



City of Lake Charles

Meeting Minutes

City Council

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

Wednesday, December 19, 2012

5:30 pm

Council Chambers at City Hall

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

INVOCATION - Marshall Simien, Jr.

PLEDGE OF ALLEGIANCE - Mister Edwards

ROLL CALL

Present: Mark Eckard, John Ieyoub, Dana Carl Jackson, Marshall Simien, Stuart Weatherford and Luvertha August

Absent: Rodney Geyen

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

APPROVAL OF MINUTES OF DECEMBER 5, 2012

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

For: John Ieyoub, Mark Eckard, Dana Carl Jackson, Marshall Simien, Stuart Weatherford and Luvertha August

Absent: Rodney Geyen

Col. Van Camp and Captain Haddox from Fort Polk presented a plaque to Chief Keith Murray on behalf of the Fire Department for their participation in the Urgent Response Field Training Exercise at Fort Polk on December 3, 2012.

APPOINTMENTS

1. **512-12** An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement to purchase Three (3), 4-Door Late Model Sedans, for use by the Lake Charles Police Department, Detective Division and Narcotics Division.

 Sponsors: Dana Carl Jackson

 Appointed Dana Jackson Chairman.

2. **513-12** An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement to purchase Two (2) Police Package Motorcycles, for use by the Lake Charles Police Department, Traffic Division.

 Sponsors: Dana Carl Jackson

 Appointed Dana Jackson Chairman.

3. 514-12 An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement to purchase a law enforcement package watercraft to be used in the fulfillment of homeland security operations, tactical operations, dive operations and emergency operations as needed, through the 2011 Port Security Grant Program.
- Sponsors:** Stuart Weatherford
- Appointed Stuart Weatherford Chairman.**
4. 515-12 An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement to purchase a Side Scan Sonar for the Lake Charles Police Department, through the 2010 Port Security Grant Program.
- Sponsors:** Stuart Weatherford
- Appointed Stuart Weatherford Chairman.**
5. 556-12 An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement for Project No. 2012-612, CP No. 3159, 30" Sewer Main CIPP Lining Franklin Street from Church Street to Pryce Street, Pryce Street from Franklin Street to 1st Avenue; and 1st Avenue from Pryce Street approximately 80 feet.
- Sponsors:** Marshall Simien
- Appointed Marshall Simien, Jr. Chairman.**

PUBLIC HEARINGS

6. 508-12 An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 715 South Cherry Street, (including shed), Enolia Gobert, Randall Joseph Gobert, Ricky Peter Gobert, Leigh Gobert Smith, subject to a tax sale to State of Louisiana, 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. There were no requests to speak on this item. Ms. August 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, Dana Carl Jackson, Marshall Simien, Stuart Weatherford and Luvertha August
- Absent:** Rodney Geyen
- Enactment No:** 16471

7. **509-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 1331 Fournet Street, Donald Ray Tousand, Delores J. Tousand and Justine V. Tousand, 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. There were no requests to speak on this item. Doug Burguières clarified that the demolition was for the garage only. Mr. Simien recommended time delays of 15/15 due to the collapsed garage 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, Dana Carl Jackson, Marshall Simien, Stuart Weatherford and Luvertha August

Absent: Rodney Geyen

Enactment No: 16472

8. **510-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 2023 Martha Street, Stroney Rigmaiden, 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. Amanda Guiton, 1123 Sampson St., Westlake, LA, requested additional time to demolish the structure. Mr. Simien recommended time days of 90/90 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, Dana Carl Jackson, Marshall Simien, Stuart Weatherford and Luvertha August

Absent: Rodney Geyen

Enactment No: 16473

9. **511-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 2614 Allen Street, Willard Malbroux Testamentary Trust, et al , 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. Charles Malbroux, 6929 Gold St. spoke on behalf of his sister and requested additional time to demolish the structure. Ms. August recommended time delays of 90/90 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, Dana Carl Jackson, Marshall Simien, Stuart Weatherford and Luvertha August

Absent: Rodney Geyen

Enactment No: 16474

ORDINANCES FOR FINAL ACTION

11. **420-12** An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement for Project No. 2012-609, CP. No. 2944, Demolition of North Underground Reservoir at the George West Water Plant.

