

City Hall, Monroe, Louisiana
October 8, 2024
6:00p.m.

The Honorable Chairman Juanita G. Woods, called the meeting to order. She then asked the clerk to call roll.

There were present: Mr. Harvey, Mrs. Ezernack, Ms. Woods, Mr. McFarland, & Mr. Muhammad

There was absent: None

Chairman Woods announced that a quorum was present, and that the Invocation and the Pledge of Allegiance would be led by Mr. Harvey or his designee.

The Invocation was led by City Engineer Morgan McCallister.

COMMUNICATIONS & SPECIAL ANNOUNCEMENTS:

(1) Mr. Harvey thanked everyone that came out to the Community Meeting last week concerning the potential lane change on North 6th. He said they have a little more data to gather, and he appreciated Mr. McCallister and Mrs. Kelsea McCrary for giving feedback. He noted they need to keep having those conversations before the final changes and they can always reach out to him if they don't want to do it on Facebook or come to one of the meetings.

(2) Mrs. Ezernack said good evening to everyone, and she thanked them for being at the City Council meeting. She stated last Thursday she participated in the graduation for the Senior Police Academy at the Ouachita Council on Aging. She said the people that received their certificate were excited and appreciative of the police and how much they learned. She said anyone who has a chance to participate keep a look out for more information for the next class. She thanked Monroe Police, and she said it is a wonderful program and hopefully they will be able to continue throughout 2025. On another note, she said she was watching the weather to get an update on the looming storm in Florida and she said it looks like this will rival some of the worst storms that we have ever had at this particular juncture in time. She said to keep them in your prayers and the storm surge is supposed to be higher than it was with Helene. She said they hope and pray everyone will be safe during that time. She said hopefully this will be one of the last storms that come through anywhere in the United States during 2024.

(3) Mr. McFarland thanked everyone that celebrated with Greater Free Gift Baptist Church this past weekend for the 93rd Church Anniversary. He thanked Mr. Tommy James for taking time out of his busy schedule to ride around with him throughout his district as he began to identify eyesores and for his immediate response to those sore spots in the community. He said today they had some dumping on Orange Street, and he thanked the Council Clerk for making sure Mr. James got the message. Lastly, he said concerning those in the pathway of the storm let us continue to pray with them and for them that God will be merciful and keep them from every hurt, harm, or danger.

(4) Mr. Muhammad announced a press conference on Thursday to reveal the unveiling of the book box. He yielded his time to Mr. Robert Jordan and his wife Mrs. Samantha Jordan to talk about the book boxes.

Mr. Jordan said the law that passed July 4th basically states that if a third grader isn't reading on the third grade level they will not advance to the next grade. He said most of these kids were covid babies and were being home schooled. He said most of the time this will affect low income or black and brown neighborhoods. He said they talked to some Council members to say what can they do to be proactive instead of reactive, and they decided to build book boxes. He said they will put these at all the schools that they can get one in, and the books are free to the children. He thanked Mr. Muhammad for sponsoring the first box, they have three going to Ms. Woods's district, and a box going to Representative Pat Moore's house. He noted they take ten kids every Saturday at Joe's automotive that build these boxes with their assistance. He stated the cost is \$670 per box including feeding the children breakfast, lunch, and a snack. He said the books are being donated and they are asking for sponsors to help cover the cost for material and feed the children.

On another note, Mr. Muhammad said the dumping Mr. McFarland mention he also got call about that and he is glad they were able to catch the corporate. He said the dumpster he had at South 2nd and Winnsboro Road accumulated 5 and half tons of debris. He said with hurricane Milton he

understands this will be the first direct hit since 1921 and it is putting them in the mind of Katrina. He said continue to pray for Tampa, FL and that area. He yielded his time to Dr. Melissa Tony to briefly tell the public about what is happening Saturday.

Dr. Melissa Tony, Founder of Serving With A Purpose, said she is here with residents of Burg Jones Plaza. She said May of this year they incepted a collaborative program with the Housing Authority, the City of Monroe, Nova, and a lot of other partners to provide individuals in our program with mental health, career readiness, financial literacy, and life skills. She said they went through a very rigorous five month program and they are graduating this Saturday. She said they are really excited and grateful for the support that has been provided in helping them be successful. She said eight families out of the twelve will be going to Disneyworld in December. She recognized Mr. James Miles who has been a huge person in the success of the individuals in this program.

Lastly, Mr. Muhammad gave a shout out to Wossman High School Homecoming week, and He said they are praying for a safe and prosperous Homecoming. He said he is an alumnus of Wossman, and he is very excited. He noted he is still a little disappointed that the fair didn't come to Monroe, and he would hope the administration would court another fair to give the young people something to do. He noted the bottom line is the children need an outlet and they look forward to this fair during football season this time of year.

Chief Jimmie Bryant, Chief Operating Officer, sitting in for Mayor Friday Ellis, stated to pray for the Region 8 USAR team (Urban Search and Rescue) made up of Monroe, West Monroe, Ouachita, and Ruston. He said fire fighters have been deployed to that region to help engage and perform rescue efforts. He said please pray for their safety and safe return to their families.

Ms. Woods stated to definitely keep in mind those out on the front line putting their lives on the line to help someone else. She welcomed and thanked everyone for coming to the meeting. She said they could have been so many other places, and they are going to try to move this as quickly as they can. She recognized Mrs. Wossman for 2024-2025 Ms. Rayvon Alexandar and the Football Sweetheart Ms. Alexis Craft. She said if you know these young ladies and their families give them some congratulations. On another note, she stated she has an ongoing Chat & Chew on Wednesday October 16th and they are always 10 a.m. until noon at the Powell Street Community Center. She said they always have a guest speaker and to just stop by to get updated on what is going on. She said she has been getting a lot a flack regarding the lights at Renwick Street and she thanked Mr. McCallister and Chief Bryant for listening to her. She said if anyone is asking what is going on with the lighting it is being addressed and if it is a light bulb issue it will be fixed on tomorrow. She said if there is an electrical challenge it will take a little while longer, but they have assured her, and she is assuring the community that it will get done. She said because the one thing they do not want to see is anything happen to anyone who's trying to cross there. She said she has also talked to Mr. McCallister about the lights on the overhead crosswalk and they are going to look at that and she knows because it's still dark up there people are afraid to go cross. She said they are working on it and to please be patient with them. Lastly, she said the anniversary at Bishops' church was an amazing celebration not to mention they had the best food in the world. She recognized Ms. Bethany Corona, Assistant Extension Agent Ouachita Parish.

