



# City of Lake Charles

## Meeting Minutes

### City Council

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

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Wednesday, February 20, 2013

5:30 pm

Council Chambers at City Hall

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

**INVOCATION - Rodney Geyen**

**PLEDGE OF ALLEGIANCE - Corey Rubin**

#### **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 FEBRUARY 6, 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

#### **ORDINANCES FOR FINAL ACTION**

25. 85-13

An ordinance approving the final agreement between the City of Lake Charles and Lake Charles Mardi Gras Boardwalk, LLC for the sale of the Pinnacle property and the parking garage

**Sponsors:** Dana Carl Jackson and Stuart Weatherford

*Without objection, this item was considered first on the agenda.*

*Mr. Loftin stated that he summarized the Agreement for the Purchase and Sale of Property between the City and Lake Charles Mardi Gras Boardwalk, LLC (LCMGB) which had been previously submitted to the Council and most recent draft presented to the Council at the beginning of the Council meeting which included clerical revisions and revisions regarding sound levels. Mr. Loftin reviewed and outlined the summary of the agreement. Mr. Jackson made a motion to reinsert all of the issues related to the permitted sounds to 85 decibels along with all of the time frames and other references to the permitted sound levels. The motion was seconded by Stuart Weatherford. Mr. Simien commented on the decibel levels. Charles Landry, with Jones, Walker Law Firm, 8555 United Plaza, Baton Rouge, LA, who represents LCMGB, spoke regarding the agreement and answered questions from the Council.*

*Mr. Eckard called for a vote to give Mr. Landry additional time to speak. On a motion made by Dana Jackson, seconded by Luvertha August passed by the following vote:*

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

*Gary Dixon, 2334 Cherokee St., Baton Rouge, LA representing LCMGB, answered questions from the Council.*

*Mr. Geyen called for the question.*

**A motion was made by Councilman Geyen, seconded by Councilwoman August, to call the question. The motion carried by the following vote:**

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

**Against:** Marshall Simien

*The motion was restated to amend the agreement to include an 85 decibel permitted sound level along with all of the time frames and other references to the permitted sound levels.*

**A motion was made by Councilman Jackson, seconded by Councilman Weatherford, that this matter be amended. The motion carried by the following vote:**

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

*Mr. Loftin continued to review the summary and recommended an amendment to add to Section 4a.(1) The purchaser shall also provide a report with the Updated Master Plan from a certified acoustical engineer describing the Phase One Improvements which will address the mitigation of adverse impact on neighboring properties from the sound emitting from the Amphitheater and other Outdoor Venue activities.*

*Mr. Loftin recommended amending the Definition to read: "Project Planner" which means Architects Southwest with Steve Oubre as Principal Planner. However, if for any reason Steve Oubre is unable to or refuses to do the project a Licensed Architect with Smart Code experience, approved by the City, may serve a principal planner.*

*Mr. Loftin then recommended an amendment to state to authorize Billy E. Loftin, Jr. to make clerical changes and nonsubstantive changes and also changes for procedural issues.*

*He asked that the draft agreement dated February 20, 2013 (4:30p.m.) be made a part of the ordinance.*

**A motion was made by Councilman Simien, seconded by Councilwoman August, that this matter be amended. 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 amended. 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:** 16509

**26. 86-13**

An ordinance approving the final Cooperative Endeavor Agreement between the City of Lake Charles and Lake Charles Mardi Gras Boardwalk, LLC related to the Economic Development District

**Sponsors:** Dana Carl Jackson and Stuart Weatherford

*Mr. Loftin recommended an amendment to state to authorize Billy E. Loftin, Jr. to make clerical changes and nonsubstantive changes and also changes for procedural issues.*

**A motion was made by Councilman Simien, seconded by Councilman Jackson, that this matter be amended. 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 amended. 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:** 16510

