

**MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF RUSTON HELD ON MONDAY, AUGUST 1, 2005, 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, August 1, 2005, 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, Jim Pearce and Alderwoman Marie Riggs were present. Aldermen Elmore Mayfield and Levell Thurman were absent.

Mayor Hollingsworth called the meeting to order at 5:30 p.m. Alderman Jedd Lewis led in the invocation.

**I. ADOPT:**

**A. AGENDA.**

Motion was made by Alderman Jim Pearce and seconded by Alderman Jedd Lewis to adopt the agenda as printed. The motion passed by unanimous vote.

**B. MINUTES OF JULY 5, 2005, REGULAR MEETING.**

Alderman Jim Pearce made a motion, seconded by Alderwoman Marie Riggs, to approve the Minutes of the July 5, 2005, Regular Council meeting. The motion passed by unanimous vote.

**II. ADMINISTRATION:**

**A. REAPPOINT ROBERT EARL SMITH TO THE BOARD OF ADJUSTMENT FOR A FIVE (5) YEAR TERM.**

Alderman Jim Pearce made a motion, seconded by Alderman Jedd Lewis to reappoint Robert Earl Smith to the Board of Adjustment for a five (5) year term. The motion passed by unanimous vote.

**B. AUTHORIZE CITY TO EXECUTE AMENDMENT #5 TO PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF RUSTON, LOUISIANA AND WAGGONER ENGINEERING, INC.**

Lewis Love was present to answer the Council's questions. Motion was made by Alderman Jedd Lewis and seconded by Alderman Jim Pearce to authorize the City to execute Amendment #5 to the agreement with Waggoner Engineering, Inc. The motion passed by unanimous vote.

**III. LIGHT AND POWER:**

**A. INTRODUCE ORDINANCE NO. \_\_\_\_ OF 2005, AMENDING CHAPTER 27 OF THE CODE OF ORDINANCES OF THE CITY OF RUSTON, LOUISIANA BY AMENDING SEC. 27-127 AND ADDING SEC. 27-132 AND SEC. 27-133 ESTABLISHING ELECTRICAL UTILITY RATES APPLICABLE TO CUSTOMERS WITH CUSTOMER OWNED GENERATION DESIRING TO OPERATE IN PARALLEL WITH THE CITY OF RUSTON.**

Zack Spivey was present to discuss the matter. He said that Louisiana Tech University was the only customer with customer owned generation desiring to operate in parallel with the City. The Ordinance was introduced by Alderman Jedd Lewis.

**B. ADOPT RESOLUTION NO. \_\_\_\_ OF 2005, AUTHORIZING CITY TO ACCEPT DONATION OF SERVITUDE FROM GREEN CLINIC, L.L.C. TO PROVIDE FOR**

## UNDERGROUND ELECTRIC SERVICE TO NEW SIGN.

Zack Spivey was present to discuss the matter. 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. 396 OF 2005)

### IV. AIRPORT:

- A. RESOLUTION NO. \_\_\_\_ OF 2005 AUTHORIZING CITY TO ENTER INTO GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR IMPROVEMENTS TO THE RUSTON REGIONAL AIRPORT.

Dale Sistrunk was present to discuss the matter. Motion was made by Alderman Jim Pearce and seconded by Alderman Jedd Lewis to adopt the resolution. The motion passed by unanimous vote. (RESOLUTION NO. 397 OF 2005)

### V. PARKS AND RECREATION:

- A. ADOPT RESOLUTION NO. \_\_\_\_ OF 2005, PROVIDING FOR CANVASSING THE RETURNS AND DECLARING THE RESULT OF THE SPECIAL ELECTION HELD IN THE CITY OF RUSTON, STATE OF LOUISIANA, ON SATURDAY, JULY 16, 2005, TO AUTHORIZE THE REDEDICATION AND CONTINUATION OF A SPECIAL TAX THEREIN.

Mayor Hollingsworth presented the resolution providing for canvassing the returns and declaring the result of the Special Election held in the City on Saturday, July 16, 2005, which election resulted in the rededication and continuation of a 3 mill tax authorized to be levied for a period of ten (10) years beginning with the year 2006 and ending with the year 2015, the proceeds of said tax to be used for the purpose of improving, maintaining, operating, acquiring and constructing parks, playgrounds, recreation centers and other recreational facilities in the City, together with the necessary furnishings and equipment therefor. (Vote Tabulation: **493 in favor of** and **159 against**. Majority for: 334) A motion was made by Alderman Jim Pearce and seconded by Alderwoman Marie Riggs to adopt the resolution. The motion passed by unanimous vote. (RESOLUTION NO. 398 OF 2005)

### VI. CODE ENFORCEMENT:

- A. PUBLIC HEARING FOR THE PROPERTY OWNERS OF 1312 ARLINGTON STREET CONCERNING ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED THERE.

