

Minutes Of The

March 2, 2004

Broussard City Council Meeting

Present: Mayor Charles E. Langlinais
 Tina G. Denais, City Clerk
 Councilman Terry Guilbeau, District I
 Councilman David Bonin, District II
 Councilman Keith Rousseau, District III
 Councilman Harold Johnson, District IV
 Councilman Kenny Higginbotham, District V
 Councilman Albert Romero, District VI
 Councilman Johnnie Foco, At Large
 Jerry Grooms, City Engineer
 Walter Comeaux, City Engineer
 Don Landry, City Attorney
 Gene Chiarulli, City Auditor
 Brannon Decou, Chief of Police
 Jason Lopez, Asst. Fire Chief
 Ben Hogan, Property Owner
 Brian Guilbeau, Property Owner

Mayor Langlinais called the meeting to order and Councilman Guilbeau lead with the Pledge of Allegiance and Mayor Langlinais lead the silent prayer and he asked everyone to keep the National Guard Troops in their prayers that were called up to active duty today.

Adopt minutes of the February 10, 2004 Regular City Council Meeting = Moved by Councilman Johnson and second by Councilman Guilbeau to adopt the minutes of the February 10, 2004 City Council Meeting. Roll call:

District I = Yea	District IV = Yea
District II = Yea	District V = Yea
District III = Yea	District VI = Yea
At Large = Yea	

Amend the agenda: Moved by Councilman Guilbeau and second by Councilman Johnson to amend the agenda to include the following items under old business: a) Ben Hogan regarding a variance request and b) Brian Guilbeau regarding amending the sale and use of fireworks in the city limits of Broussard. Roll call:

District I = Yea	District IV = Yea
------------------	-------------------

District II = Yea
 District III = Yea
 At Large = Yea

District V = Yea
 District V = Yea

NEW BUSINESS:

Approval of Bills for the Broussard Environmental Enhancement Service District Board = Moved by Councilman Guilbeau and second by Councilman Rousseau to amend the budget to pay the following bills for the Broussard Environmental Enhancement District Board: C. B. Talley for \$5,487.95, Comite Resources, Incorporated for \$10,583.33 and Grooms Engineering, LLC for \$4,590.00. Roll call:

District I = Yea	District IV = Yea
District II = Yea	District V = Yea
District III = Yea	District V = Yea
At Large = Yea	

OLD BUSINESS:

Ben Hogan re: Variance Request for home on Madelyn Street = Mayor Langlinais stated that we had previously discussed this at the last meeting, but we had ask Mr. Hogan to come back with a plat of the property and permission from the adjacent property owners stating that they have no problem if the variance is granted to him. Mr. Hogan gave the council a copy of the plat. Mayor explained the plat to the council. This subdivision was platted prior to us adopting the setback ordinance. Mr. Hogan gave the council copies of the letters from the adjacent property owners stating that they had no problems with the houses being that close together. Walter stated that with a zero lot line, he can build on the lot line only on one side, but on the opposite side there is 10-foot span, from the property line to the next house. Much discussion was held on this matter. Councilman Bonin questioned when did he buy the property? Mr. Hogan stated about a year and year and half ago. Councilman Foco stated he doesn't have a problem with what he is doing, because of all of the houses being developed the same way. Moved by Councilman Foco and second by Councilman Rousseau to adopt Resolution #137-04, which grants a variance to Mr. Ben Hogan for 303 Madelyn (Lot #9) and 305 Madelyn (Lot #8) of Broussard Garden Subdivision. The variance is for the side only, which was initially for 5 feet, but is granted to zero on only one side of both property lines. Roll call:

District I = Nay	District IV = Yea
District II = Nay	District V = Yea
District III = Yea	District VI = Yea
At Large = Yea	

Building Permit Policy Variance = Mayor Langlinais stated at the last meeting the council adopted a resolution stating that when a permit is purchased by a homeowner, developer, or a contractor, a certified site plan must be presented before the permit is issued. We have received several complaints, because this would cause them to do two surveys. Mayor Langlinais stated that he drew up a preliminary permit, but some contractors are still upset.

Mayor Langlinais read the preliminary permit. Mayor Langlinais stated different institutions require different things. Mayor Langlinais asked for some feedback from the council. Walter stated they go when they do the formwork. Most lenders don't require a plat; they will take a no encroachment letter. It specifically says if they inspected formwork or slab. Walter stated Lafayette doesn't require that. Walter stated we could consider setting up a board of adjustments to stop granting waivers. Councilman Higginbotham stated we have granted variances for before after the fact. Attorney Landry stated he thinks we are fair in giving the variances for those who don't do this intentionally. Gene stated this is a much deeper issue, because what if he builds just a shop on his property; that an additional \$500 to the homeowner. Attorney Landry stated he hasn't seen it to be that big of a problem. Mayor Langlinais now that thoughts on this and the issues and concerns that have come up, he feels we need to delete items perhaps items one thru four on the preliminary permit and do some sort of contract. Mayor Langlinais stated we could change the resolution to state a site plan must be provided to scale and the homeowner must be aware of setbacks. Councilman Bonin moved and Councilman Higginbotham second to amend Resolution #135-04 that was previously adopted, stating that a site plan to scale with the setbacks showing of the building on the property must be presented prior to any permit being purchased instead of a certified site plan from a surveyor. Roll call:

District I = Yea	District IV = Yea
District II = Yea	District V = Yea
District III = Yea	District VI = Yea
At Large = Yea	

