

Minutes of the proceedings of the Mayor and Board of Aldermen of the Town of Gueydan, Louisiana, taken at regular meeting held Wednesday, January 2, 2008 at 6:00 o'clock P.M.

The Mayor and Board of Aldermen of the Town of Gueydan, Louisiana met in regular session with Mayor Craig Hensgens presiding and the following Aldermen present:

Present: CLAUDETTE PRICE, ALTHEA WILLIAMS,
DAVID DUPUIS, GALE SMITH & JUDE REESE

Absent: NONE

Motion was made by DAVID DUPUIS, seconded by ALTHEA WILLIAMS and carried, that in as much as each member of the Board of Aldermen received a copy of minutes taken at Regular Meeting of December 4, 2007 and Special Meeting December 11, 2007, that the reading of said minutes be dispensed with and same be adopted as written.

Motion by ALTHEA WILLIAMS, seconded by GALE SMITH, and carried, that the reports of the Bookkeeper and Tax Collector be approved as filed.

Todd Vincent, Engineer with Sellers & Associates informed the Governing Authority of the bid results which only one bid was submitted by Construction Pro, Inc. in the amount of \$166,770.00, for the F.Y. 2007 LCDBG Sewer System Rehabilitation. Motion by ALTHEA WILLIAMS, seconded by DAVID DUPUIS, and carried to accept the bid from Construction Pro, Inc., subject to LCDBG approval.

Since Notice has been published in the Town's official journal that a Public Hearing would be held to consider the adoption of the Ordinance concerning "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWN OF GUEYDAN, LOUISIANA, ARTICLE II, NOISE, SEC. 50-32 ILLUSTRATIVE ENUMERATION; NOTICE." and there were no opinions voiced for or against Mayor Craig Hensgens recommended the adoption of said Ordinance.

The following Ordinance was introduced by GALE SMITH, seconded by DAVID DUPUIS:

ORDINANCE NUMBER 2008-1

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWN OF GUEYDAN, LOUISIANA, ARTICLE II., NOISE, SEC. 50-32. ILLUSTRATIVE ENUMERATION; NOTICE.

SECTION 1: BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF GUEYDAN, LOUISIANA, in regular session convened on this 2nd day of January, 2008, the provision of the Code of Ordinances of the Town of Gueydan, ARTICLE II, NOISE, Sec. 50-32, Illustrative enumeration, notice, is hereby amended to read as follows:

"ARTICLE II. NOISE

Sec. 50-32 Illustrative enumeration; notice.

The following acts, among others, are declared to be loud and disturbing noises and noises in violation of this article, but this enumeration shall not be deemed to be exclusive:

(1) Horns or signal devices. The sounding of any horn or signal device on any automobile, motorcycle, bus, street car or other vehicle, except when reasonably necessary to ensure safe operation; the creation by means of any such signal device of any noise for any unreasonable period of time.

- (2) Radio, phonograph, or any musical instrument. The playing of any radio, phonograph or any musical instrument in such a manner or with such volume, particularly between the hours of 8:00 p.m. and 7:00 a.m., as to disturb the quiet, comfort or repose of persons in any office, hospital, or in any dwelling, hotel or other type of residence, or any persons in the vicinity.
- (3) Yelling, shouting, etc. Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 8:00 p.m. and 7:00 a.m., or at an time or place so as to disturb the quiet, comfort, repose of persons in any hospital, dwelling, hotel, or other type of residence, or any persons in the vicinity.
- (4) Animals, birds, etc. The keeping of any animal, bird or fowl which by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.
- (5) Defect in vehicle or load. The use of any automobile, motorcycle, street car or vehicle so out of repair or loaded in such manner as to create loud grating, grinding, rattling or other noise.
- (6) Steam whistles. The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work, or as a warning of fire or danger, or upon request of proper authorities.
- (7) Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motor boat engine except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (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 of highways in any residential district or section other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, except in the 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 30 days while the emergency continues. If the mayor and board of aldermen should determine the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or 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 work.
- (9) Schools, courts, churches, hospital. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in use or adjacent to any hospital, which unreasonably interferes with the working of such institution or which disturbs or unduly disturbs patients in a hospital.
- (10) Loading, unloading. The creation of a loud and excessive noise in connection with loading and unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.
- (11) Drums, loudspeakers. The use of any drum, loudspeakers or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise.
- (12) Loudspeakers on trucks. The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes.

(13) Loudspeakers for advertising. The use or operation, or the causing to be used or operated, in front of or outside of any building, place, or premises, or through any window, doorway or opening or such building abutting upon the public street, or upon any public street any device or apparatus for taping windows, or for amplifying sound from any radio or phonograph, or any sound reproducing device.

(14) Hawkers, peddlers and vendors. The shouting or crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.

