

MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF RUSTON HELD ON MONDAY, FEBRUARY 4, 2008, AT 5:30 P.M., IN COUNCIL CHAMBERS/COURTROOM, 2ND FLOOR, CITY HALL, 401 NORTH TRENTON, RUSTON, LOUISIANA

A regular meeting of the Mayor and Board of Aldermen of the City of Ruston was held Monday, February 4, 2008, at 5:30 p.m., in Council Chambers/Courtroom, 2nd Floor, City Hall, 401 North Trenton, Ruston, Louisiana.

A quorum was present, notice having been duly served. Mayor Dan Hollingsworth, Aldermen Jedd Lewis, Elmore Mayfield, Jim Pearce, Levell Thurman and Alderwoman Marie Riggs were present.

Mayor Dan Hollingsworth called the meeting to order at 5:30 p.m., and Alderman Jedd Lewis gave the invocation.

I. ADOPT:

A. AGENDA.

Alderman Jim Pearce made a motion, seconded by Alderman Elmore Mayfield to amend the agenda to redesignate Item VIII-C entitled "Consider Resolution ___ of 2008, Approving Preliminary Plat of Orchard Heights Unit 2 of the City of Ruston Louisiana" to read as Item VIII-A; and, redesignate Items VIII-A and VIII-B entitled "Public Hearing" and "Consider Ordinance No. ___ of 2008, Annexing Approximately 8.25 Acres of Land into the Corporate Limits of the City of Ruston, Louisiana", to read as Items VIII-B and VIII-C, respectively. The motion passed by unanimous vote.

Alderman Jim Pearce made a motion, seconded by Alderman Elmore Mayfield, to adopt the agenda, as amended. The motion passed by unanimous vote.

B. MINUTES OF JANUARY 7, 2008, REGULAR MEETING.

Alderman Elmore Mayfield made a motion, seconded by Alderman Jim Pearce, to approve the Minutes of the January 7, 2008, Regular Council meeting. The motion passed by unanimous vote.

II. ADMINISTRATION:

A. APPROVE NOMINATION OF MR. TED MCKINNEY AS RUSTON'S REPRESENTATIVE TO THE SPARTA GROUNDWATER CONSERVATION DISTRICT BOARD OF COMMISSIONERS.

Mayor Hollingsworth recommended Ted McKinney to replace Bobby Price as Ruston's representative on the Sparta Groundwater Conservation District Board of Commissioners. Motion was made by Alderman Jim Pearce and seconded by Alderman Elmore Mayfield to approve the nomination. The motion passed by unanimous vote.

B. APPROVE DESIGNATION OF FUNDS FOR SPARTA EDUCATION.

Motion was made by Alderman Elmore Mayfield and seconded by Alderman Jedd Lewis, for the City of Ruston to designate \$1,500 toward the goal of \$15,000 being raised by North Louisiana communities to be used in conjunction with a grant provided by the Sparta Education Committee through Trailblazers of Ruston and which funds are to be used to produce an educational video on water conservation for elementary children. The motion passed by unanimous vote.

C. APPOINT J. WALPOLE TO RUSTON PARKS AND RECREATION BOARD FOR A TERM OF FIVE (5) YEARS REPRESENTING DISTRICT FOUR (4).

Motion was made by Alderman Jim Pearce and seconded by Alderman Elmore Mayfield to appoint J. Walpole to the Ruston Parks and Recreation Board to serve a five year term in Ward 4. The motion passed by unanimous vote.

III. LIGHT AND POWER:

- A. CONSIDER RESOLUTION NO. ____ OF 2008, AUTHORIZING CITY TO ENTER INTO PROFESSIONAL SERVICES AGREEMENT WITH UTILIWORKS FOR ADVANCED METER READING ASSESSMENT PHASE I.

