

**Minutes of March 10, 2020 – Regular Meeting
Mayor and Board of Selectmen
City of Plaquemine, Louisiana**

The Mayor and Board of Selectmen met for a regular meeting at Plaquemine City Hall, second floor courtroom, 23640 Railroad Avenue, City of Plaquemine, Parish of Iberville, State of Louisiana, 70764 on Tuesday, March 10, 2020 at 6:30 p.m., with the following members present:

Present: Mayor Edwin M. Reeves, Jr. and Selectmen Lindon A. Rivet, Jr., Oscar S. Mellion, Ralph J. Stassi, Jr., Russell L. Gerace, Timothy L. Martinez and Jimmie Randle, Jr.

The Pledge of Allegiance followed the Clerk's evidence of proper notice for the calling of the meeting.

PUBLIC COMMENTS (MUST REGISTER WITH THE CLERK).

Mr. Warren B. Bates, Sr. addressed Mayor Reeves and Board of Selectmen for their support of the Davon Godchaux Fun Day scheduled for April 4, 2020 at COPAC Park from 11:00 a.m. to 2:00p.m. and The Chauxdown Classic Charity Golf Tournament scheduled for April 5, 2020 at The Island Golf Course beginning at 1:00 p.m.

DISCUSSION WITH SHERIFF BRETT STASSI CONCERNING ACADIAN AMBULANCE SERVICES AND RELATED MATTERS.

Iberville Parish Sheriff Brett Stassi introduced Acadian Ambulance Operations Manager, Capital District Justin K. Cox and Director of Operations Porter Taylor. Mr. Cox provided information concerning their service to Iberville Parish.

DISCUSSION WITH IBERVILLE PARISH SALES & USE TAX DIRECTOR DAVID HALL AND ADOPT A RESOLUTION IN OPPOSITION OF ALL PROPOSED LEGISLATION THAT TRANSFERS THE ADMINISTRATION AND COLLECTION OF LOCAL SALES & USE TAXES AND OCCUPATIONAL LICENSE TAXES TO THE LOUISIANA DEPARTMENT OF REVENUE.

Selectman Oscar S. Mellion and was unanimously seconded by Selectmen Lindon A. Rivet, Jr., Ralph J. Stassi, Jr., Russell L. Gerace, Timothy L. Martinez and Jimmie Randle, Jr.:

A RESOLUTION IN OPPOSITION OF ALL PROPOSED LEGISLATION THAT TRANSFERS THE ADMINISTRATION AND COLLECTION OF LOCAL SALES & USE TAXES AND OCCUPATIONAL LICENSE TAXES TO THE LOUISIANA DEPARTMENT OF REVENUE

WHEREAS, the Constitution of the State of Louisiana grants local governments the right to levy and collect local sales and use taxes and occupational license taxes;

WHEREAS, there are several constitutional amendments and bills introduced in the 2020 Regular Legislative Session, that would transfer collection responsibility of local sales and use tax and occupational license tax levies to the State Department of Revenue or other entity, namely HB 428, HB 429 and HB 581; and

WHEREAS, local taxing authorities possess the best knowledge and experience to properly collect its own taxes and have a proven record of proactive advancements in the areas of enforcement, audit coverage, dispute resolution, reporting technology and successful litigation; and

WHEREAS, the State of Louisiana's budget issues do not offer prospects for the Department of Revenue or other entity to have sufficient resources to provide the necessary taxpayer assistance, enforcement programs and training of its employees on the specific application or local sales and use tax and occupational license tax ordinances without significant cost contributions from local governments, thereby resulting in the direct and indirect loss of local tax receipts; and

WHEREAS, many local taxing authorities have issued bonded indebtedness guaranteed by the passage locally adopted sales and use tax levies, collection of said levies are the direct responsibility of local governments, and the transfer of that responsibility to a state agency may generate legal challenges and jeopardize future bond issues; and

WHEREAS, the central local collector of sales and use taxes in each parish is directly responsible to the local taxing authorities and their elected officials for the performance of local tax administration, and the Secretary of the Department of Revenue being an appointee of the Governor of the State, uncertainty exist as to who in the Department of Revenue or other entity will be accountable to local taxing authorities for the performance of such critical local tax administration,

NOW THEREFORE, BE IT RESOLVED, that the City of Plaquemine, through its Mayor and Board of Selectmen, as a local taxing authority and/or governing body, that each member of the

legislative delegation for the Parish of Iberville is urged to vigorously oppose any and all proposed legislation that transfers the administration and collection of local sales and use taxes and occupational license taxes to the Louisiana Department of Revenue or other entity; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent forthwith to said legislators so that they will be made aware of our position on this matter.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Ralph J. Stassi, Jr., Russell L. Gerace, Timothy L. Martinez and Jimmie Randle, Jr.

