

MUNICIPAL MINUTES, TOWN OF CHURCH POINT, STATE OF LOUISIANA

REGULAR MEETING OCTOBER 7TH, 2019

ATTENDANCE

MAYOR: Ryan “Spanky” Meche

ALDERMEN: Christine Semien (Ward 1), Kim Cormier (Ward 2), Pat O’Pry (Ward 3), Chris Lebas (Ward 4),
Errol “Slu” Comeaux (Ward 5)

CHIEF OF POLICE: Dale Thibodeaux

TOWN ATTORNEY: Brad Andrus

MUNICIPAL CLERK: Rowdy Latiolais

ABSENT: None

COMMENCEMENT

CALL TO ORDER

Mayor Meche called the Regular Council Meeting to order.

INVOCATION AND PLEDGE

Prayer lead by Alderman Kim Cormier / Pledge led by Alderwoman Christine Semien

AMENDMENT TO AGENDA

It was moved by Cormier, seconded by Comeaux to amend the agenda to include an introduction to a proposed ordinance increasing the speed limit on St. Jude Street from 15 MPH to 25 MPH.

Vote: All in favor

Agenda unanimously amended

It was moved by Cormier, seconded by Semien to approve an introduction of a proposed ordinance increasing the speed limit on St. Jude Street from 15 MPH to 25 MPH.

Vote: All in favor

Proposed ordinance unanimously introduced

It was moved by Comeaux, seconded by Cormier to amend the agenda to include the opening of a bid process for a broadband service company to place an antenna on the town’s water tower, pending opinion of legal counsel.

Vote: All in favor

Agenda unanimously amended

It was moved by Comeaux, seconded by Cormier to open a bid process for a broadband service company to place an antenna on the town's water tower, pending opinion of legal counsel.

Vote: All in favor

Motion unanimously approved

READING AND APPROVAL OF PREVIOUS MINUTES

It was moved by O'Pry, seconded by Semien to accept the minutes as written.

Vote: All in favor

Minutes unanimously accepted

APPROVAL OF FINANCIAL REPORT

It was moved by Comeaux, seconded by O'Pry to accept the August 2019 financial report.

Vote: All in favor

Financial report unanimously accepted.

NEW BUSINESS:

FINANCE

It was moved by Cormier, seconded by O'Pry to declare surplus the following: 2010 Dodge Charger, 2013 Ford Taurus and 2014 Ford Taurus police units along with the narcotics building, with the provision that the winning bidder for the narcotics building must produce payment within ten days of winning bid and also must remove building within 30 days of winning bid.

Vote: All in favor

Police units and narcotics building unanimously declared surplus

LAW ENFORCEMENT

It was moved by Comeaux, seconded by O'Pry to accept the following recommendations by Chief Dale Thibodeaux: Acceptance of resignation of Officer Kenneth Breaux and removal of reserve officers Chad Castille, Phylip Landry, and Kimon Foti.

Vote: All in favor

Chief Thibodeaux recommendations unanimously approved

PUBLIC WORKS

It was moved by Lebas, seconded by Semien to approve a budget amendment in the amount of \$15,000 for town boundary research and work to be completed by Royal Engineering.

Vote: All in favor

Budget amendment unanimously approved

It was moved by Lebas, seconded by Cormier to approve the adoption of an ordinance amending current noise ordinance 17-68 of the Church Point Code of Ordinances.

Vote: All in favor

Ordinance unanimously approved; posted in appendix

It was moved by Comeaux, seconded by O’Pry to approve the adoption of an ordinance adopting state statute 33:441(A)(5) regarding the collection of municipal utility debts.

Vote: All in favor

Ordinance unanimously approved; posted in appendix

It was moved by Lebas, seconded by O’Pry to approve the introduction of an ordinance to add a three-way stop sign at Guidry and Tan Street.

Vote: All in favor

Ordinance unanimously introduced

MISC/DISCUSSION

It was moved by O’Pry, seconded by Comeaux to approve a liquor license exemption for the Cary Family Softball Benefit to be held on November 1st and 2nd at Church Point City Park.

Vote: All in favor

Liquor license exemption unanimously approved

CLOSING

It was moved by O’Pry, seconded by Semien to adjourn the meeting.

