

### **REGULAR CITY COUNCIL MEETING**

June 18, 2019 at 5:30 PM Council Meeting Room, 101 North State Street, Abbeville, Louisiana 70510

### AGENDA

### NOTICE POSTED: June 17, 2019 at 4:00 P.M.

### **REGULAR ORDER OF BUSINESS**

Call to Order by Mayor Roll Call by Kathy Faulk Prayer Pledge

### PERSONNEL

### PRESENTATIONS

- <u>1.</u> Mrs. Debbie Garrot to give report on Sicilian Festival.
- 2. Cindy Revill with PetSense to discuss participation in LaFitte Drive-In Park Councilman Francis Plaisance.

### MINUTES AND APPROVAL OF BILLS

1. Ratify bills paid in the month of May 2019.

### **PUBLIC COMMENTS**

(To allow comments on any of the following items prior to action.)

### **NEW BUSINESS**

- 1. Municipal Board Reports:
  - Main Street.

Keep Abbeville Beautiful

Abbeville Planning Commission

Abbeville Parks and Recreation Board

- 2. To approve a special event permit for Megan Plowden to hold a march in memory of her son on July 30, 2019.
- 3. To approve payment #10 in the amount of \$47,500.00 payable to Minvielle Lumber and payment of the invoice to The Sellers Group in the amount of \$1,411.41, both for the Airport Terminal Building renovation.
- <u>4.</u> Curfew for underage persons, focus for our Chief of Police Councilman Francis Touchet, Jr.

### OLD BUSINESS

1. None.

### TOPICS FOR DISCUSSION OR REVIEW

- 1. Engineers
- 2. Attorney
- 3. Public Works Director
- 4. Mayor
- 5. Police Chief
- 6. Fire Chief
- 7. Council Members

### **EXECUTIVE SESSION**

### ADJOURN

In accordance with the Americans with Disabilities Act, if you need special assistance, please contact <u>Mayor Mark Piazza's office at 337-893-8550</u>, describing the assistance that is necessary.

