

MINUTES OF REGULAR COUNCIL MEETING
TOWN HALL MEETING ROOM
112 W. ALABAMA AVE.
VIVIAN, LOUISIANA
MONDAY, NOVEMBER 8, 2021
6:00 PM

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

INVOCATION - Alderman James Martin 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, 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, Douglas Dominick - Town Attorney and Bobby Smith - Zoning/Condemnation and Code Enforcement Officer.

APPROVE AGENDA - Motion to approve the Agenda was made by Raymond Williams, second by Angela Channell; all approved.

1. SCHOOL ANNOUNCEMENTS - Mrs. Willoughby, North Caddo ELEMENTARY-MIDDLE School Counselor, was present to announce the November Students of the Month: 3rd grade Elementary Student Caylon Cook and 6th grade Middle Student Aiden McCullough.

Mrs. Cherry, North Caddo Magnet HIGH School Principal, was also present and made the following announcements: **1)** the Titan football team are district champs and the play-offs will be starting on Friday, the 12th, **2)** they will be having a Veteran's Day program on Thursday, the 11th, **3)** they will be hosting a blood drive the week of the 15th, and **4)** Christmas at North Caddo will be held on Monday, December 6th. She also introduced the November Students of the Month: 9th grader, Jacob Thomas; 10th grader, Marcellus Armstrong; 11th grader, Maggie Reger; and 12th grader, Zoiee Craig (not present).

2. PUBLIC COMMENTS - There were none.

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

4. APPROVAL OF MINUTES - Motion to approve the Minutes for the October 11, 2021 regular meeting, and the October 21 & November 1, 2021 special called meetings together in globe, as a unit, was made by Angela Channell, second by Michael Guthrie; all approved.

5. PUBLIC HEARING OF ORDINANCE # 766 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE FOR THE CODE OF ORDINANCES, TOWN OF VIVIAN, TO AMEND SECTION 18-191 ESTABLISHED OF DIVISION 3. RATES OF ARTICLE III. WATER OF CHAPTER 18 - UTILITIES, and in particularly Ordinance # 761 of 2021 adopted on September 13, 2021.

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 # 766 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - *See previous Agenda item.*

Motion to adopt Ordinance # 766 of 2021 of the Town of Vivian, Louisiana was made by Raymond Williams, second by James Martin; all approved.

7. PUBLIC HEARING OF ORDINANCE # 767 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE FOR THE CODE OF ORDINANCE, TOWN OF VIVIAN, LOUISIANA, TO AMEND SECTION 7-3 OUTDOOR BURNING RESTRICTIONS OF ARTICLE I IN GENERAL OF CHAPTER 7 FIRE PREVENTION AND PROTECTION OF THE CODE OF ORDINANCES OF THE TOWN OF VIVIAN; to change times of burning and to otherwise provide with respect thereto.

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 # 767 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - *See previous Agenda item.*

Motion to adopt Ordinance # 767 of 2021 of the Town of Vivian, Louisiana was made by Michael Guthrie, second by Raymond Williams; all approved.

9. PUBLIC HEARING OF ORDINANCE # 768 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE FOR THE CODE OF ORDINANCES, TOWN OF VIVIAN, TO AMEND ORDINANCE # 765 OF 2021 TO REVOKE AND SET ASIDE SOUTH AVENUE, A ROAD LOCATED WITHIN THE TOWN LIMITS OF THE TOWN OF VIVIAN, CADDO PARISH, LOUISIANA. This ordinance will amend the prior Ordinance being Ordinance # 765 of 2021, due to a clerical error that failed to state that South Avenue was "hereby revoked and set aside".

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 CONSIDER THE FINAL ADOPTION OF ORDINANCE # 768 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - *See previous Agenda item.*

Motion to adopt Ordinance # 768 of 2021 of the Town of Vivian, Louisiana was made by Denise Alexander, second by Raymond Williams; all approved.

11. INTRODUCTION OF ORDINANCE # 769 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE FOR THE CODE OF ORDINANCES, TOWN OF VIVIAN, LOUISIANA, TO RE- ZONE THE FOLLOWING DESCRIBED PROPERTY AS FOLLOWS, TO WIT: LOTS 1 & 2, BLK. 45, TOWN OF VIVIAN, CADDO PARISH, LOUISIANA as per plat thereof recorded in Book 17, Page 273 of the Conveyance

Records of Caddo Parish, Louisiana together with all buildings and improvements located thereon and having a municipal address of 204 W. Arkansas, Vivian, LA 71082; Geographical Number 221626-046-0013-00. From a R-1 - Single Family District to be re-zoned as a B-1 - Buffer Business District. This is being recommended by the Zoning Commission of the Town of Vivian.

