



City of Lake Charles

Meeting Minutes

City Council

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

Wednesday, January 16, 2013

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 - Doug Burguières

ROLL CALL

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

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 JANUARY 2, 2013

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

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

SPECIAL MEETING OF JANUARY 8, 2013

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

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

APPOINTMENTS

1. **552-12** An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement to purchase Six (6) New Patrol Handheld Thermal Viewers, for use by the Lake Charles Police Department.

 Sponsors: Dana Carl Jackson

 Appointed Dana Jackson Chairman.

2. **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

 Appointed John Ieyoub Chairman.

ORDINANCES FOR FINAL ACTION

3. **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
- Deferred to the February 6, 2013 City Council meeting.**
4. **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.
- A motion was made that this matter be adopted. The motion carried by the following vote:**
- For:** John Ieyoub, Mark Eckard, Dana Carl Jackson, Rodney Geyen, Marshall Simien, Stuart Weatherford and Luvertha August
- Enactment No:** 16494
5. **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
- A motion was made that this matter be adopted. The motion carried by the following vote:**
- For:** John Ieyoub, Mark Eckard, Dana Carl Jackson, Rodney Geyen, Marshall Simien, Stuart Weatherford and Luvertha August
- Enactment No:** 16495
- 5a. **33-13** Introduction and final action of an ordinance amending Ordinance No. 16183, passed and adopted by the City Council of the City of Lake Charles, Louisiana, on February 15, 2012 regarding Reapportionment Precinct 312.
- Mr. Loftin received a request from the Angie Quienalty, Registrar of voters, to clarify the boundaries of voting Precinct 312 and that the city amend the reapportionment ordinance to indicate a partial precinct 312 East of Gerstner Memorial (previously named 312 East) and a partial precinct 312 West of Gerstner Memorial. The emergency nature for introduction and final action was due to the Secretary of State deadlines.*
- 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, Dana Carl Jackson, Rodney Geyen, Marshall Simien, Stuart Weatherford and Luvertha August
- Enactment No:** 16496

- 34-13** Introduction and final action of an ordinance authorizing an extension of the environmental due diligence period in the Agreement of Purchase and Sale between the City of Lake Charles and Roger K. Landry d/b/a Erdace Apartments for the purchase of the former Sears retail property located at 600 Ryan Street.

Mr. Loftin received a request from Roger Landry for a 30 day extension of the due diligence period in the Purchase and Sale Agreement for the Sears site. The emergency nature to add the item was that the January 16th Council meeting was the last meeting before the January 24th deadline. The Council agreed to add the item to the agenda by the following vote.

A motion was made to waive the rules to add the item to the agenda for introduction and final action. The motion carried by the following vote:

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

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

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

Enactment No: 16497

THE FOLLOWING RESOLUTIONS MAY BE ADOPTED BY CONSENT

- 22. 32-13** A resolution urging the Louisiana Department of Environmental Quality to issue a final report regarding the complaint against Industrial Carbon Services for carbon dust blowing offsite into the neighborhood and for a quick disposition

Sponsors: Rodney Geyen

Mr. Geyen described the complaints received by residents, who were present at the meeting, of carbon dust blowing off site into the environment and into the nearby neighborhood from a business called Industrial Carbon Services. This concern was reported over two months ago and a quick disposition of the matter is requested from Louisiana Department of Environmental Quality as it is detrimental to the resident's property and to their public safety.

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

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

Enactment No: 2-13

- 6. 595-12** A resolution setting date for condemnation of structure located at 302 1/2 North Goos Boulevard, Edward Washington, owner.

This Matter was adopted on the Consent Agenda.

