The Council of the City of Opelousas, Parish of St. Landry, State of Louisiana, convened in a regular session on this 10th day of January 2023 at 5:00 p.m.

With Mayor Julius Alsandor presiding, the meeting was called to order.

Mayor Alsandor requested the Clerk to call the roll and the following Council members were PRESENT: Marvin Richard, Milton Batiste III, Delita Rubin-Broussard, Charles Cummings, Sherell Roberts, and Chasity Davis-Warren. ABSENT: None.

A moment of silent meditation was observed. Bishop Easton Shelvin, The Truth Is Ministries, Opelousas, Louisiana, led the Prayer and Mr. Bill Rodier, retired Air Force Tech Sergeant and current Executive Director of St. Landry Economic Development District (SLEDD), led the Pledge of Allegiance.

On a motion by Alderwoman Sherell Roberts and seconded by Alderwoman Chasity Davis-Warren, it was resolved to approve the minutes of a Regular Meeting held 12/13/2022. A roll call vote was taken with the following results:

YEAS: Marvin Richard, Milton Batiste III, Delita Rubin-Broussard, Charles Cummings, Sherell Roberts, and Chasity Davis-Warren.

NAYS: None.

ABSENT: None.

On a motion by Alderman Charles Cummings and seconded by Alderman Marvin Richard, it was resolved adopt the agenda as presented. A roll call vote was taken with the following results:

YEAS: Milton Batiste III, Delita Rubin-Broussard, Charles Cummings, Sherell Roberts, Chasity Davis-Warren, and Marvin Richard.

NAYS: None.

ABSENT: None.

NOMINATIONS AND APPOINTMENTS

Nominate and Appoint Mayor Pro-Tempore for Calendar Year 2023. A motion was made by Alderman Marvin Richard to nominate Alderwoman Chasity Davis-Warren as Mayor Pro-Tempore. A second motion was made by Alderwoman Sherell Roberts to nominate Alderman Charles Cummings as Mayor Pro-Tempore. Alderwoman Davis-Warren deferred to Alderman Cummings and Alderman Richard withdrew his original motion. The motion to nominate Alderman Charles Cummings as Mayor Pro-Tempore for Calendar Year 2023 was seconded by Alderwomen Delita Rubin-Broussard and Chasity Davis-Warren. A roll call vote was taken with the following results:

YEAS: Delita Rubin-Broussard, Sherell Roberts, Chasity Davis-Warren, Marvin Richard, and Milton Batiste III.

NAYS: None.

ABSENT: None.

ABSTAINED: Charles Cummings.

On a motion by Alderman Milton Batiste III and seconded by Alderwoman Delita Rubin-Broussard, it was resolved to accept the following Committee Appointments submitted by Mayor Julius Alsandor for Calendar Year 2023:

Budget Committee:

Charles Cummings, Chairman Sherell Roberts, Vice Chairwoman

Milton Batiste III Delita R. Broussard Personnel Committee:

Milton Batiste III, Chairman Charles Cummings, Vice Chairman Chasity Davis-Warren

Marvin Richard

General Services Committee:

Sherell Roberts, Chairwoman Marvin Richard, Vice Chairman

Delita R. Broussard Chasity Davis-Warren

A roll call vote was taken with the following results:

YEAS: Charles Cummings, Sherell Roberts, Chasity Davis-Warren, Marvin Richard, Milton Batiste III, and Delita Rubin-Broussard. NAYS: None.

ABSENT: None.

On a motion by Alderman Marvin Richard and seconded by Alderwoman Sherell Roberts, it was resolved to designate *The* Daily World as the Official Journal (Newspaper) for Calendar Year 2023. A roll call vote was taken with the following results:

YEAS: Sherell Roberts, Chasity Davis-Warren, Marvin Richard, Milton Batiste III, Delita Rubin-Broussard, and Charles Cummings. NAYS: None.

ABSENT: None.

On a motion by Alderwoman Delita Rubin-Broussard and seconded by Aldermen Charles Cummings and Marvin Richard, it was resolved to confirm the appointment of Leisa Anderson as City Clerk & Tax Collector for Calendar Year 2023. A roll call vote was taken with the following results:

YEAS: Chasity Davis-Warren, Marvin Richard, Milton Batiste III, Delita Rubin-Broussard, Charles Cummings, and Sherell Roberts. NAYS: None.

ABSENT: None.

On a motion by Alderwoman Sherell Roberts and seconded by Alderman Charles Cummings, it was resolved to confirm the following appointments:

Travis Broussard - City Attorney

Kolder, Slaven & Company - City Auditing Firm

Morgan Goudeau & Associates, Inc. - City Engineering Firm

A roll call vote was taken with the following results:

YEAS: Marvin Richard, Milton Batiste III, Delita Rubin-Broussard, Charles Cummings, Sherell Roberts, and Chasity Davis-Warren. NAYS: None.

ABSENT: None.

ANNOUNCEMENTS

- COVID-19 Update from Opelousas General Health Systems (OGHS) representative. All OGHS staff is in good health. No COVID patients in the hospital at this time.
 - Hospital is encouraging vaccinations, especially the flu vaccine
 - Isolate/staying away from others when not feeling well
- Discussion by Ms. Yocha Payne, City of Opelousas Property Tax Clerk, regarding City property tax payments and process for delinquent property taxes. Ms. Payne gave the following narrative regarding what happens when a property tax becomes delinquent:

Property taxes are due 12/31 of each calendar year and are typically mailed out the 2nd or 3rd week of November of that year. Taxes become delinquent:

- January 1st of the following year

An interest rate of 1.25 % is added monthly to all unpaid bills

- Delinquent notices are sent by Certified Letter between March and April informing the property owner of the delinquent tax stating when payment is due and date of tax sale. If it is not paid by that date it will be sold according to the law.

- Certified notice fees are automatically added to bill which is set by the Postal Service

- An Advertisement of all unpaid property taxes is to be placed in The Daily World Newspaper a month prior to tax sale (twice) and as a courtesy it is also placed on the City of Opelousas website. (www.cityofopelousas.com). An advertisement fee is automatically added to the bill which is based upon the cost given by
- Calls are then made to property owners informing them of the property sale, online research for current phone numbers and addresses are done when payment has not been received, also look up water bill accounts for information. Turn in the listing to the St. Landry Assessor's office to get phone numbers and addresses they have listed.

