

**Minutes  
Public Hearing  
Town of Iowa  
115 N. Thomson  
Iowa, LA  
December 12, 2022 6:30 p.m.**

A Public Hearing was called in compliance with all requirements as to notice and open meeting regulations.

Present: Mayor Paul Hesse; Council Members Gerald Guidry, Joe Becnel, Vernessa Guillory, Daniel Hennigan, and Julie Fontenot; Town Clerk Cynthia Mallett; Town Attorney Eugene Bouquet, Chief of Police Keith Vincent, and about 8 citizens.

Mayor Hesse called the public hearing to order at 6:30 p.m.

Mayor Hesse read the title to the introduced Ordinance No. 2022-08, An Ordinance amending Ordinance No. 2017-05 Section 5, Ordinance No. 2017-06 Section 5, and Ordinance No. 2022-01 Section 6 Providing for a Decrease of Interest on Delinquent Sales Tax Payments. He asked if there were any questions. No questions or comments were made.

Mayor closed the Public Hearing at 6:32 p.m.

**Minutes  
Town of Iowa  
115 N. Thomson, Iowa, LA  
December 12, 2022 6:32 p.m.**

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

Mayor Hesse called the meeting to order at 6:32 pm.

Present: Mayor Paul Hesse; Council Members: Daniel Hennigan, Gerald Guidry, Vernessa Guillory, Joe Becnel, and Julie Fontenot; Town Clerk Cynthia Mallett; Town Attorney Eugene Bouquet; Chief of Police Keith Vincent; and about 8 citizens.

Invocation was led by Council Member Joe Becnel; followed by Pledge.

It was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot to amend agenda to add:

- a. Upon the recommendation of Jeff Kudla, Architect, Motion to approve payment #2 to K&J Development in the amount of \$266,544.35 for Ball Field Improvements Phase #1.
- b. Upon the recommendation of D.W. Jessen & Associates, Motion to approve payment for engineering fees for project I-2022-203 Application for 2023 CPPJ Trust Fund, S. Storer watershed drainage improvements.

The motion passed unanimously.

It was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot to adopt the agenda as amended. The motion passed unanimously.

It was **moved by** Daniel Hennigan, **seconded by** Joe Becnel to approve minutes as presented for Regular Meeting November 14, 2022. The motion passed unanimously.

Old Business: Mayor Hesse discussed with Council Members the request made by Entergy for the renewal of servitude for a particular tract. He said there is no term limit on the agreement and believes that in the best interest of the town, for the future, to require a term limit. He told them Entergy reported that they are not offering a term for this tract and if we want to pursue it, it would be litigated. Town Attorney Eugene Bouquet gave the Mayor and Council information on what could transpire from litigating this agreement. It was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot to table the decision until a review can be made. The motion passed unanimously.

New Business:: It was **moved by Daniel Hennigan, seconded by Julie Fontenot** to adopt Ordinance 2022-08, an Ordinance amending Ordinance No. 2017-05 Section 5, Ordinance No. 2017-06 Section 5, and Ordinance No. 2022-01 Section 6 Providing for a Decrease of Interest on Delinquent :Sales Tax Payments. The motion passed unanimously.

## **ORDINANCE 2022-08**

**An Ordinance Amending Ordinance No. 2017-05 Section 5, Ordinance No. 2017-06 Section 5, and Ordinance No 2022-01 Section 6 Providing for a Decrease of Interest on Delinquent Sales Tax Payments.**

**WHEREAS**, the Louisiana Legislature enacted Act No. 87 of 2022. To provide for remittance of tax under protest; to provide for a limitation on the maximum interest rate on unpaid taxes; to equalize interest rates for taxes due, taxes paid under protest, and refund of overpayments; to provide for the calculation of late filing and payment penalties; and to provide for related matters; and

**WHEREAS**, the Louisiana Uniform Local Sales Tax Board promotes uniformity and efficiency in the imposition, collection and administration of local sales and use taxes: and

**WHEREAS**, the Louisiana Uniform Local Sales Tax Board, on August 18, 2022, adopted Informal Policy Advice No. 22-001, Sales And Use Tax Interest Rate Changes Pursuant to Act 87 of 2022 Regular Session to notify that pursuant to Act 87 of 2022, no interest over 12% will be collected on unpaid taxes that become due on or after January 1, 2023; and

**WHEREAS**, the Town of Iowa, needs to amend Ordinance No 2017-05 Section 5, Ordinance No 2017-06 Section 5, and Ordinance No. 2022-01 Section 6, Interest, from 1-1/4% per month to 1% per month.

