

**Minutes of July 13, 2021 – 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, July 13, 2021 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, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Absent: Selectwoman Wanda B. Jones

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).

Ms. Les Ann Kirkland addressed Mayor Reeves and Board on concerns for the Plaquemine Depot Market.

INTRODUCTION OF NEW EMPLOYEES.

Human Resource Director Georneisha Rivers introduced the following employees for the City Light and Water Plant Office: Charmaine Lewis - Main Teller; Leonika Simmons – Accounting Clerk and Backup Teller and Audriana Williams – Assistant Customer Service Director.

Director of Utilities Travis Bourgoyne introduced employees Chance Martinez and Roderick Dominique who are Technicians in the water and gas departments.

Fire Chief Darren Ramirez introduced a new fireman: Aaron Little.

DISCUSS AND CONSIDER QUIET ZONE WITH STEPHEN KLINGER WITH UNION PACIFIC RAILROAD COMPANY AND MR. WILLIAM “BILL” SHREWSBERRY WITH LA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT.

The following persons addressed the Mayor and Board: Tony Arikol of PEC and citizens Guy Ruggerio, Brett Bergeron, Ronnie Gassie, Stanley Hebert and Police Chief Kenneth Payne. Mr. Bill Shrewsbury, DOTD Highway/Rail Safety Engineer; Mr. Drew Tessier, Public Affairs Representative for Union Pacific Railroad and Mr. Stephen Klinger, Public Projects Manager with Rail Pros addressed the issues of the public concerning railroad safety in closing railroad crossings. Item to be placed on the regular meeting of Tuesday, August 10, 2021.

DISCUSS WITH REPRESENTATIVE CHAD BROWN THE OVERLAY PROJECT ON EDEN AND CHURCH STREETS.

Representative Chad Brown advised he has spoken to the project manager and was advised the project is 30% complete with an estimate time of 2 ½ months to completely finish with Plaquemine from Hwy. 77 to Hwy. 75. Selectman Lin Rivet questioned what can be done to prevent 18 wheelers from traveling on LA Hwy. 988. Representative Brown asked that the city send correspondence to him requesting LA Hwy 988 to become a “Non-State Route” and he will forward the request to LA DOTD.

APPROVE A 2021 CLASS T ALCOHOL PERMIT FOR THE ST. JOHN ALUMNI ASSOCIATION CORNHOLE TOURNAMENT SCHEDULED FOR SATURDAY, AUGUST 28, 2021, BEING HELD AT THE CARL F. GRANT CIVIC CENTER LOCATED AT 24700 J. GERALD BERRET BLVD., REQUESTED BY MANDY LEGRANGE AND TONYA ORCINO.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Shannon P. Courtade that the City of Plaquemine approve a 2021 Class T Alcohol Permit for the St. John Alumni Association Cornhole Tournament scheduled for Saturday, August 28, 2021, being held at the Carl F. Grant Civic Center located at 24700 J. Gerald Berret Blvd.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

APPROVE A 2021 CLASS T ALCOHOL PERMIT FOR THE WE ARE THE DIFFERENCE MOONLIGHT CRUISE EVENT SCHEDULED FOR SATURDAY, AUGUST 21, 2021, BEING HELD AT THE MARK A. “TONY” GULOTTA BAYOU PLAQUEMINE WATERFRONT PARK LOCATED AT 57845 FOUNDRY STREET, REQUESTED BY RHONDA HARRELL.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Oscar S. Mellion that the City of Plaquemine approve a 2021 Class T Alcohol Permit for the We Are The Difference Moonlight Cruise event scheduled for Saturday, August 21, 2021, being held at the Mark A. “Tony” Gulotta Bayou Plaquemine Waterfront Park located at 57845 Foundry Street.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

APPROVE A 2021 CLASS T ALCOHOL PERMIT FOR THE WE ARE THE DIFFERENCE WREATH AUCTION EVENT SCHEDULED FOR THURSDAY, SEPTEMBER 16, 2021, BEING HELD AT 58015 PLAQUEMINE STREET, REQUESTED BY RHONDA HARRELL.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Oscar S. Mellion that the City of Plaquemine approve a 2021 Class T Alcohol Permit for the We Are The Difference Wreath Auction event scheduled for Thursday, September 16, 2021, being held at 58015 Plaquemine Street.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