20.      80-13      An ordinance authorizing an extension of the deadlines on a condemned structure located at 1430 Gieffers Street, Etchien Granger, owner.
- Sponsors:**      Marshall Simien
- Mr. Simien stated the owner requested additional time to sell the property and recommended an extension of 90 days which was 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, Rodney Geyen, Marshall Simien, Stuart Weatherford and Luvertha August
- Enactment No:** 16511
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21.      81-13      An ordinance authorizing an extension of the deadlines on a condemned structure located at 1430 1/2, A, Gieffers Street, Etchien Granger, owner.
- Sponsors:**      Marshall Simien
- Mr. Simien stated the owner requested additional time to sell the property and recommended an extension of 90 days which was 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, Rodney Geyen, Marshall Simien, Stuart Weatherford and Luvertha August
- Enactment No:** 16512
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22.      82-13      An ordinance authorizing an extension of the deadlines on a condemned structure located at 1430 1/2, B, Gieffers Street, Etchien Granger, owner.
- Sponsors:**      Marshall Simien
- Mr. Simien stated the owner requested additional time to sell the property and recommended an extension of 90 days which was 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, Rodney Geyen, Marshall Simien, Stuart Weatherford and Luvertha August
- Enactment No:** 16513

23.      83-13      An ordinance authorizing an extension of the deadlines on a condemned structure located at 603 North Malcolm Street, Cleveland John Collins, Jr., owner.
- Sponsors:**      Marshall Simien
- Mr. Simien stated the owner requested additional time to repair the structure and recommended an extension of 120 days which was 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, Rodney Geyen, Marshall Simien, Stuart Weatherford and Luvertha August
- Enactment No:** 16514
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24.      84-13      An ordinance authorizing an extension of the deadlines on a condemned structure located at the rear of 2008 Gieffers Street, Edward Washington and Mazie Washington, owners.
- Sponsors:**      Marshall Simien
- Mr. Simien stated the owner requested additional time to complete a Succession and recommended an extension of 90 days which was 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, Rodney Geyen, Marshall Simien, Stuart Weatherford and Luvertha August
- Enactment No:** 16515
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1.      463-12      An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into an agreement for Project No. CP9778, Improvements to the Lake Charles Civic Center and Repair and Refurbishment (Economic Recovery) from Gustave/Ike CDBG Funds, LCCC Rosa Hart Theatre Improvements, Part 2.
- Sponsors:**      John Ieyoub
- Mr. Ieyoub stated all bids exceeded the funding available for the project and recommended that all bids be rejected and the project be readvertised for bids.*
- A motion was made to reject all bids and rebid the project. 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:** 16512

2.       **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.

**Sponsors:**     John Ieyoub

**A motion was made that this matter be adopted and accept the recommended bid from Landry Supply in the amount of \$29,100.00. 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:** 16516

3.       **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.

**Sponsors:**     Marshall Simien

**A motion was made that this matter be adopted and accept the recommended bid from Covington Sales & Service in the amount of \$136,500.00. 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:** 16517

4.       **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.

**Sponsors:**     Luvertha August

**A motion was made that this matter be adopted and accept the recommended bid from Ferrara Firefighting in the amount of \$35,180.00. 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:** 16518

5.        66-13        An ordinance accepting the lowest responsible bid and authorizing the City of Lake Charles to enter into a contract for Project No. 2011-604A (CP No. 3117), Water Line Replacement on Holmes and Colletta Streets.

**Sponsors:**     Luvertha August

**A motion was made that this matter be adopted and accept the recommended bid from Blake D. Hines, Inc. in the amount of \$96,509.50. 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:** 16519

6.        546-12        An ordinance amending Sec. 5-203 of Appendix A- Zoning of the Code of Ordinances for the City of Lake Charles regarding issuance of permits to erect crematoriums within the city limits of the City of Lake Charles.

