



City of Lake Charles

Meeting Minutes

City Council

326 Pujo Street
P.O. Box 1178
Lake Charles, LA 70602-
1178

Wednesday, November 21, 2012

5:30 pm

Council Chambers at City Hall

CALL TO ORDER - Mark Eckard, President of the Council, presided

INVOCATION - Rodney Geyen

PLEDGE OF ALLEGIANCE - Eligha Guillory

ROLL CALL

Present: Mark Eckard, John Ieyoub, Rodney Geyen, Marshall Simien and Stuart Weatherford

Absent: Dana Carl Jackson and Luvertha August

Also present were Billy E. Loftin, Jr., City Attorney and Lynn F. Thibodeaux, Clerk of the Council.

APPROVAL OF MINUTES OF NOVEMBER 7, 2012

A motion was made to approve the minutes. The motion carried by the following vote:

For: John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford

Absent: Dana Carl Jackson and Luvertha August

APPOINTMENTS

1. **690-11** An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement for Project No. 2011-594, CP. No. 3143, 3rd Avenue and 3rd Street Sewer Lift Station Rehabilitation.

Sponsors: Rodney Geyen

Appointed Rodney Geyen Chairman.

2. **485-12** An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement for purchase of PVC and Ductile Iron Pipe for a one year period, with the option to renew for an additional one (1) year period, for use by the Public Works Department, Water Division.

Sponsors: Dana Carl Jackson

Appointed Dana Jackson Chairman.

3. **322-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 33 Raintree Cove (including swimming pool), Kisha Lynn Killmer, owner.

Mr. Loftin presented photographs and a report as to the condition of the structure and requested to proceed with the demolition with the normal delays. Tony Fazzio, 501 Scarlett St, spoke on behalf of J. P. Morgan Chase Bank who requested additional time to address the swimming pool drainage problem and the minor repairs to the structure and fence. Mr. Eckard recommended time delays of 120/120 which were approved by the following vote.

A motion was made that this matter be adopted. The motion carried by the following vote:

For: John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford

Absent: Dana Carl Jackson and Luvertha August

Enactment No: 16448

4. **457-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 524 North Booker Street, Safay Lee Thibodeaux Ford, Darrell Ford, Diverson Ford, Jr., Jacqueline Goins and Pamela Joseph, owners.

Deleted as the demolition process is complete.

5. **458-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 1129 1/2 North Booker Street, Angelys P. August, owner.

Deleted as the demolition process is complete.

6. **459-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 2121 Cessford Street, Herman Gamble, II, owner.

Mr. Loftin presented photographs and a report as to the condition of the structure and requested to proceed with the demolition with the normal delays. Herman Gamble, 513 N. Cherry St. requested additional time to repair the structure. Mr. Simien recommended time delays of 120/120 as his permits have been pulled. Sherlyn Jefferson, 513 N. Cherry St., mother of Herman Gamble, requested additional time of 180 days to repair. Mr. Simien indicated that during the 120 days if they were making substantial progress, an extension may be considered.

A motion was made that this matter be adopted. The motion carried by the following vote:

For: John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford

Absent: Dana Carl Jackson and Luvertha August

Enactment No: 16449

7. **460-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 302 North Goos Boulevard, Edward Washington, owner.
- Mr. Loftin presented photographs and a report as to the condition of the structure and requested to proceed with the demolition with the normal delays. There were no requests to speak on this item. Mr. Simien stated there were problems with vagrants at this location and recommended time delays of 30/30 which were approved by the following vote.*
- A motion was made that this matter be adopted. The motion carried by the following vote:**
- For:** John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford
- Absent:** Dana Carl Jackson and Luvertha August
- Enactment No:** 16450
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8. **461-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 819 Pear Street, Wesley John Montgomery, Sr., Wesley Montgomery, Jr., Terrella Denise Harmon, Donna Faye Montgomery Hudson, Diana Key (Nolden) Montgomery, owners.
- Mr. Loftin presented photographs and a report as to the condition of the structure and requested to proceed with the demolition with the normal delays. Robert Lewis, 1615 Moeling St. stated that Mr. Montgomery was in an accident and requested the Council give additional time to repair the structure. Mr. Simien recommended time delays of 30/60 which were approved by the following vote.*
- A motion was made that this matter be adopted. The motion carried by the following vote:**
- For:** John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford
- Absent:** Dana Carl Jackson and Luvertha August
- Enactment No:** 16451
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9. **462-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 619 Holmes Street (barn/shed only), Levi Joseph Dunbar, Jr., owner.
- Mr. Loftin presented photographs and a report as to the condition of the structure and requested to proceed with the demolition with the normal delays. There were no requests to speak on this item. Mr. Geyen recommended normal time delays of 30/60 which were approved by the following vote.*
- A motion was made that this matter be adopted. The motion carried by the following vote:**
- For:** John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford
- Absent:** Dana Carl Jackson and Luvertha August
- Enactment No:** 16452