### **Item Attachment Documents:**

1. Mrs. Debbie Garrot to give report on Sicilian Festival.

2019 Sicilain Celebration	
Sources of Revenue: List all projected sources of revenue that have been received or app	lied for.
Wristbands/Tickets: Food, Refreshments, Ice Cream, Pizza	1,163.00
Product: T-shirts, Flags, Koozies	2,204.0
Donations: Raymond Saparito \$150.00	1,450.0
Brady Broussard 150.00	
Francis Plaisance 150.00	
Robie's 150.00	
Lloyd Campisi 150.00	
MosCamp 150.00	
I Cigini Della Sicilia 200.00	
Gulf Coast Bank 150.00	
Carlene Meaux 200.00	
Total Sources of Revenue	4,817.0
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Acadiana Trophy	48.0
Ace Specialties LLC Almost Brothers Band Brasseux's Hardware Copy Services Dollar General Jeremiah Bolden-Security Lincoln Landry Band Little Ceasars Pizza Party Time-Banners Port-O-Lets	1,047.5 250.0 14.2 168.9 8.2 171.8 500.0 45.0 136.9 140.0
Ace Specialties LLC Almost Brothers Band Brasseux's Hardware Copy Services Dollar General Jeremiah Bolden-Security Lincoln Landry Band Little Ceasars Pizza Party Time-Banners	1,047.5 250.0 14.2 168.9 8.2 171.8 500.0 45.0 136.9 140.0
Ace Specialties LLC Almost Brothers Band Brasseux's Hardware Copy Services Dollar General Jeremiah Bolden-Security Lincoln Landry Band Little Ceasars Pizza Party Time-Banners Port-O-Lets Robie's Food Store Debbie Garrot	1,047.5 250.0 14.2 168.9 8.2 171.8 500.0 45.0 136.9 140.0 67.3 598.1
Ace Specialties LLC Almost Brothers Band Brasseux's Hardware Copy Services Dollar General Jeremiah Bolden-Security Lincoln Landry Band Little Ceasars Pizza Party Time-Banners Port-O-Lets Robie's Food Store	1,047.5 250.0 14.2 168.9 8.2 171.8 500.0 45.0 136.9 140.0 67.3 598.1
Ace Specialties LLC Almost Brothers Band Brasseux's Hardware Copy Services Dollar General Jeremiah Bolden-Security Lincoln Landry Band Little Ceasars Pizza Party Time-Banners Port-O-Lets Robie's Food Store Debbie Garrot City Workers	1,047.5 250.0 14.2 168.9 8.2 171.8 500.0 45.0 136.9 140.0 67.3 598.1 540.6
Ace Specialties LLC Almost Brothers Band Brasseux's Hardware Copy Services Dollar General Jeremiah Bolden-Security Lincoln Landry Band Little Ceasars Pizza Party Time-Banners Port-O-Lets Robie's Food Store Debbie Garrot	1,047.5 250.0 14.2 168.9 8.2 171.8 500.0 45.0 136.9 140.0 67.3 598.1 540.6
Ace Specialties LLC Almost Brothers Band Brasseux's Hardware Copy Services Dollar General Jeremiah Bolden-Security Lincoln Landry Band Little Ceasars Pizza Party Time-Banners Port-O-Lets Robie's Food Store Debbie Garrot City Workers Total Uses of Revenue	1,047.5 250.0 14.2 168.9 8.2 171.8 500.0 45.0 136.9 140.0 67.3 598.1 598.1 540.6 3,386.8 930.1
Ace Specialties LLC Almost Brothers Band Brasseux's Hardware Copy Services Dollar General Jeremiah Bolden-Security Lincoln Landry Band Little Ceasars Pizza Party Time-Banners Port-O-Lets Robie's Food Store Debbie Garrot City Workers Total Uses of Revenue PROFIT In-kind Contributions/Donations: Please estimate the dollar value for all in-kind contris should be calculated at a rate of \$22.24/hr. Please note the number of volunteers and total hours. Chairperson: Debbie Garrot	1,047.5 250.0 14.2 168.9 8.2 171.8 500.0 45.0 136.9 140.0 67.3 598.1 540.6 3,886.8 930.1 ributions/donations. Volunteer hou
Ace Specialties LLC Almost Brothers Band Brasseux's Hardware Copy Services Dollar General Jeremiah Bolden-Security Lincoln Landry Band Little Ceasars Pizza Party Time-Banners Port-O-Lets Robie's Food Store Debbie Garrot City Workers Total Uses of Revenue PROFIT In-kind Contributions/Donations: Please estimate the dollar value for all in-kind contr should be calculated at a rate of \$22.24/hr. Please note the number of volunteers and total hours. Chairperson: Debbie Garrot Painting of Caretto Cart Wagon (2 @20 hrs=40 x 22.24)	1,047.5   250.0   14.2   168.9   8.2   171.8   500.0   45.0   136.9   140.0   67.3   598.1   540.6   930.1   ributions/donations. Volunteer hou   Priceles   889.6
Ace Specialties LLC Almost Brothers Band Brasseux's Hardware Copy Services Dollar General Jeremiah Bolden-Security Lincoln Landry Band Little Ceasars Pizza Party Time-Banners Port-O-Lets Robie's Food Store Debbie Garrot City Workers Total Uses of Revenue PROFIT In-kind Contributions/Donations: Please estimate the dollar value for all in-kind contrishould be calculated at a rate of \$22.24/hr. Please note the number of volunteers and total hours. Chairperson: Debbie Garrot Painting of Caretto Cart Wagon (2 @20 hrs=40 x 22.24) Concession Workers (9 x 6 hrs =54 hrs x 22.24)	1,047.5 250.0 14.2 168.9 8.2 171.8 500.0 45.0 136.9 140.0 67.3 598.1 540.6 3,886.8 930.1 ributions/donations. Volunteer hou
Ace Specialties LLC Almost Brothers Band Brasseux's Hardware Copy Services Dollar General Jeremiah Bolden-Security Lincoln Landry Band Little Ceasars Pizza Party Time-Banners Port-O-Lets Robie's Food Store Debbie Garrot City Workers Total Uses of Revenue PROFIT In-kind Contributions/Donations: Please estimate the dollar value for all in-kind contrishould be calculated at a rate of \$22.24/hr. Please note the number of volunteers and total hours. Chairperson: Debbie Garrot Painting of Caretto Cart Wagon (2 @20 hrs=40 x 22.24) Concession Workers (9 x 6 hrs =54 hrs x 22.24) Cookbook sales ( Larry, Lloyd, Joey ( 3 x 6hrs = 18 x 22.24)	1,047.5 250.0 14.2 168.9 8.2 171.8 500.0 45.0 136.9 140.0 67.3 598.1 540.6 3,886.8 930.1 ributions/donations. Volunteer hou <b>Priceles</b> 889.6 1,200.9
Ace Specialties LLC Almost Brothers Band Brasseux's Hardware Copy Services Dollar General Jeremiah Bolden-Security Lincoln Landry Band Little Ceasars Pizza Party Time-Banners Port-O-Lets Robie's Food Store Debbie Garrot City Workers Total Uses of Revenue PROFIT In-kind Contributions/Donations: Please estimate the dollar value for all in-kind contr should be calculated at a rate of \$22.24/hr. Please note the number of volunteers and total hours. Chairperson: Debbie Garrot Painting of Caretto Cart Wagon (2 @20 hrs=40 x 22.24) Concession Workers (9 x 6 hrs =54 hrs x 22.24)	1,047.5 250.0 14.2 168.5 8.2 8.2 171.8 500.0 45.0 136.5 140.0 67.3 598.7 540.0 3,886.8 930.7 ributions/donations. Volunteer hou

