

The Mayor and Council of the City of Abbeville met in regular session on June 5, 2018 at 5:30 P.M., at the regular meeting place, the Council Meeting Room located at 101 North State Street, with the Honorable Mark Piazza, Mayor, presiding.

Members Present: Council Members, Francis Plaisance, Mayor Pro-Tem, Brady Broussard, Jr., Wayne Landry and Francis Touchet, Jr.

Members Absent: Councilman Joe Hardy

Also Present: Jude Mire, Fire Chief  
Tony Hardy, Police Chief  
Ike Funderburk, City Attorney  
Clay Menard, Public Works Director  
Richard Primeaux, Engineer  
Richard Minvielle, Grant Consultant  
Gene Sellers, Jr., Architect  
Gerald Gaspard, Chamber & the American Legion  
Roslyn R. White, District A Councilwoman-Elect  
Terry Y. Broussard, District D Councilwoman-Elect  
Debbie Garrot & Gale Luquette, Abbeville Film & Visitors  
Commission  
Renee Stansbury, Kathy Richard, Eric Adcock & Chubby Carrier  
Joseph Vallee, Municipal Civil Service Board  
Josh Edmond & Megan Plowden  
Reverend Osborne Taylor  
Bryan Plowden, Abbeville All-Stars Team

*Mayor Piazza asked Reverend Osborne Taylor to lead the assembly in prayer. Mayor Piazza asked Police Chief Tony Hardy to lead the assembly in the Pledge of Allegiance.*

-01 introduced by Mr. Francis Plaisance and seconded by Mr. Wayne Landry to approve the minutes from the Committee meetings held on May 1, 2018 and May 15, 2018, the regular City Council meetings held on May 1, 2018 and May 15, 2018 and the special City Council meetings held on May 18, 2018 and May 24, 2018. The motion carried unanimously.

-02 introduced by Mr. Wayne Landry and seconded by Mr. Brady Broussard, Jr. to ratify bills paid in the month of May 2018. The motion carried unanimously.

-03 introduced by Mr. Francis Plaisance and seconded by Mr. Wayne Landry to approve the probational appointment of Tracy Sonnier and James Wood to the position of Police Officer with the Abbeville Police Department. The motion carried unanimously.

-04 introduced by Mr. Wayne Landry and seconded by Mr. Brady Broussard, Jr. to accept the resignations of Dwayne Schexnider, Aubrey Broussard and Leland Laseter from the Abbeville Police Department. The motion carried unanimously.

-05 introduced by Mr. Francis Plaisance and seconded by Mr. Brady Broussard, Jr. to deviate from the agenda to move item #18, to award the contract for the Airport Terminal building to the low bidder, Minvielle Lumber, to #2 since Mr. Gene Sellers, Jr. has another meeting that he has to attend. The motion carried unanimously.

-06 introduced by Mr. Brady Broussard, Jr. and seconded by Mr. Francis Plaisance to deviate from the agenda for Mr. Richard Primeaux to discuss the early concrete pour for the new fire station under, topics for discussion or review: engineer. The motion carried unanimously.

*Mayor Piazza asked if there were any comments on any agenda item prior to action. There were none.*

*Mr. Gene Sellers, Jr. stated we received bids for the airport terminal building in April and the bids were higher than anticipated. We have been working with the contractor to remove some items or to do somethings more economical. We made a list of those items. The base bid value was \$859,000.00. We were able to bring the contract down to \$805,623.00. The estimated planning, testing and grant management costs are \$105,000.00. The project cost is \$910,623.00. We anticipate the grant may reimburse the City between \$70,000.00 and \$90,000.00. Mayor Piazza stated this will all come from the airport fund. We have the oil and gas revenue that we have to spend on the airport. If there is an overrun, we will have to use sales tax revenue for the shortfall. Councilman Broussard asked how long the construction would take. Mr. Sellers stated about 10 months but they cannot break ground until the grant documents are executed.*

-07 introduced by Mr. Francis Touchet, Jr. and seconded by Mr. Wayne Landry to award the contract for the airport terminal building to Minvielle Lumber at a cost of \$805,623.00. The motion carried unanimously.

