

Minutes Of The

October 12, 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 Harold Johnson, District IV
 Councilman Kenny Higginbotham, District V
 Councilman Albert Romero, District VI
 Councilman Johnnie Foco, At Large
 Jerry Grooms, City Engineer
 Al Reaux, City Engineer
 Don Landry, City Attorney
 Gene Chiarulli, City Auditor
 Brannon Decou, Chief of Police
 Residents of Le Triomphe

Absent: Councilman Keith Rousseau, District III

Councilman Foco called the meeting to order and Attorney Landry lead with the Pledge of Allegiance and a silent prayer and Councilman Foco asked everyone to Lois and the troops in their prayers.

Adopt minutes of the September 28, 2004 Regular City Council Meeting =

Moved by Councilman Johnson and second by Councilman Higginbotham to adopt the minutes of the September 28, 2004 City Council Meeting. Roll call:

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

NEW BUSINESS:

Adopt Ordinance #04-278, Changing the Building Code Ordinance #115 =

Moved by Councilman Guilbeau and second by Councilman Romero to adopt ordinance #04-278, which amends the Ordinance #115, III, specifying and changing the applicable building codes for the City of Broussard, Louisiana, and to change the word “town” to the word “city” in each and every place it appears in ordinance no. 115. Roll call:

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

District V = Yea
 District VI = Yea

Adopt Ordinance #04-277 Burlington/Garber Road Annexation =

Mayor Langlinois asked to table this ordinance to resolve some issues and he wants to get some feedback before this ordinance is adopted. Moved by Councilman Johnson and second by Councilman Foco to table the ordinance 04-277, which provides for the annexation of certain properties in sections 44, 47, 69 & 95, township 10 south, range 5 east, Lafayette Parish, Louisiana, being known as the Burlington/Garber Road Area Annexation until all of the issues get resolved.

District I = Yea
 District II = Yea
 District III = Absent
 At Large = Yea

District IV = Yea
 District V = Yea
 District VI = Yea

Councilman Foco suggested if we need to we could have a special meeting on this issue then we might have to do that. Councilman Higginbotham questioned if we got any feedback from the other residents wanting to be annexed? Mayor Langlinois stated no, but we have a lot of questions from the citizens that are to be annexed. Jerry stated only thing they were contacting him instead of TESI to answer some of their questions. Mayor Langlinois stated TESI has not called to set up the meeting yet. He doesn't understand how there was a misunderstanding with the letter he sent out to the residents.

Condemnation Hearing for the following Properties: Michael Gallien property located at East Monroe (old Winston Property) and Ms. Doris Gary property located at 118 Wilkie Street =

Attorney Landry stated that we need to take off the Doris Gary case because they have not been properly notified yet. On the Gallien property the council needs to issue an order to go forward or not. We need to give the property owner at least a 5 day notice and if does not resolve properly clean up the property or repair it, then we will have to condemn the property. Mayor Langlinois stated that he feels we won't be reimbursed for the condemnation. Attorney Landry stated we could grant the owner the option of making repairs or the city can condemn it and give him so many days to do so and if he doesn't do it, then we can do it ourselves. Attorney Landry recommend we give him 10 days to take care of the removal of the structure. Councilman Foco moved and Councilman Guilbeau second to condemn the property and give the property owner 10 days to demolish or remove the trailer and if doesn't then we will remove the trailer ourselves and put a lien against the property. Roll call:

District I = Yea
 District II = Yea
 District III = Absent
 At Large = Yea

District IV = Yea
 District V = Yea
 District VI = Yea

Ms. Gertrude Batiste/Transportation to deliver commodities = Ms. Batiste introduced herself. She is here in reference to distribution of commodities to the seniors of Broussard. Right now she is distributing for 250 seniors. She has 80 seniors without transportation and no one to pick up their groceries for them. She would like the city to provide her with a vehicle for

2 days. Her vehicle is in the shop due to the expenses she has incurred while delivering the commodities. Mayor Langlinais stated 2 years ago she asked for a helper and for the last 2 years we have provided her with a truck and driver that brings the commodities from Martin Luther King to La Bell Maison. Attorney Landry stated that perhaps we could enter into an intergovernmental agreement with SMILE. Gertrude stated that this is thru the Diocese not thru with SMILE. Attorney Landry stated he thought we had already addressed this. Councilman Foco questioned if we could donate a truck to La Belle Maison? Gene stated we could give money to La Belle Maison, but not thru a private citizen. Attorney Landry stated sounds like that Ms. Batiste needs to get with Council on Aging. She delivers the commodities every third Tuesday of each month. Attorney Landry stated that he would like to reduce it in writing. The city would furnish a truck and driver. She stated her distribution is next Tuesday. They (her and Bit Owens) will go talk to Clara Burke tomorrow and have her contact Attorney Landry in reference to that.

