



## Regular Meeting Minutes

Thursday, March 16, 2017

7:00 P.M.

### Members in Attendance:

Aldersperson Simeon Profit

Aldersperson Donald Richard

Aldersperson Margie Davis

Aldersperson Leola Keys

Aldersperson Janice Fleming

The Town of Richwood met for a Regular Meeting held on March 16, 2017 at 7:00 p.m. at the Richwood Multi-Purpose Center, 2710 Martin Luther King Drive, Richwood, Louisiana to consider the following business:

**I. Meeting Called to Order by Mayor Gerald Brown at 7:00 p.m.**

**II. Prayer-** was offered by Mayor Gerald Brown

**III. Pledge of Allegiance -** recited in unison

**IV. Roll Call-** Mayor Gerald Brown called roll with the following results:  
All (5) Board Members Present

**Present:** Aldersperson Simeon Profit

Aldersperson Donald Richard

Aldersperson Margie Davis

Aldersperson Leola Keys

Aldersperson Janice Fleming

**V. Adoption of the Agenda-**

**Mayor Gerald Brown-** requested a motion to adopt the agenda

\*It was motioned by Alderman Simeon Profit and seconded by Aldersperson Donald Richard to adopt the agenda as presented.

**VI. Adoption of September 22, 2016 and February 16, 2017 Minutes:**

**\*It was motioned by Alderman Simeon Profit and seconded by Aldersperson Janice Fleming to adopt the September 22, 2016 and the February 16, 2017 minutes.**

*Comment voiced: After Adoption of Minutes:*

**Aldersperson Margie Davis** - indicated she had a concern about the February 16, 2017 minutes. Aldersperson Margie Davis indicated it had to do with a statement showing that she said somebody lied, she stated, "I specifically said, Mr. Walker lied, and it had to do with unemployment insurance; when he signed off everything was supposedly not paid, but at least arrangements made for payments, and payments being made and according to the amount that we had to pay, and what you said in the minutes, the unemployment insurance hadn't been paid since 2013 I think; so I said he is the CPA and he's the Fiscal Administrator and he didn't know unemployment insurance hadn't been paid, it's a quarterly payment just like workmen's comp., so what I said was he lied, not somebody lied, when he signed off on the paper that you said you don't remember seeing, we got when he signed off it came back to the office, that he said everything was in order, everything was working, so I said, well he lied, it wasn't; we had not been paying unemployment insurance, he was here from 2013 December, up to end of 2016 or was it 15? (Aldersperson Leola Keys answers 15), so I wanted the minutes corrected to reflect this".

**\*\*\*\*MINUTES WERE VERIFIED FROM RECORDING FOR FEBRUARY 16, 2017 AS REQUESTED BY ALDERPERSON MARGIE DAVIS AND FOUND TO BE CORRECT AS PREVIOUSLY NOTED IN THE FEBRUARY 16, 2017 MINUTES SUBMITTED \*\*\* NO CHANGES NECESSARY\*\*\*\***

## **VII. Financial Reports -**

**Mayor Gerald Brown** – requested motion to adopt the Financial Reports as submitted.

**\*It was motioned by Aldersperson Simeon Profit and seconded by Aldersperson Donald Richard to adopt the financial report as submitted.**

## **VIII. Chief Dialogue:**

**Chief Cleveland-** addressed the forum concerning requested alarm information, he had talked to Aldersperson Davis concerning the alarm and wanted to report, the alarm information was no longer needed, the calls/ all 911 calls are being routed through the Sherriff's department and their line. The Sherriff's Department will record it on the computer and they receive all the information we will need, and if we need anything from them we will receive everything we need to handle the call.

**Aldersperson Margie Davis** – inquired what about the ordinance was it null and void?

**Town Clerk/ Ms. Woods** – answered the ordinance did pass, and would be still active on the books, and would be used when the Town's dispatchers are back in service.