*Mr. Gale Luquette stated several years ago, the legislature took away the funding the Abbeville Film & Visitors Commission was getting. It has taken us several years, but we have expended all funds. We have been faithful stewards of the money. We helped pay for the mural that is on this building, we bought two of the three tables that are in the Square, we have maintained wi-fi for the Square for several years and we are in the process of funding the most recent mural. On behalf of himself and the rest of the commission, he would like to thank all the members of the Council and the Mayor for all they have done to help the Commission. We do intend to stay an active Commission. Mayor Piazza stated they appreciate their efforts. A lot of good things have come from the Commission. We have benefited from it.*

*Councilman Wayne Landry stated Mr. Josh Edmond and his organization, Unique Entertainment, have donated a library birdhouse to be placed in Lafitte Drive-In Park. It will be placed in memory of Dylan Plowden. We are anticipating dedicating the birdhouse next Saturday at 10:00 AM at Lafitte Drive-In Park.*

*Councilman Plaisance stated that at the ordinance committee meeting he brought up the ordinance to ban smoking in bars and gaming or bingo facilities. Councilman Landry introduced an ordinance earlier that was a smoke-free ordinance for the City. In that ordinance there were two exemptions; bars and gaming. There are twelve cities and four parishes in Louisiana that are totally smoke-free, including bars and gaming. This is a health issue. Councilman Landry stated a few years ago he was at the LMA conference in New Orleans and on the agenda they had the topic of being smoke-free and clean air. He thought this would be good for the City of Abbeville for people to be able to breathe healthy air. He received a phone call from Ms. Stansbury. She was a part of the smoke-free organization. She brought in a lot of knowledge and literature that*

exposed the dangers of second hand smoke. He used to be a smoker. He is not trying to stop anybody from smoking. We are trying to help those people who are having to inhale second hand smoke. He has nothing against smokers. That is your prerogative. People that are not smokers like children and elderly citizens really don't want to smell smoke. They have a right not to have to breathe second hand smoke. Councilman Plaisance stated second hand smoke causes cardiovascular disease, lung cancer, SIDS and harms children. Just in one year, 2.5 million adults who are non-smokers have died because they had to breathe in second hand smoke. This is designed so that everyone has an opportunity to live as long as they can. Many states have become smoke-free. This ban would not go into effect until September 1, 2018. Councilman Landry stated this will give the facilities that it will affect enough to accommodate those who want to smoke outside. Councilman Plaisance stated many entertainers are very concerned about the second-hand smoke they breathe while performing. We have several here tonight. He recognized Grammy award winner, Chubby Carrier, who is here tonight. Ms. Cindy Quebedeaux stated she owns the Beehive in Abbeville. Everyone has a choice to smoke or not smoke. You can come into my bar or not. That is your choice. There are already two bars in Abbeville that do not allow smoking. If you would rather go to a bar that does not allow smoking, then go. You will not come in and tell me that all my customers can't smoke because you choose not to smoke. If don't you want to come to my bar then don't come. That is your choice. You are telling me that you have a choice because you don't smoke but you are not giving me a choice because I smoke. This is only City wide so all the other bars in the parish will get all our business and we will have to close. Once we close down, and school board taxes are not paid, who will pick up those school board taxes. Will it be like Lafayette who had to raise their property taxes? Who has that right to tell me what I can do in my own bar? I pay my taxes. If you don't like the smoke then Kelvin's and Concord don't allow smoking so go there. I don't understand why I have to listen to your laws because you don't smoke. If you don't want to smoke then don't come in. It is that simple. You can't tell me I can't smoke in my bar. We will all lose our businesses. Mr. Lynn Blanchard, the Executive Director of Affiliated Blind of Louisiana, stated they operate a bingo hall in Abbeville. He testifies several years at the State Capital on behalf of those with disabilities and to make sure his center has what it needs to provide those services. This testimony today will be one of the most awkward ones because personally he supports the ban. He is a musician, he has shared the stage with Chubby on occasion, so he understands what you are trying to do. But as the Executive Director of Affiliated Blind of Louisiana and how it relates to our bingo hall, he cannot support the bill. He already knows what will happen because they have a bingo hall in Lafayette Parish. A year ago, we have had \$210,000.00 less in bingo donations. They believe this is due to the smoking ban in Lafayette Parish. His concern is his ability to continue to provide services to an already underserved population of people who are blind and deaf blind. He does not want to hinder anybody's health. He wants to accommodate as many patrons as possible in the bingo hall. He knows that many of the players will be happy to sit in a hall that is smoke-free. His concern is that they may not have a hall to sit in at all. He asked that his bingo hall remain exempt from this ban. Mayor Piazza asked if they are a non-profit organization. Mr. Blanchard answered yes. They have been hit a lot from the State too this year. Also, the legislature has approved some bills that will expand gambling. We are getting hit from every direction. The disabled people are continuing to get kicked to the bottom. His funding stream continues to shrink. Councilman Touchet stated he is an educator with a degree in Special Education. There is no bigger advocate for these kids than him. He disagrees with Mr. Blanchard when you he says their declining revenue is a result of the smoking ban. The lack of revenue could be a cause of people not having jobs or that people need to cut back. You cannot really state it is only from smoking. Have you looked for a job and saw how stressful it is for people who are trying to get a job? They will not take chances with the little money they have. Entertainment will be second to their utilities being kept on. This is just his thought. Mr. Kenwood White stated he has had a heart transplant and prostate cancer. He served in the military and was a law enforcement officer. He

