

MINUTES OF THE
BLANCHARD MAYOR AND TOWN COUNCIL
REGULAR MEETING – AUGUST 13, 2013
7:00 O'CLOCK

Present: Mayor Digilormo, Alderpersons Ashby, Jones, Lee, and Whittington, Atty. Tom Arceneaux, Chief Presswood, Lonnie Smith, David Yeates, Town Clerk-Debra Smith, Boy Scout Troop # 113, and guests.

Absent: Alderpersons Galambos.

Meeting called to order at 7:00 p.m. by Mayor Digilormo.

Pledge of Allegiance led by Boy Scouts Troop # 113.

Invocation given by Arceneaux.

Questions and Statements of Citizens:

Mr. Jenkins reported water leaks at Birch/Garfield and Cleveland/Birch. Ashby thanked him for the information. Jenkins was also concerned over high grass, debris, and the abandoned vehicle and boat located at 232, 234, and 236 Cleveland. He stated that an attempt has been made to cut the grass but it was not completed. Jones stated the Town is authorized to cut the grass and place a lien on the property, under the Town ordinances, but the owner must be notified by certified mail. The Council authorized the Mayor to choose who will do the clean-up and debris removal. Mr. Jenkins also stated that he is not happy with the one-way street on Birch.

Mrs. Fultz, Zoning Board member, introduced Ms. Christine Sims who is interested in the Zoning Board vacancy. Motion by Ashby to appoint Ms. Sims to the Zoning Board, second by Whittington. All voted yea.

Motion by Lee to approve the minutes of the Regular meeting of July 9, and Special meeting of July 30, 2013. Second by Jones. All voted yea.

OLD BUSINESS

Public Hearing on Ordinance 9 of 2013 – (An Ordinance to provide for no parking on either side of Wasson Road within the limits of the Town of Blanchard and otherwise providing with respect thereto.)

Public Hearing opened at 7:18 p.m. There being no comments, the hearing closed at 7:19 p.m.

Vote on Ordinance 9 of 2013 – (No parking on Wasson Road within Town Limits)

ORDINANCE 9 OF 2013

An Ordinance to provide for No Parking on either side of Wasson Road within the limits of the Town of Blanchard and otherwise providing with respect thereto.

WHEREAS, the Town has approved a subdivision with 18 lots facing Wasson Road within the Town of Blanchard; and

WHEREAS, Wasson Road is a narrow blacktopped road, and parking on the road will obstruct traffic flow or create possibly dangerous situations;

NOW, THEREFORE, BE IT ORDAINED by the Board of Alderpersons of the Town of Blanchard, in due session convened, as follows:

Section 1. That parking be prohibited on both sides of Wasson Road within the Town limits.

Section 2. The Mayor or Town Clerk are authorized to make provisions for appropriate signage to indicate the no parking zone herein established.

Section 3. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items or applications and to this end the provisions of this ordinance are hereby declared severable.

Section 4. Any ordinance or resolution or portion thereof in conflict with the provisions of this Ordinance are hereby repealed.

Motion made by Jones to adopt Ordinance 9 of 2013. Second by Whittington.

Roll Call Vote:

YEAS: Ashby, Jones, Lee, and Whittington

NAYS: None

ABSTAINED: None

ABSENT: Galambos

And Ordinance 9 of 2013 was adopted this 13th day of August, 2013.

Rezone Lots 4-9 Block 8 on Main Street and lots all the way to Phelps to “commercial” (white house next to Cliff’s).

Angela Tappe, representing the Zoning Board, reported to the Council that a public hearing was held on August 13, 2013, at 6:30 p.m. at Town Hall. The Zoning Board recommends the property in question be re-zoned from residential to light commercial.

Motion by Lee to accept the recommendation, second by Whittington. All voted yea.

Public Hearing on Ordinance 10 of 2013 – (An ordinance amending Ordinance 7 of 11 adopted on September 13, 2011 by the Mayor and Board of Aldermen of the Town of Blanchard, State of Louisiana, acting as the governing authority of Town of Blanchard, State of Louisiana, to provide for various terms of the Sewer Revenue Bonds authorized therein and providing for other matters in connection therewith.)

Public Hearing opened at 7:22 p.m. There being no comments, the hearing closed at 7:23 p.m.

