

**PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF NATCHITOCHEs, STATE OF LOUISIANA,
REGULAR MEETING HELD ON
MONDAY, MARCH 9, 2020 AT 5:30 P.M.**

The City Council of the City of Natchitoches met in legal and regular session at the Natchitoches Municipal Building, 716 Second Street, Natchitoches, Louisiana on Monday, March 9, 2020 at 5:30 p.m.

There were present:

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

Guests: None

Absent: None

Mayor Lee Posey called the meeting to order and welcomed everyone for coming. Michael Braxton was asked to lead the invocation and Councilman Lawrence Batiste led the Pledge of Allegiance.

Mayor Posey then called for the reading and approval of the minutes for the February 24, 2020 meeting. Mr. Mims moved that we dispense with the reading of the minutes and approval of same. Seconded by Mr. Nielsen, a roll call vote was as follows:

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

The following Ordinance was introduced by Mr. Batiste at the Natchitoches City Council meeting held on March 9, 2020 as follows:

ORDINANCE NO. 025 OF 2020

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

TO REZONE THE FOLLOWING: Lot 81 Feet Front West Side Cypress Avenue, North By McClelland, South And West By Carroll, Less Lot To American Cemetary.

(124 Cypress Ave.)

WHEREAS, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at their meeting of **March 3, 2020** that the application of Kirk A & Jane E. Cordell to rezone the property described above from R-1 Residence One-Family to R-2 Residence Multiple-Family to convert an accessory building to a guest house, be **APPROVED**.

Kirk Cordell of 124 Cypress stated there are trying to take their carriage house and which historically had an apartment in it and turn it into a modern apartment that his daughter and grandchildren can live in. It passed at Planning and Zoning and is being brought before the council this evening.

Mary Striegel from 329 Poete Street stated she works with Mr. Cordell and supports his effort in this. While we have worked in the historic district to downsize the area for residences the reality is, in the last 15 years there hasn't been much buy in to the down zoning and I know the apartment the Cordell's want to put in would be appropriate for the historic structure.

Mayor Posey stated it is my understanding this did pass at Planning and Zoning.

Juanita Fowler stated, that is correct and I would like to comment in detail on the process because it's very important you all recognize what actions were taken in 2005 not only by the Planning Commission, but also by the City Council. She went back to the March/May minutes of 2005 of the Planning Commission where the homeowners association of the Historic District review the zoning map. In the end the Planning Commission approved the rezoning at that time. She stated in May of 2005 the minutes reflected a proposal to rezone the properties reflecting that final comments would be taken regarding the down zoning. The down zoning would not affect multiple family units that existed at that time, but would moving forward of adding new. Public comments were shared of owners in the area at that time stating down zoning would increase the property value and neighborhood revitalization. She continued to explain the decision in 2005 was not taken lightly and she wanted the current council to understand that. It was a comprehensive approach to adequately rezone the properties and the district with the intent that down zoning would perpetually allow attrition to eliminate a lot of the properties that were multiple family properties. Ordinance 50 of 2005 the council adopted the ordinance amending the zoning map to encourage single family zoning in the Historic District where the homeowners association made a formal request that the Planning Commission consider the zoning map amendment. There have been some changes in ownerships in the properties in this area, but Mrs. Fowler has not seen many requests to change back to R-2 zoning. The application that the Cordell's have would take structure that has not been used in a couple of years as an apartment complex, it is historically a carriage house and the intent is to add on to it. Once it is added onto, it becomes a permanent unit which would then create two units on the parcel. She stated her only concern is if we open the door to requests for property owners to go back to R-2 zoning on an individual basis we will have defeated what we had tried to accomplish by maintaining comprehensive R-1 zoning. While she appreciates their request, she is very concerned about that.

Councilman Mims asked is there no designation in the difference between a guest house and rental property when it comes to putting another family on a single meter property?

Mrs. Fowler stated it is a single meter, but when they convert there will have to be another meter with a structure of that magnitude. The difference in a guest house is we are looking at a zone change on this. Guest houses are not structures in our zoning ordinance. If the city is interested in doing something like this, we should look at doing something from a comprehensive basis and not an individual basis.

Councilman Harrington ask how is it when it comes to R-2 and multifamily, how is it defined. The way I look at it, is this is only one family.

Mrs. Fowler stated, well you are looking at the user while we are looking at the land use. The property is zoned R-1 which there is one house and therefore single family. The accessory

building as it is now, is an accessory building. When you convert it to another single family dwelling it is no longer an accessory building, but a single family dwelling.

Discussion continued regarding the zoning change being presented tonight and how to move forward in the future when it relates to zoning changes and the comprehensive plan.

Mrs. Fowler stated she just wanted to note there will be a time where she is no longer the director and feels moving forward the City will receive more requests in the same nature.

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

ORDINANCE NO. 013 OF 2020

AN ORDINANCE, UPON THE RECOMMENDATIONS OF THE FINANCE DEPARTMENT AND THE AIRPORT COMMISSION, THAT THE CITY COUNCIL OF THE CITY OF NATCHITOCHEs AUTHORIZE A LEASE OF THAT AREA UNDER FENCE AT THE NATCHITOCHEs REGIONAL AIRPORT FOR HAY OPERATIONS WITH JAMES RUSSELL STACY, AND AUTHORIZING THE MAYOR, LEE POSEY, TO EXECUTE SAID LEASE ON BEHALF OF THE CITY OF NATCHITOCHEs, AND TO PROVIDE FOR ADVERTISING.