smokes. He does not think that anyone has the right to tell him that he cannot smoke somewhere. He goes to the Beehive every day. He doesn't drink but he goes there to smoke and visit his friends. That is a right that he has earned. Anybody that feels that smoking hurts them more than those vehicles outside needs to go outside one day, close the garage door and smoke a cigarette. Then the next day go out again but this time, leave your car running while you smoke. You tell me which one is worse for your health. The point he is trying to make is that every time you pass laws against the poor people, it is wrong. This needs to stop. None of you go to the Beehive but you want to tell me not to smoke there. This is a freedom that the military fought for and it should be a right. If you tell me smoking hurts us more than that vehicle outside, then somebody needs to go back to school. Ms. Rockell Ficklen stated she plays bingo at ABL. She goes to bingo faithfully. A majority of the nights, she is there. She is also a smoker. It is not right for you to judge us because we smoke. The majority of people at ABL smoke. They do have a non-smoking section in the building. Only about 20 people sit there. The smokers make the bingo hall. It is not right for you to judge us and tell us we can't smoke in the bingo hall. We have that right. Mayor Piazza asked Mr. Funderburk if the designated smoking area has to be outside the building. Mr. Funderburk stated that it does have to be outside of the building. Ms. Ficklen stated if we can't smoke they will have to shut down the bingo hall. They make the money from the smokers. Nobody will take her right if she wants to smoke. You can't judge us. Mr. Emile Collins is a distributor of bingo supplies. He is non-smoker. He goes to bars who have smoking and sometimes he doesn't stay as long. He also goes to bars that are non-smoking as well because it is his choice to do so. At the same time, in Monroe where they passed non-smoking, two or three bingo halls have closed down. Those players didn't stop playing, they just went some place else. Those people will lose their jobs because the hall will close down and those players will go someplace else. ABL will lose out. At Metro bingo hall, their revenues have dropped and they will probably not survive the year. The smokers that they lost was their profit. They went to casinos. We have a choice and ABL also has a choice. Everything else in town is non-smoking so leave this alone. Ms. Melissa Merrill works at the Beehive. There is a group in here that says to go outside and smoke. Kelvin's does not allow smoking and Concord does not allow smoking. When you ride by in the night, the road is covered in a cloud of smoke. It is not healthier if this is outside. Mr. Eric Adcock stated the carcinogenic effects of second hand smoke is non-debatable. It is not a question of if it is or isn't a public health threat, it absolutely is. He has also experienced it as an oncology pharmaceutical representative in times past. He has had training dealing with lung cancer. He is a musician. Banning smoking in bars and gaming facilities is a progressive and forward step for our City. Most other cities who have taken this step have seen revenues improve. It increased because second hand smoke has consequences. This is well documented. The talk about second hand smoke creating an issue in an external environment doesn't hold much water. In an internal environment you don't have a choice but to inhale the second-hand smoke. Other fans who have been exposed to our venues that don't have a smoking ban are shocked where they have to be subjected to second hand smoke. This is especially harmful for the employees who are trying to make a living. Establishments who have tweaked their business models, to allow for the ban of smoking, have increased their revenues. They attract a more diverse group of patrons. It is critical that institutions change their business models to survive. In most cases they will see their revenues increase. It is important for you guys to make the right decision for Abbeville for a place that welcomes our tourist and protects our citizens and children from the non-debatable detrimental effects of involuntarily breathing in second hand smoke. Mr. J. C. stated he is a musician and a smoker. None of these people here are judging you. He is down to 10 to 12 cigarettes a day. If your business is depending solely on clientele that smokes then your business is lacking in a lot of other things. Sitting outside and smoking a cigarette is one thing. Standing on stage for 3 hours with a room full of cigarette smoke right at eye level is another thing. From a musician standpoint, he has to agree with the ban. Mr. Renee Stansbury stated she is the regional manager for the Louisiana campaign of Tobacco-Free Living. There are over