Vote on Ordinance 10 of 2013 – (Sewer Revenue Bonds)

The following ordinance, which was previously introduced at a regular meeting held on July 30, 2013, and a summary thereof having been published in the official journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on motion of Whittington and seconded by Ashby:

ORDINANCE 10 of 2013

An ordinance amending Ordinance 7 of 11 adopted on September 13, 2011 by the Mayor and Board of Aldermen of the Town of Blanchard, State of Louisiana, acting as the governing authority of Town of Blanchard, State of Louisiana, to provide for various terms of the Sewer Revenue Bonds authorized therein and providing for other matters in connection therewith.

WHEREAS, by Ordinance 7 of 11 (the “Ordinance”), adopted on September 13, 2011, the Mayor and Board of Aldermen of the Town of Blanchard, State of Louisiana, the governing authority (the “Governing Authority”) of the Town of Blanchard, State of Louisiana (the “Issuer”), authorized the issuance of not exceeding Two Million Dollars (\$2,000,000) of Sewer Revenue Bonds (the “Bonds”), for the purpose of acquiring, constructing and equipping improvements and extensions to the sewer system (the “Sewer System”) of the Issuer, including appurtenant equipment, accessories and properties, both personal and real, as works of public improvement for the Issuer, and paying the costs of issuance of the Bonds; and

WHEREAS, the Issuer is now prepared to execute and deliver of the Bonds; and

WHEREAS, the Issuer desires to amend and update various provisions of the Ordinance prior to the delivery of the Bonds through the adoption of this Amendatory Ordinance; and WHEREAS, capitalized terms used but not defined herein shall have the meaning, given such terms in the Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Blanchard, State of Louisiana, acting as the governing authority of the Town of Blanchard, State of Louisiana, that:

SECTION 1. Incorporation of Preamble. The foregoing whereas clauses are hereby incorporated into this Ordinance as if fully set forth therein.

SECTION 2. Designation and Maturity of Bonds. The Bonds shall be designated as "Taxable Sewer Revenue Bonds" and any reference in the Ordinance to "Series 2011" shall be revised to "Series 2013."

The Bonds shall mature in twenty (20) installments of principal, payable annually on each March 1, and each annual installment shall be the applicable percentage shown in the following (attached) table, rounded to the nearest \$1,000, of the outstanding principal amount of Bonds on the day before the applicable Principal Payment Date:

In the event that the Completion Date of the Project being financed with the Bonds is after March 1, 2015, the principal payment schedule set forth above may be adjusted so that each payment shall be due on the March 1 that is one year later than shown above, provided that in no event shall the final principal payment be more than twenty-two (22) years from the Delivery Date of the Bonds.

SECTION 3. Amendment of Section 3.1. Section 3.1 shall be amended to read as follows:

The principal installments of the Bonds are subject to prepayment at the option of the Issuer at any time, in whole or in part, at a prepayment price of par plus accrued interest and accrued Administrative Fee, if any, to the prepayment date and in such case the remaining principal of the Bonds shall continue to mature in installments calculated using the percentages shown in the Bond.

SECTION 4. Addition of Section 4.3. Section 4.3 shall be added to read as follows:

SECTION 4.3. Davis-Bacon Wage Rate Requirements. The Issuer agrees that all laborers and mechanics employed by contractors and subcontractors on the portion of the project that is funded in whole or in part with the Bonds purchased by the Department shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality of the Issuer as determined by the Secretary of the United States Department of Labor ("DOL") in accordance with Subchapter IV of Chapter 31 of Title 40, United States Code. DOL provides all pertinent information related to compliance with the foregoing requirements, including prevailing wage rates and instructions for reporting. The Issuer will ensure that all construction contracts relating to the portion of the Project that is funded in whole or in part with Bonds purchased by the Department will require that the contractor comply with the aforesaid wage and reporting requirements. This section shall not apply to situations where the Issuer may perform construction work using its own employees rather than any contractor or subcontractor.

SECTION 5. Amendment of Section 6.1. The following subsection shall be added to Section 6.1 (b):

(v) Provision shall be made in the ordinance(s) authorizing the issuance of the Parity Obligations for the establishment of a Reserve Account for such Parity Obligations in the Reserve Fund, if one is required in connection therewith, it being understood that the Series 2013 Account established in Section 5.1(b) hereof secures only the Bonds authorized herein.

SECTION 6. Amendment of Section 8.1. Section 8.1 of the Ordinance shall be deleted in its entirety and shall be designated as "RESERVED" to preserve the numbering of subsequent sections of the Ordinance.

