

City of Mansfield
MINUTES OF REGULAR PUBLIC MEETING
August 22, 2011

The Board of Aldermen met in regular session on **Monday, August 8th**, in Mansfield City Hall, located at 705 Polk Street. Mayor McCoy called the meeting to order at **4:30 p.m.**, after which an **Invocation** was offered by **Joseph Hall, Jr.** The Pledge of Allegiance was led by **Alderman Mitchell L. Lewis.** The oral roll call was suspended; however, the following officials were recorded as **Present:** Honorable Curtis W. McCoy, G. B. Hall III –District **A**, Troy N. Terrell – District **B**, Mitchell L. Lewis –District **C**, Joseph Hall, Jr. –District **D** and Alvin R. Woodley – District **E.** **Absent:** None. **Press Present:** Kriston Newsom –*The Enterprise* and Vickie Welborn – *The Times.*

It was MOTIONED by **JOSEPH HALL, JR.** and SECONDED by **MITCHELL L. LEWIS** to approve the minutes of the **July 25, 2011 regular** City Council meeting and to dispense with the reading. Motion Passed Unanimously.

It was MOTIONED by **G. B. HALL III** and SECONDED by **ALVIN R. WOODLEY** to approve the payment of current outstanding bills for this period.

The Mayor next opened the floor to hear public comments from those in attendance to any item outlined on the meeting agenda. When no comments were offered, the **Public Comments Period** was then closed.

Old Business:

Item A: Mayor McCoy opened the meeting to hear any public comments concerning the amendment of the 1980 Zoning Ordinance as it relates to the size of portable buildings to be used for commercial purposes and establishing regulations related to RV parks. Ordinances for both of these issues were adopted at the city council's July 11, 2011 regular meeting. However, since no public hearing notice was advertised, it was necessary to rescind both Ordinances. The rescission was necessary since the public hearing was improperly advertised prior to adoption of the Ordinances. When no public comments were offered as they related to these two issues, the public hearing period was then closed.

Item B: It was MOTIONED by **G. B. HALL III** and SECONDED by **JOSEPH HALL, JR.** to approve the rescission of **Ordinance #11 of 2011** (size of portable buildings) and **Ordinance #12 of 2011** (establishing RV parks) adopted on July 11, 2011 due to improper advertisement of a public hearing prior to adoption. Motion Passed Unanimously.

Item C: It was MOTIONED by **MITCHELL L. LEWIS** and SECONDED by **G. B. HALL III** to adopt Ordinance #15 of 2011 (replaces rescinded Ordinance #11) to provide for a minimum size for portable buildings to be used for commercial purposes. Motion Passed Unanimously. (Full Ordinance recited below):

CITY OF MANSFIELD
ORDINANCE NO. 15 OF 2011

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF MANSFIELD TO PROVIDE FOR A MINIMUM SIZE FOR PORTABLE BUILDINGS TO BE USED FOR COMMERCIAL PURPOSES.

BE IT ORDAINED, by the Mayor and Alderman of the City of Mansfield, Louisiana, Section 2 of the Zoning Ordinance of the City of Mansfield, Louisiana, it is hereby enacted to read as follows:

BE IT ORDAINED BY THE Mayor and City Council of the City of Mansfield in regular session convened that the Zoning Ordinance of the City of Mansfield hereby is amended to add the following classification:

SIZE FOR PORTABLE BUILDINGS FOR COMMERCIAL PURPOSES

Any portable building intended for its primary use to be for commercial purposes shall be of new construction, occupy at least 336 square feet, and have had plans and/or specifications first approved by the LA Office of State Fire Marshal before being situated on the proposed building site.

- Any person violating any provision of this section shall, upon conviction thereof, be fined not more than one hundred fifty (\$150) dollars and court costs and/or imprisoned for no more than 15 days. Each day that a person is not in compliance with the statute shall count as a separate violation.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

CERTIFICATE

I, Marvin Jackson, Clerk for the City of Mansfield, Louisiana hereby certifies that the above constitutes a true and accurate copy of an Ordinance which, upon MOTION OF Alderman Mitchell L. Lewis, SECONDED by Alderman G. B. Hall III, was adopted by the following Yea and Nay votes:

YEAS: 5 NAYS: 0 ABSENT: 0 ABSTAIN: 0

And the same was declared by the Mayor on this 8th day of
August, 2011.

