Bids for just cause.

Bidder shall provide necessary evidence of authority to sign Bids on behalf of corporations and other legal entities in accord with Louisiana Revised Statute 2212.O.

A mandatory pre-bid conference will be held on Wednesday, October 28, 2009, at 11:00 AM, at the City of Natchitoches – Utility Office, located at 1110 Power Plant Road, Natchitoches, LA 71457. All Bidders who submit a Bid for this project must attend this pre-bid conference. Failure to do so will constitute automatic Bid rejection.

Date: September 28, 2009

/s/ Wayne McCullen
Mayor

Publishing Dates:

Friday, October 2, 2009

Friday, October 9, 2009

Friday, October 16, 2009

The meeting continued with Planning and Zoning, as follows:

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

ORDINANCE NO. 053 OF 2009

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

WEST 60 FEET OF LOT 29 OF SPRINGVILLE ADDITION FROM B-2 TO B-3 FOR THE PLACEMENT OF A MOBILE HOME. VARIANCE REQUESTED: VARIANCE OF (5) FEET OF THE REQUIRED (25) FEET FRONT YARD SETBACK AND (8) FEET OF THE REQUIRED (25) FEET REAR YARD SETBACK

(1191 DOROTHY STREET)

WHEREAS, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at their meeting of September 1, 2009 that the request of Douglas Lee to rezone the property described above from **B-2** to **B-3**, for the placement of a mobile home, be **APPROVED**.

The above Ordinance was Introduced by Mr. Mims on the 14th day of September, 2009 and having been duly advertised in accordance with law and a public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

AYES: Payne, Mims, McCain, Morrow, Nielsen
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, the Mayor declared the Ordinance **PASSED** this 28th day of September, 2009 by a vote of 5 ayes to 0 nays.


WAYNE McCULLEN, MAYOR


DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 29th day of September, 2009 at 10:00 A.M.

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

ORDINANCE NO. 054 OF 2009

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

LOT N SIDE RAGAN ST., N BY TAUZIN, W BY DEBLIEUX, E BY CHAPLIN & RACHAL, & FURTHER SHOWN ON PLAT IN BOOK 341, PG. 76 AS BEGINNING AT A POINT ON NORTH SIDE REGAN ST. & DESIGNATED AS POINT 1 THENCE 83.1 FT. TO PT. 2, THENCE 60.2 FT., THENCE NE 51.16 FT., THENCE 103.6 FT. TO POINT 4, THENCE 199 FT. TO POINT 5, THENCE 200 FEET TO POINT, THENCE 82.9 FT. TO PT. OF BEG., SHOWN AS TRACT "A" ON PLAT IN CB 541, PG. 704 FROM R-1 TO R-2 TO CONSTRUCT TOWN HOUSES - 5 UNITS.

(310 RAGAN STREET)

WHEREAS, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at their meeting of September 1, 2009 that the request of Nicholas Page to rezone the property described above from **R-1** to **R-2**, to construct townhouses (five units), be **APPROVED**.

The above Ordinance was Introduced by Mr. Mims on the 14th day of September, 2009 and having been duly advertised in accordance with law and a public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

AYES: Morrow
NAYS: McCain, Nielsen, Mims, Payne
ABSENT: None
ABSTAIN: None

THEREUPON, the Mayor declared the Ordinance **FAILED** this 28th day of September, 2009 by a vote of 1 ayes to 4 nays.


WAYNE McCULLEN, MAYOR


DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 29th day of September, 2009 at 10:00 A.M.

RECEIVED

SEP 28 2009

OFFICE OF THE MAYOR

Natchitoches Historic District
Homeowners Association
c/o 321 Rue Poete
Natchitoches, LA 71457

September 27, 2009

Office of the Mayor
Natchitoches City Council
Natchitoches, LA 71457

Dear Council Members,

On Sunday, September 27, 2009 the Natchitoches Historic District Homeowners Association met and discussed several zoning issues. During this meeting, more than 20 members unanimously voted to support the homeowners of Ragan Street and Toulain Street in their opposition to the up-zoning of the lot on Ragan Street from R-1 to R-2.

We believe that this up-zoning is the first within the historic district since our efforts to down-zone the district to R-1. The down-zoning effort was a move to build up the residential aspect of the community. We believe that this up-zoning is a major setback to the homeowners who have worked diligently to improve the National Historic Landmark District.

Also, we believe that the decision of the Zoning and Planning Commission may have been made without full information on hand about the property. The scenario presented in the zoning and planning meeting indicated that there were only two choices: (1) either replace trailers in the former trailer park or (2) change zoning to R-2 to allow the development of an apartment complex. Since all parties involved would like to see the end of a trailer park in the heart of the historic district, the natural conclusion would be to move to build the apartment. But a question of how the actual zoning ordinance reads in this case has come to light. Under the current zoning ordinance, are the non-conforming structures, in this case the trailers, allowed to be replaced? If not, then the current owner is in breach of the zoning ordinance when old trailers were removed and the new trailer was placed on the lot. Thus, when the old trailers were removed from the property, the trailer park ceased to exist and the property reverted to R-1.

The members of the Natchitoches Historic District Homeowners Association ask that the Natchitoches City Council vote "NO" to allowing any up-zoning of this lot. Alternately, we encourage the City Council to table the zoning change and further investigate the current zoning ordinance under which this property falls. We hope you will vote to preserve the residential nature of Ragan Street.

Respectfully,

Rita Brockbank,
President, NHDHOA



Mary F. Striegel
Vice President, NHDHOA

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SEP 28 2009

OFFICE OF THE MAYOR

320 Ragan St
Natchitoches, LA
13 Sep 09

Natchitoches City Council
Natchitoches, LA 72457

Dear Sirs and Madam:

We, the undersigned neighbors of Ragan Street, 4th Street, Touline Street and 2nd Street, along with friends and neighbors of the Historic District have joined together to respectfully state our opposition to the proposal by Paige Properties to upzone their property at 310 Ragan Street from R-1 to R-2. The current use for housing trailers is very undesirable and we agree that a carefully thought out development of the property would be in the best interests of all concerned. However, the current plan consists of two large duplex multifamily rental units and one smaller single family rental unit. We believe that this concept has numerous negative impacts that make the project unacceptable.

Except for the trailers, our neighborhood consists primarily of attractive, older single family homes, along with bed & breakfasts, a law firm, city offices, the Methodist Church and the public library. The businesses/offices are, likewise, mostly housed in older, former homes, and help promote the overall continuity of our quiet and appealing neighborhood. **There are no multi-family dwellings in our neighborhood block. Furthermore, in researching this with Ms Fowler of Planning & Zoning, we determined that our neighborhood block is the only one in the Historic District where all of the residential properties are zoned as R-1, single family dwellings.**

Inserting apartments on Ragan Street would clearly downgrade the quality of our neighborhood that each of us has worked individually to improve over the years. The three apartment buildings would house five three bedroom apartments, and would increase both noise and traffic levels. At the same time, the inherent beauty of the property would decrease as a great number of the trees would have to be cut to accommodate the large footprint of the three buildings and accesses. The large nature of the front building would result in the Millers (314 Ragan St) essentially looking at a wall from their front porch and windows. We believe this

would represent a poor match with our surrounding properties and would move our neighborhood in a negative direction.

In this matter of zoning, we agree with the action previously taken by the Planning & Zoning Commission and City Council in support of the Historic District Homeowners Association in 2005, when they down-zoned a large portion of the Historic District to R-1. In doing so, all three bodies acknowledged the multiple, positive benefits of the R-1 status to homeowners, neighborhoods and the Historic District, as a whole. They acted positively to carefully cultivate the neighborhoods of our Historic District so as to preserve their unique characters and allow this to contribute to the greater benefit of Natchitoches, as a whole.

