

**MINUTES OF REGULAR COUNCIL MEETING  
TOWN HALL MEETING ROOM  
112 W ALABAMA AVE.  
VIVIAN, LOUISIANA  
MONDAY, MAY 13, 2019  
6:00 PM**

**CALL TO ORDER** – Mayor Festavan called the meeting to order at 6:00 p.m.

**INVOCATION** – Alderman Michael Guthrie led the prayer.

**PLEDGE** – Mayor Festavan led all present in the Pledge of Allegiance.

**VERIFICATION OF QUORUM** – The Town Clerk verified that a quorum was present. Board of Aldermen present were: James Martin, Denise Alexander, Michael Guthrie and Raymond Williams. Absent was Angela Channell.

Also present were other elected officials/staff members: Ronnie Festavan - Mayor, Ryan Nelson - Chief of Police, Douglas Dominick - Town Attorney, Kellie Morris - Town Clerk and David Jones, Jr. - Deputy Clerk.

**APPROVE AGENDA** – An amendment to the Agenda was needed as four (4) items, agenda items # 21 - 24 relating to the FY 2020-21 Louisiana Community Development Block Grant, needed to be added to the Agenda with each item requiring a unanimous vote of the Board of Aldermen present. The Mayor asked for the votes to amend, add to the Agenda, and the votes to do so were as follows:

**Adding Agenda item # 21** - Motion was made by Raymond Williams, second by Denise Alexander; all approved.

**Adding Agenda item # 22** - Motion was made by Raymond Williams, second by Michael Guthrie; all approved.

**Adding Agenda item # 23** - Motion was made by James Martin, second by Denise Alexander; all approved.

**Adding Agenda item # 24** - Motion was made by Raymond Williams, second by Michael Guthrie; all approved.

Following the votes to add items # 21, 22, 23 & 24 to the Agenda the motion was made by Raymond Williams, second by James Martin to accept the new Agenda; all approved.

1. **SCHOOL ANNOUNCEMENTS** – There were none.

2. **PUBLIC COMMENTS** – There were none.

3. **MONTHLY FINANCIAL REPORT** – Financial report was presented by Mayor Festavan.

4 - 6. **APPROVAL OF MINUTES FOR (4) APRIL 8 REGULAR MONTHLY MEETING, (5) APRIL 23 and (6) MAY 7 SPECIAL CALLED MEETINGS** – Motion was made by Raymond Williams, second by Michael Guthrie to approve all minutes as presented in globo, as a unit; all approved.

7. **RE-INTRODUCTION OF ORDINANCE # 718 OF 2019 OF THE TOWN OF VIVIAN, LOUISIANA - TO AMEND AND SUPPLEMENT THE TOWN OF VIVIAN'S BUDGET ORDINANCE #708 OF 2018 – TO REFLECT THE APPROPRIATE REVENUES AND EXPENDITURES.** *There will be a public hearing prior to the adoption of Ordinance # 718 at the regular Town Council Meeting at 6:00 p.m. on June 10, 2019 at the Vivian Town Hall, located at 112 W. Alabama Ave. in Vivian, Louisiana.*

8. **PUBLIC HEARING ON ORDINANCE # 719 OF 2019 OF THE TOWN OF VIVIAN, LOUISIANA TO SALE OF MOVABLE PROPERTY, THE REASONS FOR SAID SALE, TO FIX THE MINIMUM PRICE OF SAID SALE AND THE TERMS OF THE SALE.** This ordinance will declare said property (antiquated voltage regulators) surplus property, no longer needed for a public purpose and to be sold unto the Town of Arcadia. Mayor Festavan opened the public hearing for public comments FOR or AGAINST; none were made. Mayor Festavan then declared the public hearing closed.

9. **CONSIDER THE FINAL ADOPTION ON ORDINANCE # 719 OF 2019 OF THE TOWN OF VIVIAN, LOUISIANA TO SALE OF MOVABLE PROPERTY, THE REASONS FOR SAID SALE, TO FIX THE MINIMUM PRICE OF SAID SALE AND THE TERMS OF THE SALE.** Motion was

made by James Martin, second by Denise Alexander; all approved.

