

MINUTES
CITY COUNCIL MEETING
SEPTEMBER 14th, 1982
6:30 P.M.

The meeting was called to order by the President of the Council, Lionel J. Washington. All Council Members and Mayor Hart were present with the exception of Councilman Martinez.

The following items were removed from the Consent Calendar before its adoption:

2a; 3c; 4b

It was moved by Councilman Singletary, seconded by Councilman Salvaggio, that the following Consent Calendar be adopted.

CONSENT CALENDAR

1. Approval of August 24th, 1982 Minutes
2. Proposed Ordinances: (Public Hearing - October 12, 1982)
 - a. Removed
 - b. Item No. 82-9-488 (Amending Ordinance No. 795, a Zoning Ordinance) (Williams/Berault)
 - c. Item No. 82-9-489 (Amending Ordinance No. 795, a Zoning Ordinance) (Williams/Berault)
3. Proposed Resolutions:
 - a. Cable TV Franchise (Williams/Martinez)
 - b. Left Turn Signal - Ninth and Gause Blvd. (Singletary/Callahan)
 - c. Removed
 - d. Authorize City Attorney to acquire land for 201 Project (Van Sandt/Washington)
4. Application for Liquor/Beer Permit:
 - a. Calvin Young d/b/a/ Young's Restaurant, 850 Robert Road
 - b. Removed
5. Certificates of Appreciation/Recognition
 - a. Lorena Ciko
 - b. Yvonne Gunther
 - c. Pat Jorgensen
 - d. Aleen Alford

ROLL CALL	8 Yeas	0 Nays	1 Absent	CARRIED
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Councilwoman Williams called for a Suspension of the Rules.

ROLL CALL	8 Yeas	0 Nays	1 Absent	CARRIED
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Councilwoman Williams then distributed the Certificates of Appreciation/Recognition to the following individuals:

Lorena Ciko
Yvonne Gunther
Pat Jorgensen
Aleen Alford

Item No. 82-8-487 (Amending Ordinance No. 1527 and Chapter 13, Planning Article I, Municipal Planning Commission, Section 13-1, Commission Created, appointment, removal, of the Code of Ordinances of the City of Slidell) which was removed from the Consent Calendar (2a) was withdrawn.

Item 3c, removed from the Consent Calendar, was addressed by Councilman Singletary. He stated that he wished the press to inform the public of this program and just how well it is doing and the phone number to call should any interested parties want to subscribe to this service.

Councilman Singletary, seconded by Councilwoman Williams moved for the adoption of the Resolution for the STARC Program.

ROLL CALL	8 Yeas	0 Nays	1 Absent	CARRIED
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MINUTES COUNCIL MEETING
SEPTEMBER 14th, 1982
PAGE 2

Councilman Van Sandt, seconded by Councilman Singletary, moved to table Item 4b from the Consent Calendar. This is Liquor/Beer permit on Charlotte Moran and William I. Hays d/b/a Arista Ristorante, 326 Pontchartrain.

ROLL CALL	8 Yeas	0 Nays	1 Absent	CARRIED
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Councilwoman Williams stated that after reviewing the letters and speaking with others who had been appointed to the Committee on Alcohol Control, she just cannot see what good could be accomplished with this committee.

Moved by Councilman Berault, seconded by Councilwoman Williams that this Council at this time not establish a Committee on Alcohol Control.

ROLL CALL	7 Yeas	1 Nay (Washington)	1 Absent	CARRIED
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Tabled Item No. 82-7-467 (Amending Ordinance No. 795, a Zoning Ordinance) was withdrawn.

Tabled Item 2c. Fritchie Municipal Park Contracts (Alternates). Councilman Callahan offered comments as to the bidding of said alternates. Councilman Callahan, seconded by Councilman Salvaggio moved to reject alternates 1,2 and 4 and request the Mayor to have Burk and Associates, Inc. to develop a new package of alternates for bid based on grant dollars remaining on December 31, 1982, exclusive of the Engineering and Inspection fees required. This all subject to approval by CEIP.

Councilman Martinez joined the meeting at 7:00 P.M.

After further discussion, Councilwoman Williams, seconded by Councilman Martinez call for the question.

ROLL CALL	8 Yeas	1 Nay (Callahan)	0 Absent	CARRIED
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The vote on the above stated motion introduced by Councilman Callahan, seconded by Salvaggio is as follows:

ROLL CALL	6 Yeas	3 Nays (Williams) (Martinez) (Barthelmy)	0 Absent	CARRIED
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As advertised, a public hearing was held in connection with Item No. 82-8-478 (Ordinance amending Ordinance No. 1498, a Public Transit Ordinance). As no one desired to be heard, the public hearing was closed. Councilman Salvaggio, seconded by Councilman Callahan moved for the adoption of Ordinance No. 1539.