Upon motion of Mr. Harvey and seconded by Mrs. Ezernack, and the minutes of the Legal and Regular session of September 24, 2024, were unanimously approved. (There were no public comments.)

Proposed Condemnations:

The following condemnations were considered:

(1.) 1910 South Grand (D4) – OWNER: Edward and Mary Cheek. Notice to show cause was served. Photographic evidence was presented. There was no one present. Upon motion of Mr. McFarland, seconded by Mr. Muhammad and unanimously approved, the building was condemned, and the property owner given 30 days in which to bring the structure into compliance with the Code or demolish the Structure and clean the lot. (There were no public comments.)

Mr. Tommy James, Code Enforcement Officer, stated this is a dilapidated structure that burnt January of this year. They are asking that the property be condemned giving the owner 30 days.

Mr. McFarland said this property is in his district and looks like it is unrepaired, and he moved for condemnation.

Mr. James wanted confirmation for 30 days.

Mr. McFarland stated if this home could be savaged, or if it need to be torn down.

Mr. Brandon Creekbaum, City Attorney, noted the 30 days is to allow them time to demolish the property themselves.

(2.) 210 Magnolia St. (D3) – Owner: Jena McCatry & Jacquinn Henry; Mack & Lizzie White c/o Ethel Tony. Notice to show cause was served. Photographic evidence was presented. There was no one present. Upon motion of Ms. Woods, seconded by Mr. McFarland and unanimously approved, the building was condemned, and the property owner given 30 days in which to bring the structure into compliance with the Code or demolish the Structure and clean the lot. (There were no public comments.)

Mr. James said this is also a dilapidated structure and the rear is open. They are asking that the property be condemned giving the owner 30 days.

Ms. Woods wanted to know if they have done all the necessary paperwork.

Mr. James said yes, there has been no contact.

Ms. Woods motion to condemn the property giving the owner 30 days to demolish and rid the property of all obnoxious growth and debris.

RESOLUTIONS AND MINUTE ENTRIES:

Council:

(a) Upon motion of Mr. Muhammad, seconded by Mr. Harvey and unanimously approved Resolution No. 8815 appointing Dr. Pamela H. Saulsberry to the Monroe Planning Commission and further providing with respect thereto.

Ms. Woods thanked Dr. Saulsberry for accepting this appointment to serve on the Monroe Planning Commission. She said they are trying to get to a point that they can start having regularly scheduled meetings to take care of the business of Monroe.

Dr. Pamela H. Saulsberry, 117 Vegas Drive, stated she plans to do the best she can with the expertise she has for the entire City of Monroe in this position.

(b) Upon motion of Mr. Muhammad, seconded by Mr. McFarland and unanimously approved Resolution No. 8816 re-appointing Charles Scott to the Monroe Planning Commission and further providing with respect thereto. (There were no public comments.)

Mrs. Ezernack thanked Mr. Scott for extending his appointment and she said he has been a valuable asset on the Planning Commission. She said she is happy he agreed to continue to serve.

(c) Upon motion of Mr. Harvey, seconded by Mr. Muhammad and unanimously approved Resolution No. 8817 granting an exception to the Open Container Ordinance to the Monroe Symphony Orchestra for a Fundraiser pursuant to Monroe City Code Sec. 12-231 D (Open Container Ordinance), and further providing with respect thereto. (There were no public comments.)

Before moving to the next agenda item, Ms. Woods stated the Council is in a peculiar situation because they have an appointment that needs a confirmation from the Council. She said according to the charter there is a time frame that has to be satisfied in order for the Council to address this. She said the Mayor has submitted an applicant for the Public Works Director position. For the record, she said she received this request from the Mayor on the 23rd of September and the Council had a meeting on the 24th and according to the charter there are two regular scheduled meetings for the Council to act upon this. She said the 24th was one meeting and she doesn't know if they are counting that and today October 8th would be the second meeting. She said if they don't move on it the person automatically gets confirmed for this position without any type of confirmation whatsoever from the Council. She said she has a Resolution that she is not comfortable with it at all because she doesn't know, and they have not had time to vet, but she also think a person doesn't need to be confirm that they don't know. She noted she has a request to add this on and the Council

is moving on something she received at ninth hour. She further noted they weren't sure what or how they should handle this, and she is sure Mr. Louis Tolliver is not present to speak one way or the other. She said she doesn't want to get caught up in the rules or the semantics of or not. She entertained a motion to add on and she said please know the Council have to have a unanimous vote to add it on the agenda.

Mr. Harvey wanted to know the steps if it doesn't make it to the agenda tonight. He said can the Council put it on the agenda and table it and what are the array of options.

Mr. Brandon Creekbaum, City Attorney, noted the charter says the Council shall act on the matter of confirmation no later than the second regular meeting held after receipt of the appointment from the Mayor. He said the overall purposes of section 7:10 appears to be that Council is given two meetings to consider the appointment. He said what is the effect of submitting a nomination right before a meeting and in this case the Mayor did it a day before the meeting. He said he could not find any on point decisions. He said with other charters where this issue has come up they actually specify a date. He said there are not any other charters that he could find that dealt with what constitutes receipt in advance of a regular meeting sufficient to trigger this obligation to consider it. He said the charter provision itself does not speak to receipt or ability to place it on the agenda or the ability to functionally consider it within two regular meetings held after a receipt. He said in its most literal form, this is the second regular meeting held after receipt of the nomination. He said out of the abundance of caution the Council can proceed based on that and the hyperliterally reading of it any failure to act on the matter of confirmation would be deemed to have been automatic confirmation. He said if later some higher authority than him take into account practical consideration that this was submitted after an agenda deadline then maybe the outcome is different. He said it is the will of Council as a body as to how they want to proceed at this point.

Mr. Harvey wanted to know if the introduction and subsequent tabling trigger anything the way Mr. Creekbaum interpreted it and if the Council put this item on the agenda can they elect to table it.

Mr. Creekbaum said yes, the Council is not acting, and the act is the approval or disapproval of the confirmation.

Mr. Muhammad said if the Chair is getting a nomination at the deadline of the second meeting he doesn't like it. He said the Council need to do it correctly and he was under the impression they were putting it on the agenda at the end of this month.