**10. PUBLIC HEARING ON ORDINANCE # 720 OF 2019 OF THE TOWN OF VIVIAN, LOUISIANA – AN ORDINANCE FOR THE CODE OF ORDINANCES, TOWN OF VIVIAN, TO AMEND THE LEASE WITH OPTION TO PURCHASE WITH EPIC BOATS, LLC. DATED ON OR ABOUT FEBRUARY 5, 2015 FILED AND RECORDED ON SEPTEMBER 22, 2016 UNDER INSTRUMENT NUMBER 2617083 OF THE PUBLIC RECORDS OF CADDO PARISH, LOUISIANA.** This will be an amendment to paragraph 3. RENTAL PAYMENTS - The payments are set to increase to the amount of \$6000.00 a month beginning April 2022; however, this will freeze the current payments being made in the amount of \$5000.00 a month to continue to be \$5000.00 a month until December 2023; thereafter payments will be increased to \$6000.00 a month until the termination date of the agreement. All other terms and conditions of said agreement are to remain the same. Mayor Festavan opened the public hearing for public comments FOR or AGAINST. One citizen in attendance inquired as to the termination date of said lease. There being no further questions/comments Mayor Festavan then declared the public hearing closed.

**11. CONSIDER THE FINAL ADOPTION OF ORDINANCE # 720 OF THE TOWN OF VIVIAN, LOUISIANA – AN ORDINANCE FOR THE CODE OF ORDINANCES, TOWN OF VIVIAN, TO AMEND THE LEASE WITH OPTION TO PURCHASE WITH EPIC BOATS, LLC.** Motion was made by Raymond Williams, second by Michael Guthrie; all approved.

**12. PUBLIC HEARING ON ORDINANCE # 721 OF 2019 OF THE TOWN OF VIVIAN, LOUISIANA – TO DIVIDE THE DEPARTMENT OF PUBLIC WORKS INTO TWO SEPARATE DEPARTMENTS TO NOW BE THE DEPARTMENT OF PUBLIC WORKS AND THE DEPARTMENT OF ENVIRONMENTAL SERVICES.** Mayor Festavan opened the public hearing for public comments FOR or AGAINST; none were made. Mayor Festavan then declared the public hearing closed.

**13. THE BOARD OF ALDERMEN WILL CONSIDER THE FINAL ADOPTION ON ORDINANCE # 721 OF 2019 OF THE TOWN OF VIVIAN, LOUISIANA – TO DIVIDE THE DEPARTMENT OF PUBLIC WORKS INTO TWO SEPARATE DEPARTMENTS TO NOW BE THE DEPARTMENT OF**

PUBLIC WORKS AND THE DEPARTMENT OF ENVIRONMENTAL SERVICES. Motion was made by Denise Alexander, second by James Martin; all approved.

**14. RE-INTRODUCTION OF ORDINANCE # 722 OF 2019 OF THE TOWN OF VIVIAN, LOUISIANA – TO ADOPT THE MILLAGE RATES FOR THE 2019 TAX YEAR IN AND FOR THE TOWN OF VIVIAN.** There will be a public hearing prior to the adoption of Ordinance # 722 at the regular Town Council Meeting at 6:00 p.m. on June 10, 2019 at the Vivian Town Hall, located at 112 W. Alabama Ave. in Vivian, Louisiana.

**15. INTRODUCTION OF ORDINANCE # 723 OF 2019 OF THE TOWN OF VIVIAN, LOUISIANA – TO AMEND AND SUPPLEMENT, SECTION 18–24 – PROHIBITED DISCHARGES TO NATURAL OUTLETS TO INCLUDE THE FOLLOWING: a person shall not directly or indirectly discharge, or allowed to be discharged, the contents or effluent from any plumbing fixtures, vault, privy, portable toilet, or septic tank, into any road, street, gutter, ditch, watercourse, body of water, or onto the surface of the ground. reference LAC 51:XIII.305.** There will be a public hearing prior to the adoption of Ordinance # 723 at the regular Town Council Meeting at 6:00 p.m. on June 10, 2019 at the Vivian Town Hall, located at 112 W. Alabama Ave. in Vivian, Louisiana.

**16. INTRODUCTION OF ORDINANCE # 724 OF 2019 OF THE TOWN OF VIVIAN, LOUISIANA – TO ADOPT THE TOWN OF VIVIAN’S 2019/2020 BUDGET OF REVENUES AND EXPENDITURES.** There will be a public hearing prior to the adoption of Ordinance # 724 at the regular Town Council Meeting at 6:00 p.m. on June 10, 2019 at the Vivian Town Hall, located at 112 W. Alabama Ave. in Vivian, Louisiana.