ROLL CALL	7 Yeas	2 Nays (Barthelemy) (Singletary)	0 Absent	CARRIED
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As advertised, a public hearing was held in connection with Item No. 82-8-479 (Ordinance amending Ordinance No. 795, a Zoning Ordinance). As no one desired to be heard, the public hearing was closed. Mr. Jimmie Byrne spoke as a point of interest introducing a letter stating the length of the manufactured home had been raised from 32 feet to 40 feet. After further discussion, Councilman Singletary, seconded by Councilman Berault moved to table this item until the next council meeting.

ROLL CALL	7 Yeas	2 Nays (Washington) (Martinez)	0 Absent	CARRIED
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MINUTES OF COUNCIL MEETING
SEPTEMBER 14th, 1982
PAGE 3

As advertised a public hearing was held in connection with Item No. 82-8-480 (Amending Ordinance No. 1498, a Public Transit Ordinance). As no one desired to be heard, the public hearing was closed.

Councilwoman Williams, seconded by Councilman Singletary moved for the adoption of Ordinance No. 1540.

ROLL CALL	9 Yeas	0 Nays	0 Absent	CARRIED
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As advertised, a public hearing was held in connection with Item No. 82-8-481 (Ordinance amending Chapter Nine - Crimes - Miscellaneous and Ordinances No. 1382 of the Code of Ordinances). As no one desired to be heard, the public hearing was closed. Councilwoman Williams, seconded by Councilman Van Sandt moved for the adoption of Ordinance No. 1541.

ROLL CALL	9 Yeas	0 Nays	0 Absent	CARRIED
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As advertised, a public hearing was held in connection with Item No. 82-8-482 (Annexation and Zoning change from Parish to A-9-C, Apartment Commercial Zoning District). Mr. Kevin Quinn, 85 Wyndham Court, spoke against the property being annexed in at this (A-9-C) zoning. Would like to have the property in the city but at a zoning that is congenial with surrounding areas. Mr. Quinn stated that at the time of purchasing his home, he was not aware this was Parish property and it was zoned R. Mr. Arlin Schaap, 45 Pinewood Drive, also stated he would like to see the property in the city limits, however, not at A-9-C. Mr. Ford Stuart, 76 Wyndham Court, agreed with the first two gentlemen as to the annexation and zoning of this land. As no one else desired to be heard, the public hearing was closed.

After further discussion from the Council, Councilwoman Williams, seconded by Councilman Callahan moved to agree with the Planning Commission and have this petition for annexation and zoning of A-9-C denied.

ROLL CALL	7 Yeas	1 Nay (Salvaggio)	1 Abstain (Van Sandt)	0 Absent	CARRIED
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As advertised, a public hearing was held in connection with Item No. 82-8-483 (Requesting a zoning change from C-4 Highway Commercial to A-9-C, Apartment Commercial). Mr. Lamulle, the owner of this property spoke and informed the council that the surrounding land that is owned by him is already A-9-C and this would just complete the zoning to be the same.

Councilwoman Williams, seconded by Councilman Singletary moved for the adoption of Ordinance No. 1542.

ROLL CALL	8 Yeas	0 Nays	1 Not Voting (Martinez)	0 Absent	CARRIED
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As advertised, a public hearing was held in connection with Item No. 82-8-484 (Requesting a Zoning Change from A-7 Multi-Family Urban to C-2 Neighborhood Commercial Zoning District). Mr. Sam Archie spoke to the council stating the reason for this petition. After further discussion, it was learned that this petition is not necessary as the council had just passed, at the last meeting, a Redevelopment District which would allow this snowball stand to be built and properly maintained. The person pointing this out was Barry Brupbacher, Director of Planning. As no one else desired to be heard, the public hearing was closed.

It was moved by Councilman Martinez, seconded by Councilman Callahan to reject this petition to stop spot zoning.

ROLL CALL	8 Yeas	1 Nay (Washington)	0 Absent	CARRIED
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MINUTES OF COUNCIL MEETING
SEPTEMBER 14th, 1982
PAGE 4

As advertised, a public hearing was held in connection with Item No. 82-8-485 (Amendment to Ordinance No. 1493, an Ordinance providing for employment of special council for \$1,900,000 bonds for Drainage). As no one desired to be heard, the public hearing was closed.

