

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF GONZALES, STATE OF LOUISIANA TAKEN ON FEBRUARY 26, 2018, 5:30 P.M. AT CITY HALL, 120 S. IRMA BLVD.

MEMBERS PRESENT:

Mayor Barney Arceneaux
Councilman Kirk Boudreaux
Councilman Harold Stewart

Councilman Tyler Turner
Councilman Neal Bourque
Councilman David Guitreau

MEMBERS ABSENT: NONE

ALSO PRESENT:

Scot Byrd, City Clerk
Lisa Babin, Administrative Secretary
Sherman Jackson, Chief of Police

Erin Lanoux, City Attorney
Resa Tureau, Finance Director

Motion by Councilman Neal Bourque, seconded by Councilman Harold Stewart to approve the recommendation of the Planning & Zoning commission to grant the hardship variance allowing lot frontage of 66.68' on a plat showing exchange of property between lots 69 & 70 in Kennedy Heights Subdivision. The lots are being reoriented so as to have the driveways open up on the side street of South Robert Avenue.

Motion by Councilman Kirk Boudreaux, seconded by Councilman David Guitreau to approve the Council Meeting Minutes taken, February 12, 2018.

YEAS: Councilman Kirk Boudreaux, Councilman Harold Stewart, Councilman Tyler Turner,
Councilman Neal Bourque, Councilman David Guitreau

NAYS: NONE

ABSENT: NONE

Motion by Councilman Kirk Boudreaux, seconded by Councilman Tyler Turner to approve a Special Event Permit request of Mr. Clayton Hartline with Christ Healing Church for the use of Jambalaya Park Amphitheater to hold a "Celebrate Freedom" family event on March 24, 2018 from 2:00 PM- 8:00 P.M.

YEAS: Councilman Kirk Boudreaux, Councilman Harold Stewart, Councilman Tyler Turner,
Councilman Neal Bourque, Councilman David Guitreau

NAYS: NONE

ABSENT: NONE

Final vote on Ordinance No. 4048:

AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF GONZALES TO ACQUIRE A FULL OWNERSHIP OF A CERTAIN ADJUDICATED PROPERTY PURSUANT TO L.A.R.S. 47:2236, NAMELY LOT NUMBER NINETEEN (19) OF VALENTINE WOODS SUBDIVISION, TO AUTHORIZE SUCH ACTIONS AS NECESSARY TO ACQUIRE SUCH OWNERSHIP, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, Louisiana Revised Statute 47:2236 authorizes political subdivisions to acquire full ownership of adjudicated property;

WHEREAS, Lot 19 of Valentine Woods Subdivision, said property being more fully described below, was adjudicated to the City of Gonzales for unpaid taxes in 2010 on May 24, 2011, said adjudication recorded in the records of Ascension Parish at Instrument No.: 774089;

WHEREAS, more than five years have elapsed from the filing of the tax sale certificate for said property;

WHEREAS, pursuant to Louisiana Revised Statute 47:2236 the City of Gonzales declares its intention to acquire a full ownership interest in the above-described property; and

WHEREAS, the City of Gonzales and Parish of Ascension shall enter into a Cooperative Endeavor Agreement wherein the Parish of Ascension shall waive or quitclaim any and all right, title and interest to Lot 19 of Valentine Woods Subdivision acquired by virtue of a prior 2011 adjudication to the Parish.

NOW, THEREFORE, BE IT ORDAINED by the Gonzales City Council that:

