

CITY OF WINNFIELD
REGULAR MEETING
May 14 ,2019

The regular meeting of the Mayor and City Council was called to order at 6:00 p.m. on Tuesday, May 14, 2019 by Mayor George Moss. Those present in addition to Mayor Moss were Councilpersons Holden, Junkin, Hamms, and Phillips, Katina Smith, City Clerk, and Herman Castete, City Attorney. Councilperson Miller was absent.

INVOCATION

Pastor Tomell Hamms

PLEDGE OF ALLEGIANCE

Cassidy Martin

AGENDA AMENDMENTS

Item #5-Approval of items to be declared surplus by Electric Department -Junkin

On motion of Councilperson Junkin, Seconded by Councilperson Phillips, after no public comment, the Council members present unanimously voted to amend the agenda adding New Business Action Item #5.

Item #6- Recreation Department accept bids to complete the Narvin Powell Park - Junkin.

On motion of Councilperson Junkin, Seconded by Councilperson Hamms, after no public comment, the Council members present unanimously voted to amend the agenda adding New Business Action Item #6.

Accept Agenda as Amended

On motion of Councilperson Junkin, seconded by Councilperson Holden, after no public comment, the agenda as amended was accepted by unanimous vote.

Guest and Audience Participation

Chief Johnny Carpenter wanted to make the Council and Public aware of the gun violence in our community.

Shonna Moss spoke about Gun Violence Awareness Month and asked for any ideas to help get a program organized in support of Gun Violence Awareness Month.

Old Business- Action Items

Item #1 – Adoption of Ordinance 6 of 2019(Amend the Code of Ordinances to add Section 12-71(a), (b), (c), (d), (e), (f), (g), (h), (i) and j) to provide for video bingo operation within the City of Winnfield, LA.-Phillips

The following Ordinance was introduced at the regularly scheduled meeting of the Mayor and City Council of the City of Winnfield, Louisiana, on April 9, 2019, by Councilperson Phillips, and is presented for adoption by Councilperson Phillips at the regularly scheduled meeting of the Mayor and City Council of the City of Winnfield, on May 14, 2019, to-wit:

ORDINANCE NO. 6 of 2019

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF WINNFIELD, LOUISIANA, TO ADD SECTION 12-71 (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) TO THE CODE OF ORDINANCES OF THE CITY OF WINNFIELD, LOUISIANA TO PROVIDE FOR VIDEO BINGO OPERATION WITHIN THE CITY OF WINNFIELD, LOUISIANA, TO PROVIDE FOR ANY RELATED MATTERS AND PROVIDING AN EFFECTIVE DATE THEREFOR.

BE IT ORDAINED by the Mayor and City Council for the City of Winnfield, Louisiana that the Code of Ordinances of the City of Winnfield is hereby amended to add SECTION 12-71 VIDEO BINGO to the code of Ordinances of the City of Winnfield to provide as follows.

SECTION 12-71 VIDEO BINGO PERMITTED

- (a) **Permitted at Licensed Locations:** It shall be lawful for any bona fide nonprofit board association, corporation, or other organization domiciled in this state and qualified with the United States Internal Revenue Service for an exemption from federal income tax under Subsection 501(c) (3), (4), (5), (6), (7), (8), (10) or (19) of the Internal Revenue Code, or like organization authorized under the authority of LSA-R.S. 4:703 possessing a current, valid city and state bingo permit that authorizes the use of electronic video bingo machines, to use electronic video bingo machine or machines authorized pursuant to LSA-R.S. 4:701, et seq. at one licensed location; and the leasing or placement of such machines from state-approved distributors/suppliers. Any state-approved manufacturer or distributor of supplies or equipment for use in the conduct of any game of chance authorized under this Ordinance and any private contractor qualified to conduct games of chance as authorized under the provisions of R.S. 4:729 shall submit a permit application to the Office of the City Clerk, City of Winnfield, Louisiana. **“State-approved”** denotes a person or entity specifically licensed or otherwise approved by the State of Louisiana in accordance with LSA-R.S. 4:701, et seq.
- (b) **Application for License:** (1) Each **state-approved** manufacturer or distributor of supplies or equipment for the use in the conduct of any game of chance authorized under the provisions of R.S. 4:729 within the City of Winnfield shall apply for and obtain, on an annual basis, an electronic video bingo distributor/manufacturer license from the City of Winnfield. (2) Every bona fide veteran’s, charitable, educational, religious, or fraternal organization, civic, service club, and carnival organization (**“EVBL”**) that desires to sponsor or conduct fund raising events using electronic bingo machine or machines shall apply for and obtain an electronic video bingo organization permit from the City of Winnfield. Every distributor, manufacturer and **EVBL** seeking a license or permit shall file with the Office of the City Clerk of the City of Winnfield a written application therefor, in the form prescribed by the Office of the City Clerk of the City of Winnfield, duly executed and verified, in which shall be stated the name and address of the applicant, the place or places where, the date or dates and the time or times when such electronic video bingo machine or machines are intended to be used by the applicant, or operated by the **EVBL**, under the license applied for. The majority of the organization’s charity work shall be done within Winn Parish. During any calendar year, no more than one-third (1/3) of the **EVBL** permits issued by the City shall be granted to organizations whose domicile or principal place of business operation is outside the corporate limits of the City, except that the Mayor is hereby authorized to waive this limitation for good cause.
- (c) **Term of License or Permit:** Licenses or permits issued by the City to a distributor/manufacturer and **EVBL** shall be effective each year for the period of July 1st through June 30th of the following year. Fees for a partial year shall not be prorated.
- (d) **License Processing Fee:** An annual, nonrefundable licensing fee of Two Hundred Fifty (\$250.00) Dollars shall be paid to the City by each distributor/manufacturer or operator to defray the costs of reviewing and processing an application. Each **EVBL** that seeks a charitable organization permit shall pay an annual nonrefundable fee of Ten (\$10.00)