Brian Guilbeau re: Firework Ordinance = Attorney Landry provided the council with a proposed introductory ordinance regarding the sale and discharge of fireworks in the city limits of Broussard; however he doesn't know exactly they want. He used 300 feet in the ordinance for the location distance. He doesn't suggest they introduce this tonight. Mayor Langlinais stated he thought it would allow them to sell and not pop them. Chief Decou stated he had suggested the council would allow the popping during the time frames the parish allows. Chief Decou stated a couple of meetings back, he spoke with Scott and Carencro and their ordinance allows them to distribute only when the parish allows them to discharge and after the time ends, then he stops them. He has no issue with the sale though. The council felt 300 feet away from another structure is a lot; they feel 50 feet is okay. Guilbeau stated he likes the ordinance, except for the 300 feet away from another structure. Also the sale of the items stated in there, he has no problem with. Councilman Guilbeau stated he has no problem with it with the exception of the 300 feet setback from another building. Councilman Bonin suggested we go with 50 feet instead of 300 feet and with the restricted times and dates. Councilman Rousseau stated he feels the same. Councilman Foco stated he feels the same and if it during dry season, they would have to stop discharging the fireworks. Councilman Johnson stated he feels the same as the council. Councilman Higginbotham stated like the pipes or bottles rockets is an issue for him, but everything else is okay. Councilman Romero stated he has no problem with this. Chief Decou questioned if they are required to get an occupational license? Mayor stated yes. Mayor stated retailers would be required to get an occupational license of \$100 to sell fireworks. The council will review the ordinance so that it can be introduced at the next meeting, in order for Attorney Landry to make the revisions.

ENGINEER'S REPORT:

Jerry' Report:

New Theatre Pump Station = Jerry stated that we will hold off until the next meeting to award the bid for the US 90/LA 182 Sewer, because we still haven't gotten the easement from Home Bank. The low bidder was Wastewater Services, Incorporated for \$107,159.00

New Well = Jerry stated in reference to new well the coloration in the water; Elmer is working with someone to reduce the color in the water. Hopefully we will reduce some of the color. Councilman Bonin questioned Jerry if he thought this was from digging in the well. Jerry stated no. Water varies and we have been fortunate. Councilman Bonin questioned if Lafayette is in the same fault as us. Jerry stated they are in the same level of sand as we are. Jerry stated the new well problem is the coloration. The chemical people are running test on this well and we should know something in a couple of weeks.

Water Testing Done Comeaux Estates = Jerry stated he sent a letter to the Mayor and council about the test that were run. There were complaints about hot water tank corrosions and elements corrosions. Jerry stated normally you wouldn't get both problems. The ph was run. Jerry read the report and he feels the ph is normal. Second thing he ran was Langlers Index. Jerry explained the report and what was tested. Councilman Rousseau questioned will it get better? Jerry stated with the new well, in his opinion he would like to wait to voice his opinion till they see what the new well will do. Jerry stated that the new well is not on line yet. Elmo stated they are hoping to get the well on line by the end of the month. Right now they are waiting on another chemical pump. Councilman Rousseau stated he wanted to thank them on the record, but he needs to give the constituents in his district an answer. Elmo stated also heating the water, does do something to it. Mayor stated perhaps in a month it should improve. Jerry stated lets keep in mind, the health department runs a full scale of tests on this well also and they had no bad reports. Jerry addressed the two problems in his report that were addressed to him.

Al's report;

Al was not present.

AUDITOR'S REPORT:

Monthly Report: Gene presented his report for the month of January. The sales tax collections are on line. Moved by Councilman Rousseau and second Councilman Romero to adopt the auditor's monthly report for January 2004. Roll call:

District I = Yea	District IV = Yea
District II= Yea	District V = Yea
District III = Yea	District VI = Yea
At Large = Yea	

ATTORNEY’S REPORT:

Introductory Ordinance for North Eola Road/Gulf Coast Machine Annexation = Moved by Councilman Bonin and second by Councilman Rousseau to introduce ordinance #04-268, which provides for the annexation of certain property located in section 69, township 10 south, range 5 east, Lafayette Parish, Louisiana, being known as the North Eola/Gulf Coast Machine, Incorporated Annexation. Roll call:

District I = Yea	District IV = Yea
District II= Yea	District V = Yea
District III= Yea	District VI = Yea
At Large = Yea	

FIRE DEPARTMENT:

There was nothing to be brought up.

POLICE DEPARTMENT:

Monthly Report = Chief Decou stated that they have began the renovation project for the old city hall to be converted into the new police administrative building.

COUNCIL BUSINESS:

District II/Councilman Bonin:

Resolution regarding drainage/storm water plan = Councilman Bonin stated that we are the only municipality who has not yet adopted this drainage/storm-water plan. Councilman Bonin stated that Attorney Landry we are not binding. Also this is not supposed to cost us anything. Moved by Councilman Bonin and second by Councilman Rousseau to adopt Resolution #138-04, which accepts, approves and adopts link drainage/storm-water element plan action #1-2004 as approved by the Lafayette City-Parish Planning Commission. Roll call:

District I = Yea	District IV = Yea
District II= Yea	District V = Yea
District III= Yea	District VI = Yea
At Large = Yea	

District IV/Councilman Johnson:

Ida Crouchet Park Fencing = Councilman Johnson requested that we get bids to put fencing around the coulee in Ida Crouchet Park, being we did not get the grant. Larry will get the price on this.

Mayor Langlinais:

Sidewalk = Mayor Langlinais stated that the sidewalk work should re-start on Monday.

ADJOURN:

Meeting Adjourn =Moved by Councilman Johnson and second by Councilman Rousseau to adjourn the meeting. Roll call:

District I = Yea

District II= Yea

District III= Yea

At Large = Yea

District IV = Yea

District V = Yea

District VI = Yea

S/Charles E. Langlinais, MAYOR

S/Tina G. Denais, City Clerk