Again, researching this matter with Ms Fowler, we found that were it to be passed, this up-zoning proposal from R-1 to R-2 would be the first of its kind to occur within the Historic District since the far reaching down-zoning project of 2005. We believe the negative impact to our neighborhood would also set a bad precedent in the Historic District for future R-2 up-zoning.

As for the trailers, we expect that all parties want to see them gone. We certainly do. They are clearly detrimental to our neighborhood and the Historic District. However, it has been stated that this issue is a choice between apartments and trailers. And that if we do not agree with Mr Paige's request to up-zone we'll have 50 years of trailers. Our view is that we will more likely have 100 years of apartments if the R-2 up-zoning is granted. Trailers are always mobile, but apartments are completely fixed. As such, we suggest that any thought of rezoning to build apartments is only a short term solution to get rid of the nuisance trailers. And its one that would ignore a long term vision of the Historic District.

Moreover, a careful reading of the ordinance governing '*nonconforming structures*' reveals that while such structures may be *restored* (within certain monetary limits) following damage or obsolescence, **it nowhere grants that they may be replaced.** In fact, an earlier opinion by the city attorney (Vallien, 2001) acknowledged that '*...the rule on nonconforming structure(s) could be subject to different interpretation.*' **Our view is that replacing trailers is not allowed by the ordinance, and any effort to do so would be illegal.** Our expectation is that the city would enforce its ordinance and forbid this to occur. This also applies to the

one trailer now on the property which we believe was improperly moved in about a year ago.

Agents speaking for Mr Paige have stated several times of his intent to replace trailers on the property if the R-2 zoned apartments weren't approved. We believe that this has been done for the purpose of influencing the vote in Mr Paige's favor. Because **without the threat of renewed trailers, there are no compelling reasons to consider rezoning.** The property stays R-1 as it should be.

In addition to trying to oversimplify this matter to an 'either apartments or trailers' issue, Mr Paige's agents have been unwilling to consider other projects for the property. It is a beautiful lot that would support a beautiful home that could easily complement the neighborhood and enhance the Historic District. Other single family oriented projects (patio homes) would also be possible. In answer, Mr Paige's agents have stated that his prior investment in the property would not support these kinds of projects. However, we must question why we should be accountable for Mr Paige's financial decisions. Surely this is a personal matter and not pertinent to our discussion. If we believe he simply paid too much for the property, no matter. The task is to decide the proper zoning for the property as it complements the unique qualities of our Ragan Street neighborhood, and advances the Historic District.

We ask that you deny or postpone the proposed up-zoning request so that the city's ordinance may be more carefully reviewed before making assumptions about the disposition of nonconforming structures (trailers) on Ragan Street, and so that other single family (R-1/R1-5) projects may be considered.

We are neighbors who actually live here and who are interested in a certain quality of life that we have worked to improve over the years. These are our homes. We ask you to agree that this is the wrong project for Ragan Street.

Sincerely,

Chris & Janet Douglas
320 Ragan St

**Signatures of Natchitoches residents opposed to rezoning of
lot on Ragan St. From R-1 to R-2.**

Natalie Piccolo

Mary Margent Miller

Van T. Barker, Jr -

Linda Barker

James A. Means

Roberta L. Walters

Larry Miller

Ellen Abington

The Mayor noted that extensive discussion was held regarding the rezoning request in Ordinance 54 at the last meeting of the City Council, so asked Ms. Juanita Fowler, Director of Planning and Zoning, to give a recap of what has taken place on this matter, and then, a spokesperson for the developer and a spokesperson for the homeowners to condense the discussion.

Ms. Fowler said the Planning Commission approved, on September 1, 2009, the request, as presented from Nicholas Page to rezone his property from R-1 to R-2 to develop condominiums. She said the application, when it was first presented, was written to make a request for townhouses, but after examining what Mr. Page's proposal was, she recommended and asked the Planning Commission to amend the application to an R-2 application. She advised that townhouses, by ordinance, would require that the developer would intend to build lots for sale, and that is not Mr. Page's intent, so the application was amended, and then, a decision was made to address it as a request from R-1 to R-2. She advised that the Planning Commission did approve the application, with one dissenting vote. She said the proposal includes five units on 30,000 square feet, and would be for three buildings. She noted that there were property owners present at the meeting, and several people spoke. She also stated that there was a previous application made under the name of Brad Ferguson on behalf of Tim Page back in 2007, for six units to be built on the property, and the Planning Commission did address that application and it was forwarded to the City Council with a recommendation to deny. She noted that the new application presented by Nicholas Page showed a reduction of units down to five, and there were no variances to be addressed. She said the proposal was such that it would meet the setback requirements for front, side and rear yard, so the Planning Commission did approve the application and recommended that the City Council approve it for rezoning.

The Mayor then called on the representative for the developer, Mr. Taylor Townsend, to address the audience.

Mr. Townsend advised that he represents Mr. Nicholas Page, d/b/a Page, Etc., LLC. He reiterated some of the comments made by Ms. Fowler, saying that when Mr. Page came to her and said what he wished to do with the property that the ordinance in place requires an R-2, so he is asking the Council's approval from R-1 to R-2. He advised that there are no variances on the front, the side, and the back, or otherwise, that would be required. He noted that the Planning and Zoning Commission voted 5 to 1 to approve the project, stating that it is a gated, upscale residential development consisting of three buildings and five dwellings. He stated that they would still have to come before the City to get the permits for construction, and they would still have to go through the Historic Commission. In closing, he asked that they please consider voting to change this to an R-2

The Mayor asked if there were any questions for Mr. Townsend regarding this development. Mr. John Puckett asked about the drainage. Ms. Fowler

responded by saying that there was discussion about drainage issues, stating that on residential development, the City does not have the requirement that an engineering design be presented on drainage. She said the City does have requirements in the ordinance that a property owner, developing his property, does not affect the neighboring property owner, in terms of flooding. She said that when they addressed the Poete Street project, the developer, at the time, did define what his proposed drainage was, and to her understanding, he built it with certain elevations to drain in the direction of natural drainage. She said if there were problems that were a result of that, it certainly is a civil matter, and it would be argued between property owners whether or not someone has damaged somebody else's property.

Mr. Puckett asked that when the ordinance is introduced, whoever makes the motion which is up now that they have an addendum that states that the City Council specifically asks that a drainage engineering study be done because he currently has a property that will get up to 10 to 12 inches of water that did not. Ms. Fowler advised that the Historic District Commission is not charged with requiring drainage, but if the Council desires to require this as a part of the permit process, that is perfectly okay. She said any project that is developed would require some diligence on the part of the developer to make sure he doesn't dump water on another property owner. Mr. Townsend said he has spoken to Mr. Page during this discussion and he assured Mr. Townsend that he does not think there is a problem, and although that may not satisfy everyone, Mr. Page is not going to do something on this property, and spend this type of money without doing the appropriate engineering. He said he recognizes, from a civil standpoint, if he does do something that causes that type of damage or harm, he is subject to liability to his neighbors, and he feels that he can move forward with this development with the appropriate engineering to insure that the integrity of the neighbor's property is not adversely impacted particularly by water.

The Mayor asked the residents opposing the development if they had a spokesman to speak on their behalf. Ms. Mary Striegel, of 329 Rue Poete, Vice-President of the Natchitoches Historic District Homeowner's Association addressed the meeting, initially making reference to a letter from the Homeowner's Association, a copy of which is attached, opposing the upzoning. She said this sets a precedence against the downzoning efforts the Homeowner's Association worked closely with the City to put in place in 2005, and they believe it will be detrimental to the Historic District. She stated that if we upzone this to R-2 and build this apartment complex, we will have another apartment complex in the heart of the Historic District, and no matter what the lovely design is, it still will be an apartment complex for five apartments. She said they believe the R-1 zoning should be continued, and changing it would be a major set-back to the homeowners who have worked with the City in working for the National Historic Landmark District. She said this plan has always been sold as either continuing the trailer park or building the apartments, but there is a question of whether the trailers, which were

non-conforming structures, could be removed and replaced under the current City ordinance. She said she believes that in 2001 the City Attorney, Andrew Vallien, stated that the rule on non-conforming structures could be subject to different interpretation. She said they do not believe that the current ordinance allows for new trailers, such as the one that was moved in about a year ago, and if the old trailers could not be repaired and restored, and they were removed, then they question the legality of replacing those trailers. She said the Homeowner's Association would like to ask the Council to vote no to allow upzoning of the lot, and alternately, if they cannot vote no, that the City Council table the zoning change and further investigate the current zoning ordinance under which the property falls.