Councilwoman Williams, seconded by Councilman Barthelemy moved for the adoption of Ordinance No. 1543.

ROLL CALL 9 Yeas 0 Nays 0 Absent CARRIED

As advertised, a public hearing was held in connection with Item No. 82-8-486 (Ordinance providing for the employment of special counsel for authorization, issuance, sale and deliver of \$135,000 Certificates of Indebtedness for sewerage and waterworks facilities). As no one desired to be heard, the public hearing was closed.

Councilman Martinez, seconded by Councilman Van Sandt moved for the adoption of Ordinance No. 1544.

ROLL CALL 9 Yeas 0 Nays 0 Absent CARRIED

Councilman Salvaggio read a statement to the council members regarding the retirement credits for Chief of Police, Max Rodriguez.

Mr. Lloyd Walters, City Attorney, issued an Opinion on this matter and that opinion is made a part of these minutes.

After discussion among the Council and the Mayor as to where the monies would come from, the following motion was made by Councilman Salvaggio and seconded by Councilman Barthelemy.

BE IT RESOLVED by the City Council of Slidell that the Mayor of Slidell is requested to, on the recommendation of the City Attorney, be authorized to pay into Chief Rodriguez retirement system for back credits in the amount of approximately \$13,000.

It is hereby noted that no objections were shown from the administration.

ROLL CALL 9 Yeas 0 Nays 0 Absent CARRIED

Councilman Berault gave a few comments on the election held on Saturday, September 11, 1982 and the results of the position on whether or not to repeal the Home Rule Charter in St. Tammany Parish.

After discussion from the Council, it was moved by Councilman Berault, seconded, Councilman Van Sandt to move for the adoption of the Resolution stating our position for retention of the Home Rule Charter for St. Tammany Parish.

ROLL CALL 8 Yeas 0 Nays 1 Abstain CARRIED
(Martinez)

Councilman Van Sandt reported on the Ad Hoc Committee for Lafayette Street. This committee is completely formed now and will start appearing at all Council meetings until this problem is resolved.

Councilman Singletary, seconded by Councilwoman Williams moved for Suspension of the Rules in order that the Mayor may present a bid that had not been placed on the agenda.

ROLL CALL 9 Yeas 0 Nays 0 Absent CARRIED

The Mayor reported that on August 27th, 1982 at 10:00 A.M. sealed bids were opened in the presence of Larry Abney, Gerri Ingrao and himself for a Traction Unit with Rotary Front Mounted Cutting Unit. The following bid was received:

Gulf Shore Turf Supply, Inc. \$9,179.25

MINUTES OF THE COUNCIL MEETING
SEPTEMBER 14th, 1982
PAGE 5

1 It was moved by Councilman Singletary, seconded by Councilman Barthelemy
2 that on the recommendation of Virgil Williams, Director of Parks and Parkways
3 and the Mayor, we accept the bid of \$9,179.25 for the 1982 Traction Unit with
4 Rotary Front Mounted Cutting Unit.

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6 ROLL CALL 9 Yeas 0 Nays 0 Absent CARRIED
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9 Moved by Councilman Singletary, seconded by Councilman Martinez that
10 the Council go into Executive Session in order to discuss pending litigation.

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12 ROLL CALL 9 Yeas 0 Nays 0 Absent CARRIED
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14 At 10:00 P.M. the Council went into Executive Session
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16 At 11:30 P.M. the Council came out of Executive Session and moved
17 by Councilman Singletary, seconded by Councilman Berault that the meeting
18 adjourn, as there was no further business.

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20 ROLL CALL 9 Yeas 0 Nays 0 Absent CARRIED
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29 Gerri G. Ingra
30 Clerk of the Council
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Lionel J. Washington
Councilman, District A
President of the Council

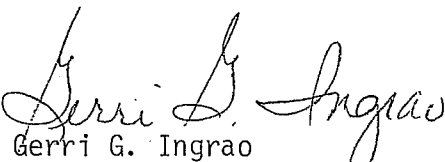
RESOLUTION

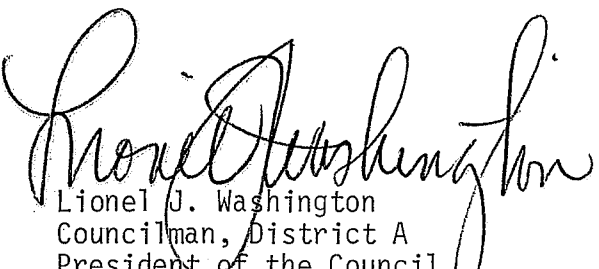
WHEREAS the Slidell City Council and the Mayor of the City unanimously
express their support for retention of the Home Rule Charter for St. Tammany Parish;
and