WHEREAS, the City of Natchitoches currently leases its area under fence at the Natchitoches Regional Airport, for hay to James Russell Stacy; and

WHEREAS FURTHER, the Finance Department has reviewed the current lease and is of the opinion that Mr. Stacy has satisfactorily fulfilled his obligations under leases in the past, and is of the opinion that the lease should be renewed for a three-year term with Mr. Stacy; and

WHEREAS FURTHER, the Finance Department has recommended to the City Council of the City of Natchitoches that the lease be renewed with James Russell Stacy for an additional three-year term; and

WHEREAS FURTHER, a lease has been prepared setting forth the term, conditions, and consideration for the proposed hay field lease;

WHEREAS FURTHER, under the provisions of Louisiana R. S. 33:4712, any property owned by the City can be leased to any person after due advertisement and compliance with the law;

WHEREAS FURTHER, the City Council is of the opinion that the hay field rights are not needed by the City for any public purpose, but are a potential source of revenue if leased; and

WHEREAS FURTHER, the Airport Commission has reviewed the proposed lease and has approved same;

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Natchitoches, in legal session convened, that the recommendations of the Finance Department are hereby approved; and

BE IT FURTHER ORDAINED that Lee Posey, Mayor of the City of Natchitoches, be and he is hereby authorized and empowered to enter into a lease agreement with James Russell Stacy, for hay field operations, all in substantial compliance with the lease agreement, a copy of which is attached hereto.

BE IT FURTHER ORDAINED That notice of this proposed ordinance be published three (3) times in fifteen (15) days, one (1) week apart, in the Natchitoches Times, the legal journal for the City, and that ordinance be posted in the City Hall.

BE IT FURTHER ORDAINED that any opposition to this ordinance shall be made in writing, filed with the Clerk for the City of Natchitoches within fifteen (15) days after the first publication of this ordinance, and that a public hearing be held after the advertisements have been completed.

BE IT FURTHER ORDAINED that the City Clerk be authorized to advertise this proposed lease in accordance with law, i.e., three times in fifteen days, one week apart and to report to the City Council if any opposition is made in writing prior to the time of final adoption.

BE IT FURTHER ORDAINED that the City takes cognizance of the fact that the rights to the property described above is not needed for public purposes by the City.

THIS ORDINANCE was introduced on February 10, 2020 and published in the *Natchitoches Times* on February 13, February 20 and February 27, 2020.

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

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

THEREUPON, Mayor Lee Posey declared the Ordinance passed by a vote of 5 Ayes to 0 Nays this 9th day of March, 2020.

LEE POSEY, MAYOR

DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 10th day of March, 2020 at 10:00 A.M.

The following Ordinance was Introduced by Mr. Harrington and Seconded by Ms. Morrow

ORDINANCE NO. 014 OF 2020

AN ORDINANCE, UPON THE RECOMMENDATIONS OF THE FINANCE DEPARTMENT, THAT THE CITY OF NATCHITOCHEs ENTER INTO A LEASE OF A 25 ACRE TRACT IN THE INDUSTRIAL PARK FOR HAY OPERATIONS WITH JAMES R. STACY, AND AUTHORIZING THE MAYOR, LEE POSEY, TO EXECUTE SAID LEASE ON BEHALF OF THE CITY OF NATCHITOCHEs, AND TO PROVIDE FOR ADVERTISING.

WHEREAS, the City of Natchitoches currently leases a 25-acre tract North of Industrial Drive in the Industrial Park, for hay to James Russell Stacy; and

WHEREAS FURTHER, the Finance Department has reviewed the current lease and is of the opinion that Mr. Stacy has satisfactorily fulfilled his obligations under leases in the past, and is of the opinion that the lease should be renewed for a three-year term with Mr. Stacy; and

WHEREAS FURTHER, the Finance Department has recommended to the City Council of the City of Natchitoches that the lease be renewed with James Russell Stacy for an additional three-year term; and

WHEREAS FURTHER, a lease has been prepared setting forth the term, conditions, and consideration for the proposed hay field lease a copy of which said lease is attached hereto; and

WHEREAS FURTHER, under the provisions of Louisiana R. S. 33:4712, any property owned by the City can be leased to any person after due advertisement and compliance with the law; and

WHEREAS FURTHER, the City Council is of the opinion that the hay field rights are not needed by the City for any public purpose, but are a potential source of revenue if leased;

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Natchitoches, in legal session convened, that the recommendations of the Finance Department are hereby approved; and

BE IT FURTHER ORDAINED that Lee Posey, Mayor of the City of Natchitoches, be and he is hereby authorized and empowered to enter into a lease agreement with James R. Stacy,

for hay field operations, all in substantial compliance with the lease agreement, a copy of which is attached hereto and approved by the Director of Finance.

BE IT FURTHER ORDAINED That notice of this proposed ordinance be published three (3) times in fifteen (15) days, one (1) week apart, in the Natchitoches Times, the legal journal for the City, and that ordinance be posted in the City Hall.

BE IT FURTHER ORDAINED that any opposition to this ordinance shall be made in writing, filed with the Clerk for the City of Natchitoches within fifteen (15) days after the first publication of this ordinance, and that a public hearing be held after the advertisements have been completed.