APPROVE A 2021 CLASS T ALCOHOL PERMIT FOR THE WE ARE THE DIFFERENCE HAMBURGER COOK OFF EVENT SCHEDULED FOR SATURDAY, SEPTEMBER 18, 2021, BEING HELD AT THE MARK A. “TONY” GULOTTA BAYOU PLAQUEMINE WATERFRONT PARK LOCATED AT 57845 FOUNDRY STREET, REQUESTED BY RHONDA HARRELL.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Thomas D. LeBlanc that the City of Plaquemine approve a 2021 Class T Alcohol Permit for the We Are The Difference Hamburger Cook Off event scheduled for Saturday, September 18, 2021, being held at the Mark A. “Tony” Gulotta Bayou Plaquemine Waterfront Park located at 57845 Foundry Street.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

APPROVE A 2021 CLASS T ALCOHOL PERMIT FOR THE CITY OF PLAQUEMINE – PLAQUEMINE MAIN STREET PROGRAM BOOGIE ON THE BAYOU EVENT SCHEDULED FOR FRIDAY, SEPTEMBER 10, 2021, BEING HELD AT THE MARK A. “TONY” GULOTTA BAYOU PLAQUEMINE WATERFRONT PARK LOCATED AT 57845 FOUNDRY STREET, REQUESTED BY MAYOR EDWIN M. “ED” REEVES, JR.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Thomas D. LeBlanc that the City of Plaquemine approve a 2021 Class T Alcohol Permit for the City of Plaquemine – Plaquemine Main Street Program Boogie on the Bayou event scheduled for Friday, September 10, 2021, being held at the Mark A. “Tony” Gulotta Bayou Plaquemine Waterfront Park located at 57845 Foundry Street.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

APPROVE A 2021 CLASS T ALCOHOL PERMIT FOR THE CITY OF PLAQUEMINE – PLAQUEMINE MAIN STREET PROGRAM BOOGIE ON THE BAYOU EVENT SCHEDULED FOR FRIDAY, OCTOBER 8, 2021, BEING HELD AT THE MARK A. “TONY” GULOTTA BAYOU PLAQUEMINE WATERFRONT PARK LOCATED AT 57845 FOUNDRY STREET, REQUESTED BY MAYOR EDWIN M. “ED” REEVES, JR.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Thomas D. LeBlanc that the City of Plaquemine approve a 2021 Class T Alcohol Permit for the City of Plaquemine – Plaquemine Main Street Program Boogie on the Bayou event scheduled for Friday, October 8, 2021, being held at the Mark A. “Tony” Gulotta Bayou Plaquemine Waterfront Park located at 57845 Foundry Street.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

TO DISCUSS AND CONSIDER SETTING FOR PUBLIC BID THE ADJUDICATED PROPERTY LOCATED AT 58393 COURT STREET.

The city has not received appraisal on property located at 58393 Court Street, item tabled until regular meeting of Tuesday, August 10, 2021.

ADOPT AN ORDINANCE TO AMEND CHAPTER 18 SECTIONS 4 AND 5 TO PROVIDE FOR ADDITIONAL REQUIREMENTS FOR GENERAL SUBDIVISION APPROVAL AND VIOLATIONS AND OTHER MATTERS RELATED THERETO.

Selectman Lindon A. Rivet, Jr. offered the following ordinance, seconded by Selectman Oscar S. Mellion:

ORDINANCE NUMBER: 403

AN ORDINANCE TO AMEND CHAPTER 18 SECTIONS 4 AND 5 TO PROVIDE FOR ADDITIONAL REQUIREMENTS FOR GENERAL SUBDIVISION APPROVAL AND VIOLATIONS AND OTHER MATTERS RELATED THERETO

**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, hereby amends Chapter 18 by sections 4 and 5, to read as follows:

**Sec. 18-4. General procedure for subdivision approval.**

- (a) In addition to Section 426 through 429, a subdivider shall submit a preliminary plat to the mayor and board of selectmen for approval. After approval of the preliminary plat by the Mayor and Board of Selectmen, the subdivider shall select a registered engineer who shall submit construction plans and specifications to the Mayor, Director of Utilities, Director of Public Works, City Inspector and City Engineer or his designee.
- (i) The subdivider shall comply with the provisions set forth in Chapter 18, Section 426 for the preliminary plat.
- (ii) In the event the construction plans/specifications are substantially different from the preliminary plat, the subdivider shall not commence work.
- (1) The construction plans/specifications shall be submitted to the Planning and Zoning Commission for review and its recommendations.
- (2) The Planning and Zoning Commission recommendations shall be sent to the Board of Selectmen for approval or disapproval.
- (3) Only after approval by the Mayor and Board of Selectmen, in the event the construction plans are substantially different from the preliminary plat shall Mayor, Director of Utilities, Director of Public Works and City Engineer or his designee approve the plans and specifications and authorize work on the development to commence.
- (b) Development of the subdivision may start after the approval of the plans and specifications by the Mayor, Director of Utilities, Director of Public Works and City Engineer or his designee.
- (c) In addition to Section 426 through 429, the final plat shall be submitted to the mayor and board of selectmen for approval after the subdivision is substantially complete according to the approved plans and specifications or after a bond has been recorded in the office of the clerk of court of the parish, sufficient to assure completion of the subdivision.
- (d) Lots may be sold after the final plat is approved and recorded with the clerk of court of the parish.
- (e) Substantially different is defined in Section 18-426(d)(i-vi).