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1,000.00

6,657.84

Blacksmith Shop Workers-Lee, Claude, Daniel (14 hrs x 2 = 28 hrs x 22.24)

Mary Anne & Rita Guarino (2 x 6 hrs = 12 x 22.24)

Set up & Break down (10.5 hrs x 22.24)

Total Value of In-Kind Contributions/Donations

Ace Specialties: 4 (10-x20) Tents at 250.00=

### **Item Attachment Documents:**

3. To approve payment #10 in the amount of \$47,500.00 payable to Minvielle Lumber and payment of the invoice to The Sellers Group in the amount of \$1,411.41, both for the Airport Terminal Building renovation.



A PROFESSIONAL CORPORATION

June 12, 2019

Mayor Mark Piazza City of Abbeville 101 N. State Street Abbeville, Louisiana 70510

RE: Additions and Renovations to the Terminal Building at Abbeville Chris Crusta Memorial Airport Abbeville, Louisiana A/E Project No. 16017

Dear Mayor Piazza:

Please find enclosed Application for Payment No. 10 from Minvielle Lumber Company for the above referenced project. Our project manager has reviewed the application and approved payment in the amount of \$47,500.00 (65.92% Complete) as submitted.

Also enclosed is our invoice for Professional Services for Observation of Construction Phase fees (25% Base Fees). These base fees are calculated using our contracted Lump Sum Fee and the percent of work complete on the Contractor's current application.

A portion of the Construction Cost and Fees are eligible to be reimbursed with Grant Funds and will be submitted for reimbursement accordingly. If you have any questions in regard to this matter, feel free to contact our office.

We request that you place both of these items in line for payment at your earliest convenience.

Very truly yours,

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Kathleen S. Miller Office Manager

Enclosures

cc: T J Savoy, Sellers & Assoc. Minvielle Lumber Company

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OFFICE (337) 232-6 e-mail: ems@tsgarchitecture.com

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100 THOMAS STREET ABBEVILLE, LOUISIANA 70510

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PLEASE REPLY TO LAFAYETTE ADDRESS



A PROFESSIONAL CORPORATION

## **INVOICE**

DATE	INVOICE NUMBER
6/12/2019	4833

BILL TO

City of Abbeville P. O. Box 1170 Abbeville, LA 70511-1170

TSG Project Name & Number

16017-Airport Terminal Bldg.

