

MINUTES OF REGULAR COUNCIL MEETING
TOWN HALL MEETING ROOM
112 W. ALABAMA AVE.
VIVIAN, LOUISIANA
MONDAY, SEPTEMBER 13, 2021
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, Raymond Williams and Angela Channell; absent was Michael Guthrie. 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, Douglas Dominick - Town Attorney and Bobby Smith - Zoning/Condemnation and Code Enforcement Officer.

APPROVE AGENDA - Agenda items # 6, # 8 and # 15 needed to be amended.

1) Agenda item # 6 should state *SEE AGENDA ITEM # 5*, **2)** agenda item # 8 should state *SEE AGENDA ITEM # 7*, and **3)** Chief Nelson requested that agenda item # 15 be changed to consider DeAveon Benjamin for promotion to FULL-time Officer position, instead of Part-time Officer, during his Probationary Status Review.

Motion to amend the agenda as noted above was made by James Martin, second by Denise Alexander; all present approved.

APPROVE AGENDA AS AMENDED -

Motion to approve the agenda as amended was made by Angela Channell, second by Raymond Williams; all present approved.

1. PUBLIC COMMENTS - There were none.

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 Denise Alexander, second by Raymond Williams; all approved.

3. APPROVAL OF MINUTES - Motion to approve the minutes of the August 9, 2021 regular meeting was made by Raymond Williams, second by James Martin; all present approved.

4. GUEST SPEAKER; DR. MARBY BARKER - THE NUTRITION HUB GRANT.

Grant Facilitator, Dr. Marby Barker, was present to speak about the Nutrition Hub Grant, administered by the National Parks & Recreation Association through the Walmart Foundation, which is to support health & wellness in the area. She made those present aware of the Family Dinner Nights, an up-coming program which is a free four-night program for families in the Vivian community. The LSUS AgCenter will be providing nutrition education and the Caddo Parish School Board Parent Resource Center will be providing academic help during the Family Dinner Nights as well. She also provided Council Members with flyers for the Dinner Nights containing information for reservations.

5. PUBLIC HEARING ON ORDINANCE # 761 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE TO AMEND SECTION 18-191 ESTABLISHED OF DIVISION 3. RATES OF ARTICLE III. WATER OF CHAPTER 18 - UTILITIES.

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 # 761 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - SEE AGENDA ITEM # 4 5.

Motion to adopt Ordinance # 761 of 2021 of the Town of Vivian, Louisiana was made by Raymond Williams, second by Angela Channell; all present approved.

7. PUBLIC HEARING ON ORDINANCE # 763 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE TO AMEND SECTION 14-2 COLLECTION RATES CHAPTER 14 - SOLID WASTE.

Mayor Festavan opened the public hearing for comments FOR or AGAINST the Ordinance; none were made. He then declared the public hearing closed.

8. THE BOARD OF ALDERMEN WILL CONSIDER THE FINAL ADOPTION OF ORDINANCE # 763 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - SEE AGENDA ITEM # 6 7.

Motion to adopt Ordinance # 763 of 2021 of the Town of Vivian, Louisiana was made by Raymond Williams, second by Denise Alexander; all present approved.

9. PUBLIC HEARING ON ORDINANCE # 764 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE TO ADOPT THE MILLAGE RATES FOR THE 2021 TAX YEAR IN AND FOR THE TOWN OF VIVIAN, LOUISIANA.

Mayor Festavan opened the public hearing for comments FOR or AGAINST the Ordinance; none were made. He then declared the public hearing closed.

10. THE BOARD OF ALDERMEN WILL ADOPT ORDINANCE # 764 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE TO ADOPT THE MILLAGE RATES FOR THE 2021 TAX YEAR IN AND FOR THE TOWN OF VIVIAN, LOUISIANA.

Motion to adopt Ordinance # 764 of 2021 of the Town of Vivian, Louisiana was made by Raymond Williams, second by James Martin; all present approved.

