

**Minutes
Regular Meeting
Town of Iowa
115 N. Thomson
January 9, 2017
Iowa, La
7:00 p.m.**

Mayor and Town Council met in regular session this date in compliance with all requirements as to notice.

Present: Mayor Carol Ponthieux, Council Members: Julie Fontenot, Larry Hardy, Errol Marshall; Thomas Talbot, Gerald Guidry (quorum present)

Invocation: Mayor Ponthieux; followed by Pledge.

Approval of Minutes: Talbot motioned to approve minutes of December 12, 2016 as written; Hardy seconded. Motion carried.

Agenda Items

1. Proces Verbal – results of December election Sales Tax 1 Resolution 2017-01 – Mr. Delafield presented information on this proces verbal. He read the results of the election. The Proces Verbal will be published.

Hardy motioned to accept the proces verbal; Talbot seconded. Motion carried. All voted yea

Res. 2017 –01 Marshall motioned to accept the resolution; Hardy seconded. Motion carried.

The Town Council of the Town of Iowa, Louisiana, met in regular public session at 7:00 o'clock p.m. on January 9, 2017, at the regular meeting place of the Town Council, Iowa City Hall, 115 North Thomson, Iowa, Louisiana, and the following members were present:

Mayor: Carol Ponthieux Council Members: Julie Fonte not, Larry Hardy, Errol Marshall, Thomas Talbot, Gerald Guidry

ABSENT: none

The meeting was called to order and the roll called with the above result.

The Mayor stated that the purpose of the meeting was for canvassing and tabulating the returns of an election held in the Town of Iowa (the "Town") on December 10, 2016, authorizing an amendment, supplement and revision of the current dedication of a 1% sales and use tax and thereupon presented the following proces verbal, which was adopted by the following vote:

YEAS: Larry Hardy, Thomas Talbot, Julie Fontenot, Errol Marshall, Gerald Guidry

NAYS: none

PROCES
VERBAL

BE IT KNOWN AND REMEMBERED that on this 9th day of January, 2017, at 7:00 o'clock p.m., in accordance with a resolution of the Town Council (the "Council"), governing authority of the Town of Iowa, Louisiana, adopted on September 12, 2016, and recorded in the records of said Council, notice of which meeting was issued and published according to law, the undersigned members of the Council, being a quorum thereof, met at the regular meeting place of the Council, and according to law examined the tabulation blanks, certificates and statements which were received from the Commissioners and Commissioners-in-Charge of the election held in the Town of Iowa, Calcasieu Parish, Louisiana on December 10, 2016, in accordance with said resolution, together with the transcription of the totals made by the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines in and for Calcasieu Parish to determine the following propositions:

SALES TAX PROPOSITION
(RENEWAL)

Shall the Town of Iowa, Louisiana (the "Town") be authorized to continue to levy and collect a sales and use tax of one percent (1%) (the "Tax") in perpetuity beginning January 1, 2017, in lieu of the Sales and Use Tax approved by the Town's electorate on December 10, 2016, upon the sale at retail, use, lease or rental, consumption and storage for use or consumption of tangible personal property and on sales of services within the Town, all as presently or hereafter defined in La. R.S. 47:301 to 47:317, inclusive, with collections from levy of the Tax estimated to be \$650,000 for one entire year, with net proceeds of the Tax to be dedicated and used for the following purposes: (1) capital and other improvements to the Town's water works, sewer and wastewater systems; (2) keeping in repair the Town's streets and further improvements to the Town's park system; and (3) other lawful expenditures of the Town, including economic development; and the ability to fund avails of the Tax into debt?

The results of said election on the Sales Tax Proposition proved to be as follows:

<u>PRECINT</u>	<u>NUMBER OF VOTES IN FAVOR OF PROPOSITION</u>	<u>NUMBER OF VOTES AGAINST PROPOSITION</u>
800 (Part)	99	84
801 (Part)	119	74
860S (Part)	0	0
861E (Part)	0	0
Absentees	32	11
TOTALS	250	169

We therefore ascertained that the majority of qualified electors of the Town of Iowa, Louisiana qualified to vote under the Constitution and laws of the State of Louisiana voting in said election in the Town voted in favor of the Sales Tax Proposition.