ITEM	Units			DESCRI	PTION					F	RATE		AMO	UNT	
		Professional Servic (Base Fee x 25% x Actual Construction Amended Lump Su Contractor's Applic	Percent of Wo n Cost = \$805 m Base Fees =	ork Comple ,623.00 = \$90,911.5	ite) 56	hase (25%	6 Base F	Fees)							
3010		\$90,911.56 x 25% :	x 65.92%								14,982.23	3	14,	982.23	
3010		Less Previous Payn	nents							-	13,570.82	2	÷13,	570.82	
									Tot	al			\$1,	411.41	
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47 EASY STR AFAYETTE, I		0506	OFFIC	CE (337) 232 e-mail: ems	2- 7 FAX s@tsgarchite	X (337) 232 cture.com	2-6268				ABBEV			AS STRI ANA 70	

PLEASE REPLY TO LAFAYETTE ADDRESS

Document G702 <sup>™</sup> – 1992
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# Application and Certificate for Payment

TO OWNER: City of Abbeville 101 N State St.	PROJECT:	Addition and Renovations to the Terminal Building, Abbeville Chris Crusta Memoorial Airport	tions to the APPLICATION NO: 010 bbeville Chris PERIOD TO: May 31. boot	N NO: 010 May 31, 2019
PO Box 1170 Abbeville, LA 70510			-	CONTRACT FOR: General Construction ARCHITECT:
FROM Minvielle Lumber Company, Inc. CONTRACTOR: 1412 S. State St. Abbeville, LA 70510	VIA ARCHITECT:	The Sellers Group 147 Easy Street Lafayette, LA 70506		CONTRACT DATE: June 06, 2018 CONTRACTOR: [ PROJECT NOS: The Sellers Group / Minvielle Lumber Co., Inc. / The City of Abbeville Abbeville OTHER - [
CONTRACTOR'S APPLICATION FOR PAYMENT	AYMENT		The undersigned Contractor ce	The undersigned Contractor certifies that to the best of the Contractor's knowledge.
Application is made for payment, as shown below, in connection with the Contract, Continuation Sheet, AIA Document G703, is attached.	neetion with the Cor	itract	information and belief the wo completed in accordance with t by the Contractor for Work for	information and belied the work covered by this Application for Layingin may occur completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and
1. ORIGINAL CONTRACT SUM		\$805.623.00	payments received from the Ow	payments received from the Owner, and that current payment shown herein is now due.
2. NET CHANGE BY CHANGE ORDERS		\$0.00	CONTRACTOR:	her have brind
3. CONTRACT SUM TO DATE (Line 1 ± 2)	n G703)	\$531,076.00	State of:	100 × 100 ×
5. RETAINAGE:			County of:	
a. 5.00 % of Completed Work			bed and sw	
(Column D + E  on  G703)	\$26	\$26.553.80	me this day of	
b. 5.00 % of Stored Material		00 00	Motory Dublic.	
(Column F on G703)		00.00 676.552.00	My Commission expires:	
Total Retainage (Lines 5a + 5b or Total in Column 1 of G703).	1 G /05)	00.0000		ATT FOD DAVISIENT
6. TOTAL EARNED LESS RETAINAGE		\$504.522.20	ARCHITECT'S CERTIFICATE FOR PAYMENT	
(Line 4 Less Line 5 Total)			In accordance with the Contrac	In accordance with the Contract Documents, based on on-site observations and the data
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT		\$457.022.20	Architect's knowledge, informal	Architect's knowledge, information and belief the Work has progressed as indicated, the
(Line 6 from prior Certificate)			quality of the Work is in accordance with the Con	quality of the Work is in accordance with the Contract Documents, and the Contractor is
8. CURRENT PAYMENT DUE		\$47.500.00		
9. BALANCE TO FINISH, INCLUDING RETAINAGE			AMOUNT CERTIFIED	AMOUNT CERTIFIED
(Line 3 less Line 6)	\$30I	\$301.100.80	(Attach explanation if amount certif Application and on the Continuatio	e Artach explanation if amount certified differs from the amount applied. Initial all figures on twis Application and on the Continuation Sheet that are changed to conform with the amount certifical.
CHANGE ORDER SUMMARY	VDD1100VS	DEDUCTIONS	ARCHITECT:	141 111
Total changes approved in previous months by Owner	\$0.00	\$0.00	By Cary y (	Plan Date: 01/11
Total approved this Month	\$0.00		This Cortificate is not negotiable	This Corrificate is not resortable. The AMOUNT CERTIFIED is payable only to the Contractor
STV101	\$0.00		named herein. Issuance, payment a	named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of
NET CHANGES by Change Order		\$0.00	the Owner or Contractor under this Contract,	Contract.