BE IT FURTHER ORDAINED that the City Clerk be authorized to advertise this proposed lease in accordance with law, i.e., three times in fifteen days, one week apart and to report to the City Council if any opposition is made in writing prior to the time of final adoption.

BE IT FURTHER ORDAINED that the City takes cognizance of the fact that the rights to the property described above is not needed for public purposes by the City.

THIS ORDINANCE was introduced on February 10, 2020 and published in the *Natchitoches Times* on February 13, February 20 and February 27, 2020.

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

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

THEREUPON, Mayor Lee Posey declared the Ordinance passed by a vote of 5 Ayes to 0 Nays this 9th day of March, 2020.

LEE POSEY, MAYOR

DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 10th day of March, 2020 at 10:00 A.M.

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

ORDINANCE NO. 015 OF 2020

AN ORDINANCE, UPON THE RECOMMENDATIONS OF THE FINANCE DEPARTMENT, THAT THE CITY OF NATCHITOCHEs ENTER INTO A LEASE OF A 29.7 ACRE TRACT IN THE INDUSTRIAL PARK FOR HAY OPERATIONS WITH M & M FARMS OF CANE RIVER, L.L.C., AND AUTHORIZING THE MAYOR, LEE POSEY, TO EXECUTE SAID LEASE ON BEHALF OF THE CITY OF NATCHITOCHEs, AND TO PROVIDE FOR ADVERTISING.

WHEREAS, the City of Natchitoches currently leases a 29.7-acre tract South of Industrial Drive in the Industrial Park, for hay to M & M Farms of Cane River, L.L.C. (sometimes hereinafter “M & M”); and

WHEREAS FURTHER, the Finance Department has reviewed the current lease and is of the opinion that M & M has satisfactorily fulfilled its obligations under the lease in the past, and is of the opinion that the lease should be renewed for a three-year term with M & M; and

WHEREAS FURTHER, the Finance Department has recommended to the City Council of the City of Natchitoches that the lease be renewed with M & M for an additional three-year term; and

WHEREAS FURTHER, a lease has been prepared setting forth the term, conditions, and consideration for the proposed hay field lease a copy of which said lease is attached hereto; and

WHEREAS FURTHER, under the provisions of Louisiana R. S. 33:4712, any property owned by the City can be leased to any person after due advertisement and compliance with the law;

WHEREAS FURTHER, the City Council is of the opinion that the hay field rights are not needed by the City for any public purpose, but are a potential source of revenue if leased;

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Natchitoches, in legal session convened, that the recommendations of the Purchasing Department are hereby approved; and

BE IT FURTHER ORDAINED that Lee Posey, Mayor of the City of Natchitoches, be and he is hereby authorized and empowered to enter into a lease agreement with M & M, for hay

field operations, all in substantial compliance with the lease agreement, a copy of which is attached hereto and approved by the Finance Department.

BE IT FURTHER ORDAINED That notice of this proposed ordinance be published three (3) times in fifteen (15) days, one (1) week apart, in the Natchitoches Times, the legal journal for the City, and that ordinance be posted in the City Hall.

BE IT FURTHER ORDAINED that any opposition to this ordinance shall be made in writing, filed with the Clerk for the City of Natchitoches within fifteen (15) days after the first publication of this ordinance, and that a public hearing be held after the advertisements have been completed.

BE IT FURTHER ORDAINED that the City Clerk be authorized to advertise this proposed lease in accordance with law, i.e., three times in fifteen days, one week apart and to report to the City Council if any opposition is made in writing prior to the time of final adoption.

BE IT FURTHER ORDAINED that the City takes cognizance of the fact that the rights to the property described above is not needed for public purposes by the City.

THIS ORDINANCE was introduced on February 10, 2020 and published in the *Natchitoches Times* on February 13, February 20 and February 27, 2020.

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

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

THEREUPON, Mayor Lee Posey declared the Ordinance passed by a vote of 5 Ayes to 0 Nays this 9th day of March, 2020.

LEE POSEY, MAYOR

DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 10th day of March, 2020 at 10:00 A.M.

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

ORDINANCE NO. 016 OF 2020

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NATCHITOCHEs, LEE POSEY, TO EXECUTE A LEASE IN FAVOR OF AIR EVAC EMS, INC., OF LOT 7, LOT 8 AND LOT 20 OF THE NATCHITOCHEs REGIONAL AIRPORT AS SHOWN ON THE AIRPORT LAYOUT PLAN OF APRIL 27, 2001, BY ALLIANCE INCORPORATED, FURTHER CONSENTING TO THE SALE OF HANGERS ON LOTS 7 AND 8, AND FURTHER PROVIDING FOR ADVERTISING OF THE LEASE AND AN EFFECTIVE DATE.