Approval of bill for the Broussard Environmental Enhancement Sewage District = Moved by Councilman Romero and second by Councilman Bonin to amend the budget for payment of the bill from The LaBorde Law Firm for \$1,142.00 for the Broussard Environmental Service and Enhancement District. Roll call:

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

Resolution for the Broussard Environmental Intergovernmental Agreement = This agreement is an Intergovernmental Agreement between the BEESD Board and the City of Broussard also providing a loan of \$80,000. This resolution also authorizes the Mayor to sign an Intergovernmental Agreement with the BEESD. This reflects the previous agreement and a paragraph is added in reference to paying the employees. He incorporated to include the \$80,000 in this resolution. Gene recommended the amount for the employees be included with an additional 40% for the employee benefits. The council recommended the list of \$80,000 be included with the resolution. Moved by Councilman Higginbotham and second by Councilman Guilbeau to approve the resolution for the Intergovernmental Agreement subject to the following revisions: the \$80,000 to be listed in detail on what it is to be spent on and the 25% be changed to 40% in reference to the employees.

Le Triomphe = Mayor Langlinais stated a couple of years he had this discussion with the previous board of Le Triomphe regarding the annexation of Le Triomphe. Approximately a year ago there was an arising and the previous board was changed. The new board started re-studying the issues. One of the members requested he sit with them to discuss the possibility of annexation. They had a meeting with the homeowners and the board for questions and answers. Some answers he couldn't give. At that time of the questions there were conditions to the annexation. At that time he didn't know what the conditions were. He did visit with a homeowner over the conditions. One condition was we would provide them with LUS water. We told them we could do that with some things having to be done. The other thing is we would be required to purchase water and sewer system from the current owner which is Wastewater

Services. Right now there is approximately 78 – 75% who want to be annexed. Councilman Guilbeau questioned how old is there system? Mayor Langlinais stated it is about 20 years old. Mr. Myers with Wastewater was to provide a letter stating that the water and sewer system is up to standards and in good condition. The intent was not to acquire the water well and the water processing facility and not purchase the sewer mechanical plant. Now there is a different proposal on the table. He has a very detail list of who has signed annexations and who hasn't signed the annexation request. Previously when we attempted the annexation process, the service would have been given on an as needed priority basis and at time the annexation process failed. We have currently gotten 53% in signatures for the annexation. Mayor Langlinais stated he put together a pro and con worksheet on this. He explained the worksheet. Councilman Foco requested that they have an executive meeting or executive session in reference to this. Attorney Landry stated if we could possibly face some litigation, but if we only annex what is in Lafayette Parish there shouldn't be a problem. We need to consider if we want to go into Lafayette and St. Martin Parish. Councilman Higginbotham stated he would like to see some figures on what will this cost us. Mayor Langlinais stated he feels probably the only way we can discuss it is to go into executive session. Councilman Johnson stated he feels we need a special meeting to discuss all of this. Attorney Landry stated he feels we need to go into executive session if we are looking at possible litigation. Attorney Landry stated apparently there is some interest there. Mary Derouen addressed the council. She stated on behalf of residents and property owners they really do want to be annexed. This is a quality of life issue. Some of the residents of the subdivision do have problems with the water. They have a lot of iron in the water. Another big issue is the water pressure. That is a scary thought in case of a fire. They have talked to Wastewater and they don't have water to make more water pressure and they won't put in a filter on the system. Councilman Guilbeau questioned how long would it take LUS water to clear what is going thru their system now? Mary stated they know they won't get results as soon as possible with the water when it is connected. Elmo stated over the 20 years they have a build up in that pipe. Elmo stated that it is not LUS water serving Baker Hughes. Mayor Langlinais stated that could be corrected. Councilman Bonin stated there also could be some hidden problems. Mary stated there are some dead end lines. Councilman Foco stated that 2 years ago he got in a heated discussion with a Le Triomphe resident. He told him that he could care less about our water. Councilman Foco stated would like to have Le Triomphe in the city limits, but this will be a major step for the city. Councilman Foco stated he feels it was about the sales tax issue back then. Councilman Higginbotham stated he would like to see them in the city limits also; but he questioned her regarding the conditions they have stipulated. Mary stated over the past few years the water and sewer was the main concerns. Another resident stated that Wastewater has petitioned the Public Service Commission to give them a rate increase. Mary stated Le Triomphe is a community, but they are all together. The council agreed to discuss this further on October 26, 2004. The council asked if they could attend the Le Triomphe Board Meeting to gather information. Mayor Langlinais requested that the meeting be held here and the Board for Le Triomphe is here also for the next meeting on October 26, 2004. Anyone is invited. Attorney Landry stated in executive session the only things that are appropriate regarding litigation will be discussed.

ENGINEER'S REPORT:

Jerry's Report:

Highway 182 Sewer = Jerry stated the pump station at the theatre site at highway 182 has been completed. There is only a punch list that needs to be done.

Al's report;

Al stated he has nothing to report on. He asked about the status of the theatre. The Billeaud Companies and a meeting with a major bank regarding the loan for the theatre. The loan closing was last Friday. They anticipate putting things up this week. This is for in Sweetland Centre'.

AUDITOR'S REPORT:

Gene stated that he had nothing to report on.