11. INTRODUCTION OF ORDINANCE # 765 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE TO REVOKE AND SET ASIDE SOUTH AVENUE, A ROAD LOCATED WITHIN THE TOWN LIMITS OF THE TOWN OF VIVIAN, CADDO PARISH, LOUISIANA. There will be a public hearing prior to the adoption of Ordinance # 765 at the regular Town Council Meeting at 6:00 p.m. on Monday, October 11, 2021 at the Vivian Town Hall, located at 112 W. Alabama Ave. in Vivian, Louisiana.

Motion to introduce Ordinance # 765 of 2021 of the Town of Vivian, Louisiana was made by Denise Alexander, second by Raymond Williams; all present approved.

12. THE BOARD OF ALDERMEN WILL CONSIDER THE ADOPTION OF RESOLUTION # 16 OF 2021 - A RESOLUTION AUTHORIZING MAYOR RONNIE FESTAVAN TO REQUEST THAT THE LA DOTD PROVIDE FUNDS REQUIRED TO COMPLETE THE AIRPORT IMPROVEMENTS AT THE VIVIAN AIRPORT AS DESCRIBED IN THE CAPITAL IMPROVEMENT PROGRAM APPLICATION FOR STATE FINANCIAL ASSISTANCE DATED AUGUST 26, 2021 AND FURTHER PROVIDE ASSURANCE THAT ALL NECESSARY SERVITUDES AND RIGHT OF WAYS WILL BE PROPERTY FURNISHED; AND FURTHER HOLD THE LA DOTD AND ITS OFFICERS, ETC HARMLESS FROM ANY LIABILITY OR CLAIMS.

Motion to adopt Resolution # 16 of 2021 was made by James Martin, second by Raymond Williams; all present approved.

13. THE BOARD OF ALDERMEN WILL CONSIDER THE ADOPTION OF RESOLUTION # 17 OF 2021 - A RESOLUTION AUTHORIZING MAYOR RONNIE FESTAVAN TO SIGN AND EXECUTE A QUIT CLAIM DEED FROM BH WILLIAMS PROPERTIES LLC (herein represented by Laura Williams Milazzo and Mark Williams, authorized members), TODD MICHAEL WILLIAMS AND OWEN WAYNE MITCHELL UNTO THE TOWN OF VIVIAN. (The purpose is to clear up real estate title issue of said property of the Town of Vivian.)

Motion to adopt Resolution # 17 of 2021 was made by Raymond Williams, second by Denise Alexander; all present approved.

14. HIRING OF POLICE PERSONNEL - THE BOARD OF ALDERMEN WILL CONSIDER THE CHIEF OF POLICE'S RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUAL FOR THE VIVIAN POLICE DEPARTMENT; Dewander Brown - Part-time Cleaning Lady - \$9.00 per hour.

Motion to approve Chief Nelson's recommendation to hire Dewander Brown as stated above was made by Raymond Williams, second by Angela Channell; all present approved.

15. REVIEW OF POLICE DEPARTMENT HIRES' PROBATIONARY STATUSES -

1) DeAveon Benjamin, ~~Part-time~~ Full-time Officer, hire date 06/28/2021, and 2) Michael Delano, Part-time Officer, hire date 06/28/2021.

Following some discussion, motion to continue the employment of the two individuals as stated above was made by Raymond Williams, second by Denise Alexander; all present approved.

16. BID OPENING - FOR UNSOLD SURPLUS PROPERTY; OLD FIREHOUSE SIREN –

Only 1 (one) sealed bid was submitted and received by the advertised deadline. The sealed envelope was opened, and the sole bid submitted was by Lou Ann Dodge for the amount of \$150 (one-hundred fifty) dollars.

17. THE BOARD OF ALDERMEN WILL APPROVE SALE OF UNSOLD SURPLUS PROPERTY TO HIGHEST BIDDER - (Old Firehouse Siren) -

Motion to sell the Old Firehouse Siren to Lou Ann Dodge for \$150, and to authorize Mayor Festavan to sign the Bill of Sale, was made by Angela Channell, second by James Martin; all present approved.

18. CONDEMNATION HEARING(s) -

1) 420 E. Alabama Ave. - Case # 526; No one was present on behalf of the above-stated address, however Town Attorney Dominick read Curator Sam Goodwin's report on behalf of the case.