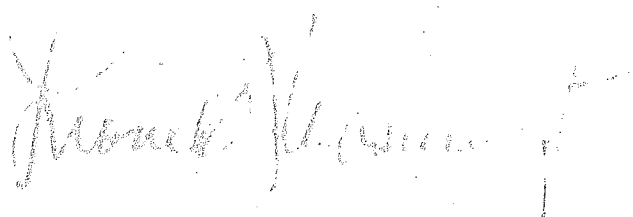
WHEREAS the voters of Slidell, in the election of September 11, 1982
showed their support for the Home Rule Charter of St. Tammany Parish by a favorable
vote of 4,835 for and 2,081 against;

NOW THEREFORE BE IT RESOLVED by the Slidell City Council, in
legal session convened, that this council urges the parish representatives
of this city, specifically Councilmen, Wayne Watkins, Earl Broom, A.L. "Junior"
Pichon, Anthony Alfred, and Councilwomen Virginia Benson and Jacqueline Carr, to
take the wishes of their constituents, as expressed by the voter approval, into
account when dealing with this vital issue.

ADOPTED this 14th day of September, 1982.


Gerri G. Ingrao
Clerk of the Council


Lionel J. Washington
Councilman, District A
President of the Council



Introduced by
Councilman Van Sandt
and seconded by
Councilman Washington (by request)

September 14, 1982

RESOLUTION

WHEREAS, the City is desirous of constructing and completing the 201 Facilities Plan for the collection and treatment of wastewater within the City and Parish of St. Tammany;

WHEREAS, the City is required to obtain servitudes and easements for the placement of the pipes along the collection routes;

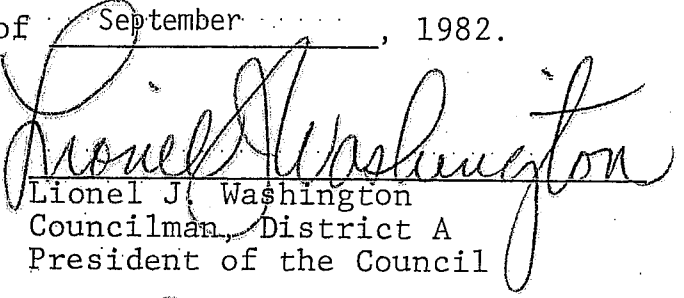
WHEREAS, the City has been negotiating with the various landowners for the acquisition of this servitude;

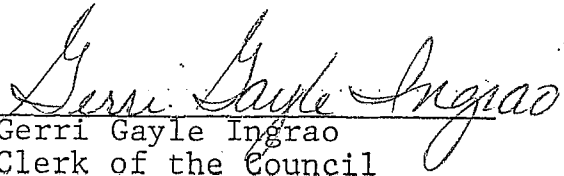
WHEREAS, some of the owners have failed to agree to allow the City a servitude over which to place the pipes and collection lines; and

WHEREAS, it is necessary to expropriate these properties;

NOW, THEREFORE, BE IT RESOLVED that the City Attorney be and he is hereby authorized to expropriate, in the name of the City, all properties necessary for the construction and completion of the 201 Facilities Plan for the collection and treatment of wastewater within the City of Slidell and the Parish of St. Tammany, including the Matulich property described in the lawsuit: City of Slidell v. Maude Carlisle Matulich, et al., 22nd Judicial District Court Number 70-740.

ADOPTED this 14th day of September, 1982.


Lionel J. Washington
Councilman, District A
President of the Council


Gerri Gayle Ingrao
Clerk of the Council

RESOLUTION

WHEREAS, by Ordinance Number 1032 adopted on the 26th day of April, 1977, a cable TV franchise was granted to Jackson Cable TV, Inc.; and

WHEREAS, by Resolution adopted on the 26th day of August, 1980, the cable TV franchise was transferred to Douglas Communications of Louisiana, Inc., a wholly owned subsidiary of Douglas Communications Corporation; and

WHEREAS, by letter dated July 28, 1982, Douglas Communications of Louisiana, Inc. informed the City of Slidell that an agreement had been reached whereby there is a corporate reorganization which involves a merger of Douglas Communications of Louisiana, Inc. into its 100% parent, Douglas Communications Corporation, to be immediately followed by a merger of Douglas Communications Corporation with its 100% parent, Tribune Cable Communications, Inc.; and