Darrell Caraway was present to discuss the matter and reported that Utiliworks would assist with additional research needed in the advancement of the City's meter reading capabilities. Motion was made by Alderman Jim Pearce and seconded by Alderman Elmore Mayfield to adopt the resolution. The motion passed by unanimous vote. (RESOLUTION NO. 565 OF 2008)

IV. WATER UTILITIES:

- A. CONSIDER RESOLUTION NO. ____ OF 2008, AUTHORIZING CITY TO ENTER INTO CONTRACT FOR CONSTRUCTION PHASE SERVICES RELATED TO 2006 LCDBG SEWER PROJECT.

Richard Aillet said this resolution would allow the City to move forward with the lowest responsive, responsible bidder for a construction phase services contract as related to the 2006 LCDBG Sewer Project. Motion was made by Alderman Levell Thurman and seconded by Alderman Jedd Lewis to adopt the resolution authorizing the contract. The motion passed by unanimous vote. (RESOLUTION NO. 566 OF 2008)

V. CODE ENFORCEMENT:

- A. PUBLIC HEARING FOR THE PROPERTY OWNERS OF 1506 SOUTH TRENTON CONCERNING ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED THERE.

Mayor Hollingsworth called for a public hearing at 5:50 p.m. Having no one from the audience to comment, he closed the public hearing at 5:50 p.m., and called for final consideration by the Aldermen.

- B. DISCUSS AND TAKE APPROPRIATE ACTION ON THE ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED AT 1506 SOUTH TRENTON.

Mitch Dufour said the Council had previously voted to accept a recommendation to demolish, remove or improve the structures at 1506 South Trenton and to start the property condemnation process. Dufour, therefore, recommended ordering the structures condemned and setting a deadline for demolition and removal of debris. He also requested permission to proceed with the demolition with all costs billed to the property owner (John Willie Wilson) in the event owner fails or refuses to make improvements within the timeframe set. Motion was made by Alderman Levell Thurman and seconded by Alderman Elmore Mayfield to approve the requests. The motion passed by unanimous vote.

- C. PUBLIC HEARING FOR THE PROPERTY OWNERS OF 1414 OAKDALE STREET CONCERNING ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED THERE.

Mayor Hollingsworth called for a public hearing at 5:52 p.m. Having no one from the audience to comment, he closed the public hearing at 5:52 p.m., and called for final consideration by the Aldermen.

- D. DISCUSS AND TAKE APPROPRIATE ACTION ON THE ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED AT 1414 OAKDALE STREET.

Mitch Dufour said that the Council had previously voted unanimously to start the property condemnation process at 1414 Oakdale Street. He, therefore, recommended ordering the structure(s) condemned and allowing 30 days for property owner (Michael A. Lyons) to demolish or bring the property up to current City Building Codes. Dufour also requested permission for the City to proceed with the demolition of the structure(s) and all costs billed to the owner should owner fail or refuse to comply with the Council's order. Motion was made by Alderman Levell Thurman and seconded by Alderman Elmore Mayfield to approve the requests. The motion passed by unanimous vote.

On the recommendation of City Attorney, Bill Carter, a supplemental motion was made by Alderman Jedd Lewis, seconded by Alderman Elmore Mayfield, to give the owner(s) of property located at 1506 South Trenton (see Item V-B) 30 days in which to bring his property up to City Code or demolish and clear debris. The motion passed by unanimous vote.

E. PUBLIC HEARING FOR THE PROPERTY OWNERS OF 1604 COLONIAL DRIVE CONCERNING ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED THERE.

Mayor Hollingsworth called for a public hearing at 6:00 p.m. Having no one from the audience to comment, he closed the public hearing at 6:00 p.m., and called for final consideration by the Aldermen.

F. DISCUSS AND TAKE APPROPRIATE ACTION ON THE ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED AT 1604 COLONIAL DRIVE.