**Sec. 18-5. Violations.**

- (a) Whoever, being the owner or agent of the owner of any land located within a subdivision, transfers or sells or agrees to sell any land by reference to or exhibition of or by other use of a plat of a subdivision, before such plat has been approved by the mayor and board of selectmen and recorded or filed in the office of the clerk of court of the parish, shall forfeit

and pay a penalty of \$1000 for each lot or parcel so transferred or sold or agreed to be sold; and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties herein provided.

- (b) In the event the preliminary plat is considered not substantially the same as the Final Plat, as provided in Chapter 18, Sections 426 and 429, the owner or agent of the owner of the subdivider shall forfeit and pay a penalty of not less than \$500 nor more than \$2500.

**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 it is the intention the City that the provisions of this article be construed, enforced and interpreted in such a manner as will cause the least possible infringement of the constitutional rights of free speech, free expression, due process, equal protection or other fundamental rights consistent with the purposes of this article. Should a court of competent jurisdiction determine that any part of this article, or any application or enforcement of it is excessively restrictive of such rights or liberties, then such portion of the article, or specific application of the article, shall be severed from the remainder, which shall continue in full force and effect.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

ADOPT AN ORDINANCE TO AMEND CHAPTER 18 SECTION 426 TO PROVIDE FOR ADDITIONAL REQUIREMENTS BEFORE PRELIMINARY PLAT APPROVAL AND OTHER MATTERS RELATED THERETO.

Selectman Oscar S. Mellion offered the following ordinance, seconded by Selectman Lindon A. Rivet, Jr.:

ORDINANCE NUMBER: 404

AN ORDINANCE TO AMEND CHAPTER 18 SECTION 426 TO PROVIDE FOR ADDITIONAL REQUIREMENTS BEFORE PRELIMINARY PLAT APPROVAL AND OTHER MATTERS RELATED THERETO

**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, hereby amends Chapter 18 sections 426, to read as follows:

**Sec. 18-426. Preliminary plat approval, Traffic Impact Study required.**

The purpose of the preliminary plat is to show graphically all facts needed to enable the Planning and Zoning Commission, Department of Utilities, Department of Public Works and any other City agencies to determine whether the proposed layout of the land in question meets the requirements of these regulations and/or ordinances.

- (a) To prevent undue hardship on the subdivider through possible required revisions, a preliminary plat of the proposed subdivision at a scale not smaller than 100 feet to the inch shall first be submitted to the mayor and board of selectmen in triplicate and shall give the following information:
- (1) The subdivision name, the names and addresses of the owners and of the designer of the plat, who shall be a competent engineer, architect, landscape architect or land surveyor;
  - (2) Date, approximate north point and a graphic scale;
  - (3) The location of existing and platted property lines, streets, buildings, watercourses, railroads, sewers, bridges, culverts, drainpipes, water mains and any public utility easements, both on the land subdivided and on the adjoining land; the names of adjacent subdivisions and the names and addresses of record owners of adjoining parcels of unsubdivided land as they appear on the current conveyance records;
  - (4) The names, locations, widths and other dimensions of proposed streets, alleys,

easements, parks and other open spaces, reservations, lot lines and minimum building setback lines;