SECTION 2: All ordinances and resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall become effective upon the signature of the Mayor.

SECTION 4: BE IT ORDAINED, ETC, that any part of this Ordinance or Amendment thereto which shall be held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity or impair any part of this Ordinance.

This Ordinance having been considered Section by Section, and submitted to a vote upon the whole, the vote thereon resulted as follows:

YEAS: CLAUDETTE PRICE, ALTHEA WILLIAMS, DAVID DUPUIS,
GALE SMITH & JUDE REESE

NAYS: NONE

ABSENT: NONE

And the Ordinance was therefore declared adopted on this 2nd day of January, 2008.

Clerk

Mayor

The following resolution was offered by DAVID DUPUIS and seconded by GALE SMITH

RESOLUTION 1-2008

A resolution ordering and calling a special election to be held in the Town of Gueydan, State of Louisiana, to authorize the rededication of the proceeds of its 1% sales and use tax making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Gueydan, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Town of Gueydan, State of Louisiana (the "Town") that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, under the authority conferred by Article VI, Section 29 of the Constitution of the State of Louisiana of 1974, the applicable provisions of Chapter 5, Chapter 6-A and Chapter 6-B of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the Town on

SATURDAY, MARCH 8, 2008, between the hours of six o'clock (6:00) a.m., and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

PROPOSITION (SALES TAX REDEDICATION)

SUMMARY: AUTHORITY TO REDEDICATE THE REVENUES HERETOFORE OR HEREAFTER RECEIVED FROM THE LEVY AND COLLECTION OF THE TOWN'S 1% SALES AND USE TAX AUTHORIZED AT AN ELECTION HELD IN THE TOWN ON SEPTEMBER 11, 1982, SO THAT 50% SHALL BE USED FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTING, ACQUIRING, EXTENDING AND/OR IMPROVING ANY WORK OF PERMANENT PUBLIC IMPROVEMENT IN THE TOWN, AND 50% MAY BE USED FOR PAYING THE COST OF EQUIPMENT PURCHASES, LIABILITY AND HEALTH INSURANCE AND THE REPAIR AND MAINTENANCE OF THE TOWN'S INFRASTRUCTURE.

Shall the Town of Gueydan, State of Louisiana (the "Town"), under the provisions of Article VI, Section 20 of the Constitution of the State of Louisiana of 1974, and other constitutional and statutory authority supplemental thereto, be authorized to rededicate the revenues heretofore or hereafter received from the levy and collection of the Town's one percent (1%) sales and use tax (the "Tax"), authorized at a special election held in the Town on September 11, 1982, so that 50% of the revenues of the Tax shall be used for the purpose of paying the cost of constructing, acquiring, extending and/or improving any work of permanent public improvement in the Town, and 50% of the proceeds of the Tax may be used for paying the cost of equipment purchases, liability and health insurance and the repair and maintenance of the Town's infrastructure.

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in the Gueydan Journal, a weekly newspaper, (published on Thursday) of general circulation within the Town, published in Gueydan, Louisiana, and being the official journal of the Town, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, the Town Hall, Gueydan, Louisiana, on **TUESDAY, APRIL 1, 2008**, at **SIX O'CLOCK (6:00) P.M.** and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of said special election.

SECTION 4. Polling Places. The polling places set forth in the aforesaid Notice of Special Election are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefore as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on Tuesday, April 1, 2008, as provided in Section 3 hereof. All registered voters in the Town will be entitled to vote at the special election, and voting machines shall be used.

SECTION 6. Authorization of Officers. The Town Clerk of the Governing Authority is hereby empowered, authorized and directed to arrange for and to furnish to

said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Mayor and/or Town Clerk of the Governing Authority are further authorized, empowered and directed to take any and all further action required by the State and/or Federal law to arrange for the election, including but not limited to, appropriate submission to the Federal Department of Justice under Section 5 of the Federal Voting Rights Act of 1965, as amended.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines of Vermilion Parish and the Registrar of Voters of Vermilion Parish as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to continue to levy and collect sales and use tax provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of the Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

This resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: CLAUDETTE PRICE, ALTHEA WILLIAMS, DAVID DUPUIS,
GALE SMITH & JUDE REESE

NAYS: NONE

ABSENT: NONE

ABSTAINING: NONE

And the resolution was declared adopted on this, the 2nd day of January, 2008.