The Mayor called on Mr. Murchison, City Attorney, to comment on the legality and the non-conforming property. Mr. Murchison said he has seen the 2001 opinion by Mr. Vallien and before the meeting, he was handed another opinion that was rendered in '98 that he was not even aware of until the meeting. He said both of them seemed to indicate that as long as you are replacing trailers that it was a continuing use and as long as it's used as a trailer park, it's a non-conforming use that's continuing. He noted that with non-conforming structures, they seem to have a little bit more trouble about whether or not you could replace a trailer with a trailer. He said the question really comes in under the non-conforming structures section of the ordinance and obsolete or damaged structures, but for the purposes of tonight's meeting, he's not sure any of this really matters because what's before the Council is a request to go from R-1 to R-2. He said if they wanted an additional opinion on what the answer is to that question, he could not render it tonight.

Mr. Mark Roberts, representing is a limited liability company owned by Pete and Ellen Abington, stated that they asked him to look at just the issue Mr. Murchison was addressing. He said, although he was not at the Planning Commission meeting, he thought it was put forward in a very plain fashion that this was the choice; either approve this, or we're bringing more trailers in. He said he has looked at the ordinance and he just does not see any authority to replace a non-conforming structure, especially in this case where there were seven mobile homes and it's down to one. He said the ones that were removed, as he understands, were removed because they became substandard, and if you look at the ordinance, even in a non-conforming use, like Mr. Murchison talked about, the ordinance is very clear that the right to operate and maintain any non-conforming use shall terminate whenever the structure or structures in which the non-conforming use is operated and maintained are damaged, destroyed, or become obsolete or sub-standard beyond the limits hereinafter established. He said that takes you to the non-conforming structures, and you can only restore a non-conforming structure if it becomes sub-standard if you can do it at 50 percent of the replacement cost. He stated, to replace it, obviously, is going to cost

100 percent of the replacement cost, and there is just simply, in their opinion, no authority at all to replace a non-conforming structure, and that's what he was asked to address.

The Mayor then gave the Council an opportunity to make comments. Ms. Morrow asked the architect to revisit his statements from the last meeting before she commented. Mr. Kendal Perkins, Architect for Page, Etc., said he is working with J.C. Bridges, a local architect, and they are proposing three separate buildings, with two having two dwelling units and one building having a single dwelling unit. He said the dwelling units will range in size from approximately 1,750 square feet to 1,680 square feet, with each dwelling unit designed for three bedrooms and two baths, with covered porches and an attached carport for one car and an adjacent parking area for a second car. He said the way the structures are designed, about two-thirds of the heated area will be on the ground floor, and will include the kitchen, living room/dining area, and the master bedroom suite, and the second floor is going to have an additional two bedrooms with a single bath, together with some mechanical space and some storage area. He said the design concept they intend to pursue is, from an exterior standpoint, to work with the existing historic precedents that are in the area, primarily the arts and craft style of some of the surrounding houses in order to blend in with the historic character of the neighborhood.

Ms. Morrow said that she came to vote a certain way, but during the course of two or three days, she has received a lot of calls from the people on Ragan Street and Touline Street. She said they have heard from Planning and Zoning to approve, but after she read the letter coming from 320 Ragan Street, a copy of which is attached, she has differences with certain paragraphs. She said she did not particularly go along with paragraph three of the letter because she does not really think the apartments would downgrade the neighborhood, nor does she feel it would bring a negative approach on the neighborhood. She said she totally disagrees that it would give a negative impact to the neighborhood. She noted that down on the lower end of Second Street, you see a house down there that has been down there for years, and it looks terrible in the Historic District, but it still sits there, so that's what you call negative. She said what she thinks from a positive aspect, when people call her, she respects what they are saying to her, so from a positive standpoint, she can appreciate the unity of the community that maybe they would like to have the apartments not to come, but she would not have used the terminology of saying negative because she does not look at it from a negative standpoint. She said she's not looking at this from a historical standpoint, but is looking at what's best for the neighborhood. She said if she changes her vote tonight, she will go along with those that are coming together as a community, but not as a negative standpoint, because she has listened to the developer, from top to bottom, talk about the type of units they plan to bring, and, as a matter of fact, the apartments would look similar to some of the houses in neighborhood.

Mr. McCain stated that, in June of this year, he celebrated his 21st year on the City Council, and in those 21 years, he can probably say there have only been two, possibly three times, that the Council has gone against the wishes of the neighborhood. He said, in those cases where that happened, it was because it involved an issue of a common good for more people. He said he does not think that situation exists here, so, although he thinks this is a very worthwhile project, his vote will be no for rezoning.

Mr. Mims said that he has never been a supporter of putting an apartment in where homeowners live, no matter how high quality because they tend, over time, to deteriorate, and the initial owner sometimes sells to someone else that you can't guarantee to, and that puts the burden on the homeowner to continue to live there or decide to move because you don't have an option. He said he was going to continue with the way he has felt in the past and what makes him feel like he's doing the right thing and is going to vote no to the issue.

Mr. Nielsen said, going back, historically, like Councilman McCain, he spent ten years on Planning and Zoning prior to being elected to the Council, and one of the things he is most proud of is that there is this special area in town and there has been a resurgence on Cypress, Poete, Nelken, and all up and down Second of single-family housing. He commended the Homeowner's Association for their energy and excitement in protecting their neighborhood. He said, unfortunately, a lot of people don't understand what the intent was for the downzoning, but if you go through the neighborhoods, there are now kids back on the street, playing. He said he loves the proposed development, but not at R-2 and feels it needs to conform to the residential block it is on. He noted that across the street, there is a business district, and if you can roll the tape back, Front Street eventually developed into a business district, but people needed to have places to live, so they built on Toulon, Ragan, and the surrounding streets, and as people came in, then businesses kind of hit the outskirts, and that's where they need to try to keep them. He said he loves the project, but doesn't feel like the ordinances offer maybe the right variances for this project to be pulled off. He said he does agree with the homeowners about keeping it at an R-1 of some type.

Mr. Payne said that two weeks ago, he had a different opinion about the whole project, but after talking to some people, and having a lengthy conversation with Mr. McCain, he has come to the conclusion that it's in the best interest of the people on Ragan, and in the surrounding area, and that he agrees, like Mr. Nielsen, that this project maybe needs to be put somewhere else. He said that it has been the history, from what he understands of this Council, that they don't put apartments in residential areas. He said even though he has only been on the Council a year and three months, he would have to say that's the right thing to do. He said he truly feels that it's the right thing for them, as a community, to do this, and to look at some other place where they could possibly put this project.