- (5) Statement of proposed street improvements: A contour map shall be furnished where terrain might affect the location of streets; and profiles of all streets in this area showing natural and finished grades drawn to a scale of not less than one inch equals 20 feet horizontal and one inch equals two feet vertical when required by the Mayor and Board of Selectmen;
  - (6) Preliminary sketch plans or proposed utility layouts (sewer, gas, water and electricity) showing feasible connections, where possible, to existing and property utility systems.
- (b) Upon receipt of this preliminary plat the Mayor and Board of Selectmen shall transmit the plat to the Planning Commission, City Inspector, City Director of Utilities, and the City Engineer, as designated by the Mayor, and any other interested city or parish department for review and recommendation in relation to specific service problems.
- (1) The subdivider shall provide the Planning Commission, City Inspector, City Director of Utilities and the City Engineer a Traffic Impact Study which shall determine the impacts that traffic generated by the proposed development/subdivision will have on the surrounding street network and the improvements needed, if any, to the transportation system to mitigate those impacts.
  - (2) Approval of the Preliminary Plat is conditional on the area transportation facilities operating adequately to accommodate impacts of the new subdivision.
  - (3) The subdivider shall submit to the Planning Commission, City Inspector, City Director of Utilities and the City Engineer proposed subdivision restrictions and/or covenants applicable to the subdivision's residences/buildings. In the event the subdivision restrictions and/or covenants are adopted by reference from previously filed restrictions and/or covenants, the subdivider shall certify what subdivision restrictions and/or covenants are adopted by reference.
- (c) The Planning and Zoning Commission, after Public Hearing, shall submit its recommendation on the Preliminary Plat to the Mayor and Board of Selectmen.
- (d) The Mayor and Board of Selectmen, after Public Hearing, shall approve or disapprove the Preliminary Plat.
- (e) The approval of the preliminary plat shall not be deemed final acceptance but rather an expression of approval of the layout as submitted on the preliminary plat; such approval shall not be noted on the preliminary plat. One copy of the preliminary plat shall be retained in the files of the office of the City Engineer, City Inspector, Director of Utilities and the Mayor.
- (f) Any changes made by the owner/applicant subsequent to approval of the preliminary plat by the Mayor and Board of Selectmen shall be reviewed by the City Inspector and City Engineer. If the change suggested by the owner/applicant is determined by the City Inspector and City Engineer to be of a substantial nature, a public hearing before the Planning and Zoning Commission shall be required to approve the change. If the City Inspector and City Engineer determines that the suggested change is not substantial, then the City Inspector, City Engineer and the Mayor may grant the change without public hearing. Substantial changes shall include:
- (i) An increase in the number of lots by more than five (5%) percent;
  - (ii) Redesign of any portion of the subdivision that changes the street layout;
  - (iii) Changes in the stormwater drainage plan;
  - (iv) Relocation or change in wastewater/sewerage specifications/lines;
  - (v) Changes to the Subdivision Restrictive Covenants submitted with the Application for the Preliminary Plat;
  - (vi) Relocation or reduction in size of any designated open space area.
- (g) The Planning and Zoning Commission shall submit its recommendation on any substantial change to the original Preliminary Plat to the Mayor and Board of Selectmen for approval or disapproval.

**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 it is the intention the City that the provisions of this article be construed, enforced and interpreted in such a manner as will cause the least possible infringement of the constitutional rights of free speech, free expression, due process, equal protection or other fundamental rights consistent with the purposes of this article. Should a court of competent jurisdiction determine that nay part of this article, or any application or enforcement of it is excessively restrictive of such rights or liberties, then such portion of the article, or specific application of the article, shall be severed from the remainder, which shall continue in full force and effect.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

ADOPT AN ORDINANCE TO AMEND CHAPTER 18 BY ADDING SECTION 24 TO PROVIDE NOTICE OF UNACCEPTABLE AND UNAUTHORIZED WORK AND OTHER MATTERS RELATED THERETO.

Selectman Lindon A. Rivet, Jr. offered the following ordinance, seconded by Selectman Oscar S. Mellion:

ORDINANCE NUMBER: 405

AN ORDINANCE TO AMEND CHAPTER 18 BY ADDING SECTION 24 TO PROVIDE NOTICE OF UNACCEPTABLE AND UNAUTHORIZED WORK AND OTHER MATTERS RELATED THERETO

**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, hereby amends Chapter 18, Section 24, to read as follows:

**Sec. 18-24. Unacceptable and unauthorized Work, Notice.**

- a. **Work not conforming to the requirements of the construction plans previously approved by the City will be considered as unacceptable work.**
- b. **Unacceptable work, whether the result of poor workmanship, use of defective materials, damage through carelessness or other cause, found to exist prior to completion of the warranty period as specified by the City shall be removed and replaced in an acceptable manner.**
- c. **The City Engineer shall notify, in writing, the Mayor, Director of Utilities, Director of Public Works, and City Inspector of the Work not conforming to the requirements of the construction plans previously approved by the City.**
- d. **Upon receipt of notice of the work not conforming to the requirements of the construction plans previously approved by the City, the City Inspector shall send the notice of the Work not conforming to the requirements of the construction plans previously approved by the City to the Board of Selectmen and the Secretary for the Planning Commission.**

**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 it is the intention the City that the provisions of this article be construed, enforced and interpreted in such a manner as will cause the least possible infringement of the constitutional rights of free speech, free expression, due process, equal protection or other fundamental rights consistent with the purposes of this article. Should a court of competent jurisdiction determine that nay part of this article, or any application or enforcement of it is excessively restrictive of such rights or liberties, then such portion of the article, or specific application of the article, shall be severed from the remainder, which shall continue in full force and effect.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

ADOPT AN ORDINANCE TO AMEND CHAPTER 18 SECTION 429 TO PROVIDE FOR ADDITIONAL REQUIREMENTS BEFORE FINAL PLAT APPROVAL AND OTHER MATTERS RELATED THERETO.