SECTION 7. Approval of Exhibit A. Exhibit A of the Ordinance is hereby approved in the final form as follows (attached):

SECTION 8. Effect of this Amending Ordinance. The Ordinance shall remain in full force and effect except as otherwise amended herein. Such amendments shall be effective as if initially contained in the Ordinance.

SECTION 9. Section Headings. The headings of the various sections hereof are inserted for convenience of reference only and shall not control or affect the meaning or construction of any of the provisions hereof.

SECTION 10. Effective Date. Notice of the Introduction of this amending Ordinance, having been published in the official journal of the Issuer as required by law, and a copy hereof having remained on file in final form for public inspection with the Clerk since its date of introduction, and having been read in full, this amending Ordinance shall be in full force and effect upon approval by the Governing Authority.

The foregoing Ordinance having been submitted to a vote, the roll call vote thereon was as follows:

Motion made by Whittington to adopt Ordinance 10 of 2013. Second by Ashby.

Roll Call Vote:

YEAS: Ashby, Jones, Lee, and Whittington

NAYS: None

ABSTAINED: None

ABSENT: Galambos

And Ordinance 10 of 2013 was adopted this 13th day of August, 2013.

NEW BUSINESS

Stephen Self – (208 Maple Street, Mobile Home water meter hook up)

Mr. Self is buying the property from Mr. Keys and has converted the back trailer to a living area for his mother-in-law, who is currently living there. Ashby stated that the trailers are on separate lots according to the map. Jones stated that the back trailer was originally to be used as a shop to repair small appliances and build bird houses. Jones asked Arceneaux to check into this and give legal advice at the next council meeting. Next month the Council will let Mr. Self know of the findings.

Northwood Homecoming Parade – (Tentatively set on Thursday, October 10, 2013 at 6:00 p.m. with approval of Town Council)

The parade route will be the same as the last couple of years, line up on Birch and make a big circle around to Jodie. Whittington made motion to approve tentatively set for October 10, 2013 at 6:00 p.m. with the condition that if the date changes, Northwood will notify Chief at least 30 days in advance. Second by Ashby. All voted yea.

Resolution 7 of 2013 (Resolution to sell old server for \$200.00)

RESOLUTION 7 OF 2013

A Resolution to declare a Dell Poweredge 2900 Server surplus, providing the means of sale and establishing a minimum price for said server, and otherwise providing with respect thereto.

WHEREAS, the Town of Blanchard ("Town") has removed from service that certain Dell Server ("Server") PowerEdge 2900 manufacture date 092807, Model # ECM01, Serial # 72X1SD1; and WHEREAS, the Town has no further use for that Server; and WHEREAS, the Town wishes to declare that the Server is no longer needed, for Public Purposes, and wishes to sell the Server and establish a means of sale of such property pursuant to LA. R.S. 33:4712 and other applicable law; NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Blanchard, in due, legal and regular session convened, as follows:

Section 1. The Server is hereby declared no longer needed for public purposes.

Section 2. The Server shall be sold for a minimum of \$ 200.00 to any private or public person or entity by sealed bid at the September 10, 2013 Council meeting. The price shall remain in effect until September 30, 2013.

Section 3. If any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution that can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

Section 4. All resolutions or parts hereof in conflict herewith are hereby repealed. Motion to accept Resolution 7 of 2013 made by Lee. Second by Jones. All voted yea. Resolution 7 of 2013 was adopted this 13th day of August, 2013.

REPORT OF DEPARTMENTS

Buildings and Grounds

Whittington stated nothing to report.

Streets and Rights of Way

Jones stated nothing to report..

Water Department

Galambos absent.

Sewer Department

Ashby stated the bond ordinance was just passed for sewer improvements and everything running good.

Police Department

Chief stated nothing to report..

Treasurer Report

Lee asked that a copy of Ordinance 9 of 2013 be sent to all residents in the Wasson Road area and a copy provided to everybody receiving permits and meter sets.

Comments by the Mayor

Mayor welcomed Boy Scout Troop # 113 to the council meeting and asked the members to introduce themselves to the Council. Motion by Whittington to adjourn, second by Jones. All voted yea. Meeting adjourned 7:49 p.m.

JOHNNY DIGILORMO, MAYOR

DEBRA SMITH, TOWN CLERK