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AIA Document G703" - 1992

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## **Continuation Sheet**

AIAD	AIA Document, G702 <sup>TM</sup> -1992, Application and Certification for Payment, or G736 <sup>TM</sup> -2009	Application and Ce	ertification for Payn	nent, or G736 <sup>TM</sup> -2	2009,	APPLICATION NO:		010	
rrojec contair	rroject Application and Project Certificate for Payment, containing Contractor's signed certification is attached.	crutication is attacl	. ک	Construction Ivianager as Adviser Edition,	er Eathon.	APPLICATION DATE:			
In tabu	In tabulations below, amounts are in US dollars.	e in US dollars.				PERIOD TO:			
Use Ci	Use Column I on Contracts where variable retainage for	e variable retainag	e for line items may apply	y apply.		ARCHITECT'S PROJECT NO:	ON	The Sellers Group	
	a		C	<u>fr</u>	(I	e		H	
¢	a			-	-			1	-
a desta			WORK COMPLETED	MPLETED	MATERIALS	TOTAL	è	BALANCE TO	RETAINAGE
NO	DESCRIPTION OF WORK	VALUE	FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD	PKESENILY STORED (NOT IN D OR E)	COMPLETED AND STORED TO DATE (D + E + F)	% (G+C)	FINISH (C - G)	(IF VARIABLE RATE)
	General Conditions	128,584.00	79,984.00	5.000.00	0.00	84.984.00	66.09%	43,600.00	0.00
	Building Permit	1,443.00	1,443.00	00.0	00.00	I.443.00	100.00%	0,00	0.00
	Insurance & Bond	10,602.00	10,602.00	0.00	00'0	10.602.00	100.00%	00.00	00.00
	Sitework	15.372.00	14,500.00	0.00	0.00	14,500,00	94.33%	872.00	0.00
	Hydroseed	1.000 00	00.00	0.00	0.00	0.00	0.00%	1,000.00	0.00
	Selective Demolition	6,138.00	6.138.00	0.00	0.00	6.138.00	100.00%	00'0	0.00
	Concrete	61,460.00	61,460.00	0.00	0.00	61,460.00	100.00%	0.00	0.00
	Asphalt	10.775.00	0.00	0 00	0.00	0.00	0.00%	10.775.00	0.00
	Termite	706.00	706.00	0.00	0.00	706.00	100.00%	0.00	0.00
	Masonry	2,500.00	2.500.00	0.00	0.00	2,500.00	100.00%	0.00	0.00
	Structural Steel	16,214.00	16,214.00	0.00	0.00	16.214.00	100.00%	0.00	0.00
	Misc. Steel	2.710.00	2,710,00	0.00	0,00	2 710 00	100.00%	0.00	0,00
	PEMB	35.246.00	35,246.00	0.00	0.00	35.246.00	%00.001	0.00	0.00
	Steel Erection	16,920.00	16,920.00	0.00	0.00	16.920.00	100.00%	0.00	0.00
	Metal Stud Wall System	64,816.00	38,800.00	25,000.00	0.00	63,800.00	98.43%	1.016.00	0.00
	Nichiha Panels	26,991.00	00 0	0.00	0.00	0.00	0.00%	26,991.00	0.00
	Carpentry	2.268.00	00.0	2,000.00	0.00	2,000.00	88.18%	268.00	0.00
	Millwork	16.868.00	00 0	0.00	0.00	0.00	0.00%	16.868.00	0.00
	HM/Wood/I-lardware	21,400.00	17,900,00	0.00	0.00	17.900.00	83 64%	3,500.00	0.00
	Aluminum Entrances & Storefront	33.405.00	13.513.00	0.00	0.00	13,513:00	40.45%	19,892.00	0.00
	PVC Roof	1.500.00		00.0	0.00	0.00	0.00%	1.500.00	0.00
	Composite Standing	59,050.00	56.00	0.00		56,000.00	94.83%	3,050.00	0.00

