

**MINUTES OF REGULAR COUNCIL MEETING
TOWN HALL MEETING ROOM
112 W. ALABAMA AVE.
VIVIAN, LOUISIANA
MONDAY, OCTOBER 14, 2019
6:00 PM**

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

INVOCATION – Alderman Michael Guthrie opened the meeting in prayer.

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

ROLL CALL - VERIFICATION OF QUORUM – Board of Aldermen present for Roll Call were James Martin, Denise Alexander and Michael Guthrie; absent were Raymond Williams and Angela Channell. Following Roll Call the Town Clerk verified that a quorum was present.

Also present were other elected officials/staff members: Ronnie Festavan - Mayor, Douglas Dominick - Town Attorney, Kevin Hartzo - Public Works Director, Perry Hart - Deputy Police Chief and Bobby Smith - Zoning & Condemnation Officer.

APPROVE AGENDA – Motion made by James Martin, second by Michael Guthrie; all approved.

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

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

3. **APPROVAL OF MINUTES FOR SEPTEMBER 9, REGULAR MEETING** – Motion made by Denise Alexander, second by James Martin; all approved.

4. **APPROVAL OF MINUTES FOR SEPTEMBER 24, SPECIAL MEETING** – Motion made by James Martin, second by Denise Alexander; all approved.

5. **PUBLIC HEARING ON ORDINANCE # 727 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE FOR THE CODE OF ORDINANCES, TOWN**

OF VIVIAN, TO REVOKE AND SET ASIDE TWO (2) ALLEYS LOCATED WITHIN THE TOWN LIMITS OF THE TOWN OF VIVIAN, CADDO PARISH, LOUISIANA; being located in Block 26, Town of Vivian, Caddo Parish, Louisiana as per Plat Recorded in Book 17, Page 273 of the Conveyance Records of Caddo Parish, Louisiana. Mayor Festavan opened the public hearing for comments FOR or AGAINST the Ordinance; none were made. Mayor Festavan then declared the public hearing closed.

6. THE BOARD OF ALDERMEN WILL CONSIDER THE FINAL ADOPTION OF ORDINANCE # 727 OF 2019 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE FOR THE CODE OF ORDINANCES, TOWN OF VIVIAN, TO REVOKE AND SET ASIDE TWO (2) ALLEYS LOCATED WITHIN THE TOWN LIMITS OF THE TOWN OF VIVIAN, CADDO PARISH, LOUISIANA. Motion was made by Michael Guthrie, second by James Martin; Denise Alexander recused herself, abstained, from the vote; Guthrie and Martin voted to approve. Town Attorney Dominick then informed those present that due to the fact that this is an Ordinance, that the Lawrason Act requires the majority of the members of the Board of Alderman to vote in favor of the Ordinance in order for the Ordinance to pass. Therefore, the Ordinance did not pass, and will be placed on the November 11 Council Meeting Agenda to be reconsidered for final adoption and voted on at that time.

7. PUBLIC HEARING ON ORDINANCE # 728 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE APPROVING THE ISSUANCE OF NOT EXCEEDING THREE MILLION ONE HUNDRED FIVE THOUSAND DOLLARS (\$3,105,000.00) OF CERTIFICATES OF INDEBTEDNESS, SERIES 2019, OF THE TOWN OF VIVIAN, STATE OF LOUISIANA AND PROVIDING FOR TERMS AND OTHER MATTERS IN CONNECTION THEREWITH. Mayor Festavan opened the public hearing for comments FOR or AGAINST the Ordinance; none were made. Mayor Festavan then declared the public hearing closed.

8. THE BOARD OF ALDERMEN WILL CONSIDER THE FINAL ADOPTION OF ORDINANCE # 728 OF 2019 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE APPROVING THE ISSUANCE OF NOT EXCEEDING THREE MILLION ONE HUNDRED FIVE THOUSAND DOLLARS (\$3,105,000.00) OF CERTIFICATES OF INDEBTEDNESS, SERIES 2019, OF THE TOWN OF VIVIAN, STATE OF LOUISIANA AND PROVIDING FOR TERMS AND OTHER MATTERS IN CONNECTION THEREWITH. The Mayor reported to the

Council that after discussion with the refinancing company (Government Capital) that it would be in the Town's best interest to revisit the refinancing after the next audit. He then recommended that Agenda item # 8, Consideration and Final Adoption of Ordinance # 728, be removed from the Agenda. Motion to approve the Mayor's recommendation was made by Michael Guthrie, second by Denise Alexander; all approved.

9. THE BOARD OF ALDERMEN WILL CONSIDER THE ADOPTION OF RESOLUTION NUMBER # 16 OF 2019 OF THE TOWN OF VIVIAN LOUISIANA - TO DESIGNATE AN INDIVIDUAL FROM TOWN OF VIVIAN TO ACT ON BEHALF OF THE TOWN OF VIVIAN IN ALL MATTERS PERTAINING TO THE CAPITAL OUTLAY PROJECT; including certifying requests for State disbursements; FP&C Project No. 50-MU6-19-01; Park Improvements, Planning & Construction. Motion to adopt was made by Denise Alexander, second by James Martin; all approved.