- Section 1. In accordance with Louisiana Revised Statute 47:2236 *et seq.*, the City of Gonzales does hereby declare its intention to acquire a full ownership interest in the following property which has been adjudicated to it, namely:
- One (1) certain lot or parcel of ground, together with all of the buildings and improvements thereon, situated in the Parish of Ascension, State of Louisiana, in that subdivision thereof known as VALENTINE WOODS, and being more particularly described in accordance with the official map of said subdivision, a copy of which is on file and of record in the office of the Clerk and Recorder for the said Parish and State at Map No. 217030, as LOT NUMBER NINETEEN (19), said lot having such measurements and dimensions as shown on the map.
- Section 2. In accordance with Louisiana Revised Statute 47:2236(B), a copy of this ordinance shall be filed with the recorder of mortgages of the Parish of Ascension and indexed in the name of the City and tax debtor as mortgagees. A transfer, mortgage, lien, privilege, or other encumbrance filed after the filing of the ordinance shall not affect the property. The recorder of mortgages or recorder of conveyances shall cancel, erase, terminate, or release the acts upon the request of the City Administrator.
- Section 3. In accordance with Louisiana Revised Statute 47:2236(C) and (D), notice shall be given to all persons whose interests the City intends to terminate, and notice shall be published in the official journal. Both notices shall state that the tax sale parties shall have sixty days after the date of the notice to redeem the property or otherwise challenge the acquisition in a court of competent jurisdiction.
- Section 4. In accordance with Louisiana Revised Statute 47:2236 (E), if the property is not redeemed within said time limits, this ordinance shall become operative and the City of Gonzales shall acquire full ownership of the properties, subject only to such rights as determined by a final judgment rendered in an action filed within the time limits set forth above
- Section 5. The notice shall constitute a notice of sale. The sending of this notice shall constitute service of the notice of sale under Article VII, Section 25 of the Constitution of Louisiana. The notice required by this Ordinance shall be sufficient, and it shall not be necessary to determine whether notice of the tax sale or any other notice was given. The notice shall be sufficient if it conforms with Louisiana Revised Statute 47:2236(C)(2).
- Section 6. If the property is not redeemed within the time limit set forth in this Ordinance, the ordinance shall become operative, and the City of Gonzales shall acquire full ownership of the property, subject only to such rights as determined by a final judgment rendered in an action filed within the time limits set forth in this Ordinance. In accordance with Louisiana Revised Statute 47:2236 (E), notice shall be filed in the conveyance records of Ascension Parish indicating that the City of Gonzales has acquired full ownership. The notice shall be sufficient if it conforms with Louisiana Revised Statute 47:2236(E).
- Section 7. In accordance with Louisiana Revised Statute 47:2236 (F), the City of Gonzales shall cause to be filed an affidavit indicating how the tax sale parties whose interest the City of Gonzales intends to be terminated were identified, how the address of each tax sale party was obtained, how the written notice was sent, the results of sending the written notice, and the dates of publication. Said notice shall be indexed under the names of the tax debtors and the City of Gonzales as mortgagors. The affidavit shall be sufficient if it is in the form set forth in La. R.S. 47:2236(F).
- Section 8. The filing of the affidavit provided in this Ordinance with the recorder of mortgages of Ascension Parish shall operate as a cancellation, termination, release, or erasure of record of all statutory impositions of all political subdivisions then due and owing, of all governmental liens, and of all interests, liens, mortgages, privileges, and other encumbrances recorded against the property sold and listed in the affidavit.
- Section 9. BE IT FURTHER ORDAINED, that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

YEAS: Councilman Kirk Boudreaux, Councilman Harold Stewart, Councilman Tyler Turner,
Councilman Neal Bourque, Councilman David Guitreau

NAYS: NONE

ABSENT: NONE

The City Clerk stated the City Council Members have been provided with a copy of the revenue and expense compared to budget report in the City Council Member's packets. The city is within budget. No discussion was required or requested by the City Council Members.

Motion by Councilman Harold Stewart, seconded by Councilman Tyler Turner to introduce Ordinance No. 4049:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE
CHAPTER 20. UTILITIES* ARTICLE VI. WASTEWATER
FACILITIES IMPACT FEE SEC. 20-125 COMPUTATION OF
THE WASTEWATER FACILITIES IMPACT FEE. (CHANGE)
(a) TO READ:

BE IT ORDAINED, by the Mayor and Councilman of the City of Gonzales, Louisiana:

That the Code of Ordinance of the City of Gonzales be hereby amended to read as follows:

CHAPTER 20. UTILITIES*

ARTICLE VI. WASTEWATER FACILITIES IMPACT FEE.

Sec. 20-125. – Computation of the wastewater facilities impact fee.