During discussion of an add-on item Mr. McFarland raised a point of order. He stated Mr. Creekbaum has to help the Council stay in order and items aren't supposed to be discussed until after a motion and a second has been made. He said the Council put the cart before the horse with how the Council is conducting business tonight. He said he holds Mr. Creekbaum accountable for that and he should be directing and telling the board.

ADD-ON: Upon motion of Mrs. Ezernack, seconded by Mr. Muhammad and unanimously approved to add on item (d) a Resolution confirming the appointment of Louis Tolliver as Public Works Director and further providing with respect thereto.

Mrs. Ezernack wanted clarification that the act would be up or down.

During discussion of agenda item Mr. Muhammad raised a point of order and he stated there is a motion on the floor and the Council is discussing it.

Mr. Creekbaum said the proper course would be to ask for public comment before the Council questions.

Ms. Elizabeth Sharp, 413 Isabel, said if this Resolution came to the Council before September 23rd why is it not on today's agenda and why it is just being passed out before the meeting. She said it seems to her this is not the second meeting, and it seems the next meeting has to be the second meeting and it has to be on the agenda.

Mrs. Ezernack wanted to know if the Council agrees to the add-on then the Council decides if they are going to vote it up or down would the act be tabling it until the next meeting.

Mr. Creekbaum stated he thinks in the general colloquial sense a tabling is not acting. He said it's not taking any action, and it is deferring consideration to a future date. He said based on general common sense of understanding what the word act mean would be the up or down vote otherwise the Council could delay a matter of confirmation for months or years by continually deferring consideration to a future date. He said that is why deadlines are specified in the charter to have final action.

Ms. Woods stated for the record there are understood rules and regulations as to when materials are due in order to be on the Council's agenda. She said anything that's up for consideration for the Council's agenda is due by 3 o'clock on the Wednesday before the Tuesday of the Council meeting. She said the agenda was printed, the agenda was out, and then the council got the information on the 23rd which was the day before the Council meeting. She noted in all reality the information meets the deadline to be on the September 24th agenda. She said she was thinking since the Council missed that deadline then they would talk about it, and the Council have hearing scheduled for the 10th which is Thursday at noon to talk to this individual who has been submitted for this position. She further noted the final vote would have appeared on the agenda as a regular item on October 22nd. She said when she talked to Mr. Creekbaum he said they can't decide which is the first and second meeting. She said if they have an error and don't address it on the eighth then this person automatically goes in if the issue was pushed by default.

Mr. Muhammad said if they wanted on the agenda for tonight why it wasn't submitted with other items.

Mr. Creekbaum noted this is not an agenda item request by the administration. He said this is a letter submitted by the Mayor notifying the Council of an appointment and the duty is upon the Council to act. He said matter of fact the Council never has to put it on the agenda.

Mr. McFarland said let's not get it twisted with certain words and the words that Mr. Creekbaum said that the Council don't have to put it on the agenda. He said if the Council fails to put it on the agenda then the individual is automatically confirmed. He said let's not say certain things were the citizens of Monroe think the Mayor can write a letter and the Council don't have to do anything. He said the Council need to do something and that is what people elected them to do. He said to be very careful with words and how they know others will interpret what Mr. Creekbaum just said.

Mr. Creekbaum stated that was not the implication that he was desiring to give, and the charter says the Council shall act on the matter of confirmation within two meetings after a receipt or confirmation is deemed to have been given.

Mr. McFarland said any time you see the word shall that it must happen.

Mr. Harvey stated in his quick perusal the Council is not going to get a legal opinion on what act should look like but if they put in on the agenda tabling is something that can be interpreted as an act. He said ultimately they all have to vote on it and an have majority vote. He said if they are able to table something once it reaches the agenda then the Council can talk about an Attorney General's opinion and intent. He said in his opinion tabling is an act because it does require majority vote.

Mr. Creekbaum said it takes a unanimous vote.

Ms. Woods stated one nay would prevent this from going on the agenda. She said if it doesn't go on the agenda then the Council can't act on it.

Mr. Harvey stated he thinks the Council should add it to the agenda then table it and he think that is the closest thing they will get to a resolution tonight. He said if somebody want to challenge subsequent things the Council can go through their process, have the hearing, and if they end up where people aren't happy then it goes to lawyers, but he thinks that is the next best option for what the Council have in front of them.

Mr. Creekbaum said the general sense they would consider an act to be the Council taking some type of action in the form of yes or no on the confirmation. He said Mr. Harvey is correct and that particular point he did not research today.

Mr. McFarland said the Council have to digest what the Attorney is saying, and he is asking the Council to be a quick thinker on this matter.

Mr. Creekbaum said if the Council want some additional time to consider it they could Pass it over.

Mr. McFarland stated he doesn't want the Council to be in a trick bag and he knows he is not going to fall for the okie dok. He said he is listening well, and he is hanging on to every word that the attorney is saying. He said he too know what the charter states and he is saying to the Council to listen well. He said some people play with words, but he interprets words.

(Vote to addon: Mr. Harvey, Mrs. Ezernack, Ms. Woods, Mr. McFarland, and Mr. Muhammad.)

Mr. McFarland called for a recess to confer with the City Attorney.

(The Chairman called for a five minute recess at 6:55pm.)

(The Chairman called the meeting back to order at 7:00pm.)

Upon motion of Mr. Harvey, seconded by Ms. Ezernack and approved to Passover a Resolution confirming the appointment of Louis Tolliver as Public Works Director and further providing with respect thereto until the next regular scheduled City Council Meeting on October 22, 2024. (There were no public comments.) (Ms. Woods nay) (Mr. McFarland recused himself due to the conversation he had with legal counsel.)

Mr. Harvey motion to table this item.

Mr. Muhammad wanted to know why the Council is tabling this item.

Mr. Harvey said everything they just discussed before, and he still feels that is the right thing to do.

Ms. Woods for the record if the Council table this item and it is brought, discussed, and debated that this was actually the second Tuesday what are the repercussions.

