

MINUTES OF REGULAR COUNCIL MEETING
TOWN HALL MEETING ROOM
112 W. ALABAMA AVE.
VIVIAN, LOUISIANA
MONDAY, AUGUST 10, 2020
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.

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

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

AMEND AGENDA - Agenda item # 17, a Zoning Commission Recommendation, needed to be moved up to Agenda item # 14, an Introduction to a Re-zoning Ordinance. Motion to amend the Agenda was made by Raymond Williams, second by Angela Channell; all approved. **In doing so the Agenda's number sequence was changed accordingly.**

APPROVE AMENDED AGENDA - Motion to approve the Amended Agenda was made by James Martin and seconded by Raymond Williams. All approved.

1. PUBLIC COMMENTS - Ms. Hulene Stephenson of 503 Edwards St. in Vivian came before the Council concerned by the lack of requested Green Waste pick-up.

2. MONTHLY FINANCIAL REPORT - Financial report including budget-to-actual comparisons was presented by Mayor Festavan. Following the report and discussion, motion to accept as presented was made by Raymond Williams, second by Michael Guthrie; all approved.

3. APPROVAL OF MINUTES - Motion to approve the minutes of the July 13, 2020 regular meeting was made by Raymond Williams, second by James Martin; all approved.

4. APPROVAL OF MINUTES - Motion to approve the minutes of the July 22, 2020 special called meeting was made by Raymond Williams, second by Angela Channell; all approved.

5. PUBLIC HEARING ON ORDINANCE # 743 OF 2020 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE DECLARING THE FOLLOWING DESCRIBED PROPERTY, TO WIT: 2008 RAYCO WOOD CHIPPER, IR98413118W210015, TO BE SURPLUS PROPERTY AND FIXING THE MINIMUM PRICE AND TERMS OF THE SALE, AND SETTING A DATE AND TIME OF THE SALE; SAID PROPERTY HAVING AN APPRAISED VALUE OF \$8,000.00. Mayor Festavan opened the public hearing for comments FOR or AGAINST the Ordinance; none were made. He then declared the public hearing closed.

6. THE BOARD OF ALDERMEN WILL CONSIDER THE FINAL ADOPTION OF ORDINANCE # 743 OF 2020 OF THE TOWN OF VIVIAN, LOUISIANA - *SEE AGENDA ITEM # 5.* Motion to adopt Ordinance # 743 of 2020 of the Town of Vivian, Louisiana was made by Angela Channell, second by James Martin; all approved.

7. BID OPENING & AWARD TO SUCCESSFUL BIDDER - (Wood Chipper) Before the bid opening the Mayor asked the Town Clerk to explain the sealed bid acceptance procedure and security measures leading up to the opening of the bids. Following the Clerk's remarks a total of 4 official bids were opened by the Clerk, read aloud by the Mayor and recorded by the Clerk. Following the recording of the bids and the validation of the highest bidder by the Clerk it was announced that the highest, successful bidder was Mr. Sam Curry who submitted a bid amount of \$10,501.00. Motion to accept the highest, successful bid and award the Rayco Wood Chipper to Mr. Curry was made by Raymond Williams, second by Michael Guthrie; all approved.

8. PUBLIC HEARING ON ORDINANCE # 744 OF 2020 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE FOR THE CODE OF ORDINANCES, TOWN OF VIVIAN, LOUISIANA, TO AMEND, CHAPTER 15 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES - ARTICLE I - IN GENERAL - TO INCLUDE SECTION 15-5. - PORTABLE BASKETBALL HOOPS, VOLLEYBALL NETS, SOCCER GOALS OR ANY OTHER SPORTING RELATED EQUIPMENT. Mayor Festavan opened the public hearing for comments FOR or AGAINST the Ordinance; none were made. He then declared the public hearing closed.