So please make sure that your information is updated and if anything has changed on the property, please contact the assessor's office to ensure they have your correct information because all the bills come from their office. (337-942-3166).

The next step is the property tax sale which is held the 2nd or 3rd week of June.

Once placed in the tax sale the following fees are added:

\$110.00 - Recording fee set by the St. Landry Parish Clerk of Court

\$100.00 - Administration Fee set by City Ordinance
If it is sold to a tax sale buyer: The property owner has a three year time period to redeem the property by paying the original taxes and fees associated with the tax

| Sold to a tax sale buyer: The property owner has a three year time period to redeem the property by paying the original taxes and fees associated with the tax

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No partial payments or arrangements can be made on a property tax that have been adjudicated or sold.

Any questions/concerns regarding City of Opelousas Property Taxes may be directed to Ms. Yocha Payne by email at ypayne@cityofopelousas.com or by phone at 337-948-2527 ext. 1225.

Presentation by Ms. Patrice Melnick, Opelousas Museum & Interpretive Center Director, to announce upcoming museum events.



Thursday, Jan 19, 2023 5—7 p.m. An Imam, a Priest, and a Rabbi Walk into a Museum



This interfaith program includes a panel of religious leaders discussing rituals and beliefs related to Ramadan/Eid al-Fitr, Passover and Easter. Visitors are encouraged to bring displays and refreshments that reflect their own cultural traditions.

Featured speakers:

Dr. Ghayas Qureshi of the Islamic Center of Lafayette

Father Justin Arocklasamy, S.V.D., of Holy Ghost in Opelousas

Rabbi Sarah Smiley of Unified Jewish Congregation of Baton Rouge

Moderator: Professor Michael Alleman of LSUE.

https://www.cityofopelousas.com/events/an-imam-a-priest-and-a-rabbi-walk-into-a-museum/

Saturday, Jan. 21
1—3 p.m.
Story Exchange: Faith

promote interfaith relationships and build connections nbers of different faiths. It is a great opportunity to e in your own area. The process entails sharing retelling each other's stories to the group. There is ints. Sign up by sending your request to the contact Story Exchange . The story Exchange of the story Exchange will promote interfaith relationships and build connection between community members of different faiths. It is a great opportunity to meet new people who live in your own area. The process entails sharing stories in pairs, and then retelling each other's stories to the group. There is room for twelve participants. Sign up by sending your request to the contact below. Facilitated by Jahi Makey of Narrative 4.



315 N Main St., Opelousas, LA 70570 FMI: 337-948-2589; museum@cityofopelousas.com

Presentation by Mr. Eric Williams, "Guns-Down-Power-Up" organization president, regarding gun violence. Focus: Respect & Love

Purpose: Value and Worth - Guns Down Power Up wants to help people to achieve their dreams

Mission Statement: Transforming our neighborhoods into communities by developing our children's minds!

Eric Williams, Founder (337) 401-2545

P O Box 696, Opelousas, La 70571

https://www.facebook.com/Guns-Down-Power-Up

gunsdownpowerup@gmail.com

Peace Walks beginning February 2023 leading up to the Love Fest on 03/19/2023.

Mayor Alsandor recognized Ms. Rebecca Henry and requested that she also address the Council and everyone about the upcoming 41st annual Martin Luther King, Jr. holiday activities that are scheduled for Monday, January 16, 2023. The parade will begin at 1:00 p.m. at South Park near the Teen Center with lineup at 11:00 a.m. and proceed north on Market Street, East on Bloch Street, north on Union Street and disband at Holy Ghost Church immediately followed by a 2:00 p.m. program at the church. The keynote speaker will be Mr. Patrick Jenkins, St. Landry Parish School Superintendent. Parade Marshal will be Dr. Chris Williams.

Reading of Public Comments/Questions, if any. None.

Review Monthly Finances. Mr. Stephen Woods gave a financial update for the period covering December 2022. He stated that we are in the fourth month of our budget cycle. He clarified that back in August of 2022 when the budget was approved and it was stated that the City had \$30 million in revenue, it did not mean that come September we were going to have all of that money at that time—the budget is a 12-month process and revenue comes in at different times during the year. He also stated that the audit process has begun and by March they will make the presentation to the full board. Mr. Woods addressed Alderman Batiste's inquiry regarding pay increases and stated that he did the numbers on giving everyone a 25 cent across-the-board increase and it amounted to about \$290,000.00. It would be a different process if it were on a percentage basis because of ranks in the Police and Fire Departments. On a motion by Alderman Charles Cummings and seconded by Alderwoman Sherell Roberts, it was resolved to accept the Financial Report for the period of December 2022. A roll call vote was taken with the following results:

YEAS: Milton Batiste III, Delita Rubin-Broussard, Charles Cummings, Sherell Roberts, Chasity Davis-Warren, and Marvin Richard. NAYS: None.

ABSENT: None

Engineer's Monthly Status Report. A copy of the Engineer's Monthly Status Report was provided to the Council members.

Water and Sewer Improvements
WATER AND SEWER EXTENSIONS (BOAGNI PROPERTY - Chic-Fil-A) (BLDG#310): Bids received December 7, 2022, and contract awarded by City at December 7, 2022, and contract awarded by City at December 7, 2022, and contract awarded by City at December 7, 2022, and contract awarded by City at December 7, 2022, and contract awarded by City at December 7, 2022, and contract awarded by City at December 7, 2022, and contract awarded by City at December 7, 2022, and contract awarded by City at December 7, 2022, and contract awarded by City at December 8, 2021, and contract awarded by City at December 8, 2021, and contract awarded by City at December 9, 2022, and contract aw council meeting. Contracts being executed and notice to proceed will be issued once contracts are recorded. Estimated cost is \$250,000.00 and is being paid by the Opelousas Downtown Development District.

Water Meter Replacement Project

REPLACEMENT OF WATER METERS (W#300 CAPITAL OUTLAY): Initial meter change out commenced on December 6, 2022, and additional installation crews will be added to project in January.