WHEREAS, the City of Natchitoches is the owner of those lots shown on the Airport Layout Plan of April 27, 2001, which said lots are available for lease, and more particularly is the owner of Lots 7, 8 and 20 as shown and depicted on the Layout Plan; and

WHEREAS, the Airport Manager, has negotiated the terms of a lease to Air Evac EMS, Inc. (sometimes hereinafter "Air Evac"), of the above lots as well as access to the associated asphalt apron and parking area; and

WHEREAS FURTHER, the terms of the lease are for a ten (10) year period, with consideration of Three Thousand Nine Hundred and no/100 (\$3,900.00) Dollars per year, all as set forth in the attached Lease Agreement by and between the City of Natchitoches, and Air Evac; and

WHEREAS FURTHER, the lease will include all of Lots 7, 8 and 20, as is shown and depicted on the Airport Layout Plan; and

WHEREAS FURTHER, Air Evac is purchasing the hangers located on Lots 7 and 8 and the City does hereby consent to the conveyance of the hangers located on those Lots from the current owners to Air Evac; and

WHEREAS FURTHER, the City desires to lease Lots 7, 8 and 20, as is shown and depicted on the Airport Layout Plan, under the terms set forth above and more particularly set forth in the lease attached hereto.

NOW THEREFORE, BE IT ORDAINED by the City Council in legal session convened as follows:

(1) That after due proceedings and advertisement, the said City does lease Lots 7, 8 and 20 as shown on the Airport Layout Plan, to Air Evac, for the term of Ten (10) years, with annual rental of Three Thousand Nine Hundred and no/100 (\$3,900.00) Dollars.

(2) That notice of this proposed ordinance be published three (3) times in fifteen (15) days, one (1) week apart, in the Natchitoches Times, the legal journal for the City, and that ordinance be posted in the City Hall.

(3) That any opposition to this ordinance shall be made in writing, filed with the Clerk for the City of Natchitoches within fifteen (15) days after the first publication of this ordinance, and that a public hearing be held after the advertisements have been completed.

(4) That the Mayor, Lee Posey, be and he is hereby authorized, after due proceedings had, and after the legal delays have run, to execute a lease in favor of Air Evac, leasing Lots 7, 8 and 20, as is shown and depicted on the Airport Layout Plan, for the term of Ten (10) year, with the annual rental of Three Thousand Nine Hundred and no/100 (\$3,900.00) Dollars.

(5) That the City Clerk be authorized to advertise this proposed lease in accordance with law, i.e., three times in fifteen days, one week apart and to report to the City Council if any opposition is made in writing prior to the time of final adoption.

(6) That the City takes cognizance of the fact that the property described above is not needed for public purposes by the City.

(7) That the City acknowledges and consents to the transfer of the hangers located on Lots 7 and 8 from the current owners to Air Evac.

THIS ORDINANCE was introduced on February 10, 2020 and published in the *Natchitoches Times* on February 13, February 20 and February 27, 2020.

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

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

THEREUPON, Mayor Lee Posey declared the Ordinance passed by a vote of 5 Ayes to 0 Nays this 9th day of March, 2020.

LEE POSEY, MAYOR

DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 10th day of March, 2020 at 10:00 A.M.

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

ORDINANCE NUMBER 023 OF 2020

AN ORDINANCE AMENDING CHAPTER 28.1 OF THE CODE OF ORDINANCES, ENTITLED STORMWATER CODE, BY ADOPTING SECTIONS 28.1, ARTICLE X, SUBSECTIONS 28.1-192 THROUGH 28.1-195 PROVIDING FOR DRAINAGE STANDARDS.

WHEREAS, the City of Natchitoches has an obligation to promote the public health, safety and general welfare of the City of Natchitoches; and

WHEREAS FURTHER, upon the recommendations of a civil engineer, it is necessary to add more comprehensive provisions concerning drainage to the Code of Ordinances.

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

WHEREAS FURTHER, the City Council of the City of Natchitoches, Louisiana desires to amend the Code of Ordinances of the City of Natchitoches in order to adopt Article X, Subsections 28.1-192 through 28.1-195 providing for drainage standards; and

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

SECTION 1. Chapter 28.1, Stormwater Code, is hereby amended and re-enacted by adopting the following:

“ARTICLE X. DRAINAGE

SEC. 28.1-192. DRAINAGE GENERAL POLICY

Rainfall runoff from storms of all return frequencies should enter and depart from property following development in substantially the same manner as under pre-development conditions. Any proposals to modify drainage characteristics must be fully justified by engineering data that shall demonstrate to

the Public Works Director that hazards to life and property will not be increased by the proposed modifications.

No individual, partnership, or corporation shall deepen, widen, fill, reroute, or change the location of any existing ditch, stream, drain or drainage canal without first obtaining written permission from the Public Works Director.

SEC. 28.1-193. DRAINAGE DESIGN REQUIREMENTS

(a) Drainage Reports. A drainage report, prepared and certified by a civil engineer registered as a Professional Engineer in Louisiana, shall be submitted to and approved by the Public Works Director prior to construction of certain projects. The purpose of the report is to analyze the effect that a proposed development would have upon the rainfall runoff in the vicinity of the development, to provide data to insure that the development is designed to be protected from flooding, to provide data to insure that the development is designed to minimize flooding and to provide data supporting the design facilities to be constructed for the management of rainfall runoff. Each drainage report must consider rainfall runoff from storms with a return frequency up to and including a one hundred (100) year storm. The complexity of the report depends upon the nature of the development and the site on which the development will occur. A drainage report shall be submitted by an applicant requesting any of the following:

- (1) Approval of subdivision plat. Proposed subdivisions must develop a comprehensive drainage plan that addresses the drainage for the entire project site. Individual lot grading plans shall not alter the approved comprehensive drainage plan.;
- (2) A permit for grading;
- (3) A permit to construct right-of-way improvements;
- (4) A permit to construct any structure, with the exception of a single-family residential structure; and
- (5) Construction of any drainage structure or channel.

