

MINUTES OF REGULAR COUNCIL MEETING

VIVIAN TOWN HALL MEETING ROOM

112 W. ALABAMA AVE.

VIVIAN, LOUISIANA

MONDAY, DECEMBER 13, 2021

6:00 PM

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

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.

INVOCATION - Alderman Raymond Williams then said prayer.

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, Kellie Morris - Town Clerk and Douglas Dominick - Town Attorney.

APPROVE AGENDA - Motion to approve the Agenda as presented was made by Raymond Williams, seconded by James Martin; all approved.

1. SCHOOL ANNOUNCEMENTS - Mr. Cunningham, North Caddo ELEMENTARY-MIDDLE School Principal, was present to make the following announcements: **1)** their LA Dept. of Education School Performance Score increased 1 (one) letter grade, **2)** they have maintained their Progress Index Score of a 'B', **3)** the Pre-K Performance score is 5.9, the highest in the State, **4)** regular basketball season will begin in January, **5)** the new outdoor basketball pavilion, and **6)** an incentive/reward program for the students. He also introduced, announced, the December Students of the Month: Elementary Student Logan Gipson and Middle Student Linley Hawks.

Mrs. Cherry, North Caddo Magnet HIGH School Principal was also present to make the following announcements: **1)** Red Ribbon Week for drug-free lives is in progress at the school, **2)** Christmas at NC was held on Monday, the 6th and was well attended, **3)** the Christmas drawing for the students will be on Friday, the 17th, and **4)** she also extended an invitation to those present to volunteer for duty services on Wednesday, the 15th. She also introduced Rilee Jackson, 9th grade Student of the Month, and then stated that the 10th, 11th and 12th grade Students of the Month and the Student of the Year were not able to attend that evening but would attend the January meeting for recognition.

2. SPECIAL RECOGNITION - Family members of Mr. Dexter Long, Sr. were present for the reading of the Proclamation by the Mayor proclaiming November 18, 2021 as "Dexter 'Big D' Long, Sr. Day". The Proclamation was read aloud by Angela Channell and made part of the record.

3. PUBLIC COMMENTS - There were none.

4. 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, seconded by Angela Channell; all approved.

5. APPROVAL OF MINUTES - for November 8, 2021 regular meeting and the November 22, 2021 special called meetings.

Motion to approve the Minutes for the November 8, regular meeting and the November 22, 2021 special called meeting together in globo, as a unit, was made by James Martin, seconded by Raymond Williams; all approved.

6. PUBLIC HEARING 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.

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

7. THE BOARD OF ALDERMEN WILL CONSIDER THE FINAL ADOPTION OF ORDINANCE # 769 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - See *previous Agenda item.*

Motion to adopt Ordinance # 769 of 2021 of the Town of Vivian, Louisiana was made by Angela Channell, seconded by Denise Alexander; all approved.

8. PUBLIC HEARING 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.

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

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

10. PUBLIC HEARING 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. Mayor Festavan opened the public hearing for comments FOR or AGAINST the Ordinance. One person, who did not care to state their name and address for the record, came forward and stated that they did not agree with the Ordinance. There being no other comments for or against the Ordinance Mayor Festavan then declared the public hearing closed.

11. THE BOARD OF ALDERMEN WILL CONSIDER THE FINAL ADOPTION OF ORDINANCE # 771 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - See previousAgenda item.

Motion to adopt Ordinance # 771 of 2021 of the Town of Vivian, Louisiana was made by Denise Alexander, seconded by Raymond Williams; all approved.

12. PUBLIC HEARING 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 ASSRSCOUNTRY 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.

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

13. THE BOARD OF ALDERMEN WILL CONSIDER THE FINAL ADOPTION OF ORDINANCE # 772 OF 2021 OF THE TOWN OF VIVIAN, LOUISIANA - See previousAgenda item.

Motion to adopt Ordinance # 772 of 2021 of the Town of Vivian, Louisiana was made by James Martin, seconded by Denise Alexander; all approved.

14. ZONING, CONDEMNATION & CODE ENFORCEMENT MATTERS -

A. ZONING VARIANCE HEARING(s) -

1) 414 N. Pine St. - Case # 569 – Mr. Phillip ‘Bubba’ James was present to request a zoning variance to place a tiny home to be used as office space at the rear of his existing business, North Town Laundry. A case file on the matter was provided by

Zoning/Condemnation Officer Bobby Smith and Town Attorney Douglas Dominick stated that all paperwork appeared to be in good order. Following discussion, questions, and answers motion to grant the variance was made by Denise Alexander, seconded by Raymond Williams; all approved.

B. CONDEMNATION HEARING(s) -

i.) THE BOARD OF ALDERMAN WILL CONSIDER THE FINAL CONDEMNATION OF THE FOLLOWING DESCRIBED PROPERTY, TO WIT: 0.215 ACRE-N 75 FT OF S. 150 FT OF W. 125 FT OF THAT PART OF NW/4 OF SW/4 OF SECTION 25, TOWNSHIP 22, RANGE 16 WEST, LYING N. OF VIVIAN-HOSSTON RD. & E. OF VIVIAN-PINE ISLAND ROAD CADDO PARISH, LOUISIANA together with all buildings and improvements located thereon, AND HAVING A MUNICIPAL ADDRESS OF 412 S. PARDUE ST., VIVIAN, LA. GEO #: 221625-018-0069-00.

Mr. Dominick read Curator Sam Goodwin's report on the case into the record. Following discussion, motion to continue with the final condemnation was made by Raymond Williams, seconded by James Martin; all approved.

ii.) THE MAYOR RECOMMENDS A DELAY AND EXTENSION for the following addresses presently scheduled for condemnation - **1)** 224 W. Virginia Ave. Vivian, Louisiana, and **2)** 317 W. Atlanta Ave. Vivian, Louisiana. Motion to approve the Mayor's recommendation to delay and extend the condemnation on the two properties was made by Angela Channell, seconded by Raymond Williams; all approved.

C. COMPLETE ZONING/CONDEMNATION & CODE ENFORCEMENT REPORT -

No report was given due to the absence of Officer Bobby Smith.

MAYOR'S REPORT - Mayor Festavan gave a report on the following: **1)** the yearly audit is complete, and the exit meeting will be on Friday, December 31st, **2)** the Country Christmas Festival was a success, **3)** the engineer's drawing of the new swimming pool, its progress and the demo & clean-up of the old swimming pool, **4)** Westlake, Louisiana's victory for municipalities concerning a lawsuit over water rates, **5)** an article by John E. Settle, Jr. concerning attorney's fees, **6)** work being done on the old water well, **7)** a reminder about the Holidays, **8)** the new digital sign has been erected and should be working soon, and **9)** the end of the third year!

ANNOUNCEMENTS BY BOARD OF ALDERMEN - Alderman James Martin complimented the Mayor and staff for doing a wonderful job.

ADJOURN - Motion to adjourn was made by Raymond Williams, seconded by James Martin; all approved. Meeting was adjourned at 6:53 p.m.

Kellie Morris, Town Clerk
December 23, 2021

Ronnie Festavan, Mayor