

Minutes of the proceedings of the Mayor and Board of Aldermen of the Town of Gueydan, Louisiana, taken at regular meeting held Tuesday, October 4, 2022, at 6:00 o'clock P.M.

The Mayor and Board of Aldermen of the Town of Gueydan, Louisiana met in regular session with Mayor Jude Reese presiding and the following Aldermen present:

Present: CLAUDETTE PRICE, JOHN LASETER,  
JENNIFER DAVID, ANITA DUPUIS & JASON SUIRE

Absent: NONE

Public Comment any item on agenda (3 minutes per person)

Motion was made by JASON SUIRE, seconded by JOHN LASETER, and carried, that in as much as each member of the Board of Aldermen received a copy of minutes taken at Regular Meeting of September 6, 2022, that the reading of said minutes be dispensed with and same be adopted as written.

Motion by JASON SUIRE, seconded by JOHN LASETER, and carried, that the reports of the Bookkeeper and Tax Collector be approved as filed.

Motion by JOHN LASETER, seconded by JASON SUIRE, and carried that the following transfer, on the date, and amount from fund is hereby ratified and approved:

To General Fund:		
September 19, 2022	Utility Fund	\$40,000.00

Motion by JOHN LASETER seconded by JASON SUIRE and carried to approve the billing adjustments in the amount of \$728.10 for the month of September 2022.

Larry Crame, engineer with Sellers & Associates presented a resolution pertaining to the FY 2023-2024 Capital Outlay for streets.

The following was offered by JASON SUIRE, seconded by JOHN LASETER, and duly resolved:

**RESOLUTION NO. 11-2022**

**A RESOLUTION REQUESTING FINANCIAL ASSISTANCE  
FROM THE STATE OF LOUISIANA UNDER THE FISCAL YEAR  
2023-2024 CAPITAL OUTLAY PROGRAM**

**WHEREAS**, the State of Louisiana has announced that applications are being accepted for the Fiscal Year 2023-2024 Capital Outlay Program; and

**WHEREAS**, the Capital Outlay Program offers grants to eligible municipalities and parishes for a wide range of projects to improve public health, public safety, living conditions and for economic development purposes; and

**WHEREAS**, it is deemed necessary and proper for the Town to submit application(s) to the State of Louisiana Capital Outlay Program; and

**WHEREAS**, the Town of Gueydan hereby commits to a local match of twenty-five percent (25%) of the total project cost.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Aldermen of the Town of Gueydan that Sellers and Associates is hereby authorized to submit the necessary documents for the Capital Outlay Program on behalf of the Town of Gueydan and that the Honorable Jude Reese, Mayor, is hereby authorized to sign all documents related to the 2023-2024 Capital Outlay Program.

**THEREUPON**, the above resolution was approved.

Mr. Cramer presented a bill submitted by E. B. Feutch for the work performed at the Sewer Plant, after a brief discussion it was decided to wait until the project is completed before payment is processed.

Mr. Cramer informed the governing authority of the Phase 2 request has been obligated for the main pump station project. Motion by JASON SUIRE, seconded by JOHN LASETER and carried to authorize Sellers and Associates to prepare the bids for the main Pump Station Project.

Motion by JASON SUIRE, seconded by JOHN LASETER and carried to introduce an ordinance “AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 1, SEC.2-3 OF THE CODE OF ORDINANCES OF THE TOWN OF GUEYDAN, LOUISIANA, ENTITLED “COMPENSATION OF OFFICERS”. A Public Hearing will be held at 5:45 p.m. on November 1, 2022, and be presented for final adoption at the regular meeting of November 1, 2022, which meeting begins at 6:00 p.m.

The following Ordinance was offered by JASON SUIRE seconded by JOHN LASETER and carried:

### **ORDINANCE 2022-3**

#### **AN ORDINANCE REGULATING THE USE OF GOLF CARTS AND SLOW MOVING VEHICLES IN THE TOWN OF GUEYDAN**

##### **Definitions.**

*DOTD* means the Department of Transportation and Development.

*Driver* means every person who drives or is in actual physical control of a vehicle.

*Golf Carts* are defined as electric or gas motorized pleasure vehicles that do not exceed 25 miles per hour on a straight and level surface.

*Highway* means the entire width between the boundary lines of every way or place of whatever nature publicly maintained and open to the use or the public use for the purpose of vehicular travel, including bridges, causeways, tunnels and ferries; synonymous with the word “street”.