Dollars.

- (e) **Machine Permit Fee:** An annual fee of Twenty (\$20.00) Dollars for each machine to be permitted on the licensee's premises shall be paid to the City by the distributor/manufacturer and be included with the application or renewal application.
- (f) **Maximum Number of Machines Permitted:** No one (1) site used by a licensee or permittee under this Ordinance shall have in operation more than thirty-five (35) electronic video bingo machines at the licensed location.
- (g) **Louisiana Statutory Provisions:** Where any provisions hereof conflict with the provisions of LSA-R.S. 4:701, et seq., the application provisions of such state law and the applicable provisions contained in the Louisiana Administrative Code promulgated pursuant thereto, shall govern. Each **EVBL** shall meet all requirements of state law regarding the operation of electronic video bingo games and use of electronic video bingo machines.
- (h) **Licensed Locations:** The operation of electronic video bingo machines as authorized by this ordinance shall not be allowed in any property zoned Residential or in any location prohibited by City Zoning Ordinances. The location of the one authorized must be 1) approved by the City of Winnfield; 2) be prohibited from the sale of alcohol; 3) shall not be located within 150 feet of a church, and 4) shall not be allowed to open on Sundays prior to 2:00 P.M.
- (i) **Net Proceeds:** For purposes of this ordinance, the term "**Net Win**" shall mean the sum obtained by subtracting total coins in minus the total amount paid out on any ticket voucher tendered for cash money. At least forty-five (45%) percent of the **Net Win** from each electronic video bingo machine shall be paid to the **EVBL**. Throughout the period of time which electronic video bingo devices are authorized for use in the State of Louisiana, the sum of two (2%) percent of the "**Coin In**" per month shall be paid as a tax to the City of Winnfield.
- (j) **General:** Except as specifically provided with respect to electronic video bingo, all other requirements and penalties relating to occupational licenses, bingo, keno and raffles shall apply to the operation of electronic bingo machines. To the extent of any conflict, the provisions of this section shall control

REPEALER

BE IT FURTHER ORDAINED by the City Council of the City of Winnfield, Winn Parish, Louisiana, that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY

BE IT FURTHER ORDAINED by the City Council of the City of Winnfield, Winn Parish, Louisiana that this ordinance is deemed severable and accordingly, should any part or portion hereof be declared invalid or unconstitutional, then the rest and remainder of the ordinance which can be enforced without regard to such invalid or unconstitutional part or portion shall remain in full force and effect.

BE IT FURTHER ORDAINED that this Ordinance shall be effective on publication hereof and the expiration of all required legal delays.

On motion of Councilperson Phillips, Seconded by Councilperson Junkin, after lengthy discussion, question called for by Councilperson Junkin.

The above Ordinance was introduced on April 30, 2019. A hearing on the above Ordinance was held on May 14, 2019, at a regular meeting of the Mayor and City Council of the City of Winnfield, Louisiana, and thereafter the vote thereon was recorded as follows, to-wit:

YEAS: 3

NAYS: 1

ABSENT: 1

ABSTAINING: 0

Thereupon the Mayor declared the Ordinance adopted by a vote of 3 yeas and 1 nays, on the 14th day of May 2019, at a regular meeting of the Mayor and City Council of the City of Winnfield, Louisiana.

