

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCILMAN OF THE CITY OF GONZALES, STATE OF LOUISIANA, TAKEN ON MONDAY, APRIL 10, 2023, 5:30 P.M., AT CITY HALL, 120 S. IRMA BLVD, GONZALES, LA 70737.

MEMBERS PRESENT:

Barney Arceneaux, Mayor
Councilman Harold Stewart
Councilman Tyler Turner

Councilman Tim Riley
Councilman Kirk Boudreaux

MEMBERS ABSENT: Councilman John A. Berthelot

ALSO PRESENT:

Scot Byrd, City Clerk
Matt Percy, City Attorney
Chief Sherman Jackson, Gonzales PD

Brandon Boylan, Finance Director
Terri Delatorre, Administrative Secretary

Mayor Arceneaux requested the Council make a Motion to move Agenda Item 25. “Approval of a Cooperative Endeavor Agreement between the City of Gonzales and Conway Development, LLC and Conway Property Owners Association, Inc. providing for the Operation of a Supplemental Drainage Pumping Station System” up on the Agenda and open for the Citizens of Gonzales.

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart, to move Agenda Item 25 up on the Agenda and open for the Citizens of Gonzales.

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE

ABSENT: Councilman John A. Berthelot

Mayor Arceneaux invited Citizens of Gonzales who wished to speak to come forward.

Glen Ourso, 4879 Harborside Way, Gonzales, came forward to speak in opposition to the Cooperative Endeavor Agreement, as written. He stated the residents of Conway Village are opposed to paying for operation and maintenance of the proposed pumps. He stated they already pay taxes to the Parish, the City and the Levee Board and should not have to pay additional dollars out of their pockets for the proposed pumps. He stated the Parish has a Unified Land Development Code 17-508 that prohibits the use of mechanical pumps to prevent a subdivision from flooding. He stated drainage issues should have been corrected in 2015 before the first Plat was ever sold in Conway. He stated residents were not told, nor given information regarding the HOA, or whether they would have to pay monies out of their pockets, in addition to taxes, to keep their properties from flooding. He requested the Council oppose the Cooperative Endeavor Agreement, as written, or don’t approve installation of the pumps.

Ron O’Rorke, 441 Bellecrest Avenue, Gonzales, came forward to speak in opposition to the Cooperative Endeavor Agreement. He stated that if the Parish is not going to be responsible for the operation and maintenance of the proposed pumps, then the Parish should go back, meet with engineers and correct the gravitational drainage.

Todd Pevey, 8184 Hwy. 44, Gonzales, came forward to speak on behalf of St. John Properties, an adjacent property owner to the Conway Development. He stated they have concerns about the drainage plan, that it’s not fully comprehensive and that it won’t fix their drainage problems that were caused by The Conway Development. He stated when it rains, the water draining from their site to Conway causes 2 -10” of water standing on a concrete area between two of his buildings. He requested that the Council help them by making sure the drainage is fixed comprehensively. He stated that St. John Properties has hired Southeast Engineers to look into ways to fix the problem and they’ve come to two conclusions: Conway can upsize its drainage pipes or lower the pipe going into their catch basin.

Jan O'Rorke came forward to speak in opposition to the Cooperative Endeavor Agreement. She stated that the residents of Conway already pay taxes; they pay taxes for all of the drainage in Gonzales. She thinks the operation and maintenance costs should be allocated to all 14,000 residents of Gonzales.

L. J. Hymel, 409 Glenthorne, Gonzales, came forward to speak in opposition to the Cooperative Endeavor Agreement. He stated that the residents of Conway are not a part of the Conway Property Owners Association, therefore they are not a party in the Cooperative Endeavor Agreement. He believes the costs of rectifying the drainage problem should be on the developer of the neighborhood.

Jonas Crystal, 775 Conway Village, Gonzales, came forward to speak in opposition to the Cooperative Endeavor Agreement. He stated the lack of transparency, and the lack of communication has been very frustrating.

Wade Petit, 2033 E. Parlange, Gonzales, came forward and stated he did not live in Conway and did not want his tax dollars to go towards fixing their drainage.

Richard and Linda Bezet turned in a comment card, not wishing to speak, but wishing to express their opposition to the Cooperative Endeavor Agreement.

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart to table approval of a Cooperative Endeavor Agreement between the City of Gonzales and Conway Development, LLC and Conway Property Owners Association, Inc. providing for the Operation of a Supplemental Drainage Pumping Station System.

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE

ABSENT: Councilman John A. Berthelot

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart, to suspend the rules to take action on a non-agenda item to consider the request of Ronnie Saurage, 2228 S. Burnside Ave., #249, Vesta Trailer Park, for a waiver of City Ordinance 20-28 – Private Utility Unlawful.

Mr. Saurage stated that his stove, hot water heater and heating unit all runs on gas and in order to convert it to electric, he would have to replace his current electrical panel with a larger one, which would be very expensive. Mr. Saurage requested he be allowed to convert to propane.

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart, to allow all residents in Vesta Trailer Park that have gas appliances to convert to propane, and the conversions have to be done by a professional licensed plumber, until the owner of the trailer park fixes the problem with the gas lines, at which time all residents will have to convert back to the City's gas.

