

MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF RUSTON HELD ON TUESDAY, SEPTEMBER 6, 2005, 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 Tuesday, September 6, 2005, at 5:30 p.m., in the 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 Hollingsworth called the meeting to order at 5:30 p.m. Following the invocation led by Alderman Jim Pearce, the Mayor commented on the impact of Hurricane Katrina on millions of people in the Gulf Coast states. He stated, "Our City has been a place of refuge of literally thousands of families and individuals. Tragic events sometimes open windows of opportunity. I just want to go on record on behalf of the City Council to let our community know that I could never be more proud of this community than we are right now. It renews your faith in our people and our nation when you see so many volunteers step forward to give of their time for others. It has put somewhat of a strain on the Civic Center staff and Police and Fire Department members have been involved in rescue work in New Orleans but it has also been exciting to watch as our churches, our City employees and staff, parish officials, Civic Clubs, individuals, families, Red Cross volunteers, schools, teachers, nurses, doctors and other health care professionals, Louisiana Tech and Grambling, all working unselfishly for the welfare of others. But, I think most of all, our people have opened their hearts to these displaced individuals and have reached out to them and demonstrated in word and in deed that they care. It is the greatest gift of all and we will all discover again that what we do for others always results in a blessing for the givers as well."

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 AUGUST 20, 2005, REGULAR MEETING.

Alderman Jim Pearce made a motion, seconded by Alderman Levell Thurman, to approve the Minutes of the August 20, 2005, Regular Council meeting. The motion passed by unanimous vote.

II. LIGHT AND POWER:

A. PUBLIC HEARING:

Zack Spivey was present to discuss the matter. After a brief discussion, Mayor Hollingsworth called for a public hearing at 5:36 p.m. Having no one from the audience to speak relative to the matter, the Mayor closed the public hearing at 5:36 p.m. and called for final consideration by the Aldermen.

B. ADOPT 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.

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. 1467 OF 2005).

- C. ADOPT RESOLUTION NO. ____ of 2005, AUTHORIZING CITY TO ENTER INTO AGREEMENT WITH ENTERGY SERVICES, INC., TO PREPARE AN ENGINEERING AND DESIGN ESTIMATE FOR A SECOND POWER DELIVERY POINT FOR THE CITY AT THE ENTERGY LOUISIANA, INC., VIENNA SUBSTATION.

Zack Spivey was present to answer the Council's questions. After a discussion, 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. 404 OF 2005)

III. WATER UTILITIES:

- A. ADOPT RESOLUTION NO. ____ OF 2005, RESOLUTION AUTHORIZING FISCAL YEAR 2006/2007 LOUISIANA COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION.

Richard Aillet was present to answer the Council's questions. After a discussion, 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. 405 OF 2005)

IV. PUBLIC WORKS:

- A. PUBLIC HEARING:

Mayor Hollingsworth called for a public hearing at 5:42 p.m. Having no one from the audience to speak relative to the matter, the Mayor closed the public hearing at 5:42 p.m. and called for final consideration by the Aldermen.

- B. ADOPT ORDINANCE NO. ____ OF 2005, AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF RUSTON RELATING TO BUILDINGS AND BUILDING REGULATIONS.

Lewis Love was present to answer the Council's questions. Alderman Jim Pearce made a motion, seconded by Alderman Jedd Lewis, 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. 1468 OF 2005)

- C. ADOPT RESOLUTION NO. ____ OF 2005, RESOLUTION ESTABLISHING FEES FOR PERMITS AND INSPECTIONS PURSUANT TO SECTION 8-2 OF THE CODE OF ORDINANCES OF THE CITY OF RUSTON, LOUISIANA.

Lewis Love was present to answer the Council's questions. After a discussion, motion was made by Alderwoman Marie Riggs and seconded by Alderman Elmore Mayfield to

adopt the resolution. The motion passed by unanimous vote. (RESOLUTION NO. 406 OF 2005)

D. INTRODUCE ORDINANCE NO. ____ OF 2005, AUTHORIZING THE SALE OF VEHICLES AS SURPLUS MOVABLE PROPERTY.

The ordinance was introduced by Alderman Jedd Lewis.

E. ADOPT RESOLUTION NO. ____ OF 2005, RESOLUTION AUTHORIZING CITY TO ENTER INTO COOPERATIVE ENDEAVOR AGREEMENT WITH THE LOUISIANA FACILITY PLANNING AND CONTROL CAPITAL OUTLAY SECTION FOR IMPROVEMENTS TO GOODWIN ROAD.

Lewis Love was present to answer the Council's questions. After a discussion, 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. 407 OF 2005)

F. ADOPT RESOLUTION NO. ____ OF 2005, RESOLUTION AUTHORIZING CITY TO ENTER INTO COOPERATIVE ENDEAVOR AGREEMENT WITH THE LOUISIANA FACILITY PLANNING AND CONTROL CAPITAL OUTLAY SECTION FOR IMPROVEMENTS TO TARBUTTON ROAD.