Wastewater Treatment Plant Project

CANDY STREET WWTP REPAIRS & UPGRADES (STP#85): Bids received on December 1, 2022. MGA provided recommendation for award to City and City awarded contract at December council meeting. Bids received were over budget but within funds available for the project. City share of project cost is reduced from original budget of \$569,000 to \$443,046 due to bids being higher than expected. A substantial amount of the overrun is due to compliance with the "Buy American" provisions required by the DRA grant funds obtained for the project. Contracts are being executed and once all is in order, a notice to proceed will be issued. This project will help to address some of DEQ/LDH Compliance Order requirements.

Wastewater Pump Stations
SANITARY SEWER PUMP STATIONS UPGRADE (SC#261): Pumps being delivered, and construction has commenced as pumps are delivered, contractor is installing. Estimated cost was \$2,094,900.00 (\$1,852,650.00 CDBG; \$242,250.00 City). As of December 2022, pumps at eleven of the twenty-five pump stations included in the project have been installed.

Compliance Orders

DEQ COMPLIANCE ORDER (SC#251): City received DEQ Compliance Order on February 18, 2022. Order requires issues at WWTP and overflows and bypasses in collection system be addressed. City has submitted a plan of action to address but is subject to funding, which has not been secured. No funding is currently in place and City is working on application approval with DEQ for \$25M loan to address compliance issues outlined in EPA Administrative Order, DEQ Compliance Order and LDH Compliance Order. The lack of qualified and knowledgeable personnel is a major contributor to the non-compliance issues not being addressed. Some of the WWTP

LDH COMPLIANCE ORDER (SC#251): City received Compliance Order on October 17, 2022, from LDH. Order requires City to address overflows and by-passes in collection system and WWTP issues. Order requires the City to submit a plan of action for comprehensive rehabilitation of collection system to eliminate inflow/infiltration and upgrades to WWTP. Response to order submitted to LDH on October 24, 2022, requesting amendment to mandated schedule. City requested amendment to compliance schedule and is awaiting confirmation from LDH. No funding has been provided to address mandated actions. Additionally, the lack of qualified and

knowledgeable personnel in the wastewater department will prevent the city from complying with current and future regulatory issues facing the city.

WATER SYSTEM IMPROVEMENTS & UPGRADES (LDH COMPLIANCE ORDER) (W#309 LDH APPLICATION): MGA prepared and submitted a Loan Application to LDH for \$25M. City received letter from LDH dated June 15, 2022, advising that applications were considered, and projects being placed on LDH's Comprehensive List of Applicants. Engineering agreements submitted to LDH for approval and currently awaiting LDH approval of engineering contract. Contract is for the System Improvement Plan (SIP) only. Supplemental Agreements will be executed once projects are better defined in SIP. Loan funds will be used to upgrade the Water Treatment Plant (\$10.5M) and distribution system upgrades (\$14.7M). MGA IS RECOMMENDING CITY COUNCIL SCHEDULE COMMITTEE MEETING(S) TO DISCUSS EPA/DEQ/LDH COMPLIANCE ORDERS MANDATES RELATED TO THE CITY'S WATER AND WASTEWATER FACILITIES AND CITY'S PLAN OF ACTION TO ADDRESS AND FUND.

Mayor Alsandor stressed the need for residents to install a private cut-off valve after the water meter. Alderwoman Chasity Davis-Warren asked if there are any legal temporary fixes that can be done to the bridges that are out until the City can financially pay for it. Mr. Jarrell stated that each bridge would have to be looked at individually. He stated that there are some federally funded programs but the City would have to go through the Parish to get the bridges on the off-system priority list. Alderwoman Delita Rubin-Broussard asked if there is a fee to the customers for the meter replacements. Mr. Jarrell stated that there is no charge to the homeowner but the homeowner will likely see an increase in their bill since the old meters were probably under reading the usage. Mr. Eric Williams asked about the dirty water and having to run the water to clear out the dirty water—how does the City decipher what is actually used and what is being used to flush out the dirty water. Mr. Jarrell stated that the city has applied for \$25 million for upgrades to their treatment facilities. On a motion by Alderwoman Chasity Davis-Warren and seconded by Alderman Charles Cummings, it was resolved to accept the Engineers Report as presented. A roll call vote was taken with the following results:

YEAS: Delita Rubin-Broussard, Charles Cummings, Sherell Roberts, Chasity Davis-Warren, Marvin Richard, and Milton Batiste III.

NAYS: None.

ABSENT: None.

Presentation by City Attorney. Attorney Travis Broussard stated that he had no report this month.

OLD BUSINESS

No Items Submitted.

NEW BUSINESS

On a motion by Alderwoman Sherell Roberts and seconded by Alderman Charles Cummings, it was resolved to approve Contract Change Order No. 1 in the increase amount of \$8,750.00 for addition of Item Nos. CO1-1 thru CO1-8. This change order is for AMI Water Meter Installation Services Project, FP&C Project No. 50-MM6-18-01, MGA Project W#300. (Contractor: Vanguard Utility Company, Inc.). A roll call vote was taken with the following results:

YEAS: Charles Cummings, Sherell Roberts, Chasity Davis-Warren, Marvin Richard, Milton Batiste III, and Delita Rubin-Broussard.

NAYS: None.

ABSENT: None.

On a motion by Alderman Milton Batiste III and seconded by Alderwoman Chasity Davis-Warren, it was resolved to approve Contract Change Order No. 2 for addition of Item Nos. CO2-1 thru CO2-2. This change order is for AMI Water Meter Installation Services Project, FP&C Project No. 50-MM6-18-01, MGA Project W#300. (Contractor: Vanguard Utility Company, Inc.). A roll call vote was taken with the following results:

YEAS: Sherell Roberts, Chasity Davis-Warren, Marvin Richard, Milton Batiste III, Delita Rubin-Broussard, and Charles Cummings. NAYS: None.

ABSENT: None.