Mr. Creekbaum said now it is on the agenda and some things have been done to advance this towards whatever the definition of an act may be. He said at the very least this matter is under consideration by the Council and there is a motion on the table. He stated the Council has taken some steps toward considering this matter if it comes down to what the functional meaning of tabling is, and tabling is just an act of postponing it for later consideration. He said it is not a confirmation or denial and it is an action the Council is taking a vote on the matter. He said is it the type of action the charter conducts? He noted the charter does not define it, it doesn't say act by confirming or denying, it doesn't say act by what is postponing, or tabling it just says the Council shall act on a matter of confirmation. He said for example, if this is the second meeting or not there are good arguments for and against it. He said there are dictionary definitions of what does an act mean, what does the structure of this mean with the confines of the charter, and what is the deliberative act that is being taken. He further noted those are all undefined terms in this charter that are left subject to some interpretation. He said they are dealing with a lot of implication, and it is the will of the Council how they choose to proceed. He stated to Ms. Woods original question if that is not considered an official order, if one day this were in court for some reason and a judge has to make a decision as to whether or not that is an act, and the judge finds this is not an act then confirmation would have been deemed to have been given because Council did not act. He said there are two things that have to be true for confirmation to have been deemed given. He said this has to be the second meeting and the tabling has to not be an official act. He further stated there are a lot of moving parts surrounding all of that and this particular question what constitutes an act is not something that they have talked about, or he spent researching this afternoon. He said he is relying on general knowledge structure of the charter itself and giving his best guess without reading anything on that particular issue.

Mr. Muhammad wanted to know what happens if this motion fails.

Mr. Creekbaum said if this motion fails the issue is still under consideration by the Council and some other motion would have to be made.

Mrs. Ezernack said the Council had a meeting planned and some had planned to call the candidate themselves to speak to them. She wanted to know if this is to be tabled and doesn't pass then would the administration start over from scratch.

Mr. Creekbaum said Council passed a Resolution earlier this year with provisions if someone can be renominated or not. He said he would have to consider that resolution to say what the efforts are and a motion to table fails then another motion is in order. He said there are infinite possibilities of motions that could be made, and the nomination only fails if there is a denial of confirmation. He said if all other avenues have been exhausted the Council's role is to go head and consider this and there is a denial of that confirmation he would have to look at the Resolution that was just passed.

Mr. Harvey stated that Resolution specifically says that person cannot be renominated if they failed.

Mrs. Ezernack wanted to know if there is a date for it to be tabled too.

Mr. Harvey noted he would table to the next regular scheduled meeting.

During discussion of the agenda item Mr. McFarland raised a point of order, he said according to Robert Rules of Order when you table any matter in a meeting it must be taken up before the conclusion of that meeting.

Mr. Harvey made a substitute motion to Passover to the next regular scheduled meeting seconded by Mrs. Ezernack.

Ms. Woods invited everyone to a Public Hearing to have a conversation with Mr. Tolliver on Thursday, October 10, 2024, in the Council Chambers at noon.

Department of Administration:

(a) Upon motion of Mrs. Ezernack, seconded by Mr. Harvey vote failed to consider an Application by Family Dollar #21262 dba Family Dollar Stores of Louisiana, LLC, 3038 DeSiard St., Monroe, LA 71201 for a New 2024 Class B Alcoholic Beverage Permit. The Monroe Police Department has no disqualifying records and Sales Tax has been approved. (Distance Report Cleared, Cert. of Occupy Cleared) (Ms. Woods, Mr. McFarland, & Mr. Muhammad Nay)

Mr. Muhammad stated a while back before he came on the Council the community didn't want the liquor in dollar stores and he wanted to know if that meant all of them. He said the Council have to get a grip on the liquor and everybody is selling it now.

Mr. Creekbaum stated the Dollar General applied for a liquor license and this is Family Dollar. He said that particular one was proposing end caps with wine and some other displays and at that time some constituents spoke against it.

Ms. Woods wanted to know if the City have any information on how they will display it and if this will be beer and wine or alcohol.

Mr. Creekbaum said he is not familiar with display, and he doesn't think the application require a description.

Mr. Muhammad wanted to know what is Class B & A.

Mr. Harvey said they can sale liquor inside convenient stores and A is for restaurants.

Mr. Creekbaum stated this is off premise only.

(b) Upon motion of Mr. Harvey, seconded by Mrs. Ezernack vote failed to consider an Application by Family Dollar #23003 dba Family Dollar Stores of Louisiana, LLC, 7916 DeSiard St., Monroe LA 71201 for a New 2024 Class B Alcoholic Beverage Permit. The Monroe Police has no disqualifying records and Sales Tax has been approved. (Distance Report Cleared, Cert. of Occupy Cleared) (Mr. Harvey, Mrs. Ezernack, Ms. Woods, Mr. McFarland, & Mr. Muhammad nay.)

Mr. Harvey said whenever they had the first vote, and he was upfront about if the Council want to change the rules they should put that in writing for businesses, and everybody to understand. He said it's easy when it's a corporate entity and it's not somebody they know trying ultimately do business in the City. He said if that is going to be the case the Council should define the density or

whatever the rule maybe; otherwise, it feels like they are picking and choosing. He noted the rules are certificate of occupancy, clear sale tax, and distance relative to other entities which every group on this list has satisfied.

Mrs. Ezernack wanted to know before they come to the Council for the local license have they already gone through the State process or does the Council part come first.

Mr. Creekbaum said that changes over time.

Ms. Woods stated the family dollars stores are always in the underserved communities and always ones that are praying on the less fortunate. She said she think we have so many and that is her opinion about it and her conviction when she votes on these matters.

Mrs. Ezernack asked Mr. Creekbaum to research for the Council when they are not approving them for one reason or another. She wanted to know if the Council need to look at their internal process for approval at this particular time. She wanted to know if the Council gets in trouble or sued, and she stated one is next to Brookshire's, and they probably have alcohol there and how the Council fair in that regard.

Mr. Muhammad said it seems dollar stores build the stores without the alcohol first then they ask for a liquor license. He said he is concerned with children going in there and he think they can buy alcohol other places other than a dollar store. He stated he can't support it.

Ms. La'Trice Mays, 2603 Sunnyside Drive, said the Family Dollar Stores have been around for a very long time and there is enough alcohol in the stores and on that side of town. She said the question is why an alcohol license for these stores where parents feel safe to go buy diapers and groceries. She said some parents are sending their children to the store so now they have to deal with possible loitering. She said maybe more health foods in the store, and they are trying to build the communities and neighborhoods up to have nice stores in walking distance.

