



AGENDA
REGULAR MEETING
MONDAY, NOVEMBER 19, 2018 6:00 PM
CARENCRO CITY HALL
210 E. ST. PETER ST.
CARENCRO, LOUISIANA

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT PRAYER.**
- C. ANNOUNCEMENTS:**
 - 1. RECOGNIZE CARLEE ALM-LABAR TO DISCUSS THE LAFAYETTE PARISH CHARTER AMENDMENT ON THE BALLOT FOR DECEMBER 8, 2018.
 - 2. RECOGNIZE LCG COUNCILMAN JAY CASTILLE TO DISCUSS THE PARISH FIRE TAX.
- D. GUESTS:**
- E. PROCLAMATION:**
- F. APPROVAL OF MINUTES OF PREVIOUS MEETINGS & FINANCIAL REPORTS:**
 - 1. OCTOBER 15, 2018-REGULAR MEETING
 - 2. OCTOBER 17, 2018- PUBLIC BUDGET HEARING
 - 3. FINANCIAL REPORTS
- G. RECOGNIZE DEPARTMENT HEADS/CONSULTANTS FOR PRESENTATION OF MONTHLY REPORTS**
- H. UPDATES:**
 - 1. RUE BASIN BRIDGE
 - 2. PREJEAN ROAD OVERLAY
 - 3. ANDRE STREET BRIDGE

4. ANDRE STREET DRAINAGE
5. TWO N UNIVERSITY LATERALS

I/J RESOLUTIONS:

1. RESOLUTION 2018-023: A RESOLUTION OF THE CARENCRO CITY COUNCIL ADOPTING PROJECT FRONT YARD AS ITS OFFICIAL COMMUNITY BEAUTIFICATION PROGRAM.
2. RESOLUTION 2018-024: A RESOLUTION OF THE CARENCRO CITY COUNCIL AUTHORIZING THE DONATION BY THE CARENCRO FIRE DEPARTMENT OF A PUBICALLY OWNED VEHICLE NO LONGER NEEDED FOR PUBLIC PURPOSES.
3. RESOLUTION 2018-025: A RESOLUTION OF THE CARENCRO CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF CARENCRO, THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT AND THE ACADIANA PLANNING COMMISSION FOR STATE PROJECT NO. H.013517. (EAST SAINT PETER SIDEWALKS).
4. RESOLUTION 2018-026: A RESOLUTION OF THE CARENCRO CITY COUNCIL AMENDING THE 2017/2018 GENERAL FUND OPERATING BUDGET BY PROVIDING AN ADDITIONAL \$24,000.00 TO THE STREET EQUIPMENT REPAIRS AND MAINTENANCE LINE ITEM.

K. INTRODUCTORY ORDINANCES:

1. ORDINANCE NO. 2018-017: AN ORDINANCE OF THE CARENCRO CITY COUNCIL AMENDING THE CARENCRO CODE OF ORDINANCES, CHAPTER 30, "FLOODS".

PUBLIC HEARING:

L. ORDINANCES FOR FINAL ADOPTION:

1. ORDINANCE NO. 2018-015: AN ORDINANCE OF THE CARENCRO CITY COUNCIL ADOPTING AN OPERATING BUDGET OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR BEGINNING DECEMBER 1, 2018 ENDING NOVEMBER 30, 2019 AND ADOPTING AN AMENDED OPERATING BUDGET OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR BEGINNING DECEMBER 1, 2017 AND ENDING NOVEMBER 30, 2018.
2. ORDINANCE NO. 2018-016: AN ORDINANCE OF THE CARENCRO CITY COUNCIL GOVERNING BEEKEEPING.

M. PUBLIC HEARING:

1. PRELIMINARY AND FINAL PLAT REVIEW LOTS 1 & 2 FOR CHARLES D DOMECH.

N. DISCUSSIONS:

1. DISCUSS THE 2017-2018 AMENDED BUDGET AND THE 2018-2019 PROPOSED BUDGET FOR PARC AND PELICAN PARK.

2. DISCUSS APPOINTMENTS THAT ARE EXPIRING ON THE PARK AND RECREATION COMMISSION BOARD. THE FOLLOWING ARE:

TOM MEYERS APPOINTED BY THE COUNCIL-TERM EXPIRES 12/1/2018

TOMMY FONTENOT APPOINTED BY THE COUNCIL-TERM EXPIRES 12/1/2018

3. MR. JESSE CONQUES OF MOSSROSE GARDENS RESIDENTIAL DEVELOPMENT KATE ROAD, CARENCRO, LOUISIANA REQUESTING ADDITIONAL ONE YEAR EXTENSION THAT WILL EXPIRE IN JANUARY 2020. IT IS 14 YEARS FROM THE ORIGINAL PRELIMINARY PLAT APPROVAL DATE AUGUST 16, 2005.