At the same time and place, we did examine and canvass the returns as evidenced by said tabulation blanks, certificates, and statements received from the election Commissioners and Commissioners-in-Charge, the correctness of which were sworn to by the election Commissioners-in-Charge and Commissioners according to law, and our finding was that the returns indicated a majority voted in favor of the Sales Tax Proposition.

Therefore, we declare that the result of said election is in favor of the Sales Tax Proposition as stated above.

In accordance with law, a resolution promulgating the aforesaid results was adopted, and the Municipal Clerk of the Council was ordered to have a copy of said resolution signed by the Mayor and published in one issue of the *American Press*, a newspaper published in Lake Charles, Calcasieu Parish, Louisiana, and of general circulation in the Town of Iowa, Louisiana.

We did, likewise, order that one copy of this proces verbal be sent to the Secretary of State to be recorded in the archives of the State of Louisiana, and that one copy be sent to the Clerk of Court of Calcasieu Parish to be recorded in the mortgage records of said Parish and that one copy be filed in the archives of this Council.

THUS DONE AND SIGNED in the presence of Paul Hesse and Susan Aymond, competent witnesses and qualified voters of Calcasieu Parish on this 9th day of January, 2017, at a meeting of the Town Council in Iowa, Louisiana, by the undersigned members of said Council present and participating in the canvass of said election.

The following resolution was thereupon introduced, and pursuant to a motion made by Errol Marshall and seconded by Larry Hardy was adopted by the following vote:

YEAS: Errol Marshall, Larry Hardy, Julie Fontenot, Thomas Talbot, Gerald Guidry

NAYS: none

RESOLUTION 2017-01

A RESOLUTION PROMULGATING THE RESULTS OF A SPECIAL ELECTION HELD IN THE TOWN OF IOWA, LOUISIANA, ON DECEMBER 10, 2016.

WHEREAS, on December 10, 2016, an election was held in the Town of Iowa, Louisiana, to determine the proposition hereinafter set out; a n d

WHEREAS, the returns of said election were canvassed by the Council according to law and notice duly given as provided by law, and the result of said election was declared to be in favor of the Sales Tax Proposition;

NOW, THEREFORE, BE IT RESOLVED by the Council of Alderman, the governing authority of the Town of Iowa, Louisiana, as follows :

SECTION 1. An election was held in the Town of Iowa, Louisiana, on December 10, 2016, to determine the proposition hereinafter set out; that said election was duly and properly called by the Council by a resolution adopted on September 12, 2016, and recorded in the records of said Council, that notice of said election embracing all matters required by law to be contained therein was given by publication in the *American Press*, a newspaper published in Lake Charles, Louisiana, and of general circulation in the Town of Iowa, Louisiana, on September 27, October 4, October 11, and October 18, 2016, the first of said publications being not less than 45 days nor more than 90 days prior to the date set for said election; that this Council did in said resolution designate the polling places for said election and did provide for the use of voting machines in the conduct of said election; that election officials were duly selected; that each election official received the certificate

of instruction of the use of the voting machines and his duties in connection therewith as required by law; that the State Custodian of Voting Machines and the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines of Calcasieu Parish made available on the day of the election at the polling places designated for the conduct of said election the necessary voting machines and all necessary equipment and paraphernalia required by law in connection with the use of voting machines at elections; that the Registrar of Voters and the Clerk of Court of Calcasieu Parish furnished to the election Commissioners and Commissioners-in-Charge copies of the precinct registers for each precinct or ward entitled to vote at such polling places; that the Louisiana Secretary of State prepared and certified the ballot used in the voting machines as required by law; that the proposition voted on in said election and as it appeared in said voting machine was in due form provided by law and the resolution adopted by this Council on September 12, 2016, calling said special election; that the results of said election were written on a large sheet of paper at said polling places, which sheet of paper was signed by each of the election officials designated to conduct such election at said polling places and which sheet was thereupon posted in public view at the polling places in accordance with law; that only qualified electors under the Constitution and laws of the State of Louisiana voted at said election; that the officials who served at said election were duly and properly appointed; that the places of all absent election officials were properly filled in accordance with law; that before opening the polls all election officials were properly sworn in accordance with law; that the polls at the voting places were opened at 7:00 a.m. and remained open and until not later than 8:00 p.m.; that after the closing of the polls the votes for and against the proposition were properly counted and tallied and the necessary