ATTORNEY'S REPORT:

Attorney Landry stated he had nothing to report on. He thanked Larry for gathering all of that information for him regarding that lawsuit.

FIRE DEPARTMENT:

No one was present.

POLICE DEPARTMENT:

Chief Decou stated that he had nothing to report on.

COUNCIL BUSINESS:

Water and Sewer Grant for Albertson Parkway = Richard Minvielle stated that he did apply for the water and sewer for the facility of the nursing home on Albertson Parkway. It will create at least 135 new jobs. He is just waiting to hear if we received it.

Councilman Guilbeau/District I:

Garbage Rate = Councilman Guilbeau questioned Attorney Landry if he heard anything on Waste Management regarding their request for a rate increase? Attorney Landry stated he hasn't heard from their attorney.

State Contract on Vehicles = Councilman Guilbeau questioned Tina if she heard anything state contracts on vehicles? Chief Decou stated the contracts did come out Friday. Tina will get the contracts for him for the supervisors to order their vehicles.

Councilman Bonin/District II:

Condemnation of home on St. Pierre = Mayor Langlinais stated that his staff is working on this.

Engineer Approval of \$25,000 for BEESD = Councilman Bonin stated that we approved \$25,000 for Grooms Engineering for the BEESD and he would like to know how much is left of that? Jerry stat it is about used up, because they are in final design stage.

Pond Work = Mel stated almost finished cutting the grass. The road is not real bad yet. We haven't started on the cattle guard yet. Councilman Higginbotham questioned the control over the amount of the \$80,000. Gene stated we need to get a better idea of what we have left and how much to borrow. The board needs to get to that point. Mayor Langlinais stated that we did develop a site plan with a time frame and a time plan. Councilman Higginbotham stated we need to have good documentation of where everything is going. We will have a bided price per unit on the sewer installation, by next Tuesday. Jerry stated the first bid will for the material installation. Jerry stated since this project is so unique the force main will be put out for bid by itself.

Councilman Foco/At Large:

Coulee on Heart D Farm Road = Councilman Foco stated that he had several calls about the coulee on Heart D Farm that needs to cleaned out going toward Larriviere Road. Also he was called about the pipe in the coulee. Larry stated he busted the beaver dams 2 weeks ago.

Drainage on Fairfield = Councilman Foco questioned about the drainage problem at Fairfield? Larry stated they cleaned out the catch basin. It backed up on Heart D Farm, but it drained that night.

Councilman Higginbotham/District V:

Le Triomphe = Councilman Higginbotham stated in reference to Le Triomphe he would like to get the professionals to look at this. Larry recommended our engineers look at this, because there are a lot of 2-inch lines out there. Gene stated we have to look at their consumption and the rates they will be charged.

Flooding = Councilman Higginbotham questioned if there were any problems with the flooding for this last rain. We do have some sewer problems, but we are working on this.

Councilman Johnson/District VI:

Fulltime Workers vs. Part-time Workers = Councilman Johnson stated that we have this example that was prepared by Tina regarding fulltime workers vs. temp workers. The

estimate does not include holidays per week and the vacation and the sick leave also not been factored in. Mayor Langlinais stated that we need to see if there is enough money in the budget for this. Gene stated you may initially hire the man at a lower rate, but after the second and third year it will cost you more. Councilman Foco stated that if someone quits then maybe we could hire them. Mayor Langlinais stated we could ask them to work for less or amend the budget. Attorney Landry stated it is the Mayor's authority to hire and fire. We are taking them off the temps, but there should be a about a 12% increase with benefits. Councilman Foco stated we only have to figure in the 12%, which includes the benefits. The council asked Tina to figure it out for the next meeting.

Councilman Guilbeau/District I:

Budget Amending = Councilman Guilbeau questioned if we have to amend the budget on what Larry is trying to do on the weekend right now? Gene stated no, because you already have the money in the budget. We were previously paid overtime to work for the weekends. Gene stated it is a zero effect. Councilman Foco questioned if they would be paid on a contract basis? Mayor Langlinais explained the contract he had negotiated with Francis for \$1,500. What was not being done was the drainage on weekend. So we attempted to sit with Charles Nolan for a set amount to patrol the streets and check the drainage, because we have to have an equipment operator. So if Francis couldn't handle what we had, then he would have to call out another crew. So if we are paying Francis \$1,500 we could lessen his duties and cut his pay and give it to another individual who will be also working to check the drainage. Councilman Bonin stated drainage coming out of streets, so he feels we need to get with the street commissioner to do that. Mayor Langlinais stated he is just trying to satisfy everyone. Chief Decou stated that he does call them (the street crew) on a regular basis. He called Mel out Friday night, but he made our city streets safe. He also called Francis also. He feels they do a good job. Mayor Langlinais stated what this boils down to it that it took our guys 20 minutes to repair a lift station one time. He is trying to let the local people do the work here when having to be called out. We went to extremes not to alienate anyone.

ADJOURN:

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

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

S/Charles E. Langlinais, MAYOR

S/Tina G. Denais, City Clerk