9. THE BOARD OF ALDERMEN WILL CONSIDER THE FINAL ADOPTION OF ORDINANCE # 744 OF 2020 OF THE TOWN OF VIVIAN, LOUISIANA - *SEE AGENDA ITEM # 8.* Motion to adopt Ordinance # 744 of 2020 of the Town of

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

10. PUBLIC HEARING ON ORDINANCE # 745 OF 2020 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE TO SELL IMMOVABLE PROPERTY, COMMONLY KNOWN AS THE “OLD VIVIAN FIRE STATION”, THE REASONS FOR SAID SALE, TO FIX THE MINIMUM PRICE OF SAID SALE AND THE TERMS OF THE SALE. FURTHER TO DECLARE SAID PROPERTY SURPLUS PROPERTY AND NO LONGER NEEDED FOR A PUBLIC PURPOSE AND TO BE SOLD UNTO THE HIGHEST BIDDER. Mayor Festavan opened the public hearing for comments FOR or AGAINST the Ordinance; none were made. He then declared the public hearing closed.

11. THE BOARD OF ALDERMEN WILL CONSIDER THE FINAL ADOPTION OF ORDINANCE # 745 OF 2020 OF THE TOWN OF VIVIAN, LOUISIANA - SEE AGENDA ITEM # 10. Motion to adopt Ordinance # 745 of 2020 of the Town of Vivian, Louisiana was made by Raymond Williams, second by Angela Channell; all approved.

12. BID OPENING & AWARD TO SUCCESSFUL BIDDER - (Old Vivian Fire Station) Once again the Mayor asked the Town Clerk to explain the sealed bid acceptance procedure and security measures leading up to the opening of the bids. Following the Clerk’s remarks a total of 3 official bids were opened by the Clerk, read aloud by the Mayor and recorded by the Clerk. Following the recording of the bids and the validation of the highest bidder by the Clerk it was announced that the highest, successful bidder was Mrs. Lou Ann Dodge who submitted a bid amount of \$21,500.00. Motion to accept the highest, successful bid and award the Old Vivian Fire Station to Mrs. Dodge was made by James Martin, second by Raymond Williams; all approved.

13. INTRODUCTION OF ORDINANCE # 746 OF 2020 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE TO ADOPT THE MILLAGE RATES FOR THE 2020 TAX YEAR IN AND FOR THE TOWN OF VIVIAN. There will be a public hearing prior to the adoption of Ordinance # 746 at the regular Town Council Meeting at 6:00 p.m. on September 14, 2020 at the Vivian Town Hall, located at 112 W. Alabama Ave. in Vivian, Louisiana.

14. ZONING COMMISSION RECOMMENDATION - THE BOARD OF ALDERMEN WILL CONSIDER THE VIVIAN ZONING COMMISSION’S RECOMMENDATION TO RE-ZONE 212 S. PINE ST. (THE OLD VIVIAN FIRE STATION) FROM PUBLIC/SEMI-PUBLIC TO B-3 CENTRAL BUSINESS DISTRICT. Motion to approve the Zoning Commission’s recommendation was made by Raymond Williams, second by Michael Guthrie; all approved.

15. INTRODUCTION OF ORDINANCE # 747 OF 2020 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE TO RE-ZONE THE PROPERTY COMMONLY KOWN AS THE 'OLD VIVIAN FIRE STATION', LOCATED AT 212 S. PINE ST., FROM PUBLIC/SEMI-PUBLIC TO B-3 CENTRAL BUSINESS DISTRICT. There will be a public hearing prior to the adoption of Ordinance # 747 at the regular Town Council Meeting at 6:00 p.m. on September 14, 2020 at the Vivian Town Hall, located at 112 W. Alabama Ave. in Vivian, Louisiana.

16. INTRODUCTION OF ORDINANCE # 748 OF 2020 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE ESTABLISHING THE TOWN OF VIVIAN'S ADMINISTRATIVE COURT FOR ADJUDICATION OF BLIGHTED PROPERTY, ABANDONED PROPERTY, AND VIOLATIONS OF SUCH TOWN ORDINANCES ADDRESSING THE PUBLIC HEALTH; GRASS, WEEDS AND WILD GROWTH; LITTER; HOUSING AND PROPERTY STANDARDS; AND JUNK, WRECKED AND ABANDONED PROPERTY INCLUDING REGULATIONS AND PENALTIES ASSOCIATED WITH VIOLATIONS. There will be a public hearing prior to the adoption of Ordinance # 748 at the regular Town Council Meeting at 6:00 p.m. on September 14, 2020 at the Vivian Town Hall, located at 112 W. Alabama Ave. in Vivian, Louisiana.