(b) Storm Water Storage Facilities. Except as noted below, development of all land within the city must include provisions for the management of storm water runoff from the property that is to be developed. This management may consist of constructing storm water storage facilities, such as detention basins. The basins and drainage system shall be designed such that the peak post-development storm water flow does not exceed the peak pre-development storm water flow. As a minimum, this flow shall be based on a one hundred (100) year storm. The developer and/or commercial business shall provide for maintenance of the storm water storage facilities such that they continue to operate as designed.

The requirement for construction of a storm water storage facility may be waived in the following cases:

- (1) The runoff has been included in a storage facility at another location;
- (2) Construction of only a single-family residential structure;
- (3) Development adjacent to a flood way or a drainage channel which has been determined by the Public Works Director, using engineering analyses provided by the developer, to have been designed and constructed to handle the additional runoff flow without increasing the potential for flood damage on any other downstream property; and
- (4) Development of a parcel under one-half acre in an area where it can be demonstrated by engineering analyses that no significant increase in the potential for flood damage will be created by the development.

(c) Easements. Adequate easements must be dedicated for the construction and maintenance of any new or relocated drainage channels. All drainage easements to the City of Natchitoches shall be identified and dedicated as early as possible in the development process, but in no case shall a building permit be issued until the city has received and accepted the easement. The dedication instrument shall consist of a survey plat by a licensed professional Land Surveyor, with an accompanying legal description. The survey plat shall show the proposed easement, any existing drainage easements, any flood plain areas within the tract, and any existing drainage easements intersecting the proposed easement.

(d) Flood run-off. Provisions shall be made for the best available routing of run-off water to assure that buildings or other important facilities will not be endangered by the path of major emergency flood run-off which would become active if the capacity of site's storm drainage system is exceeded.

SEC. 28.1-194. DRAINAGE SPECIFICATIONS

Where deemed necessary by the Public Works Director, subsurface drainage pipes, concrete curbs and gutters, catch basins, and culverts or bridges will be required.

- (a) The design and construction of all drainage facilities shall be made under the supervision and approval of a Civil Engineer currently licensed in the State of Louisiana. Such design shall be based upon Louisiana Department of Transportation and Development rainfall recommendations.
- (b) A Civil Engineer, currently licensed in the State of Louisiana shall certify the type of culvert material and culvert size, and that the structural requirements for a HS-20-44 vehicular loading has been provided. All bridges shall be designed for a HS-20-44 vehicular loading.

- (c) All bridge and drainage construction shall be in accordance with the latest edition of Louisiana Standard Specifications for Roads and Bridges, as published by the Louisiana Department of Transportation and Development, Office of Highways, Baton Rouge. In addition, the design and construction of all drainage facilities shall comply with the following criteria:
- (1) Standard galvanized pipe will not be used. All coated galvanized pipe will meet the standards required by Section 1007 Louisiana Standard Specifications for Roads and Bridges, Louisiana Department of Transportation and Development. In the event a material other than reinforced concrete pipe is used for a culvert drainage structure, the Civil Engineer who designs the culvert shall state the size of culvert to be used and give the equivalent reinforced concrete pipe size. The minimum size reinforced concrete pipe which serves as a cross drain for any street shall be eighteen (18) inches in diameter. Any alternative material shall have, as the minimum, the hydraulic capacity of an eighteen (18) inch diameter reinforced concrete pipe. Coated galvanized pipe of the types listed below may be used:
 - a. Full asphalt-coated;
 - b. Asphalt-coated, with paved invert;
 - c. Full smooth-interior;
 - d. Polymer coated.
 - (2) Corrugated Polyethylene Culvert Pipe (Double wall) (CPECP) may be used in most applications with pre-approval of the Public Works Director and shall conform to ASHTO M294 Type S, as allowed in Section 1006 of latest edition of Louisiana Standard Specifications for Roads and Bridges.
 - (3) Surface and subsurface drainage systems shall be provided, as appropriate, for collection and dispersal of storm drainage and subsurface water. These systems shall provide for the safety and convenience of residents, protection of dwellings, other improvements and usable lot areas from water damage, flooding, and erosion.
 - (4) All culvert joints underneath any street surface shall be Type 2 or Type 3 with required wrapping for joints with filter cloth. Reinforced concrete pipe (RCP) shall conform to ASTM Designation C76 and be a minimum of Class III pipe. Corrugated Steel Pipe shall be either Type I or Type II and shall conform to AASHTO Designation M190 (Bituminous coated) or AASHTO Designation 245 (Polymeric coated) as allowed in Section 1007

of the latest edition of the Louisiana Standard Specifications for Roads and Bridges.

- (5) All culvert joints underneath any street surface shall have concrete tapered slopes at inlets and outlets. Concrete headwalls, special bedding materials and compaction means may be required at the discretion of the Public Works Director.

SEC. 28.1-195. MAINTENANCE OF DRAINAGE FACILITIES

No person shall impede the functionality of any drainage facility or easement by obstruction, relocation or other modification. Owners may perform surface maintenance such as grounds keeping or landscaping on easements, provided they do not modify or damage any drainage structures and systems within easements, to the extent of providing for their continued functional purpose, with the exception of storm water storage facilities, which maintenance is provided for in Section 28.1-193 (b).”

SECTION 2.

