

TOWN OF SIMMESPORT

MAYOR LESLIE DRAPER III

DISTRICT I
GLENN GAUTREAUX

DISTRICT III
PATRICK WRIGHT



ALDERMAN AT LARGE
ROMARO TURNER

DISTRICT II
TIESHA KENNEDY

DISTRICT IV
SHERMAN BELL

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July 10, 2023 Regular Town Meeting Minutes

Minutes of the regular meeting of the Mayor and Board of Aldermen of the Town of Simmesport held at the Simmesport Town Hall on Monday, July 10, 2023, at 6:00 p.m.

Presiding: Mayor Leslie Draper, III

Members Present: Sherman Bell, Glenn Gautreaux(*arrived late*), Tiesha Kennedy, Patrick Wright

Members Absent: Romaro Turner

Town Attorney: Present

Town Clerk: Absent

AGENDA ITEM 1,2,3: CALL TO ORDER, PRAYER, PLEDGE OF ALLEGIANCE

Mayor Leslie Draper, III called the meeting to order and Alderman Sherman Bell gave the opening prayer followed by the Pledge of Allegiance.

Mayor Draper directed the council to the minutes of the previous meeting (*June 12, 2023*). A motion was then made by Councilman Bell and seconded by Councilman Wright that the minutes of the previous meeting be accepted as written. All present voted as follows:

	YES	NO	ABSENT	ABSTAIN
Alderman Bell	X			
Alderman Gautreaux			X	
Alderwoman Kennedy	X			
Alderman Turner			X	
Alderman Wright	X			

The motion passed.

Mayor Draper then asked the council look at the minutes of the previous meeting and asked if they had any questions. Mayor Draper then directed the Council to Item 8 of the pervious meeting, the voting of Ordinance 05-2023-01, the redistricting plan. Mayor Draper noted that the initial vote was 5-0 to pass the ordinance, then a roll-call vote was asked for by Alderwoman Kennedy and the vote was 4-1 against the passage of the ordinance. Councilman Bell stated there was a misunderstanding on the first vote. Mayor Draper stated that he believed the second vote was not proper because the measure should have been added to the agenda for a second vote. Because Attorney LaCour was out of the room at the time, the Council decided to move the discussion on the matter until a later point in the meeting.

AGENDA ITEM 4: APPROVAL OF AGENDA

A motion was made by Councilman Bell and seconded by Councilman Wright to amend the agenda by moving the minutes to Item 10G, the passage. All present voted as follows:

	YES	NO	ABSENT	ABSTAIN
Alderman Bell	X			
Alderman Gautreaux	X			
Alderwoman Kennedy	X			
Alderman Turner			X	
Alderman Wright	X			

The motion passed and the agenda was amended.

A motion was made by Councilman Bell and seconded by Councilman Wright to accept the agenda as amended. All present voted as follows:

The motion passed and the agenda was amended.

	YES	NO	ABSENT	ABSTAIN
Alderman Bell	X			

Alderman Gautreaux	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Alderwoman Kennedy	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Alderman Turner	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Alderman Wright	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

The motion was passed and the amended agenda was accepted.

AGENDA ITEM 5: APPROVAL OF JUNE 2023 MINUTES

This item was moved to Item 10G on the agenda.

AGENDA ITEM 6: PAYMENT OF BILLS FOR JUNE

Mayor Draper reported that many of the delinquent accounts had been paid up to current. Mayor Draper told the Council that other delinquent accounts were being negotiated and payment plans were being worked out. Councilwoman Kennedy asked how much the splash finally cost. Mayor Draper said it was a little over \$52,000. Councilman Bell asked what the balance of the loan on the tractor was and Mayr Draper said he would get that information. Councilwoman Kennedy asked what the balance was on the Warrant Now account since it was delinquent since 2019. Mayro Draper confirmed that this account was now current. Alderman Bell asked if the Council could be presented with balances on the past-due accounts for the next meeting. Mayor Draper said he could oblige.

A motion was made by Councilman Bell and seconded by Councilman Wright to pay the bills for June as posted. All present voted as follows:

	YES	NO	ABSENT	ABSTAIN
Alderman Bell	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Alderman Gautreaux	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Alderwoman Kennedy	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Alderman Turner	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Alderman Wright	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

The motion was carried.