**THEREFORE**, after public hearing was held on the above Ordinance, the title having been read and the Ordinance considered, on motion by Daniel Hennigan, seconded by Julie Fontenot to adopt the Ordinance, a record vote was taken, and the following result was had:

YEAS: Daniel Hennigan, Julie Fontenot, Gerald Guidry, Joe Becnel, and Vernessa Guillory

NAYS: None

ABSENT: None

ABSTAIN: None

The above and foregoing addition to the Code of Ordinances, Town of Iowa, Louisiana, has been read and adopted and is only intended as an addition to the Code of Ordinances and amendment to above said Ordinances. The remaining Ordinances and the past enacted Ordinances are still in full force and effect.

The presiding officer declared the above ordinance duly adopted on this 12<sup>th</sup> day of December, 2022.

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**PAUL HESSE, MAYOR**

I certify that the above ordinance was presented to the Mayor by me on the 14<sup>th</sup> ay of December, 2022.

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**CYNTHIA MALLET, TOWN CLERK**

I, acknowledge receipt of the above ordinance from the Town Clerk on this 14<sup>th</sup> day of December, 2022.

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**PAUL HESSE, MAYOR**

I, hereby approve the above ordinance on this 14<sup>th</sup> day of December, 2022.

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**PAUL HESSE, MAYOR**

I certify that the above ordinance was received by me from the Mayor on this 14<sup>th</sup> day of December, 2022.

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**CYNTHIA MALLET, TOWN CLERK**

Mayor Hesse announced Jeff Kudla was not present. He offered the recommendation from Mr. Kudla to pay retainage to K&J Development for Public Storage and Break Room Building Project. It was **moved by Julie Fontenot, seconded by Joe Becnel** to pay retainage to K&J Development in the amount of \$33,347.03. The motion passed unanimously.

It was **moved by Julie Fontenot, seconded by Daniel Hennigan** to approve payment #2 to K&J Development for Ball Field improvements Phase #1 in the amount of \$266,544.35. Motion passed unanimously.

Mr. Walt Jessen came forward to report updates of projects and make recommendations. Upon the recommendation of Walt Jessen, it was **moved by Daniel Hennigan, seconded by Vernessa Guillory** to pay request #1 for project I-2021-187, Wastewater Treatment Plant Oxidation Pond Repairs, to Spink's Construction in the amount of \$899,069.04. The motion passed unanimously.

Upon the recommendation of Mr. Jessen, it was **moved by Julie Fontenot, seconded by Vernessa Guillory** to pay Jessen & Associates for engineering on Project I-2021-187, Wastewater Treatment Plan Oxidation Pond Repairs in the amount of \$36,980.93. The motion passed unanimously.

Upon the recommendation of Mr. Jessen, it was **moved by Daniel Hennigan, seconded by Julie Fontenot** to approve payment to Jessen & Associates, LLC for 2023 CPPJ Trust Fund Application (S Storer watershed drainage improvements in the amount of \$3,816.25. Motion passed unanimously.

Mr. Jessen reported that a Pipe Bursting Project would be beneficial to aid the City Park Lift station and it serves everything north of the railroad tracks. The size is 10 inch and would be increased. Mayor Hesse announced that this will be an ARPA paid project. It was **moved by Joe Becnel, seconded by Vernessa Guillory** to advertise for bids for Sewer Pipe Bursting Project. Motion passed unanimously.

Mr. James Hardy was not present.

Mr. Pat Thibodeaux, Public Works Director, came forward and reported on the activities of November.

Mayor Hesse announced that an invoice from Kudla Architecture was requested to be paid and was not listed on the agenda. It was **moved by Daniel Hennigan, seconded by Joe Becnel** to amend agenda to add Motion to approve payment of Invoice #2022-012.5 to Kudla Architecture, LLC for Professional

Services: Hurricane Laura damage assessments, repair scoping and project administration for Town of Iowa Public Works Storage Building and Breakroom. Motion passed unanimously. It was **moved by** Joe Becnel, **seconded by** Daniel Hennigan to pay invoice #2022-012.5 in the amount of \$8,851.67. The motion passed unanimously.