Vote: All in favor

Meeting adjourned

APPROVED AS TO AUTHENTICITY:

RYAN MECHE, MAYOR

DATE

ROWDY LATIOLAIS, CLERK

DATE

APPENDIX

ORDINANCE # 100719-1

**AN ORDINANCE OF THE CHURCH POINT CODE OF ORDINANCES
AMENDING THE PROVISIONS OF ORDINANCE 17-68 BY REDUCING THE
DECIBEL METER LEVELS IN TERMS OF REGULATING THE NOISE WITHIN
THE CORPORATE LIMITS OF THE TOWN OF CHURCH POINT**

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMAN OF THE TOWN OF CHURCH POINT, proceeding under its legal authority to perform certain actions that are in the best interest of the town of Church Point and further pursuant to the laws of the State of Louisiana hereby state the following:

WHEREAS, the Church Point Board of Alderman hereby desires to AMENDING THE PROVISIONS OF ORDINANCE 17-68 BY REDUCING THE DECIBEL METER LEVELS IN TERMS OF REGULATING THE NOISE LEVELS WITHIN THE CORPORATE LIMITS OF THE TOWN OF CHURCH POINT AS FOLLOWS:

Maximum sound pressure level.

The maximum permissible sound pressure level of any continuous source of sound shall be as herein established for the time period and district listed in table A of this section. This includes, but is not limited to, sound from sources specifically enumerated in this chapter, as well as activities such as production, processing, cleaning, servicing, testing, operating or repairing either vehicles, materials, goods, products or devices. Sound pressure levels in excess of those established for the districts of this parish, in times herewith listed, shall constitute prima facie evidence that such sound is an unnecessary noise.

Sound pressure levels shall be measured at the approximate location of the property line of the receiving property, at a height of at least four (4) feet above the immediate surrounding surface, on a sound level meter of standard design and operating on a "A" weighting network.

*TABLE A
Sound Pressure Level Limit
dB(A)*

<i>District</i>	<i>Day 7:00 a.m.—11:00 p.m.</i>	<i>Night 11:00 p.m.—7:00 a.m.</i>
<i>Residential</i>	50	40
<i>Commercial</i>	60	55
<i>Industrial</i>	80	75

When a noise source can be identified and its noise measured in more than one (1) district, the sound pressure level limits of the most restrictive district shall apply.

The provisions of this section shall not apply to:

Motor vehicles operating on public rights-of-way; unless otherwise restricted herein;

Any bell or chime or any device for the production or reproduction of the sound of bells or chimes from any church, clock or school;

The loading of any trucks during permitted hours;

Domestic power equipment and commercial power equipment, unless otherwise restricted herein.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Board of Alderman of the Town of Church Point, Louisiana, acting as the governing authority thereof hereby AMENDS THE PROVISIONS OF ORDINANCE 17-68 BY REDUCING THE DECIBEL METER LEVELS IN TERMS OF REGULATING THE NOISE LEVELS WITHIN THE CORPORATE LIMITS OF THE TOWN OF CHURCH POINT

BE IT FURTHER ORDAINED, by the Mayor and Alderman of the Town of Church Point, Louisiana, that any provisions or items of the Ordinance or the application thereof if held invalid, such invalidity shall not affect other provisions, items, or applications, and to this end, the provisions of this Ordinance are hereby declared severable.

BE IT FURTHER RESOLVED that all ordinances or resolutions or parts thereof in conflict herewith and hereby repealed.

This ordinance having been submitted to a vote in regular session assembled of the Mayor and Alderman of the Town of Church Point, Louisiana, the vote thereon being as follows:

MOTION: LEBAS

SECOND: CORMIER

YEAS: COMEAUX, O'PRY, SEMIEN

NAYS: NONE

ABSENT: NONE

This ordinance was introduced on the 9th day of September, 2019 and declared adopted on this 7th day of October, 2019.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON THE MAYOR'S SIGNING SUCH AND THE PUBLISHING OF SUCH IN THE CHURCH POINT NEWS.

