

MINUTES
REGULAR TOWN COUNCIL MEETING
VIVIAN TOWN HALL MEETING ROOM
112 W. ALABAMA AVE.
VIVIAN, LOUISIANA
MONDAY, APRIL 8, 2024
6:00 P.M.

CALL TO ORDER - Mayor Festavan called the meeting to order at 6:02 p.m.

INVOCATION - Alderman Samuel Hodge 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, Samuel Hodge, Raymond Williams and Robert Green, Jr. Following Roll Call the Town Clerk verified that a quorum was present.

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

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

3. APPROVAL OF MINUTES - Motion to approve the Minutes for the March 11, 2024 Regular Council Meeting was made by Samuel Hodge, seconded by Raymond Williams; all approved.

4. PUBLIC HEARING ON ORDINANCE # 793 OF 2023 OF THE TOWN OF VIVIAN, LOUISIANA - AN ORDINANCE FOR THE CODE OF ORDINANCES, TOWN OF VIVIAN, TO AMEND SECTION 14-2 COLLECTION RATES CHAPTER 14 - SOLID WASTE AND TO OTHERWISE PROVIDE WITH RESPECT THERETO. (A Public Hearing was previously held on this Ordinance on December 18, 2023.)

Mayor Festavan opened the public hearing for comments FOR or AGAINST Ordinance # 793; none were made. He then declared the public hearing closed.

5. THE BOARD OF ALDERMEN WILL RECONSIDER THE FINAL ADOPTION OF ORDINANCE # 793 OF 2023 OF THE TOWN OF VIVIAN, LOUISIANA - (This Ordinance was previously tabled by the Board of Aldermen on December 18, 2023.)

Prior to the vote on Ordinance # 793 of 2023 Denise Alexander made a motion to *amend* the present Ordinance to increase the rates to \$24.00 for residential and \$25.52 for commercial service, AND to \$12.00 per additional can, up to a maximum number or 3 (three) cans, for residential and commercial service. The motion to *amend* Ordinance # 793 of 2023 as stated was seconded by Samuel Hodge followed by a unanimous vote to adopt by all present.

Motion to adopt Ordinance # 793 of 2023 as *amended* was then made by Robert Green, Jr., seconded by Samuel Hodge; all approved.

6. THE BOARD OF ALDERMAN WILL CONSIDER THE ADOPTION OF RESOLUTION # 3 OF 2024 OF THE TOWN OF VIVIAN, LOUISIANA - A RESOLUTION TO WAIVE CHARGES FOR WATER IF THE CHARGES ARE THE RESULT OF WATER LOST DUE TO DAMAGE TO THE WATER DELIVERY INFRASTRUCTURE AND THAT DAMAGE IS NOT THE RESULT OF ANY ACT OR FAILURE TO ACT BY THE CUSTOMER BEING CHARGED FOR THE WATER.

Motion to adopt Resolution # 3 of 2024 was made by Robert Green, Jr., seconded by Raymond Williams; all approved.

7. THE BOARD OF ALDERMAN WILL CONSIDER THE ADOPTION OF RESOLUTION # 4 OF 2024 OF THE TOWN OF VIVIAN, LOUISIANA - A RESOLUTION TO AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT WITH BFI WASTE SERVICES, INC D/B/A REPUBLIC SERVICES OF NORTH LOUISIANA, FOR SOLID WASTE PICKUP AND DISPOSAL.

Motion to adopt Resolution # 4 of 2024 was made by Samuel Hodge, seconded by Robert Green, Jr.; all approved.

8. THE BOARD OF ALDERMAN WILL CONSIDER THE ADOPTION OF RESOLUTION # 5 OF 2024 OF THE TOWN OF VIVIAN, LOUISIANA - A RESOLUTION TO DECLARE CERTAIN PROPERTY TO BE CONSIDERED SURPLUS PROPERTY WITH A VALUE AND NO LONGER NEEDED FOR A PUBLIC USE AND SAID PROPERTY TO BE SOLD TO THE HIGHEST BIDDER, AND IF NO BIDS ARE RECEIVED TO BE SOLD AND DISPOSED OF BY THE MAYOR TO A SALVAGE YARD OR ANY OTHER COMPANY OR INDIVIDUAL FOR THE HIGHEST AMOUNT THAT THE MAYOR CAN RECEIVE AT HIS SOLE DISCRETION.

Motion to adopt Resolution # 5 of 2024 was made by Samuel Hodge, seconded by Raymond Williams; all approved.

❖ **ZONING & CONDEMNATION MATTERS -**

A. THE BOARD OF ALDERMEN WILL CONTINUE TO REVIEW THE FOLLOWING PROPERTIES FOR CONDEMNATION:

1) 1220 N. Carson St. - Property owner Jacob Havard of Grand Cane, Louisiana was present on behalf of this property who stated that he had made improvements to the property; that the mobile home had been moved out of town and more improvements were to come. Zoning/Condemnation Officer Bobby Smith was present and verified that improvements had been made to the property and recommended that Mr. Havard be given more time for improvements. Following more discussion, motion was made to continue this matter at the June 10, 2024 Regular Council Meeting by Denise Alexander, seconded by Samuel Hodge; all approved.