Nays: None

Absent: None

PUBLIC HEARING – TO DISCUSS AMENDING CODE OF ORDINANCES CHAPTER 3, TABLE 3.1: MINIMUM LOT AND YARD SIZE REQUIREMENTS FOR R-6 AND R-4 ZONING DISTRICTS AND OTHER MATTERS RELATED THERETO.

There were no public comments.

ADOPT AN ORDINANCE TO AMEND CHAPTER 23, SECTION 41(D), SECTION 42(D), TABLE 3.1 MINIMUM LOT AND YARD SIZE REQUIREMENTS FOR R-6 AND R-4 ZONING DISTRICTS AND OTHER MATTERS RELATED THERETO.

Selectman Lindon A. Rivet, Jr. offered the following ordinance, seconded by Selectman Russell L. Gerace:

ORDINANCE NUMBER: 390

AN ORDINANCE TO AMEND CHAPTER 23, SECTION 41(d), SECTION 42(d), TABLE 3.1 MINIMUM LOT AND YARD SIZE REQUIREMENTS FOR R-6 AND R-4 ZONING DISTRICTS AND OTHER MATTERS RELATED THERETO

WHEREAS, the Plaquemine Planning and Zoning Commission published in the Plaquemine Post/South, official journal for the City, on December 19, 2019, December 26, 2019 and January 2, 2020, public notice of a Public Hearing concerning amending and adding Plaquemine Code of Ordinances Chapter 23, Table 3.1: Minimum lot and yard size requirements within the Zoning Districts; and

WHEREAS, the Plaquemine Planning and Zoning Commission, at its meeting on January 7, 2020, after a public hearing, rendered and submitted to the Mayor and Board of Selectmen a recommendation concerning amending and adding Plaquemine Code of Ordinances Chapter 23, Table 3.1: Minimum lot and yard size requirements within the Zoning Districts; and

WHEREAS, the Mayor and Board of Selectmen, published in the Plaquemine Post/South, official journal for the City, on January 23, 2020, January 30, 2020 and February 6, 2020, public notice of a Public Hearing on the Planning and Zoning Commission's recommendation concerning amending and adding Plaquemine Code of Ordinances Chapter 23, Table 3.1: Minimum lot and yard size requirements within the Zoning Districts and the Mayor and Board of Selectmen intention to adopt an ordinance on the recommendation of the Plaquemine Planning and Zoning Committee at its meeting on February 11, 2020; and

WHEREAS, the Mayor and Board of Selectmen, have determined that the recommended ordinance will substantially and significantly reduce the number of substandard lots of record in Zoning Districts R-6 and R-4; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Board of Selectmen of the City of Plaquemine, Louisiana, in legal session, that Code of Ordinances of the City of Plaquemine, Louisiana, Chapter 23, Sections 41(d), Section 42(d) and Table 3.1 is hereby amended as follows:

SEC. 23-41. R-6 Residential District

(a) *Permitted Uses*: The following uses are permitted in the R-6 district: single family dwelling, multi-family dwelling limited to duplex (limit 60-foot width, one per lot); condominium (limit 60-foot lot width, one per lot); bed and breakfast inn, garage apartment, preschool through college preparatory, public library, public safety building, garden, golf course, governmental building, public playground/park, townhouse (limit 60 foot lot width, one per lot)

(b) *Special Uses*: The following uses and buildings may be permitted in the R-6 district subject to the restrictions contained in Sec. 23-123 of this chapter: beauty/barber shop (no signage allowed), professional office with two or less employees, includes principal and no signage allowed, storage only building, church, club/lodge, cultural building.