Selectman Oscar S. Mellion offered the following ordinance, seconded by Selectman Lindon A. Rivet, Jr.:

ORDINANCE NUMBER: 406

AN ORDINANCE TO AMEND CHAPTER 18 BY SECTION 429 TO PROVIDE FOR ADDITIONAL REQUIREMENTS BEFORE FINAL PLAT APPROVAL AND OTHER MATTERS RELATED THERETO

**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, hereby amends Chapter 18 by sections 429, to read as follows:

**Sec. 18-429. Final plat approval.**

- (a) **The final plat shall be submitted to the Mayor and Board of Selectmen in triplicate, of which one copy shall be the reproducible drawings, and unless this is done within 18 months of the mayor and board of selectmen approval of the preliminary plat, such approval shall lapse.**
- (b) **It is the intent of this chapter that the sale of building lots should be contingent upon at least a minimum of public improvements as defined in section 18:427. The mayor and board of selectmen shall consider approval of the final plat only after receipt of:**
  - (1) **Certification by the city engineer, or designated engineer, that all improvements have been installed in accord with these regulations and with the action of the mayor and board of selectmen giving conditional approval of the preliminary plat; or**
  - (2) **Certification by the city clerk that a bond has been posted available to the city clerk and recorded and to a sufficient amount to assure the completion of the required improvements;**
  - (3) **Certification from the City Inspector, Director of Utilities, City Engineer and Secretary of the Planning Commission, that the preliminary plat is substantially the same as the Final Plat. In the event the preliminary plat is considered not substantially the same as the Final Plat, as provided in Chapter 18, Section 426, the City Inspector, Director of Utilities, City Engineer and Secretary of the Planning Commission subdivider shall be required to notify the Mayor and Board of Selectmen of the difference between the preliminary plat and the final plat.**
  - (4) **In the event the preliminary plat is substantially different from the final plat, as provided in Chapter 18, Section 426(d), the subdivider shall submit to the Mayor and Board of Selectmen certification that the Planning and Zoning Commission recommended the substantial changes to the Final Plat from the Preliminary Plat.**
- (c) **The final plat shall be drawn in ink or tracing cloth on sheets 36 inches by 24 inches and shall be at a scale of 100 feet to one inch or larger. Where necessary the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. The final plat shall show the following:**
  - (1) **Township, range and section in which the subdivision is located. If section corner, township line or range line falls within the subdivision, it shall be shown;**
  - (2) **Primary control points, or descriptions and "ties" to such control points, to which all dimensions, angles, bearings and similar data on the plat shall be referred;**
  - (3) **Tract boundary lines, right of way lines of streets, easements and other rights of way, and property lines of residential lots and other sites; with accurate dimensions, bearings or deflection, angles, and radii, arcs and central angles of all curves;**
  - (4) **Name and right of way width of each street or other right of way;**
  - (5) **Location, dimensions and purpose of any easements;**
  - (6) **Number to identify each lot or sites;**

- (7) Purpose for which sites, other than residential lots are dedicated or reserved;
- (8) Minimum building setback line on all lots and other sites;
- (9) Any areas which have been subject to flood within a period of ten years prior to date of final plat;
- (10) Location and description of monuments;
- (11) Names of record owners of adjoining un-platted land;
- (12) Reference to recorded subdivision plats of adjoining platted land by record name, date and number;
- (13) Certification by surveyor or engineer certifying to accuracy or survey and plat;
- (14) Statement by owner dedicating streets, right of way and any sites for public uses;
- (15) Title, scale, north point and date;
- (16) Certificate of approval by the mayor and board of selectmen.

(d) Upon approval of the final plat, the original drawings shall be returned to the subdivider; and one copy retained in the files of the city engineer.

**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 it is the intention the City that the provisions of this article be construed, enforced and interpreted in such a manner as will cause the least possible infringement of the constitutional rights of free speech, free expression, due process, equal protection or other fundamental rights consistent with the purposes of this article. Should a court of competent jurisdiction determine that nay part of this article, or any application or enforcement of it is excessively restrictive of such rights or liberties, then such portion of the article, or specific application of the article, shall be severed from the remainder, which shall continue in full force and effect.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

ADOPT AN ORDINANCE TO AMEND CHAPTER 13 BY ADDING TO ARTICLE II, DIVISION 4 SECTIONS 36.1 TO 36.3 TO PROHIBIT PORTABLE TOILETS AND OTHER MATTERS RELATED THERETO.