Following the reading of the Curator's report motion to proceed with final condemnation was made by Denise Alexander, second by Raymond Williams; all present approved.

2) 211 W. Mississippi Ave. - Case # 532; no one was present on behalf of the above-stated address and the items/information requested from the homeowner at the August council meeting were not produced.

Discussion followed and motion to proceed with final condemnation of said property was made by Denise Alexander, second by James Martin; all present approved. (Attorney Dominick later read aloud an email from Bossier Family Medicine regarding the homeowner's absence from the meeting.)

3) Mrs. Debra Elkins was present to speak on behalf of a burned dwelling located at 630 N. Spruce St. in Vivian at Town Attorney Dominick's request. Mrs. Elkins detailed the history of the property since its burning and her efforts to contact the Fire Marshall's office concerning the investigation following the fire. She also stated, and provided proof, that she has been in contact with someone to demolish and remove the home from the property. She further stated that there was a possibility that the contractor might purchase the property.

Mrs. Elkins was then given approximately 60 days, until the November 11th Council Meeting, to have the home demolished and the property cleaned up.

19. ZONING VARIANCE HEARING(s) -

1) S. Pardue St. - Case # 519; Mr. & Mrs. Michael Story, Sr. were present to request a variance to place a mobile home at 1110 S. Pardue St. Mr. Bobby Smith, Zoning/Condemnation & Code Enforcement Officer stated that all requirements had been met and he was and in favor of granting the variance.

Motion to grant the requested variance was made by Raymond Williams, second by Angela Channell; all approved.

2) 1711 N. Pine St. - Case # 558; Mr. Cameron Hunter was present to request a variance to place a mobile home at 1711 N. Pine St. Mr. Bobby Smith, Zoning/Condemnation & Code Enforcement Officer stated that all requirements had been met and he was in favor of granting the variance.

Motion to grant the requested variance was made by Denise Alexander, second by Raymond Williams; all present approved.

ZONING/CONDEMNATION & CODE ENFORCEMENT REPORT - Alderman Denise Alexander asked Attorney Dominick about the property located at 9996 Upper Stateline Rd. stating that the owner had committed to demolish the home within 30 days and had not done so. Mr. Dominick then stated that he would move forward with final condemnation on that property.

Officer Smith provided the Council Members with written and oral report on the following addresses and violation statuses: **1)** the corner of Hosston Rd. & S. Pardue St., **2)** 201 S. Pine St., **3)** 602 S. Cypress St., **4)** 314 W. Tennessee Ave., **5)** 415 W. Kentucky Ave., **6)** 9782 Upper Stateline Rd., **7)** 435 N. Walnut St., **8)** 113 N. Walnut St., **9)** 512 S. Cypress St., **10)** 224 Virginia St., **11)** 405 Bailey St., **12)** 712 N. Cypress St., **13)** 107 E. Atlanta St., **14)** 207 E. Texas Ave., **15)** 425 S. Pecan St., **16)** 106 MacArthur Dr., and **17)** 505 N. Cypress St. The written report also included 3 (three) addresses previously discussed in agenda items # 18 & 19; **1)** 211 W. Mississippi Ave., **2)** 1110 S. Pardue St., and **3)** 1177 N. Pine St.

Upon conclusion of Officer Smith's report Mayor Festavan asked that he contact the owner(s) of the old Lela's Kitchen on S. Pine St. about the large trucks that park there and the fact that it is an eyesore at the entrance of the town.

MAYOR'S REPORT - Mayor Festavan gave a report on the following: **1)** the new 'green card' for reporting Code Enforcement violations, **2)** the plan(s) to use the ARPA, American Rescue Plan Act, funds for water & sewer work using BALAR Associates, and **3)** the amount of adjudicated properties in the Town and a way to sell them and get them back on the tax roll.

ANNOUNCEMENTS BY BOARD OF ALDERMEN - There were none.

ADJOURN - Motion to adjourn was made by Raymond Williams, second by Angela Channell; all present approved. Meeting was adjourned at 7:37 p.m.

Ronnie Festavan, Mayor

September 27, 2021

Kellie Morris, Town Clerk