Mr. Joshua Wilhite, 135 Dodie Lane, Youth Pastor, said as a youth pastor he is pleading and saying that this is not needed, and they are trying to reduce that activity among the young people. He said he thinks Family Dollar needs to stay family.

Bishop Thomas, 119 Birchwood Drive, said with the last administration he dealt with this, and he is trying to make a change in the neighborhood. He said he understands the convenience of taxes, but it is an inconvenience to black people. He said they are not just people that want strip clubs and alcohol. He said they want things coming to them just like the Northside and they have to speak against this. He said he is a pastor he has to deal with these people, and they can't come to the store because of people hanging around. He said this is the reason he came tonight because he is trying to make a change in Monroe on the Southside. He said he has been doing this for over thirty years trying to make a difference on the Southside but every time they try to make a difference the Council is kicking them right back in the butt again. He stated they are trying to let young men know there is more to life than alcohol and drugs and they have to stand up for their neighborhood and at the end of the day they have to go back to the Southside.

(c) Upon motion of Mr. Muhammad, seconded by Mr. McFarland and unanimously approved consider an Application by APERO dba APERO LLC, 2252 Tower Drive Ste. 107, Monroe LA 71201 for a New 2024 Class A Alcoholic Beverage Permit. The Monroe Police Department has no disqualifying records and Sales Tax has been approved. (Distance Report Cleared, Cert. of Occupy Cleared)

Ms. Woods wanted to know what type of food they will sale.

Ms. Lisa Hollyfield, 602 Loop Road, said there will be small plate sharable world menu, and they would like to have wine and drinks. She said they have a whole zero proof and non-alcoholic line, and they have brunch restaurant in the same shopping center and when it turns off they would like to open a world menu.

(d) Upon motion of Mr. Harvey, seconded by Mrs. Ezernack and unanimously approved consider an Application by Jaswinder Singh Ghotra dba Smokers Express #1, 3405 DeSiard St. Monroe LA 71203 for a New 2024 Class B Alcoholic Beverage Permit. The Monroe Police Department has no

disqualifying records and Sales Tax has been approved. (Distance Report Cleared, Cert. of Occupy Cleared) (There were no public comments.)

Mr. Muhammad wanted to know what is going on here because this store is already open.

Mr. Tim Lewis, Tax Director, said this is going from one owner to another.

Department of Public Works:

(a) Upon motion of Mr. Harvey, seconded by Mrs. Ezernack and unanimously approved Resolution No. 8818 approving the Monroe Regional Airport's Five – Year Airport Capital Improvement Plan, authorizing the City to apply for financial assistance, and further providing with respect thereto. (There were no public comments.)

Mr. Muhammad wanted to know what kind of financial assistance.

Mr. Charles Butcher, Airport Director, said it's a FA and State DOTD assistance and it's a year to year to plan. He said it is kind of a road map for the next five years but every year they have to bring it back for the Council's approval.

(b) Upon motion of Mrs. Ezernack, seconded by Mr. Muhammad and unanimously approved Resolution No. 8819 accepting the RFP response of Utiliserve, LLC, to provide Water Valve Maintenance Program Services and further providing with respect thereto. (There were no public comments.)

Mrs. Stacy Rowell, Director of Administration, noted it was brought to their attention there was a memo that was dated for today basically referencing the meeting date. She said it was signed by Mr. Kelly who as of Sunday moved on to greener pastures and they decided to clarify with a memo for a meeting date October 8th.

Mr. McFarland said if he is going to write a letter he is not going to reference something in the future he would reference that particular day. He said evidently Mrs. Rowell knew the Council would catch it that is why she was very quick to give an answer before they began to question this.

Mrs. Rowell noted Mr. Muhammad brought it to their attention.

Mr. McFarland said it caught their eye that there is a date, and this gentleman is no longer with the City of Monroe. He said it's problematic for him because it is deceiving, and a memo should be signed and dated on the date it was signed. He stated what has been going on and what others have overlooked in the past is the past. He said since she knows their feelings and concerns they pray this will not happen again because it is problematic and if it's problematic to one it may be problematic to the majority of this Council. He said it could effort the approval of line items when the Council see things that may be a little deceiving to the Council. He cautioned them to be careful with dates that are placed on memo and given to this Council because they review it differently.

(c) Upon motion of Mrs. Ezernack, seconded by Mr. Harvey and unanimously approved Resolution No. 8820 accepting the RFP response of Revere Control Systems, Inc., to provide SCADA System Upgrade Services for the Water Pollution Control Center and Pump Stations and further providing with respect thereto. (There were no public comments.)

Police Department:

(a) Upon motion of Mr. Harvey, seconded by Mrs. Ezernack and unanimously approved Resolution No. 8821 accepting a Louisiana Highway Safety Commission fy 2025 Traffic Safety Enforcement Grant (\$54,000.00) and further providing with respect thereto. (There were no public comments.)

Chief Victor Zordan, Chief of Police, stated that this pays the overtime for officers, and they will do detail for distracted drivers, occupants safety, and impaired driving outside of their normal duties.

Mr. McFarland wanted to know if this is money they can get every year.

Chief Zordan said it is recurring and he think the amount might change a little bit every year.

(b) Upon motion of Mr. Ezernack, seconded by Mr. McFarland and unanimously approved Resolution No. 8822 authorizing the City of Monroe to enter into an Interlocal Agreement with the Ouachita Parish Sheriff's Office to apply for and accept Justice Assistance Grant (JAG)

Program Funds (\$69,605.50) and further providing with respect thereto. (There were no public comments.)

Chief Zordan said this money pays for a downloading software when evidence of a crime is stored on a cell phone. He said it also goes to purchase digital tickets to wrote tickets with it. He said they are \$212 a month and he think they have 12 of them to pay for the equipment, downloading software, and the paper that comes out of them.

Engineering Services:

(a) Upon motion of Mr. Harvey, seconded by Mrs. Ezernack and unanimously approved Resolution No. 8823 accepting as substantially complete work done by the Lemoine Company for the WPCCUV Disinfection System Project and further providing with respect thereto. (There were no public comments.)

(b) Upon motion of Mr. Harvey, seconded by Mrs. Ezernack and unanimously approved Resolution No. 8824 approving authorizing Mayor Friday Ellis to execute Amendment No. 1 to the Cooperative Endeavor Agreement between the City of Monroe and the State of Louisiana Office of Facility Planning and Control (FP&C) for the Georgia Street Pump Station, including Generator & Auxiliary Project, and further providing with respect thereto. (There were no public comments.)