4. DISCUSS GIVING AUTHORIZATION TO CITY ENGINEER LUKE HEBERT TO EXTEND WATER LINE ON EAST SIDE OF NORTH UNIVERSITY. (FROM GLORIA SWITCH ROAD GOING SOUTH TO END OF CITY LIMITS).

P. PUBLIC COMMENTS:

Q. ADJOURN

“REASONABLE ACCOMODATIONS WILL BE MADE FOR THE HEARING OR VISUALLY IMPAIRED WISHING TO ATTEND AND PARTICIPATE IN CITY COUNCIL MEETINGS UPON GIVING AT LEAST THREE (3) DAYS PRIOR NOTICE BY CALLING (337) 896-8481.

Posted at City Hall 11/16/18 AT 0900 HOURS

ORDINANCE NO: 2018-016

AN ORDINANCE OF THE CARENCRO CITY COUNCIL
GOVERNING BEEKEEPING

BE IT ORDAINED by the City Council of the City of Carencro, that:

Whereas, honeybees are of benefit to mankind, and to Louisiana in particular, by providing agriculture, fruit and garden pollination services and by furnishing honey, wax and other useful products; and

Whereas, Louisiana is among the leading states in honey production and agricultural byproducts associated with beekeeping throughout the United States; and

Whereas, domestic strains of honeybees have been selectively bred for desirable traits, including gentleness, honey production, tendency not to swarm and nonaggressive behavior, characteristics that are desirable to foster and maintain; and

Whereas, gentle strains of honeybees can be maintained within populated areas in reasonable densities without causing a nuisance if the bees are properly located and carefully managed and maintained;

SECTION 1.

That the findings contained in the preamble of this ordinance are hereby adopted as a part of this ordinance.

SECTION 2.

Definitions: As used in this ordinance, the following words and terms shall have the meanings ascribed in this section unless the context of their usage clearly indicates another meaning:

“Apiary” means the assembly of one or more colonies of bees at a single location.

“Beekeeper” means a person who owns or has charge of one or more colonies of bees.

“Beekeeping equipment” means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.

“Colony” or “hive” means an aggregate of bees consisting principally of workers, but having, when perfect, one queen and at times many drones, including brood, combs, honey and the receptacle inhabited by the bees.

“Honeybee” means all life stages of the common domestic honey bee, *Apis mellifera* species.

“Tract” means a contiguous parcel of land under common ownership.

“Undeveloped property” means any idle land that is not improved or actually in the process of being improved with residential, commercial, industrial, church, park, school or governmental facilities or other structures or improvements intended for human use occupancy and the grounds maintained in association therewith. The term shall be deemed to include property developed exclusively as a street or highway or property used for commercial agricultural purposes.

SECTION 3:

Certain Conduct Declared Unlawful

(a) The purpose of this ordinance is to establish certain requirements of sound beekeeping practice that are intended to avoid problems that may otherwise be associated with the keeping of bees in populated areas.

(b) Notwithstanding compliance with the various requirements of this ordinance, it shall be unlawful for any beekeeper to keep any colony or colonies in such a manner or of such

disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others.

SECTION 4:

Hive Registration: All honey bee colonies shall be registered annually with the Louisiana Department of Agriculture and Forestry as required by Louisiana Revised Statute 3:2305.

Hive Type: All honey bee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.

Fencing of Flyways: In each instance in which any colony is situated within 25 feet of a public or private property line of the tract upon which the apiary is situated, as measured from the nearest point on the hive to the property line, the beekeeper shall establish and maintain a flyway barrier at least 6 feet in height consisting of a solid wall, fence, dense vegetation or combination thereof that is parallel to the property line and extends 10 feet beyond the colony in each direction so that all bees are forced to fly at an elevation of at least 6 feet above ground level over the property lines in the vicinity of the apiary. It is a defense against prosecution under this section that the property adjoining the apiary tract in the vicinity of the apiary is undeveloped property for a distance of at least 25 feet from the property line of the apiary tract.