10. THE BOARD OF ALDERMEN WILL CONSIDER THE ADOPTION OF RESOLUTION # 17 OF 2019 OF THE TOWN OF VIVIAN LOUISIANA - A RESOLUTION TO REQUEST THAT THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT - DIVISION OF AVIATION PROVIDE FUNDS REQUIRED TO COMPLETE THE VIVIAN AIRPORT IMPROVEMENTS AS DESCRIBED IN THE CAPITAL IMPROVEMENT PROGRAM APPLICATION; Providing that all necessary servitudes, rights-of-way, rights of ingress and egress will be furnished by the Town of Vivian; further hold the Louisiana Department of Transportation and Development, division of aviation harmless from any liability; further authorize the Mayor to sign and execute the agreement and any subsequent related documents/agreements that may be required. Motion to adopt was made by James Martin, second by Michael Guthrie; all approved.

11. HIRING OF NEW POLICE OFFICERS - THE BOARD OF ALDERMEN WILL CONSIDER THE CHIEF OF POLICE'S RECOMMENDATION TO HIRE AND COMMISSION THE FOLLOWING INDIVIDUALS FOR THE VIVIAN POLICE DEPARTMENT:

Niakia Channel - Part-time Police Officer - \$14.00 per hour

Roland Garner, Jr. - Full-time Police Officer - \$14.00 per hour

Motion was made by Denise Alexander to hire & commission Niakia Channel effective immediately, and to hire & commission Roland Garner, Jr. upon

receipt of his completed background check and P.O.S.T. certification. Motion was seconded by James Martin; all approved.

12. THE BOARD OF ALDERMEN WILL CONSIDER THE MAYOR'S RECOMMENDATION - TO APPOINT KRYSTEN JACKSON TO FILL THE TOWN OF VIVIAN'S VACANCY ON THE CADDO PARISH FIRE DISTRICT #8 BOARD OF COMMISSIONERS. (To replace Eddie Rice) Motion was made by Denise Alexander, second by Michael Guthrie; all approved.

13. THE BOARD OF ALDERMEN WILL CONSIDER THE MAYOR'S RECOMMENDATION - TO ADJUST VACATION PAY; Director of Public Works. The Mayor recommended that the Board of Aldermen authorize an exception to authorize a one-time payment of two weeks of vacation pay for Director of Public Works Kevin Hartzo, explaining the reason for the recommendation. Motion was made by Denise Alexander, second by James Martin; all approved.

14. ZONING VARIANCE HEARING – THE BOARD OF ALDERMEN WILL CONSIDER ISSUING AN EMERGENCY, TEMPORARY, 60-DAY PERMIT; To allow a mobile home to be placed at 120 Camp Vivian Street. Ms. Lucinda Moore, Mrs. Ann Bethany and Ms. Ashley Brooke Alexander came and appeared before the Board of Aldermen asking for their approval to locate a mobile home at the above stated address due to an emergency situation. After questions, answers and discussion that included Zoning & Condemnation Officer Bobby Smith, the Board of Aldermen and the Mayor the following agreement was reached: **1)** Ms. Alexander would have 60 days to make all of the mandated requirements to the inside & outside of the home to bring it up to zoning code(s), and **2)** that Mr. Smith would visit the home on day 59 to inspect to see that ALL zoning requirements had been met. Should Mr. Smith find that ALL requirements have been met and the home brought up to zoning code(s) on day 59 a regular, permanent, permit would then be issued. Motion was made by Denise Alexander, second by Michael Guthrie; all approved.

PROPERTY CONDEMNATION REPORT – Zoning & Condemnation Officer Bobby Smith was present to make report on the following property locations: **1)** 525 N. Spruce St., burned home at that address has been demolished and disposed of, **2)** 202 W. Mississippi Ave., burned home behind the Elementary-Middle School to be demolished and disposed of, and **3)** yellow

house on W. Kentucky Ave. that has already been declared and posted as condemned, and is ready for demo and disposal when funds are made available.

CODE ENFORCEMENT REPORT – Deputy Chief Perry Hart was present to report that the month of September was spent doing follow-up on properties previously addressed. A location on Milner St. (no address given) was also discussed.

MAYOR'S REPORT – The Mayor's report contained the following: **1)** The Louisiana Housing Board's approval of a \$7,000,000 to \$8,000,000 grant to renovate the Monterrey Hills Apartment Complex meaning a better quality of life for residents and an economic impact for the Town during the construction project which is scheduled to begin in March 2020, **2)** US Congressman Mike Johnson called to report that the Town was the recipient of a \$132,261 FAA grant to remove obstructions at the Vivian Municipal Airport, **3)** the amount of fuel being sold at the Airport and the profit made from those sales, and **4)** blighted properties & neighborhoods and a new program being coordinated by the LMA to address these problems.

ANNOUNCEMENTS BY BOARD OF ALDERMEN – There were none.

ADJOURN – Motion was made by Michael Guthrie, second by James Martin; all approved. Meeting adjourned at 6:54 p.m.

Ronnie Festavan, Mayor

November 1, 2019

Kellie Morris, Town Clerk