/s/ Curtis W. McCoy

/s/ Marvin R. Jackson

Item D: It was MOTIONED by **JOSEPH HALL, JR.** and SECONDED by **ALVIN R. WOODLEY** to adopt Ordinance #16 (replaces rescinded Ordinance #12) to provide for an RV park as a conditional use in all zoning districts, and to provide for related matters. Motion Passed Unanimously. (Full Ordinance recited below):

**CITY OF MANSFIELD
ORDINANCE NO. 16 of 2011**

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF MANSFIELD TO PROVIDE FOR AN RV PARK AS A CONDITIONAL USE IN ALL ZONING DISTRICTS, AND TO PROVIDE FOR RELATED MATTERS

BE IT ORDAINED, by the Mayor and Alderman of the City of Mansfield, Louisiana, Section 2 of the Code of Ordinances of the City of Mansfield, Louisiana, it is hereby enacted to read as follows:

Whereas, a public need exists for RV parks to be authorized as a conditional use in all Zoning Districts of the City of Mansfield:

BE IT ORDAINED BY THE Mayor and City Council of the City of Mansfield in regular session convened that the Zoning Ordinance of the City of Mansfield hereby is amended to add the following classification:

RV PARKS

RV Parks, in which parking and other services for recreational vehicles are provided through rental for transient use, are authorized for consideration as a conditional use in all zoning districts. Non-transient RV park sites shall conform to minimum standards established for conventional residential developments as stipulated elsewhere in the ordinances of the City of Mansfield.

Consideration and approval of an application for an RV Park shall be subject to the following minimum standards (unless otherwise modified by the Planning and Zoning Commission or City Council) and further subject to approval of a site plan submitted by the applicant:

- Occupancy: No site shall be used as a place of permanent residence.
- Minimum Area: RV Parks are subject to a minimum site area of five (5) acres, and shall be adequate in area so as not to create a nuisance for any surrounding or nearby use.
- Lot Configuration:
 1. Minimum pad size: 25 feet X 40 feet.
 2. Pads shall be surfaced in rock or concrete and adequately maintained.
 3. Parking shall be provided on or adjacent to each pad adequate for two vehicles.
 4. The parking surface provided shall be rock or concrete.
- Streets:
 1. Streets shall be concrete or rock with soil cement, and have a minimum width of 12 feet if one way or 15 feet if two way.
 2. Shoulders shall be a minimum 7 feet in width, surfaced in rock or concrete.
- Street Lighting: The RV Park Owner shall be responsible for street lighting along interior streets with minimum spacing of 150 feet. All electrical supply lines for street lights shall be underground, unless otherwise approved.
- Sidewalks: Adequate sidewalks or other approved surfaced access shall be provided to any building or common area used by park patrons.

- Utilities: Underground utility services, sanitation, private solid waste services, and fire protection shall be provided by the RV Park owner for each pad and other park improvements. Any park dumpster shall be adequately screened on three sides, as approved by the Planning and Zoning Commission.
- Screening, Landscaping, Buffering, and Setback: The owner of the RV Park shall be responsible for installation and maintenance of an approved plan for landscaping or other screening (such as maintenance of a tree buffer) adequate to screen the RV Park from any roads or other public areas. Suggested landscaping plants are Red Tip Phatenia or other approved shrubbery with a minimum height of 8 feet, which shall be properly maintained. No individual pad site in any RV Park shall be located closer than 50 feet to any public road.
- Any person violating any provision of this section shall, upon conviction thereof, be fined not more than one hundred fifty (\$150) dollars and court cost and/or imprisoned for no more than 15 days. Each day that a person is not in compliance with the statute shall count as a separate violation.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

CERTIFICATE

I, Marvin Jackson, Clerk for the City of Mansfield, Louisiana hereby certifies that the above constitutes a true and accurate copy of an Ordinance which, upon MOTION OF Alderman Joseph Hall, Jr., SECONDED by Alderman Alvin R. Woodley, was adopted by the following Yea and Nay votes:

YEAS: 5 NAYS: 0 ABSENT: 0 ABSTAIN: 0

And the same was declared by the Mayor on this 8th day of August, 2011.