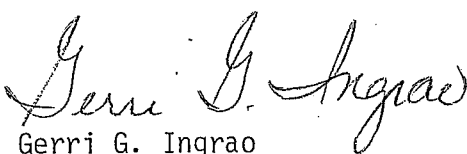
WHEREAS, in Section XXII of the ordinance previously referred to, it is stated as follows:

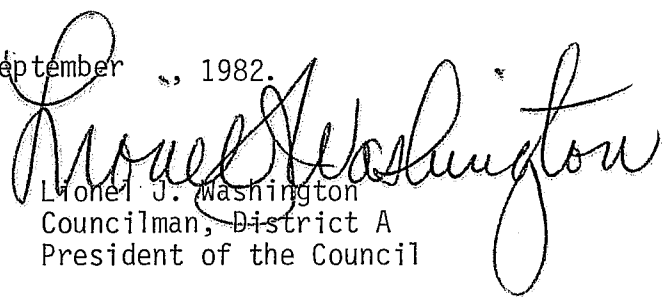
"The grantee shall not sell or transfer its system to another, nor transfer any rights under this franchise to another without written approval by the City, provided that such approval shall not be unreasonably withheld if the vendee, assignee or lessee has filed with the appropriate official of the City an instrument duly executed, reciting the fact of such sale, assignment or lease, accepting the terms of this franchise and agreeing to perform all conditions thereof."

NOW THEREFORE, BE IT RESOLVED by the Slidell City Council, in legal session convened, that the corporate reorganization and merger under this franchise be approved effective upon filing with the Mayor and the City Council of this City an instrument executed, reciting the facts of such reorganization and merger, accepting the terms of this franchise and agreeing to perform all conditions thereof and which meets the approval of the City Attorney.

BE IT FURTHER RESOLVED that its failure to meet any conditions of this resolution shall render it null and void.

ADOPTED this 14th day of September, 1982.


Gerri G. Ingrao
Clerk of the Council


Lionel J. Washington
Councilman, District A
President of the Council

RESOLUTION

WHEREAS the contineous growth of the City of Slidell has aggravated
already existing traffic problems; and

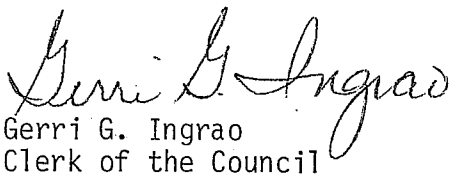
WHEREAS there is a definite need for additional traffic control
devices, especially on Gause Boulevard; and

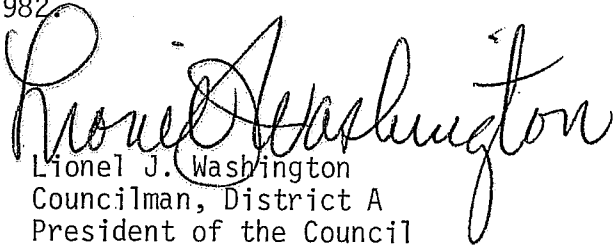
WHEREAS a major traffic problem exists on Gause Boulevard and
Ninth Street;

NOW THEREFORE, BE IT RESOLVED by the Slidell City Council, in
legal session convened, that the Louisiana Department of Transportation
and Development is hereby requested to study the feasibility of installing
a left turn signal at Gause Boulevard and Ninth Street traveling in an
easterly direction.

BE IT FURTHER RESOLVED that a copy of this resolution be sent
to Secretary Paul J. Hardy.

ADOPTED this 14th day of September, 1982.


Gerri G. Ingrao
Clerk of the Council


Lionel J. Washington
Councilman, District A
President of the Council

RESOLUTION

WHEREAS the Work Contract Program of the St. Tammany Association
for Retarded Citizens, Inc. benefits our entire community; and

WHEREAS said program is especially beneficial to our handicapped
adults; and

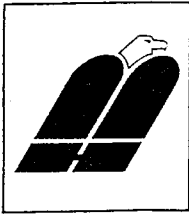
WHEREAS said program is in need of community recognition and
participation;

NOW THEREFORE, BE IT RESOLVED by the Slidell City Council, in
legal session convened, that this body encourages all citizens and organizations
of this community to participate in the STARC Work Contract Program by
calling 641-0197 for further information.

ADOPTED this 14th day of September, 1982.

Gerri G. Ingrao
Gerri G. Ingrao
Clerk of the Council

Lionel J. Washington
Lionel J. Washington
Councilman, District A
President of the Council



NATIONAL MANUFACTURED HOUSING FEDERATION, INC.

