

SHELLY HORTON JR  
MAYOR



STEPHANIE SULLIVANT-COLLIER  
CAO/TOWN CLERK

# TOWN OF BENTON LOUISIANA

## REGULAR SESSION MINUTES

MAYOR AND BOARD OF ALDERMAN  
TOWN OF BENTON

105 SIBLEY STREET, BENTON, BOSSIER PARISH, LOUISIANA  
MONDAY, OCTOBER 11, 2021, AT 6:00 PM

**Call to Order:** Mayor Shelly Horton

**Pledge:** Alderman Friday

**Invocation:** Alderman Manning

**Present:** Alderman Jackie Carr, Alderman Tiffany Manning, Alderman Ron Jones, Alderman James Friday, and Alderman Wayne Cathcart

**Also Present:** Attorney Stinson, Stephanie Collier, Officer Cesar Mora, Guests, and members of the public.

**Agenda:** A motion by Alderman Friday seconded by Alderman Carr to amend the agenda to correct item 3. Resolution for acceptance of Lost River Estates North Unit 4. And add item 8. Introduce Ordinance 573 and set for public hearing.

Public Comments: None

Ayes: Alderman Carr, Alderman Manning, Alderman Jones, Alderman Friday, and Alderman Cathcart

Nays: None

Absent: None

Abstain: None

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A motion by Alderman Carr seconded by Alderman Jones to approve the agenda as amended.

Public Comments: None

Ayes: Alderman Carr, Alderman Manning, Alderman Jones, Alderman Friday, and Alderman Cathcart

Nays: None

Absent: None

Abstain: None

**Minutes:** A motion by Alderman Friday seconded by Alderman Manning to approve the minutes of July 19th

Public Comments: None

In favor: 5 Ayes

Opposed: 0 Nays

A motion by Alderman Cathcart seconded by Alderman Friday to approve the minutes of Sept. 13

Public Comments: None

In favor: 5 Ayes

Opposed: 0 Nays

## **Old Business:**

### **1. None**

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**New Business:**

1. Pat Doane briefly spoke to council about the Town Master Plan map and that it is a state requirement of all municipalities to adopt a zoning master plan. She explained that this will remove any future burden from the commission and the council on zoning issues. She also stated that this is inline with the Parish Master plan for the 5-mile zoning.

**A RESOLUTION TO ADOPT COMPREHENSIVE PLAN (MASTER PLAN) FOR FUTURE LAND USE MAPS**

WHEREAS the Town Council of the Town of Benton recognizes the importance of planning for the future growth and development of Benton; and

WHEREAS the Benton Parish Metropolitan Planning Commission solicited input from the public, and from that input developed a vision for the Town's future; and

WHEREAS, the Benton Parish Metropolitan Planning Commission, working in concert with Town officials and the Neil Erwin Law Firm, developed a guide for the Town's future growth and development, based on examining existing and future conditions, the best examples of planning practice from around the United States; and

WHEREAS the Comprehensive Plan (also known as the Master Plan) contains the future land use classifications, future land use maps and the relationship of zoning to the future land use maps.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Benton, Louisiana, accepts the recommendation of the Benton Parish Metropolitan Planning Commission and does hereby adopt the Comprehensive Plan (Master Plan) for Future Land Use Map for the Town of Benton and the five-mile unincorporated area of Bossier Parish.

A motion by Alderman Jones seconded by Alderman Manning to adopt Resolution 8 of 2021

Public Comments: None

Ayes: Alderman Carr, Alderman Manning, Alderman Jones, Alderman Friday, and Alderman Cathcart

Nays: None

Absent: None

Abstain: None

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2. Mayor Horton stated that North Calvary Church plans to build on the site where the original church was at the corner of Hwy 162 and Sydney Street. He explained that the Parish constructed the sewer infrastructure and the lift station, and an agreement was made between the Town and Parish that we would accept and treat the sewerage from that system. He stated that North Calvary has been approved by the Parish to make the connection to the sewer system as long as the Town agrees.

A RESOLUTION PERMITTING CONNECTION TO THE SANITARY SEWERAGE SYSTEM OWNED BY BOSSIER PARISH CONSOLIDATED WATER/ WASTEWATER DISTRICT 1 AND TREATED BY THE TOWN OF BENTON

WHEREAS, October 2013, the Bossier Parish Police Jury, owner of Consolidated Water Sewer District 1, (the DISTRICT) constructed the sanitary sewerage system serving East Benton Subdivision; and

WHEREAS a Co-Op between the District and the Town of Benton (the Town), adopted by Resolution 9 of 2013, for the Town's acceptance and treatment of sewerage from said system; and

WHEREAS the North Calvary Church (corner lot at Hwy 162 and Sydney Ave.) petitioned the elected bodies of the District and the Town for connection to the sanitary system; and

WHEREAS the District, by written notice, approve the connection contingent on the Town's acceptance and treatment of said sewerage; and

NOW THEREFORE BE IT RESOLVED by the Board of Aldermen of the Town of Benton, Louisiana, does hereby permit connection and shall accept and treat the sewerage from the North Calvary Church facility.

