

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF GONZALES, STATE OF LOUISIANA, TAKEN ON FEBRUARY 25, 2019, 5:30 P.M. AT CITY HALL, 120 S. IRMA BLVD.

MEMBERS PRESENT:

Mayor Barney Arceneaux
Councilman Harold Stewart
Councilman Tyler Turner

Councilman Neal Bourque
Councilman Kirk Boudreaux

MEMBERS ABSENT: Councilman David Guitreau

ALSO PRESENT:

Scot Byrd, City Clerk
Lisa Babin, Administrative Secretary

Matthew Percy, City Attorney
Sherman Jackson, Chief of Police

Motion by Councilman Neal Bourque, seconded by Councilman Kirk Boudreaux to approve the Minutes from the City Council Meeting taken, February 11, 2019.

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

NAYS: NONE

ABSENT: Councilman David Guitreau

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart to approve the request of Catherine Matherne for a Special Event Permit to hold a Ducks Unlimited "Firearm Frenzy" a fundraising event at Cabela's on March 8, 2019 from 5:00 PM-9:00 PM.

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

NAYS: NONE

ABSENT: Councilman David Guitreau

Motion by Councilman Tyler Turner, seconded by Councilman Neal Bourque to approve the request of Jeanette Cox representing "Each Day a New Beginning" for a Special Event Permit to hold a fundraising event at Jambalaya Park Amphitheater on May 11, 2019 from 10:00 AM-3:00 PM.

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

NAYS: NONE

ABSENT: Councilman David Guitreau

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart to Proclaim the Month of March 2019 as Flood Awareness Month.

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

NAYS: NONE

ABSENT: Councilman David Guitreau

Motion by Councilman Kirk Boudreaux, seconded by Councilman Tyler Turner to introduce Ordinance No. 4080:

AN ORDINANCE AMENDING THE CODE OF ORDINANCE CHAPTER 10. FLOODPLAIN REGULATIONS

BE IT ORDAINED, by the Mayor and Councilmen of the City of Gonzales, Louisiana:
That the Code of Ordinance of the City of Gonzales be hereby amended to read:

Chapter 10 – FLOODPLAIN REGULATIONS

(Change) Sec. 10-4. – Definitions. **(to delete)**

Floodway (regulatory floodway) means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Elevated building means a nonbasement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (post and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X, D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. In the case of Zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building" even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations.

Functionally dependent use means a use which cannot perform its extended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Mean sea level means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

Start of construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 94-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages, sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building whether or not that alteration affects the external dimensions of the building.

Structure means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Substantial improvement means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure, either, (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either, (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

Variance is a grant of relief to a person from the requirements of this chapter when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this chapter. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

Water surface elevation means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

(Change) Sec. 10-4. – Definitions. **(to add)**

Appurtenant Structure means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

Area of Future-Conditions Flood Hazard means the land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.

Flood Elevation Study (FIS) means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Elevated building means for insurance purposes a nonbasement building which has its lowest elevated floor raised above ground level by means of pilings, columns, posts, piers, or shear walls.

Functionally dependent use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Mean sea level means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

Regulatory Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Start of construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 94-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages, sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building whether or not that alteration affects the external dimensions of the building.

Structure means, for flood plain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Substantial improvement means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either, (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

Variance is a grant of relief to a person from the terms of the floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations).

Water surface elevation means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

**(Change) Sec. 10-7. – Basis for establishing the areas of special flood hazard.
(to read)**

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Ascension Parish and Incorporated Areas," as adopted by Ascension Parish in calendar year 2019, with accompanying Flood Insurance Rate Maps for Ascension Parish and Incorporated Areas adopted by Ascension Parish in calendar year 2019, and any revisions thereto are hereby adopted by reference and declared to be a part of this chapter.

**(Change) Sec. 10-8. – Compliance.
(to read)**

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this chapter and other applicable regulations. Building permits shall be required to ensure conformance with the provisions of this ordinance.

**(Change) Sec. 10-9. – Abrogation and greater restrictions.
(to read)**

This chapter is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**(Change) Sec. 10-32. – Duties and responsibilities of the local flood administrator. (2)
(to read)**

(2) Review, approve or deny all applications for development permits as they pertain to this chapter;

(Change) Sec. 10-33. – Development permit. (a)
(to read)

a) Application for a earthwork development permit shall be presented to the floodplain administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

(Change) Section 10-33 (a) (1)
(to read)

(1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all new and substantially improved structures;

(Change) Sec. 10-34. – Variance procedures.
(to read)

(a) The floodplain administrator has the authority to grant variances for projects that meet the conditions within 10-34, shall maintain a record of all actions involving an appeal, and shall report variances to the Federal Emergency Management Agency upon request.

(b) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places, without regard to the procedures set forth in the remainder of this section.

(c) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in section 10-33(c) have been fully considered.

(d) Variances shall not be issued within any designated floodway if any increase in flood levels during the base discharge would result.

(e) Prerequisites for granting variances are as follows:

(1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(2) Variances shall only be issued upon:

a. A showing of good and sufficient cause;

b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(3) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation, to be determined on a case by case basis, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(f) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(Change) Sec. 10-52. – Specific Standards. (3) *Manufactured homes:* (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 bottom of the longitudinal structural I beam of the manufactured home is at one (1) 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.

(Change) Sec. 10-52. – Specific Standards. (4) *Enclosures:* (a)
(to read)

a. A minimum of two (2) openings on separate walls having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.

(Change) Sec. 10-53. – Standards for areas of shallow flooding (AO zones).
(to read)

Sec. 10-53. – Standards for areas of shallow flooding (AO/AH zones).

(Change) Sec. 10-53. – Standards for areas of shallow flooding (AO zones).(1)(b)
(to read)

b. Together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO Zone, or below the base flood elevation in an AH Zone, 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 of effects of buoyancy.

(Change) Sec. 10-54. – Standards for subdivision proposals.(d)
(to read)

d) All subdivision proposals including the placement of manufactured home parks, residential and commercial developments shall prepare a drainage impact study that meets or exceed the Ascension Parish Drainage detention and mitigation requirements and construct required drainage improvements to reduce exposure to flood hazards.

(Add) Sec. 10-55. – Floodways.

Floodways - located within areas of special flood hazard established in 10-7, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

(1) Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

(2) If Sec. 10-55 (1) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions within this chapter.

(3) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community **first** completes all of the provisions required by Section 65.12.

Final vote on the foregoing Amendment to be taken at the next regular City Council Meeting scheduled for March 11, 2019.

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.

Final vote on Ordinance No.4079:

CITY OF GONZALES 2018-2019 BUDGET AMENDMENT 02
 AN ORDINANCE AMENDING THE CAPITAL OUTLAY FUND BUDGET

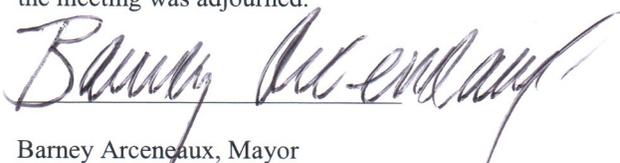
Capital Outlay Fund		G/L Account No.	2018-2019 Original Budget	Amendment Amount	2017-2018 AMENDED BUDGET
<i>Expenses:</i>					
Capital Outlay Fund	POLICE DEPT CAPITAL OUTLAY	04-5-18-20-060	179,970.00	50,000.00	229,970.00
Net Expense Change			179,970.00	50,000.00	229,970.00

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

NAYS: NONE

ABSENT: Councilman David Guitreau

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