Sponsors: Rodney Geyen

A motion was made that this matter be adopted and accept the recommended bid from McManus Construction, Inc. in the amount of \$392,762.00. The motion carried by the following vote:

For: John Ieyoub, Mark Eckard, Dana Carl Jackson, Marshall Simien, Stuart Weatherford and Luvertha August

Absent: Rodney Geyen

Enactment No: 16475

12. **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

John Whaley, 1602 2nd St. spoke on behalf of Linda Whaley who requested an extension of time to repair the structure. Ms. August recommended time delays of 30/90 which were approved by the following vote. Ms. August stated the structure must be closed and secured.

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

For: John Ieyoub, Mark Eckard, Dana Carl Jackson, Marshall Simien, Stuart Weatherford and Luvertha August

Absent: Rodney Geyen

Enactment No: 16476

13. 553-12 An ordinance authorizing the Mayor to approve requests from public procurement units within the State of Louisiana, as defined in La. R.S. 39:1701 to purchase materials and supplies under publicly procured contracts approved by the City Council of the City of Lake Charles prior to and during the fiscal year ending September 30, 2013, and to authorize the City to enter into Cooperative Purchasing Agreements with said public procurement units.

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

For: John Ieyoub, Mark Eckard, Dana Carl Jackson, Marshall Simien, Stuart Weatherford and Luvertha August

Absent: Rodney Geyen

Enactment No: 16477

14. 554-12 An ordinance authorizing the City of Lake Charles to enter into an agreement with Bolton Ford to purchase Eleven (11) Half Ton Single Cab Trucks for use by the Public Works Department, Street Division, (1), Vehicle Maintenance (1), Wastewater Division (4), and Water Division (5) utilizing the additional purchase option provided by Ordinance No. 16274, approved and adopted on May 2, 2012.

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

For: John Ieyoub, Mark Eckard, Dana Carl Jackson, Marshall Simien, Stuart Weatherford and Luvertha August

Absent: Rodney Geyen

Enactment No: 16478

15. 555-12 An ordinance authorizing the City of Lake Charles to enter into an agreement with Abell & Son to purchase One (1) Diesel, Two Wheel Drive Backhoe Loader Tractor, for use by the Public Works Department, Wastewater Division utilizing the additional purchase option provided by Ordinance No. 16207, approved and adopted on March 7, 2012.

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

For: John Ieyoub, Mark Eckard, Dana Carl Jackson, Marshall Simien, Stuart Weatherford and Luvertha August

Absent: Rodney Geyen

Enactment No: 16479

16. 562-12 An ordinance authorizing the installation of stop signs on Tulane Street at the intersection of Harvard Street creating an all-way stop
- Sponsors:** Stuart Weatherford
- A motion was made that this matter be adopted. The motion carried by the following vote:**
- For:** John Ieyoub, Mark Eckard, Dana Carl Jackson, Marshall Simien, Stuart Weatherford and Luvertha August
- Absent:** Rodney Geyen
- Enactment No:** 16480

THE FOLLOWING RESOLUTIONS MAY BE ADOPTED BY CONSENT

17. 558-12 A resolution authorizing a Special Event Permit be issued to the Southwest District Livestock Show & Rodeo to allow horses to be included in the 2013 Southwest District Livestock Show & Rodeo Parade
- Sponsors:** Dana Carl Jackson and Stuart Weatherford
- Councilman Jackson stated an additional Parade Permit application was submitted by W & L Riders Club for a trail ride in conjunction with the Southwest District Livestock Show and Rodeo. Glenn Daigle, 379 Hwy 165 Iowa, the parade and trail ride chairperson and Mike Whittler, 6980 Tom Hebert Rd. spoke in favor of the resolution and answered questions from the Council. Mr. Jackson recommended amending the resolution to include the trail ride with the issuance of the permit for the parade and trail ride being contingent upon compliance with the route of the parade and trail ride, the rules and regulations provided and with no alcohol in the city limits. The rodeo parade application and trail ride application with attachments were made a part of the record and attached to the resolution.*
- A motion was made that this matter be amended. The motion carried by the following vote:**
- For:** John Ieyoub, Mark Eckard, Dana Carl Jackson, Stuart Weatherford and Luvertha August
- Against:** Marshall Simien
- Absent:** Rodney Geyen
- A motion was made that this matter be adopted as amended. The motion carried by the following vote:**
- For:** John Ieyoub, Mark Eckard, Dana Carl Jackson, Stuart Weatherford and Luvertha August
- Against:** Marshall Simien
- Absent:** Rodney Geyen
- Enactment No:** 205-12