(c) *Set Back Restrictions*: Buildings in the R-6 district must meet the following minimum set back restrictions:

Required Front (min. Feet) 25

Required Side (min. Feet) 10

Required Rear (min. Feet) 10

(d) Height and Area Restrictions. Buildings and lots in the R-6 district must meet the following height and area restrictions:

Lot Area (min. Square feet) 6000

Lot Width (min. Feet) 50

Building Height (max. Feet) 35

SEC. 23-42. R-4 Residential District

(a) *Permitted Uses*: The following uses are permitted in the R-4 district: single family dwelling, multi-family dwelling limited to duplex (limit 60-foot width, one per lot, see lot restrictions); bed and breakfast inn, condominium (limit 60-foot lot width, one per lot), domestic shelter, garage apartment, garden, governmental building, public library, public safety building, preschool through college preparatory, townhouse (limit 60-foot lot width, one per lot)

(b) *Special Uses*: The following uses and buildings may be permitted in the R-4 district subject to the restrictions contained in Sec. 23-123 of this Chapter: beauty/barber shop (no signage allowed), professional office with two or less employees, includes principal and no signage allowed, storage only building, church, club/lodge, cultural building.

(c) Set Back Restrictions: Buildings in the R-4 district must meet the following minimum set back restrictions:

Required Front (min. Feet) 20

Required Side (min. Feet) 5

Required Rear (min. Feet) 10

(d) Height and Area Restrictions. Buildings and lots in the R-4 district must meet the following height and area restrictions:

Lot Area (min. Square feet) 4500

Lot Width (min. Feet) 40

Building Height (max. Feet) 35

TABLE 3.1: MINIMUM LOT AND YARD SIZE REQUIREMENTS							
Zoning Districts	MINIMUM YARDS			MINIMUM LOT SIZE			
RESIDENTIAL	Front Depth	Rear Depth	Side Depth Footage	Area Square Feet	Lot Width	Bldg Height Feet	Zero Lot Line
R-10	25 ft.	10ft.	10ft.	9000 sq ft	75 ft.	35 ft.	no
R-9 ¹	25 ft.	10 ft.	10 ft.	9000 sq ft	75 ft. with exception	35 ft.	yes
R-6 ²	25 ft.	10 ft.	10 ft.	6000 sq ft	50 ft. with exception	35 ft.	yes
R-4 ³	20 ft.	10 ft.	5 ft.	4500 sq ft	40 ft. with exception	35 ft.	yes
R-2 ⁴	20 ft.	10 ft.	5 ft.	3000 sq ft	30 ft. with exception	35 ft.	yes
Zoning Districts	MINIMUM YARDS			MINIMUM LOT SIZE			
HISTORIC DISTRICTS	Front Depth	Rear Depth	Side Depth Footage	Area Square Feet	Lot Width	Bldg Height Feet	Zero Lot Line
HR	All structures/properties are subject to current zoning ordinances with additional historic district restrictions						yes
HB	All structures/properties are subject to current zoning ordinances with additional historic district restrictions						yes
HC	All structures/properties are subject to current zoning ordinances with additional historic district restrictions						yes
Zoning Districts	MINIMUM YARDS			MINIMUM LOT SIZE			

COMMERCIAL AND INDUSTRIAL	Front Depth	Rear Depth	Side Depth Footage	Area Square Feet	Lot Width	Bldg Height Feet	Zero Lot Line
Ag	30 ft.	60 ft.	15 ft.	10 acres min.	400 ft	35 ft.	no
B8—Business ⁵	20 ft.	10 ft.	5 ft.	4500 sq ft	50 ft. with exception	35 ft.	no
C-6	20 ft.	10 ft.	5 ft.	4500 sq ft	60 ft.	35 ft.	no
C-4	20 ft.	10 ft.	5 ft.	4500 sq ft	60 ft.	35 ft.	no
Telecommunication Tower	20 ft.	10 ft.	5 ft.	4500 sq ft	60 ft.	35 ft.	no
A-2 (Alcohol)	20 ft.	10 ft.	5 ft.	4500 sq ft	60 ft.	35 ft.	no
Industrial	20 ft.	10 ft.	5 ft.	4500 sq ft	60 ft.	35 ft.	no

1
EXCEPTION: Lot Width Exception: duplex 75' one per lot

2
EXCEPTION: Lot Width Exception: duplex 60'—2 units only ; townhouse 60'—1 unit only

3
EXCEPTION: Lot Width Exception: duplex 60' —2 units only ; townhouse 60'—2 units only

4
EXCEPTION: Lot Width Exception: duplex 60' —2 units only; townhouse 50'—2 units only

5
EXCEPTION: Lot Width Exception: duplex 60' —2 units only; townhouse 60'—2 units only
EXCEPTION: For additional restrictions, see sections 23-131 to 23-132 relative to Commercial and Industrial property parcel, adjacent to or across from residential district.