ORDINANCES FOR FINAL ACTION

- 10. 516-12** An ordinance authorizing the settlement of a claim against the City of Lake Charles in the suit styled "Nikia Guillory vs. City of Lake Charles and Christopher McCauley," No. 2009-004636 "Div. F.", on the docket of the 14th Judicial District Court, involving an automobile accident at the intersection of Enterprise Boulevard and Third Street on November 11, 2008.
- The Council Members declined to go into Executive Session to discuss the matter. Mr. Geyen recommended amending the ordinance to correct the street name from Third Avenue to Third Street.*
- A motion was made by Councilman Geyen, seconded by Councilman Simien, that this matter be amended. The motion carried by the following vote:**
- For:** John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford
- Absent:** Dana Carl Jackson and Luvertha August
- A motion was made that this matter be adopted as amended. The motion carried by the following vote:**
- For:** John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford
- Absent:** Dana Carl Jackson and Luvertha August
- Enactment No:** 16453
- 11. 517-12** An ordinance authorizing the City of Lake Charles to enter into an Architectural and Engineering Agreement with D. W. Jessen & Associates, LLC for CP No. 2899, Tract One D-National Hurricane Museum and Science Center Project.
- Robert Lewis, 1615 Moeling St. spoke regarding the ordinance.*
- A motion was made that this matter be adopted. The motion carried by the following vote:**
- For:** John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford
- Absent:** Dana Carl Jackson and Luvertha August
- Enactment No:** 16454

12. **518-12** An ordinance authorizing the City of Lake Charles to amend the current agreement with the Calcasieu Parish School Board which allows their collection of sales and use taxes, including interest, penalties, fees and costs, as levied by the City of Lake Charles to authorize the engagement of a law firm to represent the City in an action against BP for its impact on sales tax collections.
- A motion was made that this matter be adopted. The motion carried by the following vote:**
- For:** John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford
- Absent:** Dana Carl Jackson and Luvertha August
- Enactment No:** 16455
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13. **520-12** An ordinance authorizing an extension of the deadlines on a condemned structure located at 2038 5th Avenue, Royan Dwayne Breaux, owner.
- Sponsors:** Luvertha August
- Ryan Breaux, 2040 5th Avenue, requested an extension to complete the repairs to the structure. Mr. Geyen, on behalf of Ms. August, recommended time delays of 120/120 which were approved by the following vote.*
- A motion was made that this matter be adopted. The motion carried by the following vote:**
- For:** John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford
- Absent:** Dana Carl Jackson and Luvertha August
- Enactment No:** 16456
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14. **521-12** An ordinance authorizing the City of Lake Charles to enter into a three year software license agreement with CarteGraph for a work order system currently used by the Public Works Department.
- A motion was made that this matter be adopted. The motion carried by the following vote:**
- For:** John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford
- Absent:** Dana Carl Jackson and Luvertha August
- Enactment No:** 16457

15. **524-12** An ordinance authorizing the City of Lake Charles to enter into a Mutual Aid Agreement with Chennault International Airport Authority and the Lake Charles Harbor and Terminal District (Port of Lake Charles) to provide fire protection services.

A motion was made that this matter be adopted. The motion carried by the following vote:

For: John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford

Absent: Dana Carl Jackson and Luvertha August

Enactment No: 16458

16. **525-12** An ordinance authorizing an extension of the deadlines on a condemned structure located at 909 North Simmons Street, Johnny Henry Baker, owner.

Sponsors: Marshall Simien

John Baker, 909 N. Simmons requested an extension of time to complete the repairs to the structure. Mr. Simien recommended extension delays of 120/120 which were approved by the following vote.

A motion was made that this matter be adopted. The motion carried by the following vote:

For: John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford

Absent: Dana Carl Jackson and Luvertha August

Enactment No: 16459

17. **541-12** Introduction and final action of an ordinance authorizing the City of Lake Charles, Louisiana to accept a back-up offer to purchase the former Sears retail property located at 600 Ryan Street in the event that the first offer does not close.

Chris Khoury, 900 Ryan St. and Howard Green, 333 Mill St. spoke regarding the ordinance.

A motion was made that this matter be adopted and introduced as read into the record by Billy Loftin, Jr. The motion carried by the following vote:

For: John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford

Absent: Dana Carl Jackson and Luvertha August

Enactment No: 16460

THE FOLLOWING RESOLUTIONS MAY BE ADOPTED BY CONSENT

21. **529-12** A resolution authorizing the City of Lake Charles to advertise to receive sealed bids to purchase One (1) Street Sweeper, for use by the Lakefront/Downtown Development District, Maintenance Division.

Deleted at the request of Mister Edwards.

22. **539-12** A resolution reappointing Bernard R. Beaco to the Southwest Louisiana Convention and Visitors Bureau Board for a three-year term commencing January 1, 2013 and ending December 31, 2015

A motion was made that this matter be adopted. The motion carried by the following vote:

For: John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford

Absent: Dana Carl Jackson and Luvertha August

Enactment No: 195-12

18. **526-12** A resolution accepting Bond Project No. SW0003, Muirfield Pump Station and Force Main, Phase IV, as substantially complete and authorizing the advertising of the 45-day lien period.

This Matter was adopted on the Consent Agenda.