Mr. Scott Lumry, of 910 Washington Street, also representing Mr. Jim Metcalf and three other absent individuals, said he did not hear about a meeting of the Homeowner's Association, and had he, he would have had some representatives there because he was out of town. He said this project is worthwhile for the Historic District because it steps up the steps from where we are now toward something that will be better in the community. He said that staying where we are now is not appropriate, and waiting 15, 20, 30 years to move forward is not appropriate. He stated that the time is now for them to move toward upgrading this particular area. He noted that there are several homeowners, and several at the meeting, that believe this is a step in the right direction. He said the intent is that these will eventually be sold when the market is appropriate, as individual units, so they will not remain apartments for an indefinite period of time. He said you have to think of it in the sense of what is good in the long-term. He stated that by having some rental units located in this particular area, we will be allowing people to move into the Historic District that at this point in time will not be able to afford to get a mortgage for a house. He said it's difficult for people to come up with 20 percent down and have significant payments over a number of years with the economy where it sits right now, but they can afford to move in to rental units. He noted that we have seen the market here hold steady in real estate, but he sees more and more for sale signs around town that sit there for six, eight, twelve months because people are not at a point now that they can afford to do that. He closed by saying that this is the best step forward and asked that the Council seriously consider that before making their vote.

Following the vote of the Council, Mr. Townsend went on the record noting the objection of Page, Etc., LLC.

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c/o 321 Rue Poete
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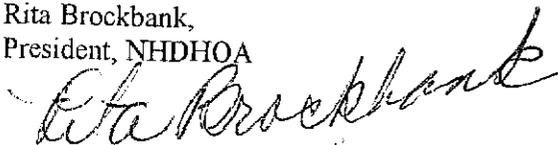
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Sincerely,

Ms. Janet Douglas
320 Ragan St

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James A. Means

Roberta L. Walters

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Ellen Abington

Planning and Zoning continued, as follows:

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

ORDINANCE NO. 055 OF 2009

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

**LOT 48 OF SPRINGVILLE ADDITION FROM R-1 TO R-1 SPECIAL EXCEPTION
(1218 GREENVILLE STREET)**

WHEREAS, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at their meeting of September 1, 2009 that the request of Greater New Hope Ministry to rezone the property described above from **R-1** to **R-1 SPECIAL EXCEPTION**, to operate a church and the variance of the off-street parking requirements, be **APPROVED**.

The above Ordinance was Introduced by Mr. Mims on the 14th day of September, 2009 and having been duly advertised in accordance with law and a public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

AYES: Payne, Nielsen, Mims, McCain, Morrow
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, the Mayor declared the Ordinance **PASSED** this 28th day of September, 2009 by a vote of 5 ayes to 0 nays.


WAYNE McCULLEN, MAYOR


DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 29th day of September, 2009 at 10:00 A.M.

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

ORDINANCE NO. 056 OF 2009

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

**LOT HAVING FRONT OF 65.52 FT. ON S SIDE OF POETE STREET
AS SHOWN ON A PLAT IN MAP SLIDE 619B FROM R-1 TO R-1, SPECIAL
EXCEPTION TO OPERATE BED & BREAKFAST ESTABLISHMENTS**

(215 & 217 POETE STREET)

WHEREAS, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at its meeting of September 1, 2009 that the request of Carol Gregorek to rezone the property described above from **R-1** to **R-1 SPECIAL EXCEPTION** to operate Bed and Breakfast establishments, be **APPROVED**.

The above Ordinance was Introduced by Mr. Mims on the 14th day of September, 2009 and having been duly advertised in accordance with law and a public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

AYES: McCain, Mims, Morrow, Payne, Nielsen
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, the Mayor declared the Ordinance **PASSED** this 28th day of September, 2009 by a vote of 5 ayes to 0 nays.


WAYNE McCULLEN, MAYOR


DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 29th day of September, 2009 at 10:00 A.M.

Mr. McCain, noted that the Wednesday following introduction of this request for rezoning at the last Council meeting, he was coming home from work, down Williams Avenue, and he encountered a traffic gridlock on Williams Avenue. He said he saw cars everywhere; and policemen in the middle of the road, directing traffic; and cars parked all up and down Carver. He advised, from what he hears, that there were people parked all down Carver, with some of them being asked to move their cars, and there was a fire hydrant blocked and the car had to be towed away. He said he questions the wisdom of approving this special exception zoning.

Ms. Sharon Procell, on behalf of Ms. Carol Gregorek, said she agreed with Mr. McCain, stating that it was poorly organized as far as the parking that afternoon. She said the parking was not taken care of before the event, but Ms. Gregorek has spoken to someone about valet parking if this rezoning is approved, to have parking at the shopping center and provide valet parking. She said for weddings, whoever is in charge would be responsible to make sure no one's property would be blocked, or fire hydrants, or anything like that. She said this situation will not happen again.

Ms. Morrow said, from her notes, Ms. Fowler stated at the previous meeting that somebody is supposed to have shuttle parking, with the people being picked up and delivered to the event and carried back. She said, certainly, to have wedding receptions and these types of events is good for Natchitoches, and she wouldn't want to judge one incident for the future, coming up.

Mr. Mims stated that he had numerous calls and complaints about the congestion on the street. He said the concern he has is that once they approve this special exception situation, it's approved, whether or not the parking is corrected or not. He said it puts the Council in a precarious situation. He stated that the facility and the property is absolutely gorgeous, and it needs to be used for that purpose, but he needs some guarantees that things are going to change. Ms. Procell noted that it was hard to get guarantees for any event or any areas. She said she knows that there are a lot of homes open for different occasions, so it would be her responsibility, and if it didn't work, then it would have to be shut down, but Ms. Gregorek would like to have the opportunity to do this.

Ms. Morrow said that perhaps she could get some type of security to help the traffic flow. She recommended giving them the opportunity, and if it doesn't work, then they can turn them down.

Ms. Procell said you will run into this problem no matter where you are located if you are going to have an event in your home, if it's a neighborhood. She said Ms. Gregorek's main priority should be making sure there is not a problem because of parking.

Mr. Mims said maybe if she had a contract with someone that said they would be responsible to shuttle people back and forth to offer some indication that she has made an effort to correct the problem. He said he understood what Ms. Procell was saying about people's houses, but those were once-in-awhile, occasional functions, but this would probably be fairly regular. Ms. Procell said that any way Ms. Gregorek could help the community, she would be willing to do that because she wants to give back to the community. She recommended that Ms. Gregorek submit some type of proposal on how the parking would be handled before the event took place to assure the City that the parking is being taken care of.

Ms. Morrow said that in other places, if people are not handling parking as they should, they will be ticketed, and people don't want to keep getting tickets, so sooner or later, they will conform.

Mr. Mims suggested the Council consider tabling the matter to give Ms. Gregorek an opportunity to address the issue because if they vote it down, it will be six months before it can come back. Ms. Procell advised that Ms. Gregorek is out of state for a couple of weeks, so that would be great.

Mr. Mims made a motion to table Ordinance 57 until the next meeting

The Mayor asked Mr. McCain if he would withdraw his motion to approve. Mr. McCain wished to ask Ms. Procell a question before withdrawing his motion. He asked Ms. Procell whose parking lot it was intended that the people be shuttled from and to. Ms. Procell asked if it was Broadmoor, Broadway. Ms. Morrow asked Ms. Fowler for clarification, based on her comments at the previous Council meeting. Ms. Fowler said that at one past event, they shuttled from Broadmoor Shopping Center, and the Planning Commission members asked if she had the authority to shuttle from there, and they didn't get a direct answer with regard to the authority granted, but that is what happened at the last event. She said there is no definite assurance of what provisions will be made in the future. She noted that the decision made by the Commission was not unanimous, and there were some dissenting votes toward the application, and it was for the reason that parking is an issue. She said they happened to have another property owner at their meeting who was requesting a variance and she lived at Carver and East Second, and she indicated that she had had issues with folks parking along the roadway in front of her house, and Ms. Gregorek did make comments to her, but the decision wasn't unanimous. Ms. Fowler noted that she does not want it to be a responsibility of the Commission to monitor her activity there. She said that's why she also brought to the Council's attention that, on Jefferson Street, when they first had a request for special weddings and events by Keri Fidelak that the decision was that they would address the bed and breakfast, and not the special events. She said that parking issues are out there, and if she's

granted the okay to do that, then it would be with full authority, in terms of, administratively, it not having to be monitored because there is no way that her office can monitor her activity once it is approved.