Jim Hays said that he had not been able to notify property owner, Artis Lee Dykes, about the public hearing, his whereabouts being unknown, and that Ryan Madden, Attorney, has been appointed by the City to represent Mr. Dykes and/or his heirs at the hearing and during the condemnation and demolition process.

The Mayor opened a public hearing at 5:40 p.m., for the property owners. Since no property owners were present, Attorney Ryan Madden, representing the land owner, asked Hays questions pertaining to the matter. The hearing was closed at 5:43 p.m.

- B. DISCUSS AND TAKE APPROPRIATE ACTION ON THE ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED AT 1312 ARLINGTON STREET.

Jim Hays recommended that the structures located at 1312 Arlington Street be condemned and that 60 days be granted for the property owner to complete the demolition and remove the debris from that location. Motion was made by Alderwoman Marie Riggs and seconded by Alderman Jedd Lewis to condemn the property and grant 60 days for property owners to demolish and remove the debris from said property. The motion passed by unanimous vote.

**C. PUBLIC HEARING FOR THE PROPERTY OWNERS OF 808 HOWARD STREET CONCERNING ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED THERE.**

Jim Hays said that he had not been able to notify property owner, Geneva Albritton, about the public hearing, whereabouts being unknown, and that Ryan Madden, Attorney, has been appointed to represent Albritton and/or heirs at the hearing and during the condemnation and demolition process.

The Mayor opened a public hearing at 5:45 p.m., for the property owners. Since no property owners were present, Attorney Ryan Madden, representing the land owner, asked Hays questions pertaining to the matter. The hearing was closed at 5:48 p.m.

**D. DISCUSS AND TAKE APPROPRIATE ACTION ON THE ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED AT 808 HOWARD STREET.**

Jim Hays recommended that the structures located at 808 Howard Street be condemned and that 60 days be granted for the property owner to complete the demolition and remove the debris from that location. Motion was made by Alderman Jim Pearce and seconded by Alderman Jedd Lewis to approve the recommendation of Hays and grant 60 days for property owners to demolish and remove the debris from said property. The motion passed by unanimous vote.

**E. PUBLIC HEARING FOR THE PROPERTY OWNERS OF 1438 MAYBERRY STREET CONCERNING ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED THERE.**

Jim Hays said that he had not been able to notify property owner, Mate Mayfield, about the public hearing and his whereabouts are considered unknown. Therefore, the City has appointed Ryan Madden, Attorney, to represent Mr. Mayfield and/or his heirs at the hearing and during the condemnation and demolition process.

The Mayor opened a public hearing at 5:50 p.m., for the property owners. Since no property owners were present, Attorney Ryan Madden, representing the property owner, asked Hays questions pertaining to the matter. The hearing was closed at 5:53 p.m.

**F. DISCUSS AND TAKE APPROPRIATE ACTION ON THE ABATEMENT OF THE SUBSTANDARD STRUCTURES LOCATED AT 1438 MAYBERRY STREET.**

Jim Hays recommended that owner of property located at 1438 Mayberry Street be condemned and allow 60 days in which to complete the demolition and remove the debris from that location. Motion was made by Alderman Jim Pearce and seconded by Alderwoman Marie Riggs to approve the Hays' recommendation. The motion passed by unanimous vote.

**VII. PUBLIC WORKS:**

**A. INTRODUCE ORDINANCE NO. \_\_\_\_ OF 2005, AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF RUSTON RELATING TO BUILDINGS AND BUILDING REGULATIONS.**

The Ordinance was introduced by Alderman Jedd Lewis.

**VIII. PLANNING AND ZONING:**

**A. PUBLIC HEARING.**

Mayor Hollingsworth called on Lewis Love who explained that the ordinance as presented incorporates amendments to the July 5, 2005, introduced ordinance, which amendments are reflected by an annotated version of the ordinance and an itemized list provided in the Agenda packets. The Mayor entertained a motion to amend the

introduced ordinance. Alderwoman Marie Riggs made a motion, seconded by Alderman Jim Pearce, to amend the ordinance. The motion passed by unanimous vote.

Mayor Hollingsworth thereafter opened the public hearing at 5:55 p.m. to consider the ordinance, as amended. Having no one from the audience to speak, the Mayor closed the public hearing at 5:55 p.m. and called for final consideration by the Aldermen.

