

**MINUTES
TOWN COUNCIL MEETING
TOWN OF KINDER, LOUISIANA**

November 5, 2018

The Notice of Meeting/Agenda having been duly posted in accordance with requirements, and a quorum being present, the meeting was called to order by Mayor Wayland LaFargue at 6:00 PM.

Mayor, Council and Staff Present:

Wayland LaFargue, Mayor
Sylvester Popillion, Councilman Dist.1
Maria DeWees, Councilwoman Dist. 2
Angie Van Norman, Councilwoman Dist.4
C.J. Fontenot, Councilman At Large
Traci Fontenot, Town Clerk
Michael Holmes, Town Attorney
Paul Courville, Chief of Police
Wesley Miller, Pan American Engineers

Council and Staff Absent:

Christopher Fontenot, Councilman Dist. 3

APPROVAL OF MINUTES

Mayor LaFargue asked council to consider the approval of the minutes for the regular council meeting of October 1, 2018.

Motion: To dispense with the reading of and approve the minutes for the regular council meeting of October 1, 2018.
Made by: Councilman CJ Fontenot
Second: Councilwoman DeWees
Vote: 4-0, passed.

CHIEF OF POLICE REPORT

Chief Paul Courville asked council to consider amending the Policies and Procedures Manual to include a policy relating to handling calls involving mentally ill persons. He also reported on the calls and activity for the month.

Motion: To amend the Policies and Procedures Manual to include a policy on Law Enforcement Responses to People with Mental Illnesses.
Made by: Councilwoman Van Norman
Second: Councilman CJ Fontenot
Vote: 4-0, passed.

TOWN ATTORNEY REPORT

Mr. Holmes asked council to consider a resolution calling for a special election for the renewal of an ad valorem tax in the Town of Kinder. After some discussion, a motion was made.

Motion: To adopt Resolution No. 2018-13 calling for a special election for the renewal of an ad valorem tax in the Town of Kinder to be held on March 30, 2019.
Made by: Councilman Popillion
Second: Councilman CJ Fontenot

Mayor LaFargue called for a roll call vote:

Councilwoman Van Norman: Yea
Councilman Popillion: Yea
Councilman CJ Fontenot: Yea
Councilwoman DeWees: Yea
Councilman Chris Fontenot: Absent

Motion passed, 4 – 0.

Mr. Holmes asked council to consider rescinding the surplus property designation that had previously been established for certain playground equipment at both Town Parks. He explained that instead of declaring the equipment surplus, the council may proceed with obtaining bids to have the equipment removed.

Motion: To rescind the surplus property designation for certain playground equipment located at both Town-owned parks.
Made by: Councilman Popillion
Second: Councilwoman DeWees
Vote: 4-0, passed.

ENGINEER REPORT

Wesley Miller asked council to consider adopting a resolution awarding the contract for the 2018 LCDBG Kinder Street Improvements job to low bidder, Elliot Construction, LLC.

Motion: To adopt Resolution No. 2018-12, awarding the contract for the 2018 LCDBG Kinder Street Improvements job to low bidder, Elliot Construction, LLC.
Made by: Councilman Popillion
Second: Councilwoman Van Norman
Vote: 4-0, passed.

TOWN CLERK REPORT

Town Clerk, Traci Fontenot reported that income statements with monthly budget-to-actual comparisons are included in the mayor and council packets.

With no further business to discuss, the meeting was adjourned.

Motion: To adjourn.
Made by: Councilman CJ Fontenot
Second: Councilman Popillion
Vote: 4-0, passed.

Adjournment

/s/Wayland LaFargue, Mayor

/s/Traci B. Fontenot, Town Clerk

RESOLUTION

BY THE

TOWN OF KINDER, LOUISIANA

WHEREAS, the Town of Kinder received the following Bids on Tuesday, October 16, 2018 for the Street Improvements (Nixon Subdivision) FY 2017 LCDBG project:

	CONTRACTOR	BASE BID
1	Elliott Construction, LLC	\$474,215.00
2	T.L. Construction, LLC	\$505,825.80
3	Diamond B Construction Co., LLC	\$626,668.00

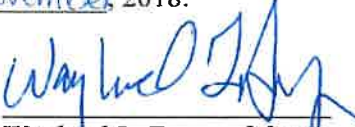
WHEREAS, the Bids have been checked and tabulated by Pan American Engineers, LLC, with a recommendation of award being made to the low Bidder;

NOW, THEREFORE BE IT RESOLVED, that the contract for said construction is hereby awarded to the low Bidder, Elliot Construction, LLC, for the Base Bid of \$474,215.00, contingent upon the following:

1. Concurrence of Award from CDBG Program.
2. Receipt of approved "Verification of Wage Decision(s) and Contractor Eligibility - Form B-5" from the State of Louisiana, Division of Administration, Office of Community Development.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute contracts and change orders between the Town of Kinder and the successful Bidder.


Passed, approved and adopted this 5th day of November 2018.


 Wayland LaFargue, Mayor


 Traci Fontenot, Town Clerk

CERTIFICATE

I, Traci Fontenot, Clerk of the Town of Kinder, do hereby certify that the above and foregoing constitutes a true and correct copy of a Resolution passed and adopted by the Mayor and Board of Aldermen of the Town of Kinder, Louisiana on November 5, 2018.