Ms. Procell said if it comes back to the table, then Ms. Gregorek will have to present a very good plan.

Mr. McCain said if they table it, they would like to see some authorization from the owner of the shopping center for her guests to park there. He said he felt it would be appropriate to see their approval for a number of cars to be parked on their parking lot. Ms. Procell said that she had seen it done when Dr. Harris had an event there for the Hospital Foundation, and traffic was shuttled back and forth from the shopping center to his home.

Mr. McCain then withdraw his motion.

Ms. Morrow seconded the motion of Mr. Mims to table Ordinance 57 at this time. The roll call vote was as follows:

AYES: Mims, Morrow, Payne, Nielsen, McCain
NAYS: None
ABSENT: None

The Mayor declared the Motion as PASSED to table Ordinance 57 to be brought back before the Council at the request of Ms. Gregorek at a later date.

The following Ordinance was TABLED until next council meeting by motion of Mr. Mims and Seconded by Ms. Morrow as follows, to-wit:

ORDINANCE NO. 057 OF 2009

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

LOT "A-1" HAVING A FRONT OF 116.2 FT. ON WEST SIDE WILLIAMS AVE., N BY T. L. MILLER, S BY HARPER, W BY CANE RIVER LAKE BEING SHOWN ON MAP SLIDE 366-B FROM R-1 TO R-1, SPECIAL EXCEPTION TO HOST SPECIAL EVENTS/WEDDINGS

(330 WILLIAMS AVENUE)

WHEREAS, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at its meeting of September 1, 2009 that the request of Carol Gregorek to rezone the property described above from R-1 to R-1 SPECIAL EXCEPTION to host special events/weddings, be **APPROVED**.

Planning and Zoning continued, as follows:

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

ORDINANCE NO. 058 OF 2009

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

LOT 100 FT. FRONT WEST SIDE SECOND ST. BOUND N BY CARROLL AND SOUTH BY MONK FROM B-2 SPECIAL EXCEPTION TO R-1, SPECIAL EXCEPTION TO PROVIDE FOSTER CARE FOR CHILDREN AND ADOLESCENTS

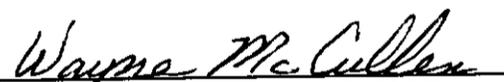
(336 SECOND STREET)

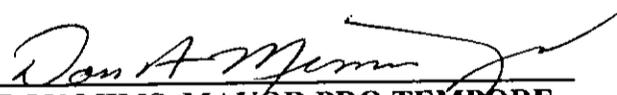
WHEREAS, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at its meeting of September 1, 2009 that the request of Thomas Palmer to rezone the property described above from **B-2 Special Exception to R-1 Special Exception** to provide foster care for children and adolescents, be **APPROVED**.

The above Ordinance was Introduced by Mr. Mims on the 14th day of September, 2009 and having been duly advertised in accordance with law and a public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

AYES: McCain, Payne, Nielsen, Mims, Morrow
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, the Mayor declared the Ordinance **PASSED** this 28th day of September, 2009 by a vote of 5 ayes to 0 nays.


WAYNE McCULLEN, MAYOR


DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 29th day of September, 2009 at 10:00 A.M.

The meeting continued with Ordinances, as follows:

The following Ordinance was introduced by Mr. Payne, as follows, to-wit:

ORDINANCE NO. 059 OF 2009

AN ORDINANCE ADOPTING THE 2009 EDITION OF THE NFPA 101, LIFE SAFETY CODE PROVIDING FOR A PUBLIC HEARING, SAVINGS CLAUSE, EFFECTIVE DATE OF ORDINANCE, AND REPEALING ALL PREVIOUS CODES OR PORTIONS OF CODES IN CONFLICT THEREWITH

BE IT ORDAINED by the City Council of the City of Natchitoches in legal session convened that there is hereby adopted by the City for the purpose of prescribing the minimum requirements necessary to establish a reasonable level of fire protection and prevention from the hazards created by fire and explosion, that certain Code known as the 2009 Edition of NFPA 101, *Life Safety Code* of the National Fire Prevention Association, and all referenced publications therein, which comprise a part of the requirements or recommendations therein, including all appendixes to said codes, of which, not less than three (3) copies of said Code have been, and now are filed with the offices of the Mayor and the Fire Chief of the City and the same are hereby adopted and incorporated as fully as if set out at length herein and provisions thereof shall be controlling within the limits of the City.

BE IT FURTHER ORDAINED that the City takes cognizance that NFPA 101, *Life Safety Code* which is adopted herein was prepared by the Technical Committee on Uniform Fire Code, and acted on by NFPA at its June Association Technical Meeting held June 2-5, 2008, in Las Vega, NV. It was issued by the Standards Council on July 24, 2008, with an effective date of September 5, 2008, and supersedes all previous editions. This edition of NFPA 101 was approved as an American National Standard on September 5, 2008.

BE IT FURTHER ORDAINED that all codes or portions of codes in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Code is adopted by reference and is to be made a part of the Code of Ordinances of the City of Natchitoches, and particularly Chapter 13 entitled "Fire Prevention and Protection", and may be numbered or renumbered for inclusion in the said Code.

BE IT FURTHER ORDAINED that this Ordinance shall go into effect immediately after publication in accordance with law.

BE IT FURTHER ORDAINED that if any part or portion of the Code is declared to be unconstitutional, for any reason, said Code shall not be affected except as to that part which is declared unconstitutional by a Court of Law.

This Ordinance was introduced at a regular meeting of the City Council on the 28th day of September 2009, and a public hearing was called for October 12th, 2009.

The following Ordinance was introduced by Mr. Nielsen as follows, to-wit:

ORDINANCE NO. 060 OF 2009

**AN ORDINANCE ADOPTING THE 2009 EDITION OF THE NFPA 1,
UNIFORM FIRE CODE PROVIDING FOR A PUBLIC HEARING, SAVINGS
CLAUSE, EFFECTIVE DATE OF ORDINANCE, AND REPEALING
ALL PREVIOUS CODES OR PORTIONS OF CODES IN CONFLICT THEREWITH**

BE IT ORDAINED by the City Council of the City of Natchitoches in legal session convened that there is hereby adopted by the City for the purpose of prescribing the minimum requirements necessary to establish a reasonable level of fire protection and prevention from the hazards created by fire and explosion, that certain Code known as the 2009 Edition of NFPA 1, *Uniform Fire Code* of the National Fire Prevention Association, and all referenced publications therein, which comprise a part of the requirements or recommendations therein, including all appendixes to said codes, of which, not less than three (3) copies of said Code have been, and now are filed with the offices of the Mayor and the Fire Chief of the City and the same are hereby adopted and incorporated as fully as if set out at length herein and provisions thereof shall be controlling within the limits of the City.

BE IT FURTHER ORDAINED that the City takes cognizance that NFPA 1, *Uniform Fire Code* which is adopted herein was prepared by the Technical Committee on Uniform Fire Code, and acted on by NFPA at its June Association Technical Meeting held June 2-5, 2008, in Las Vega, NV. It was issued by the Standards Council on July 24, 2008, with an effective date of October 10, 2008, and supersedes all previous editions. This edition of NFPA 1 was approved as an American National Standard on October 10, 2008.

BE IT FURTHER ORDAINED that all codes or portions of codes in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Code is adopted by reference and is to be made a part of the Code of Ordinances of the City of Natchitoches, and particularly Chapter 13 entitled "Fire Prevention and Protection", and may be numbered or renumbered for inclusion in the said Code.

BE IT FURTHER ORDAINED that this Ordinance shall go into effect immediately after publication in accordance with law.

BE IT FURTHER ORDAINED that if any part or portion of the Code is declared to be unconstitutional, for any reason, said Code shall not be affected except as to that part which is declared unconstitutional by a Court of Law.