All provisions of all ordinances in conflict with the provisions set out in the referenced attachment are hereby rescinded and repealed.

SECTION 3.

If any one or more of the provisions of this ordinance shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this ordinance, but this ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this ordinance which validates or makes legal any provision of this ordinance which would not otherwise be valid or legal, shall be deemed to apply to this ordinance.

SECTION 4.

This ordinance shall become effective upon final adoption and publication of same in the manner prescribed by law.

The following Ordinance was introduced by Ms. Morrow at the Natchitoches City Council meeting held on February 24, 2020 as follows:

THIS ORDINANCE was introduced on February 24, 2020 and published in the *Natchitoches Times* on February 27, 2020.

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

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

THEREUPON, Mayor Lee Posey declared the Ordinance passed by a vote of 5 Ayes to 0 Nays this 9th day of March, 2020.

LEE POSEY, MAYOR

DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 10th day of March, 2020 at 10:00 A.M.

The following Ordinance was introduced by Mr. Batiste at the Natchitoches City Council meeting held on March 9, 2020 as follows:

ORDINANCE NUMBER 026 OF 2020

AN ORDINANCE TO AMEND CHAPTER 26 OF THE CODE OF ORDINANCES, ENTITLED POLICE, IN ORDER TO AMEND SECTION 26-2 WHICH SECTION PROVIDES FOR THE IMPLEMENTATION OF A PROGRAM TO ALLOW A POLICE OFFICER TO ACQUIRE HIS SERVICE FIREARM UPON RETIREMENT, SPECIFICALLY AMENDING SECTION 26-2, PROVIDING FOR ADVERTISING, FURTHER PROVIDING FOR SEVERABILITY, AND FURTHER PROVIDING FOR A REPEALER AND EFFECTIVE DATE OF ORDINANCE.

WHEREAS, the City of Natchitoches enacted Sections 26-1 through 26-3 to provide for a program under which retiring police officers may purchase their service weapon in accordance with Louisiana Revised Statute 33:4712(G); and

WHEREAS FURTHER, Section 26.2 currently provides that a retiring officer must have 25 years of active service with the City of Natchitoches Police Force in order to qualify for the program; and

WHEREAS FURTHER, the Chief of Police has proposed an amendment to this section of the Code of Ordinance of the City of Natchitoches in order to reduce the years of active service from 25 to 20; and

WHEREAS FURTHER, the City Council of the City of Natchitoches accepts the recommendation of the Chief of Police and desires to amend Section 26-2 of the Code of Ordinances of the City of Natchitoches, entitled “Requirements for Purchase of Firearm” to reduce the required years of service from 25 to 20 years; and

WHEREAS FURTHER, the City Council of the City of Natchitoches has reviewed the proposed amendment to Section 26-2 of the Code of Ordinances, and agrees that the amendment is advisable and in the best interest of the City of Natchitoches and its citizens; and

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

SECTION 1. Section 26-2 of the Code of Ordinances of the City of Natchitoches is hereby amended to provide as follows:

“Section 26-2. Requirements for purchase of firearm.

In order to be qualified to purchase his or her service weapon, a police officer must:

- (1) Retire from the City of Natchitoches Police Department after Twenty (20) years active service with the Department; and
- (2) Be in good standing with the Municipal Police Employees’ Retirement System, or its successor.”

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 3. If any portion of this Ordinance is declared to be invalid or unconstitutional in any manner, the invalidity shall be limited to that particular section or provision, and shall not affect the remaining portions of the ordinance, which shall remain valid and enforceable, it being the intention of the City Council that each separate provision shall be deemed independent of all other provisions herein.

SECTION 4. This Ordinance shall go into effect upon publication and in accordance with law.

Chief Dove stated this is already in effect, currently it says when an officer retires with 25 years, the officer can purchase their fire arm at fair market value price. Under the police municipal retirement an officer can retire with 20 years if age 50 or more, so we would like to give the 20 year guys a chance to purchase their weapon.

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

RESOLUTION NO. 008 OF 2020

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 5 TO THE CONTRACT BETWEEN THE CITY OF NATCHITOCHEES AND RATCLIFF CONSTRUCTION COMPANY, LLC FOR THE NATCHITOCHEES SPORTS & RECREATION PARK

(BID NO. 0602)

WHEREAS, the City of Natchitoches (CITY) awarded the bid to Ratcliff Construction Company, LLC (CONTRACTOR) on September 10, 2018 by Ordinance No. 031 of 2018 in the amount of **\$13,930,000.00** for the Natchitoches Sports & Recreation Park, (Bid No. 0602); and

WHEREAS, on September 10, 2018, the City Council approved **Change Order No. 1**, in the amount of **\$-1,071,534.23** making the revised contract total **\$12,858,465.77**; and

WHEREAS, on May 7, 2019, the City Council approved **Change Order No. 2**, in the amount of **\$95,002.01** making the revised contract total **\$12,953,487.78**; and

WHEREAS, on September 24, 2019, the City Council approved **Change Order No. 3**, in the amount of **\$3,624.69** making the revised contract total **\$12,957,112.47**; and

WHEREAS, on November 12, 2019, the City Council approved **Change Order No. 4**, in the amount of **\$68,424.73** making the revised contract total **\$13,025,537.20**; and

WHEREAS, on February 7, 2020, CONTRACTOR issued **Change Order No. 5**, fully described in Attachment “A”; and

WHEREAS, the contract sum will be increased by this **Change Order No. 5** in the amount of **\$6,610.01** and the revised contract total will be **\$13,032,147.21**; and

WHEREAS, the project Architect, Washer Hill Lipscomb Cabaniss, has recommended this change order; and

WHEREAS, the CITY is of the opinion that Change Order No. 5 is in the best interest of the CITY.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Natchitoches, in legal session convened, that the Honorable Lee Posey, Mayor, be and is hereby authorized, empowered and directed to execute the referenced Change Order No. 5 to the agreement between the City of Natchitoches and the contractor, Ratcliff Construction Company, LLC.