Clerk

Mayor

EXHIBIT "A"

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the Mayor and Board of Aldermen of the Town of Gueydan, State of Louisiana, (the "Governing Authority"), acting as the governing authority of the Town of Gueydan, State of Louisiana (the "Town"), on January 2, 2008, NOTICE IS HEREBY GIVEN that a special election will be held within the Town on **SATURDAY, MARCH 8, 2008**, and that at the said election there will be submitted to all registered voters in the Town qualified and entitled to vote at the said election under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following proposition, to-wit:

PROPOSITION (SALES TAX REDEDICATION)

SUMMARY: AUTHORITY TO REDEDICATE THE REVENUES HERETOFORE OR HEREAFTER RECEIVED FROM THE LEVY AND COLLECTION OF THE TOWN'S 1% SALES AND USE TAX AUTHORIZED AT AN ELECTION HELD IN THE TOWN ON SEPTEMBER 11, 1982, SO THAT 50% SHALL BE USED FOR THE PURPOSE OF PAYING THE COST

OF CONSTRUCTING, ACQUIRING, EXTENDING AND/OR IMPROVING ANY WORK OF PERMANENT PUBLIC IMPROVEMENT IN THE TOWN, AND 50% MAY BE USED FOR PAYING THE COST OF EQUIPMENT PURCHASES, LIABILITY AND HEALTH INSURANCE AND THE REPAIR AND MAINTENANCE OF THE TOWN'S INFRASTRUCTURE.

Shall the Town of Gueydan, State of Louisiana (the "Town") under the provisions of Article VI, Section 29 of the Constitution of the State of Louisiana of 1974, and other constitutional and statutory authority supplemental thereto, be authorized to rededicate the revenues heretofore or hereafter received from the levy and collection of the Town's one percent (1%) sales and use tax (the "Tax"), authorized at a special election held in the Town on September 11, 1982, so that 50% of the revenues of the Tax shall be used for the purpose of paying the cost of constructing, acquiring, extending and/or improving any work of permanent and public improvement in Town, and 50% of the proceeds of the Tax may be used for paying the cost of equipment purchases, liability and health insurance and the repair and maintenance of the Town's infrastructure?

The said special election will be held at the following polling places situated within the Town, which polls will open at six o'clock (6:00) a.m., and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, to wit:

POLLING PLACES	
Precinct	Location
1	(part) Jesse Owens Elementary School, 203 Thirteenth Street, Gueydan
2	(part) Gueydan High School Gym, 901 Main Street, Gueydan
3	Gueydan High School Gym, 901 Main Street, Gueydan

The polling places set forth above are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

The said special election shall be held in accordance with the applicable provisions of Chapter 5, Chapter 6-A and Chapter 6-B of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and the officers appointed to hold the said election, as provided in this Notice of Special Election, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, will make due returns thereof to said Governing Authority, and NOTICE IS HEREBY FURTHER GIVEN, that the Governing Authority will meet at its regular meeting place, Town Hall, Gueydan, Louisiana on **TUESDAY, APRIL 1, 2008 at SIX O'CLOCK (6:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election. All registered voters of the Town are entitled to vote at said special election and voting machines will be used.

THUS DONE AND SIGNED, at Gueydan, Louisiana, on this, the 2nd day of January, 2008.

ATTEST:

/s/ Craig R. Hensgens
Mayor

/s/ Roxanna Hebert
Town Clerk

Motion by DAVID DUPUIS, seconded by GALE SMITH and carried to adopt the following resolution:

RESOLUTION 2-2008

A RESOLUTION OF THE BOARD OF ALDERMEN OF
THE TOWN OF GUEYDAN, LOUISIANA CONCERNING
WATER RATES.

Section 1. Whereas, the Mayor and Board of Aldermen of the Town of Gueydan, Louisiana in order, to better serve their citizens and community, hereby establish water rates to include Privately Owned RV Parks.

A. The monthly rate for the use of the Town of Gueydan's water system shall be charged to and collected in the amounts and from the classes and special users of the water system as follows:

<u>CLASS OF USERS</u>	<u>MONTHLY RATE</u>
Residential	\$ 13.00
Offices	13.00
Grocery Stores	13.00
Warehouses	13.00
Lumber Yards	13.00
Hardware Stores	13.00
Appliance Stores	13.00
Implement Companies	13.00
Beauty Shops	20.00
Welding Shops	20.00
Auto Repair Shops	20.00
Bars & Lounges	20.00
Banks	20.00
Dry Cleaners	20.00
Medical Clinics	20.00
Hospitals	50.00
Restaurants	20.00
Pool Halls	20.00
Drive-Inns	20.00
Laundromats	50.00
Service Stations	50.00
Automatic Car Washer-Unit	75.00
Churches	-0-
Drug Stores	13.00
 <u>SPECIAL</u>	
Gueydan High School	150.00
Jesse Owens School	150.00
St. Peter's School	60.00
Housing Project – North	200.00
Housing Project – South	20.00
Unsprinkled Dryers	20.00
Sprinkled Dryers	25.00
Assembly Halls	25.00
Hospital Service District No. 3, d/b/a Gueydan Memorial Guest Home	250.00
Gueydan Duck Festival RV Park	30.00
Plus Individual Hookups	13.00
Privately Owned RV Park	50.00

B. All residential customers who have reached the age of sixty-five (65) shall receive a ten (10%) per cent discount for monthly water charges provided that their water billing statement is paid by the fifteenth of the month said statement is rendered.