This Ordinance was introduced at a regular meeting of the City Council on the 28th day of September 2009, and a public hearing was called for October 12th, 2009.

The following Ordinance was Introduced by Mr. McCain as follows, to-wit:

ORDINANCE NO. 061 OF 2009

AN ORDINANCE ACCEPTING AND APPROVING A SECOND AMENDMENT AND EXTENSION OF THE SERVICE AGREEMENT FOR SALE OF POWER AND ENERGY BETWEEN CLECO POWER LLC AND THE CITY OF NATCHITOCHES, LOUISIANA, AMENDING AND EXTENDING THAT POWER SERVICE AGREEMENT DATED AUGUST 29, 2001 AND AS AMENDED ON NOVEMBER 12, 2001, AND AUTHORIZING THE MAYOR TO EXECUTE THE SERVICE AGREEMENT ON BEHALF OF THE CITY

WHEREAS on August 29, 2001, the City of Natchitoches ("Purchaser") and Cleco Power LLC ("Seller") entered into a Service Agreement for Sale of Power and Energy under which Seller agreed to provide electric energy to Purchaser under certain terms; and

WHEREAS, on November 12, 2001, Purchaser and Seller executed a Correction and Amendment to Service Agreement for Sale of Power and Energy to correct certain typographical errors and attach appendices that were inadvertently omitted from the Service Agreement for Sale of Power and Energy; and

WHEREAS, the Service Agreement for Sale of Power and Energy, as amended, expires on December 31, 2009; and

WHEREAS, the Purchaser and Seller are negotiating a new agreement under which Seller will potentially provide electric energy to Purchaser (the "New Agreement"), and the Parties wish to extend the Service Agreement for Sale of Power and Energy, as amended, until the negotiations are completed and a new contract can be agreed upon; and

WHEREAS, the City Council believes that the said **Second Amendment to Service Agreement for Sale of Power and Energy Between CLECO Power LLC and the City of Natchitoches, Louisiana** is in the best interest of the City and further agrees that said Agreement should be accepted.

NOW, THEREFORE, BE IT ORDAINED by the City Council in legal session convened that the said Second Amendment to extend the Service Agreement for Sale of Power and Energy Between CLECO Power LLC and the City of Natchitoches be and the same is hereby approved.

BE IT FURTHER ORDAINED that the Mayor, Wayne McCullen, is hereby authorized and empowered to represent the City of Natchitoches and to execute said Agreement on behalf of the City, as copy of which Second Amendment is hereby attached and made a part of this Ordinance.

BE IT FURTHER ORDAINED that the Mayor, Wayne McCullen, is hereby authorized and empowered to do all other things necessary or proper in the premises to implement and place this Second Amendment to Service Agreement in effect.

BE IT FURTHER ORDAINED that a Public Hearing is hereby fixed for October 12, 2009, which is the next regularly scheduled City Council Meeting.

THIS ORDINANCE was Introduced at a regular meeting of the City Council held on the 14th day of September, 2009.

SECOND AMENDMENT TO SERVICE AGREEMENT FOR

SALE OF POWER AND ENERGY

BETWEEN CLECO POWER LLC and THE CITY OF NATCHITOCHEs, LOUISIANA

This Second Amendment to Service Agreement for Sale of Power and Energy Between Cleco Power LLC and the City of Natchitoches, Louisiana ("Second Amendment"), dated as of September 17, 2009, is entered into by and between Cleco Power LLC ("Seller") and the City of Natchitoches, Louisiana ("Purchaser"), such entities being hereinafter referred to individually as a "Party" and collectively as the "Parties."

WHEREAS, on August 29, 2001, the Parties entered into a Service Agreement for Sale of Power and Energy under which Seller agreed to provide electric energy to Purchaser under certain terms; and

WHEREAS, on November 12, 2001, the Parties signed the Correction and Amendment to Service Agreement for Sale of Power and Energy, to correct certain typographical errors and attach appendices that were inadvertently omitted from the Service Agreement for Sale of Power and Energy; and

WHEREAS, the Service Agreement for Sale of Power and Energy, as amended, expires on December 31, 2009; and

WHEREAS, the Parties are negotiating a new agreement under which Seller will provide electric energy to Purchaser (the "New Agreement"), and the Parties wish to extend the Service Agreement for Sale of Power and Energy, as amended, until the New Agreement becomes effective;

NOW, THEREFORE, in consideration of the mutual promises and covenants of each Party to the other and other good and valuable consideration, the receipt of which is hereby acknowledged, the Parties hereto agree as follows:

1. The Service Agreement for Sale of Power and Energy, as amended, is hereby extended until the effective date of the New Agreement, or March 31, 2010, whichever is earlier.
2. The Service Agreement for Sale of Power and Energy, as amended, remains in full force and effect.
3. This Second Amendment may be executed in any number of counterparts, including facsimile counterparts, each of which shall be deemed an original, but all of which together shall constitute one instrument and same instrument.
4. This Agreement shall be governed by and construed in accordance with the laws of the State of Louisiana applicable to contracts made and to be performed in the State of Louisiana by municipal governments excluding conflicts of laws principles.
5. This Second Amendment supersedes all prior agreements and understandings relating to the subject matter hereof.

IN WITNESS WHEREOF, the Parties hereto have caused this Second Amendment to be executed by their respective authorized officials as of the date first written above in multiple originals.

CLECO POWER LLC

By: Robert T. Spruill
Robert T. Spruill
Manager – Wholesale Energy Services

ATTEST:
Ronald Steph Olinde, Jr.

CITY OF NATCHITOCHE, LOUISIANA

By: _____

ATTEST:

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

ORDINANCE NO. 049 OF 2009

**AN ORDINANCE DECLARING CERTAIN BUILDINGS UNSAFE
AND RECOMMENDING THAT SAME BE DEMOLISHED OR PUT
INTO REPAIR TO COMPLY WITH THE BUILDING CODE,
AUTHORIZING NOTICE TO BE SERVED, FIXING HEARING DATE
AND APPOINTING CURATOR TO REPRESENT ABSENTEES**

WHEREAS, the City Building Inspector and the Director of Planning & Zoning have filed written reports with the City Council declaring that the buildings listed below are in a dangerous and unsanitary condition which makes them unsafe and endangering the public welfare, and recommending that said buildings be demolished or put in repair to comply with the Building Code, to-wit:

1. Ocie L. & Lee H. Johnson
P.O. Box 422
Natchitoches, LA 71457-0000

Lot 3 of Jeansonne's West Natchitoches Subd. (1442 Hill Ave.)

2. Foster Payne Jr., et al
c/o Conchita M. LaCour
5300 Fairview Blvd. # 14
Los Angeles, CA 90056

Lot 1 Block 4 of Breda Add. #2, Less S 30 Ft. to City (1400 Stella St.)

3. George T. Williams, et al
157 Edenborn St.
Campti, LA 71411-0000

Lots 17 & 18 Block 2 of Bailey Heights (1304 Berry Ave.)

4. Frances T. Hall
c/o Gloria Grice
1111 Tiny Tree Drive
Missouri City, TX 77489-0000

Lots 19 & 20 Block 1 of Lot 1 of Breda Property (1404 Northern St.)

5. Jerry L. Clayton
135 Three League Rd.
Natchitoches, LA 71457

Lot 12 Block A of Lieber Subd. #7 (1501 Gold St.)

6. Chadd Hooper
4323 Windrift Dr.
Houston, TX 77066

**Lot 8 Block 11 of Bailey Heights Annex, Less 30 Foot Strip off E Side Along Bayou
Jaco (916 Pavie St.)**

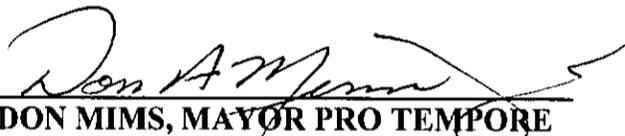
This Ordinance was Introduced on August 24, 2009 and duly advertised in accordance with law.