- 27b. 594-12 A resolution of support and sympathy to the residents of Newtown, Connecticut

Sponsors: Mark Eckard

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

For: John Ieyoub, Mark Eckard, Dana Carl Jackson, Marshall Simien, Stuart Weatherford and Luvertha August

Absent: Rodney Geyen

Enactment No: 206-12

10. 586-12 Public hearing concerning an appeal of the Lake Charles Planning & Zoning Commission's decision to approve as amended, a request for a Variance in order to construct a 30' x 24' open carport 17' from the front setback versus the required 30', within a Residential Zoning District, at 2222 Orchid Street.

Charles Malbroux, 6929 Gold St. spoke on behalf of his sister, Dianne Nelson in favor of the request for a variance for a 17' front setback. Mr. Malbroux stated he had signatures from 16 neighbors who were in favor of the request. Mr. Burguières confirmed the request is for a 17' front setback which was advertised versus the required 30' front setback.

A motion was made that this matter be adopted and approve the request for a variance in order to construct a 30' x 24' open carport 17' from the front setback versus the required 30'. The motion carried by the following vote:

For: John Ieyoub, Mark Eckard, Dana Carl Jackson, Marshall Simien, Stuart Weatherford and Luvertha August

Absent: Rodney Geyen

Enactment No: 207-12

18. 563-12 A resolution accepting Project No. CP3074, Multi Use Transit Facility as substantially complete and authorizing the advertising of the 45-day lien period.

This Matter was adopted on the Consent Agenda.

Enactment No: 208-12

19. 564-12 A resolution authorizing the City of Lake Charles to advertise to receive sealed bids to purchase Three (3) Propane Riding Mowers for use by the Public Works Department, Grounds Maintenance Division.

This Matter was adopted on the Consent Agenda.

Enactment No: 209-12

20. **565-12** 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.
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** 210-12
21. **566-12** A resolution authorizing the City of Lake Charles to advertise to receive sealed bids for purchase of Twenty (20) Sets of Structural Firefighting Bunker Gear (protective clothing) for use by the Lake Charles Fire Department.
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** 211-12
22. **567-12** A resolution stating that the City Council has reviewed the Municipal Water Pollution Prevention Environmental Audit reports; and, setting forth actions necessary to maintain permit requirements contained in the NPDES permits.
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** 212-12
23. **568-12** A resolution setting date for condemnation of structure located at 625 Enterprise Boulevard, Lawrence Lee Keever, owner.
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** 213-12
24. **569-12** A resolution setting date for condemnation of structure located at 1709 Martha Street (including shed), Austin Bell and Betty Jean Bell, owners.
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** 214-12
25. **570-12** A resolution setting date for condemnation of structure located at 528 Shasta Street, James Michael DeBoef, Sr., owner.
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** 215-12
26. **571-12** A resolution setting date for condemnation of structure located at 1815 8th Street, James Charles Simpson and Shirley Marie Glodd Simpson, owners.
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** 216-12

27. **572-12** A resolution setting date for condemnation of structure located at 2201 22nd Street (including swimming pool), Jo Ann Moreno Guidry, Arthur M. Moreno, Jr., Russell Lee Moreno Testamentary Trust, and Arthur M. Moreno, Sr., owners.

This Matter was adopted on the Consent Agenda.

Enactment No: 217-12

- 27a. **592-12** A resolution allowing the City of Lake Charles to pursue the technical services of the Louisiana Municipal Advisory and Technical Services Bureau (LAMATS) regarding the collection process for insurance premium taxes (occupational license).