7,000 chemicals contained in second hand smoke. 70 are known to be carcinogenic. If someone is exposed to second hand smoking for 30 minutes, they can suffer the same consequences as smoking a cigarette. 79% of people in Louisiana don't smoke. We are not saying you have to quit. We are asking you to step outside. This is a public health issue and not a rights issue. There are 27 states with comprehensive smoke-free ordinances that protect all workers. There are 955 municipalities across the nation with comprehensive smoke-free ordinances. In Louisiana there are 15. Tonight, Abbeville has the opportunity to join others in protecting against the harmful effects of second hand smoke. To address the concerns of the bingo hall, according to data from the State charitable gaming office, total gross revenue across the state is down for charitable gaming by \$9,000,000 from 2016-2017. New Iberia alone decreased by \$551,000. Lafayette has already begun to decrease since 2015. Back in 2015-2016 the total decrease was \$587,000 and smoking was still allowed then. During 2017 attendance in Vermilion, Iberia and other facilities was down while Lafayette was the only one to show an increase in attendance by 4,286. These numbers are as a whole. You can't directly draw a relationship between smoke-free and decrease revenue from these facilities because so many other factors can affect it. You can draw a link between poor health and second-hand smoke. In our State alone, we will have 1,000 people die from second hand smoke exposure. Non-smokers who are exposed to second hand smoke at work increase their risk of developing heart disease by 25%-30%. We don't allow them to serve dirty water so why would we allow them to serve dirty air. She encourages you to protect the public health from the dangers of second hand smoke. This is the right time to do the right thing. Ms. Charmaine Landry is the State coordinator for Affiliated Blind. She was part of the team for the Lafayette Hall after the smoking ban. The team worked to bring people into the hall. We wanted everyone to know we were smoke-free and to encourage them to come into the hall. The people who are not smokers are also not gamblers. We have tried to diversify to get funding for our services. We have begged the State legislature for funding. We provide services all over the State. We have over 60 people in the Abbeville area that we serve. We ask you to extend this for at least one year so we can try to change. The non-smokers might spend \$10 but the smokers will spend \$300. Without this funding, we will have to shut down services. Councilman Plaisance called for question. Mayor Piazza stated question has been called. He really appreciates everyone's comments. He asked for a roll call vote.

**Touchet/Landry**  
**Ordinance 18-04**

*An ordinance to amend Section 9-38, Prohibition of smoking in enclosed public places, to add bars and gaming or bingo facilities.*

*The motion was put to a vote and the vote thereupon was as follows:*

YEAS: 5(Plaisance, Broussard, Landry, Touchet)  
NAYS: 0  
ABSENT: 1(Hardy)  
ABSTAIN: 0

*Therefore, the ordinance was adopted unanimously.*

*One bid was received for a surplused 2012 Dodge Challenger. The minimum bid was \$15,000. The bidder, Breaux's Auto Sales, submitted a bid in the amount of \$8,500.*

-08 introduced by Mr. Francis Touchet, Jr. and seconded by Mr. Brady Broussard, Jr. to reject the bid from Breaux's Auto Sales in the amount of \$8,500 since it was lower than the minimum bid requirement. The motion carried unanimously.