**Sponsors:**     Dana Carl Jackson

**A motion was made that this matter be amended. 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 amended. 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:** 16520

7.        63-13        An ordinance authorizing the City of Lake Charles to enter into a contract with the State of Louisiana for the City of Lake Charles to operate a Summer Food Service Program for children 18 years of age and younger.

**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:** 16521

8.        64-13        An ordinance authorizing the City of Lake Charles to enter into a contract with the Calcasieu Parish School Board for the use of Two (2) Schools, with adequate facilities for preparation sites for the 2013 Summer Food Service Program.

**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:** 16522

9.        65-13        An ordinance authorizing the City of Lake Charles to enter into an agreement with the Calcasieu Parish School Board to purchase Surplus Food Items for the 2013 Summer Food Service Program.
- 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:** 16523
10.       68-13        An ordinance authorizing the City of Lake Charles to enter into an agreement to purchase Five (5) Police Package, Full size Rear Wheel Drive Sedans for use by the Lake Charles Police Department, Patrol Division, through State Contract No. 409392.
- 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:** 16524
11.       69-13        An ordinance approving and endorsing "Trinity Family Enterprise, LLC," (RTA # 051200) application for renewal of the Restoration Tax Abatement Program relative to a structure located at 106 W. Pryce (formerly Lawrence) Street which is located in the Economic Development District per Ordinance No. 14574.
- 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:** 16525
12.       70-13        An ordinance authorizing the City of Lake Charles to submit an application for grant funds through the State of Louisiana, Department of Agriculture and Forestry, Urban and Community Forestry Grant Program; and if awarded, to execute any and all documents necessary for receipt of the grant funds including all agreements in connection therewith.
- 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:** 16526



13.     71-13     An ordinance authorizing the City of Lake Charles to enter into a Cooperative Endeavor Agreement with various agencies in the local area to provide assistance in the funding of the Southwest Louisiana Sexual Assault Nurse Examiner (SANE) Program.
- 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:** 16527
14.     72-13     An ordinance authorizing the City of Lake Charles to abandon a 35.43' x 50' section of roadway on north end of General Travis at Industrial Avenue.
- 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:** 16528
15.     74-13     An ordinance amending Sec. 13-5 of Chapter 13 of the Code of Ordinances by adding a new subsection (d) entitled "Removal".
- 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:** 16529
16.     75-13     An ordinance amending Sec. 6-60 (Article III. Electrical Code) of the Lake Charles Code of Ordinances to adopt the 2011 Edition NFPA 70 (National Electrical Code 2011).
- 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:** 16530

17.      76-13      An ordinance authorizing the City of Lake Charles to make application to the Louisiana Division of Historic Preservation for a grant program related to Survey and Planning called the National Park Service Survey and Planning Funds Grant, and further, authorize the Mayor, or his designee, when appropriate, to execute any and all contracts necessary to implement the program.

**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:** 16531

18.      77-13      An ordinance authorizing the City of Lake Charles to make application to the Louisiana Division of Historic Preservation for a Certified Local Government ("CLG") Survey and Planning Grant, and further, authorize the Mayor, or his designee, when appropriate, to execute any and all contracts necessary to implement the program.

**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:** 16532

19.      78-13      An ordinance authorizing the Administration to increase the 10% cap on change orders for the Bord du Lac Park - Children's Playground, CP #DD0008 to an amount not to exceed 13%.

**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:** 16533

27.      87-13      An ordinance authorizing the City of Lake Charles to enter into an agreement with the appropriate agency for a professional sound/acoustical study in conjunction with the proposed Lake Charles Mardi Gras Boardwalk, LLC development.

**Sponsors:**      Marshall Simien

**Deleted**

28.     89-13     An ordinance authorizing the installation of stop signs on Fournet Street at the intersection of N. Blake Street creating an All-Way stop.

**Sponsors:**     Marshall Simien

**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:** 16534

## **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 20th day of February, 2013.

WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of said City, this 1st day of March, 2013.

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 20th day of February, 2013.

WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of said City, this 1st day of March, 2013.

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