On a motion by Alderman Milton Batiste III and seconded by Alderwoman Sherell Roberts, it was resolved to approve Contract Change Order No. 3 in the decrease amount of \$56,380.00 for items incorrectly typed on the bid form. The unit price for items is intended to be the same unit price the City paid for these items per specifications. This change order is for AMI Water Meter Installation Services Project, FP&C Project No. 50-MM6-18-01, MGA Project W#300. (Contractor: Vanguard Utility Company, Inc.). A roll call vote was taken with the following results:

YEAS: Chasity Davis-Warren, Marvin Richard, Milton Batiste III, Delita Rubin-Broussard, Charles Cummings, and Sherell Roberts.

NAYS: None.

ABSENT: None.

INTRODUCTION OF ORDINANCES

INTRODUCTION OF AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT TO REPURPOSE THE NEW LIFE CENTER PROPERTY.

This Ordinance was introduced by Council Member Delita Rubin-Broussard at a public meeting on Tuesday, January 10, 2023 AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT TO REPURPOSE THE NEW LIFE CENTER PROPERTY.

WHEREAS, the City of Opelousas has taken legal title of the property formerly known as the Chateau Motor Inn or New Life Center situated at 404 through 411 East Landry Street in Opelousas, Louisiana, all in accordance with subject legal descriptions; and

WHEREAS, there is an urgent need for workforce residential rental apartments to serve downtown workforce residents in need of a decent place to live while preparing to integrate into the community and workforce; and

WHEREAS, there is a need for qualified local residential developers and consultants who have adequate resources available and experience to implement a repurposed residential program which will directly address the community need with a feasible and viable timely plan of action to address the workforce standard housing problems of the city and parish; and

WHEREAS, the city believes the value to be derived in behalf of its citizens equal or exceeds the value of the property to be repurposed; and NOW THEREFORE BE IT ORDAINED that the Mayor is hereby authorized and empowered to enter into a contract for sale or long-term lease and cooperative endeavor agreement with Sun CHDO, a qualified community resource development entity, for the repurposing of the former Chateau Motor Inn/New Life Center property situated at 404 through 411 East Landry Street in Opelousas, Louisiana; and

BE IT FURTHER ORDAINED that the City Attorney if authorized to review all proposed documents including, but not limited to, the Cooperative Endeavor Agreement, a contract of sale agreement, or the long-term lease which subordinates title as required for loans, and all grants and/or various sources of financial arrangements as may be required to provide improvements and providing time prior for review and signature by the Mayor and City Attorney.

INTRODUCTION OF AN ORDINANCE REGULATING NON-RESIDENTIAL VACANT STRUCTURES IN THE CITY OF OPELOUSAS.

This Ordinance was introduced by Council Member Delita Rubin-Broussard at a public meeting on Tuesday, January 10, 2023. AN ORDINANCE REGULATING NON-RESIDENTIAL VACANT STRUCTURES IN THE CITY OF OPELOUSAS. CHAPTER 5

BUILDINGS AND BUILDING REGULATIONS ARTICLE VIII. VACANT STRUCTURES

Sec. 5-162. Purpose and Intent.

The purpose of this Article is to implement components of the Opelousas Downtown Development District Master Plan, adopted by the City in 2021 by promoting the revitalization of downtown Opelousas; encouraging the reuse of downtown's building stock; improving the conditions of vacant buildings in downtown to promote public health, safety, and welfare; and supporting economic development in downtown by returning vacant buildings into commerce to create a more vibrant and active

Sec. 5-163. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Department" means the Code Enforcement Department of the City of Opelousas, Louisiana.

"Director" refers to the Director of the Code Enforcement Department of the City of Opelousas, Louisiana.

The "District" means the Opelousas Downtown Development District as defined in RS 33:2740.39(A). (2)(3)

"Lawful activity" means any legal or legally non-conforming use as defined in City of Opelousas Zoning Ordinance. (4)

"Owner" or "property owner" means any person, agent, firm, partnership, limited liability company, corporation, or other entity having a legal interest in the property. "Secured", (6)

"secure", and "securing" shall have the same meanings and be subject to the same standards as set out in [Sec. 5-167. Standard of care for vacant

properties.], unless expressly provided otherwise in this Article.

"Structure" means a combination of materials forming an edifice or building of any kind, or any piece of work artificially built up or comprised of parts joined together in some definite manner, but excluding the following: retaining walls; fences not over six feet high; platforms or decks not more than thirty inches above grade and not over any basement or story below; utility mains, lines, and underground facilities; and yard and play equipment. Structure does not include vehicles, recreational vehicles or campers.

"Vecent structure" manner that all active levels corrected or received or received or received of the correct for a certificially built up or comprised of parts joined and not over any basement or story below; utility mains, lines, and underground facilities; and yard and play equipment. Structure does not include vehicles, recreational vehicles or campers.

"Vacant structure" means that all active lawful commercial or residential activity has ceased, or reasonably appears to have ceased for a continuous period of [one hundred and eighty (180) days]. Storage or "warehousing" is not considered an active lawful commercial activity.
"Violator(s)" means person(s), natural or juridical, who have been found liable for a Violation and/or ordered to correct a Violation in a written decision by

the Planning and Zoning Commission as directed by this Article VIII.

Sec. 5-164. Applicability and administration.

Applicability (a)

- Unless otherwise provided, this Article shall apply to all vacant structures, as defined herein, which exist as of the effective date of this Article or (i) which may hereafter be constructed or converted from other uses, and which are located within the boundaries of the District, as shown in Exhibit
- (ii) This Article does not apply to single family or other residential Structures.

(iii) This Article does not apply to the State of Louisiana or any political subdivision of the State of Louisiana.

Authority of the Director. The Director is authorized to administer and enforce the provisions of this Article. (b)

The Director shall have the authority to render interpretations of this Article and to adopt policies and procedures in order to clarify the application (i) of its provisions and ensure the efficiency and effectiveness of its implementation.

The Director may also enter into an agreement with a registered property owner to obtain compliance with this Article by a date certain in lieu of (ii) the deadlines otherwise provided by this Article.

Sec. 5-165. Registration process and requirements.

- Notification to property owners. The Director, or designee, shall provide written notice to the property owner of a vacant structure by means of personal service, or by certified mail to their last known address according to the records of the St. Landry Parish Assessor's Office, and by posting on the property. Registration by property owner required.