Mr. Muhammad wanted to know if they are expanding.

Mr. Morgan McCallister, City Engineer, stated the original CEA with the Office of Community Facility Planning in control disperses the federal and State funds. He said the expiration of that existing agreement is the end of this month and they have seen a delay with the Georgia Street pump station moving forward to construction. He said with the original timeframe the City should be halfway done with that project by now. He said he is not going bad mouth FEMA, however, there's a delay with FEMA right now. He said they are not dispersing any funds for non-emergency projects and so once they move into their next fiscal year at the end of this month this is one of the projects that's at the top of the priority list to be released for advertising and then construction. He said he would request if FEMA continues to hold this project up the City repackage this for the City to move forward as a city without FEMA. He noted there is a number of funding sources and there are actually five funding sources for this project and FEMA continues to be the delay. He said to loop back around to answer the question it is extending until 27 and that's amending page seven of the existing agreement. He said that encompasses any further delay in FEMA and construction and wrap up of the project.

Mr. Muhammad noted Georgia Street has been dragging and dragging on for several Council's and Administrations. He said this is serious and it effects the whole city but it's affecting mostly South Monroe. He thinks the City need to get a little bit more aggressive and find some other funding.

Mr. McCallister noted he wanted to give credit to Representative Pat Moore who's been instrumental in continuing to push this project. He said she is well aware of it and the City have champions such as her behind the Administration moving this project forward.

Mr. Muhammad noted they need more than Rep. Pat Moore and they need both side of town legislators.

Mr. McCallister said they have support letters from all representatives and senators that serve the City of Monroe in support of this project. He said once he hears back from the facility planning control and if the City could repackage this move forward without FEMA if they continue to drag their feet that is what he would like to propose.

Ms. Woods wanted to know how long would it take to get a word back from them.

Mr. McCallister said that he can't tell but he doesn't want those comments to change the Council potential vote on this because the City can't repackage this deal without FEMA. He said right now they still have the funding ability to move forward. He said for a lack of better terms if the Council vote this down it expires at the end of this month.

(c) Upon motion of Mrs. Ezernack, seconded by Mr. Harvey and unanimously approved to consider the reversal as stated below of the Appeal of Denial of Request for a Minor Conditional

Use Permit by 4 Dudes Investments LLC, Applicant requested a minor conditional use permit to construct two 45' x 115' (5,175 square foot) storage buildings at 709 North 34th Street, which is located within a B-3 (General Business/Commercial) District. The requested permit was reviewed and denied by the Monroe Planning Commission (3-1-1) at their regular meeting on September 9, 2024, and is before the Council on an appeal by the applicant.

Per stipulations of Mrs. Ezernack motion that the Council reverse the denial of 4 Dudes Investment's LLC's application for a minor conditional use permit and approve the minor conditional use permit with the condition that the property owner shall implement drainage control measures compliant with applicable law to minimize adverse impacts on adjacent properties and to protect the health, safety, and welfare of the community. She said that they pass all of the approval processes that the City has such as site plan, building permits, and the light.

Mr. Muhammad said he was going to make a motion to send this back to Planning and Zoning.

Mrs. Ezernack said she thinks they went through the process, and they were turned down. She said she went to that particular meeting and there were some people that live diagonally across from them that had some flooding concerns. She said from what she is understanding 4 Dudes Investment LLC has already submitted their drainage impact statement to be reviewed by engineering. She said they still don't have their site plan or building plans reviewed yet, but she spoke to the people who had the concern today to let them know what she was planning to do this evening. They were fine with that. She said she talked to Mr. McCallister about another issues that their engineer is going to take care of and they felt comfortable in that regard.

Mr. Brain McGuire, 3516 Pilgrim Circle, stated they went before the Council to show their plan and there were some concerns about the drainage that would happen to the neighboring area, and they were denied. He said they hired an engineer, and they provided all the information with the drainage impact statement way before it should be done. He said they went ahead out of the concern of the people there to provide and show that they are going to handle their water. He said they are just going by the steps of the City, and they have the site development to present to Mr. Morgan. He noted they will provide that they are handling their water and moving it away from the property. He further noted he spent 10 grand on a drainage impact that he could get denied or not denied.

Mr. Muhammad said he was reading the appeal letter, and it is saying the decision by the commission was based on water issues and not on the minor conditional use permit that was requested for their meeting. He stated now they have hired an engineer to begin the DIS for the site to provide this information to the City Engineer therefore they haven't completed it according to this letter. He further stated he would like for them to go back to the Planning Commission and present this to them to give them a passing grade so it can come back to the Council.

Mr. Creekbaum stated the only reason a minor conditional use is here is because it was denied.

Mr. Muhammad said they have hired an engineer, and they didn't have one before they went before the Commission. He said he would like to make a motion to go back and present it to the Commission.

Mr. Creekbaum stated to clarify a point of procedure the minor conditional use permits this Council never sees the Planning Commission is the final stop for 99.9% of minor conditional use permits.

Mr. Ezernack stated if the Council did that it would impede their process, and time is money for them, they are ready to get going, and they have invested the \$10,000 so far and she is sure they are drawing plans. She further stated she feels comfortable and spoke with the people who had concerns, and Mr. McCallister now need to what he does to issue those permits.

Mr. Muhammad said the decision by the Commission was based on water issues.

Mr. McGuire stated that it was not their call, and their call was a minor condition to accept or not. He said once you do a minor exception they approve it then it moves to site development and engineering. He said buildings have to issue a drainage impact statement and they provide where the water is going to be collected and what they need to do with it. He further stated Mr. Morgan decides what they can do or not, they hire an engineer present it to him and that is where they are.

Mr. Muhammad wanted to know if there were any citizens at the Planning Commission meeting.

Mrs. Ezernack said yes, those are the citizens she is referring to.

Mr. Muhammad wanted to know if they were concerned about the flooding.

Mrs. Ezernack noted they were comfortable with what she just stated, and she spoke to them today.

Mr. Muhammad said they are comfortable with being flooded out.

Mr. McGuire stated they are not flooding anyone out and they are handling the water that their property is going to take care of.

Mr. Muhammad stated he didn't want Mr. McGuire to react to what he said to Mrs. Ezernack. He said the question he was asking the Councilwoman is if the residents are okay with the possibility of flooding then he is okay with it.