BE IT FURTHER RESOLVED the Board of Aldermen does hereby wave the \$1200.00 Wastewater Impact Fee set by Ordinance 490 of 2012.

A motion by Alderman Cathcart seconded by Alderman Carr to adopt Resolution 9 of 2021

Public Comments: None

Ayes: Alderman Carr, Alderman Manning, Alderman Jones, Alderman Friday, and Alderman Cathcart

Nays: None

Absent: None

Abstain: None

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**3. A RESOLUTION FOR ACCEPTANCE OF THE WATER, WASTEWATER, STREETS, AND DRAINAGE IN LOST RIVER ESTATES NORTH UNIT 4**

WHEREAS the Town has received a formal request for the acceptance of the water, wastewater, streets, and drainage in Lost River Estates North Unit 4, and

WHEREAS Balar Engineers have monitored the installation of said system on behalf of the Town; and

WHEREAS Balar Engineers have submitted a formal recommendation for the Town's acceptance of the water, wastewater, streets, and drainage into the Town of Benton systems.

NOW THEREFORE BE IT RESOLVED by the Board of Alderman of the Town of Benton, Louisiana, convened in regular session, does hereby accept ownership of the water, wastewater, streets, and drainage of Lost River Estates North Unit 4.

A motion by Alderman Cathcart seconded by Alderman Jones to adopt Resolution 10 of 2021

Public Comments: None

Ayes: Alderman Carr, Alderman Manning, Alderman Jones, Alderman Friday, and Alderman Cathcart

Nays: None

Absent: None

Abstain: None

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**4. A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF AND IN THE NAME OF THE TOWN OF BENTON A CONTRACT FOR LOUISIANA COMMUNITY DEVELOPMENT BLOCK GRANT – CORONAVIRUS ADMINISTRATIVE SERVICES**

WHEREAS The Town of Benton intends to apply for Louisiana Community Development Block Grant – Coronavirus (LCDBG-CV) funds in order the development or rehabilitation of outdoor fitness and recreational parks; and

WHEREAS The Town of Benton is in need of the services of an experienced administrative consulting firm to develop the LCDBG-CV application and to provide administrative services in connection with the grant if the application is selected for funding; and

WHEREAS, The Coordinating and Development Corporation, the regional planning and development district for Northwest Louisiana, has submitted documentation of its extensive experience in developing LCDBG applications and providing administrative services for LCDBG projects; and

WHEREAS, The Coordinating and Development Corporation has provided a summary of the direct and indirect charges for LCDBG-CV administrative services, including the basis on which the charges were calculated, and these charges have been found to be reasonable and acceptable, and based upon the above, chosen through competitive negotiation; and

WHEREAS The Coordinating and Development Corporation will be paid for LCDBG-CV administrative services only if the LCDBG-CV application is selected for funding; and

NOW, THEREFORE, BE IT RESOLVED by the Town of Benton that the mayor is authorized to execute on behalf of the Town of Benton, a contract for LCDBG-CV application development and LCDBG-CV administrative services with The Coordinating and Development Corporation.

A motion by Alderman Carr seconded by Alderman Friday to adopt Resolution 7 of 2021

Public Comments: None

Ayes: Alderman Carr, Alderman Manning, Alderman Jones, Alderman Friday, and Alderman Cathcart

Nays: None

Absent: None

Abstain: None

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5. A motion by Alderman Friday seconded by Alderman Jones to appoint Tiffany Manning as the Town Board Member of the “Keep Bossier Beautiful” Committee.

Public Comments: None

Ayes: Alderman Carr, Alderman Manning, Alderman Jones, Alderman Friday, and Alderman Cathcart

Nays: None

Absent: None

Abstain: None

6. Mayor Horton explained that a request for zoning change was made by Mr. Ryan Estess on a 26.7 acres piece of land owned by the Cumming family. The current zoning on the land in R-A Residential Agriculture. The request to change the zoning to R-1, One-Family Residence was denied by the Benton Parish MPC. Mr. Estes is here to request the Council hold a Public Hearing to reconsider the MPC’s decision.