 (i) The property owner of any vacant structure shall register each vacant structure with the Department within [ninety (90) days] from the date that
 - written notice is issued to the property owner.

(ii) Registration shall include the following information:

(1) All required registration and inspection fees, unless otherwise waived in accordance with Sec. 5-170. Fee Waivers.

The address and legal description of the property;
The current name, physical address, mailing address, telephone number, and email information for every owner with an ownership interest in the property. Entities shall submit the same information pertaining to their registered agent, or other legal representations. (4)

The contact information for a local manager of the property.

Proof of public liability insurance, in an amount no less than one million dollars (\$1,000,000.00) and covering the property. (5)

- Complete the comprehensive plan of action form provided by the Department, detailing a timeline for correcting violations, rehabilitation, maintenance while vacant, and future use of the structure. The plan of action must be updated every six (6) months. (6)
- A complete floor plan of the property for use by first responders in the event of a fire or other catastrophic event, except state or local fire employees authorized to act for their office may waive any or all of this requirement based on their existing information and needs.
- (iii) Vacant structure property owners shall provide written notice to the Director, including providing a copy of any new deed, of any change in:

(1) Ownership of the property;

Contact information for either the owner or the designated manager identified in paragraph 3 above.

(3) Written notice must be provided to the Department no later than thirty (30) days after such changes have occurred.

The Director may consider evidence provided to him/her that the property is listed and marketed for sale or lease for purposes of extending the length of time (c) before the property must be registered. (i) The property owner must provide comparable rental rates and days on market for comparable local properties as proof that the vacant property is

being offered at a fair market value and has been on the market for a reasonable length.

The property owner must also provide proof that the vacant property is being actively marketed.

Proper registration shall be valid for a period of six (6) months. The property owner must register the property every six (6) months until the Director determines that the structure is occupied and in compliance with this Article.

Sec. 5-166. Property manager or agent.

Vacant structure property owners must designate a local property manager for each property and include the relevant contact information for the designated manager upon registering the property with the Department. Property managers shall act as agents for the property owner for purposes of accepting legal service, however the designation of a property manager does not limit the responsibilities of the property owner under the provisions of this Article.

(b) The property manager or agent must be available at the number listed at all times in the event of an emergency or catastrophe

- The name and telephone number of the property manager or agent must be posted at the front of the vacant structure, in large, legible print as directed by the (c) Director.
- The name and telephone number of the property manager or agent must be provided to the Director, and to the [Opelousas Fire Department and Opelousas (d) Police Departmentl.
- Property manager contact information required in this section must be kept current as outlined in Sec. 5-165(b)(iii).

Sec. 5-167. Standard of care for vacant property.

The standard of care for vacant properties shall be subject to approval by the Director, and shall include, but is not limited to: (a)

- Applicable historic district regulations. Historic properties and properties within designated historic districts are additionally subject to all applicable rules and regulations provided in Chapter 5 Article V Historic Buildings. Where there is a conflict with this Article and Article V, Article V shall control.
- Protective treatment: All exterior surfaces, including, but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks (ii) and fences, shall be maintained in good condition, weather tight and in such condition so as to prevent the entry of rodents and other pests. All exposed wood or metal surfaces subject to rust or corrosion, other than decay resistant woods or surfaces designed for stabilization by oxidation shall be protected from the elements and against decay or rust by periodic application of weather coating materials such as paint, sealant or similar surface treatment. All surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. All siding, cladding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather-resistant and water-tight.
- Premises identification: The property shall have address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Numbers shall be a minimum of four (4) inches/one hundred two (102) mm high. (iii)

Structure: All structural members and foundation shall be maintained free from deterioration and shall be capable of safely supporting the imposed (iv) loads.

(v) Exterior walls: All exterior walls shall be kept in good condition and shall be free from holes, breaks, and loose or rotting materials. Exterior walls

shall be maintained weatherproof and properly surface coated where necessary to prevent deterioration.

Roof and drainage: The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent (vi) accumulation, dampness or deterioration. Roof drains, gutters and downspouts shall be maintained in good repair, free from obstructions and operational, and shall properly direct rainwater towards storm drains, and prevent ponding of water next to foundation for an extended period of

(vii) Decorative features: All cornices, belt courses, corbels, applications, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

(viii) Overhang extensions and awnings: All overhang extensions including, but not limited to, canopies, marquees, signs, awnings, and fire escapes shall be maintained in good repair and be properly anchored and supported as to be kept in a sound and safe condition.

Stairways, decks, porches and balconies: Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be

(ix) maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads

Chimneys and towers: All chimneys, cooling towers, smoke stacks and similar appurtenances shall be maintained structurally safe and sound, and in good repair.

Handrails and guards: Every exterior handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be (xi) maintained in good condition.

Window, skylight and door. Every window, storefront, skylight transom, and exterior door part, including, but not limited to, the frame, the trim, (xii) window, saying and door. Every window, storenoin, saying transom, and exterior door part, including, but not infined to, the frame, the trini, window screens and hardware shall be kept in sound condition and good repair. All broken or missing windows shall be replaced with glass and secured in a manner so as to prevent unauthorized entry. All broken or missing doors shall be replaced with new doors which shall be secured to prevent unauthorized entry. All glass shall be maintained in sound condition and good repair. All exterior doors, door assemblies and hardware shall be maintained in good condition and secured. Locks at all exterior doors, exterior attic access, windows, or exterior hatchways shall tightly secure the opening. Windows and doors shall not be secured by plywood or other similar means mounted on the exterior except as a temporary securing measure, not to exceed a period of three (3) months, or period of time designated by the Director and compliant with standards established by the Director.

Basement hatchways and windows: Every basement hatchway shall be maintained to prevent the entrance of rodents, birds, rain and surface (xiii) drainage water. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against entry of rodents

All repairs shall be subject to approval by [the Director, or designee, and Fire Marshall if applicable]. All required permits and final inspections prior to and/or following repairs shall be in accordance with applicable laws and ordinances

Failure to maintain the vacant structure to the standards of care required by this Article shall be a violation and subject to the provisions of [Sec. 5-171. (c) Jurisdiction, Enforcement and Penalties].