2) 525 W. Tennessee Ave. - James Sigley of Vivian was present on behalf of this property. He stated that the person that had expressed an interest in purchasing the house and property never reached out to him following his attendance at the March Council Meeting and that he & his father had received a written quote for condemnation by a local contractor, which he provided to the Council. Following additional discussion, motion was made to continue this matter at the May 13, 2024 Regular Council Meeting by Denise Alexander, seconded by Samuel Hodge; all approved.

B. THE BOARD OF ALDERMEN WILL HOLD A HEARING AND CONSIDER THE FOLLOWING PROPERTY FOR FINAL CONDEMNATION - EAST 50 FT OF LOTS 98, 99 & 100, GALLOWAY. BEAZLEY ANNEX TO VIVIAN. GEO #221623-015-0104-00 with a municipal address of 308 W. Moore St., Vivian, LA 71082. Property owner, Robert Kovacs of Bossier City, Louisiana was present on behalf of this case and reported on the inspection of and work done to the property. Zoning/Condemnation Officer Bobby Smith was present and verified that improvements had been made to the property and recommended that Mr. Kovacs be given more time for improvements. Following more discussion, motion was made to continue this matter at the June 10, 2024 Regular Council Meeting by Denise Alexander, seconded by Raymond Williams; all approved.

C. THE BOARD OF ALDERMEN WILL HOLD A FINAL REVIEW HEARING TO CONSIDER THE PROGRESS BY THE LANDOWNER TO BRING THE FOLLOWING PROPERTY UP TO CODE, TO WIT: RE: NORTH 50 FEET OF LOTS 4,5,6, & 7 BLK 32 WITH A MUNICIPAL ADDRESS OF 113 N. WALNUT ST. VIVIAN, LA 71082 GEO# 221626-33-24. THIS PROPERTY WAS CONDEMNED BY ORDER DATED JANUARY 9, 2024, BUT AN AMENDED ORDER OF FEBRUARY 12, 2024 WAS ISSUED PROVIDING THE LANDOWNER ADDITIONAL TIME TO BRING THE PROPERTY UP TO CODE. IN ADDITION, A SECOND AMENDED ORDER WAS ISSUE ON MARCH 11, 2024. IN THE AMENDED ORDER OF MARCH 11, 2024, IT WAS STATED THAT THE LANDOWNER HAD UNTIL APRIL 8, 2024 TO PERFORM THE FOLLOWING: (1) to make significant progress to remove any and all vehicles and clean up any and any clutter, trash and debris from the yard and further either move forward with the removal of the house and structure or show significant progress on bringing the house and structure located at 113 N. Walnut Vivian up to code by April 8, 2024; (2) to allow the Town's Code Enforcement Officer access to the inside of the house to inspect the interior of the house (this was agreed by Carrie Savell) and (3) to have the dumpster removed from the Street. Owner Kristy Savell, her attorney Sam Goodwin and Casey Campbell were present on this matter. Attorney Goodwin spoke and presented the Council with photos of the

property to show improvements made to the property and also stated that dumpster had been removed from the street. Ms. Savell spoke as well as Mr. Campbell on the work done and to continue being done by Mr. Campbell. Following much question, answer and further discussion between all parties, Denise Alexander made the motion to **1)** have the Town hire a home inspector/engineer to inspect the interior of the home as well as the exterior of the home to prove that it is safe and sound, which was approved by Ms. Savell, and **2)** to continue this matter until the May 13, 2024 Regular Council Meeting. This motion was seconded by Raymond Williams with all approving.

**Police Chief Ryan Nelson entered the meeting at 7:01 p.m.*

D. ZONING VARIANCE HEARING - Case # 621 – 310 NE Front St. – Ms. Bridget Duncan.

Ms. Duncan was present on behalf of this case and her request to place a mobile home at this address. Zoning/Condemnation Officer Bobby Smith stated all requirements had been met, that letters concerning this hearing were distributed to neighbors of this address and then recommended that the Variance be granted. Motion to approve the Variance was made by Denise Alexander, seconded by Raymond Williams; all approved.

E. ZONING/CONDEMNATION REPORT – Zoning/Condemnation Officer Bobby Smith and Council Members had discussion concerning the following addresses: **1)** 327 E. Oklahoma Ave., and **2)** 402 Memory Lane.

❖ **CODE ENFORCEMENT MATTERS -**

A. CODE ENFORCEMENT REPORT - Code Enforcement Officer Johnnie Hough gave the following written and oral report: on 49 (Forty-nine) properties.

FOLLOW-UP CONCERNING ANIMAL CONTROL ISSUES - Mayor Festavan, Councilwoman Denise Alexander, and Councilman Samuel Hodge attended a meeting with Caddo Parish Administrator Erica Bryant on Tuesday, April 2nd where Ms. Bryant stated that improvements to the services provided to our area were already being done, including **1)** the hiring of an additional employee to cover the North part of the Parish and **2)** the possibility of additional service(s) in Vivian.

MAYOR'S REPORT - There was none.

ANNOUNCEMENTS BY BOARD OF ALDERMEN - There were none.

ADJOURN - Motion to adjourn was made by Raymond Williams, seconded by Samuel Hodge; all approved. Meeting was adjourned at 7:36 p.m.

Kellie Morris, Town Clerk

Ronnie Festavan, Mayor
April 16, 2024