*Local municipal authority* means every council, commission, or other board given authority by the constitution and laws of this state to govern the affairs of the municipality.

*Motor vehicle* means every vehicle which is self-propelled but excluding a motorized bicycle. “Motor Vehicle” shall also include a “low-speed vehicle” which is a four-wheeled, electric-powered vehicle with a maximum speed of not more than 25 miles per hour and is equipped with the minimum motor vehicle equipment appropriate for vehicle safety as required in this division. All mandatory speed limits in Gueydan must be followed.

*Municipality* means the incorporated village, town, or city created under the authority of the constitution or laws of this state.

*Operator* means every person, who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering the vehicle being towed by a motor vehicle.

*Owner* means a person who holds a legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale, lease, or transfer of possession thereof with the right of purchase upon the performance of the conditions stated in the

agreement, with the right of immediate possession in the vendee, lessee, possessor, or in the event such similar transaction is had by means of mortgage and the mortgagor of a vehicle is entitled to possession, then the conditional vendee, lessee, possessor, or mortgagor shall be deemed the owner for the purpose of this chapter.

*Police officer* means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

*Private road or driveway* means every way or place in private or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owners, but not by other persons.

*Right-of-way* means the privilege of the immediate use of the highway.

*Roadway* means that portion of a highway improved, designed, or ordinarily used for vehicular traffic, exclusive of the shoulder. A divided highway has two or more roadways.

*Shoulder* means the portion of the highway contiguous with the roadway for accommodation of stopped vehicles, for emergency use, pedestrian use, mobility aid use or bicyclists when other accommodations are not available, and for later support of base and surface.

*Sidewalk* means that portion of the highway between the curb lines, or the lateral lines of a highway, and the adjacent lines, intended for the use of pedestrians.

*State maintained highway* means any highway in this state which is contained in the state highway system as defined by law or which is maintained by the department.

*Street* means the entire width between the boundary lines of every way or place of whatever nature publicly maintained and open to the use of the public or purpose of vehicular travel, including bridges, causeways, tunnels, and ferries, synonymous with the word "highway".

*Traffic* means pedestrians, vehicles, and other conveyances either singly or together while using any highway for purposes of travel.

*Traffic control device* means all signs, signals, markings, and devices, not inconsistent with this chapter, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

*Traffic control signal* means a type of highway signal, manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

*Vehicle* means every device by which persons or things may be transported upon a public highway or bridge except devices by human power or used exclusively upon stationary rails or tracks. A bicycle or a ridden animal shall be a vehicle, and a trailer or semitrailer shall be a separate vehicle.

## **Rules and Regulations.**

- (a) This division allows for the operation of golf carts on public streets, roads, pathways and at designated highway crossings and paths within the Town of Gueydan jurisdiction and authorized by RS 32:299.3 enacted by the Legislature of Louisiana.
- (b) This division pertains to golf carts as defined herein only. This division does not pertain to the operation of lawn mowers, tractors, or four-wheelers, ATVs, or any other conveyance, other than those described herein. Those as listed above are not allowed.