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

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

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5 Ayes to 0 Nays on this 9th day of March, 2020.

LEE POSEY, MAYOR

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

RESOLUTION NUMBER: 009

DATE: March 9, 2020

RESOLUTION

A resolution authorizing the Mayor to execute an Agreement with the Louisiana Department of Transportation and Development (LA DOTD) for improvements at the Natchitoches Airport.

WHEREAS, Act 451 of the 1989 Regular Session of the Louisiana Legislature authorized the financing of certain airport improvements from funds appropriated from the Transportation Trust Fund; and

WHEREAS, the City of Natchitoches has requested funding assistance from the LA DOTD to/for Rehabilitate Drainage - Phase II (Design); and

WHEREAS, the stated project has been approved by the Louisiana Legislature and the LA DOTD is agreeable to the implementation of this project and desires to cooperate with the City of Natchitoches according to the terms and conditions identified in the attached Agreement; and

WHEREAS, the LA DOTD will provide the necessary funding for the Rehabilitate Drainage – Phase II (Design) and reimburse the sponsor up to \$50,000.00 of project cost.

NOW THEREFORE, BE IT RESOLVED by the City of Natchitoches that it does hereby authorize the Mayor to execute an Agreement for the project identified as SPN H.014029, more fully identified in the Agreement attached hereto, and to execute any subsequent related documents, including, but not limited to, amendments to said agreement.

This resolution shall be in full force and effect from and after its adoption.

The aforesaid resolution, having been submitted to a vote, the vote thereon was follows:

YEAS: Batiste, Nielsen, Mims, Harrington, Morrow
NAYS: None
ABESENT: None

WHEREUPON, the Resolution was declared adopted on the 9th day of March, 2020.

CITY OF NATCHITOCHEs

BY: _____
(Signature)

Lee Posey _____
(Typed or Printed Name)

TITLE: Mayor

ATTEST: _____
(Signature)

TITLE: Clerk

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

RESOLUTION NO. 010 OF 2020

A RESOLUTION PROVIDING NOTICE OF INTENTION TO LEVY AND COLLECT A ONE PERCENT (1%) SALES AND USE TAX UPON THE SALE AT RETAIL, THE USE, THE LEASE OR RENTAL, THE CONSUMPTION AND STORAGE FOR USE OR CONSUMPTION, OF TANGIBLE PERSONAL PROPERTY AND ON SALES OF SERVICES IN THE DISTRICT FOR A PERIOD COMMENCING ON JANUARY 1, 2021 AND ENDING ON APRIL 1, 2036 WITHIN THE BOUNDARIES OF NATCHITOCHEES ECONOMIC DEVELOPMENT DISTRICT D, STATE OF LOUISIANA IN ACCORDANCE WITH AND AS AUTHORIZED BY PART II, CHAPTER 27 OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED; AND AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION TO LEVY AND COLLECT SUCH SALES AND USE TAX; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, *et seq.*) (the “**EDD Act**”) authorizes municipalities, parishes and certain other local governmental subdivisions to create economic development districts to carry out the purposes of the Act, which economic development districts are political subdivisions of the State of Louisiana and possess such power and authority and have such duties as provided by the EDD Act and other law; and

WHEREAS, the Section 33:9038.39 of the EDD Act permits economic development districts to levy sales taxes for authorized purposes in addition to any other sales taxes then in existence or permitted to be in existence therein, and provided that in the event there are no qualified electors in the district in question, as certified by the Registrar of Voters, no election shall be required prior to the levy of such sales taxes; and

WHEREAS, pursuant to the EDD Act, this City Council, acting as the governing authority of the City of Natchitoches, State of Louisiana (the “**City**”), adopted an ordinance on February 24, 2020, which created Natchitoches Economic Development District D, State of Louisiana (the “**District**”), in accordance with La. R.S. 33:9038.32; and

WHEREAS, this City Council, acting as the governing authority of the District, intends to levy a one percent (1%) sales and use tax upon the sale at retail, the use, the lease or rental, the consumption and storage for use or consumption, of tangible personal property and on sales of services in the District for a period commencing on January 1, 2021 and ending on April 1, 2036, all in the manner and subject to the provisions and terms of those portions of Title 47 of the Louisiana Revised Statutes of 1950, as amended, applicable to sales and use taxes levied by the

District (the “*District Tax*”) for the purposes of funding construction of, acquisition of, and upgrades to capital improvement and economic development projects within the District’s boundaries and any and all authorized purposes under the applicable provisions of Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, *et seq.*), all in accordance with La. R.S. 33:9038.39; and

WHEREAS, pursuant to La. R.S. 33:9038.39, this City Council, acting as the governing authority of the District, desires to give notice of intention relative to the aforesaid action;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Natchitoches, State of Louisiana, acting as the governing authority of the City and the District, that:

SECTION 1. Intention to Levy Sales and Use Tax. In accordance with the EDD Act, and particularly La. R.S. 33:9038.39, this City Council, in its capacity as governing authority of the District, does hereby give notice of its intention to levy and collect the District Tax within the District.