Officer Crooks came forward to report on the condemnation report of 502 Railroad Avenue. Officer Crooks stated that Calcasieu Parish did an inspection and recommended condemnation of 502 Railroad Avenue. Owner, Mr. Miller was present and came forward. Discussion was between Council, Mayor and Mr. Miller over the ability to repair or demolish it and the time allotted to do it. It was **moved by** Julie Fontenot, **seconded by** Vernessa Guillory to allow three (3) months to Mr. Miller to show significant progress for this property and one month to clean up 500 Railroad Avenue. The motion passed unanimously.

Mr. Blaine Augustine was present as representative of Mr. Gene Augustine for property located at 414 S. Sherman. He reported that work has been done on that property and it is repaired. Officer Crooks said that last year it was inspected and reported that it should be demolished but the inspector was unable to go in the house. Now that it is repaired a re-inspection is being requested. It was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot to re-inspect 414 S. Sherman Street. Motion passed unanimously.

Police Chief Vincent came forward and reported on November activities of the Iowa Police Department. He stated that he will follow up on the drawings with Meyer & Associates for the construction of the Emergency Response Center.

Fire Chief Coffey was not present. Debbie Muir came forward to give update and activity report of the Iowa Fire Department for the month of November.

Mayor Hesse offered for introduction proposed Ordinance No. 2022-10, An Ordinance fixing Meeting Place, Days, and Time for Mayor and Town Council. The Council amended the time from 6:30 p.m. to 7:00 p.m. and to include that there would be only one meeting for the months of May, November, and December.

Mayor Hesse offered for introduction proposed Ordinance No. 2022-10, An Ordinance setting the compensation of Council Member as required by Chapter 2, Administration, of the Code of Ordinances of the Town of Iowa, Louisiana, Providing for the fixing of the salary of Council Member.

Mayor Hesse read Resolution 2022-26, a resolution to declare surplus property and assign it to be sold online by LaMATS. He said we have received more for surplus property through LaMATS than if we handle the sell ourselves. It was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot to approve Resolution 2022-26. The motion passed unanimously.

Mayor Hesse announced Resolution 2022-27, A resolution regarding personnel policies and benefits for Town of Iowa employees and supersedes any and all other policy edition, memoranda, or other Town of Iowa policies whether written or oral. It was announced that two items were amended, the per diem rate was set at the government allowed rate and the one dollar an hour for night shift hours, which was approved by the Council in a previous meeting. It was **moved by** Daniel Hennigan, **seconded by** Joe Becnel to approve Resolution 2022-27. The motion passed unanimously.

Mayor Hesse talked about the need to have a Master Services Agreement (MSA) with Fenstermaker & Associates, LLC because they were the ones that applied, on behalf of Town of Iowa, for Capital Outlay funds for the Access Road Project and the Water and Sewer GIS digital mapping. It was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot to approve Master Services Agreement (MSA) with Fenstermaker & Associates, LLC and authorize Mayor Hesse to execute agreement. The motion passed unanimously.

Report of finance was reported by Mayor Hesse.

Resident of 412 S Sherman came forward and requested a re-inspection of 414 S Sherman because he thinks that it is not livable. Mayor Hesse said that a re-inspection will be done.

Mayor Hesse asked the Council and anyone else if they had anything to say. Council Member Julie Fontenot commended Mayor Hesse on the clean Mayor's campaign he ran and thanked him for his service. All other Council Members voiced their gratitude for his service and Mayor Hesse thanked them.

With no further business it was **moved by Daniel Henningan, seconded by Julie Fontenot** to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 7:21 pm.

ATTEST:

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Paul Hesse, Mayor

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Cynthia Mallett, MMC

#### PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the Mayor and Town Council of the Town of Iowa, State of Louisiana, acting as the governing authority of the Town of Iowa, State of Louisiana, will meet on January 9, 2023 at six thirty (6:30) o'clock p.m., at its regular meeting place, Iowa City Hall Meeting Room, 115 N. Thomson Avenue, Iowa, Louisiana at which time there will be a public hearing on the adoption of the below introduced ordinances:

Ordinance No. 2022-09

An Ordinance Fixing Meeting Place, Days, and Time for Mayor and Town Council

Ordinance No. 2022-10

An Ordinance Setting the Compensation of Council Member as Required by Chapter 2, Administration, of the Code of Ordinances of the Town of Iowa, Louisiana, Providing for the Fixing of the Salary of Council Member

All interested citizens will have the opportunity to give written or oral comments. Handicapped persons needing assistance or aid should contact City Hall, 337-582-3535 before the meeting. Published in Lake Charles American Press.