

**VILLAGE OF GROSSE TETE MINUTES  
REGULAR MEETING  
September 13, 2018**

The Board of Alderman of the Village of Grosse Tete held a public hearing at 5:30 pm. to discuss an Ordinance to increase traffic fine amounts by 25 percent.

Mayor Chauffe opened the public hearing at 5:30 pm. Fire Chief Michael Hughes led the Prayer. Mayor Michael Chauffe led the Pledge and Mayor Chauffe called roll as shown below and the hearing began.

**Present:** Mayor Michael Chauffe, Alderman Marcus Hill, Alderwoman Jeanie David, Alderman Clint Seneca, Fire Chief Michael Hughes and Police Chief Tommy Dardenne, Maintenance Supervisor Phillip Faveroth, Clerk Pam George and Attorney Robert Marionneaux

**Absent:** None

**Minutes:** Alderwoman Jeanie David made a motion to dispense with the reading and approve the minutes from the August 9, 2018 regular meeting. The motion was seconded by Alderman Clint Seneca and passed 3 - 0.

**Finances:** Alderman Marcus Hill made a motion to approve the financial statements of August 31, 2018 as presented. This motion was seconded by Alderwoman Jeanie David and passed 3 - 0

**Fine Ordinance:** The ordinance consisted of seven (7) amendments, each to be voted on separately as follows:

**As to Amendment #1,** it was moved by Councilmember Jeanie David, and seconded by Councilmember Marcus Hill that the following ordinance be amended or enacted:

**Chapter 6 – Animals**

**Sec. 6-2. – Penalties.**

Any person who violates this chapter shall, upon conviction, be fined not less than ~~\$25.00~~ (\$50.00) nor more than \$500.00 or imprisoned for not more than 30 days, or both.

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**As to Amendment #2,** it was moved by Councilmember Clint Seneca, and seconded by Councilmember Jeanie David that the following ordinance be amended or enacted:

**Sec. 12-4 – Contempt of Court**

A. It shall be unlawful for any person to be in contempt of court of the mayor's court. Contempt of court is an act or omission tending to obstruct or interfere with the orderly administration of justice, or to impair the dignity of the court or respect for its authority. Contempt of court are of two kinds, direct and constructive.

B. A direct contempt of court is one committed in the immediate view and presence of the court and of which it has personal knowledge. A direct contempt of court includes, but is not limited to, any of the following acts:

(1) Contumacious failure, after notice, to appear for arraignment or trial on the day fixed therefore.

(2) Contumacious failure to comply with a subpoena or summons to appear in court, proof of service of which appears of record.

(3) Refusal to take the oath or affirmation as a witness, or refusal of a witness to answer a non-incriminating question when ordered to do so by the court.

(4) Contumacious, insolent, or disorderly behavior toward the judge or an attorney or other officer of the court, tending to interrupt or interfere with the business of the court or to impair its dignity or respect for its authority.

(5) Breach of the peace, boisterous conduct, or violent disturbance tending to interrupt or interfere with the business of the court or to impair its dignity or respect for its authority.

(6) Use of insulting, abusive, or discourteous language by an attorney or other person in open court, or in a document filed with the court in irrelevant criticism of another attorney or of a judge or officer of the court.

(7) Violation of a rule of the court adopted to maintain order and decorum in the court room.

C. A person who has committed a direct contempt of court may be found guilty and punished therefor by the court without any trial, after affording him an opportunity to be heard orally by way of defense or mitigation. The court shall render an order reciting the facts constituting the contempt, adjudging the person guilty thereof, and specifying the punishment imposed.

D. A constructive contempt of court is any contempt other than a direct one. A constructive contempt includes, but is not limited to any of the following acts:

(1) Willful neglect or violation of duty by the clerk, marshal, or other person elected, appointed, or employed to assist the court in the administration of justice.

(2) Willful disobedience of any lawful judgment, order, mandate, writ, or process of court.

(3) Removal or attempted removal of any person or of property in the custody of an officer acting under the authority of a judgment, order, mandate, writ, or process of the court.

(4) Unlawful detention of a witness, the defendant or his attorney, or the prosecutor, while going to, remaining at, or returning from the court.

(5) Assuming to act as an attorney or other officer of the court, without lawful authority.

E.(1) When a person is charged with committing a constructive contempt, he shall be tried by the judge on a rule to show cause alleging the facts constituting the contempt. The rule may be issued by the court on its own motion, or on motion of the prosecutor.

(2) A certified copy of the motion and of the rule shall be served on the person charged, in the manner of a subpoena, not less than forty-eight (48) hours prior to the time assigned for trial of the rule.

(3) If the person charged with contempt is found guilty, the court shall render an order reciting the facts constituting the contempt, adjudging the person charged with the contempt guilty thereof, and specifying the punishment imposed.

F. Penalties for contempt.

(1) A person adjudged guilty of contempt of court shall be subject to a fine or not more than five hundred (\$500) dollars, or by imprisonment for not more than sixty (60) days, or both.

(2) When an attorney is adjudged guilty of a direct contempt of court, the punishment shall be limited to a fine of not more than one hundred (\$100) dollars, or imprisonment for not more than twenty-four (24) hours, or both; and, for any subsequent direct contempt of the same court by the same offender, a fine of not more than two hundred (\$200) dollars, or imprisonment for not more than ten (10) days, or both.