Pursuant to City of Plaquemine Code of Ordinances section 23-1 et seq.

NOW, THEREFORE, BE IT FURTHER ORDAINED, by the Mayor and Board of Selectmen of the City of Plaquemine, Louisiana, that this ordinance shall become effective as provided by law.

NOW, THEREFORE, BE IT FURTHER ORDAINED, by the Mayor and Board of Selectmen of the City of Plaquemine, Louisiana, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW, THEREFORE, BE IT FURTHER ORDAINED, by the Mayor and Board of Selectmen of the City of Plaquemine, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items or applications of this ordinance are hereby declared severable.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Ralph J. Stassi, Jr., Russell L. Gerace, Timothy L. Martinez and Jimmie Randle, Jr.

Nays: None

Absent: None

APPROVE A 2020 CLASS T ALCOHOL BEVERAGE PERMIT FOR WE ARE THE DIFFERENCE, INC. FOR WATD BURGER COOK OFF SCHEDULED FOR MAY 23, 2020 AT 58015 PLAQUEMINE STREET.

Selectman Timothy L. Martinez moved, seconded by Selectman Russell L. Gerace that the City of Plaquemine approve a 2020 Class T Alcohol Beverage Permit for We Are The Difference, Inc. for WATD Burger Cook Off scheduled for May 23, 2020 at 58015 Plaquemine Street.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Ralph J. Stassi, Jr., Russell L. Gerace, Timothy L. Martinez and Jimmie Randle, Jr.

Nays: None

Absent: None

NUISANCE HEARING – 58305 & 58311 LONG STREET, OWNER MERIDIAN HOLDING, LLC, C/O BENNIE HARRISON.

Selectman Oscar S. Mellion moved, seconded by Selectman Jimmie Randle, Jr. that the City of Plaquemine start condemnation proceedings at properties located at 58305 & 58311 Long Street.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Ralph J. Stassi, Jr., Russell L. Gerace, Timothy L. Martinez and Jimmie Randle, Jr.

Nays: None

Absent: None

NUISANCE HEARING – 58402 LONG STREET, OWNERS IVORY JONES, JR. AND OTHERS.

No action taken, item tabled until further notice.

DEMOLITION HEARING – 23415 GAUTHIER STREET, OWNER LEORTHY HARRIS.

Selectman Oscar S. Mellion moved, seconded by Selectman Lindon A. Rivet, Jr. that the City of Plaquemine grant owner of 23415 Gauthier Street 30 days to start demolishing property.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Ralph J. Stassi, Jr., Russell L. Gerace, Timothy L. Martinez and Jimmie Randle, Jr.

Nays: None

Absent: None

NUISANCE HEARING – 23930 CHURCH STREET, OWNER JOHN WAYNE RUSSO.

Selectman Ralph J. Stassi, Jr. moved, seconded by Selectman Russell L. Gerace that the City of Plaquemine grant owner of 23930 Church Street 30 days to bring property into compliance with city code.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Ralph J. Stassi, Jr., Russell L. Gerace and Timothy L. Martinez.

Nays: Oscar S. Mellion and Jimmie Randle, Jr.

Absent: None

DEMOLITION HEARING – 58236 PLAQUEMINE STREET, OWNER GREGORY RUSS, JR.

Selectman Oscar S. Mellion moved, seconded by Selectman Lindon A. Rivet, Jr. that the City of Plaquemine advertise to receive bids for demolition of property located at 58236 Plaquemine Street.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Ralph J. Stassi, Jr., Russell L. Gerace, Timothy L. Martinez and Jimmie Randle, Jr.

Nays: None

Absent: None

TO ACCEPT BID(S) RECEIVED FOR THE DEMOLITION OF 24230 BOURGEOIS STREET.

Bid received from: Tommy Mosely Construction Salvage & Demolition, 29305 Hwy. 75, Plaquemine, LA 70764 for \$3,150.00 to be paid to him.

Selectman Ralph J. Stassi, Jr. moved, seconded by Selectman Russell L. Gerace that the City of Plaquemine accept the bid received from Tommy Mosely Construction Salvage & Demolition for \$3,150.00, to be paid to him, for the demolition of 24230 Bourgeois Street.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Ralph J. Stassi, Jr., Russell L. Gerace, Timothy L. Martinez and Jimmie Randle, Jr.