 Traci Fontenot, Town Clerk

The following resolution was offered by Councilman Sylvester Popillion and seconded by

Councilman C.J. Fontenot:

RESOLUTION No. 2018-13

A resolution ordering and calling a special election to be held in the Town of Kinder, State of Louisiana, to authorize the levy of a special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

BE IT RESOLVED by the Mayor and Council of the Town of Kinder, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Town of Kinder, State of Louisiana (the "Town"), that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by Article VI, Sections 27, 30 and 32 of the Constitution of the State of Louisiana of 1974, the applicable provisions of Chapter 5 and Chapter 6-A of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the Town on **SATURDAY, MARCH 30, 2019**, between the hours of seven o'clock (7:00) a.m., and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

MILLAGE RENEWAL PROPOSITION

Shall the Town of Kinder, State of Louisiana (the "Town"), continue to levy and collect a tax of ten (10) mills on all property subject to taxation in the Town (the estimated amount reasonably expected to be collected from the levy of said tax for one entire year being \$107,200), for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for general purposes?

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in the *Kinder Courier News*, a newspaper of general circulation within the Town, published in Kinder, Louisiana, and being the official journal of the Town, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

Notwithstanding the foregoing, prior to the publication of the Notice of Election, the Mayor is authorized and directed to make any amendments to the foregoing proposition that may be required to comply with any state or federal regulatory agencies.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, the Fred A. Ashy Municipal Building, 333 N. 8th Street, Kinder, Louisiana, on **MONDAY, MAY 6, 2019**, at **SIX O'CLOCK (6:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

SECTION 4. Polling Places. The polling places for the precincts set forth in the Town are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on Monday, May 6, 2019, as provided in Section 3 hereof. All registered voters in the Town will be entitled to vote at the special election, and voting machines shall be used.

SECTION 6. Authorization of Officers. The Clerk of the Town is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Mayor and/or Clerk of the Town are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodian of Voting Machines of Allen Parish and the Registrar of Voters of Allen Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to continue to levy and collect the special tax provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

This resolution having been submitted to a vote, the vote thereon was as follows:

MEMBERS:	YEAS:	NAYS:	ABSENT:	ABSTAINING:
Sylvester Popillion	_____√_____	_____	_____	_____
Maria DeWees	_____√_____	_____	_____	_____
Christopher Fontenot	_____	_____	_____√_____	_____
Angie Van Norman	_____√_____	_____	_____	_____
C.J. Fontenot	_____√_____	_____	_____	_____

And the resolution was declared adopted on this, the 5th day of November, 2018.

/s/ Traci B. Fontenot
Clerk

/s/ Wayland LaFargue
Mayor

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the Mayor and Council of the Town of Kinder, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Town of Kinder, State of Louisiana (the "Town"), on November 5, 2018, NOTICE IS HEREBY GIVEN that a special election will be held within the Town on **SATURDAY, MARCH 30, 2019**, and that at the said election there will be submitted to all registered voters in the Town qualified and entitled to vote at the said election under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following proposition, to-wit:

MILLAGE RENEWAL PROPOSITION

Shall the Town of Kinder, State of Louisiana (the "Town"), continue to levy and collect a tax of ten (10) mills on all property subject to taxation in the Town (the estimated amount reasonably expected to be collected from the levy of said tax for one entire year being \$107,200), for a period of ten (10) years, beginning with the year 2021 and ending with the year 2030, for general purposes?

The said special election shall be held at the polling places for the following precincts, which polls will open at seven o'clock (7:00) a.m., and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, to wit:

PRECINCTS
02-02(PART)
02-02A(PART)
02-04-C(PART)
02-04-O(PART)
02-05(PART)

The polling place for the precinct set forth above are hereby designated as the polling place at which to hold the said election, and the Commissioner-in-Charge and Commissioner, respectively, shall be those persons designated according to law.

Notice is further given that a portion of the monies collected from the tax described in the Proposition shall be remitted to certain state and statewide retirement systems in the manner required by law.

The said special election will be held in accordance with the applicable provisions of Chapter 5, Chapter 6-A and Chapter 6-B of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and the officers appointed to hold the said election, as provided in this Notice of Special Election, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, will make due returns thereof to said Governing Authority, and NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet at its regular meeting place, the Fred A. Ashy Municipal Building, 333 N. 8th Street, Kinder, Louisiana, on **MONDAY, MAY 6, 2019**, at **SIX O'CLOCK (6:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election. All registered voters of the Town are entitled to vote at said special election and voting machines will be used.

THUS DONE AND SIGNED at Kinder, Louisiana, on this, the 5th day of November, 2018.

ATTEST:

/s/ Wayland LaFargue
Mayor

/s/ Traci B. Fontenot
Clerk

STATE OF LOUISIANA

PARISH OF ALLEN

I, the undersigned Clerk of the Town of Kinder, State of Louisiana (the "Town"), do hereby certify that the foregoing pages constitute a true and correct copy of the proceedings taken by the Governing Authority on November 5, 2018, ordering and calling a special election to be held in the Town of Kinder, State of Louisiana, to authorize the levy of a special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature at Kinder, Louisiana, on this, the 5th day of November, 2018.



Clerk