Lewis Love was present to answer the Council's questions. After a discussion, 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. 408 OF 2005)

V. PLANNING & ZONING:

A. PUBLIC HEARING:

Lewis Love was present to discuss the matter. Mayor Hollingsworth called for a public hearing at 5:48 p.m. Having no one from the audience to speak relative to the matter, the Mayor closed the public hearing at 5:48 p.m. and called for final consideration by the Aldermen.

B. ADOPT 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 Ave.

Alderwoman Marie Riggs made a motion, seconded by Alderman Elmore Mayfield, 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. 1469 OF 2005)

C. PUBLIC HEARING:

Lewis Love was present to discuss the matter. Mayor Hollingsworth called for a public

hearing at 5:50 p.m. Having no one from the audience to speak relative to the matter, the Mayor closed the public hearing at 5:50 p.m. and called for final consideration by the Aldermen.

D. ADOPT 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 Ave.

Alderswoman Marie Riggs made a motion, seconded by Alderman Elmore Mayfield, 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. 1470 OF 2005)

E. PUBLIC HEARING:

Lewis Love was present to comment on the matter. Mayor Hollingsworth called for a public hearing at 5:53 p.m. The following came forward from the audience to speak relevant to the matter: Don McGehee requested tabling the ordinance; Evelyn James (501 Chautauqua Road), Loyce Garrett Miller (1602 Ridge Drive), and Noula Rodakis. Don McGehee also requested leaving it like it was. The Mayor closed the public hearing at 6:05 p.m. and called for final consideration by the Aldermen.

F. ADOPT 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

After discussion, Alderman Levell Thurman made a motion to table the matter and the motion died for lack of a second. Alderman Jim Pearce made a motion, seconded by Alderswoman Marie Riggs to leave things as they are, i.e., to deny the request and leave the area in question zoned R-10. The Council was polled and the motion passed by unanimous vote.

G. CONSIDER ACTION ON AN APPLICATION FOR A CONDITIONAL USE FOR A CHURCH AND DAYCARE IN A RESIDENTIAL AREA.

Case #869: Conditional Use for a church and daycare in a residential area

Applicant: Keith Upton

Location: 217 Luntsford Lane

Lewis Love was present to discuss the matter. He said the Planning Commission recommended denying the request. Annette and Earl Albritton (723 Jody Court)

explained why they felt the request should be denied. After discussion, Alderman Elmore Mayfield made a motion that the request be denied. The motion was seconded by Alderman Jim Pearce and passed by unanimous vote.

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

Lewis Love was present to answer the Council's questions. After a discussion, motion was made by Alderman Jedd Lewis and seconded by Alderman Elmore Mayfield to adopt the resolution. The motion passed by unanimous vote. (RESOLUTION NO. 409 OF 2005)

- I.** INTRODUCE ORDINANCE NO. ____ OF 2005, ADDING SECTION 24-24 AND AMENDING SECTION 24-25 OF CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF RUSTON RELATING TO LAND DEVELOPMENT WITH RESPECT TO RESIDENTIAL SUBDIVISIONS, AND ADDRESSING THE TEMPORARY MORATORIUM IMPOSED BY ORDINANCE NUMBER 1463 OF 2005.

The ordinance was introduced by Alderman Elmore Mayfield.

VI. FINANCE:

- A.** PUBLIC HEARING:

Mayor Hollingsworth called for a public hearing at 6:20 p.m. Having no one from the audience to speak relative to the matter, the Mayor closed the public hearing at 6:20 p.m. and called for final consideration by the Aldermen.

- B.** ADOPT ORDINANCE NO. ____ OF 2005, ADOPTING THE BUDGET OF REVENUE AND EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2005, AND ENDING SEPTEMBER 30, 2006, FOR THE CITY OF RUSTON, LOUISIANA.

Alderman Jim Pearce made a motion, seconded by Alderman Elmore Mayfield, 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. 1471 OF 2005)

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

| | | | |
|-----------|--------------|---|----------|
| 1. | From: | General Fund – Façade Grant Revenue | <10,000> |
| | To: | General Fund – Civic Center – Façade Grant Expenditures | 10,000 |
| 2. | From: | General Fund – Fund Balance | <35,250> |
| | To: | General Fund – Civic Center | |
| | | Contract Labor 120113 5114 | 30,000 |
| | | Equip to Account for 120113 5286 | 5,000 |