- (c) Golf carts, hereinafter referred to as “cart(s)” are not generally designed to be operated and used on public streets, roads, paths, or highways. The Town of Gueydan by adopting this division is no way endorsing, nor is it advocating the use of carts on the public streets, road, paths, or highways withing its jurisdiction.
- (d) By adopting the ordinance from which this division is derived, the Town of Gueydan is merely regulating the operation of such vehicles by addressing public safety issues and concerns. All operators and passengers of carts, which operate within the Town of Gueydan’s jurisdiction, do so at their own risk and peril.
- (e) This division does not imply the operation of these vehicles on said streets, roads, paths, and highways, is safe or advisable, even if done so in compliance with this division. All operators of said vehicles, and their passengers, must be observant of, and attentive to, the safety of themselves, motorists, pedestrians, bicyclists, and the personal and real property of others.
- (f) The Town of Gueydan has no liability, under any theory of liability, for permitting the operation of carts, SMVs on streets, roads, paths, or highways under its jurisdiction as allowed by Louisiana General Statutes and special legislation granted by the Louisiana State Legislature, but governed by this division.
- (g) Defense release, indemnity, and hold harmless agreement: as provided in Code of Ordinances section 98-12 of the Town of Gueydan Code of Ordinances, any person or persons, operating or riding, carts on the streets, road, paths, or designated highway crossings under the jurisdiction of the Town of Gueydan, does so at his or her own risk and peril, and must operate said vehicles with due regard for the safety and convenience of other motor vehicles, bicyclists, and pedestrians.
- (h) The golf cart owner and registrant must sign a release from liability for the Town of Gueydan which is a follows: The undersigned owner and registrant hereby agrees to indemnify, defend, and hold the Town of Gueydan, its officers, agents, servants, employees, assistants, legal representatives and their heirs, executives, executors, administrators, and assigns, completely harmless from and against any and all liabilities, losses, suits, claims, judgements, fines, or demands arising by reason of injury or death of any person or damage to any property, including all reasonable costs of investigation and defense thereof, including but not limited to attorney fees, court costs, and expert fees, of any nature whatsoever arising out of an incident to the acts or omissions of the owner and registrant, its officers, agents, employees, contractors, subcontractors, subleases, licensees, invitees, or any third persons in the use of the owner’s and registrant’s golf cart or slow moving vehicle, regardless of where the injury, death, or damage may occur.
- (i) Golf carts may be operated on streets, roads, paths, and designated paths within the Town of Gueydan in accordance with the rules and regulations.
- (j) Before carts can be operated on the designated streets, roads, pathways, or highways within the jurisdiction of the Town of Gueydan, the owners thereof must purchase and maintain liability insurance in at least the minimum amount required by the State of Louisiana for a licensed motor vehicle which policy insurers against personal injury and property damage of any nature, relative to the operation of said vehicles. Proof of insurance must be provided to the Gueydan Police Department at the time of application of a permit to operate said vehicles.
- (k) Any person who operates a in the Town of Gueydan takes full responsibility for all liability associated with the operation of said vehicles. Any person who rides or sits as a passenger on a cart in the Town of Gueydan takes full

responsibility for all liability associated with the “riding on” or the “sitting on” of said vehicles.

- (l) A person who operates a car on the streets, roads, pathways or designated highway paths within the Town of Gueydan jurisdiction shall hold a valid driver’s license issued by the State of Louisiana, and said operator shall this driver’s license proof on their person at all times while operating said vehicles and proof of insurance.
- (m) Carts may only be operated during daylight hours, between sunrise and sunset.
- (n) Carts may only cross or drive on State Highway 14 pathways clearly marked by Louisiana DOTD. Carts are not allowed to travel down state highways or in their right-of-way.
- (o) These crossings will not be available unless or until the State approves any crossing and have posted their signs for golf cart crossings.
- (p) Carts may not be operated during inclement weather, when visibility is reduced or impaired by weather, fog, or other conditions or at any time when there is insufficient light clearly to see a person or a vehicle on the roadway at a distance of 500 feet.
- (q) Carts must be equipped with a rear vision mirror on the exterior of the driver’s side, and a mirror on the passenger side or an interior mirror capable of providing the operator with a 100 feet clear rear sight picture.
- (r) Carts must be equipped with efficient brakes, reliable steering apparatus, red reflector warning devices – front and rear, and safe tires.
- (s) Carts must be equipped with front and rear turn signals, head lights and brake lights.
- (t) Any person who operates a cart within the Town of Gueydan jurisdiction must adhere to all State of Louisiana traffic laws, and all laws governing the use of, or the possession of, alcoholic beverages and controlled substances.
- (u) Cart operators must always yield the right-of-way to pedestrians and overtaking vehicles.
- (v) All passengers, including children, must be properly seated while the cart or the SMV is in motion and shall not be transported in a negligent manner. The maximum number of persons on a cart or SMV shall be two persons per seat.
- (w) Carts or SMVs shall not be operated on any town sidewalks, unless otherwise designated by the Chief of Police.

### **Permit, Application, and Revocation**

- (a) All cars and SMVs operated within the Town of Gueydan’s jurisdiction must display on the left side of the front bumper, a valid “permit of operation” sticker issued by the Town of Gueydan Police Department.
- (b) The non-refundable annual fee for said sticker shall be set at \$50.00 each year. There will be a one-time notary fee per vehicle when vehicle is registered and said fee will be used for the implementation and maintenance of this privilege. The permit sticker must be renewed annually on March 1 of each year. The chief of police or their designee shall have the right to refuse to issue and/or revoke any permit sticker and may remove said sticker from any cart or SMV at any time and for any reason that he, or she, feels is appropriate to ensure the safety and wellbeing of the citizens and the motoring or pedestrian traffic of the Town of Gueydan

- (c) Any person wishing to make application for a “permit of operation” for carts or SMVs shall complete the required application form distributed for the Town of Gueydan Police Department by the town clerk and shall pay the town clerk the annual non-refundable registration fee at the time of application.