This Matter was adopted on the Consent Agenda.

Enactment No: 218-12

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, Dana Carl Jackson, Marshall Simien, Stuart Weatherford and Luvertha August

Absent: Rodney Geyen

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

28. **573-12** An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement to purchase Three (3) Propane Riding Mowers for use by the Public Works Department, Grounds Maintenance Division.

Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.

29. **574-12** 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.

Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.

30. **575-12** An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement for purchase of Twenty (20) Sets of Structural Firefighting Bunker Gear (protective clothing) for use by the Lake Charles Fire Department.

Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.

31. **576-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 625 Enterprise Boulevard, Lawrence Lee Keever, owner.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
32. **577-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 1709 Martha Street (including shed), Austin Bell and Betty Jean Bell, owners.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
33. **578-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 528 Shasta Street, James Michael DeBoef, Sr., owner.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
34. **579-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 1815 8th Street, James Charles Simpson and Shirley Marie Glodd Simpson, owners.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
35. **580-12** An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 2201 22nd Street (including swimming pool), Jo Ann Moreno Guidry, Arthur M. Moreno, Jr., Russell Lee Moreno Testamentary Trust, and Arthur M. Moreno, Sr., owners.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
36. **581-12** An ordinance authorizing the City of Lake Charles to negotiate and enter into a contract for purchase of One Ferrara Custom Pumper with firefighting equipment, through State Contract #407881, with Ferrara Fire Apparatus, for use by the Lake Charles Fire Department.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
37. **582-12** An ordinance authorizing the City of Lake Charles to enter into an agreement with BMC Sales and Service to purchase Four (4) Commercial Riding Lawn Mowers, for use by the Recreation and Parks Department (2), and the Lakefront/Downtown Development District (2) utilizing the additional purchase option provided by Ordinance No. 16274, approved and adopted on May 2, 2012.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**

38. **583-12** An ordinance amending and enacting Sec. 6-267 of the Code of Ordinances for the City of Lake Charles to adopt that certain Housing Code known as the 2009 ICC International Property Maintenance Code.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
39. **584-12** An ordinance to authorize the City of Lake Charles to enter into an agreement with the State of Louisiana, Louisiana Division of Historic Preservation to host a statewide mandatory training for Certified Local Governments.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
40. **585-12** An ordinance to amend the Section 20 of the Code of Ordinances, regarding Traffic, by adding a section to address to stopping, standing and parking during special events, including fairs, festivals and parades.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
41. **587-12** An ordinance authorizing an extension of the deadlines on a condemned structure located at 2417 9th Street, Linda Pratt Hazelton, owner.
- Sponsors:** Rodney Geyen
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
42. **588-12** An ordinance authorizing an extension of the deadlines on a condemned structure located at 2517 Cypress Street, Apartment A, Jacal Properties, LLC, owner.
- Sponsors:** John Ieyoub
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
43. **589-12** An ordinance authorizing an extension of the deadlines on a condemned structure located at 2517 Cypress Street, Apartment B, Jacal Properties, LLC, owner.
- Sponsors:** John Ieyoub
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
44. **590-12** An ordinance authorizing an extension of the deadlines on a condemned structure located at 2517 Cypress Street, Apartment C, Jacal Properties, LLC, owner.
- Sponsors:** John Ieyoub
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**

45. **591-12** An ordinance authorizing the City of Lake Charles to sell the former Harrah's parking garage as surplus property for the highest offer (not less than the appraised value).

Sponsors: Dana Carl Jackson

Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.

46. **593-12** An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into a contract for Project No 2012-607 (Capital Project No.2894) Sewer Pipe Bursting on Various Streets.

Sponsors: John Ieyoub

John Ieyoub was appointed Chairman.

Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.

Mr. Eckard stated items 28 through 46 would be read into the record by Lynn F. Thibodeaux, Clerk of the Council, on Thursday, December 20, 2012.

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 19th day of December, 2012.

WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of said City, this 26th day of December, 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 19th day of December, 2012.

WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of said City, this 26th day of December, 2012.

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