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE

ABSENT: Councilman John A. Berthelot

Motion by Councilman Harold Stewart, seconded by Councilman Kirk Boudreaux, to approve the Minutes of a Regular Meeting of the Mayor and City Council taken on Monday, March 13, 2023.

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE

ABSENT: Councilman John A. Berthelot

Motion by Councilman Harold Stewart, seconded by Councilman Kirk Boudreaux, to approve the Minutes of a Regular Meeting of the Mayor and City Council taken on Monday, March 20, 2023.

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE
ABSENT: Councilman John A. Berthelot

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart, to approve the Special Event Permit Request of Mo Kasem, of Casa Maria Mexican Grill, to hold a “Cinco De Mayo” event on Friday, May 5, 2023, from 5:00 pm – 11:00 pm, at Casa Maria Mexican Grill, located at 1210 N. Airline Hwy.

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE
ABSENT: Councilman John A. Berthelot

Motion by Councilman Tyler Turner, seconded by Councilman Kirk Boudreaux, to approve the Special Event Permit Request of Angela LaFleur, on behalf of Tanger Outlets, to have “Food Truck Saturdays” on June 3rd, June 10th, June 17th, and June 24th, at Tanger Outlets, 2100 S. Tanger Blvd., from 10:00 am – 8:00 pm, each Saturday. This will include 5-7 food trucks to create longer dwell time for shoppers.

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE
ABSENT: Councilman John A. Berthelot

Motion by Councilman Harold Stewart, seconded by Councilman Tyler Turner, to table approval to condemn the structure owned by Monica Daigle James, located at 1832 S. Burnside Ave., due to its dangerous and dilapidated condition, which is unsafe/unfit for human occupancy and endangers public health, safety and welfare, to reissue on notice until the next regular City Council meeting, scheduled for Monday, April 24, 2023, as it has come to Council’s attention that Monica Daigle James has sold the structure.

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE
ABSENT: Councilman John A. Berthelot

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart, to table the vote to approve to condemn the structure owned by Laura Fraga, located at 1429 N. Burnside Ave., due to its dangerous and dilapidated condition, which is unsafe/unfit for human occupancy and endangers public health, safety and welfare, until the next regular City Council meeting, scheduled for Monday, April 24, 2023, because although Laura Fraga was served with notice to appear, she was not in attendance to express her opinion. Prior to the April 24, 2023 City Council meeting, the Council will attempt to serve Laura Fraga personally. Should she not be in attendance at the April 24, 2023 City Council meeting, the Council will take action to condemn the structure at owner’s expense.

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE
ABSENT: Councilman John A. Berthelot

Final Vote on Ordinance No. 4206:

ORDINANCE INTRODUCED

March 13, 2023

ORDINANCE # 4206

AN ORDINANCE AMENDING THE CODE OF ORDINANCE, CHAPTER 5 BUILDINGS AND BUILDING REGULATIONS. ARTICLE II – BUILDING CODE. SECTION 5-31: BUILDING(S) UNOCCUPIED FOR SIXTY DAYS OR MORE (TO ADD) B. SECURING BUILDINGS UNOCCUPIED FOR SIXTY DAYS OR MORE.

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 5. BUILDINGS AND BUILDING REGULATIONS

SECTION 5-31. – Building(s) unoccupied for sixty days or more.

(ADD)

SECTION 5-31(b)

Windows shall not be covered with plywood, acrylic or Plexiglas. Plywood, acrylic and Plexiglas are prohibited. Windows shall be covered by Clear Boarding, a polycarbonate system. Secureview and InvisiBoard are approved materials, with their recommended installation and bracing methods. Fasteners and carriage bolts must be made of high strength galvanized steel. Bolts must be cut down to two inches or less and rubber capped to avoid injury.

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE

ABSENT: Councilman John A. Berthelot

ORDINANCE ADOPTED: April 10, 2023

Final Vote on Ordinance No. 4207:

ORDINANCE INTRODUCED

MARCH 20, 2023

ORDINANCE # 4207

AN ORDINANCE AMENDING THE CODE OF ORDINANCE, CHAPTER 8, ARTICLE IX, TO ADD SEC. 8-257 – SALE OF KRATOM

PURPOSE: To amend the City of Gonzales Code of Ordinances, Chapter 8 – Criminal Code, Article IX. – Miscellaneous Offenses, to add Section 8-257. Sale of Mitragyna Speciosa Korth (Kratom).

WHEREAS: The City of Gonzales is a local government subdivision as defined by Article VI, Section 44 of the Louisiana Constitution of 1974, and

WHEREAS: Section 1-7. – allows the amendment of the Code of Ordinances for the City of Gonzales; and

WHEREAS: The Council for the City of Gonzales wishes to amend Chapter 8 – Criminal Code, Article IX. – Miscellaneous Offenses, to add Section 8-257. Sale of Mitragyna Speciosa Korth (Kratom).