SECTION 2. Notice of Intention. The City Clerk is hereby authorized and directed to publish a notice of intention, in substantially the following form, which notice shall be published in two consecutive weekly issues of the City’s official journal, starting at least fourteen (14) days before the date when this City Council, acting as the governing authority of the District, will meet in open and public session to hear any objections to the aforesaid actions:

* * * * *

NATCHITOCHEES ECONOMIC DEVELOPMENT

DISTRICT D, STATE OF LOUISIANA

PURSUANT TO LA. R.S. 33:9038.39

NOTICE OF INTENTION TO LEVY SALES TAX

NOTICE IS HEREBY GIVEN that the City Council of the City of Natchitoches, State of Louisiana (the “*City Council*”), acting as the governing authority of Natchitoches Economic Development District D, State of Louisiana (the “*District*”) will meet at its meeting place, Natchitoches Council Chambers, 716 Second Street, Natchitoches, Louisiana, 71457 on April 13, 2020 at 5:00 p.m., at which time the District intends to take action regarding the levy and collection of a one percent (1%) sales and use tax upon the sale at retail, the use, the lease or rental, the consumption and storage for use or consumption, of tangible personal property and on sales of services in the District for a period commencing on January 1, 2021 and ending on April 1, 2036, all in the manner and subject to the provisions and terms of those portions of Title 47 of the Louisiana Revised Statutes of 1950, as amended, applicable to sales and use taxes levied by the District for the purposes of funding construction of, acquisition of, and upgrades to capital improvement and economic development projects within the District’s boundaries and any and all authorized purposes under the applicable provisions of Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, *et seq.*).

* * * * *

SECTION 3. Public Hearing. At the date, time, and place mentioned in the aforesaid Notice of Intention, or at such other time and place as may be determined by the Mayor and properly advertised, this City Council, acting as the governing authority of the District, will meet in open and public session, to hear any objections to the levy and collection of the District Tax within the boundaries of the District, as described above.

SECTION 4. Employment of Special Counsel. This City Council, acting as the governing authority of the District and the City, finds and determines that a real necessity exists for the employment of special counsel in connection with the levy and collection of the District Tax and other items associated with the economic development project contemplated therein, and accordingly the law firm of Butler Snow LLP, Shreveport, Louisiana, is hereby employed as special counsel to the City in connection with the foregoing. Said special counsel shall prepare and submit to this City Council, acting as the governing authority of the District and the City, for adoption all of the proceedings incidental to the foregoing, and shall counsel and advise the City, the District, and this governing authority in connection with the foregoing. The fee of special counsel in connection with the foregoing shall be negotiated between the Mayor and special counsel.

SECTION 5. Authorization of Officers. The Mayor, Mayor Pro Tempore, and the City Clerk are hereby authorized, empowered, and directed to do any and all things necessary and incidental to carry out the provisions of this Resolution.

[The remainder of this page is intentionally left blank.]

Said Resolution having been read and considered by a quorum of the City Council, on motion to adopt by Mr. Nielsen, seconded by Mr. Mims, a record vote was taken and the following result was had:

YEAS: Batiste, Nielsen, Mims, Harrington, Morrow

NAYS: None

ABSTAIN: None

ABSENT: None

WHEREUPON, the presiding officer declared the above Resolution duly adopted in full on this, the 9th day of March, 2020.

Lee Posey, Mayor

Don Mims, Jr., *Mayor Pro Tempore*

Stacy McQueary, City Clerk

STATE OF LOUISIANA

PARISH OF NATCHITOCHE

I, **STACY MCQUEARY**, certify that I am the duly qualified and acting City Clerk of the City Council of the City of Natchitoches, State of Louisiana, acting as the governing authority of Natchitoches Economic Development District D, State of Louisiana (the "*District*").

I further certify that the above and foregoing is a true and correct copy of a resolution of the City Council of the City of Natchitoches, State of Louisiana, acting as the governing authority of the District, adopted on March 9, 2020, entitled:

A RESOLUTION PROVIDING NOTICE OF INTENTION TO LEVY AND COLLECT A ONE PERCENT (1%) SALES AND USE TAX UPON THE SALE AT RETAIL, THE USE, THE LEASE OR RENTAL, THE CONSUMPTION AND STORAGE FOR USE OR CONSUMPTION, OF TANGIBLE PERSONAL PROPERTY AND ON SALES OF SERVICES IN THE DISTRICT FOR A PERIOD COMMENCING ON JANUARY 1, 2021 AND ENDING ON APRIL 1, 2036 WITHIN THE BOUNDARIES OF NATCHITOCHE ECONOMIC DEVELOPMENT DISTRICT D, STATE OF LOUISIANA IN ACCORDANCE WITH AND AS AUTHORIZED BY PART II, CHAPTER 27 OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED; AND AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION TO LEVY AND COLLECT SUCH SALES AND USE TAX; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said City of Natchitoches, State of Louisiana, on this, the 9th day of March, 2020.

Stacy McQueary, City Clerk

(Seal)