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Н	BALANCE TO	)		1,910.00	1.100.00	10,730.00	11.575.00	9,968.00	31,400.00	7,453.00	3,400,00	0.00	0.00	0.00	8.050.00	9,070-00	2,000.00	0.00	7,800.00	500.00	5,000.00	8.000.00	3,800.00	0.00	14,059.00	5,000.00	0.00	4,400.00	0.00	0.00	0.00	0.00	ment is protected by attos, and will be
		% (G ÷ C)		90.41%	0.00%	0.00%	0.00%	0.00%	0.00%	30.59%	0.00%	100.00%	%00.001	100.00%	58.72%	0.00%	20.00%	100.00%	16.13%	90.74%	37.50%	23.81%	0.00%	100.00%	73 79%	0.00%	100.00%	81.82%	0.00%	0.00%	0,00%	0.00%	This AIA Drie: and creating ben
O	TOTAL	COMPLETED AND STORED TO DATE $(D \in E + F)$		18,000.00	0.00	0.00	0.00	0.00	0.00	3.285.00	0.00	2.900.00	1,950.00	10.500.00	11,450.00	00"0	500.00	1,500.00	1,500.00	4,900.00	3,000.00	2,500.00	0*00	1,000.00	39,580.00	0.00	2.075.00	19,800.00	0.00	0.00	00.0	00.00	ights reserved, WARNING may usad in severe evel
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Ľ	(PLETED	THIS PERIOD		18,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1992 by The American I or or this AlA - Docum
D	WORK COMPLETED	FROM PREVIOUS APPLICATION (D + E)		00.0	00.0	0.00	00.00	0.00	0.00	3,285.00	0.00	2,900.00	1,950.00	10,500,00	11,450.00	0.00	500.00	1,500.00	1,500.00	4,900.00	3,000.00	2,500.00	0.00	1,000.00	39,580.00	0.00	2,075.00	19,800.00	0.00	0.00	0.00	0.00	(1970, 1978, 1983 and 1 roduction of distributio
U				19,910,00	1,100.00	10,730.00	11,575.00	9,968.00	31,400.00	10,738.00	3,400.00	2,900.00	1,950.00	10,500.00	19,500.00	9,070.00	2,500.00	1,500.00	9,300.00	5,400.00	8,000.00	10.500.00	3.800.00	1.000 00	53,639.00	5.000.00	2,075.00	24,200.00	0.00	0.00	0.00	0.00	1963 1965 1966 1967 ties: Unauthorized feb
B		WORK	Seam	Mctal Wall & Soffit	Gutters & Downspouts	Acoustical Ceiling Tile	Flooring	Polished Concrete	Painting	Specilaties	Extruded Canopy	Plumbing Mobilization	Plumbing Demolition	Rough-in slab	Top out and insulation	Fixtures (L&M)	Roof Drain Work	Water line Tic-in	HVAC Equipment	HVAC Labor	Sheetmetal Material	Shcetmetal Labor	TAB	Electrical Mobilization	Rough-in	Trim Out	Switch Gear	Fixture					Ald Document G703 <sup>114</sup> – 1992. Copyright © 1963, 1966, 1967,1970, 1978, 1983 and 1992 by The American Institute of Architects. All rights reserved. WARNING. This AIA. Document is protected by U.S. Convicult Law and Interactions. Unauthorized reproduction of flustration of this AIA. Document, on any result in sweere evolven of the American Authorized reproduction of distribution of this AIA.
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		RELAINAGE (IF VARIABLE RATE)	S0.00
Н	BALANCE TO	FINISH (IF VARIABLE (C - G) RATE)	\$274,547.00
		% (G ÷C)	65.92%
0	TOTAL	PRESENTLYCOMPLETED AND%STOREDSTORED TO DATE(G $\div$ C)(OT IN D OR E)(D $\div$ E $+$ F)	\$531,076.00
Ľ	MATERIALS	THIS PERIOD (NOT IN D OR E) (D + E + F)	S0.00
Ш	MPLETED	THIS PERIOD	SS0,000.00
D	WORK COMPLETED	FROM PREVIOUS APPLICATION (D + E)	S481,076.00
J	ua muanco	VALUE	S805,623.00
В	DESCRIPTION OF	WORK	GRAND TOTAL
A	ITEM	N	

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### **Item Attachment Documents:**

