

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCILMAN OF THE CITY OF GONZALES, STATE OF LOUISIANA TAKEN ON MONDAY, NOVEMBER 28, 2022, 5:30 P.M. AT CITY HALL, 120 S. IRMA BLVD, GONZALES, LA 70737.

MEMBERS PRESENT:

Barney Arceneaux, Mayor  
Councilman Tyler Turner  
Councilman John A. Berthelot

Councilman Tim Riley  
Councilman Harold Stewart

MEMBERS ABSENT: Councilman Kirk Boudreaux

ALSO PRESENT:

Scot Byrd, City Clerk  
Matt Percy, City Attorney  
Brandon Boylan, Finance Director

Chief Sherman Jackson, Gonzales PD  
Terri Delatorre, Administrative Secretary

Motion by Councilman Tyler Turner, seconded by Councilman John A. Berthelot, to approve the Minutes of a Public Hearing of the City Council taken November 14, 2022.

YEAS: Councilman John A. Berthelot, Councilman Tim Riley, Councilman Harold Stewart,  
Councilman Tyler Turner

NAYS: NONE

ABSENT: Councilman Kirk Boudreaux

Motion by Councilman Tyler Turner, seconded by Councilman John A. Berthelot, to approve the Minutes of a Regular Meeting of the City Council taken November 14, 2022.

YEAS: Councilman John A. Berthelot, Councilman Tim Riley, Councilman Harold Stewart,  
Councilman Tyler Turner

NAYS: NONE

ABSENT: Councilman Kirk Boudreaux

Final Vote on Ordinance No. 4197:

**ORDINANCE INTRODUCED**

**November 14, 2022**

ORDINANCE # 4197

AN ORDINANCE AMENDING THE CODE OF ORDINANCE, CHAPTER 18. SALES AND USE TAX. (CHANGE) SECTION 18-65. PENALTY AND INTEREST; ATTORNEY FEES ON DELINQUENT TAXES; EFFECTIVE JANUARY 1, 2023.

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 amended as follows:

Chapter 18. SALES AND USE TAX

(CHANGE) SECTION 18-65. - Penalty and interest; attorney fees on delinquent taxes

(TO READ)

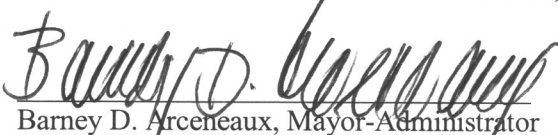
- (a) If the amount of tax due by the dealer is not paid on or before the twentieth day of the month next following the month for which the tax is due, interest shall be added to the amount of tax due and such interest shall be computed until it is paid: the rate of interest charged on any delinquent taxes shall be equal to the rate of interest provided for in R.S. 47:337.69(C), one percent per month (twelve (12) percent per annum), and any subsequent amendments that may be made thereto. Notwithstanding any provision of this section, the interest on any amount of tax outstanding on a specific date shall be computed at the rate applicable on such date.
- (b) When any dealer fails to make a report and pay the tax as provided by this article at the time such report becomes due, there shall be imposed, in addition to any other penalty provided, a specific penalty to be added to the tax; the amount of the specific penalty shall be equal to and applied in the same manner as that set forth in LSA-R.S. 47:337.70(A)(4), being in the amount of five percent of the tax owed for each and every thirty-day period after the return was required to be filed or the tax was required to be remitted, and any subsequent amendments that may be made thereto.
- (c) In the case of the filing of a return without remittance of the full amount due, the specific penalty mentioned in (b) in the amount of five percent of the tax owed for each thirty-day period shall be calculated only on the additional amount due from the taxpayer after deduction of payments timely submitted.
- (d) The specific penalties described in (b) and (c) shall be an obligation to be collected and accounted for in the same manner as if it were part of the tax due, and can be enforced either in a separate action or in the same action for the collection of the tax.
- (e) In the event it becomes necessary to file suit for the collection of any unpaid tax, interest and penalty, the dealer shall also be liable for attorney's fees at the rate of ten (10) percent of the aggregate of tax, interest and penalty.

YEAS: Councilman John A. Berthelot, Councilman Tim Riley, Councilman Harold Stewart,  
Councilman Tyler Turner

NAYS:

ABSENT: Councilman Kirk Boudreaux

**ORDINANCE ADOPTED: November 28, 2022**

  
Barney D. Arceneaux, Mayor-Administrator

Date signed



ATTEST:

  
Scot Byrd, City Clerk

Date signed



Motion by Councilman Tyler Turner, seconded by Councilman Harold Stewart, to introduce Ordinance No. 4198: An Ordinance Amending the Code of Ordinance, Chapter 11. Garbage, Trash, Weeds and Wastes. Article III. – Weeds and Grass. (CHANGE) Section 11-58. Maximum Height Allowed.

Public Hearing and final vote on this foregoing amendment to be taken at the next City Council meeting scheduled for December 12, 2022, at 5:30 p.m.

Motion by Councilman Tyler Turner, seconded by Councilman Tim Riley, to introduce Ordinance No. 4199: An Ordinance Amending the Code of Ordinance, Chapter 22 Zoning. 22-4 – Rules and Development Standards. (A) Measurement and Exceptions. (4) Setbacks. (D) Encroachments. (4) Other Encroachments. (1) The following Encroachments may extend into any required setback (ADD) (F) Non-Combustable, Non-Permanent Structures.

YEAS: Councilman John A. Berthelot, Councilman Tim Riley, Councilman Harold Stewart,  
Councilman Tyler Turner

NAYS:

ABSENT: Councilman Kirk Boudreaux

Motion by Councilman John A. Berthelot, seconded by Councilman Tyler Turner, to approve the Special Event Permit request of Joy McMeller, with the Krewe of Ascension Mambo, to hold a Mardi Gras Parade on Saturday, February 11, 2023, from 2:00 pm – 5:00 pm. The parade will include floats, bands, dance teams, City Officials Fire Departments and Jambalaya will be served.

Ms. McMeller questioned if a food truck was allowed to serve during the time of the parade. The Council advised her that she would have to submit a Special Event Permit specifically regarding the food truck and the matter would be taken up at a council meeting prior to the February 11, 2023 Mardi Gras Parade.

YEAS: Councilman John A. Berthelot, Councilman Tim Riley, Councilman Harold Stewart,  
Councilman Tyler Turner

NAYS:

ABSENT: Councilman Kirk Boudreaux

Motion by Councilman Tim Riley, seconded by Councilman John A. Berthelot, to re-appoint Commissioner Clint King to Another term on the Planning and Zoning Commission – term to begin January 1, 2023 and ending December 31, 2027.

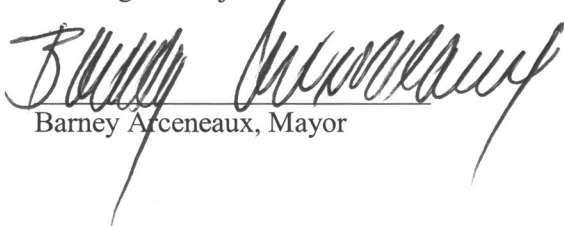
YEAS: Councilman John A. Berthelot, Councilman Tim Riley, Councilman Harold Stewart,  
Councilman Tyler Turner

NAYS:

ABSENT: Councilman Kirk Boudreaux

The Finance Director stated the City Council Members have copies of the revenue and expense compared to budget report in their packets. The City is within budget. We continue to maintain compliance with the corrective action plan to resolve fiscal year 2022 audit findings.

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