Enactment No: 196-12

19. **527-12** A resolution setting date for condemnation of structure located at 2218 21st Street (swimming pool only), Mui A. Ung, owner.

This Matter was adopted on the Consent Agenda.

Enactment No: 197-12

20. **528-12** A resolution setting date for condemnation of structure located at 2600 East General Wainwright, Paul R. Broussard, Jr., owner.

This Matter was adopted on the Consent Agenda.

Enactment No: 198-12

23. **548-12** A resolution requesting the State of Louisiana, Department of Transportation and Development change the designation of the highway on the I-210 signs on I-10 both eastbound and westbound from Lake Charles By-Pass to Lake Charles Loop

Sponsors: Marshall Simien

This Matter was adopted on the Consent Agenda.

Enactment No: 199-12

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

For: John Ieyoub, Mark Eckard, Rodney Geyen, Marshall Simien and Stuart Weatherford

Absent: Dana Carl Jackson and Luvertha August

THE FOLLOWING ORDINANCES ARE FOR INTRODUCTION BY CONSENT AND WILL BE READ INTO THE RECORD THE DAY FOLLOWING THIS MEETING AT 9:00A.M. IN THE CITY COUNCIL CHAMBERS IN CITY HALL

24. **530-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 2218 21st Street (swimming pool only), Mui A. Ung, owner.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
25. **531-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 2600 East General Wainwright, Paul R. Broussard, Jr., owner.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
26. **532-12** An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement to purchase One (1) Street Sweeper, for use by the Lakefront/Downtown Development District, Maintenance Division.
- Deleted at the request of Mister Edwards.**
27. **533-12** An ordinance authorizing the City of Lake Charles to enter into an agreement to purchase Five (5) 4-Door, Full-size, Rear Wheel Drive, Police Package Sport Utility Vehicles, for use by the Lake Charles Police Department, Patrol Division, through State Contract No. 409387.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
28. **535-12** An ordinance authorizing the City enter into a Joint Services Agreement with the Calcasieu Parish District Attorney's Office to accept the donation of a vehicle purchased by the District Attorney's Office for use by the Lake Charles Police Department's Traffic Enforcement Division.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
29. **536-12** An ordinance amending the Official Zoning Map of the City of Lake Charles, Louisiana, in order to re-zone property located at 1228-1232 North Wendell Street, from Residential to a Business Zoning District to construct a Raceway Market Development.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**

30. 537-12 An ordinance amending the Official Zoning Map of the City of Lake Charles, Louisiana, in order to re-zone property located at the southside of the 2500 block of Industrial Avenue, from Residential to a Mixed Use Zoning District to construct an accessory gravel parking and truck staging area for the existing industrial uses.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.
31. 538-12 An ordinance amending the Operating and Capital Budget for the 2011-2012 fiscal year.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.
32. 540-12 An ordinance authorizing an extension of the deadlines on a condemned structure located at 649 V. E. Washington Avenue, Leona Pickens Estate, Martha Pickens Pettaway, Mary Pickens Collins, Jessie Pickens, Walter Pickens, Joseph D. Pickens, Anna M. Pickens, Leon N. Pickens and Caroline Mitchell Thompson Glenn, owners.
- Sponsors: Luvertha August
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.
33. 546-12 An ordinance authorizing the City of Lake Charles to issue a moratorium on permits to erect crematoriums within the city limits of the City of Lake Charles pending the findings of the City Council committee.
- Sponsors: Dana Carl Jackson
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.
34. 547-12 An ordinance naming an unnamed alley running east of Hodges St. to Common St. between 10th St. and 11th St. "M. H. Jessen Alley"
- Sponsors: John leyoub
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.
- Mr. Eckard stated item 26 was deleted and that items 24, 25 and 27 through 34 would be read into the record by Lynn F. Thibodeaux, Clerk of the Council on Monday, November 26, 2012 at 9:00a.m. in the City Council Chambers.*

ADJOURNMENT

A motion was made to adjourn. The motion carried unanimously.

STATE OF LOUISIANA :

PARISH OF CALCASIEU :

I, LYNN F. THIBODEAUX, do hereby certify that I am the duly qualified and acting Clerk of the Council of the City of Lake Charles, Calcasieu Parish, Louisiana.

I further certify that the above and foregoing constitutes a true and correct copy of the Minutes of a meeting of the City Council of said City, held on the 21st day of November, 2012.

WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of said City, this 29th day of November, 2012.

S/Lynn F. Thibodeaux
LYNN F. THIBODEAUX
CLERK OF THE COUNCIL

STATE OF LOUISIANA :

PARISH OF CALCASIEU :

I, LYNN F. THIBODEAUX, do hereby certify that I am the duly qualified and acting Clerk of the Council of the City of Lake Charles, Calcasieu Parish, Louisiana.

I further certify that the above and foregoing constitutes a true and correct copy of the Ordinances adopted at a meeting of the City Council of said city held on the 21st day of November, 2012.

WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of said City, this 29th day of November, 2012.

S/Lynn F. Thibodeaux
LYNN F. THIBODEAUX
CLERK OF THE COUNCIL