17. THE BOARD OF ALDERMEN WILL CONSIDER AMENDING RESOLUTION # 8 OF 2020 (SALE OF SURPLUS PROPERTY) - TO REMOVE Item # 5 - 2010 Dodge Charger - VIN 2B3AA4CT2AH163391 (this vehicle will be used by the new Code Enforcement Officer) AND TO CORRECT CLERICAL ERRORS ON THE VINS (Vehicle Identification Numbers) OF THE FOLLOWING ITEMS WHICH SHOULD BE LISTED AS FOLLOWS:

Item # 7 - 1990 Ford F700 Dump Truck - VIN 1FDNF70H9LVA28126;

Item # 8 - 2001 Ford Crown Victoria - VIN 2FAFP71W31X129165;

Item # 9 - 2005 Ford Crown Victoria - 2FAFP71W05X126004.

Motion to amend Resolution # 8 of 2020 of the Town of Vivian, Louisiana was made by Angela Channell, second by Raymond Williams; all approved.

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

LaDarius Ford - Part-time Police Officer - \$13.00 per hour

Devin Pickett - Full-time Police Officer - \$14.00 per hour

Ford - Motion to hire and commission LaDarius Ford as a Part-time Police Officer at \$13.00 per hour was made by Michael Guthrie, second by James Martin. Following the motion, second and discussion, a substitute motion to hire and commission LaDarius Ford as a Part-time Officer for a probationary period of 90-days then brought back before the Council for final determination was made by Angela Channell, second by James Martin and the recorded vote was: AYES

– 3 (three), NAYS – 2 (two), ABSENT – 0 (zero). Motion to hire LaDarius Ford as stated passed 3 (three) to 2 (two).

Pickett - Motion to hire and commission Devin Pickett as a Full-time Police Officer at \$14.00 per hour was made by Angela Channell, second by Michael Guthrie. Chief Nelson then amended his recommendation and suggested that Devin Pickett be hired and commissioned as a Part-time Officer for a probationary period of 90-days then brought back before the Council for final determination. Following the original motion and second, a substitute motion to hire Devin Pickett as a Part-time Officer at \$13.00 per hour for a probationary period of 90-days then brought back before the Council for final determination was made by Angela Channell. Following discussion, a motion to table the substitute motion until further study and more comfort level was reached by Council Members was made by Denise Alexander, second by Raymond Williams and the recorded vote was: AYES – 4 (four), NAYS – 1 (one), ABSENT – 0 (zero). Motion to table the hiring of Devin Pickett passed 4 (four) to 1 (one).

ZONING/CONDEMNATION REPORT - Zoning/Condemnation Officer Bobby Smith presented reports on the following properties: **1)** 314 Penrod St., **2)** 525 W. Tennessee Ave., **3)** 329 W. Kentucky Ave., **4)** 202 W. Mississippi Ave., **5)** 309 Camp Vivian Rd., **6)** 311 Camp Vivian Rd., **7)** 2019 Suemont St., **8)** 9415 Hosston Rd., **9)** 507 N. Hickory St., and **10)** SuperValu Grocery Store.

CODE ENFORCEMENT REPORT - Code Enforcement Officer Adrian Hopkins reported on the following: **1)** 1802 N. Pine St., **2)** rental property owners and **3)** the fact that residents are not aware that they are responsible for maintaining their ditches. Officer Hopkins also stated that he works on Monday, Thursday and Friday afternoons and all day on Saturdays.

MAYOR'S REPORT - Mayor Festavan gave a report on Green Waste service and read from the policy that is located on the Town of Vivian website.

ANNOUNCEMENTS BY BOARD OF ALDERMEN - There were none.

ADJOURN - Motion to adjourn was made by Raymond Williams, seconded by Michael Guthrie; all approved. Meeting adjourned at 7:24 p.m.

Ronnie Festavan, Mayor

August 21, 2020

Kellie Morris, Town Clerk