Nays: None

Absent: None

TO ACCEPT BID(S) RECEIVED FOR THE IBERVILLE PARISH MUSEUM IMPROVEMENTS, FUSION ARCHITECTURE PROJECT NUMBER: 43-022-18.

Bid received from: Comeaux Brothers, P. O. Box 1000, Plaquemine, LA 70765, LA Contractor's License Number 20759, with a base bid totaling \$182,277.00.

Selectman Russell L. Gerace moved, seconded by Selectman Lindon A. Rivet, Jr. that the City of Plaquemine accept the total base bid of \$182,277.00 received from Comeaux Brothers, P. O. Box 1000, Plaquemine, LA 70765, LA Contractor's License Number 20759 for the Iberville Parish Museum Improvements, Fusion Architecture Project Number: 43-022-18.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Ralph J. Stassi, Jr., Russell L. Gerace, Timothy L. Martinez and Jimmie Randle, Jr.

Nays: None

Absent: None

TO ACCEPT BID(S) RECEIVED FOR THE CITY OF PLAQUEMINE WATERFRONT PARK – PHASE IV IMPROVEMENTS, FUSION ARCHITECTURE PROJECT NUMBER: 43-027-19.

Bid received from: Comeaux Brothers, P. O. Box 1000, Plaquemine, LA 70765, LA Contractor's License Number 20759, with a base bid totaling \$1,108,500.00 and Alternate Number 1 totaling \$57,900.00.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Oscar S. Mellion that the City of Plaquemine accept the total base bid of \$1,108,500.00 received from Comeaux Brothers, P. O. Box 1000, Plaquemine, LA 70765, LA Contractor's License Number 20759 for the City of Plaquemine Waterfront Park – Phase IV Improvements, Fusion Architecture Project Number: 43-027-19.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Ralph J. Stassi, Jr., Russell L. Gerace, Timothy L. Martinez and Jimmie Randle, Jr.

Nays: None

Absent: None

UPDATE ON MAIN STREET BOARD AND RELATED MATTERS WITH CHAIRPERSON KEITH DESSELLE.

Mr. Keith Dessellespoke of upcoming events, introduced new Main Street Board Members and the Main Street Director Charley Robertson.

COMMITTEE REPORTS.

a) PEC

Tony Arikol of PEC provided status of ongoing projects.

b) UTILITY DIRECTOR TRAVIS BOURGOYNE

Utility Director Travis Bourgoyne provided status of ongoing projects.

c) PUBLIC WORKS DIRECTOR RICHARD ALLEMAN

Public Works Director Richard Alleman not present, no report given.

d) FIRE CHIEF DARREN RAMIREZ

Fire Chief Darren Ramirez briefed Mayor and Board regarding his department and related issues.

e) CHIEF OF POLICE KENNETH PAYNE

Chief of Police Kenneth Payne briefed Mayor and Board regarding his department and related issues.

f) FINANCE DIRECTOR LAUREN BERTHELOT

Finance Director Lauren Berthelot provided monthly budget to actual financial update.

ACKNOWLEDGE POLICE AND FIRE REPORTS FOR FEBRUARY 2020.

So acknowledged.

APPROVE PAYROLL VOUCHERS FOR THE CITY OF PLAQUEMINE FOR FEBRUARY 2020.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Timothy L. Martinez that the City of Plaquemine approve payroll vouchers for February 2020.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Ralph J. Stassi, Jr., Russell L. Gerace, Timothy L. Martinez and Jimmie Randle, Jr.

Nays: None

Absent: None

APPROVE MINUTES OF FEBRUARY 11, 2020 (REGULAR MEETING) WITH NECESSARY CORRECTIONS.

Selectman Russell L. Gerace moved, seconded by Selectmen Lindon A. Rivet, Jr. that the reading of the minutes of February 11, 2020 (regular meeting) were waived and approved as accepted with necessary corrections.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Ralph J. Stassi, Jr., Russell L. Gerace, Timothy L. Martinez and Jimmie Randle, Jr.

Nays: None

Absent: None

ADJOURNMENT.

Selectman Timothy L. Martinez moved, seconded by Selectman Lindon A. Rivet, Jr. that the City of Plaquemine adjourn at 7:49 p.m.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Ralph J. Stassi, Jr., Russell L. Gerace, Timothy L. Martinez and Jimmie Randle, Jr.

Nays: None

Absent: None

CITY OF PLAQUEMINE

/s/Edwin M. "Ed" Reeves, Mayor

/s/Roxane M. Richard, City Clerk