## **IX. Public Comments as it relates to Agenda:**

**Mayor Gerald Brown-** addressed the forum and advised this is a time they can address any questions, concerning items listed on the agenda; as well as the public attendees, can present their questions/ comments at the time each agenda item is discussed and their concerns would be addressed before voting occurred.

**Mayor Gerald Brown-** advised there is a time limit of (5) five minutes.

**Mr. Leo Kelly (Public Attendee)-** commented on the agenda items #X (10), and XI. (11). Per Mr. Kelly he questioned why the ordinance amending the code of ordinances to add guidelines for property owner to de-annex was being presented at the same time Item # XI. An ordinance to de-annex Ouachita Wash Wasateria? Mr. Kelly commented one ordinance supersedes the other, if you want to amend an ordinance the guidelines to de-annex, whatever you are going to do to the Washateria it is already done.

**Mayor Gerald Brown-** advised the forum/ (Public Attendee), the Board had asked for an ordinance demonstrating the guidelines and criteria to complete a de-annexation, and they had actually asked for something specific for this particular person, however the resolution they had requested but an ordinance was being introduced because each annexation is an ordinance to itself and a resolution cannot dissolve that previous ordinance. Mayor Brown stated that he had conferred with the Town's attorney and he indicated it would be appropriate to have an ordinance detailing the criteria but must also have an ordinance dissolving his previous ordinance when he was annexed into the Town.

**Mr. Leo Kelly –** stated to have an ordinance to amend an ordinance it supersedes that ordinance but to come back and say you are doing another ordinance to annex, that would supersede that ordinance, and why was 2 ordinances needed?

**Mayor Gerald Brown-** reaffirmed he had spoken with the Town's Attorney, and verified you must dissolve an ordinance with an ordinance and to consider the de-annexation requested by the business owner for vote, an ordinance must be presented.

**Town's Attorney (Mr. Jay Nolen)-** indicated the ordinance being introduced explains the circumstances de-annexation would be considered and the criteria required to request de-annexation.

**Mayor Gerald Brown-** inquired if there were any other comments? (With no other comments the Board moved on to Item X)

**X. Introduction of Ordinance # 2017-02 (An Ordinance to amend the Code of Ordinances to Add Guideline for Property Owner to De-Annex)**

**Mayor Gerald Brown-** stated the Board had requested something be put together in order to come before the Board and request this company be allowed to be de-annexed.

**Mayor Gerald Brown-** inquired if there were any questions regarding this introduction.

**Aldersperson Janice Fleming-** stated she was looking for a penalty or something for to dissuade...and inquired if the last clause (occupational fee multiplied by the number of years) the penalty?

**Aldersperson Janice Fleming** -inquired what about a non-commercial, a resident?

**Mayor Gerald Brown-** indicated “donut holing” is not something which is currently allowed by Louisiana.

**Aldersperson Margie Davis-** indicated this is something which had come up before.

**Mayor Gerald Brown-** indicated yes but this is not something allowed by the state at present.

- **Aldersperson Donald Richard motioned and Aldersperson Simeon Profit seconded that Ordinance 2017-02 be submitted.**
- **A vote was taken to introduce Ordinance 2017-02 with the following results:**

Aldersperson Simeon Profit - Yes	Aldersperson Donald Richard -Yes
Aldersperson Janice Fleming -Yes	Aldersperson Margie Davis -Abstain
Aldersperson Leola Keys – Abstain	

**XI. Introduction of Ordinance 2017-03 (An Ordinance to de-annex Ouachita Wash Wasateria)**

- **It was moved by Aldersperson Simeon Profit and seconded by Aldersperson Donald Richard to introduce Ordinance 2017-03 (An Ordinance to de-annex Ouachita Wash Wasateria).**
  - **A vote was taken to introduce Ordinance 2017-03 with the following results:**
- |                                   |                                    |
|-----------------------------------|------------------------------------|
| Aldersperson Simeon Profit - Yes  | Aldersperson Donald Richard -Yes   |
| Aldersperson Janice Fleming -Yes  | Aldersperson Margie Davis -Abstain |
| Aldersperson Leola Keys – Abstain |                                    |