Sec. 5-168 Inspections

The Department shall inspect any premises in the District for the purpose of enforcing or assuring compliance with the provisions of this Article, within 30 days registration. Upon request by the Director, or their designee, a property owner must provide access to all interior and exterior portions of the vacant structure in order to permit a complete inspection. The Director may designate third party inspectors to conduct inspections. Sec. 5-169. Registration and inspection fees.

Vacant structure property owners shall tender a registration fee at each six (6) months registration.

(b) The registration fee at the time of the first registration shall be seven-hundred and fifty dollars (\$750.00) plus an inspection fee of \$0.01 per square foot of floor area. Floor area is defined by the City of Opelousas Zoning Ordinance

(c)

If re-inspection is required to determine that a violation has been remedied, the City may charge an additional inspection fee.

The registration fee for each subsequent registration shall increase by fifty percent (50%) of the registration fee paid during the previous period, with a maximum registration fee of five-thousand sixty-two dollars and fifty cents (\$5,065.50). The inspection fee shall remain unchanged.

(e) All registration fees shall be used solely to offset the costs of this program, or to improve or promote the areas affected by these provisions in ways designed to improve the ability of property owners to sell, lease or develop the properties which are subject to this program.

Sec. 5-170. Fee waivers.

Property owners may seek a waiver to the fees outlined in Sec. 5-169. All fee waivers must be applied for, using the forms provided by the Department. Fee waivers may be issued as outlined below

- Property which has been devastated by a catastrophe such as fire, flood, or force majeure significantly damaging in excess of fifty percent (50%) of the (1)structure
 - The owner has thirty (30) days to register from the date of the disaster but shall be exempt from the fees. (b)

This fee waiver is effective for later of the following dates:

(i) One year from the date of the catastrophe;

- (ii) One year from the date that a state of emergency is lifted from the property; or
- The earliest date that the property can reasonably be accessed by following a disaster that prevents access. (iii)

(iv) Thereafter all applicable fees are due.

- A property owner who is indigent must register and is otherwise subject to this Article but shall be exempt from the fees. In order to establish the property owner is indigent, a property owner must provide all financial information requested by the Director, including income tax returns and a list of all properties (2) owned. The fee waiver must be applied for on an annual basis.
- (3) Representatives of a property owner who is deceased or is no longer legally competent must register the property and are otherwise subject to this Article but shall be exempt from the registration fees for a period of six (6) months.
- Where the owner of the property has obtained a building permit and is progressing in an expedient manner to prepare the premises for occupancy, the owner must register the property and is otherwise subject to this Article but shall be exempt from the registration fees. For a period of 6 months. This fee waiver may be renewed in 6 month increments up to the anticipated period of construction approved by the Director

Sec. 5-171. Jurisdiction, enforcement and penalties.

Whenever the Director determines that a Violation exists, a notice of violation(s) shall be provided to the alleged Violator(s). A notice of violation shall: (a)

Be in writing;

(ii) Be mailed via certified mail to the address on file with the St. Landry Parish Assessor's office;

(iii)

Be posted at the subject property; Provide the municipal address of the cited property; (iv)

(v) Provide the date of the inspection, if any;

- (vi) Provide a description of the alleged Violation; (vii)
- Provide the mailing address and telephone number of the Department; Provide the time, date, and location of the administrative hearing whereby the alleged Violation(s) shall be adjudicated; (viii)
- (ix) Provide notice that the failure to appear at the hearing shall be considered an admission of liability for the alleged Violation(s);
- (x) Provide the risk of fees, penalties, costs, and liens that may be imposed for continued Violation; and
- (xi) Provide the remedial measures that may be ordered to correct or abate the Violation(s).

Administrative Hearing and Appeal.

(1) When the Director determines that any property is in violation of this Article VIII, the Director shall accord the registered property

(2) When the Director determines that any property is in violation of this Article VIII, the Director shall accord the registered property

(3) When the Director determines that any property is in violation of this Article VIII, the Director shall accord the registered property

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(4) When the Director determines that any property is in violation of this Article VIII, the Director shall accord the registered property

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(5) When the Director determines that any property is in violation of this Article VIII, the Director shall accord the registered property in the Planning and Zoning Commission. owner an opportunity to be heard at an Administrative Hearing conducted by the Planning and Zoning Commission. The Planning and Zoning Commission shall have jurisdiction to adjudicate any Violation(s) alleged by the Director. All decisions of the Planning and Zoning Commission shall be reduced to writing and mailed to the property owner via certified mail.

- (2) Prior to holding an administrative hearing pursuant to this Section, the alleged violator(s) shall be notified at least 15 days (inclusive of legal holidays) in advance of the date that such a hearing is scheduled. The date of the postmark shall be deemed to be the date of delivery. Any notification so sent and returned by U.S. Post Office shall be considered as having fulfilled the notification requirement. Any person charged with
- Violation(s) may present any relevant evidence and testimony at such hearing and may be represented.

 (3) Any person aggrieved by a decision of the Planning and Zoning Commission shall have a right to appeal such decision to the district court within thirty (30) calendar days of the date the Planning and Zoning Commission mailed written notice of the decision.

- Failure to register with the Department after written notice to the vacant structure property owner, as is hereinafter specified, is a violation of this Article. Any person found to have violated any provision of this Article shall be subject to a fine of not more than five hundred dollars (\$500.00) for each offense. After due notice of the written decision by the Planning and Zoning Commission, each day that the Violation(s) continue, after the time for compliance, if any, has expired, shall be deemed a separate offense.
- City of Opelousas shall have a lien and privilege against the immovable property in, on, or upon which Violation(s) have occurred. The lien and privilege shall secure all fines, fees, costs, and penalties that are assessed by the Planning and Zoning Commission after an administrative hearing. The recordation of the lien and privilege or notice of judgment by the Planning and Zoning Commission shall constitute a lien and privilege against the land upon which the Violation(s) exists. Any lien and privilege recorded against an immovable property under this Section shall be included in the next annual ad valorem tax bill.

Sec. 5-172. Severability.

If any section, subsection, sentence, clause or phrase of this Article is, for any reason, held unconstitutional or invalid, such decision or holding will not affect the validity of the remaining portions hereof. It being the intent of the City Council to enact each section and portion thereof, individually and each such section will stand alone, if necessary, and be in force not with the validity of any other division, section, subsection, sentence, clause, or phrase of these regulations.