Water: Each beekeeper shall ensure that a convenient source of water is available to the bees at all times during the year so that the bees will not congregate at swimming pools, bibcocks, pet watering bowls, bird baths or other water sources where they may cause human, bird or domestic pet contact.

General Maintenance: Each beekeeper shall ensure that no bee comb or other materials that might encourage robbing are left upon the grounds of the apiary site. Upon their removal from the hive, all such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.

Queens: All colonies shall be maintained with marked queens. In any instance in which a colony exhibits unusual aggressive characteristics by stinging or attempting to sting without due provocation or exhibits an unusual disposition toward swarming, it shall be the duty of the beekeeper to promptly re-queen the colony with another marked queen. Queens shall be selected from European stock bred for gentleness and non-swarming characteristics.

Colony Densities:

(a) It shall be unlawful to keep more than the following number of colonies on any tract within the city, based upon the size or configuration of the tract on which the apiary is situated:

1. One-quarter acre or less tract size – two colonies.
2. More than one-quarter acre but less than one-half acre tract size – four colonies.
3. More than one-half acre but less than 1 acre tract size – six colonies.
4. One acre or larger tract size – eight colonies.
5. Regardless of tract size, where all hives are situated at least 200 feet in any direction from all property lines of the tract on which the apiary is situated, there shall be no limit to the number of colonies.
6. Regardless of tract size, so long as all property other than the tract upon which the hives are situated – that is, within a radius of at least 200 feet from any hive – remains undeveloped property, there shall be no limit to the number of colonies.

(b) For each two colonies authorized under section there may be maintained upon the same tract one nucleus colony in a hive structure not exceeding one standard 9 5/8 inch depth 10-frame hive body with no supers attached as required from time to time for management of swarms. Each

such nucleus colony shall be disposed of or combined with an authorized colony within 30 days after the date it is acquired.

SECTION 5:

Marking Hives, Presumption of Beekeeping

(a) In apiaries the beekeeper shall conspicuously post a sign setting forth his name and telephone number. In addition, the beekeeper's registration yard marker, provided by the LDAF, shall be posted on a sign within the apiary. It is a defense against prosecution under this subsection that a colony is kept upon the same tract upon which the owner resides.

(b) Unless marked in accordance with subsection (a) it shall be presumed for purposes of this ordinance that the beekeeper is the person or persons who own or otherwise have the present right of possession and control of the tract upon which a hive or hives are situated. The presumption may be rebutted by a written agreement authorizing another person to maintain the colony or colonies upon the tract setting forth the name address and telephone number of the other person who is acting as the beekeeper.

SECTION 6:

Inspection: The City of Carencro shall have the right to inspect any apiary between 8 a.m. and 5 p.m. Where practicable, prior notice shall be given to the beekeeper if he resides at the apiary or if his name is marked on the hives.

SECTION 7:

Compliance, hearings, appeals:

(a) Upon receipt of information that any colony situated within the city is not being kept in compliance with this ordinance, the City of Carencro shall initiate an investigation. If there are grounds to believe that one or more violations have occurred, a hearing officer will be appointed by the Mayor and a written notice of a hearing will be issued to the beekeeper.

(b) The notice of a hearing shall set forth:

1. The date, time and place at which the hearing will be conducted; which said hearing shall be conducted no sooner than seven days, nor later than 15 days, following the issuance of notice to the beekeeper.

2. The violation(s) alleged.

3. That the beekeeper may appear in person or through counsel, present evidence, cross-examine witnesses.

4. That the bees may be ordered destroyed or removed from the city (at the hearing officer discretion) if the hearing officer finds that they have been kept in violation of this ordinance. Notices shall be given by certified U. S. mail, return receipt requested, or personal delivery. If the hearing officer is unable to locate the beekeeper, however, the notice may be given by publication one time in a newspaper of general circulation at least five days before the date of the hearing. Any costs incurred by the city in connection with the destruction or removal of the bees and/or hives shall be billed to the beekeeper and collected in accordance with applicable law.

(c) The hearing shall be conducted by the hearing officer or his designee. The burden shall be on the city to demonstrate by a preponderance of credible evidence that the colony or colonies have in fact been kept in violation of this ordinance. If the hearing officer finds that the colony or colonies have been kept in violation of this ordinance, he may order that the bees be destroyed or removed from the city within 20 days from the date the decision is rendered and noticed, and that bees not thereafter be kept upon the tract for a period of two years. Any warning or order issued by the hearing officer shall be delivered to the beekeeper either by certified mail, return receipt requested, or by hand delivery by an officer of the Carencro Police Department.