Selectman Lindon A. Rivet, Jr. offered the following ordinance, seconded by Selectman Thomas D. LeBlanc:

ORDINANCE NUMBER: 407

AN ORDINANCE TO AMEND CHAPTER 13 BY ADDING TO ARTICLE II, DIVISION 4 SECTIONS 36.1-36.3 TO PROHIBIT PORTABLE TOILETS AND OTHER MATTERS RELATED THERETO

**WHEREAS**, the Mayor and Board of Selectmen have determined it is necessary for the health, safety and general welfare of the citizens of the City to regulate and prohibit the placement of portable toilets, including port-a-potties and port-a-johns within the city limits; to set forth the events for which a portable toilet may be placed and used and to proscribe a time limit for the removal thereof from the premises; to repeal all ordinances and parts of ordinances in conflict and to provide an effective date;

**WHEREAS**, the Mayor and Board of Selectmen declare the purpose of this ordinance is to preserve and protect the public health, safety, and general welfare of the persons and property in the City by regulating the location and maintenance of portable toilets and by requiring the removal of such portable toilet within 48 hours of the cessation of the event for which the same is placed.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Board of Selectmen of the City of Plaquemine, Louisiana, in legal session, that the Code of Ordinances of the City of Plaquemine, Louisiana, hereby amends Chapter 13, Article II, by adding Division 4, Sections 36.1 to 36.3, to read as follows:

**ARTICLE II. Noxious Matter  
Division 4. Portable Toilet Regulation**



**Sec. 13-36.1. Definitions.**

- a. **“Portable Toilet”** means a free standing, movable toilet structure equipped with water-tight impervious container which receives human waste and fecal matter discharged through a hopper, seat, urinal or similar device and into which container may be placed disinfecting or deodorizing chemicals. For the purposes of this ordinance, “portable toilet” and “chemical toilet” shall have the same meaning. The brand names “Port-a-Potty” and “Porta-a-John” are included in this definition.
- b. **“Special Event”** shall mean a private outdoor activity conducted on private property to which more than thirty (30) persons are invited such as a sporting event; an outdoor party; barbeque; bar mitzvah; anniversary party; birthday party; musical event; outdoor seasonal theater; road race; triathlon; biathlon; charity event; wedding; or other outdoor event of limited duration to which more than 30 persons are invited.
- c. **“Construction Project”** shall mean a public or private construction project for roads, streets, culverts, buildings, residences, commercial units or entities, parking lots, and utility installations subject to a building permit or other authorization during the period of active construction thereon.
- d. **“Community Event”** shall mean an outdoor festival, activity, sporting event, outdoor theater, musical event, ice cream social, or similar activity sponsored by the City or other public entity and held on City or other public grounds for a period not to exceed seven (7) calendar days.

**Sec. 13-36.2. Regulation of Portable Toilets**

- A. **Allowable Use of Portable Toilets.** Portable toilets may only be used to provide temporary bathroom facilities for the following defined activities:
  1. Community Events
  2. Construction Projects
  3. Public Road and Utility Projects
  4. Special Events
  5. Private Development Construction Projects. Portable toilets may be placed on private property in conjunction with private development road and utility construction projects, or in conjunction with individual building projects, so long as there is a valid building or construction permit for the project.
- B. **Location and Orientation of Portable Toilets**
  1. **Setback from Residential Property:** Portable toilets shall be located at least 20 feet from any residential property line.
  2. **Setback from Nonresidential Property:** Portable Toilets shall be located at least 10 feet from any nonresidential property line.
  3. **Setback from Lake or Stream or Bayou:** Portable toilets shall be set back at least 50 feet from the ordinary high-water elevation of any lake, stream or bayou.
  4. **Orientation:** Portable toilets shall be oriented in such a way that the opening or door faces away from any adjoining residential dwelling unit.
- C. **Emptying and Maintenance Schedule:** Owners and occupants of properties upon which a portable toilet is placed shall ensure that the same is emptied by a person, firm or corporation engaged in the business of cleaning or emptying portable toilets and licensed by the State of Louisiana.
- D. **Prohibition on use of Portable Toilets:** Portable toilets shall not be utilized or placed, except in accordance with this Ordinance. The following uses and locations of portable toilets are prohibited:
  1. In no case shall portable toilets be used on residential or nonresidential uses, or as secondary sanitary facilities on existing developed lots.
  2. The use of portable toilet in lieu of connection of a site or facility to the City’s sanitary system, as provided in Plaquemine Code of Ordinances, chapter 6, Section 32, is prohibited.
  3. The use of a portable toilet for the purpose of providing sewer service to a site or facility when sewer and water service has been discontinued due to delinquency of the utility account is prohibited.
- E. **Removal of Portable Toilets:** Portable toilets shall be removed within 48 hours of the

cessation of the event for which the portable toilet was placed. If the placement of the portable toilet was authorized as part of a construction project, such portable toilet shall be removed within 48 hours of the receipt of the final permit or occupancy permit related to the construction.