AGENDA ITEM 7: PUBLIC COMMENT TIME

- Ms. Terry Sanford, on 105 Thompson St., complained that there were trees growing on the power lines near her home and that these branches are causing power outages and fires. She said she called Cleco, and they told her the Town of Simmesport was responsible for trimming the trees on the power lines. Mayor Draper addressed this and told Ms. Sanford that Cleco is responsible for maintenance of the power lines. Mayor Draper said he would contact Cleco.
- Mrs. Gautreaux said that RISE is holding a back to school event in Ehrhardt Park on Saturday, July 29. The event will take place from 10:00 AM to 1 PM. There will be fun activities for the kids.

AGENDA ITEM 8: RULES FOR THE SPLASH PAD

Mayor Draper said the splash pad is complete, however, there need to be rules adopted by the Town for use of the facility. The Mayor gave the Council a copy of some preliminary rules for them to evaluate. Attorney LaCour suggested the rules should be passed as an ordinance so that they can be enforced.

A motion was made by Alderwoman Kennedy and seconded by Alderman Bell to pass a resolution in introduce an ordinance creating rules for using the splash pad. All present voted as follows:

	YES	NO	ABSENT	ABSTAIN
Alderman Bell	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Alderman Gautreaux	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Alderwoman Kennedy	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Alderman Turner	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Alderman Wright	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

The motion massed.

A public hearing was set for August 14, 2023 at 5:45 PM.

AGENDA ITEM 9: ROAD BLOCK CONCERNS

Mayor Draper said that the Town of Simmesport does not have any right to govern road blocks on state highways. LA Highway 1 is the main highway where the fundraising roadblocks seem to occur. Attorney LaCour told the council that unless Simmesport has an agreement with DOTD, the Town cannot block either Highway 1 nor LA 105. We can block off any of the Town Roads. Mayor Draper said he would contact DOTD to see what our options are as to road blocks.

AGENDA ITEM 10: DEPARTMENT REPORTS

A. UTILITY DEPARTMENT

Mr. Dana Smith said grass cutting was the main issue for the maintenance department. He also said that there some difficult water leaks that were repaired. The police department asked to have the grass cut behind their parking lot. Councilman Bell asked if the limbs in front of Riverside Elementary could be taken to the Parish landfill before school begins on August 4. Mr. Smith said he would call to see if the Parish Barn would still let us dump limbs at their site.

B. SEWER PLANT

Mr. Carter told those assembled that the pumps in the sewer lift stations were failing. Some were overheating because there is only one pump where there should be two. He said there were problems at the bank where the lift station pumps tripped off. Mr Carter said that DHH and DEQ requires two functioning pumps for each lift station. Mayor Draper asked what the cost of pumps were. Mr. Carter said the above-ground pumps were in the range of \$15,000 to \$20,000. Mr. Carter stated that in the past, these pumps were replaced by grants from the State of Louisiana. However, since we are still in non-compliance, we would have to pay for them ourselves. Mayor Draper said he would contact Sustainability Partners

C. FIRE DEPARTMENT

Cody Jackson introduced himself as the newly-elected fire chief and asked if anyone had any questions. Chief Jackson told those assembled that there were 10 medical calls, 6 fire calls and 1 car wreck in the month of June.

D. POLICE DEPARTMENT

Police Chief Daniel Firmin said there were 27 calls, 61 tickets issued resulting in 92 violations and 4 arrests. Over \$9,000 in fines were collected. Chief had no new reports on the vehicles. Chief said the current vehicles were hanging in. Chief also said the internet has been going out on a regular basis, especially on the weekends. These outages are not allowing the police officers to clock in or complete reports. Alderwoman Kennedy asked about the new police cars and Chief Firmin said he has had no word yet on the status of the cars.

E. TOWN CLERK

Jalesia Batiste was absent. Deputy Clerk Rene Whitmore reported that work is still being done on the financial audits. Bank reconciliations for the prior fiscal year are complete up to April. There has been no word on a completion date for the FY 2020-2021 audit. Mr. Whitmore reported that, thus far, all delinquent accounts for the Town of Simmesport have been discovered and negotiations are complete for most to repay the outstanding debts. There are a few accounts being negotiated.

F. TOWN ATTORNEY/MAGISTRATE

Attorney LaCour said there was one long-standing workman's comp lawsuit that is close to settlement, but that will be totally handled by the insurance company. The MPERS lawsuit is still pending, but there is no word lately about the status.