This Article shall be effective beginning September 1, 2023.

PUBLIC HEARINGS

Pursuant to an advertisement in the Daily World, a Public Hearing was opened at 6:46 p.m. TO DISCUSS AND CONSIDER ADOPTION OF AN ORDINANCE REGULATING MOBILE FOOD VENDORS. Attorney Travis Broussard stated that this ordinance had been introduced at last month's meeting and that a few changes had been made since that time which included: Updating Section 4-2. Historic District. If operating within the Historic District, Mobile Food Establishments must be moved daily, to read "(A) If operating within the Historic District, Mobile Food Establishments must be moved daily. (B) Prior to operating in the Historic District, all Mobile Food Establishments shall apply for and obtain a Certificate of Appropriateness".

Updating Section 4-6. Operation on Property Owned or Leased. Mobile Food Establishments shall be operated on property owned or leased by the Mobile Food Vendor to read "(A) Mobile Food Establishments shall be operated on property owned or leased by the Mobile Food Vendor, and (B) All Mobile Food Establishments shall comply with applicable zoning regulations established by the City of Opelousas".

Several mobile vendors were in attendance and voiced their concerns about different areas of the proposed ordinance, particularly the Permit Application Fee, Hours of Operation, and Size Restrictions. Those vendors included Mr. Paul Porter, Mr. Jason Smith, Mr. Floyd Dominick, and Ms. Joella Leblanc. Mr. Donald Broussard also commented as a concerned citizen. The Vendors wanted to be able to have more input on the ordinance before its final passage. The Public Hearing was closed at 7:24 p.m.

ADOPTION OF ORDINANCES (VOTE REQUIRED)

ADOPT AN ORDINANCE REGULATING MOBILE FOOD VENDORS.

This Ordinance was introduced by Council Member Sherell Roberts at a public meeting on December 13, 2022

NOW THEREFORE BE IT ORDAINED by the city council of the City of Opelousas, that the following provisions applicable to Mobile Food Vendors are hereby imposed in the City of Opelousas:

> CHAPTER 6 MOBILE FOOD VENDORS

Purpose and Intent.

The City of Opelousas desires to regulate Mobile Food Vendors throughout the City to provide for the health and safety of its citizens. This Ordinance shall apply to all Mobile Food Vendors in the City of Opelousas, and it shall be effective upon signature by the Mayor. Section 2. Definitions.

"City" means the corporate limits of the City of Opelousas.

"Mobile Food Establishment" means a food service establishment that is vehicle-mounted or wheeled and is capable of being readily movable, and is commonly referred to as a Mobile Food Truck or Trailer.

"Mobile Food Vendor" means anyone who operates a Mobile Food Establishment.

"Special events" means organized special events or activities sponsored by government organizations, or large events substantially supported by local government and police and/or fire personnel, including but not limited to, the Holy Ghost Creole Festival and other events as determined by the City Council. Section 3. Permits.

Section 3-1. Application

All Mobile Food Vendors who desire to operate a Mobile Food Establishment in the City shall apply for a Permit annually. (a)

The following shall accompany each application for a Permit:

1. A principal address at which the Mobile Food Vendor may receive mail related to the operation of the Mobile Food Establishment;

Documentary evidence of the applicant's registration with the St. Landry Parish School Board Sales Tax Division;

- 3. Proof of Good Standing with the Louisiana Secretary of State for all corporations and unincorporated associations, including but not limited to limited liability companies;
- Proof of Commercial General Liability Insurance Coverage with coverage in an amount not less than \$200,000.00;
- Proof of current registration of the Mobile Food Establishment with the Louisiana Department of Motor Vehicles; 6.
- Proof of permit to operate received from the Louisiana Department of Health and Hospitals;
- Social Security or Tax Identification Number for the Applicant;
- Proof of the dimensions of the Mobile Food Establishment; and
- Proof of ownership or lease of the property at which the Mobile Food Establishment will be operated.

Section 3-2. Permit Application Fee.

A fee of \$300.00 shall be paid prior to acceptance of any applications for a Permit.

Section 3-3. Duration of Permit

Permits shall be valid from the date of issuance until December 31 of the calendar year in which the Permit has been issued unless terminated sooner by the City for good cause.

Section 3-4. Failure to Renew a Permit.

If a Mobile Food Vendor fails to apply for a Permit within thirty (30) days of expiration of any validly issued Permit, a fee of \$100.00 shall be paid in addition to the permit application fee required by Section 3-2. Section 3-5. Display of Permit.

All Permits issued pursuant to this Ordinance shall be prominently displayed in a conspicuous place at the Mobile Food Establishment and shall remain so displayed for so long as the Mobile Food Vendor operates the Mobile Food Establishment. The Permit shall be produced and handed over immediately upon request of a law enforcement officer or employee of the Code Enforcement Department of the City. Section 3-6

Permit Invalidity Permits issued pursuant to this Ordinance shall not be valid during the time and location of any special events.

Section 4. Restrictions on Operation.

Section 4-1. Hours of Operation.

Mobile Food Establishments are permitted to operate during the hours of 10:00 a.m. and 10:00 p.m. They shall remain closed at all other times. Section 4-2 Historic District.

- (A) If operating within the Historic District, Mobile Food Establishments must be moved daily.
- (B) Prior to operating in the Historic District, all Mobile Food Establishments shall apply for and obtain a Certificate of Appropriateness.
- Alcoholic Beverages Prohibited. Section 4-3

The sale of alcoholic beverages at Mobile Food Establishments is prohibited.

Section 4-4 Sale of Goods Other than Food and Non-Alcoholic Beverages Prohibited.

The sale of any goods other than food and non-alcoholic beverages is prohibited.

Section 4-5. Size Restrictions.

No Mobile Food Establishment shall exceed twenty-seven (27) feet in length and eight (8) feet in width.

Section 4-6.

Operation on Property Owned or Leased.

Mobile Food Establishments shall be operated on property owned or leased by the Mobile Food Vendor.