Mr. McCallister said he understands the concerns at that meeting because the area there is a low spot particularly at one address at the roadway. He said there is old infrastructure adjacent to this property and a catch basin that presents a sag low point in the system. He noted that this area had issues in the past in regard to flooded roadways. He said as a City Engineer according to the code he looks at the drainage impact statement and could either mandate that drainage impact statement is submitted or waive it based on prior use.

Mr. Muhammad wanted to know if Mr. McCallister have their impact statement and when did he get it.

Mr. McCallister said yes sir and he had it for a number of days after the Planning Commission meeting. He said to the applicant's point they heard the Planning Commission's concern, and they took it upon themselves to get the DIS done. He noted the Planning Commission would normally approve a conditional use permit and then they have to submit a full plan package that consist of site and building plan review to the Engineering department, and all departments review it as well.. He said they understand this is an area that dealt with flood issues, and he had Atakapa go out to generate a map for them to do the cleaning. He said they know the citywide drainage impact or cleaning project has given immediate results as they remove debris. He said their drainage impact statement showed a zero impact. He further noted he has not approved it because he wanted to see a site plan but that comes at a later date.

Mrs. Ezernack noted the City had the floods in 16 they had just finished a project that definitely gave relief to that area; however, it did not give relief to the roadway. She said the way those house are built you have to drive up and it is not flat with the street. She said it protects the houses because of that but not the street and the person who had the concerns experienced the street flooding. She said in years past she think they had home flooding. She stated it could be below is stopped up with roots, leaves, and debris that does not allow it to take full advantage of the Evangeline Street project that the City put together back before 2016.

Mr. McFarland stated Monroe Planning Commission voted 3-1-1 on this matter and he has heard from Mrs. Ezernack on this matter. He said everybody have to understand if the Council ask questions doesn't mean they are going deny it; they are just seeking information. He further stated everybody need to understand if majority three of the Council vote against it, it's a dead issue no matter how much you hoop, holler, stomp, and buck. He said it is best to be nice and just answer the questions because they all want the same thing and that is growth for the City of Monroe. He said they all want what is best and they all are going to work together.

Mr. Muhammad said he agrees with Bishop McFarland, and he apologized to Mr. McGuire. He said he didn't want to ruffle his feathers he just wanted to ask some questions.

INTRODUCTION OF RESOLUTIONS & ORDINANCES:

(a) Upon motion of Mrs. Ezernack, seconded by Mr. Harvey and unanimously approved to introduce an Ordinance authorizing the City of Monroe to take corporeal possession of the property described below and sell to Dontarius Thomas all rights, title, and interest that the City may have acquired to Lot 2, Sq. 1, J.W. Johnston's 2nd Addition, Ouachita Parish, 3102 Polk St. District 4, Monroe, La, by Adjudication at Tax Sale Dated July 16, 2002, and further providing with respect thereto. (There were no public comments.)

RESOLUTIONS AND ORDINANCES FOR SECOND READING AND FINAL ADOPTION AND SUBJECT TO PUBLIC HEARING:

The Chairman Open the Hearing and seeing no one come forward the Hearing was Closed.

(a) Upon motion Mr. McFarland, seconded by Mr. Muhammad and approved Ordinance No. 12,244 repealing Ordinance No. 12,225 (Purchasing and Bidding Procedures) and further providing with respect thereto. (Mr. Harvey & Mrs. Ezernack Nay) (There were no public comments.)

Mr. Muhammad said he thinks there need to be some conversation and the Mayor is very busy maybe someone from his office would sit down with the Council to see if they could come to a resolution.

(b) Upon motion Mr. Muhammad, seconded by Mr. Mr. McFarland and approved Ordinance No. 12,245 authorizing the City of Monroe to enter into a Commercial Card Agreement and line of credit with Regions Bank and providing further with respect thereto. (There were no public comments.)

(c) Upon motion Mr. McFarland, seconded by Mr. Harvey and unanimously approved Ordinance No. 12,246 approving an application by Monroe Athletic Club to rezone a certain property and amending the Zoning Map for the City of Monroe and further providing with respect thereto. (There were no public comments.)

(d) Upon motion Mr. McFarland, seconded by Mr. Harvey and unanimously approved Ordinance No. 12,247 approving the Annexation of ±36.35-acres, extending and enlarging the boundaries of the City of Monroe, Louisiana, providing for the recordation of the entire boundary as amended, establishing the effective date thereof, and providing further with respect thereto. (There were no public comments.)

(e) Upon motion Mr. Harvey, seconded by Mr. McFarland and unanimously approved Ordinance No. 12,248 approving an application by Alven Square, Angelique Connor and Martin Engineering Services to zone annexed property and amending the Zoning Map for the City of Monroe and further providing with respect thereto. (There were no public comments.)

The Chairman asked City Clerk to read into the minutes information regarding the last veto.

Ordinance Vetoed by the Mayor: Return of vetoed Ordinance (Ord. No. 12, 236)

Ms. Carolus S. Riley, Council Clerk, read the following into the Minutes:

Madam Chairwoman and Councilmembers:

The Mayor vetoed Ordinance No. 12,236 and returned it to the Council on September 25, 2024, at 9:51 a.m. The Mayor's veto, along with his veto message, was delivered to the Council on September 25, 2024, at 10:21 a.m. The veto and veto message for the Ordinance will be maintained in the Council records.

Citizen's Participation:

(1.) Bishop Thomas, 119 Birchwood Drive, said they have a ministry he has been doing over 35 years and they are reaching out to the community. He said he also deal with CDL license, and he drove trucks for 35 years and he want to give back to the community. He said he wanted to make sure the men with no education can go to truck driving school to take care of their family. He said on the 26th they are going out into the community to let them know they are there, they care about them, and they can do anything if they set their minds to it. He said he is going into the community, dealing with issue, dealing with people dealing with drugs and alcohol because he has been there, and the Lord delivered him off of it. He said he want to see black men on a job and as long as they are not working there will always be problems in the community.

