

**MINUTES OF REGULAR COUNCIL MEETING
TOWN HALL MEETING ROOM
112 W. ALABAMA AVE.
VIVIAN, LOUISIANA
MONDAY, NOVEMBER 11, 2019
6:00 PM**

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

INVOCATION – Alderman Raymond Williams opened the meeting in prayer.

PLEDGE – Mayor Festavan led all present in the Pledge of Allegiance following the posting of the Colors by North Caddo Magnet High School Color Guard.

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, Ryan Nelson - Chief of Police, Douglas Dominick - Town Attorney, Kevin Hartzo - Public Works Director and Annette Lewis - Environmental Services Coordinator.

APPROVE AGENDA – Motion made by James Martin, second by Raymond Williams; all approved.

1. **SCHOOL ANNOUNCEMENTS** – Mr. Cunningham, North Caddo Elementary-Middle School Principal, was present to make the following announcements; **1)** Start of the Basketball season, **2)** Teachers of the Year are Tonya Cedrick - Elementary and Vickie Kirkendall – Middle, and **3)** the upcoming Father-Daughter Dance. He also presented the North Caddo Elementary-Middle School Students of the Month – 2nd grader Adison Lewis and 8th grader Jordan Washington.

Mrs. Cherry, North Caddo Magnet High School Principal, was present to make the following announcements; **1)** Rebel Football team was District Champs, **2)** the school would be getting a new track at the stadium, **3)** the band would be

getting new band uniforms, and **4)** they are now an ‘A’ letter school! She also presented the North Caddo Magnet High School Students of the Month for the month of October – 9th grader Conly Stevens, 10th grader Jamia Jackson, 11th grader Madison Williams, 12th grader Nick Henderson, and Students of the Month for the month of November – 9th grader Kolby Copeland, 10th grader William Messer, 11th grader Madison Cook and 12th grader Joymiracle Duncan.

2. PUBLIC COMMENTS – There were none.

3. MONTHLY FINANCIAL REPORT – Financial report was presented by Mayor Festavan. Following the report and discussion, motion to accept as presented was made by Raymond Williams, second by Denise Alexander; all approved.

4. APPROVAL OF MINUTES FOR OCTOBER 14, REGULAR MEETING – Motion made by Michael Guthrie, second by James Martin; all approved.

5. 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. (This Ordinance was introduced at the September 9 Council Meeting and the Public Hearing was held at the October 14 Council Meeting.) Motion was made by Raymond Williams, second by James Martin; Denise Alexander abstained, recused herself, from the vote; all others approved.

6. INTRODUCTION OF ORDINANCE # 729 OF 2019 – AN ORDINANCE DECLARING CERTAIN ADJUDICATED PROPERTIES TO BE SURPLUS AND AUTHORIZE THE TOWN TAX COLLECTOR, OR A DESIGNEE, TO SELL THE TOWN OF VIVIAN’S TAX INTEREST IN CERTAIN SURPLUS ADJUDICATED PROPERTIES, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO, SAID PROPERTY BEING DESCRIBED AS FOLLOWS; Lots 40 & 41, Plainview Subdivision, Town of Vivian, Caddo Parish Louisiana geographical number 221635–001–0040–00. There will be a public hearing prior to the adoption of Ordinance # 729 at the Regular Council Meeting at 6:00 p.m. on December 9, 2019 at the Vivian Town Hall, located at 112 W. Alabama Ave. in Vivian, Louisiana.

7. THE BOARD OF ALDERMEN WILL CONSIDER THE ADOPTION OF RESOLUTION NUMBER # 18 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-MU6-19-02; New Law Enforcement Complex, Planning & Construction. (This resolution is a prerequisite for the disbursement of State funds.) Motion to adopt was made by Denise Alexander, second by Angela Channell; all approved.

8. POLICE OFFICER PROMOTIONS – THE BOARD OF ALDERMEN WILL CONSIDER THE CHIEF OF POLICE’S RECOMMENDATION TO PROMOTE THE FOLLOWING OFFICERS: Officer Jarvis Armington to the rank of Lieutenant and Officer Gary Roberts to the rank of Sergeant. (These promotions will not offer pay increase(s) at this time.) Prior to action taken by the Council Chief Nelson spoke about each of the Officers, their skills and what an asset they are & will continue to be to the department. Motion was made by Denise Alexander, second by Michael Guthrie; all approved.