(B) All Mobile food Establishments shall comply with applicable zoning regulations established by City of Opelousas.

Section 4-7 Observance of Federal, State and Local Laws.

Mobile Food Vendors shall observe all federal, state and local laws when operating the Mobile Food Establishment. Under no circumstances shall any Mobile Food Establishment obstruct any public or private sidewalk or street.

No item related to operation of the Mobile Food Establishment shall be placed on any street, sidewalk, public place, or anywhere other than in or on the Mobile

Food Establishment.

Section 5. Violations.

Section 5.1. Civil Fines and Penalties.

Any person found to have violated any provision of this Article shall be subject to a fine of not more than five hundred dollars (\$500.00) for each offense. In the event a Mobile Food Establishment is given written notice regarding any violation of this Ordinance, each day that the Violation(s) continue, after the time for compliance, if any, has expired, shall be deemed a separate offense.

Section 5.2. Lien and Privilege

City of Opelousas shall have a lien and privilege against the immovable property in, on, or upon which Violation(s) have occurred. The lien and privilege shall secure all fines, fees, costs, and penalties that are assessed by the Code Enforcement Department. Section 6. Severability.

If any section, subsection, sentence, clause or phrase of this Article is, for any reason, held unconstitutional or invalid, such decision or holding will not affect the validity of the remaining portions hereof. It being the intent of the City Council to enact each section and portion thereof, individually and each such section will stand alone, if necessary, and be in force not with the validity of any other division, section, subsection, sentence, clause, or phrase of these regulations.

On a motion by Alderman Charles Cummings and seconded by Alderwoman Delita Rubin-Broussard, it was resolved to TABLE the Ordinance and forward to the General Services Committee for further discussion on Wednesday, February 8, 2023 at 5:00 p.m. A roll call vote was taken with the following results:

YEAS: Marvin Richard, Milton Batiste III, Delita Rubin-Broussard, Charles Cummings, Sherell Roberts, and Chasity Davis-Warren.

NAYS: None.

ABSENT: None.

RESOLUTIONS

ADOPT A RESOLUTION APPROVING ENTRY OF A CONTRACT WITH MINVIELLE & ASSOCIATES, INC. FOR THE PROVISION OF GRANT ADMINISTRATIVE CONSULTING SERVICES FOR STATE AND FEDERAL PROGRAMS. RESOLUTION NO. 01 OF 2023

A RESOLUTION APPROVING ENTRY OF A CONTRACT WITH MINVIELLE & ASSOCIATES, INC. FOR THE PROVISION OF GRANT ADMINISTRATIVE CONSULTING SERVICES FOR STATE AND FEDERAL PROGRAMS

WHEREAS, Minvielle & Associates, Inc., has since November 20, 2018 provided to City of Opelousas professional consulting services related to state and federal grant programs:

WHEREAS, City of Opelousas desires to continue receiving these services from Minvielle & Associates, Inc.;

WHEREAS, City of Opelousas and Minvielle & Associates, Inc., desire to memorialize their understanding related to the provision of these services, including but not limited to the terms of compensation;

WHEREAS, it is the intent of City of Opelousas and Minvielle & Associates, Inc., to enter a new written agreement for this purpose, and said written agreement is attached to, and made a part of, this Resolution;

WHEREAS, on a motion by Alderman Charles Cummings and seconded by Alderwoman Chasity Davis-Warren, this Resolution was offered for adoption at a regular public meeting of the Opelousas City Council on Tuesday, January 10, 2023, and the following vote was recorded:

Yay: Milton Batiste III, Delita Rubin-Broussard, Charles Cummings, Sherell Roberts, Chasity Davis-Warren, and Marvin Richard. Nay: None.

Absent: None

NOW THEREFORE, BE IT RESOLVED by the City Council of City of Opelousas, that City of Opelousas is authorized and empowered to enter the attached contract with Minvielle & Associates, Inc., and the Mayor shall be authorized to sign and bind the City of Opelousas to the proposed written agreement. ATTEST:

Anderson, City Clerk

CONSENT AGENDA (PERSONNEL)

Julius Alsandor, Mayor

On a motion by Alderwoman Sherell Roberts and seconded by Alderwoman Chasity Davis-Warren, it was resolved to approve the following personnel items:

Approve Police Officer Recruit Kiriston D. Arceneaux's Working Test Period as a Probational Police Officer, effective 12/08/2022.

Approve Police Officer Recruit Dillen A. DeJean's Working Test Period as a Probational Police Officer, effective 12/08/2022.

- Approve Police Officer Recruit Lumus J. Lastrapes, Jr.'s Working Test Period as a Probational Police Officer, effective 12/08/2022.
- Approve Probational Police Officer Sabre Nichole Gabriel's Confirmation to Permanent Police Officer, effective 12/16/2022.
- Approve Probational Police Officer Keith A. Ollison's Confirmation to Permanent Police Officer, effective 12/16/2022.
- Approve Police Officer Recruit Johnathon Author Smith's Working Test Period as a Probational Police Officer, effective 12/08/2022.
- Accept the correction of date of birth for Johnathon Smith on previously approved action taken at Council meeting held on 07/12/2022. Officer Smith's date of birth was incorrectly listed as 07/25/2022 on Personnel Action Form but should have been listed as 07/22/1992.
- Approve Permanent Firefighter Michael Galindo's Suspension for Six Calendar Days with a loss of Six Days Seniority and 72 Hours of Pay, effective 01/27/2023, for violation of Opelousas Fire Department Policy V 1-V-A 140 (Reporting to Duty on Time) Fourth Offense. Mr. Galindo waived his right to a disciplinary hearing and was also notified of this meeting.

A roll call vote was taken with the following results:

YEAS: Delita Rubin-Broussard, Charles Cummings, Sherell Roberts, Chasity Davis-Warren, Marvin Richard, and Milton Batiste III. NAYS: None.

ABSENT: None.

EXECUTIVE SESSION

No Items Submitted.

There being nothing further to come before the Council, on a motion by Alderwoman Chasity Davis-Warren, seconded by Alderman Charles Cummings and unanimously carried, it was resolved that the meeting be adjourned. The meeting was adjourned at 7:39 p.m.

ATTEST:

CITY CLERK

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