Enactment No: 3-13

7. **596-12** A resolution setting date for condemnation of structure located at 507 LeBato Street, Eugene Moore, owner.
This Matter was adopted on the Consent Agenda.
Enactment No: 4-13
8. **597-12** A resolution setting date for condemnation of structure located at 1900 22nd Street, Michael James Thomas and Citimortgage, Inc., owners.
This Matter was adopted on the Consent Agenda.
Enactment No: 5-13
9. **598-12** A resolution setting date for condemnation of structure located at 2108 22nd Street (swimming pool only), Bank of America NA, owner.
This Matter was adopted on the Consent Agenda.
Enactment No: 6-13
10. **599-12** A resolution accepting Project No. CP3051, 2011 City Wide Striping Project Streets,, as substantially complete and authorizing the advertising of the 45-day lien period.
This Matter was adopted on the Consent Agenda.
Enactment No: 7-13
11. **1-13** A resolution accepting Project No. CP9778, Rosa Hart Theatre Improvements, Part I, as substantially complete and authorizing the advertising of the 45-day lien period.
This Matter was adopted on the Consent Agenda.
Enactment No: 8-13
12. **2-13** A resolution authorizing the City of Lake Charles to advertise to receive Statements of Qualifications for On-Call Professional Design Services.
This Matter was adopted on the Consent Agenda.
Enactment No: 9-13
13. **3-13** A resolution authorizing the City of Lake Charles to advertise to receive sealed bids for purchase of One (1) Three-Quarter (3/4) Ton Single Cab Pickup Truck, for use by the Public Works Department, Streets Division.
This Matter was adopted on the Consent Agenda.
Enactment No: 10-13

14. 4-13 A resolution authorizing the City of Lake Charles to advertise to receive sealed bids for purchase of Three (3) Commercial Propane Riding Mowers, for use by the Public Works Department, Grounds Maintenance Division.
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** 11-13
15. 6-13 A resolution authorizing the City of Lake Charles to advertise to receive sealed bids for purchase of One (1) 2WD Tractor Slope Mower, for use by the Public Works Department, Grounds Maintenance Division.
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** 12-13
16. 7-13 A resolution authorizing the City of Lake Charles to advertise to receive sealed bids for purchase of One (1) Thirty-Two (32) Cubic Yard High Compaction Rear-Loading Refuse Truck, for use by the Public Works Department, Solid Waste Trash Division.
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** 13-13
17. 8-13 A resolution authorizing the City of Lake Charles to advertise to receive sealed bids for purchase of Three (3) Thirty (30) Cubic Yard Automated Side-Loading Refuse Trucks, for use by the Public Works Department, Solid Waste Garbage Division.
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** 14-13
18. 9-13 A resolution authorizing the City of Lake Charles to advertise to receive sealed bids for purchase of One (1) Three-Quarter (3/4) Ton Pickup Truck Cab and Chassis Only, for use by the Public Works Department, Building Maintenance Division.
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** 15-13
19. 10-13 A resolution authorizing the City of Lake Charles to advertise to receive sealed bids for purchase of One (1) One (1) Ton Single Cab Pickup Truck, Cab and Chassis Only, for use by the Public Works Department, Vehicle Maintenance Division.
- This Matter was adopted on the Consent Agenda.**
- Enactment No:** 16-13

20. 11-13 A resolution authorizing the City of Lake Charles to advertise to receive sealed bids for purchase of One (1) One-Half (1/2) Ton Extended Cab Pickup Truck, for use by Mallard Cove Golf Course.

This Matter was adopted on the Consent Agenda.

Enactment No: 17-13

21. 29-13 A resolution reappointing Merrick (Rick) J. Norman, Jr., to the Personnel Board of the City of Lake Charles to serve a six-year term expiring January, 2019.

Sponsors: Mark Eckard

This Matter was adopted on the Consent Agenda.

Enactment No: 18-13

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, Rodney Geyen, Marshall Simien, Stuart Weatherford 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

23. 12-13 An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 302 1/2 North Goos Boulevard, Edward Washington, owner.

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

24. 13-13 An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 507 LeBato Street, Eugene Moore, owner.

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

25. 14-13 An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 1900 22nd Street, Michael James Thomas and Citimortgage, Inc., owners.

