

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF GONZALES, STATE OF LOUISIANA TAKEN ON APRIL 10, 2017, 5:30 P.M. AT THE PUBLIC SAFETY CENTER 738 WEST ORICE ROTH RD.

MEMBERS PRESENT:

Mayor Barney D. Arceneaux  
Councilman Kirk Boudreaux  
Councilman Harold Stewart

Councilman Tyler Turner  
Councilman Neal Bourque  
Councilman David Guitreau

MEMBERS ABSENT: NONE

ALSO PRESENT:

Lisa Babin, Administrative Clerk  
Erin Lanoux, City Attorney

Clay Stafford, City Clerk  
Sherman Jackson, Police Chief

Motion by Councilman Kirk Boudreaux, seconded by Councilman David Guitreau to approve the Council Meeting Minutes taken, March 20, 2017.

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

NAYS: NONE

ABSENT: NONE

Motion by Councilman David Guitreau, seconded by Councilman Harold Stewart to approve the Council Meeting Minutes taken, March 27, 2017.

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 David Guitreau to Introduce Ordinance No. 4012:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE  
CHAPTER 22. ZONING SEC. 22-2 ZONING DISTRICTS TO APPROVE  
THE RECOMMENDATION OF THE ZONING COMMISSION TO  
REZONE THE FOLLOWING DESCRIBED PROPERTY FROM ITS  
EXISTING R-8 ZONE TO A B-1 ZONE.

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

That the Code of Ordinance Chapter 22. Zoning. Sec. 22-2 Zoning Districts be hereby amended as follows:

Chapter 22. Zoning.

Sec. 22-2 Zoning Districts:

Tract PS, situated on the north side E. New River Street from its existing R-8 zone to a B-1 zone

Final vote on the foregoing amendment to be taken at the next regular City Council Meeting scheduled for April 24, 2017.

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart to Introduce Ordinance No. 4013:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE  
CHAPTER 22. ZONING SEC. 22-2 ZONING DISTRICTS TO APPROVE  
THE RECOMMENDATION OF THE ZONING COMMISSION TO  
REZONE THE FOLLOWING DESCRIBED PROPERTY FROM ITS  
EXISTING R-8 ZONE TO A B-1 ZONE.

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

That the Code of Ordinance Chapter 22. Zoning. Sec. 22-2 Zoning Districts is hereby amended as follows:

Chapter 22. Zoning.

Sec. 22-2 Zoning Districts:

Tract A, Tract E, and a portion of Tract X-1, situated on the south side of E. Bayou Narcisse road from its existing R-8 zone to a B-1 zone.

Final vote on the foregoing amendment to be taken at the next regular City Council Meeting scheduled for April 24, 2017.

Motion by Councilman Kirk Boudreaux, seconded by Councilman Tyler Turner to approve the recommendation of the Zoning Commission to revoke the condominium regime on Lot B1C at 413 N. Airline Hwy.

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 the request of Mr. Darryl Hambrick for a Special Event Permit to host a Gospel Concert at Jambalaya Park on May 13, 2017 from 12:00 -8:00 PM. food and drinks will be sold, with the proceeds to benefit the African American Museum.

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 David Guitreau to approve the ratification of Bryce Broussard as the fire department representative to the Fire & Police Civil Service Board.

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

NAYS: NONE

ABSENT: NONE

Motion by Councilman David Guitreau, seconded by Councilman Harold Stewart to hereby partner with the International Building Code Council by Proclaiming the Month of May 2017 as Building Safety Month.

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

NAYS: NONE

ABSENT: NONE

Motion by Councilman Neal Bourque, seconded by Councilman David Guitreau to Introduce Ordinance No. 4014:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE  
CHAPTER 22. ZONING SEC. 22-2 ZONING DISTRICTS TO (ADD)  
SEC. 22-4 (d)(3).

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

That the Code of Ordinance Chapter 22. Zoning. Sec. 22-2 Zoning Districts be hereby amended as follows:

Chapter 22. Zoning Districts.

(ADD)

Sec. 22-4(d)(3) to read:

22-4(d)(3) *Roofs and Roofing.* All single family residential units shall have architectural-grade overlap shingles, tile or standing seam metal. Roofs shall have a minimum roof pitch of 6:12.



Final vote on the foregoing amendment to be taken at the next regular City Council Meeting scheduled for April 24, 2017.

Motion by Councilman David Guitreau, seconded by Councilman Kirk Boudreaux to Introduce Ordinance No. 4015:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE  
CHAPTER 8 CRIMINAL CODE. ARTICLE VII OFFENSES  
AGAINST PUBLIC PEACE. (CHANGE) SEC. 8-215(b)(8)  
UNNECESSARY NOISE 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 as follows:

**CHAPTER 8 CRIMINAL CODE**

**ARTICLE VII OFFENSES AGAINST PUBLIC PEACE**

**Change Sec. 8-215(b)(8) Unnecessary noise to read:**

Sec. 8-215. - Unnecessary noise.