-09 introduced by Mr. Wayne Landry and seconded by Mr. Francis Plaisance to receive the petitions to change the name of North Oliver Avenue to North Charles Campbell Avenue and South Oliver Avenue to South Charles Campbell Avenue and to authorize the City Attorney to determine the proper process needed before action can be taken. The motion carried unanimously.

*Mayor Piazza asked if anyone from the Charles Campbell family is here tonight. There were no representatives. Mayor Piazza stated we have been presented with the petition from Mr. Charles Campbell's family so he asked Ike to look into the process of the name change. Mr. Funderburk stated he has done preliminary research and he has found that other cities have developed a process for this. What we may need to do is establish a process by ordinance for this. It seems like in larger cities, this happens on a regular basis. The proper place to put this is through the Planning Commission. They can then make a recommendation to the Council. He would like to create something for approval that would provide this process. We have the signatures but they have not been verified. When there is a name change, the post office and 911 have to be notified. Then the people who live on the street have to notify all of the people that they do business with. They will have to get their bank checks and drivers licenses changed. They will have to change anything that their address is on. The people that are living in the affected area need to have the opportunity to come before a body to express their concerns about the change. They have to be notified that all of these things need to be done. There will be some costs to the people who live on that street. Mayor Piazza stated he was very close to Charles and he would love to see him recognized for all of his accomplishments but we do need to come up with a process for the future and bring it to the Planning Commission. When we bring this up again, he will make sure the Charles Campbell family is here.*

-10 introduced by Mr. Wayne Landry to approve a request for a variance to move a 1987 mobile home from 1216 Felicity to 904 Martin Luther King Drive. The motion died for lack of a second.

*Councilman Landry stated he put this on the agenda. Ms. Megan Plowden purchase a new mobile home and she sold this one and it needs to be moved. Mayor Piazza stated we have the ordinance in place for a reason. We have to treat everyone the same. If we waive it for Ms. Plowden then we have to waive it for everyone else. We have no idea of what condition the 1987 mobile home is in. It is not just a couple of months over the 15-year maximum. We are talking about a 31-year-old mobile home. We can't send a building inspector because the walls are all closed up. Mr. Funderburk stated the mobile home can stay where it is or it can be moved out of the City limits since the parish does not have this ordinance.*

-11 introduced by Mr. Brady Broussard, Jr. and seconded by Mr. Francis Plaisance to approve a special permit for the Abbeville All-Star team to hold a Benefit Co-Ed Softball Tournament at A. A. Comeaux Park on July 14, 2018 from 9:00 A.M. to 10:00 P.M. and to waive the permit fee pending receipt of the insurance certification and Mr. Plowden meeting with the Police Chief regarding the event. The motion carried unanimously.

**Broussard/Plaisance**  
**Resolution R18-14**

*A resolution granting the authority to the Mayor to sign and submit all necessary documents, along with adopting certain policies, plan and procedures in connection with the FY 2018 LCDBG.*

*The motion carried unanimously.*

**Landry/Plaisance**  
**Resolution R18-15**

*A resolution approving the submittal of the application for financial assistance to the State of Louisiana under the FHWA Recreational Trails Grant Program for Louisiana.*

*The motion carried unanimously.*

*Mr. Richard Minvielle stated the LCDBG is for a sewer lift station upgrade in the amount of \$800,000. Since 1982, Abbeville has received \$10,145,229.00 in funding from the LCDBG program. The recreational trails grant will help us construct a walking trail at the new Lafitte Drive-in Park. That grant award will not occur until the end of 2018 and the match is 20% if we receive the grant. Construction would not occur until 2019. It is a \$125,000 project and it would be eligible for the maximum grant of \$100,000.*

-12 introduced by Mr. Wayne Landry and seconded by Mr. Francis Plaisance to approve the estimate for partial payment #2 for the Chris Crusta Memorial Airport Construct Asphalt Taxilane Project in the amount of \$85,124.70. The motion carried unanimously.