(CHANGE) (a) to read:

(a) The amount of the wastewater facilities impact fee shall be determined by the following fee schedule:

Water Meter Size (Inches)	Estimated Water Flow GPD/Customer	Rounded to Nearest Dollar Amount					
		Impact Fee 2014	Impact Fee 2015	Impact Fee 2016	Impact Fee 2017	Impact Fee 2018	Impact Fee 2019
¾	1,162	\$2,265	\$2,492	\$2,742	\$3,017	\$3,319	\$3,651
1	1,237	\$2,345	\$2,580	\$2,838	\$3,122	\$3,435	\$3,779
1½	3,688	\$6,996	\$7,696	\$8,466	\$9,313	\$10,245	\$11,270
2	15,378	\$29,170	\$32,087	\$35,296	\$38,826	\$42,709	\$46,980
3	16,441				\$41,508	\$45,659	\$50,225
4	39,869	\$75,625	\$83,188	\$91,507	\$100,658	\$110,724	\$121,797

Final vote on the foregoing amendment to be taken at the next regular City Council Meeting scheduled for March 19, 2018.

Motion by Councilman David Guitreau, seconded by Councilman Kirk Boudreaux to introduce Ordinance No. 4050:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE
CHAPTER 19. TRAFFIC AND MOTOR VEHICLES* **ARTICLE II.**
PARKING, STOPPING AND STANDING DIVISION 1.
GENERALLY (ADD) SEC. 19-39 TO READ:

BE IT ORDAINED, by the Mayor and Councilman of the City of Gonzales, Louisiana:

That the Code of Ordinance of the City of Gonzales be hereby amended to read:

Chapter 19. TRAFFIC AND MOTOR VEHICLES*

Article II. Parking, Stopping and Standing

Division 1. Generally

(ADD) Sec. 19-39 to read:

Section 19-39 – Off-street Parking in Residential Areas

(1) Purpose

The purpose of this Article of the Gonzales City Code is to control, through nuisance and zoning regulations, certain land uses and activities that have a direct and detrimental effect on the character of the City's residential neighborhoods. As such, the Gonzales City Council finds that, in order to accommodate the off-street parking needs of residents while protecting the interests of the public, regulations and performance standards are desirable and necessary for off street parking areas in residential zoning districts.

(2) Findings

To the purposes listed above, the Gonzales City Council finds that the use and possession of vehicles are in important factor in the lives of many residents of Gonzales. The city council also finds that the number of vehicles, the improper storage of vehicles and the parking of and storage of excessive numbers of vehicles can be a nuisance and can affect the neighborhood character as well as the public health, safety and welfare, property values and the reasonable use and enjoyment of neighboring properties. The city council further finds that the establishment of these regulations furthers the goals in the Gonzales Comprehensive Plan relative to the establishment and enhancement of residential neighborhoods and similar goals. In making these findings, the city council accepts the recommendations of city staff and the planning commission that have studied the experiences of other suburban cities that have reviewed and regulated off-street parking in residential areas. The Gonzales City Council establishes these regulations as a means to balance the interests of the owners of vehicles, nearby residents and the public.

(3) Goals

The city council's goals in adopting this ordinance include the following:

- a. Preserving neighborhood character, public health, safety and welfare and property values.
- b. Allowing all residents a reasonable use of and a chance to enjoy their property.
- c. Minimizing the nuisances and the adverse effects of off-street vehicle parking through careful site design standards.
- d. Requiring the owners and builders of residential driveways and parking areas to design and build them to reasonable standards.
- e. Avoiding nuisances and potential damage to adjacent properties from off-street vehicle parking and parking areas through design standards and setback requirements.

(4) Off-Street Parking Standards for Single and Two-Family Dwellings

The following standards shall apply to off-street parking for single and two-family residential properties in the R-6, R-8, R-10, R-15 zoning districts:

- a. Vehicle parking in the front yard setback area (the area between the front of the residential structure and the street right-of-way line) of single and two-family residences shall only be on a hard surface driveway or on improved and designated parking areas. Such a hard surface shall include bituminous, concrete, brick, gravel or crushed rock or another hard surface approved by city staff.
- b. The city prohibits vehicle parking or storage in the front yard on grass, unimproved areas or areas without a hard surface.
- c. Driveways and parking areas shall preferably be at least five feet from a side property line, but no more than one foot from a side property line and parking areas may cross, but shall not otherwise be in any right-of-way or on other public property.
- d. No owner or operator shall park a vehicle that would block a sidewalk.
- e. All vehicles parked or stored outside on a residential property shall not be abandoned (as defined in Chapter 19, Division 2), shall have a current license and registration and shall be in operable condition.
- f. The total area in the front yard setback area of a single dwelling lot improved for parking and driveway purposes shall not exceed forty (40) percent of the front yard setback area. The total area in the front yard setback area of a duplex or double-dwelling lot improved for parking and driveway purposes shall not exceed fifty (50) percent of the front yard setback area.
- g. The city may in limited circumstances approve an increase in front yard driveway coverage, a different driveway setback or a different coverage, a different driveway setback or a different driveway surface for a single or double dwelling by administrative review. As part of such approval, the city may require the property owner or applicant to add screening such as a privacy fences, additional landscaping or other means of screening next to or around the parking area or driveway, subject to inspection and approval of city staff. Any permit considered for an increase in driveway coverage must be consistent with the original architectural design intent for the residence and keeping with the overall characteristics of the surrounding community.