/s/ Curtis W. McCoy

/s/ Marvin R. Jackson

Item E: It was MOTIONED by **ALVIN R. WOODLEY** and SECONDED by **TROY N. TERRELL** to adopt an Ordinance closing and abandoning the East 198 feet of **Dewey Street** located in the City of Mansfield, LA pursuant to the petition of Mr. Gilbert Stoma. Motion Passed Unanimously. (Full Ordinance recited below):

CITY OF MANSFIELD
ORDINANCE NO. 17 OF 2011

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF
DEWEY STREET LOCATED IN THE CITY OF MANSFIELD, LOUISIANA

BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Mansfield, Louisiana, in regular session convened:

SECTION 1.

The following portion of Dewey Street located in the City of Mansfield is no longer needed for public purposes and is therefore abandoned and closed; subject to the rights herein reserved:

The East 198 feet of Dewey Street

SECTION 2.

The City of Mansfield reserves unto itself the right to establish, improve, and maintain drainage structures, water and sewerage lines, and other public utilities on, over, and across said street, and this abandonment is made subject to the rights and use of streets in the City of Mansfield, Louisiana, under franchise ordinances.

SECTION 3.

All ordinances in conflict herewith are hereby repealed.

UPON MOTION OF ALDERMAN Alvin R. Woodley, seconded by Alderman G. B. Hall III, the above and foregoing ordinance was adopted on this the 8th day of August, 2011, with the vote as follows:

YEAS	<u>5</u>
NAYS	<u>0</u>
ABSENT	<u>0</u>
ABSTAIN	<u>0</u>

/s/Curtis W. McCoy, Mayor
/s/Marvin R. Jackson, City Clerk

New Business:

Item A: It was MOTIONED by **JOSEPH HALL, JR.** and SECONDED by **ALVIN R. WOODLEY** to adopt a Resolution authorizing the Mayor to execute on behalf and in the name of the City of Mansfield a contract for LCDBG Administrative Services for FY 2012/2013. Motion Passed Unanimously.

Item B: It was MOTIONED by **G. B. HALL III** and SECONDED by **ALVIN R. WOODLEY** to receive, open and take under advisement, the sealed public bids submitted for the City's Maintenance/Storage Facility Remediation Project. The following bids were received: **Pro-Teq Public Sector, LLC** in the amount of \$39,753.00; **Steve Palmer Painting** in the amount of \$53,000.00; and **Whitlock and Shelton Construction, Inc.** in the amount of \$82,900.00. A recommendation will be offered at the August 22nd council meeting to accept the lowest responsible bid for this project. Motion Passed Unanimously.

Item C: It was MOTIONED by **G. B. HALL III** and SECONDED by **ALVIN R. WOODLEY** to authorize the Mayor to negotiate and enter into on behalf of the City of Mansfield, a lease agreement with **McCoy Bros. Lumber Co.** The current 33-year lease expires on August 28, 2011. The City remits annual payments to this company for the authority and permission to continue using their property (a 0.515 acre tract) as the site where one of the City's water storage tanks and booster stations is situated. Motion Passed Unanimously.

Item D: It was MOTIONED by **G. B. HALL III** and SECONDED by **ALVIN R. WOODLEY** to approve **Change Order No. 3** as submitted by Wicker Construction Co. for the Phase I Water Distribution System Improvements project. A version of this Change Order was originally approved at the city council's March 28th regular meeting. However our engineering consultant firm (BALAR Associates, Inc.) informed us that this Change Order was never circulated to all affected parties to be fully executed. It was considered null and void, and all items contained in it were transferred to this new Change Order No. 3 dated August 1, 2011. This was a deductive,

reconciliatory Change Order in the amount of **\$31,024.07** adjusting the contract price to date to **\$2,412,737.73**. (original contract price = \$2,388,842.05). Motion Passed Unanimously.

Item E: It was MOTIONED by **G. B. HALL III** and SECONDED by **ALVIN R. WOODLEY** to approve the recommendation made by BALAR Associates, Inc. to award a construction contract to **Douglas Construction & Remodeling, Inc.** in the amount of **\$192,426.00** for proposed improvements to the City's Operations Building (Phase II Water Facilities Improvements Project). Sealed bids were also received from **Peck Construction, Inc.** - \$225,000.00; **McInnis Brothers Construction, Inc.** -\$241,500.00; and **Cecil D. Gassiott, L.L.C.** -\$242,000.00. Motion Passed Unanimously.