Mitch Dufour reported that the Council had previously voted unanimously to start the property condemnation process at 1604 Colonial Drive. He, therefore, recommended that the structures be ordered condemned and a period of 30 days be given the property owner (Charles Emerson) in which to improve or remove the structures. He also requested permission for the City to proceed with the demolition and all costs billed to the owner in the event owner fails or refuses to comply within the timeframe allowed. Motion was made by Alderman Elmore Mayfield and seconded by Alderman Levell Thurman to approve the requests. The motion passed by unanimous vote.

G. REQUEST PERMISSION TO START THE PROPERTY CONDEMNATION PROCESS AS REQUIRED BY ORDINANCE FOR THE STRUCTURES LOCATED AT THE FOLLOWING ADDRESS:

<u>Address</u>	<u>Owner</u>
2703 West California	Brainard A. Odom, et al

Mitch Dufour requested that the structures located at 2703 West California be demolished, removed or improved and begin property condemnation process on the same. After a brief discussion, motion was made by Alderman Elmore Mayfield and seconded by Alderman Jedd Lewis to approve the request. The motion passed by unanimous vote.

VI. INSPECTIONS:

A. INTRODUCE ORDINANCE NO. ____ OF 2008, AMENDING SEC. 1-10 OF CHAPTER 1 OF THE CODE OF ORDINANCES OF THE CITY OF RUSTON, LOUISIANA, RELATING TO GENERAL PROVISIONS OF THE CODE OF ORDINANCES OF THE CITY OF RUSTON.

The ordinance was introduced by Alderwoman Marie Riggs.

VII. PUBLIC WORKS:

A. CONSIDER RESOLUTION NO. ____ OF 2008, AUTHORIZING CITY TO ENTER INTO PROFESSIONAL SERVICES AGREEMENT WITH THE RILEY COMPANY OF LOUISIANA, INC., FOR ENGINEERING DESIGN, SURVEYING, PROPERTY ACQUISITION, ADVERTISING, BIDDING AND CONSTRUCTION PHASE SERVICES RELATED TO THE CENTER STREET IMPROVEMENTS AND EXTENSION PROJECT.

Lewis Love was present to answer the Council's questions and said the approval of this resolution would allow the City to move forward with the Center Street Improvements and Extension Project. Motion was made by Alderman Jedd Lewis and seconded by Alderman Jim Pearce to adopt the resolution. The motion passed by unanimous vote. (RESOLUTION NO. 567 OF 2008)

- B.** CONSIDER RESOLUTION NO. ____ OF 2008, REVOKING THE DEDICATION OF A UTILITY SERVITUDE IN TOMA LODGE ESTATES OF THE CITY OF RUSTON, LOUISIANA.

Lewis Love was present to answer the Council's questions and said the utility servitude is no longer needed for public purposes. Motion was made by Alderman Jedd Lewis and seconded by Alderman Jim Pearce to adopt the resolution. The motion passed by unanimous vote. (RESOLUTION NO. 568 OF 2008)

VIII. PLANNING AND ZONING:

- A.** CONSIDER RESOLUTION NO. ____ OF 2008, APPROVING PRELIMINARY PLAT OF ORCHARD HEIGHTS SUBDIVISION, UNIT NO. 2 OF THE CITY OF RUSTON, LOUISIANA. [redesignated from VIII-C]

Case #987: Application for preliminary plat approval
Applicant: Joe Monsour, Jr., Ruston/Lincoln Rental Partnership, L.P.
Location: South side of Cornell Ave. and east of McAllister Street

Jim Hays presented the details of the application for preliminary plat approval of Unit 2 of Orchard Heights Subdivision. He noted that Unit 1 of this development is located in the City limits and has received preliminary plat approval; and further, that the owner has requested annexation of the remainder of the subdivision, contingent upon approval of the preliminary plat of Unit 2. The proposed annexation will bring the adjacent section of Cornell Avenue into the City of Ruston. Hays stated that the Planning Commission has approved the concept of the subdivision development and recommends approval of the preliminary plat, conditioned upon compliance with City codes and requirements.