tabulation blanks, certificates and statements were made by the election officials in accordance with law and the voting machines delivered to the Clerk of Court and Ex-Officio Custodian of Voting Machines in and for Calcasieu Parish, Louisiana, and a copy of the results of said election delivered to the Clerk of the District Court of Calcasieu Parish as required by Louisiana Revised Statutes 18:1190 E; that on December 13, 2016, that being the third day after said election the Clerk of Court and Ex-Officio Custodian of Voting Machines, after breaking the seals and opening the voting machines used in said election did transcript the totals for the proposition voted upon at said election; and that all things whatsoever required by law to be done in connection with the holding of said election were properly and duly performed in manner and form as required by the general election laws of the State of Louisiana.

SECTION 2. In said election the following Sales Tax Renewal Propositions were approved by a majority of the electors qualified to vote and voting in said election in the Town of Iowa, Louisiana:

**SALES TAX PROPOSITION
(RENEWAL)**

Shall the Town of Iowa, Louisiana (the "Town") be authorized to continue to levy and collect a sales and use tax of one percent (1%) (the "Tax") in perpetuity beginning January 1, 2017, in lieu of the Sales and Use Tax approved by the Town's electorate on December 10, 2016, upon the sale at retail, use, lease or rental, consumption and storage for use or consumption of tangible personal property and on sales of services within the Town, all as presently or hereafter defined in La. R.S. 47:301 to 47:317, inclusive, with collections from levy of the Tax estimated to be \$650,000 for one entire year, with net proceeds of the Tax to be dedicated and used for the following purposes: (1) capital and other improvements to the Town's water works, sewer and wastewater systems; (2) keeping in repair the Town's streets and further improvements to the Town's park system; and (3) other lawful expenditures of the Town, including economic development; and the ability to fund avails of the Tax into debt?

SECTION 3. The results of said election shall be promulgated by publication of this resolution of promulgation one time in the *American Press*, a newspaper published in Lake Charles, Louisiana, the official journal of the Council and of general circulation in the Town of Iowa, Louisiana.

WITNESSES:

Carol Ponthieux
----- ♣ Mayor
CAROL PONTHEUX

Julie Fontenot
----- ♣ Councilman

Larry Hardy
----- ♣ Councilman

Errol Marshall
----- ♣ Councilman

Thomas Talbot
----- ♣ Councilman

Gerald Guidry
----- ♣ Councilman

ADOPTED AND APPROVED this 9th day of January, 2017.

ATTEST:

CAROL PONTHEUX, MAYOR

SANDRA TURLEY, Municipal Clerk

- 2. Engineer – reports on current projects/updates, recommendations - Mr. Jessen presented his info. Recommend payment for PP Est.#2 in the amount of \$16,373.92 to Asphalt and Assoc. Talbot motioned to approve; Guidry seconded. Motion carried. Recommend for payment PP Est. #4 to R.D. Spell in the amount of \$67,289.40. Talbot motioned to approve; Marshall seconded. Motion carried. This is for N. Kinney drainage project which is approaching intersection of David and N. Lightner and trying to minimize closure. Third St. sidewalk project has not started at this point.
- 3. Ordinance 2017-01- annexation of Natali property – Mayor adjourned regular meeting at 7:15 p.m. in order to hold a public hearing.
 - a. Public Hearing – Mayor asked for public comments – there being no comments from the public the regular meeting resumed at 7:17 p.m.
 - b. Action/vote – Hardy motioned to approve the annexation ordinance; Talbot seconded. Motion carried unanimously.