1700 PENNSYLVANIA AVE. N.W., SUITE 745
WASHINGTON, D.C. 20006 (202) 347-1116

December 1, 1981

Mr. James Byrne
1578 Monaco Dr.
Slidell, LA 70458

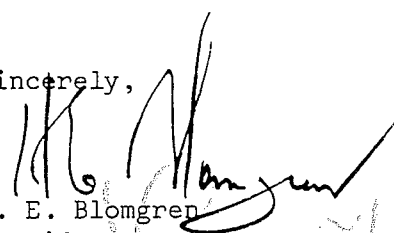
Dear Mr. Byrne:

Responding to your inquiry the Mobile Home Construction and Safety Standards Act of 1974 as amended by Congress in 1981 defines a mobile home as:

"A structure transportable in one or more sections, which in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein".

In 1981 the Congress also changed the name from "mobile home" to "manufactured housing".

Sincerely,


H. E. Blomgren
President

HEB/lmk

Introduced August 10th, 1982 by
Councilman Callahan, seconded by
Councilman Salvaggio

Item No. 82-8-478

ORDINANCE NO. 1539

An ordinance amending Ordinance No. 1498, a Public Transit
Ordinance.

BE IT ORDAINED by the Slidell City Council, in legal session
convened, that Ordinance No. 1498 is amended as follows:

Page 4, Lines 9-21 SECTION 7. Bond Required: Delete this section
in its entirety.

Page 4, Line 23: Delete the number "8" and replace with the
number 7.

Page 4, Line 29: Delete the number "9" and replace with the
number 8.

ADOPTED this 14th day of September, 1982.

DELIVERED 9-16-82

9:00 AM to the Mayor

RECEIVED 9-21-82

4:00 PM from the Mayor

Gerri G. Ingrao
Gerri G. Ingrao
Clerk of the Council

Lionel J. Washington
Lionel J. Washington
Councilman, District A
President of the Council

M.W. "Webb" Hart
M.W. "Webb" Hart
Mayor

Introduced August 24th, 1982 by
Councilman Washington, seconded by
Councilwoman Williams

Item No. 82-8-480

ORDINANCE NO. 1540

An ordinance amending Ordinance No. 1498, a Public Transit
Ordinance.

BE IT ORDAINED by the Slidell City Council in legal session convened,
that Ordinance No. 1498, a Public Transit Ordinance, is amended as follows:

Page 4, add a new section 9 to read as follows:

SECTION 9. All permits issued under the provisions of this
ordinance are valid for the calendar year in which they are issued and shall
expire on December 31st, in said calendar year.

ADOPTED this 14th day of September, 1982.

DELIVERED 9-16-82

9:00 A.M. to the Mayor

RECEIVED 9-21-82

4:00 P.M. from the Mayor

Gerri G. Ingrao
Gerri G. Ingrao
Clerk of the Council

Lionel J. Washington
Lionel J. Washington
Councilman, District A
President of the Council
W.W. Webb Hart
W.W. "Webb" Hart
Mayor

Lionel J. Washington

Introduced August 24th, 1982 by
Councilman Salvaggio, seconded by
Councilman Van Sandt

Item No. 82-8-481.

ORDINANCE NO. 1541

An ordinance amending Chapter Nine, Crimes - Miscellaneous, and
Ordinance No. 1382 of the Code of Ordinances of the City of
Slidell.

BE IT ORDAINED by the Slidell City Council, in legal session convened,
that Chapter 9 - Crimes - Miscellaneous and Ordinance No. 1382 of the Code
of Ordinances of the City of Slidell is amended as follows:

Article 38 of said code is amended to read as follows:

It shall be unlawful for any person to commit the crime of issuing
worthless checks. Issuing worthless checks is the issuing, in exchange for
anything of value, whether the exchange is contemporaneous or not, with intent
to defraud, of any check, draft or order for the payment of money upon any bank
or other depository knowing at the time of the issuing that the offender has
not sufficient credit with the bank, or other depository for the payment of
such check, draft or order in full upon its presentation.

The offender's failure to pay a check, draft, or order issued for
value, within ten days after notice of its nonpayment upon presentation has
been deposited by certified mail in the United States mail system addressed to
the issuer thereof either at the address shown on the instrument or the last
known address for such person shown on the records of the bank upon which such
instrument is drawn, shall be presumptive evidence of his intent to defraud.

In addition to any other fine or penalty imposed under this Section,
the Court may, at its discretion, order as part of the sentence, restitution in
the amount of the check or checks.

ADOPTED this 14th, day of September, 1982.