Alderman Elmore Mayfield said he wished to discuss the preliminary plat and also the annexation of 8.25 acres of land containing 29 lots proposed for the development of Unit 2 of Orchard Heights Subdivision. Alderman Mayfield said that while he is not against the development of Orchard Heights Subdivision, or the annexation, he is concerned about the potential for heavy traffic causing hazardous conditions and is also concerned about the flood hazard area located in the proposed Unit 2. He suggested further study and observation of the traffic in the area. Jim Hays reported that John Freeman had determined that McAllister and Cornell Streets meet the national standard guidelines for 25 mph and 30 mph speed limits and both streets are currently posted 25 mph.

Lewis Love said that an engineering study on the flood zone will be made to satisfy federal regulations. W. James Hill, III, of the Smitherman Law Firm, L.C., Shreveport, Louisiana, and spokesman for the applicant, was present and stated that the new flood plain map, based on high-altitude aerial photography, is less accurate than ground-level surveys and that engineers will do ground surveys before deciding whether to appeal the flood plain lines or finish all structures to at least two feet above the flood plain level.

After much discussion, City Attorney, Bill Carter, suggested that the matter be postponed until the next regular meeting of the Board of Aldermen. Motion was made by Alderman Elmore Mayfield and seconded by Alderman Levell Thurman to postpone the matter until the March Council meeting. The motion to postpone passed by unanimous vote.

- B.** PUBLIC HEARING. [redesignated from VIII-A]

City Attorney, Bill Carter, suggested that the Council postpone any action until the next regular meeting in March in order for the details of the matter to be reviewed further. Carter also advised the Mayor and Council to go ahead and have the public hearing.

Jim Hays reported that the Planning Commission had conducted a public hearing at their meeting on January 22, 2008, and voted unanimously to recommend approval of the annexation with the proposed zoning and future land use.

Mayor Hollingsworth called for a public hearing at 6:50 p.m. Having no one from the audience to comment, he closed the public hearing at 6:50 p.m., and called for final consideration by the Aldermen.

- C. CONSIDER ORDINANCE NO. ____ OF 2007, ANNEXING APPROXIMATELY 8.25 ACRES OF LAND INTO THE CORPORATE LIMITS OF THE CITY OF RUSTON, LOUISIANA. [redesignated from VIII-B]

Case No. 986: Annexation of 8.25 Acres
Location: The South side of Cornell Avenue, East of McAllister Street
Petitioner: Ruston/Lincoln Rental Partnership, L.P.

Motion was made by Alderman Elmore Mayfield, seconded by Alderman Levell Thurman, to postpone action until the March Council meeting. The motion passed by unanimous vote.

- D. INTRODUCE ORDINANCE NO. ____ OF 2008, AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES OF THE CITY OF RUSTON, LOUISIANA RELATING TO ZONING OF THE CITY OF RUSTON.

The ordinance was introduced by Alderwoman Marie Riggs.

IX. FINANCE:

- A. INTRODUCE ORDINANCE NO. ____ OF 2008, AN ORDINANCE SUPPLEMENTING THE BOND ORDINANCE ADOPTED BY THE GOVERNING AUTHORITY OF THE CITY OF RUSTON, STATE OF LOUISIANA ON NOVEMBER 27, 2001, AS AMENDED ON FEBRUARY 2, 2004, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL BONDS THEREUNDER RELATIVE TO THE ECONOMIC DEVELOPMENT AREA, TO RATIFY THE EXPANSION OF THE ECONOMIC DEVELOPMENT AREA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

The ordinance was introduced by Alderwoman Marie Riggs.

X. ADJOURN MEETING:

There being no further business, the meeting of the Mayor and Board of Aldermen was adjourned at 6:52 p.m.

March 3, 2008
APPROVED

ATTEST:

EMMETT GIBBS, CLERK

DAN HOLLINGSWORTH, MAYOR