Item F: It was MOTIONED by **G. B. HALL III** and SECONDED by **ALVIN R. WOODLEY** to approve the recommendation made by BALAR Associates, Inc. to award a construction contract to **McInnis Brothers Construction, Inc.** in the amount of **\$587,892.00** for proposed improvements to the the City's three (3) water booster stations (Phase II Water Facilities Improvements Project). Sealed bids were also received from **Sanp-Tech, Inc.** -\$698,000.00 and **Cecil D. Gassiott, L.L.C.** -\$729,000.00. Motion Passed Unanimously.

Item G: It was MOTIONED by **G. B. HALL III** and SECONDED by **ALVIN R. WOODLEY** to approve the recommendation made by BALAR Associates, Inc. to award a construction contract to **Cecil D. Gassiott, L.L.C.** in the total amount of **\$1,776,860.00** (Base Bid = \$1,694,900/Add. Alt. = #1 \$19,000 and Add. Alt. #2 -\$62,960). Sealed bids were also received from **San-Tech, Inc.** with a Base Bid of \$1,769,890/Add. Alt. #1 =\$24,000 and Add. Alt. #2 - \$14,700); **Peck Construction** with a Base Bid of \$1,824,000/Add. Alt. #1 =\$31,000 and Add. Alt. #2 =\$68,000); and **McInnis Brothers Construction, Inc.** with a Base Bid of \$1,853,720/Add. Alt. #1 =\$33,495 and Add. Alt. #2 =\$68,836. Motion Passed Unanimously.

Item H: It was MOTIONED by **G. B. HALL III** and SECONDED by **ALVIN R. WOODLEY** to approve the recommendation made by BALAR Associates, Inc. to award a construction contract to **David Lawler Construction, Inc.** with a total Base Bid of **\$2,105,862.47** for proposed improvements to the City's Water Distribution System. Other sealed bids received are as follows: **McInnis Brothers Construction, Inc.** with a total Base Bid of **\$2,375,444.94**; **Digco Utility Construction, L.P.** with a total Base Bid of **\$2,537,755.50**; and **Wicker Construction, Inc.** with a total Base Bid of **\$3,355,168.50**. Motion Passed Unanimously.

Item I: The approval of the *Certificate of Substantial Completion* as submitted by Wicker Construction, Inc. for the Phase I Water Facilities Improvements Project was tabled and will be further discussed at a future meeting. Jim Ruffin (City's Public Works Dir.) reported that all the construction activities for this project had been performed by the contractor, and thus the project as specified, was substantially complete. However, still left was minor cosmetic work, namely the reseeding of areas excavated during the construction activities and some dirt work. The Mayor also requested that each City Councilman make an assessment of their respective districts to make certain that all work outlined in the construction contract had been performed to the

City's satisfaction. It was MOTIONED by **G. B. HALL III** and SECONDED by **ALVIN R. WOODLEY** to table the approval of this Substantial Completion Certificate until a later date where it will be further deliberated. Motion Passed Unanimously.

Item J: It was MOTIONED by **JOSEPH HALL, JR.** and SECONDED by **MITCHELL L. LEWIS** to approve the *Certificate of Substantial Completion* as submitted by M&M Builders, Inc. for the Field Street Improvements Project. This is the pass-through street directly behind the Phillips 66 Filing Station located on McArthur Drive, constructed at the request of the hotel owner of Comfort Inn & Suites. The new street will be a benefit to both the Comfort Inn Hotel and Super 8 Motel. Motion Passed Unanimously.

Item K: No other new business was discussed.

During the **Comments Period** for the Mayor and Council Members, Aldermen Joseph Hall, Jr. and Alvin R. Woodley both reported that they had recently received a flood of complaints regarding the longer than average read date for the water bill accounts. Most bills reflected a 44 to 48 day read period. Jim Ruffin explained that this longer reading period was due largely to our on-going conversion to a new meter reading system. The read period should resume to a 30-day time frame during the next billing cycle.

With no further business to discuss, the meeting adjourned at **4:52p.m.**, by MOTION from **JOSEPH HALL, JR.** and was SECONDED by **MITCHELL L. LEWIS**. Motion Passed Unanimously.

Curtis W. McCoy, Mayor
Marvin R. Jackson Clerk