

Town of Abita Springs



**MAYOR
DANIEL J. CURTIS**

**TOWN COUNCIL MEETING
TUESDAY, APRIL 16, 2019 6:00PM
TOWN OF ABITA SPRINGS, ABITA SPRINGS TOWN HALL
22161 LEVEL ST., ABITA SPRINGS, LA 70420**

POSTED: APRIL 12, 2019 1PM

CALL TO ORDER: MAYOR CURTIS
INVOCATION: ALDERMAN RANDOLPH
PLEDGE OF ALLEGIANCE: ALDERMAN SAUSSY

MAYOR'S ANNOUNCEMENTS: 1.) GIS MAPPING 2.) TOWN HALL 3.) EN PLEIN AIR 4.) SHORT-TERM RENTAL

ROLL CALL:

CALL FOR AGENDA MODIFICATIONS
ACCEPT MARCH 19, 2019 TOWN COUNCIL MEETING MINUTES
ACCEPT FEBRUARY 2019 FINANCIAL REPORT

REPORTS

OLD BUSINESS:

NONE

NEW BUSINESS:

- 1.) INTRODUCE INSTRUMENT 2019-004 – AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS TO ESTABLISH A MORATORIUM ON THE ISSUANCE OF PERMITS RELATED TO THE RESUBDIVISION OF PROPERTY INTO MORE THAN TEN LOTS, INCLUDING BUT NOT LIMITED TO, BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY, BY ANY ABITA SPRINGS TOWN OFFICIAL, AND TO PROVIDE FOR RELATED MATTERS
- 2.) CONSIDER A RESOLUTION IN OPPOSITION OF ALL PROPOSED LEGISLATION THAT TRANSFERS THE ADMINISTRATION AND COLLECTION OF LOCAL SALES & USE TAXES TO THE LOUISIANA DEPARTMENT OF REVENUE
- 3.) CONSIDER ADOPTION OF A RESOLUTION TO CONFIRM APPOINTMENT OF HISTORIC COMMISSIONER

OPEN/ANNOUNCEMENTS/ADJOURNMENT:

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE, PLEASE CONTACT US AT (985) 892-0711. PLEASE CONTACT TOWN HALL AT THE SAME NUMBER FOR ADDITIONAL INFORMATION REGARDING THIS AGENDA.

Town of Abita Springs



**MAYOR
DANIEL J. CURTIS**

INSTRUMENT 2019 -004

1
2
3 AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS; TO ESTABLISH
4 A MORATORIUM ON THE ISSUANCE OF ANY PERMITS BY THE TOWN OF ABITA SPRINGS FOR THE
5 IMPROVEMENT OR DEVELOPMENT OF ANY LOTS WHICH ARE PART OF A
6 RESUBDIVISION OF LAND CONSISTING OF MORE THAN TEN LOTS.
7

8 **WHEREAS** the capacity of sewer and water services to new customers must be determined prior to the approval
9 of any large subdivisions; and,
10

11 **WHEREAS** the Town of Abita Springs is in the process of reviewing its Land Use Ordinances; and,
12

13 **WHEREAS** the Town desires that any large subdivisions comply with the amended ordinances; and,
14

15 **WHEREAS** the Town desires the time necessary to adopt such legislation prior to new subdivisions being
16 proposed and approved.
17

18 **THEREFORE, LET IT BE ORDAINED** that there is hereby established a moratorium which prohibits the issuance
19 of permits, including but not limited to, building permits, occupancy permits, sewer and/or water connects and
20 any other permits to develop or improve any lots which have been created by the resubdivision of lands which
21 creates ten lots or more for which application for such approval has been submitted after April 2, 2019.
22

23 **BE IT FURTHER ORDAINED** that this ordinance shall remain in effect for one hundred and eighty days from the
24 effective date of this ordinance.
25

26 **BE IT FURTHER ORDAINED** that this ordinance shall become effective upon the signature of the Mayor.
27