RYAN MECHE
Mayor

ATTEST:

ROWDY LATIOLAIS
Town Clerk

ORDINANCE # 100719-2

AN ORDINANCE OF THE CHURCH POINT CODE OF ORDINANCES
ADOPTING THE PROVISIONS OF LOUISIANA REVISED STATUTE 33:441(A)(5)
ALLOWING THE MAYORS COURT FOR THE TOWN OF CHURCH POINT TO COLLECT
UTILITY DEBTS OWED TO THE TOWN OF CHURCH POINT WHEN THE AMOUNT
RECOVERABLE IS LESS THAN \$5000

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMAN OF THE TOWN OF CHURCH POINT, proceeding under its legal authority to perform certain actions that are in the best interest of the town of Church Point and further pursuant to the laws of the State of Louisiana hereby state the following:

WHEREAS, the Church Point Board of Alderman hereby desires to adopt LOUISIANA REVISED STATUTE 33:441(A)(5) ALLOWING THE MAYORS COURT FOR THE TOWN OF CHURCH POINT TO COLLECT UTILITY DEBTS OWED TO THE TOWN OF CHURCH POINT WHEN THE AMOUNT RECOVERABLE IS LESS THAN \$5000

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Board of Alderman of the Town of Church Point, Louisiana, acting as the governing authority thereof hereby adopts the provisions of LOUISIANA REVISED STATUTE 33:441(A)(5) expanding the jurisdiction of mayor's courts to ALLOWING THE MAYORS COURT FOR THE TOWN OF CHURCH POINT TO COLLECT UTILITY DEBTS OWED TO THE TOWN OF CHURCH POINT WHEN THE AMOUNT RECOVERABLE IS LESS THAN \$5000 as follows:

Notwithstanding any other provision of law to the contrary, a mayor's court shall have concurrent jurisdiction with the district court of civil suits to collect utility debts within the municipality, where the good faith amount in dispute does not exceed five thousand dollars, exclusive of penalties, interest, court costs, attorney fees and penalties, whether provided by agreement or by law. The jurisdiction granted by this Paragraph shall be limited to suits to collect utility debts owed to the municipality or to a utility system owned or operated by the municipality. (b) If the demand asserted in

a good faith original, amended or supplemental pleading, cross claim, or in any good faith incidental demand or any other pleading, exceeds the jurisdiction of the court, the court shall transfer the action to a court of proper jurisdiction.

Upon request of the mayor, the board of alderman shall appoint one or more attorneys who shall be designated as a court magistrate to hear all civil utility debt suits authorized by this Paragraph. The board of alderman shall fix and pay the salary of each such magistrate. Upon adoption of ordinance by the municipality, and upon a finding by the court magistrate that a civil utility debt is owed and delinquent, the court magistrate is authorized to impose court costs against the debtor, not to exceed the sum of thirty-five dollars for each civil suit. Costs received pursuant to this Paragraph shall be deposited into the general fund of the municipality. Any person against whom a judgment is rendered in a mayor's court pursuant to this Paragraph shall have the right of direct appeal to the district court for the parish in which the mayor's court is situated which shall be tried de novo. The appeal must be filed within ten days of the date of the judgment and notice of the appeal must be given within the ten-day period to the magistrate who adjudicated the matter, the district court to which the matter is being appealed, and the municipality in whose favor judgment was rendered. The appeal from a decision of the district court shall be the same as provided by law for appeals of civil matters adjudicated by a district court. The district court may assess costs as authorized by law to the party

against whom judgment is rendered. The law enforcement authority of the municipality in which the mayor's court is located is authorized to effectuate service of process within the parish of the court for any civil suit before the court pursuant to this Paragraph.

BE IT FURTHER ORDAINED, by the Mayor and Alderman of the Town of Church Point, Louisiana, that any provisions or items of the Ordinance or the application thereof if held invalid, such invalidity shall not affect other provisions, items, or applications, and to this end, the provisions of this Ordinance are hereby declared severable.

BE IT FURTHER RESOLVED that all ordinances or resolutions or parts thereof in conflict herewith and hereby repealed.

This ordinance having been submitted to a vote in regular session assembled of the Mayor and Alderman of the Town of Church Point, Louisiana, the vote thereon being as follows:

MOTION: COMEAUX

SECOND: O'PRY

YEAS: LEBAS, CORMIER, SEMIEN

NAYS: NONE

ABSENT: NONE

This ordinance was introduced on the 9th day of September, 2019 and declared adopted on this 7th day of October, 2019.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON THE MAYOR'S SIGNING SUCH AND THE PUBLISHING OF SUCH IN THE CHURCH POINT NEWS.

RYAN MECHE
Mayor

ATTEST:

ROWDY LATIOLAIS
Town Clerk