## **XII. Introduction of Ordinance 2017-04 (An Ordinance to Amend the Sewer Tapping Fees)**

**Mayor Gerald Brown-** requested Mr. Calloway come forward, and stated that Mr. Calloway has been working on the sewer taps since the mid 90's and is familiar with the fees the Town have been charging since that time, and some of the work he has done lately, the fees we have, seem to be a little out dated.

**Mr. Prince Calloway (Sewer Tap Technician)-** indicated the average sewer tap runs approximately \$1500, and it cost him approximately \$900 to put it in and with his equipment rental he spends approximately \$700 to do the tap, and he had cut his price trying to help the Town, but it should run about \$1500 to \$2,200.

**Mayor Gerald Brown-** stated that many times the tap requires Mr. Calloway to dig much deeper than he would normally dig, and the fees now in place has been on the books since the mid 80's.

**Aldersperson Donald Richard-** inquired if this was existent or new homes, and if someone moved their mobile home would it cost \$1500?

**Aldersperson Janice Fleming-** inquired would this increase the fee for \$1500, and

**Mayor Gerald Brown-** indicated the fee cost would be accessed to the homeowner

**Leo Kelly (Public Attendee) –** inquired if the fee is based on him (Mr. Calloway) to rent the machine or would it be different with someone that already has the equipment as opposed to Mr. Calloway not owning his equipment?

**Mayor Gerald Brown-** indicated he had checked with a couple of companies which owned their own equipment and the fee has been more than what Mr. Calloway is charging, because they own the equipment that is part of the fee they charged.

**Mayor Gerald Brown-** reaffirmed this would apply to new citizens coming into the Town.

**Mr. Edward Bolden (Public Attendee) -** stated he had a question, and stated he had a trailer which had a sewer tap and water tap, and inquired if he put another building would he incur another tap fee cost?

**The question was deferred to Mr. Calloway\*\***

**Mr. Calloway (Plumber & Town's Sewer Tap Technician) -** stated no, the resident would not be charged a new tap because he would have a pre-existing tap.

- **It was motioned by Aldersperson Simeon Profit and seconded by Aldersperson Donald Richard to accept Ordinance 2017-04 as introduced.**

- **A vote was taken to introduce Ordinance 2017-04 with the following results:**

Aldersperson Simeon Profit - Yes	Aldersperson Donald Richard -Yes
Aldersperson Janice Fleming -Yes	Aldersperson Margie Davis -Abstain
Aldersperson Leola Keys – Abstain	

**XIII. Introduction of Ordinance 2017-05 (An Ordinance to Amend Parking Violations)**

**Mayor Gerald Brown-** advised what was being amended was the article B portion of the current ordinance to include: every vehicle standing or parked on the roadway where there are adjacent curves shall be so standing or parked with both the right-side wheels of such vehicle parallel to the right-side curve.

**Mayor Gerald Brown-** explained what that means is you can't park in the middle of the road and leave your car, you can't park across the road and leave your car there, you must park according to the flow of traffic.

**Aldersperson Margie Davis-** inquired, since she lives on a dead-end street and she is on the extreme end, she does have occasions where there are a lot of cars at her house and they are parked, but they are not blocking anybody, because the road stops right there, is that a problem?

**Mayor Gerald Brown-** stated that was something he and the Chief had discussed and they are going to apply common sense to this rule, this law is about safety and accessibility and not about trying to create fines or tows.