Motion to introduce Ordinance # 769 of 2021 of the Town of Vivian, Louisiana was made by Raymond Williams, second by James Martin; all approved.

There will be a public hearing prior to the adoption of Ordinance # 769 at the regular Town Council Meeting at 6:00 p.m. on Monday, December 13, 2021 at the Vivian Town Hall, located at 112 W. Alabama Ave. in Vivian, Louisiana.

12. INTRODUCTION OF ORDINANCE # 770 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE FOR THE CODE OF ORDINANCES, TOWN OF VIVIAN, LOUISIANA AMENDING CHAPTER 20 - ZONING REGULATIONS, ARTICLE VIII - BOARD OF ZONING ADJUSTMENT - SEC. 20-201- CREATED AND ESTABLISHED; MEMBERSHIP; TERMS. This Ordinance will designate the Board of Aldermen to serve as the Board of Zoning Adjustment. This Ordinance is being recommended by the Zoning Commission of the Town of Vivian.

Motion to introduce Ordinance # 770 of 2021 of the Town of Vivian, Louisiana was made by Denise Alexander, second by Raymond Williams; all approved.

There will be a public hearing prior to the adoption of Ordinance # 770 at the regular Town Council Meeting at 6:00 p.m. on Monday, December 13, 2021 at the Vivian Town Hall, located at 112 W. Alabama Ave. in Vivian, Louisiana.

13. INTRODUCTION OF ORDINANCE # 771 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE FOR THE CODE OF ORDINANCES, TOWN OF VIVIAN, LOUISIANA TO AMEND AND SUPPLEMENT ARTICLE II. OCCUPATIONAL LICENSE TAX OF CHAPTER 10 LICENSES AND BUSINESS REGULATIONS TO INCLUDE SECTIONS 10.32 failure to pay tax; judgment prohibiting further pursuit of business; and Section 10.33 liability for attorney fees, expenses and court cost.

Motion to introduce Ordinance # 771 of 2021 of the Town of Vivian, Louisiana was made by Denise Alexander, second by James Martin; all approved.

There will be a public hearing prior to the adoption of Ordinance # 771 at the regular Town Council Meeting at 6:00 p.m. on Monday, December 13, 2021 at the Vivian Town Hall, located at 112 W. Alabama Ave. in Vivian, Louisiana.

14. INTRODUCTION OF ORDINANCE # 772 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE FOR THE CODE OF ORDINANCES, TOWN OF VIVIAN, LOUISIANA DECLARING CERTAIN ADJUDICATED PROPERTY TO BE SURPLUS AND TO AUTHORIZE THE TOWN TAX COLLECTOR, OR A DESIGNEE, TO SELL THE TOWN OF VIVIAN'S TAX INTEREST IN CERTAIN SURPLUS ADJUDICATED PROPERTY, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO -

1. LOT G, PENROD ADDN, VIVIAN, CADDO PARISH, LOUISIANA GEO # 221624-010-0007-00, with a municipal address of 1016 N. Lillie, Vivian, Louisiana 71082;

2. W/2 OF LOT 3, BLK 35, VIVIAN, CADDO PARISH, LOUISIANA GEO # 221626-036-0020-00, with a municipal address of 214 Louisiana Ave. Vivian, Louisiana 71082;

3. 2.31 ACRES-M/L- A TRACT OF LAND IN NW/4 OF NW/4 SEC 23-22-16, PER ASSRS COUNTRY PLAT, VIVIAN, CADDO PARISH, LOUISIANA, GEO # 221623-000-0259-00, with a municipal address of 14910 Old Atlanta Road, Vivian, LA 71082;

4. LOT 8, BLK 18, VIVIAN, CADDO PARISH, LOUISIANA GEO # 221626-019-008-00, with a municipal address of 329 W Kentucky Ave. Vivian, Louisiana 71082;

5. A TRACT OF LAND NORTHEAST QUARTER OF NORTHEAST QUARTER SECTION 35, TOWNSHIP 22 NORTH, RANGE 16 WEST, VIVIAN, CADDO PARISH, LA. GEO # 221626-110-0072-00, with a municipal address of 525 Camp Road, Vivian, LA 71082.

Motion to introduce Ordinance # 772 of 2021 of the Town of Vivian, Louisiana was made by Raymond Williams, second by Michael Guthrie; all approved.

There will be a public hearing prior to the adoption of Ordinance # 772 at the regular Town Council Meeting at 6:00 p.m. on Monday, December 13, 2021 at the Vivian Town Hall, located at 112 W. Alabama Ave. in Vivian, Louisiana.