ORDINANCE 2017-01

An ordinance annexing certain property into the corporate limits of the Town of Iowa, Louisiana, in accordance with the provisions of the Revised Statues of the State of Louisiana, title 33, Section 172, following the petition of Arnold and Yvette Natali

BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF IOWA, LOUISIANA, IN REGULAR SESSION CONVENED THIS 09TH DAY OF JANUARY 2017:

Section 1: That the Town of Iowa does hereby annex and incorporate into the corporate limits of the Town of Iowa the following described property, situated in Calcasieu Parish, Louisiana,

To-wit;

Annexation boundary survey of a tract of land located in the West Half (W1/2) of Section 32, Township 9 South, Range 6 West, Calcasieu Parish, Louisiana, said tract of land being further described as follows:

Begin at the Southeast corner of Gregg Park Addition, per plat recorded in Plat Book 31, on Page 148, and bearing Clerk's File #1766421, per the Records of Calcasieu Parish, Louisiana, said corner lying on the West line of Lot "B" of the Marie Chatagnier Partition, per plat recorded in Plat Book 16, on Page 75, and bearing Clerk's File #979866, per the Records of Calcasieu Parish, Louisiana; thence S00°08'48"E, along the West line of said Lot "B" of the Marie Chatagnier Partition, a distance of 1015.42 feet to the North line of a 50 foot wide pipeline right-of-way, per plat recorded in Conveyance Book 3333, on page 853, per the Records of Calcasieu Parish, Louisiana; thence N70°02'46"E, along the North line of said 50 foot wide Kinder Morgan pipeline right-of-way, a distance of 1600.95 feet; thence N00°08'22"W, parallel to the common line between said Lot "B" and Lot "C" of said Marie Chatagnier Partition, a distance of 766.08 feet to the South line of the North Half of the North Half (N1/2-N1/2) of said Section 32; thence N89°25'43"W, along said South line of the North Half of the North Half (N1/2-N1/2) of said Section 32, a distance of 1506.45 feet to the East line of said Gregg Park Addition and the West line of said Lot "B" of the Marie Chatagnier Partition; thence S00°08'48"E, along the East line of said Gregg Park Addition and the West line of said Lot "B" of the Marie Chatagnier Partition, a distance of 312.03 feet to the Point of Beginning.

Containing 36.20 acres, more or less.

The foregoing ordinance was read and considered as a whole. A vote thereon was called for with the following results:

The Mayor then declared the ordinance duly adopted on the 9th day of JANUARY, 2017.

4. Ordinance 2017-02 – renewing of Sale Tax I - introduction and reading of title – Mayor read the title of the ordinance. This ordinance is a housekeeping measure to meet the statues of recording sales tax to be collected. Public hearing and action will be taken at the February 13, 2017 meeting at 7:00 p.m., 115 N. Thomson Ave., Iowa, LA.

ORDINANCE 2017-02

AN ORDINANCE renewing and levying a tax [Sales Tax I] for the purposes set forth in Resolution No. 2016-14, ordering and authorizing the renewal, levy and collection of a 1% sales and use tax in perpetuity beginning January 1, 2017 to be dedicated and used for the following purposes: (1) capital and other improvements to the Town's water works, sewer and wastewater systems; (2) keeping in repair the Town's streets and further improvements to the Town's park system; and (3) other lawful expenditures of the Town, including economic development; and the ability to fund avails of the Tax into debt

5. Police Department – recommendations, reports and updates – Chief presented his department stats.
 - a. Creating position – create position of Staff Sergeant – Marshall motioned to approve creation of this position; Hardy seconded. Motion carried.
 - b. Promotion – Erik Johnson to Staff Sergeant – Marshall motioned to approve the promotion of Erik Johnson to Staff Sergeant; Talbot seconded. Motion carried.

Daniel Gaspard is a FT officer and is requesting to be transferred from FT back to PT status. Council had no objection this action.

Haley Johnson works part time with us as our liaison for victim assistance. Helps us out with resources and directing family to counselling. Crime against person cases is what she works.

Fontenot to sign checks this month.

Hardy wishes everyone a happy new year. New president being sworn in and hopes everyone will work together to make next 4 years a good one.

Marshall –informs audience of commemoration of 50th year since the first black graduated from Iowa High. He would like to discuss lateral on Lambert. This might address litter/trash situation and to help improve drainage. Wants to look at closing it in.

Mayor also wishes everyone a new year. Look forward to a much improved year.

There being no further business meeting Talbot motioned to adjourn at 7:28 p.m.; Hardy seconded. Motion carried.

ATTEST

Sandra Turley, CMC

Carol Ponthieux, Mayor