28 An ordinance introduced by _____ and seconded by _____ on this ___ day of _____
29 2019.
30

31 Adopted on a motion of _____ and seconded by _____ on the ___ day of _____
32 2019.
33

34 YEAS: _____
35

36 NAYS: _____
37

38 ABSENT: _____ ABSTAIN: _____
39

40 _____
41 HONORABLE DANIEL J. CURTIS, MAYOR
42

JANET DUFRENE, TOWN CLERK

Town of Abita Springs



**MAYOR
DANIEL J. CURTIS**

**A RESOLUTION IN OPPOSITION OF ALL PROPOSED LEGISLATION THAT TRANSFERS
THE ADMINISTRATION AND COLLECTION OF LOCAL SALES & USE TAXES TO THE
LOUISIANA DEPARTMENT OF REVENUE**

WHEREAS, the Constitution of the State of Louisiana grants local governments the right to levy and collect local sales and use taxes; and,

WHEREAS, there are several constitutional amendments and bills introduced in the 2019 Regular Legislative Session that would transfer collection responsibility of local sales and use tax levies to the state Department of Revenue; and,

WHEREAS, local taxing authorities possess the best knowledge and experience to properly collect its own taxes; and,

WHEREAS, the local taxing authority has a proven record of advancements in the areas of enforcement, audit coverage, dispute resolution, reporting technology and successful litigation; and,

WHEREAS, the State of Louisiana's budget issues do not offer prospects for the assistance, enforcement programs and training of its employees on the specific application or local sales and use tax ordinances without significant cost contributions from local governments, thereby resulting in the direct and indirect loss of local tax receipts; and,

WHEREAS, many local taxing authorities have issued bonded indebtedness guaranteed by the passage of locally adopted sales and use tax levies, collection of said levies the direct responsibility of local governments, and which transfer of that responsibility to a state agency may generate legal challenges and jeopardize future bond issues; and,

WHEREAS, the central local collector in each parish is directly responsible to the local taxing authorities and their elected officials for the performance of local tax administration; and,

WHEREAS, uncertainty exists as to who in the Department of Revenue will be accountable to local taxing authorities for the performance of critical local tax administration.

NOW THEREFORE BE IT RESOLVED, that the Mayor and the Board of Aldermen of the Town of Abita Springs as a governing body and local taxing authority, hereby requests that each member of the Town of Abita Springs Louisiana Legislative Delegation vigorously oppose any and all proposed legislation that transfers the administration and collection of local sales and use taxes to the Louisiana Department of Revenue; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be sent forthwith to said legislators so that they will be made aware of our opposition to this legislation.

This resolution was introduced and adopted on a motion of Alderman _____, seconded by Alderman _____. Upon being submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

Janet Dufrene, Town Clerk

Honorable Daniel J. Curtis, Mayor

Town of Abita Springs



**MAYOR
DANIEL J. CURTIS**

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS, LOUISIANA REGARDING APPOINTMENT OF TOWN HISTORIC COMMISSIONER

WHEREAS, the Mayor of the Town of Abita Springs, the Honorable Daniel J. Curtis makes the following appointment:

As Historic Commissioner:

Andrew Vaughn

WHEREAS, this appointment has been presented to the Board for approval.

THEREFORE, BE IT RESOLVED, that the Board of Alderman of the Town of Abita Springs does hereby approve of the above named appointment as Historic Commissioner.

BE IT FURTHER RESOLVED, that the Honorable Daniel J. Curtis, Mayor of the Town of Abita Springs, is hereby granted all authority necessary to execute any documents in connection with this appointment.

It was duly moved by Alderman _____, seconded by Alderman _____, that this resolution was adopted on the _____ day of _____ 2019.

A vote haven been taken on the matter with the following result:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

ATTEST

JANET DUFRENE, TOWN CLERK

Resolution Historic Commissioner 04/2019