NOW THEREFORE, BE IT ORDAINED That the City of Gonzales Code is hereby amended by adding a section to be numbered Section 8-257, which section reads as follows in attached “Exhibit A” regarding amending the Code of Ordinances to add Chapter 8 – Criminal Code, Article IX. – Miscellaneous Offenses, to add Section 8-257. Sale of Mitragyna Speciosa Korth (Kratom), as more fully described in Exhibit A attached hereto and made a part hereof.

EFFECTIVE DATE: This Ordinance shall be in full effect as permitted by law. This Ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE

ABSENT: Councilman John A. Berthelot

ORDINANCE ADOPTED: April 10, 2023

Final Vote on Ordinance No. 4208:

ORDINANCE INTRODUCED

March 20, 2023

ORDINANCE # 4208

AN ORDINANCE AMENDING THE CODE OF ORDINANCE, CHAPTER 19. TRAFFIC AND MOTOR VEHICLES. ADD SECTION 19-13. ALLOW GOLF CART OPERATION IN TRADITIONAL NEIGHBORHOOD DEVELOPMENTS AND PLANNED UNIT DEVELOPMENTS.

Chapter 19 TRAFFIC AND MOTOR VEHICLES

ARTICLE I. IN GENERAL (ADD)

Sec. 19-13 ALLOW OPERATION OF GOLF CARTS ON CITY STREETS IN TNDs AND PUDs:

- a. The City of Gonzales will allow the operation of Golf Carts on City streets as provided for in State Law, RS 32:299.4, in areas designated by approval through Planning and Zoning as Traditional Neighborhood Developments and Planned United Developments.
- b. “Golf Cart” is defined as an electric four-wheeled vehicle intended for off-road use where maximum speed is 25 miles per hour.
- c. A golf cart operated on a city street shall be equipped with efficient brakes, a reliable steering apparatus, safe tires, a rearview mirror, headlamps, front and rear turn signal lamps, tail lamps, brake lamps and red reflectorized warning devices in both the front and rear of the vehicle.
- d. Any golf cart operated on city streets shall be registered with the state of Louisiana through the Department of Safety, office of motor vehicles as an off-road vehicle and shall display a decal issued by the office of motor vehicles.
- e. Any golf cart operated on city streets shall have minimum liability insurance as required by RS 32:900(B).

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE

ABSENT: Councilman John A. Berthelot

ORDINANCE ADOPTED: April 10, 2023

Motion by Councilman Kirk Boudreaux, seconded by Councilman Tyler Turner, to adopt a Resolution to levy the millage rates on property within the City of Gonzales subject to Ad Valorem Taxation for the year 2023.

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE

ABSENT: Councilman John A. Berthelot

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart, to introduce Ordinance No. 4209: An Ordinance Amending the Code of Ordinance, Chapter 22. Zoning. 22-4 – Rules and Development Standards. (A) Measurement and Exceptions. (4) Setbacks. (B) Build-To Area. (ADD) (4) Garage Setbacks.

Public Hearing and final vote on this foregoing amendment to be taken at the next City Council meeting scheduled for Monday, April 24, 2023, at 5:30 p.m.

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart, to introduce Ordinance No. 4210: An Ordinance Amending the Code of Ordinance, Chapter 24. Rental Property. 24-4 – License Required. (AMEND) (1):

Public Hearing and final vote on this foregoing amendment to be taken at the next City Council meeting scheduled for Monday, April 24, 2023, at 5:30 p.m.

Motion by Councilman Tyler Turner, seconded by Councilman Harold Stewart, to introduce Ordinance No. 4211: An Ordinance Amending the Code of Ordinance, Chapter 20. Utilities. (AMEND) 20-42 – Plumbing to Conform to Code. (TO READ):

Public Hearing and final vote on this foregoing amendment to be taken at the next City Council meeting scheduled for Monday, April 24, 2023, at 5:30 p.m.

Motion by Councilman Kirk Boudreaux, seconded by Councilman Tyler Turner, to approve the increase in occupancy inspection fee from \$25.00 to \$75.00.

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

NAYS: Councilman Tim Riley

ABSENT: Councilman John A. Berthelot

Motion by Councilman Tyler Turner, seconded by Councilman Kirk Boudreaux, to follow the Zoning Commission's decision to deny the Special Use Permit for the Grove Recovery Center, 1605 S. Shirley Ave., being less than one acre, to allow group living for women maintaining sobriety, within the existing R-8 single family residential zoning.

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE

ABSENT: Councilman John A. Berthelot

Motion by Councilman Kirk Boudreaux, seconded by Councilman Harold Stewart to declare as surplus a 2012 Exmark Mower, VIN #400668571, from the Building & Grounds Dept.

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE

ABSENT: Councilman John A. Berthelot

Motion by Councilman Kirk Boudreaux, seconded by Councilman Tyler Turner, to adopt Resolution No. 2950: A Resolution for the 2023 LADOTD Statewide Flood Grant Application.

YEAS: Councilman Harold Stewart, Councilman Tyler Turner, Councilman Tim Riley, Councilman Kirk Boudreaux

NAYS: NONE

ABSENT: Councilman John A. Berthelot

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:



Scot Byrd, City Clerk