**17. THE BOARD OF ALDERMEN WILL CONSIDER ADOPTING RESOLUTION # 4 of 2019 OF THE TOWN OF VIVIAN –** A resolution ordering and calling a special election to be held on October 12, 2019 in the Town of Vivian, State of Louisiana, to authorize the rededication of a sales and use tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith. Motion was made by James Martin, second by Denise Alexander; all approved.

**18. THE BOARD OF ALDERMEN WILL CONSIDER ADOPTING RESOLUTION #5 of 2019 OF THE TOWN OF VIVIAN** – This is a resolution authorizing the town attorney to obtain an opinion from the State of Louisiana Attorney General’s Office with regards to how the Town should measure the distance from the adjacent land owner’s property line unto the church’s property line, or unto the Church Building (sanctuary) or unto to the Emmanuel Baptist Church Fellowship Hall and whether or not the Fellowship Hall is considered a “building exclusively used as a church” within the meaning of section 3 – 10 of the code of ordinances of the Town of Vivian. Motion was made by Raymond Williams, second by Denise Alexander; all approved.

**19. PROPERTY CONDEMNATION REPORT** – Nothing to report.

**20. CODE ENFORCEMENT REPORT** – Report presented by Deputy Chief Perry Hart indicated the following: **1)** Total Properties Inspected, **2)** Properties Brought to Standard, **3)** Summons Issued, **4)** Properties Currently Awaiting Follow-up and **5)** Properties Awaiting Further Investigation. Deputy Chief Hart stated that grass & weeds were beginning to be a problem due to the time of year and the amount of rain that the town has received. He also reported on the following properties: **a)** 204 E. Pennsylvania Ave. was in the process of being cleaned up, that improvements had been made, and **b)** the department would be moving forward with condemnation proceedings on 525 N. Spruce St.

**21. THE BOARD OF ALDERMEN WILL CONSIDER THE ADOPTION OF A CITIZEN’S PARTICIPATION PLAN/CITIZEN’S COMPLAINT PROCEDURE TO BE ADOPTED** – The Town Clerk, Kellie Morris, be appointed as the citizen complaint officer for compliance with the LCDBG program. Motion was made by Raymond Williams, second by James Martin; all approved.

**22. THE BOARD OF ALDERMEN WILL AUTHORIZE MAYOR RONNIE FESTAVAN TO PROCEED WITH THE DEVELOPMENT OF THE LCDBG APPLICATION** – Taking into consideration citizen participation requirements and views of the governing body:

The application will be submitted for one of the following activities:

<u>Activity:</u>	<u>Ceiling Amount</u>	<u>Project Severity Due</u>
Sewer Treatment	\$1,200,000.00	July 12, 2019

New Sewer Collection	\$1,000,000.00	July 12, 2019
Existing Sewer Collection Rehab	\$1,000,000.00	July 12, 2019
Potable Water	\$1,000,000.00	July 12, 2019
Streets	\$800,000.00	July 12, 2019

Motion was made by James Martin, second by Michael Guthrie; all approved.

**23. THE BOARD OF ALDERMEN WILL CONSIDER ADOPTION OF A PROCUREMENT POLICY FOR COMPLIANCE WITH THE LCDBG PROGRAM.** Motion was made by Denise Alexander, second by Raymond Williams; all approved.

**24. THE BOARD OF ALDERMEN WILL CONSIDER AUTHORIZING MAYOR RONNIE FESTAVAN TO PROCEED WITH THE PROCUREMENT AND SELECTION OF PROFESSIONAL SERVICES –** For the purpose of said assisting in the development of the LCDBG application and implementation of the project. Motion made by Michael Guthrie, second by Denise Alexander; all approved.

**MAYOR’S REPORT –** Mayor Festavan reported that Balar Associates and McNew Architect toured the Armory facility with Mayor Festavan, Deputy Clerk David Jones and Police Chief Ryan Nelson to evaluate the possibility of converting it into a new Police Complex for the town.

**14. ANNOUNCEMENTS MADE BY BOARD OF ALDERMEN –** There were none.

**10. ADJOURN –** Motion was made by Raymond Williams, second by Michael Guthrie; all approved. Meeting adjourned at 6:58 p.m.

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**Ronnie Festavan, Mayor**

**May 17, 2019**

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**Kellie Morris, Town Clerk**