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

26. 15-13 An ordinance ordering demolition and authorizing the City of Lake Charles to enter into an agreement for demolition of structure located at 2108 22nd Street (swimming pool only), Bank of America NA, owner.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
27. 16-13 An ordinance authorizing the City of Lake Charles to enter into Professional Services Agreement with the consulting firms that submitted statements of qualifications to provide basic design and related support services.
- Sponsors:** Stuart Weatherford
Mr. Weatherford was appointed chairman.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
28. 17-13 An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement for purchase of One (1) Three-Quarter (3/4) Ton Single Cab Pickup Truck, for use by the Public Works Department, Streets Division.
- Sponsors:** John Ieyoub
Mr. Ieyoub was appointed chairman.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
29. 18-13 An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement for purchase of Three (3) Commercial Propane Riding Mowers, for use by the Public Works Department, Grounds Maintenance Division.
- Sponsors:** Rodney Geyen
Mr. Geyen was appointed chairman.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
30. 20-13 An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement for purchase of One (1) 2WD Tractor Slope Mower, for use by the Public Works Department, Grounds Maintenance Division.
- Sponsors:** Luvertha August
Ms. August was appointed chairperson.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**

31. 21-13 An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement for purchase of One (1) Thirty-Two (32) Cubic Yard High Compaction Rear-Loading Refuse Truck, for use by the Public Works Department, Solid Waste Trash Division.
- Sponsors:** Dana Carl Jackson
- Mr. Jackson was appointed chairman.*
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
32. 22-13 An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement for purchase of Three (3) Thirty (30) Cubic Yard Automated Side-Loading Refuse Trucks, for use by the Public Works Department, Solid Waste Garbage Division.
- Sponsors:** Marshall Simien
- Mr. Simien was appointed chairman.*
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
33. 23-13 An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement for purchase of One (1) Three-Quarter (3/4) Ton Pickup Truck Cab and Chassis Only, for use by the Public Works Department, Building Maintenance Division.
- Sponsors:** Stuart Weatherford
- Mr. Weatherford was appointed chairman.*
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
34. 24-13 An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement for purchase of One (1) One (1) Ton Single Cab Pickup Truck, Cab and Chassis Only, for use by the Public Works Department, Vehicle Maintenance Division.
- Sponsors:** Rodney Geyen
- Mr. Geyen was appointed chairman.*
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
35. 25-13 An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement for purchase of One (1) One-Half (1/2) Ton Extended Cab Pickup Truck, for use by Mallard Cove Golf Course.
- Sponsors:** John Ieyoub
- Mr. Ieyoub was appointed chairman.*
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**

36. 26-13 An ordinance authorizing the City of Lake Charles to enter into an agreement with Bolton Ford to purchase Two (2) Three-Quarter Ton Crew Cab Trucks, for use by the Public Works Department, Grounds Maintenance Division, utilizing the additional purchase option provided by Ordinance No. 16275, approved and adopted by the City Council on May 2, 2012.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
37. 27-13 An ordinance authorizing the settlement of a claim against the City of Lake Charles in the suit styled "Kimberly LeFrere vs. City of Lake Charles," No. 2010-003779 "D", on the docket of the 14th Judicial District Court, involving an intersectional motor vehicle accident on August 28, 2009 on Nelson Road at intersection of McNeese Street.
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
38. 30-13 An ordinance amending Chapter 22 of the Code of Ordinances pertaining to Vehicles for Hire to establish regulations and policies applicable to the permitting and operation of pedicabs within the Downtown Development District.
- Sponsors:** Marshall Simien
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
39. 31-13 An ordinance to establish an Itinerant Vendor Permit, and associated policies and rules, for food, entertainment, and recreational vendors at North Beach.
- Sponsors:** Marshall Simien
- Introduced as read into the record on the consent agenda by Lynn F. Thibodeaux, Clerk of the Council.**
- Mr. Eckard stated items 23 through 39 would be read into the record by Lynn F. Thibodeaux, Clerk of the Council, on Thursday, January 17, 2013 at 9:00a.m.*

ADJOURNMENT

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