- **It was moved by Aldersperson Simeon Profit and seconded by Aldersperson Donald Richard to introduce Ordinance 2017-05.**
- **A vote was taken to introduce Ordinance 2017-05 with the following results:**  

Aldersperson Simeon Profit - Yes	Aldersperson Donald Richard -Yes
Aldersperson Janice Fleming -Yes	Aldersperson Margie Davis -Abstain
Aldersperson Leola Keys – Abstain	

**XIV. Discussion of Drug and Alcohol Policy**

**Mayor Gerald Brown-** indicated the information presented was located as part of an ordinance and should have been in the handbook, but was not in the handbook.

**Mayor Gerald Brown -** indicated there is a form on the back which requires the signature of the employee indicating they have received the information and are subject to the drug policy;

Mayor Brown asked Town's Attorney (Jay Nolen) address the legality of having employees sign a form of which they did not have knowledge prior to employment or signed at employment.

**Aldersperson Margie Davis-** stated that on page 3, at most places if you have an accident you are tested not may tested are tested; and that she felt it should say, if an employee is involved in an accident at work, it should say they will be tested, not may be required.

**Aldersperson Janice Fleming-** stated there are going to be other policies which will require people to do what they are required to do, and may make them mad, but it must be done in order to make the Town more attractive for progress, there are things that must be changed.

**Aldersperson Margie Davis-** inquired as to how random selection for the drug testing would occur, and if employees would be chosen via a computer system, which she felt would be more fairly done than a person selecting the employee.

**Aldersperson Janice Fleming-** inquired if the Town would look into the cost of having a computer driven program which chooses randomly the employee to be tested?

**Mayor Gerald Brown-** indicated yes.

**Aldersperson Donald Richard-** requested a copy of the Town's Handbook, and inquired if it was up to date or needed revision.

**Mayor Gerald Brown-** advised Aldersperson Donald Richard the handbook was available for his review.

**Mrs. Linda Clark (Public Attendee)-** indicated she had missed some of the ordinances which were introduced, and if this was all the ordinances and if any action had been take?

**Mayor Gerald Brown-** advised yes, the listed ordinances were the only ones introduced and further action would not be taken on the ordinances until the next meeting.

**XV. Discussion of Ordinance 2016-02**  
*(Executive Session requested by Aldersperson Leola Keys)*

**Mayor Gerald Brown** – indicated to the Board per the Open Meeting Law the Board must provide a reason as to why they are wanting to go in Executive Session.

**Aldersperson Margie Davis** – offered a motion to go into Executive Session, but no second was given. (Motioned failed to move meeting to Executive Session).

**Mr. Leo Kelly (Public Attendee)** – addressed the forum and stated motion and seconded was not the correct way to address each agenda item introduced, a vote must occur on each item before they are addressed.

**Mayor Gerald Brown-** requested a vote for each of the agenda items and a vote occurred as indicated.

**XVI. Discussion of Clifford Thomas settlement**  
*(Executive Session requested by Clifford Thomas)*

**Mayor Gerald Brown-** addressed the forum and advised Board must submit a motion to go into Executive Session for this item to be addressed in Executive Session.

- **It was motioned by Alderperson Janice Fleming and seconded by Alderperson Simeon Profit to go into Executive Session to discuss Item# XVI. (Discussion of Clifford Thomas settlement).**

**A vote was taken with the following results:**

- **A vote was taken to introduce Ordinance 2017-13 with the following results:**

Alderperson Simeon Profit - Yes	Alderperson Donald Richard -Yes
Alderperson Janice Fleming -Yes	Alderperson Margie Davis -Yes
Alderperson Leola Keys – Yes	

**\*\* Board went into Executive Session at 8:00 p.m. \*\***

**\*\*\* EXECUTIVE SESSION\*\*\* ADJOURNED @ 8:45 P.M. \*\*\***

**\*\*\* REGULAR MEETING CALLED BACK TO ORDER @ 8:47 P.M. \*\*\***

**XVII. Adjournment:**

**Upon return from Executive Session**

- **It was motioned by Alderperson Simeon Profit and seconded by Alderperson Donald Richard to adjourn meeting @ 8:51 p.m.**