DELIVERED 9-16-82

9:00 AM to the Mayor

RECEIVED 9-21-82

4:00 P.M. from the Mayor

Gerri G. Ingrad
Clerk of the Council

Lionel J. Washington
Councilman, District A
President of the Council

M.W. "Webb" Hart
Mayor

Item No. 82-8-483

ORDINANCE NO. 1542

WHEREAS, the Slidell City Council did receive a petition from Mr.
E.J. Lamulle, requesting a zoning change from C-4 Highway Commercial to
A-9-C, Apartment Commercial Zoning District, and

WHEREAS, the Slidell Zoning Commission, in a letter dated August 17,
1982, approved such a zoning change, and by publication in the Daily Times
News on August 26th, August 31st, and September 7th, 1982, the Council gave
notice of their intention to take action on said petition by calling a public
hearing on September 14th, 1982, in the Council Chambers.

NOW THEREFORE BE IT ORDAINED by the Slidell City Council, in legal
session convened, that the following described property be zoned A-9-C,
Apartment Commercial:

Lot 15, Square 2, Pinecrest Subdivision.

ADOPTED this 14th day of September, 1982.

DELIVERED 9-16-82

9:00AM to the Mayor

RECEIVED 9-21-82

4:00PM from the Mayor

Gerri G. Ingrao
Gerri G. Ingrao
Clerk of the Council

Lionel J. Washington
Lionel J. Washington
Councilman, District A
President of the Council

M.W. "Webb" Hart
M.W. "Webb" Hart
Mayor

Gerri G. Ingrao
Lionel J. Washington

Introduced August 24th, 1982 by
Councilman Washington, seconded by
Councilwoman Williams by request

Item No. 82-8-485

ORDINANCE NO.

An Ordinance providing for the
adopted by this City Council

BE IT ORDAINED by the City Council
acting as the governing authority of the City of Slidell, Louisiana,

SECTION 1. That the second part of Section 1 of Ordinance No.
1493, adopted by this City Council on March 2, 1982, be and it is hereby amen-
ded to read as follows:

"The said special counsel shall perform all applicable legal, fi-
nancial and other services and coordinate professional services required for comprehensive legal and
coordinate professional services to provide for incurring of debt and
issuance, sale and delivery of bonds to exceed \$1,900,000 General Ob-
ligation Bonds of the City. The fee of said special counsel shall
be in the amount of 1.5% of the first \$405,000 of such bonds issued;
in the amount of 0.9% of the next \$405,000; in the amount of 0.75%
of the next \$540,000; and in the amount of 0.5% of the balance of
the bonds issued in an amount not to exceed \$550,000. In the event
the evidence of indebtedness herein contemplated is issued and sold
in separate series, the aforesaid rate of compensation shall apply
to each such series sold, delivered and paid for; and said compensa-
tion shall be payable out of the funds derived from the sale of the
evidences of indebtedness actually issued, sold and paid for."

This ordinance having been submitted to a vote, the vote thereon was
as follows:

YEAS: 9

NAYS: 0

ABSENT: 0

And the ordinance was declared adopted on this the 14th day of
September, 1982.

Gerrit G. Ingram
Clerk of the Council

William D. Washington
President of the Council

W. A. McDonald
Mayor

ENDORSEMENT:

Willis C. McDonald
Willis C. McDonald, Bond Counsel

DELIVERED 9-16-82

9:00 A.M. to the Mayor

RECEIVED 9-21-82

4:00 P.M. from the Mayor

At 24, 1982 by

an Was.

Ind by

Woman Williams L

se 82-8-486

NO

ORDINANCE NO. 1549 IT

An ordinance providing for the employment of a special counsel, designating the fee and providing for the payment thereof, and other matters related thereto.

WHEREAS, the City Council of the City of Slidell, Louisiana, the governing authority of the City, is desirous of employing a special counsel, Willis C. McDonald, bond counsel of Slidell, Louisiana, to do and perform all legal work incidental and necessary to the authorization, issuance, sale and delivery of \$135,000 Certificates of Indebtedness of the City under the provisions of Title 33, Sections 2921, et seq, of the Louisiana Revised Statutes of 1950, as amended, for the purpose of paying obligations incurred in the extension and improvement of the City's sewerage and waterworks facilities, and necessary appurtenances thereto; and

WHEREAS, this City Council, after due deliberation, deems it necessary to protect the public interest and a real necessity exists to employ special counsel in connection with incurring of debt for the above purpose, the reason that this class of legal work requires the service of and can be performed by recognized bond counsel; and

WHEREAS, the aforesaid bond attorney has specialized in this phase of legal work, is nationally recognized therein, and particularly qualified to furnish the service required herein;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Slidell, Louisiana, acting as the governing authority of the City:

SECTION 1. Willis C. McDonald, bond counsel of Slidell, Louisiana, be, and he is hereby, employed as special counsel to do and perform all legal work incidental and necessary with respect to the incurring of debt and the issuance, sale and delivery of evidences of indebtedness for the purpose of paying obligations incurred in the extension and improvement of the City's sewerage and waterworks facilities, and necessary appurtenances thereto.