The above Ordinance was Introduced by Mr. Mims on the 14th day of September, 2009 and having been duly advertised in accordance with law and a public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

AYES: Morrow, Nielsen, Mims, McCain, Payne
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, the Mayor declared the Ordinance **PASSED** this 28th day of September, 2009 by a vote of 5 ayes to 0 nays.


WAYNE McCULLEN, MAYOR


DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 29th day of September, 2009 at 10:00 A.M.

RECEIVED

Ocie L. Johnson
P. O. Box 422
Natchitoches, La. 71458-0422
September 28/ 2009

SEP 28 2009

OFFICE OF THE MAYOR

Mrs Steadman

Office of Planning and Zoning
716 Second St.
Natchitoches, La. 71457

Dear Mrs. Fowler:

This letter is in regards to the property at 1442 Hill Ave. and the letter we received dated August 12/ 2009 RE: Proposed condemnation of building.

This letter is to let you know that the building has been made safe at this time. What made the house unsafe was that someone had broken some of the windows out. All of the windows and doors have now been boarded up with plywood. So no one can enter the building. We have also cleaned up around the building. All of this have made a big difference in its appearance.

We also want to let you know that this is investment property and we plan to remodel the entire property in the near future.

So for these reasons we do not think that this property should be condemned.

Sincerely,

Ocie L. Johnson

Ocie L. Johnson

Ms. Brenda Hooper addressed the Council regarding the property at 916 Pavie Street. She said she has spoken with Ms. Fowler and Ms. Morrow, and has come up with a proposal to have the property secured, maintain the property, and also obtain a permit and start performing work to achieve the minimum specifications and requirements, and is requesting more time to proceed with the requirements. She also addressed the property at 1404 Northern Street, of Gloria Grice, requesting more time to have the house demolished, themselves. She said the problem is that they all live out of town, so they are requesting more time. Ms. Morrow noted that she has spoken with Ms. Hooper regarding the property at 916 Pavie, but she was not clear about the property at 1404 Northern. Ms. Hooper said that was Gloria Grice, and it's on the demolish list, and she plans to contact her family members since the house is on inherited land. Ms. Morrow asked Ms. Fowler about this house. Ms. Fowler advised that she has had a lengthy conversation with Ms. Hooper regarding the Pavie Street property, and the Council introduced the request for condemnation a month ago, and a decision had not been made on the condemnation until this meeting, so, from the time the condemnation was introduced, that was 30 days, and there is a 30-day layover from tonight that will allow additional time for the family to come together and make something happen. She noted that these properties are in Mr. Payne's district, and she has taken a lot of time to discuss with various property owners the conditions of the properties, and she asked the Council to set some parameters on the time frame. She said she could not proceed with working with Ms. Hooper unless she knows what the time frame is for getting the work accomplished. Ms. Morrow asked Ms. Fowler to confirm that she had 30 more days. Ms. Fowler said she has 30 days from tonight.

The meeting continued with Resolutions, as follows:

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

RESOLUTION NO. 099 OF 2009

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHEs, LOUISIANA TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ATTORNEY JOHN W. LUSTER FOR SERVICES ASSOCIATED WITH THE BANKRUPTCY CLAIM AGAINST PILGRIM'S PRIDE CORPORATION

WHEREAS, due to the specialized field of bankruptcy law, it is not the customary and ordinary practice of the City Attorney and the Assistant City Attorneys to represent the City in a bankruptcy matter; and

WHEREAS FURTHER, the City Council of the City of Natchitoches, Louisiana, has received and reviewed a professional services proposal from attorney John Luster, of Natchitoches, Louisiana, for the representation of the City of Natchitoches, in Bankruptcy Court; and

WHEREAS FURTHER, the City Council of the City of Natchitoches believes it would be in the best interest of the City to engage legal counsel specialized in the area of bankruptcy to represent the City in a bankruptcy claim against Pilgrim's Pride Corporation, and if necessary file any claim, and to provide any other services deemed necessary and prudent; and

WHEREAS FURTHER, the City Council of the City of Natchitoches desires to authorize the Mayor of the City of Natchitoches, Louisiana, Wayne McCullen to enter into a professional services agreement with John W. Luster for an agreed upon hourly rate; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Natchitoches, in legal session convened, does hereby authorize, empower and direct the Mayor of the City of Natchitoches, Wayne McCullen, to enter into a professional services agreement with John Luster to serve as special legal counsel for the City of Natchitoches in a bankruptcy claim against Pilgrim's Pride Corporation.

BE IT FURTHER RESOLVED that the proposal for professional services submitted by John Luster, to provide special legal counsel has been reviewed by the City Council of the City of Natchitoches and has been approved.

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

AYES: Nielsen, Mims, McCain, Morrow, Payne
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 28th day of September, 2009.


WAYNE McCULLEN, MAYOR

The Following Resolution was Introduced by Ms. Morrow and Seconded by Mr. Payne as follows, to-wit:

RESOLUTION NO. 101 OF 2009

**A RESOLUTION AUTHORIZING THE MAYOR TO
ENTER INTO A CONTRACT WITH RISK SERVICES
OF LOUISIANA, L.L.C. FOR PROPERTY INSURANCE
FOR THE CITY OF NATCHITOCHE**

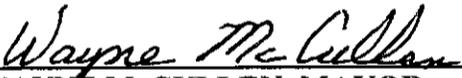
WHEREAS, the Insurance Committee has reviewed the proposals submitted for property insurance for the City of Natchitoches and recommends the contract be awarded to Risk Services of Louisiana, L.L.C. in the amount of \$132,228.00.00 for the coverage period October 11, 2009 through October 10, 2010.

NOW, THEREFORE, BE IT RESOLVED that the Honorable Wayne McCullen, Mayor, is hereby authorized, empowered and directed to sign any and all documents necessary for the execution of the contract as above referenced.

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

AYES: Morrow, Payne, Nielsen, Mims, McCain
NAYS: None
ABSENT: None
ABSTAIN: None

THEREUPON, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 28th day of September, 2009.



WAYNE McCULLEN, MAYOR

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

RESOLUTION NO. 103 OF 2009

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
CHANGE ORDER NO. 1 TO THE BID FOR THE SEWER SYSTEM
IMPROVEMENTS, FY 2008 LCDBG PROJECT, REHABILITATION OF
MASTER SEWER PUMP STATION WET WELL, CONAGRA SEWER PUMP
STATION WET WELL AND WASTEWATER TREATMENT PLANT HEADWORKS**

(BID NO. 0476)

WHEREAS, the CITY awarded a contract to Peck Construction, Inc. (CONTRACTOR) on March 23, 2009 in the base bid amount of \$614,137.00 for the sewer system improvements FY 2008 LCDBG Project; and,

WHEREAS, the CONTRACTOR has issued Change Order No. 1 on September 22, 2009 reflecting a decrease in contract price of \$10,670.00, as itemized in attached "Attachment to Change Order No. 1; and

WHEREAS, Nassif Engineering & Architecture, LLC, project architect, recommends approval of Change Order No. 1, contingent on approval of the Division of Administration LCDBG Program; and

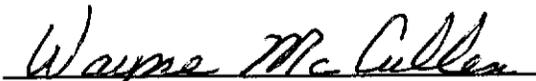
WHEREAS, the CITY is of the opinion that Change Order No. 1 is in the best interest of the CITY.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Natchitoches, in legal session convened, that the Honorable Wayne McCullen, 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:	Payne, Morrow, Nielsen, Mims, McCain
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 28th day of September, 2009.


WAYNE McCULLEN, MAYOR

CHANGE ORDER

Change Order No.: One (1) - FINAL

Change Order Date: September 22, 2009

PROJECT: Sewer System Improvements – FY 2008 LCDBG Improvements

OWNER: City of Natchitoches

CONTRACTOR: Peck Construction, Inc.