4. Curfew for underage persons, focus for our Chief of Police - Councilman Francis Touchet, Jr.

### Sec. 13-46. - Curfew for minors.

- (a) Established. A curfew for certain minors is hereby established as provided in this section. It shall be unlawful for any minor under the age of seventeen (17) years to loiter, idle, wander, stroll or drive any motorized vehicle or bicycle in or upon the public streets, highways, roads, alleys, parks, playgrounds, wharves, docks or other public grounds, public places and public buildings, bus stations, places of amusement and entertainment, vacant lots or other unsupervised places between the hours of 10:00 p.m. and 5:00 a.m. from Sunday through Thursday and from 12:00 midnight to 5:00 a.m. from Friday through Saturday in the city; provided, however, that the provisions of this subsection do not apply to a minor accompanied by his parent, guardian or other adult person having the care and custody of the minor, or to a minor upon an emergency errand of legitimate purpose directed by his parents, guardian or other adult person having the care and custody of the minor. Each violation of the provisions of this subsection shall constitute a separate offense.
- (b) Parent's responsibility. It shall be unlawful for the parent, guardian or other person having the care and custody of a minor under the age of seventeen (17) years to permit such minor to loiter, idle, wander, stroll or drive any motorized vehicle or bicycle in or upon the public streets, highways, roads, alleys, parks, playgrounds, wharves, docks or other public grounds, public places and public buildings, bus stations, places of amusement and entertainment, vacant lots or other unsupervised places between the hours of 10:00 p.m. and 5:00 a.m. from Sunday through Thursday and from 12:00 midnight to 5:00 a.m. from Friday through Saturday in the city; provided, however, that the provisions of this subsection do not apply to a minor accompanied by his or her parent, guardian or other adult person having the care and custody of the minor, or when the minor is upon an emergency errand or legitimate purpose directed by his or her parent, guardian or other provisions of this subsection shall constitute a separate offense.
- (c) Business operator's responsibility. It shall be unlawful for any person operating or in charge of any place of amusement, entertainment or refreshment or other business place to permit any minor under the age of seventeen (17) years to remain in such places during the hours prohibited by this section in the city;

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provided, however, that the provisions of this subsection shall not apply when such minor is accompanied by his or her parent, guardian or other adult person having the care and custody of the minor.

- (d) Presumption of guilt. Any minor under the age of seventeen (17) years who shall be found to loiter, idle, wander, stroll or drive any motorized vehicle or bicycle in or upon the public streets, highways, roads, alleys, parks, playgrounds, wharves, docks or other public grounds, public places and public buildings, bus stations, places of amusement and entertainment, vacant lots or other unsupervised places between the hours of 10:00 p.m. to 5:00 a.m., from Sunday through Thursday and from 12:00 midnight to 5:00 a.m. from Friday through Saturday, in the city, unless accompanied by his parents, guardian or other adult person having the care and custody of the minor, shall be presumed to be acting without the authority or permission of his or her parents, guardian or other adult person having the care and custody of the minor, which presumption may be rebutted by the testimony of the parent, guardian or other adult person having the care and custody of the minor, which presumption may be rebutted by the testimony of the parent, guardian or other adult person having the care and custody of the minor.
- (e) Exceptions. Curfew hours shall not be imposed on designated nights when public and parochial schools and fraternal and social organizations shall be engaged in athletic, musical, dramatic or social activities for the benefit or entertainment of its students, or any designated nights designated as entertainment nights at such time as said fraternal and social organizations, and parochial and public schools shall be engaged in athletic, musical, dramatic or social activities for the benefit or entertainment of the children of the city or the parish (movie theatres included). The provisions of this section shall not apply to any student under the age of seventeen (17) years or his parent, guardian or other adult having the care and custody of such minor who is lawfully going to, attending or returning from any such duly designated school night or entertainment provided the student returns home within thirty (30) minutes after the termination of such civic, school or church activity or function, or movie.
- (f) *Penalties.* Any minor violating the provisions of subsection (a) hereof shall be dealt with in accordance with Juvenile Court Law and Procedures, as set forth R.S. 13:1564 through 13:1606 or applicable state law. Any parent, guardian or other adult person having the care and custody of a minor found guilty of violating subsection (b) hereof shall be <u>punished</u> as provided in <u>section 1-5</u>. Any person

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operating or in charge of any place of amusement, entertainment or refreshment in the city, who shall be found guilty of violating subsection (c) of this section, upon conviction shall be punished as provided in <u>section 1-5</u>.

(Code 1957, § 12-21)