| | | | |
|-----------|--------------|--|-------------------------------|
| | | Gas, Oil, & Diesel 120113 5530 | 250 |
| 3. | From: | General Fund – RPD Miscellaneous 13 4215 | <90,500> |
| | To: | General Fund – Police Capital Assets 130116 5810 | 90,500 |
| 4. | From: | General Fund – Fund Balance Ambulance Fund – Fund Balance | <53,500> <1,500> |
| | To: | General Fund – Fire Department Salaries – Regular 130117 5110 Supplies 130117 5280 Gas, Oil, & Diesel 130117 5530 | 40,000 9,500 4,000 |
| | | Ambulance Fund Salaries – Regular 5510 5110 | 1,500 |
| 5. | From: | General Fund – Fund Balance Electric Fund – Fund Balance | <8,500> <11,700> |
| | To: | General Fund – Street Lighting Maint Streets/Traffic Lights 130118 5360 | 8,500 |
| | | Electric Fund – Admin FICA Tax 5010 5129 | 700 |
| | | Electric Fund – Distribution Overtime 5013 5112 | 4,000 |
| | | Electric Fund – Customer Service Overtime 5015 5112 | 3,000 |
| | | Electric Fund – Meter Readers Overtime 5016 5112 | 4,000 |
| 6. | From: | General Fund – Solid Waste Consulting 140122 5650 | <6,400> |
| | | General Fund – Section 8 Contract Labor 120135 5114 | <15,360> |
| | To: | General Fund – Public Works Admin Overtime 140120 5112 | 1,000 |
| | | General Fund – Solid Waste Capital Assets 140122 5810 | 3,100 |
| | | General Fund – Engineering Salaries – Regular 120123 5110 | 300 |
| | | General Fund – Animal Control Health Insurance 140125 5130 | 1,900 |
| | | General Fund – Section 8 Salaries – Regular 120135 5110 FICA Tax 120135 5129 Capital Assets 120135 5810 | 14,000 1,360 100 |
| 7. | From: | 1968 Sales Tax Fund – Fund Balance 1985 Sales Tax Fund – Fund Balance 1990 Sales Tax Fund – Fund Balance | <1,000> <1,000> <1,000> |

| | | | |
|------------|--------------|--|-----------|
| | To: | 1968 Sales Tax Fund – Collection Costs 520510 5635 | 1,000 |
| | | 1985 Tax Fund – Collection Costs 620610 5635 | 1,000 |
| | | 1990 Sales Tax Fund – Collection Costs 720710 5635 | 1,000 |
| 8. | From: | Parks & Recreation Fund – Fund Balance | <32,000> |
| | To: | Parks & Recreation – Overtime 1551510 5112 | 1,200 |
| | | Parks & Recreation – Contract Labor 1551510 5114 | 30,000 |
| | | Parks & Recreation – Auto Allowance 1551510 5510 | 800 |
| 9. | From: | Water Fund – Fund Balance | <26,500> |
| | To: | Water Fund – Administrative Salaries – Regular 5210 5110 | 13,000 |
| | | Contract Labor 5210 5114 | 1,500 |
| | | Retirement 5210 5120 | 2,200 |
| | | Water Fund – Production Salaries – Regular 5211 5110 | 200 |
| | | Overtime 5211 5112 | 2,700 |
| | | FICA Tax 5211 5129 | 200 |
| | | Water Fund – Distribution Supplies 5212 5280 | 4,000 |
| | | Gas, Oil & Diesel 5212 5530 | 2,700 |
| 10. | From: | Sewer – Fund Balance | <59,100> |
| | To: | Sewer Fund -- Collection Overtime 5311 5112 | 8,000 |
| | | Sewer Fund – Treatment Plant Salaries – Regular 5312 5110 | 6,500 |
| | | Utilities 5312 5410 | 40,000 |
| | | Sewer Fund – Land Farm Overtime 5314 5112 | 4,500 |
| | | Travel 5314 5160 | 100 |
| 11. | From: | Airport Fund Federal Funds 54 4300 | <210,900> |
| | | State Funds 54 4302 | <21,100> |
| | To: | Airport Fund Capital Assets 5410 5810 | 237,592 |
| 12. | From: | Airport Fund – Fund Balance | <543> |
| | To: | Airport Fund – Travel 5410 5160 | 543 |
| 13. | From: | General Fund – Street Department Capital Assets 140121 5810 | <21,000> |
| | To: | General Fund – Street Department Gas, Oil, & Diesel 140120 5530 | 21,000 |

Alderman Elmore Mayfield made a motion, seconded by Alderman Jedd Lewis, to adopt the thirteen (13) budget amendments. The motion passed by unanimous vote.

VII. LEGAL:

A. PENDING LITIGATION:

Gulf States Protective Coatings, Inc. vs. City of Ruston, Louisiana, Civil Docket No. 49,372, Third Judicial District Court, Lincoln Parish, Louisiana

Alderman Levell Thurman made a motion, seconded by Alderman Elmore Mayfield, to enter into Executive Session. The motion passed by unanimous vote and the Mayor and Board of Aldermen entered into Executive Session at 6:20 p.m.

Alderman Jedd Lewis made a motion, seconded by Alderman Elmore Mayfield, to end the Executive Session and reconvene the Council meeting. Upon a unanimous vote, the Council reconvened the regular session at 6:45 p.m.

VIII. ADJOURN MEETING:

There being no further business, the meeting of the Mayor and Board of Aldermen was adjourned at 6:45 p.m.

10-03-05
APPROVED

ATTEST:

EMMETT GIBBS, CLERK

DAN HOLLINGSWORTH, MAYOR