**B. ADOPT ORDINANCE NO. \_\_\_\_ OF 2005, AMENDING CHAPTER 22 OF THE CODE OF ORDINANCES OF THE CITY OF RUSTON RELATING TO SIGNS.**

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

YEA: ALDERMAN JEDD LEWIS  
ALDERMAN JIM PEARCE  
ALDERWOMAN MARIE RIGGS

NAY: NONE

ABSENT: ALDERMAN ELMORE MAYFIELD  
ALDERMAN LEVELL THURMAN

The motion passed by unanimous vote. (ORDINANCE NO. 1466 OF 2005)

**C. APPROVE CASE 861 – APPLICATION FOR A TEMPORARY MOBILE HOME PERMIT.**

Case #861: Action on an application for a Temporary Mobile Home Permit  
Applicant: Ethel Albritton  
Location: 817 Howard Street

Lewis Love said that the property owners, Gerald and Ethel Albritton, have requested an extension of a Temporary Mobile Home Permit which they received in 1990. He said that the temporary permit would extend for only four years. He further stated that the Planning and Zoning Commission had reviewed the request and voted unanimously to recommend Council approval. Mr. Love recognized Ethel Albritton, but she declined to comment. Motion was made by Alderman Jim Pearce and seconded by Alderwoman Marie Riggs to approve the request. The motion passed by unanimous vote.

**D. ADOPT RESOLUTION NO. \_\_\_\_ OF 2005, APPROVING FINAL PLAT OF UNIT I OF CREEKWOOD SUBDIVISION OF THE CITY OF RUSTON, LOUISIANA.**

(Case #867)

Applicant: Bryan and Freeman Development  
Location: Creekwood Subdivision, West Kentucky Avenue

Lewis Love was present to discuss the matter. Motion was made by Alderman Jim Pearce and seconded by Alderman Jedd Lewis to adopt the resolution. The motion passed by unanimous vote. (RESOLUTION NO. 399 OF 2005)

**E. INTRODUCE ORDINANCE NO. \_\_\_\_ OF 2005, 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 #863: Review and consider for action on application to rezone a lot from R-1 One Family Residential to R-3 Multi Family Residential.  
Applicant: Sandra Carter  
Location: 904 Cornell Avenue

The Ordinance was introduced by Alderman Jedd Lewis.

**F. INTRODUCE ORDINANCE NO. \_\_\_\_ OF 2005, 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 #864: Review and consider for action on application to rezone a lot from B-2 Light Business to R-3 Multi Family Residential  
Applicant: Frank Cordaro  
Location: West Alabama Avenue

The Ordinance was introduced by Alderman Jim Pearce.

**G. INTRODUCE ORDINANCE NO. \_\_\_\_ OF 2005, 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 #866: Review and consider for action on application to rezone a lot from R-10 Single Family Residential to R-1 Single Family Residential  
Applicant: Don McGehee  
Location: South side of West Kentucky Avenue West of Chautauqua Creek

The Ordinance was introduced by Alderman Jim Pearce.

**H. ADOPT RESOLUTION NO. \_\_\_\_ OF 2005, APPROVING FINAL PLAT OF UNIT NO. 6, LOT 1 OF RUSTON MIXED USE COMMERCIAL SUBDIVISION OF THE CITY OF RUSTON, LOUISIANA.**

(Case #868)

Applicant: Shane Morrison  
Location: Ruston Mixed-Use Commercial Park

Lewis Love was present to answer the Council's questions. 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. 400 OF 2005)

**IX. HOUSING:**

**A. ADOPT RESOLUTION NO. \_\_\_\_ OF 2005, REVISING THE ADMINISTRATIVE PLAN FOR THE RUSTON SECTION 8 HOUSING CHOICE VOUCHER PROGRAM.**

Lewis Love said that Section 8 Housing Voucher Program has continued to have budget cuts by the Department of Housing and Urban Development. In order to help control costs and maximize dollars for local use, the Section 8 Housing Board, comprised of the Board of Aldermen, met prior to the Council meeting and proposed revisions to the Administrative Plan. Love said that the proposed changes are: limiting the portability and restricting geographical areas that have the same or lower fair market rent as the City; and, implementing a lifetime ban against tenants convicted of a sex offense or methamphetamine drug offense. Motion was made by Alderman Jim Pearce and seconded by Alderwoman Marie Riggs to adopt the resolution. The motion passed by unanimous vote. (RESOLUTION NO. 401 OF 2005)

**X. FINANCE:**

**A. ADOPT THE FOLLOWING BUDGET AMENDMENTS FOR BUDGET YEAR OCTOBER 1, 2004, THROUGH SEPTEMBER 30, 2005:**

<b>1. From:</b>	Salaries – Regular 01-16-00-5110	<35,000>
<b>To:</b>	Salaries – Overtime 01-16-00-5112	35,000

<b>2.</b>	<b>From:</b>	General Fund – Fund Balance	<18,000>
	<b>To:</b>	Gasoline, Oil, Diesel	18,000
		01-16-00-5530	

Motion was made by Alderman Jedd Lewis and seconded by Alderman Jim Pearce to adopt the budget amendments. The motion passed by unanimous vote.

**XI. ADJOURN MEETING:**

There being no further business, the meeting was adjourned at 6:00 p.m.

August 20, 2005

**APPROVED**

**ATTEST:**

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

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