-13 introduced by Mr. Wayne Landry and seconded by Mr. Francis Plaisance to approve change order #2 for the Chris Crusta Memorial Airport Construct Asphalt Taxilane Project. The change order will increase the contract amount \$13,537.50 for adding lime stabilization to the access road subgrade, saw cutting of the asphalt apron and omitting saw cutting of the access road pavement. The motion carried unanimously.

-14 introduced by Mr. Francis Plaisance and seconded by Mr. Wayne Landry to approve the annual contracts for the debris removal and for professional engineering services for natural disasters. The motion carried unanimously.

-15 introduced by Mr. Francis Plaisance and seconded by Mr. Wayne Landry to approve payment number 1 in the amount of \$12,697.20 to Minvielle Lumber Company for the Hebert Fire Substation No. 2. The motion carried unanimously.

-16 introduced by Mr. Wayne Landry and seconded by Mr. Francis Plaisance to approve the final payment in the amount of \$7,196.22 payable to L & R construction for the South John Hardy Bridge repair project. The motion carried unanimously.

-17 introduced by Mr. Francis Touchet, Jr. and seconded by Mr. Brady Broussard, Jr. to submit the names of Steven Levine, Roland Simon, Katie Bourgeois and Gerald Gaspard to fill two vacancies to the Abbeville Fire and Police Civil Service Board. The motion carried unanimously.

-18 introduced by Mr. Wayne Landry and seconded by Mr. Francis Plaisance to submit the names of Wayne LeBleu and Francis Touchet, Jr. to fill one vacancy on the Abbeville Harbor and Terminal Board. The motion carried unanimously.

Richard Primeaux, Engineer

- *Minvielle Lumber is nearly ready to get the slab poured for the new Fire Station. They are requesting a variance from the noise ordinance to be able to begin the pour at 4:00 A.M. The pour will take place between 6/14/18 and 6/19/18 as they are not yet sure of the exact date. He will be able to report a better time frame by the next City Council meeting.*

-19 introduced by Mr. Francis Plaisance and seconded by Mr. Wayne Landry to approve a variance from the noise ordinance for Minvielle Lumber to begin the concrete pour at 4:00 A.M. for the new Fire Station. The motion carried unanimously.

Mayor Mark Piazza

- *Distributed a list of 2018 and 2019 projects to the Council and future Council members. Sales tax funds will be very short next year. We might have to do a sales tax budget amendment this year. He will speak to Steve Moosa about that. We will have to cut some projects or figure out where that funding will come from. He will contact Steve and he and Councilman Touchet can get together to talk about, through the Finance Committee, how we will handle it.*

Councilman Francis Touchet, Jr.

- *Asked Ike to look into the demolition ordinance. Someone comes and gets a demolition permit and they have 90 days to complete the project. If they don't do it in 90 days they get a \$50 fine then they get additional days to complete the project. We need to look at changing this. This is a loop hole. People are taking advantage of this. Mayor Piazza stated that he will be expanding our committees at the July 3, 2018 City Council meeting. The Street Committee is a new committee that can look at these issues.*
- *He will not be here at the next City Council meeting because he will be on vacation. He thanked Councilman Landry for everything he has done and he wishes him good luck. He enjoyed working with him and looks forward to working with him in the future.*

Councilman Wayne Landry

- *Asked Clay to check into the contract workers who cut McKinley Scott Park. They did a horrible job.*
- *He will be attending the camp in Houston 7/1/18-7/4/18. It is for ages 9-15 years old.*

Councilman Brady Broussard, Jr.

- *Hope everyone got a chance to attend the Daylily Festival Saturday in Magdalen Square. Credit to Clay and the crews and especially Ray and Denise Mire and everybody who made Magdalen Square look its best. We will be doing a little grout work on the bricks to keep it in tip top shape.*
- *Please pay attention to our newest mural that is coming up in Downtown. That is something for everybody to enjoy and to introduce our tourist to the culture of our community which makes us unique.*
- *We have a Farmers Market on June 16, 2018. Wonderful opportunity to buy wholesome, local goods from some great vendors under the beauty of our historic oaks.*

There being no further business to discuss, Mayor Piazza declared this meeting adjourned.

ATTEST:

APPROVE:

Kathleen S. Faulk  
Secretary-Treasurer

Mark Piazza  
Mayor