In instances where the hearing officer finds that the violations were not intentional and that the beekeeper has taken the corrective actions to cure the alleged violations, he may issue a warning in lieu of ordering the bees destroyed or removed. Upon failure of the beekeeper to comply with the order following receipt of notice, the hearing officer may cause the bees to be destroyed and the hive structures to be removed. In each instance in which a bee colony is destroyed, all usable components of the hive structure that are not damaged or rendered unhealthy by the destruction of the bees shall, upon the beekeeper's written request delivered to the city clerk, be returned to the beekeeper, provided that the beekeeper agrees to bear all transportation expenses for their return.

(d) Appeal to City Council; the decision of the hearing officer may be appealed by filing a notice of appeal with the city clerk within 10 days following the date that the hearing officer announces a decision, or if the decision is not announced at the conclusion of the hearing, within 15 days following the date the hearing officer places written notice of his decision in the mail to the beekeeper. An appeal shall stay the hearing officer's decision unless the violation of this ordinance which is the subject of the appeal causes any unhealthy condition, interferes with the normal use and enjoyment of human or animal life of others or interferes with the normal use and enjoyment of any public property or property of others.

(e) The provisions of this section shall not be construed to require the conduct of a hearing for the destruction of:

- (1) Any bee colony not residing in a hive structure intended for beekeeping or
- (2) Any swarm of bees or
- (3) Any colony residing in a standard or man-made hive, which by virtue of its condition, has obviously been abandoned by the beekeeper.

SECTION 8.

If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated, unless said provisions cannot be interpreted to substantially fulfill the policy and purposes set forth herein, or should any interpretation thereafter of a portion of the remaining provisions of this Ordinance lead to a ludicrous result, in which event those portions of this Ordinance which lead to such ludicrous result shall be construed to be null and void.

SECTION 9.

Any City of Carencro ordinance or parts thereof in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 10.

This ordinance shall become effective immediately upon return of the ordinance to the City Clerk (after execution by the Mayor) on the tenth (10th) day after receipt of the ordinance by the Mayor without signature or veto, upon an override of a veto, whichever occurs first.

ORDINANCE NO: 2018-015

AN ORDINANCE OF THE CARENCRO CITY COUNCIL ADOPTING AN OPERATING BUDGET OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR BEGINNING DECEMBER 1, 2018 AND ENDING NOVEMBER 30, 2019 AND ADOPTING AN AMENDED OPERATING BUDGET OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR BEGINNING DECEMBER 1, 2017 AND ENDING NOVEMBER 30, 2018.

BE IT ORDAINED by the Carencro City Council:

SECTION 1: The attached detailed estimate of Revenues and the attached estimates of Expenditures for the fiscal year beginning December 1, 2017 and ending November 30, 2018, is hereby adopted to serve as the Final Amended Operation Budget of Revenues and Expenditures for the City of Carencro during the same period.

SECTION 2: The attached detailed estimates of Revenues and the attached estimates of Expenditures for the fiscal year beginning December 1, 2018, and ending November 30, 2019, is hereby adopted to serve as an Operating Budget of Revenues and Expenditures for the City of Carencro, during the same period.

SECTION 3: The adoption of the 2017/2018 and the 2018/2019 Operating Budget of Expenditures is hereby declared to operate as an appropriation of the amount therein set forth within the terms of the budget classification.

SECTION 4: Amounts are available for expenditures only to the extent included with the 2018/2019 budget and also presented as estimated amounts.

SECTION 5: The Mayor of the City of Carencro shall have the authority to make changes within each department's operating budget to the extent that the department's total budget allocation is not modified without approval by the Carencro City Council. Modifications which change a department's total budget allocation must be approved by the Carencro City Council. Additionally, all modifications to budgeted capital outlay must be approved by the Carencro City Council.

SECTION 6: Increases in the amount of funds budgeted because of unforeseen circumstances may be made by Resolution of the council provided that said increases are less than five (5) % of the original department budgeted amount.

SECTION 7: The adoption of this ordinance also serves as approval of annual salaries for the elected and appointed officials of the City of Carencro.

SECTION 8: All ordinances in conflict herewith are hereby appealed.

SECTION 9: This ordinance shall become effective immediately upon return of the ordinance to the City Clerk, after execution by the Mayor, at midnight on the tenth day after receiving the ordinance by the Mayor without signature or veto, or upon an override of a veto, whichever occurs first.