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

Refer to Attachment for Change Order Number 1

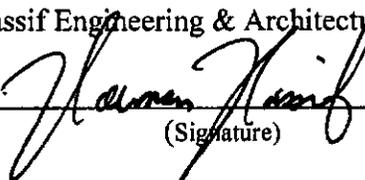
Change in Contract Price:

Original Contract Price:	\$ 614,137.00
Contract Price adjusted by prior Change Orders.....	\$ N/A
Contract Price due to this Change Order (will decrease):.....	\$ (10,670.00)
Contract Price incorporating this Change Order will be:.....	\$ 603,467.00

Change in Contract Time:

Original Contract Time (calendar days).....	180
Contract Time adjusted by prior Change Orders	N/A
Contract Time due to this Change Order (will increase):	N/A
Contract Time incorporating this Change Order will be:	180

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

	<u>2/22/08</u>
(Signature)	Date

Accepted by (Contractor): Peck Construction, Inc.

_____	_____
(Signature)	Date

Approved by (Owner): City of Natchitoches

	<u>9-29-09</u>
(Signature)	Date

Approved by (Funding Agency): Division of Administration (LCDBG)

_____	_____
(Signature)	Date
CO-1	

CHANGE ORDER
Attachment to Change Order No. 1

The Contract Documents are modified as follows:

Bid Item 2: Master (La Hwy 1) Sewer Pump Station Wet Well Rehabilitation

Installation of additional 12" diameter by-pass pump suction line between the existing influent box and the existing pumps as requested by Owner to be used during by-pass pumping operations.

The Lump Sum price for this Bid Item is changed from \$ 157,140.00 to \$ 162,140.00.

As a result of this change, the Contract Price shall be INCREASED by:.....\$ 5,000.00

Bid Item 3: ConAgra Sewer Pump Station Wet Well Rehabilitation

The proposed fiberglass enclosure for the exterior aeration pump is hereby deleted per Owner request. This change results in a decrease in Bid Item cost of (\$ 6,000.00).

Approximately 1,000 square feet of existing concrete drive (at the existing adjacent RV sewer dump station) is required to be removed and replaced due to the existing sewer force main being located beneath the pavement and not as shown on Owner's record drawings, and accordingly Engineer's design drawings. This change results in an increase in Bid Item cost of \$ 6,000.00.

The Lump Sum price for this Bid Item remains unchanged at \$ 233,600.00.

As a result of this change, the Contract Price shall be INCREASED/DECREASED by: \$ 0.00

Bid Item 4: ConAgra Sewer Pump Station Building Improvements

Exhaust fans require upgrade to accommodate required vertical installation requirements.

The Lump Sum price for this Bid Item is changed from \$ 88,200.00 to \$ 88,700.00.

As a result of this change, the Contract Price shall be INCREASED by:.....\$ 500.00

Bid Item 6: By-Pass Pumping All Flows Conveyed to the ConAgra Sewer Pump Station, including those from Sibley Lake Sewer Pump Station (In the event that by-passing flows conveyed from Sibley Lake Pump Station to ConAgra Pump Station cannot be by-passed utilizing the Sibley Lake Pump Station)
Item not required this project.

The Lump Sum price for this Bid Item is changed from \$ 16,170.00 to \$ 0.00.

As a result of this change, the Contract Price shall be DECREASED by:(\$ 16,170.00)

The Total Contract Price due to this Change Order will be DECREASED by:(\$ 10,670.00)

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

RESOLUTION NO. 104 OF 2008

A RESOLUTION AUTHORIZING THE EXECUTION OF THE SUBSTANTIAL COMPLETION FOR THE SEWER SYSTEM IMPROVEMENTS, FY 2008 LCDBG PROJECT, REHABILITATION OF MASTER SEWER PUMP STATION WET WELL, CONAGRA SEWER PUMP STATION WET WELL AND WASTEWATER TREATMENT PLANT HEADWORKS

(BID #0476)

WHEREAS, the City of Natchitoches awarded the contract to the low bidder, Peck Construction, Inc. (CONTRACTOR) by Ordinance No. 022 on March 23, 2009 in the amount of \$614,137.00; and

WHEREAS, Change Order No. 1 was issued on September 22, 2009 decreasing the contract price by the sum of \$10,670.00; and

WHEREAS, it is the opinion of ENGINEER, Nassif Engineering & Architecture, LLC. that the work required by the CONTRACT is expected to be substantially completed by September 28, 2009.

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

SECTION 1: That the Honorable Wayne McCullen, 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

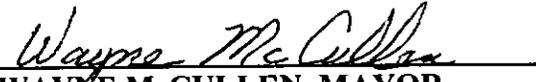
SECTION 2: That the Honorable Wayne McCullen, Mayor, be and is hereby authorized, empowered and directed to issue final payment to the CONTRACTOR upon receipt of the Clear Lien Certificate issued by the Natchitoches Parish Clerk of Court, and upon the recommendation of the ENGINEER to issue said final 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 sewer system improvements (City Bid No. 0476), and upon presentation and approval by the Engineer Nassif Engineering & Architecture, LLC.

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

AYES:	Nielsen, Payne, Mims, McCain, Morrow
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, the Mayor, Wayne McCullen, declared the Resolution passed by a vote of 5 ayes to 0 nays, this the 28th day of September, 2009.


WAYNE McCULLEN, MAYOR

Certificate of Substantial Completion

Project: Sewer System Improvements – FY 2008 LCDBG Project
Owner: City of Natchitoches
Contractor: Peck Construction, Inc.
Date of Contract: May 6, 2009

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

September 28, 2009
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 (September 28, 2010).

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

Punch List

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**

Mayor Wayne McCullen Date

Executed by Engineer: **Nassif Engineering & Architecture, LLC**

Norman Nassif Date

Accepted by Contractor: **Peck Construction, Inc.**

Bennoit Holloway Date

Punch List

Project: Sewer System Improvements – FY 2008 LCDBG Project
Owner: City of Natchitoches
Contractor: Peck Construction, Inc.
Date of Inspection: September 21, 2009

Bid Item No. 2: Master (La Hwy 1) Sewer Pump Station Wet Well Rehabilitation

- Replace existing steel top on contractor installed wet well access hole with aluminum frame with stainless steel mounting bolts; dispose of removed concrete
- Remove contractor tools and equipment
- Clean equipment of dust created by construction operations

Cost of work for Bid Item 2 punch list items: \$ 1,500

Bid Item No. 3: ConAgra Sewer Pump Station Wet Well Rehabilitation

- Remove temporary above ground piping, adjust valve box tops and install pre-cast concrete pads around valve tops
- Remove contractor tools, equipment and materials from site
- Clean, finish grade, seed & fertilize disturbed areas
- Re-construct fence at existing RV sewer dump station
- Replace concrete that was removed at RV sewer dump station drive

Cost of work for Bid Item 3 punch list items: \$ 7,500

Bid Item No. 4: ConAgra Sewer Pump Station Building Improvements

- Install roof vent stacks and ceiling exhaust fans
- Complete installing new roof panels, gable siding, trim
- Install fiberglass door and louvers
- Install overhead coiling door

Cost work for Bid Item 4 punch list items: \$ 11,500

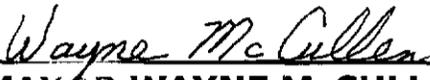
Bid Item No. 7: Purchase and Delivery of Portable Pump Station

- Provide portable pump station

Cost of work for Bid Item 5 punch list items: \$ 35,550

The Mayor asked if there was any further business to be brought before the Council.

There being none, Mr. Mims made a motion to adjourn the meeting, Mr. McCain seconded the motion, and the meeting was adjourned at 8:55 p.m.


MAYOR WAYNE McCULLEN


MAYOR PRO TEMPORE