Mr. Estes presented a plat showing a reduction in the number of homes that would be built on the land if the zoning request was approved. He stated that he is seeking guidance or input from the council on what would be accepted in order to be approved for the zoning change. Alderman Cathcart asked if the plat he is presenting different than the one presented to the MPC? Mr. Estes stated that this is a revised plat showing a reduced number of lots. Alderman Cathcart explained that Mr. Estes is requesting a hearing on a plat that has not been presented to the MPC for approval. Alderman Jones stated that a hearing can only be held on the documents presented to the MPC and their decision on that presentation. The hearing cannot be held on revised documents. Carlotta Brown stated that if Mr. Estes wishes to change the request, he will need to resubmit the new information to the MPC, basically starting the application process over. Alderman Jones asked Mr. Estes if he wanted to withdraw his request for the hearing because the hearing could only be heard on the material presented to and denied by the MPC. Mr. Estes stated that he wished to be approved for the hearing.

A motion by Alderman Carr seconded Alderman Manning to hold a public hearing on December 13<sup>th</sup> on the zoning request by Mr. Estes.

Public Comments: None

Ayes: Alderman Carr and Alderman Manning

Nays: Alderman Jones, Alderman Friday, and Alderman Cathcart

Absent: None

Abstain: None

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7. A motion by Alderman Friday seconded by Alderman Carr to approve the year to date budget and monthly financials.

Public Comments: None

In favor: 5 Ayes

Opposed: 0 Nays

**8. ORDINANCE AMENDING AND RE-ENACTING CHAPTER 125 – SUBDIVISIONS, OF THE CODE OF ORDINANCES OF THE TOWN OF BENTON, LOUISIANA**

**WHEREAS**, Act 558 of 1956 of the State of Louisiana, Section 2, Subdivision Regulations, requires that the Benton – Parish Metropolitan Planning Commission (the “MPC”) adopt regulations governing the subdivision of land within the metropolitan planning area; and,

**WHEREAS**, Chapter 125 – Subdivisions, of the Benton Code of Ordinances is also known as the “Subdivision Code”; and,

**WHEREAS**, the MPC has studied the Subdivision Code and prepared amendments to be re-enacted to replace Chapter 125 of the Code of Ordinances for the purpose of:

- the harmonious development of the Benton metropolitan planning area; and
- the coordination of streets within subdivisions with other existing or planned streets and the requirements as to the extent to which and the manner in which streets shall be graded and improved; and
- coordination with other features of the master plan or official map of the metropolitan planning area; and
- adequate open spaces for traffic, recreation, light, and air; and
- distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience, or prosperity; and
- sustainability of the Town in an efficient and economic manner.

**WHEREAS**, on September 13, 2021, at its regular meeting with a quorum present, the MPC conducted a public hearing, received comments, and voted to approve the amended Subdivision Code;

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**WHEREAS**, the MPC recommends approval of the Subdivision Code by the Town of Benton and incorporation of the amended and re-enacted Subdivision Code into the Benton Code of Ordinances as Chapter 125 - Subdivisions; and

**WHEREAS**, the Town desires to amend and re-enact Chapter 125 – Subdivisions of the Code of Ordinances;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF BENTON, LOUISIANA:**

**§1.** The Town amends and re-enacts Chapter 125 - Subdivisions of the Code of Ordinances and adopts the Subdivision Code dated September 13, 2021.

**§2.** The Town supersedes and replaces the Original Chapter 125 – Subdivisions of the Code of Ordinances.

**§3.** If any section, paragraph, sentence, clause and/or phrase of this Ordinance or the application thereof is declared unconstitutional, unenforceable or invalid by the valid judgment of any court of competent jurisdiction such unconstitutionality, unenforceability or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses and/or phrases of this Ordinance, since the same would have been enacted by the Town without the incorporation of this Ordinance of any such unconstitutional, unenforceable or invalid section, paragraph, sentence, clause or phrase. To this end, the provisions of this Ordinance are hereby declared severable.

**§4.** All other Ordinances, or parts thereof, which are in conflict with the provisions of this Ordinance, are hereby repealed. To the extent that any provision or provisions of this Ordinance are inconsistent or in conflict with any other provision of the Code of Ordinances or any regulation of the Town, the provisions of this Ordinance shall be deemed to control.

**§5.** This Ordinance shall become effective upon final adoption and publication of the same in the manner prescribed by law.

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A motion by Alderman Jones seconded Alderman Carr to introduce Ordinance 573 and set for public hearing on November 8.

Public Comments: None

Ayes: Alderman Carr, Alderman Manning, Alderman Jones, Alderman Friday, and Alderman Cathcart

Nays: None

Absent: None

Abstain: None

**ADJOURN:** Motion by Alderman Jones seconded by Alderman Carr to adjourn

In Favor 5 ayes

Opposed 0 Nays

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