The said special counsel shall perform all applicable legal, special and other services required for comprehensive legal and coordination of professional work to provide for the incurring of debt and issuance, sale and delivery of not to exceed \$135,000 Certificates of Indebtedness. The fee of the special counsel shall be in the amount of 1.5% of the amount of certificates issued, sold and delivered. In the event indebtedness herein contemplated, are issued and sold in excess of the aforesaid rate of compensation shall apply to each such certificate sold and paid for; and said compensation shall be payable out of the amount derived from the sale of the evidences of indebtedness actually issued and paid for.

The special counsel shall also prepare and distribute an official prospectus or prospectuses containing details and comprehensive financial and statistical data required with respect to the sale of the securities authorized and the reasonable itemized cost of producing and distributing any such prospectus shall be approved by the City and such cost incurred shall be reim-

bursed from

of the issue of such securities.

A certified copy of this ordinance shall be submitted to the Attorney General of the State of Louisiana for his written approval of the employment and the fees herein designated.

SECTION 4. The Mayor of this City, and other appropriate officers thereof be, and they are hereby, authorized, empowered and directed to issue appropriate vouchers to said special counsel for the payment of the compensation and fees as herein provided.

SECTION 5. Upon acceptance by the special counsel of the terms and conditions of this ordinance of employment by the signing of an endorsement of acceptance, it shall become a contract between said counsel and the City, as if all of the terms of this ordinance had been written into a contract and executed by said bond counsel and for and on behalf of the City.

ADOPTED this 14th day of September, 1982.

Gerri G. Ingrao
Gerri G. Ingrao
Clerk of the Council

M. W. "Webb" Hart
President of
M. W. "Webb" Hart
Mayor

ENDORSEMENT

The employment of special counsel in accordance with the terms set forth in the foregoing ordinance is hereby accepted.

Willis C. McDonald
Willis C. McDonald
Bond Counsel

DELIVERED 9-16-82
9:00 AM. to the Mayor
RECEIVED 9-21-82
4:00 P.M. from the Mayor

CITY OF SLIDELL

Office of the City Attorney

LLOYD R. WALTERS

City Attorney

September 13, 1982

Honorable Lionel J. Washington
President, City Council
P. O. Box 828
Slidell, Louisiana 70459

Re: Max Rodriguez Retirement
82-C-190

Dear Lionel:

You asked me for an opinion concerning the application by the Honorable Max Rodriguez, Chief of Police, for credit from his previous term of service as a city policeman for the City of Slidell toward the retirement system now in effect.

The facts as I understand them are as follows: from 1962 until 1968, Chief Rodriguez was employed as a Slidell city policeman without benefit of a retirement system; from 1968 until 1978, Chief Rodriguez was employed by the St. Tammany Parish Sheriff's Department and he was a member of that retirement system; and from 1978, he has held the position of Chief of Police (elected) for the City of Slidell and he is a member of this retirement system.

According to the Board of Trustees of the Municipal Police Employee's Retirement System, under the provisions of Act 670 of 1981, Chief Rodriguez is entitled to full credit for his prior service as a Slidell city policeman upon the payment of the prior amount of contributions or approximately \$13,000.

Based on the facts, my interpretation of the law and the applicable jurisprudence, it is my opinion that the city has an obligation to make this contribution for and on behalf of the Chief of Police so that he will be entitled to full credit for his time spent as a Slidell city policeman.

This opinion only applies to the elected Chief of Police of the City of Slidell and it does not apply to any other person

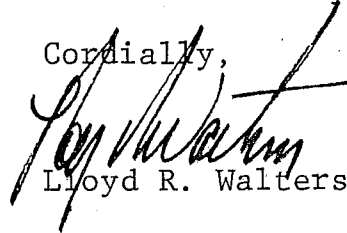
Honorable L. J. Washington

September 13, 1981

Page 2

similarly situated. The opinion may not be used as a precedent in any other matter. This opinion is strictly limited to the facts of this particular case and the law as it exists today.

Cordially,



Lloyd R. Walters

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