(b)

*Nonexclusive enumeration of unnecessary noise.* The following acts, among others, are declared to be loud, disturbing and unnecessary noises and noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

(8)

*Construction and repairing of buildings.* The erection, including excavating, demolition, alteration or repair of any building in any residential district or section, the excavation of streets or highways in any residential district or section other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and Saturdays, except in case of urgent necessity, in the interest of public health and safety, and then only with a permit from the mayor and board of aldermen, which permit may be granted for a period not to exceed thirty (30) days while the emergency continues. If the mayor and board of aldermen should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways between the hours of 6:00 p.m. and 7:00 a.m., and if they shall further determine that loss or inconvenience would result to any party in interest, they may grant permission for such work to be done within the hours of 6:00 p.m. and 7:00 a.m. upon application being made at the time the permit for the work is awarded or during the progress of the work.

Final vote on the foregoing amendment to be taken at the next regular City Council Meeting scheduled for April 24, 2017.

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart to Introduce Ordinance No. 4016:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE  
APPENDIX A FRANCHISES(ADD) ARTICLE IX STATEWIDE  
CABLE OR VIDEO FRANCHISE 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 as follows:

**APPENDIX A**

**FRANCHISES**

**(ADD)**

**ARTICLE IX Statewide Cable or Video Franchise**

**Section 1. Grant of Franchise**

Pursuant to the provisions of the Consumer Choice for Television Act of 2008, codified at La. R.S. 45:1361 et seq, any person or entity desiring to provide cable or video services within the City of Gonzales may do so by obtaining a state-issued certificate of franchise authority;

**Section 2. Franchise Fee**

The holder of a state-issued certificate of franchise authority for cable or video service is required to pay a franchise fee to a city in which it operates upon the passage of an ordinance by a city setting such a fee.

All persons or entities providing cable or video services to the citizens of the City of Gonzales pursuant to a state-issued certificate of franchise authority as provided in La. R.S. 45:1361 et seq shall, pursuant to the provisions of La. R.S. 45:1366, pay the City of Gonzales a franchise fee equal to 5% of the cable or video service provider's gross revenues derived from operations within the city limits.

Gross revenues shall be defined as all revenues received from subscribers for the provision of cable service or video service, including franchise fees and all revenues received from non-subscribers for advertising disseminated through cable service or video service and home shopping services. Gross revenues shall not include all of the following items:

- (a) Amounts billed and collected from subscribers to recover any tax, surcharge, or governmental fee.
- (b) Any revenue not actually received, even if billed, such as bad debt.
- (c) Any revenue received by any affiliate or any other person in exchange for supplying goods or services to the cable service provider or video service provider.
- (d) Any amounts attributable to refunds, rebates, or discounts.
- (e) Any revenues from late fees, returned check fees, or interest.
- (f) Any revenues from sales or rental of property, except such property the subscriber is required to buy or rent exclusively from the cable service provider or video service provider to receive cable service or video service.
- (g) Any revenues from services provided over the cable system or other wireline facilities used to distribute video programming services that are not classified as cable services or video services including without limitation revenue received from telecommunications services, information services but not excluding cable services or video services, Internet access services, and directory or Internet advertising revenues, including but not limited to yellow pages, white pages, banner advertisements, and electronic publishing advertising. Where the sale of any non-cable service or non-video service is bundled with the sale of one or more cable services or video services and sold for a single non itemized price, the term "gross revenues" shall include only those revenues that are attributable to cable services or video services based on the provider's books and records.
- (h) Any revenues from sales for resale with respect to which the purchaser is required to pay a franchise fee, provided the purchaser certifies in writing that it will resell the service and pay a franchise fee with respect thereto.
- (i) Any amounts attributable to a reimbursement of costs, including but not limited to the reimbursements by programmers of marketing costs incurred for the promotion or introduction of video programming.
- (j) Any revenues from providing or maintaining inside wiring.

Final vote on the foregoing amendment to be taken at the next regular City Council Meeting scheduled for April 24, 2017.

Motion by Councilman Kirk Boudreaux, seconded by Councilman Tyler Turner to declare as surplus the following:

1-2006 Ford F150 Vin # 1FTRF12W66NB48548

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 adopt a Cooperative Endeavor Agreement between the City of Gonzales and the Town of Sorrento for the City of Gonzales to transfer full ownership and title of (1) 2006 Ford F-150 Vin # 1FTRF12W66NB48548 unto the Town of Sorrento.

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

NAYS: NONE

ABSENT: NONE

Motion by Councilman David Guitreau, seconded by Councilman Harold Stewart to approve the official opening date for the Jambalaya Park Sprayground as Friday April 14, 2017.

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 Harold Stewart to submit Resolution No. 2854:



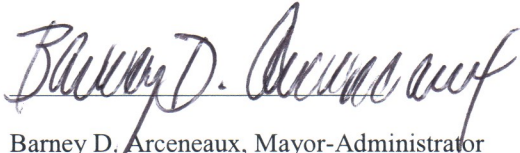
A Resolution authorizing the City of Gonzales to prepare and submit a pre-application to the Statewide Flood Control Program for assistance in the implementation of a project for the purpose of reducing existing flood damages; providing for the necessary documentation of said flood damages; and providing for other related matters in connection therewith.

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

NAYS: NONE

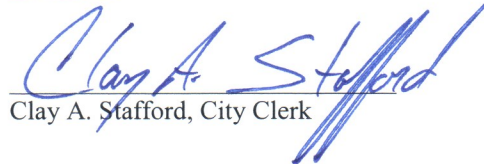
ABSENT: NONE

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



Barney D. Arceneaux, Mayor-Administrator

ATTEST:



Clay A. Stafford, City Clerk