(3) When a contempt of court consists of the omission to perform an act which is yet in the power of the person charged with contempt to perform, he may be imprisoned until he performs it, and in such a case this shall be specified in the court's order.

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**As to Amendment #3**, it was moved by Councilmember Marcus Hill, and seconded by Councilmember Clint Seneca that the following ordinance be amended or enacted:

**Chapter 42 – Traffic and Motor Vehicles**

**Section 42-1 – Highway Regulatory Act adopted**

(b) Violations.

(1) The first violation of any provisions adopted by this section or any regulation of the department, secretary, and commissioner made pursuant to the Highway Regulatory Act shall be punished by a fine of not more than ~~\$175.00~~ (\$218.75), imprisonment for not more than 30 days, or both, unless otherwise

specifically provided. A subsequent violation shall be punished by a fine of not more than \$500.00, imprisonment for not more than 60 days, or both.

(2) If the violator is other than an individual, there shall be no imprisonment but a double fine imposed.

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**As to Amendment #4**, it was moved by Councilmember Clint Seneca, and seconded by Councilmember Jeanie David that the following ordinance be amended or enacted:

**Sec. 42-2. - Driver's license.**

(a) It is unlawful for any person to drive a motor vehicle or power cycle upon any highway, street, or roadway within the village without having been issued a driver's license for the operation of such vehicle by the office of motor vehicles.

(b) Any person driving a motor vehicle or power cycle on any highway, street, or road within the village shall have his driver's license in his immediate possession, and shall display it upon demand of any police officer of the state, parish, or village.

(c) Any person violating this section shall, upon first conviction thereof, be fined not less ~~\$10.00~~ (\$25.00) nor more than ~~\$175.00~~ (\$218.75), or imprisoned for not more than 30 days, or both, in the discretion of the mayor. A subsequent violation shall be punished by a fine of not more than \$500.00 or by imprisonment for not more than 60 days, or both, in the discretion of the mayor.

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**As to Amendment #5**, it was moved by Councilmember Clint Seneca, and seconded by Councilmember Jeanie David that the following ordinance be amended or enacted:

**Sec. 42-4. - Speed limits.**

(a) It shall be unlawful for any person to drive a vehicle upon the streets of this village between the northwest corporate limits and Garner Lane at a speed greater than 35 miles per hour.

(b) It shall be unlawful for any person to drive a vehicle upon the streets of this village between Garner Lane and the southeast corporate limits of the village at a speed greater than 25 miles per hour.

(c) Whoever violates this section, upon conviction, shall be fined not more than ~~\$100.00~~ (\$125.00), imprisoned for not more than 30 days, or both.

(d) It shall be unlawful for any person to drive a vehicle on Interstate 10 in this village at a speed greater than 70 miles per hour. Whoever violates this section, upon conviction, shall be fined not more than \$218.75, imprisoned for not more than 30 days, or both.

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**As to Amendment #6**, it was moved by Councilmember Jeanie David, and seconded by Councilmember Clint Seneca that the following ordinance be amended or enacted:

**Sec. 42-10. - Fines and penalties.**

Any person found in violation of this chapter, upon conviction, shall be fined not more than \$218.75, plus cost of court, and or, jailed not more than five days, or both.

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**As to Amendment #7**, it was moved by Councilmember Marcus Hill, and seconded by Councilmember Clint Seneca that the following ordinance be amended or enacted:

**Sec. 42-14. - Penalties.**

Anyone operating a vehicle, as defined herein shall be fined not more than \$218.75, plus cost of court, and or, jailed not more than ~~for~~ 30 days, or both.

**LGAP RESOLUTION** – Resolution supporting the 2018 - 2019 Local Government Assistance Program Grant Application was voted on as follows:

  3   YEAS – Clint Seneca, Marcus Hill, Jeanie David   0   NAYS   0   ABSTENSTIONS

**CWEF RESOLUTION** – Resolution supporting the application of 2018 - 2019 Community Water Enrichment Fund Program was voted on as follows:

  3   YEAS – Clint Seneca, Marcus Hill, Jeanie David   0   NAYS   0   ABSTENSTIONS

**Mayor's Report:** The Village of Grosse Tete will hold its first annual Veteran's Memorial Celebration on November 11, 2018 at our newly built Veteran's Memorial Park and Walking Trail.

There was discussion about blighted property within the Village of Grosse Tete. It was suggested by Alderwoman Jeanie David that the owner be contacted to get the property cleared.

Boo on the Bayou will be held on October 31, 2018 from 5:00 p.m. until 6:00 p.m.

The Festival Committee will hold its first meeting of 2018 on September 19<sup>th</sup> at 2:00 p.m.

Mayor Chauffe met with Dan Holliday to address building an access road behind the railroad tracks to allow persons in that area to get out in the event of a blocked railroad crossing.

**Police Department** – No Report given.

**Fire Department** – All pump trucks have passed the preventative maintenance testing.

There being no further business, the meeting was adjourned at 7:03 p.m.

Attest:

Approved:

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Pamela George, mmc  
Village Clerk

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Michael Chauffe  
Mayor