(2) Mr. Jerry Gaston, 770 Richwood Road #2, stated last month he was contacted to do a suicide awareness show at Chennault Park and some City official hooked the electricity from 110 to 220 and blew up all his DJ equipment. He said Ms. Woods was there and they had a concert a week before Mr. Tyrone Dickson had a jump box and somehow the jump box was taken. He said he found out from Mr. Chris Kidd there are only four keys to the electric box out there all City officials. He said he had Bastrop Homecoming last weekend he couldn't do it and Wossman

Homecoming and ULM this weekend he can't do it because his equipment blew up. He said he is missing money because of something City officials did, and he doesn't feel he should have to replace his equipment.

Mr. McFarland wanted to know if Mr. Brandon Creekbaum, City Attorney, was aware of this.

Mr. Creekbaum stated he was made aware by Ms. Woods that there was incident at Chennault Park, and they are reviewing the matter to determine whether or not the City has any liability.

(3) Mr. Steve Creeks, 601 K Street, said he came to the Council a couple of months ago about the cones on 6th Street and he understood the Mayor to indicate the cones would be gone by August. He said it's October and the cones are still there and the biggest eyesore in the neighborhood are the cones that continue up and down 6th Street. He said a lot of them are frustrated with this situation and they want the cones gone. He said there are few of them that want 6th Street to be reopened permanently for vehicular traffic and it seems to him that the Mayor and small group of people are determined to close one lane of 6th Street to traffic. He said he is pleading with the Council to intervene, and he said pedestrians belong on sidewalks not on the streets.

Mr. Harvey said they had a public meeting, and they wanted to get some school data as far as the pickup and drop at Neville and JGS school building. He said he doesn't know the exact date the cones are coming down, but Ms. Kelsa is tallying the data up.

Ms. Woods wanted to know if Mr. Creeks was at the Public Meeting.

Mr. Creeks noted he was unable to because he had an out of town doctor appointment. He said his children went and he talked to his neighbor about it today. He said his impression of the meeting was they were telling the neighborhood what they are going do rather than soliciting input from the neighborhood.

Mr. McFarland noted that part of that area is his district, and he hasn't heard from any constituents on that side concerning this matter. He said if he knew of some in his district tell them to please reach out to him.

Mr. Creek said he wished he did, and he is on the other end close to Neville. He said he isn't sure how they feel about it on Mr. McFarland end, but they don't have to drive through it the way they do on the other end.

Mr. Harvey said he would hang around at the end of the meeting if Mr. Creeks would like to catch up.

(4) Ms. Gwendolyn Dickson, 100 Memorial, said she is here to show some appreciation and district 3, 4, and 5 have suffered the last 15 years and now they are moving in the right direction. She noted as she goes through life she often met leaders who made lasting impressions on her. She said the magnitude of this trio is just impossible to describe and she is going by what she sees in her district. She said she would best describe the trio as the most unusual, caring, loving, patient, friendly, and they understand the problems in their district. She said coming together is a start, working together is very much needed, but keeping together is success. She honored Ms. Woods, Mr. McFarland, and Mr. Muhammad with a letter of appreciation.

(5) Ms. Peggy Jones, 3312 Jackson Street, thanked God for young pastors in the meeting that care about South Monroe where she grew up. She said if it was good then it could be good now and all they have to do is work together. She said the Stewart family at Emily P. Robinson put all the computers in the room and they don't have air. She said she would like for the Council to help get the air fixed. She said she is not used to coming to Council meeting she goes to community meetings to talk to the person that represent her and if she comes again she wanted to talk to the Mayor. She said whoever is in his place should stay to hear what the people have to say.

Mr. McCallister stated that is one of the recreation centers the City have in a current project for improvements. He said they are waiting on equipment and as the equipment arrives it will be placed in the recreation center.

Mr. McFarland wanted to know if the City has been waiting 3 years.

Mr. McCallister said no sir they put this project together in the last 6 to 8 months.

Mr. McFarland wanted to know if they have a projected date.

Mr. McCallister said he can't think of it off the top of his head.

Mr. McFarland asked Mr. McCallister to send him an update.

Ms. Woods wanted to know if Marbles is on that list because the air is totally out. She said it has been out all summer.

Mr. McCallister said he believes it is.

(6) Mr. K-9 said he is doing a belt drive in Parkview, and he is showing little kids they don't have to sag. He said he is doing the belt drive, and he is asking the Council to be a part of it. He said he will be out there Thursday giving out school supplies and bookbags. On another note, he said the Chennault Park issue and he said on that day he actually saved that event. He said he was in a contract, and he put it in the contract that he need power. He said also in the contract he stated when he gets done to pick it up because he wasn't going to be responsible. He said the police were out there and Mr. Chris did come get everything and as he was sitting out there he had to hook his speaker up to his truck. He said when he went out there he didn't see nothing hooked up and no yellow box. He said whatever happen with the yellow box is true, but he specifically told him to bring their yellow box and told him to pick the yellow box up for the record.

Ms. Woods said she didn't see the yellow box either and it was a fiasco, and she thanked him for saving the day.

(7) Pastor Chipps Taylor said the message he brings to the Council today comes from the National Association for the Advancement of Colored People. He said they simply want the word to be out that everyone need to be registered. He said they are asking you to educate yourself on the candidates, however, it is so very important on November 5th that we all get out to vote. He said this should be pushed at City Council meetings, school board meetings, and wherever we gather. He said it's not about who you vote for the important thing is you get out to vote.

(8) Mr. Joshua Wilhite, 135 Dodie Lane, wanted to know where to discuss the condition of the schools on the South side. He said recent research of his majority of the schools on the South side are failing. He said as a youth pastor his goal is not just to push salvation but success in the lives of our young people. He wanted to know if there's a department where the discussion of our people, crime, and condition is discussed.

Mr. McFarland wanted to know if he has been to the Monroe City School Board meetings.

Mr. Wilhite said no sir and he would need that information.

Mr. McFarland noted he believes they have meetings at the same time the Council have their meetings. He said he should speak with the superintendents of schools and Ms. Betty Cooper would be the school board representative for that area. He said he would reach out to him, or Mr. Wilhite could reach out to him tomorrow for additional information.

There being no further business to come before the council, the meeting was adjourned at 8:53 p.m., upon motion of Mr. Harvey and it was seconded by Mrs. Ezernack.

Ms. Juanita G. Woods
Chairman

Ms. Carolus S. Riley
Council Clerk

Ms. Ileana Murray
Staff Secretary

For extended details on the council meeting please call the Council Clerk Monday-Friday at 318-329-2252 to schedule an appointment to listen to the minute recording.