Old Business- Non-Action Items

None

New Business-Action Items

Item #1- Accept Minutes from the April 9, 2019 Regular Meeting- Mayor

On motion by Councilperson Junkin, duly seconded by Councilperson Holden, after no public comment, the minutes from April 9, 2019 were approved by unanimous vote.

Item #2- Accept Minutes from the April 30, 2019 Special Meeting- Mayor

On motion by Councilperson Junkin, duly seconded by Councilperson Phillips, after no public comment, the minutes from April 30, 2019 were approved by unanimous vote.

Item #3- Introduce Ordinance #7 of 2019 to amend section 18-1(psychological evaluation)- Junkin

The following Ordinance was introduced by Councilperson Junkin at the regularly scheduled meeting of the Winnfield City Council held on May 14, 2019, to-wit:

ORDINANCE NO. 7 of 2019

AN ORDINANCE TO AMEND SECTION 18-1 OF THE CODE OF ORDINANCES OF THE CITY OF WINNFIELD, LOUISIANA, TO PROVIDE FOR PSYCHOLOGICAL EVALUATION FOR EMPLOYEES OF THE CITY OF WINNFIELD POLICE DEPARTMENT, TO PROVIDE FOR ANY RELATED MATTERS AND PROVIDING AN EFFECTIVE DATE THEREFOR.

Item #4- Accept Resolution authorizing the Mayor to execute documents and agreement required in implementing grant under the Community Development Block Grant Disaster Recovery Program Through the Restore Louisiana Infrastructure.-Mayor

The following Resolution was offered by Councilman Junkin who moved for its adoption at the regularly scheduled council meeting of the City of Winnfield this date, May 14, 2019.

RESOLUTION

WHEREAS, the City of Winnfield has submitted an application for funding under the Community Development Block Grant Disaster Recovery (CDBG-DR) Infrastructure Program; and

WHEREAS, the Department of Housing & Urban Development regulations require that the City of Winnfield certify that these activities for which CDBG funds are being requested are designed to alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community; which are of recent origin or which recently became urgent, and that the City is unable to finance the activity on its own, and that no other funds are available; and,

NOW, THEREFORE BE IT RESOLVED, that the City Council, as the governing authority of The City of Winnfield, hereby certifies that the activities for which CDBG funds in the amount of \$9812.72 are being requested for the City of Winnfield Public Assistance Cost Share project arc designed to a provide the expeditious and effective recovery of public services in Louisiana and will meet the national objectives of benefiting persons of Low-to-Moderate income, Urgent Need and elimination of slum and blight and will result in a public benefit to the citizens of the City of Winnfield.

BE IT FURTHER RESOLVED that the Mayor, George Moss, is hereby vested with the authority to conduct business, negotiate and sign all agreements, and thereby bind City of Winnfield to the same, effective May14th , 2019.

On motion of Councilperson Junkin, seconded by Councilperson Phillips, after no public comment the following vote was recorded.

Having been submitted to a vote resulted as follows:

YEAS: 4

NAYS: 0

ABSENT: 1

ABSTAIN: 0

The Resolution was declared adopted on the 14th day of May 2019

George Moss

George Moss
Mayor

Katina Smith

Katina Smith
City Clerk

CERTIFICATION

I **Katina Smith, CITY CLERK OF THE CITY OF WINNFIELD** hereby certify that foregoing is a true and correct copy of a resolution adopted by the City Council in Regular Session convened on the 14th day of May 2019.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE, this 14th day of May 2019, Winnfield, Louisiana.

Katina Smith, Clerk
City of Winnfield

Item #5-Reporting of items to be declared surplus by Electric Department -Junkin
On motion of Councilperson Junkin, Seconded by Councilperson Phillips, after no public comment, the Council members present unanimously voted to declare as surplus the following items listed as Exhibit "A".

EXHIBIT A

Item	Amount
#1 Copper Wire	66 lbs.
Yellow Brass	62 lbs.
Insulated Copper	81 lbs.
Shred	2480 lbs.
#1 Copper Wire	66lbs
Yellow Brass	62 lbs.
Insulated Copper	81 lbs.

Item #6- Recreation Department accept bids to complete the Narvin Powell Park.
On motion of Councilperson Junkin, Seconded by Councilperson Hamms, after no public comment, the Council members present unanimously voted to accept bids to complete playground at the Narvin Powell Park.

NEW BUSINESS, NON-ACTION ITEMS
NONE

ADJOURNMENT

On motion of Councilperson Holden, seconded by Councilperson Junkin, the regular meeting of the Mayor and City Council held May 14, 2019 was adjourned by unanimous vote at 6:16 p.m.

Katina Smith

George Moss

KATINA SMITH, CITY CLERK

GEORGE MOSS, MAYOR