

**MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF RUSTON HELD ON MONDAY, APRIL 2, 2007, AT 5:30 P.M., IN COUNCIL CHAMBERS/COURTROOM, 2<sup>ND</sup> 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, April 2, 2007, at 5:30 p.m., in the Council Chambers/Courtroom, 2<sup>nd</sup> 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 Hollingsworth welcomed Jan Colvin from the School of Human Ecology and members of her Family Law and Public Policy Class. The meeting was called to order at 5:30 p.m., and Alderman Jim Pearce led in the invocation.

**I. ADOPT:**

**A. AGENDA.**

Alderman Elmore Mayfield made a motion, seconded by Alderman Jedd Lewis, to adopt the Agenda as presented. The motion passed by unanimous vote.

**B. MINUTES OF MARCH 5, 2007, REGULAR MEETING.**

Alderman Jim Pearce made a motion, seconded by Alderman Elmore Mayfield, to approve the Minutes of the March 5, 2007, regular Council meeting. The motion passed by unanimous vote.

**II. LIGHT AND POWER:**

**A. INTRODUCE ORDINANCE NO. \_\_\_\_ OF 2007, AMENDING CHAPTER 27 OF THE CODE OF ORDINANCES OF THE CITY OF RUSTON RELATING TO UTILITIES.**

The ordinance was introduced by Alderman Jim Pearce.

**III. WATER UTILITIES:**

**A. CONSIDER RESOLUTION NO. \_\_\_\_ OF 2007, DESCRIBING THE ACTIONS WHICH WILL BE TAKEN BY THE CITY REGARDING THE MUNICIPAL WATER POLLUTION PREVENTION ENVIRONMENTAL AUDIT REPORT IN ORDER TO MAINTAIN COMPLIANCE AND PREVENT EFFLUENT VIOLATIONS PER PERMIT REQUIREMENTS CONTAINED IN THE LOUISIANA WATER DISCHARGE PERMIT SYSTEM.**

Richard Aillet was present to discuss the matter saying that this resolution acknowledges that the City has reviewed the Environmental Audit Report as related to maintaining compliance and preventing effluent violations in the City's wastewater treatment system. After discussion, motion was made by Alderman Jedd Lewis, seconded by Alderman Levell Thurman, to adopt the resolution. The motion passed by unanimous vote. (RESOLUTION NO. 514 OF 2007)

**IV. CODE ENFORCEMENT:**

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

Triplex Drive                      Phillip Richard, Sr.

Mitch Dufour requested permission to begin the property condemnation process on listed property and that structures be demolished, removed or improved to meet

building codes. After discussion, motion was made by Alderman Elmore Mayfield, seconded by Alderman Jedd Lewis, to approve the request. The motion passed by unanimous vote.

**B. PUBLIC HEARING FOR THE PROPERTY OWNERS OF 205 WEST COLORADO AVENUE CONCERNING ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED THERE.**

Mitch Dufour reported that during the January 2, 2007, meeting the Council voted unanimously to accept a recommendation to demolish, remove or improve the structures at 205 West Colorado Avenue. He further stated that the property owner is listed as Frank M. Cordaro. Dufour reported that he had been advised by the property owner, who was not present for the hearing, that he had sold the structure to an individual who is removing boards one by one for the antique lumber.

Mayor Hollingsworth called for a public hearing at 5:37 p.m. Rev. Joseph Henderson, 204 West Colorado, came forward to share his concerns. The hearing was closed at 5:39 p.m., and the Mayor called for final consideration by the Council.

**C. DISCUSS AND TAKE APPROPRIATE ACTION ON THE ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED AT 205 WEST COLORADO AVENUE.**

Motion was made by Alderman Elmore Mayfield, seconded by Alderman Jedd Lewis, to order the structure condemned and set a time deadline of sixty (60) days for the property to be cleared. In the event that the owner fails or refuses to comply, the City will proceed with the demolition of the structure with all costs being billed to the owner. The motion passed by unanimous vote.

**D. PUBLIC HEARING FOR THE PROPERTY OWNERS OF 814 SOUTH FARMERVILLE STREET CONCERNING ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED THERE.**

Mitch Dufour stated that during the September 5, 2006, meeting, the Council voted unanimously to accept a recommendation to demolish, remove or improve the structures at 815 South Farmerville Street and to start the property condemnation process. The property owner is listed as Katherine S. Lester. Dufour further requested that the property be ordered condemned and a sixty day deadline set for the owner to demolish or remove the structure(s).

Mayor Hollingsworth called for a public hearing at 5:41 p.m. Having no one from the audience to comment, the Mayor closed the hearing at 5:41 p.m., and called for final consideration by the Council.