G. MEETING MINUTES FOR JUNE 12, 2023 MEETING

Mayor Draper said the Council was concerned about Agenda Item 8. Attorney LaCour said that the first vote was a "passive vote" in that no one objected. However, attorney LaCour said that any Council Member has the right to call for a roll call vote. Mr. LaCour said that now the Council has to select another plan, write and advertise another ordinance, have another public hearing and pass the ordinance. Mayor Draper questioned whether the ordinance was actually passed and whether the Council had the authority to call for a second vote on the same ordinance. Attorney LaCour said that when the initial vote was called, only one Council member responded verbally in the affirmative although none responded in the negative. This is referred to as a passive vote. In Attorney LaCour's opinion, the call for a roll-call vote to clarify the vote is proper under Robert's Rules of Order. Councilwoman Kennedy wanted the minutes to reflect that the minutes were incorrect because they did not reflect the council member's confusion as what they were voting on, which spurred the roll-call vote.

A motion was made by Alderwoman Kennedy and seconded by Alderman Bell that the minutes to the June 12, 2023 meeting be amended to reflect that the initial vote on proposed ordinance 05-2023-01, the redrawing of voting districts, was in error because the council members were confused on the contents of the proposed ordinance, and that this confusion spurred the call for a roll-call vote on the proposed ordinance. A roll-call vote was taken on this motion and all present voted as follows:

	YES	NO	ABSENT	ABSTAIN
Alderman Bell	X			
Alderman Gautreaux	X			
Alderwoman Kennedy	X			
Alderman Turner			X	
Alderman Wright	X			

The motion was passed to amend the June 12, 2023 minutes.

A motion was made by Alderman Bell and seconded by Alderman Gautreaux to accept the minutes of the June 12, 2023 meeting as amended. A roll-call vote was taken with those in attendance voting as follows:

	YES	NO	ABSENT	ABSTAIN
Alderman Bell	X			
Alderman Gautreaux	X			
Alderwoman Kennedy	X			
Alderman Turner			X	
Alderman Wright	X			

The motion was passed and the amended minutes of the June 12, 2023 meeting were accepted.

Attorney LaCour recommended that, since there was a question on the intention of the vote on proposed ordinance 05-2023-01, the Council vote to affirm that the Council's intent was that the vote on the Proposed Ordinance 05-2023-01 (an ordinance to redistrict) was that the ordinance should **NOT** be accepted.

A motion was made by Alderwoman Kennedy and seconded by Alderman Bell that the roll-call vote on Agenda Item 8 of the June 12, 2023 meeting, proposed ordinance 05-2023-01, a proposed ordinance to redraw Council districts, be ratified as the true and proper intent of the Town Council of Simmesport. A roll-call vote was taken and all in attendance voted as follows:

	YES	NO	ABSENT	ABSTAIN
Alderman Bell	X			
Alderman Gautreaux	X			
Alderwoman Kennedy	X			
Alderman Turner			X	
Alderman Wright	X			

Alderman Wright said that he thought the remarks in the June 12, 2023 meeting questioning residency in regards to his eligibility to run in District III were uncalled for and wanted it known for the record that he thought it improper. Alderman Wright said he was renovating his home on Thompson St. Alderman Bell stated that he (Alderman Wright) knew he was not eligible to run in District III because Alderman Wright lived in District IV, Alderman Bell's district for five years prior the last election. Attorney LaCour cautioned the Council that such allegations in an open meeting could lead to charges of malfeasance if not acted upon and suggested the council stop the personal attacks against each other and move on with town business. Mayor Draper stated that those allegations have been made in prior meetings and needed to be acted upon to avoid malfeasance charges against members of the council. At this point, Attorney LaCour suggested that the Council investigate these allegations and put them on the next agenda to be discussed formally.

ITEM 12: ADJOURNMENT

There being no further business, a motion was made by Alderman Bell and seconded by Alderwoman Kennedy to adjourn. All present voted as follows:

	YES	NO	ABSENT	ABSTAIN
Alderman Bell	X			
Alderman Gautreaux	X			
Alderwoman Kennedy	X			
Alderman Turner			X	
Alderman Wright	X			

The motion was carried, and the meeting was adjourned.

Leslie Draper, III
Mayor

Jalesia Batiste
Interim Town Clerk