**Sec. 13-36.3. Violation and Penalty**

- A. Any person, firm, corporation or business entity that causes, permits, allows, places or otherwise allows the placing or retaining of a portable toilet on premises other than those authorized herein shall be deemed to be in violation of this ordinance. Every person, firm, corporation or business entity that fails to remove a portable toilet within 48 hours of the cessation of the event for which the portable toilet was placed shall be deemed to be in violation of this ordinance. Each day that a violation occurs or continues shall be deemed to be a separate offense.**
- B. Any person, firm, association, partnership, corporation, business entity or governmental entity who violates any of the provisions of this Ordinance shall constitute a misdemeanor, and the violator shall be subject to the issuance of a misdemeanor summons. The penalty shall be a fine not less than \$100 or more than \$500 or 30 days imprisonment or both for each violation.**
- C. In addition, the violator shall pay all costs which may include all expenses, direct and indirect, to which the City has been put in connection with the violation of this ordinance.**
- D. The City shall have the right to proceed in the 18<sup>th</sup> Judicial District Court for the Parish of Iberville for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Additionally, where it is necessary for the City to proceed in the 18<sup>th</sup> Judicial District Court for the Parish of Iberville for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance, and the City is successful, the City's attorney's fees shall be taxed as costs.**
- E. Upon failure of the person, firm, association, partnership, corporation, business entity or governmental entity who violates any of the provisions of this Ordinance to abate and remove the portable toilet, the City shall have the right to proceed to abate and remove the portable toilet and the City shall prepare a statement of costs incurred in the abatement and removal of the portable toilet. All costs incurred by the City in the abatement and removal of the portable toilet under the provisions of this Ordinance shall constitute a lien against the property upon which such portable toilet existed, which lien shall be filed, proven and collected as provided by law. Such lien shall be notice to all persons from the time of its recording and shall bear interest at the legal rate thereafter until satisfied.**

**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 it is the intention the City that the provisions of this article be construed, enforced and interpreted in such a manner as will cause the least possible infringement of the constitutional rights of free speech, free expression, due process, equal protection or other fundamental rights consistent with the purposes of this article. Should a court of competent jurisdiction determine that any part of this article, or any application or enforcement of it is excessively restrictive of such rights or liberties, then such portion of the article, or specific application of the article, shall be severed from the remainder, which shall continue in full force and effect.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

ADOPT AN ORDINANCE SETTING NEW SERVICE FEES FOR NEW INSTALLATION FOR WATER SERVICE TOTALING \$500.00, GAS SERVICE TOTALING \$600.00 AND 2LB GAS SERVICE TOTALING \$900.00.

Selectman Shannon P. Courtade offered the following ordinance, seconded by Selectman Oscar S. Mellion:

ORDINANCE NUMBER 408

AN ORDINANCE TO AMEND CHAPTER 6, SECTION 137 BY ADDING SUBPART (e) TO THE PLAQUEMINE CODE OF ORDINANCES RELATED TO PERMITS AND TO SETTING A NEW SERVICE FEE FOR GAS SERVICE AND 2 POUND GAS SERVICE AND OTHER MATTERS RELATED THERETO

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Board of Selectmen of the City of Plaquemine, Louisiana, in legal session, that the Code of Ordinances of the City of Plaquemine, Louisiana, hereby adds subpart (e) to Chapter 6, Article IV, Division 2, Section 137, to read as follows:

**ARTICLE IV. GAS**

**DIVISION 2. LICENSES AND PERMITS**

**Sec. 6-137. Permits.**

.....

(e) **For new gas service, the installation fee shall be \$600. For new 2 Pound gas service, the installation fee shall be \$900.**

**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 it is the intention the City that the provisions of this article be construed, enforced and interpreted in such a manner as will cause the least possible infringement of the constitutional rights of free speech, free expression, due process, equal protection or other fundamental rights consistent with the purposes of this article. Should a court of competent jurisdiction determine that nay part of this article, or any application or enforcement of it is excessively restrictive of such rights or liberties, then such portion of the article, or specific application of the article, shall be severed from the remainder, which shall continue in full force and effect.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

Selectman Shannon P. Courtade offered the following ordinance, seconded by Selectman Oscar S. Mellion:

ORDINANCE NUMBER 409

AN ORDINANCE TO SET NEW SERVICE FEES FOR NEW WATER SERVICE INTALLATION PURSUANT TO THE AUTHORITY SET FORTH IN PLAQUEMINE CODE OF ORDINANCES CHAPTER 6, SECTION 89(a) AND OTHER MATTERS RELATED THERETO

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Board of Selectmen of the City of Plaquemine, Louisiana, in legal session, that pursuant to the authority set forth in the Code of Ordinances of the City of Plaquemine, Louisiana, Chapter 6, Section 89(a), hereby sets the water service fee for new installations to be \$500.