**E. DISCUSS AND TAKE APPROPRIATE ACTION ON THE ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED AT 814 SOUTH FARMERVILLE STREET.**

Motion was made by Alderman Elmore Mayfield, seconded by Alderman Jim Pearce, to approve the request. The motion passed by unanimous vote. It was noted that the property owner has five (5) days in which to appeal the Council's decision and in the event the owner fails or refuses to comply with the time frame allowed, then the City may proceed with the demolition of the structure with all costs being billed to the owner.

**F. PUBLIC HEARING FOR THE PROPERTY OWNERS OF 113 HILLY AVENUE CONCERNING ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED THERE.**

Mitch Dufour stated that during the March 5, 2007, meeting, the Council voted unanimously to accept a recommendation to demolish, remove or improve the structures owned by Dana O. Capers and located at 113 Hilly Avenue.

**G. DISCUSS AND TAKE APPROPRIATE ACTION ON THE ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED AT 113 HILLY AVENUE.**

Dufour reported that he had received a letter dated April 1, 2007, from Captain James Becker, Department of the Army, C Company, 402 Civil Affairs Battalion, Kirkuk, Iraq, APO AE 09366. Captain Becker is the commanding officer of property owner, Dana Capers, and the letter stated that due to military commitments, Capers is not currently able to appear and defend the action. The letter also stated that Capers is expected to return from deployment in Iraq and arrive at his home of record approximately mid-May 2007. After a brief discussion, motion was made by Alderman Levell Thurman and seconded by Alderman Jim Pearce, to postpone any action until the property owner has returned. The motion passed by unanimous vote.

**V. PLANNING AND ZONING:**

**A. INTRODUCE ORDINANCE NO. \_\_\_\_ OF 2007, 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 by Alderman Jedd Lewis.

**B. INTRODUCE ORDINANCE NO. \_\_\_\_ OF 2007, AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES OF THE CITY OF RUSTON, LOUISIANA BY CHANGING CERTAIN OF THE DISTRICT BOUNDARIES PROVIDED FOR THEREIN.**

Case No. 940: Application to rezone.  
Applicant: Judy Darby for Darby Holdings, LLC  
Location: 1803 and 1805 East Georgia Ave

The ordinance was introduced by Alderman Jedd Lewis.

**C. CONSIDER FOR ACTION CASE 941 – APPLICATION FOR TEMPORARY MOBILE HOME PERMIT.**

Case No. 941: Application for Temporary Mobile Home Permit  
Applicant: Richard Hinton  
Location: 2317 South Vienna Street

Jim Hays reported that Richard B. Hinton had applied for a temporary mobile home permit on his property at 2317 South Vienna. Hinton's application stated that the mobile home would be used for security reasons. Hays reported that the permit would be good for four (4) years. After discussion, motion was made by Alderman Levell Thurman and seconded by Alderman Elmore Mayfield to approve the application. The motion passed by unanimous vote.

**D. CONSIDER FOR ACTION CASE 943 – APPLICATION FOR TEMPORARY MOBILE HOME PERMIT.**

Case No. 943: Application for Temporary Mobile Home Permit  
Applicant: Luevather Williams  
Location: 911 Larson Street

Jim Hays stated that Luevather Williams had requested reinstatement of her temporary mobile home permit at 911 Larson Street because of health issues. Mrs. Williams' son will reside in the mobile home to provide assistance and attend to her medical needs. Motion was made by Alderman Jedd Lewis and seconded by Alderman Levell Thurman to approve the application. The motion passed by unanimous vote.

**VI. FINANCE:**

**A. PUBLIC HEARING.**

Mayor Hollingsworth called for a public hearing at 5:46 p.m. Having no one from the audience to comment, the Mayor closed the public hearing at 5:46 p.m., and called for final consideration by the Aldermen.

**B. CONSIDER ORDINANCE NO. \_\_\_\_ OF 2007, AMENDING AND REENACTING SECTION 27-161 OF CHAPTER 27 OF THE CODE OF ORDINANCES OF THE CITY OF RUSTON, LOUISIANA, RELATIVE TO THE MINIMUM MONTHLY SEWERAGE RATE.**

Alderman Elmore Mayfield made a motion, seconded by Alderwoman Marie Riggs, to adopt the ordinance. The title of the ordinance was read, a roll call vote was taken and the following result was had:

YEA: ALDERMAN JEDD LEWIS  
ALDERMAN ELMORE MAYFIELD  
ALDERMAN JIM PEARCE  
ALDERWOMAN MARIE RIGGS  
ALDERMAN LEVELL THURMAN

NAY: NONE

ABSENT: NONE

The motion passed by unanimous vote. (ORDINANCE NO. 1523 OF 2007)

**C. PUBLIC HEARING.**

Mayor Hollingsworth called for a public hearing at 5:48 p.m. Having no one from the audience to comment, the Mayor closed the public hearing at 5:48 p.m., and called for final consideration by the Aldermen.