C. The effective date of this Resolution shall be when adopted by the Board of Aldermen. All Ordinances or Resolutions or parts thereof in conflict are herewith and hereby repealed. And this resolution being submitted to a vote, the vote thereon was as follows:

YEAS: CLAUDETTE PRICE, ALTHEA WILLIAMS, DAVID DUPUIS,
GALE SMITH, & JUDE REESE

NAYS: NONE

ABSTAINED: NONE

ABSENT: NONE

And the resolution was declared adopted on this 2nd day of January, 2008.

Clerk

Mayor

Motion by DAVID DUPUIS, seconded by GALE SMITH and carried to adopt the following resolution concerning Privately Owned RV Parks Sewerage System.

A. The monthly rate for the use of the Town of Gueydan's sewerage system shall be charged to and collected in the amounts and from the classes and special users of the sewerage system as follows:

<u>CLASS OF USERS</u>	<u>MONTHLY RATE</u>
Residential	\$ 10.00
Offices	10.00
Grocery Stores	10.00
Warehouses	10.00
Lumber Yards	10.00
Hardware Stores	10.00
Appliance Stores	10.00
Implement Companies	10.00
Beauty Shops	10.00
Welding Shops	10.00
Auto Repair Shops	10.00
Bars & Lounges	10.00
Banks	10.00
Dry Cleaners	10.00
Medical Clinics	10.00
Hospitals	10.00
Restaurants	10.00
Pool Halls	10.00
Drive- Inns	10.00
Laundromats	10.00
Service Stations	10.00
Automatic Car Washer-Units	10.00
Churches	-0-
Drug Stores	10.00
<u>SPECIAL</u>	
Gueydan High School	20.00
Jesse Owens School	16.00

St. Peter's School	10.00
Housing Project – North	65.00
Housing Project – South	15.00
Unsprinkled Dryers	10.00
Sprinkled Dryers	10.00
Hospital Service District No. 3, d/b/a Gueydan Memorial Guest Home	40.00
Residential Users of Sewerage Systems located outside the corporate limits of the Town of Gueydan, Louisiana	10.00
Commercial Users (including but not limited to Grocery Stores) of the sewerage system located Outside the corporate limits of the Town of Gueydan, Louisiana	10.00
Privately Owned RV Parks	10.00

B. All residential customers who have reached the age of sixty-five (65) years shall receive a ten (10%) percent discount for monthly sewerage charges provided that their sewerage billing statement is paid by the fifteenth of the month said statement is rendered.

C. The effective date of this Resolution shall be when adopted by the Board of Aldermen. All Ordinances or Resolutions or parts thereof in conflict are herewith and hereby repealed. And this resolution being submitted to a vote, the vote thereon was as follows:

YEAS: CLAUDETTE PRICE, ALTHEA WILLIAMS, DAVID DUPUIS,
GALE SMITH, & JUDE REESE

NAYS: NONE

ABSTAINED: NONE

ABSENT: NONE

And the resolution was declared adopted on this 2nd day of January, 2008.

Clerk

Mayor

Mayor Hensgens informed the Governing Authority that he had received a request from Acadia Parish Fire Protection District No. V for the donation of the 1995 Mack Truck which said truck was donated to the Gueydan Fire Department several years ago. Motion by GALE SMITH, seconded by JUDE REESE and carried to donate the 1995 Mack Truck to the Acadia Parish Fire Protection District No. V.

Police Chief Blake Hebert informed the Governing Authority about the resignation of Auxiliary/Part-time Patrolman Shawn Theriot and Patrolman Marcus Crochet which no action was taken at this meeting.

Fire Chief Troy Leblanc informed the Governing Authority that he was looking into purchasing a new water truck for the fire department with the approval of the Mayor and Board of Aldermen which he should have all the information for the next meeting.

There were no public comments at tonight's meeting.

Motion by ALTHEA WILLIAMS, seconded by JUDE REESE and carried to amend tonight's agenda to include hospitalization for the elected police chief.

Motion by DAVID DUPUIS, seconded by ALTHEA WILLIAMS and carried to add the clause into the policy of the Town's hospitalization policy to include the elected police chief and the Town would pay the premiums just as the premiums are paid for all full time employees.

There being no further business to come before the meeting, there upon motion by DAVID DUPUIS, seconded by JUDE REESE and carried the meeting thereupon adjourned at 6:30 p.m. on this 2nd day of January, 2008.

Clerk

Mayor