Final vote on the foregoing amendment to be taken at the next regular City Council Meeting scheduled for March 19, 2018.

Motion by Councilman Neal Bourque, seconded by Councilman David Guitreau to introduce Ordinance No. 4051:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE
CHAPTER 10. FLOODPLAIN REGULATIONS ARTICLE III.
STANDARDS. SEC.10-52 SPECIFIC STANDARDS. (CHANGE)
(1), (2), (3) b, AND c. TO READ:

BE IT ORDAINED, By the Mayor and City Council of the City of Gonzales, Louisiana.
That section 10-52 of the City of Gonzales Code of Ordinance is hereby amended to read as follows:

CHAPTER 10. FLOODPLAIN REGULATIONS.

Sec. 10-52. Specific Standards.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in section 10-7, 10-32(7) or 10-54(b), the following provisions are required:

(CHANGE) (1) To read:

(1) *Residential construction.* New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to one foot or more above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the local flood administrator that the standard of this subsection, as proposed in section 10-33(b) is satisfied.

(CHANGE) (2) To read:

(2) *Nonresidential construction.* New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to one foot or more above the base flood level or, together with attendant utility and sanitary facilities be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and method of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are flood proofed shall be maintained by the floodplain administrator.

(3) *Manufactured homes:*

(CHANGE) (3) b. To read:

b. Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites: (i) outside of a manufactured home park or subdivision; (ii) in a new manufactured home park or subdivision; (iii) in an expansion to an existing manufactured home park or subdivision; or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(CHANGE) (3) c. to read:

c. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph (4) of this section be elevated so that either: (i) The lowest floor of the manufactured home is at one foot or more above the base flood elevation; or (ii) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

Final vote on the foregoing amendment to be taken at the next regular City Council Meeting scheduled for March 19, 2018.

Motion by Councilman Kirk Boudreaux, seconded by Councilman Tyler Turner to approve Change Order No. 1, Option 2. With L. King Company for the Environmental Enhancement Facility Upgrade Project, an increase in the amount of \$308,421.00 resulting in a new contract amount of \$6,012,907.00 .

YEAS: Councilman Kirk Boudreaux, Councilman Harold Stewart, Councilman Tyler Turner,
Councilman Neal Bourque, Councilman David Guitreau

NAYS: NONE

ABSENT: NONE

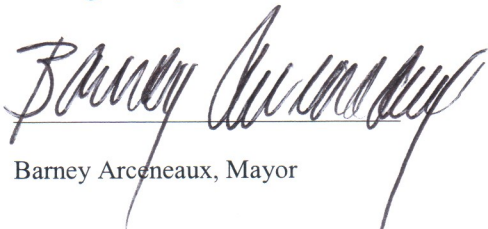
Motion by Councilman Kirk Boudreaux, seconded by Councilman Tyler Turner to approve Change Order No. 1, 2, 3, 4, & 5 with Deumite Construction for the Gonzales Civic Center Project, an increase in the amount of \$220,220.62.

YEAS: Councilman Kirk Boudreaux, Councilman Harold Stewart, Councilman Tyler Turner,
Councilman Neal Bourque, Councilman David Guitreau

NAYS: NONE

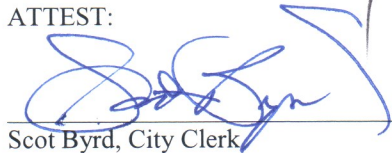
ABSENT: NONE

There being no further business to come before the City Council and upon a motion duly made and seconded, the meeting was adjourned.



Barney Arceneaux, Mayor

ATTEST:



Scot Byrd, City Clerk