**D. CONSIDER ORDINANCE NO. \_\_\_\_ OF 2007, AMENDING AND REENACTING SECTION 27-146 OF CHAPTER 27 OF THE CODE OF ORDINANCES OF THE CITY OF RUSTON, LOUISIANA, RELATIVE TO THE WATER RATE SCHEDULE.**

Alderman Elmore Mayfield made a motion, seconded by Alderwoman Marie Riggs, to adopt the ordinance. The title of the ordinance was read, a roll call vote was taken and the following result was had:

YEA: ALDERMAN JEDD LEWIS  
ALDERMAN ELMORE MAYFIELD  
ALDERMAN JIM PEARCE  
ALDERWOMAN MARIE RIGGS  
ALDERMAN LEVELL THURMAN

NAY: NONE

ABSENT: NONE

The motion passed by unanimous vote. (ORDINANCE NO. 1524 OF 2007)

**E. INTRODUCE ORDINANCE NO. \_\_\_\_ OF 2007, AMENDING ORDINANCE NO. 1515 OF 2006 OF THE CITY OF RUSTON PROVIDING THE DATE, TIME AND PLACE OF REGULAR MEETINGS OF THE BOARD OF ALDERMEN OF THE CITY OF RUSTON, LOUISIANA FOR CALENDAR YEAR 2007.**

The ordinance was introduced by Alderman Levell Thurman.

**F. PRESENTATION OF FYE 9/30/06 AUDIT.**

Doug Brewer gave the audit report for fiscal year ending September 30, 2006, saying that the City received an unqualified opinion. He said that there were two (2) compliance findings relating to Section 8. No action was taken.

- G.** INTRODUCE ORDINANCE NO. \_\_\_\_ OF 2007, ADOPTING AMENDMENTS FOR THE PERIOD OCTOBER 1, 2006, THROUGH MARCH 31, 2007, TO THE ANNUAL BUDGET OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR OCTOBER 1, 2006, THROUGH SEPTEMBER 30, 2007, FOR THE CITY OF RUSTON, LOUISIANA.

The ordinance was introduced by Alderman Elmore Mayfield.

- H.** ADOPT THE FOLLOWING BUDGET AMENDMENTS FOR BUDGET YEAR OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2007:

<b>1.</b>	<b>From:</b>	General Fund – Fund Balance	<13,975>
		RPAR – Fund Balance	<2,265>
		Electric Fund – Fund Balance	<5,240>
		Water Fund – Fund Balance	<5,368>
		Sewer Fund – Fund Balance	<1,872>
		Airport Fund – Fund Balance	<183>
		Ambulance Fund – Fund Balance	<299>
		Warehouse/Purchasing Fund – Fund Balance	<502>
		Section 8 Vouchers Fund – Fund Balance	<743>
	<b>To:</b>	See Attached	
<b>2.</b>	<b>From:</b>	General Fund – Fund Balance	<2,506,461>
		RPAR – Fund Balance	<178>
		Electric Fund – Fund Balance	<2,545,387>
		Water Fund – Fund Balance	<158,547>
		Sewer Fund – Fund Balance	<13,037,343>
		Airport Fund – Fund Balance	<82,867>
		Ambulance Fund – Fund Balance	<1,162>
	<b>To:</b>	See Attached	
<b>3.</b>	<b>From:</b>	Electric Fund – Customer Service Printing of Forms 5015 5260	<10,000>
	<b>To:</b>	Electric Fund – Customer Service Supplies 5015 5280	10,000
<b>4.</b>	<b>From:</b>	General Fund – Fund Balance	<30,000>
	<b>To:</b>	General Fund – Fire Department: Salaries – Overtime 130117 5112	30,000

Emmett Gibbs explained each budget amendment and following a brief discussion, motion was made by Alderman Jedd Lewis, seconded by Alderman Elmore Mayfield, to adopt the listed budget amendments. The motion passed by unanimous vote.

**VII. ADJOURN MEETING:**

There being no further business, the meeting of the Mayor and Board of Aldermen was adjourned at 5:58 p.m.

**05-07-07**  
**APPROVED**

**ATTEST:**

\_\_\_\_\_  
**EMMETT GIBBS, CLERK**

\_\_\_\_\_  
**DAN HOLLINGSWORTH, MAYOR**