9. HIRING OF POLICE DISPATCHER – THE BOARD OF ALDERMEN WILL CONSIDER THE CHIEF OF POLICE’S RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUAL AS DISPATCHER FOR THE VIVIAN POLICE DEPARTMENT: Brooke Janzen, Part-time Dispatcher @ \$9.00 per hour. Motion was made by James Martin, second by Raymond Williams; all approved.

10. THE TOWN ATTORNEY WILL UPDATE THE BOARD OF ALDERMEN ON THE ATTORNEY GENERAL’S RECENT OPINION CONCERNING THE PERMIT TO SALE ALCOHOL AT THE TOBACCO HOUSE – Town Attorney Dominick informed those present that The Attorney General’s Opinion stated that the distance between The Tobacco House and Emmanuel Baptist Church is appropriately determined, by measuring from the property line of the nearest building/structure in which the “usual and ordinary activities incident to the church” are carried on and it will be up to the Board of Aldermen to determine whether or not the Fellowship Hall/Youth Center Building falls into the category of being defined as a building “which the usual and ordinary activities incident to the church” are carried on there. Therefore, it will be up to the Town Council to determine whether to issue the Low Alcohol / Beer Permit or not. The Mayor has met with the Emmanuel Baptist Church Pastor

and The Tobacco House manager, and Town Attorney Dominick has reached out to The Tobacco House owner as well. It is recommended by Town Attorney Dominick that this matter be placed on a future Town Council Agenda, and Public Hearing held which will allow The Tobacco House and Emmanuel Baptist Church the opportunity to speak on the matter before a vote is taken by the Council.

11. THE BOARD OF ALDERMAN WILL CONSIDER THE FOLLOWING PROPERTY BE PLACED ON THE CONDEMNATION LIST, TO WIT:

202 W Mississippi Ave, Vivian, Louisiana 71082; Lots 1 and 2, Blk 6, Geo # 221626-007-0001& 0002 – Town Attorney Dominick advised that he has sent a certified letter to the property owner giving him 15 (fifteen) days to clean up the property or the property would be placed on the condemnation list. Motion was made by Michael Guthrie, second by Denise Alexander; all approved.

12. **NO ITEM** – Number was omitted in Agenda.

13. THE BOARD OF ALDERMEN WILL CONSIDER REQUESTING THAT THE TOWN TAKE THE FOLLOWING ACTION - TO REMOVE AND ABATE THE EXTERIOR OF THE PROPERTY LOCATED AT 917 SOUTH PINE ST., VIVIAN, LA; due to the violation of the Junked, Wrecked & Abandoned Property AND Grass, Weeds & Wild Growth Ordinances. Town Attorney Dominick informed those present that the homeowner was deceased and that the succession had not been opened. He suggested that a curator be appointed/hired in an effort to take all appropriate avenues to improve the property conditions and standards. Motion was made by Denise Alexander, second by James Martin; all approved.

PROPERTY CONDEMNATION REPORT – No report given.

CODE ENFORCEMENT REPORT – No report given.

MAYOR'S REPORT – The Mayor's report included the following topics: **1)** Surplus Sale of items belonging to the Town which would be coming up, **2)** Sale of the old Firehouse and a portion of the surrounding property, **3)** Auditors will be in house the week of November 18th to perform the yearly Legislative Audit, **4)** Passage of the October 12th tax rededication and thanks, **5)** Country Christmas Festival to be held on Saturday, November 30th, and **6)** A letter that was written to a water customer, which included information from

the Attorney General's office, informing her that it was against the law for the Town of Vivian to forgive any customer's water usage.

ANNOUNCEMENTS BY BOARD OF ALDERMEN – There were none.

ADJOURN – Motion was made by Raymond Williams, second by Denise Alexander; all approved. Meeting adjourned at 7:02 p.m.

Ronnie Festavan, Mayor

Kellie Morris, Town Clerk

December 2, 2019