**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 it is the intention the City that the provisions of this article be construed, enforced and interpreted in such a manner as will cause the least possible infringement of the

constitutional rights of free speech, free expression, due process, equal protection or other fundamental rights consistent with the purposes of this article. Should a court of competent jurisdiction determine that any part of this article, or any application or enforcement of it is excessively restrictive of such rights or liberties, then such portion of the article, or specific application of the article, shall be severed from the remainder, which shall continue in full force and effect.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

ADOPT A RESOLUTION DECLARING CITY VEHICLE AS SURPLUS AND TO BE AUCTIONED.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Shannon P. Courtade:

**RESOLUTION**

**WHEREAS**, the Mayor and Board of Selectmen of the City of Plaquemine, owns the following movable property which is no longer needed for a public purpose:

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Vin #</u>	<u>Value</u>
2012	Chevrolet	White Tahoe	1GNLC2E05CR181418	\$3,000.00

**WHEREAS**, such property has an appraised value of less than five thousand dollars and the Mayor and Board of Selectmen of the City of Plaquemine proposes to dispose of such property in accordance with the procedure set forth in R.S. 33:4712 (F).

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Board of Selectmen of the City of Plaquemine, does hereby, availing itself of the provisions of R.S. 33:4712 (F), declare that the movable property contained above, having an appraised value of less than five thousand dollars, is no longer needed for public purpose, and such property shall be sold at public auction to the highest bidder with payment in the form of cash, certified check, or money order.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Mayor and Board of Selectmen of the City of Plaquemine have hereby declared the above mentioned movable property which is no longer needed for public purpose as surplus property and will be auctioned in accordance with the procedure set forth in R.S. 33:4712 (F).

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

ACKNOWLEDGE THAT NO BIDS WERE RECEIVED WHEN ADVERTISED FOR A DEPOSITORY OR FISCAL AGENT FOR THE CITY OF PLAQUEMINE FOR A PERIOD OF ONE YEAR AND AUTHORIZE MAYOR TO NEGOTIATE CONTRACT.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Shannon P. Courtade to authorize Mayor Edwin M. "Ed" Reeves, Jr. to negotiate for a depository or fiscal agent for the City of Plaquemine for a period of one year.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

UPDATE ON DRAINAGE IN CITY OF PLAQUEMINE.

Tony Arikol of PEC provided status of drainage in City of Plaquemine.

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 provided status of ongoing projects.

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

With the absence of Finance Director Lauren Berthelot, Mayor Reeves provided monthly budget to actual financial update and advised that financial statements ending May 31, 2021 were handed out.

g) CUSTOMER SERVICE DIRECTOR KEDRIC EDWARDS

Customer Service Director briefed Mayor and Board regarding his department and related issues. ACKNOWLEDGE POLICE AND FIRE REPORTS FOR JUNE 2021.

So acknowledged.

APPROVE PAYROLL VOUCHERS FOR CITY OF PLAQUEMINE FOR JUNE 2021.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Oscar S. Mellion that the City of Plaquemine approve payroll vouchers for June 2021.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

APPROVE MINUTES OF JUNE 8, 2021 (REGULAR MEETING) AND JUNE 22, 2021 (COMMITTEE MEETING) WITH NECESSARY CORRECTIONS.

Selectman Oscar S. Mellion moved, second by Selectman Lindon A. Rivet, Jr. that the reading of the minutes of June 8, 2021 (regular meeting) and June 22, 2021 (committee 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, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

ADJOURNMENT.

Selectman Lindon A. Rivet, Jr. moved, seconded by Selectman Thomas D. LeBlanc that the City of Plaquemine adjourn at 8:31 p.m.

The foregoing was adopted by the following votes:

Yeas: Lindon A. Rivet, Jr., Oscar S. Mellion, Thomas D. LeBlanc, Shannon P. Courtade and Jimmie Randle, Jr.

Nays: None

Absent: Wanda B. Jones

CITY OF PLAQUEMINE

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

/s/Roxane M. Richard, City Clerk