15. HIRING OF POLICE PERSONNEL - THE BOARD OF ALDERMEN WILL CONSIDER THE CHIEF OF POLICE'S RECOMMENDATION TO HIRE THE FOLLOWING INDIVIDUALS FOR THE VIVIAN POLICE DEPARTMENT; 1) Patricia Eddins - Part-time Dispatcher - \$10.00 per hour and 2) Ta'Shala Vinson - Part-time Dispatcher - \$10.00 per hour.

Motion to approve Chief Nelson's recommendation to hire **1) Patricia Eddins and 2) Ta'Shala Vinson** as Part-time Dispatchers at \$10.00 per hour on a probationary period until the February 14, 2022 regular council meeting was made by Raymond Williams, second by Angela Channell; all approved.

16. REVIEW OF POLICE DEPARTMENT HIRE'S PROBATIONARY STATUS - Colt Freeman - Part-time Dispatcher - Hire date August 9, 2021.

Chief Nelson recommended Mr. Freeman's termination for failure to complete his probation period. Motion to approve Chief Nelson's recommendation to terminate was made by Raymond Williams, second by Denise Alexander; all approved.

17. ZONING, CONDEMNATION & CODE ENFORCEMENT MATTERS -

A. CONDEMNATION HEARING(s) -

i.) THE BOARD OF ALDERMAN WILL CONSIDER THE FINAL CONDEMNATION OF THE FOLLOWING DESCRIBED PROPERTY, TO WIT: Lots 19, 20, 21 & 22, blk. 14, Christian Heights addn., and having a municipal address of 509 South Pardue St., Vivian, Caddo Parish, LA together with all buildings and improvements located thereon (Geographical Number 221626-127-0032-00) and, Lots 23 & 24, blk. 14, Christian Hts. addn., and having a municipal address of 509 South Pardue St., Vivian, Caddo Parish, LA together with all buildings and improvements located thereon (Geographical Number 221626-127-0033-00) -

Town Attorney Dominick read aloud a report & timeline from appointed Curator, Sam Goodwin, into the record. Following the reading of the report & timeline Ms. Chaka Thomas, a family member of the property owner, whose address is 933 Deer Park Rd. in Shreveport, and a young man, no name given, spoke on this matter. Following much discussion motion to bring this matter back to the January 10, 2022 regular council meeting for review and determination of final condemnation was made by Raymond Williams, second by Angela Channell; all approved.

B. COMPLETE ZONING/CONDEMNATION & CODE ENFORCEMENT REPORT -

Officer Bobby Smith provided the Council Members with written report on properties that he is working and discussed the addresses and violation statuses on the report presented: **1)** 415 W. Kentucky Ave., **2)** 505 N. Cypress St., **3)** 301 W. Georgia Ave., **4)** 325 W. Arkansas Ave., **5)** 301 E. Pennsylvania Ave., **6)** 1012 Lillie St., and **7)** 310 E. California Ave.

During Officer Smith's report action was taken to begin final condemnation process on each of the following properties: **1)** 435 N. Walnut St. - motion by Denise Alexander, second by Raymond Williams; all approved: **2)** 113 N. Walnut St. - motion by Denise Alexander, second by Raymond Williams; all approved: **3)** 224 Virginia Ave. – motion by Michael Guthrie, second by James Martin; all approved: **4)** 405 Bailey St. – motion by Raymond Williams, second by Denise Alexander; all approved: **5)** 107 E. Atlanta St. – motion by Raymond Williams, second by Denise Alexander; all approved: and **6)** 425 S. Pecan St. – motion by Raymond Williams, second by Denise Alexander; all approved. Also, during the report, the home located at 1501 S. Pardue St. was discussed at length. Motion was made by Denise Alexander, seconded by Michael Guthrie, for Officer Bobby Smith and Chief Nelson and/or the Police Department to investigate the Council's concerns at this address and report back to the Council at the December 13 regular council meeting.

Denise Alexander also asked Officer Smith to check on properties located at **1)** 210 Rocky Ln., and **2)** the corner of Redbud Ln. and Nevada Ave.

MAYOR'S REPORT - Mayor Festavan gave a report on the following: **1)** Demolition of a home on W. Atlanta St. by Wilder Brothers, **2)** Mrs. Elkins has sold her burned house on N. Spruce St. and demolition should occur in the very near future, **3)** the condemned home at 211 W. Mississippi Ave. has been tested for asbestos and the Town is awaiting test results before demolition can begin, **4)** Council members and their ethics certificates, **5)** November 2021 to January 2022 Calendars of paid holidays for employees and town activities, and **6)** Square-on-the-Square was well attended and a success.

ANNOUNCEMENTS BY BOARD OF ALDERMEN - There were none.

ADJOURN - Motion to adjourn was made by Denise Alexander, second by Raymond Williams; all present approved. Meeting was adjourned at 7:35 p.m.

Kellie Morris, Town Clerk

Ronnie Festavan, Mayor
November 18, 2021