(1) The fee must be paid even if a “permit of operation” is denied or revoked by the chief of police or their designee.

- (d) *Permit application form.* The application form shall include the full name, address, and telephone number of the applicant; the applicant’s date of birth; the applicant’s driver’s license information to include state of issuance and the driver’s license number (a photocopy of the applicant’s driver’s license shall be attached to the application form); the name of the applicant’s insurance company and the applicant’s insurance policy number, along with the date of expiration of said policy; the date of the application; and the applicant’s signature attesting to his or her reading and understanding of the Town of Gueydan’s Ordinance governing the operation of the carts or SMVs, within the Town of Gueydan.
- (e) Any “permit of operation” may be revoked by the chief of police or designee if there is any evidence of material misrepresentation made in the permit application, if liability insurance has been revoked, suspended, expired, or is no longer in effect, or if there is any evidence that the permitted cannot safely operate a cart or SMV.
- (f) A permit shall be revoked by the chief of police or their designee if it is found that the operator, or any person that the operator allows to operate said vehicle, driver’s license has been suspended, revoked or has expired.
- (g) The chief of police or their designee shall issue a “notice of revocation: in the event that a permit is revoked shall and hand deliver said revocation notice to the permit holder, or the chief of police may send said notice by certified mail to the address of the applicant. The revocation shall be effective immediately upon hand delivery or three days after mailing by certified mail.
- (h) Any person who violates any section or part of this article or fails to comply with any section or part of this article shall be held responsible for an infraction and shall be required to pay a penalty in the amount of \$100.00.

This Ordinance having been considered Section by Section, and submitted to a vote upon the whole, the vote thereon resulted as follows:

YEAS: CLAUDETTE PRICE, JOHN LASETER, JENNIFER DAVID,  
ANITA DUPUIS & JASON SUIRE

NAYS: NONE

ABSTAIN: NONE

ABSENT: NONE

And the Ordinance was therefore declared adopted on this 4<sup>TH</sup> day of October 2022.

S/Roxanna Richard  
Clerk

S/Jude Reese  
Mayor

Motion by JASON SUIRE, seconded by JOHN LASETER and carried to withdraw membership with the Vermilion Parish Sheriff Department Drug Task Force, effective January 1, 2023.

Mayor Jude Reese presented to the Governing Authority the “suspension and/or possession of Alcohol on town hall grounds” for the fall festival, which is being held on October 29, 2022, between the hours of 8:00 a.m. and 5:00 p.m. Motion by JASON SUIRE seconded by JOHN LASETER and carried to suspend the Ordinance for the **Suspension and/or Possession of Alcohol on Town Hall Grounds** on the date of October 29, 2022, between the hours of 8:00 a.m. and 5:00 p.m.

Mayor Reese opened the sealed bids and read aloud each bid submitted for the 2010 Chevrolet Impala (3350) and the bids resulted as follows:

Bubba Morgan Trucking \$753.00     J J Merchant \$1,381.81

Motion by JASON SUIRE, seconded by JOHN LASETER and carried to accept the bid of J J Merchant in the amount of \$1,381.81 for the 2010 Chevrolet Impala (3350).

Mayor Reese opened the sealed bids and read aloud each bid submitted on the 2010 Chevrolet Crown Victoria (4834) and the bid resulted as follows:

J J Merchant \$1,189.39                      Bubba Morgan Trucking \$753.00

Motion by JASON SUIRE, seconded by JOHN LASETER and carried to accept the bid in the amount of \$1,189.39 from J J Merchant.

Motion by JASON SUIRE, seconded by JOHN LASETER and carried to amend the agenda to include Barton Kibodeaux.

Mr. Barton Kibodeaux addressed the mayor and board of aldermen of his concerns with the high electrical bills. Mr. Shalon Latour shared his comments on the matter of the high electrical bills all over the nation. Mr. Latour also informed those present that he is running for Public Service Commission District #4.

There being no further business to come before the meeting thereupon motion by JOHN LASETER, seconded by JASON SUIRE, and carried the meeting thereupon adjourned at 6:36 o’clock P.M. on this 4<sup>TH</sup> day of October,2022.

S/Roxanna Richard  
Clerk

S/Jude Reese  
Mayor