

Minutes Of The

February 9, 2005

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
 Mark Savoie, City Engineer
 Al Reaux, City Engineer
 Don Landry, City Attorney
 Brannon Decou, Chief of Police
 Walter Comeaux, Engineer
 Mike Hollier, Lafayette Parish Government
 Tex Plumley, Billeaud Companies
 Gene Wakefield, Billeaud Companies
 Bob Austin, Developer
 Joey Anzalone, Developer

Mayor Langlinais called the meeting to order and Attorney Landry lead with the Pledge of Allegiance and a silent prayer was said for the troops in Iraq and Lois Broussard.

Adopt minutes of the January 26, 2005 Regular City Council Meeting =

Moved by Councilman Rousseau and second by Councilman Romero to adopt the minutes of the January 26, 2005 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	

NEW BUSINESS:

Introduce Ordinance #05-283/Regulating the Hours of Collection of Solid Waste and for Construction = Councilman Bonin commented on the times which are in the ordinance

from 6 am till 6 pm on weekdays. He also added in the old part of town okay he feels this ordinance will be okay, but not in the commercial parts of town it won't. Councilman Foco stated that he would like to put some language in there in reference to the commercial areas. Attorney Landry stated that he could change anything they want to. He feels that 6 am is okay, but the time should be later. Attorney Landry stated he doesn't feel we have a problem with the residential haulers. Councilman Foco stated that perhaps we can contact the commercial haulers first and police it and then if that don't work we can enforce an ordinance. The council agreed to have Attorney Landry contact the garbage haulers first, prior to introducing such an ordinance, stating what the problem is. The council suggested the time be from 6 am – 8 pm each day. The council decided to table the introduction of this ordinance for right now.

Joey Anzalone re: Dedication of Huval Holiday Phase II = Attorney Landry stated he was contacted today by Joey's attorney regarding the dedication of Huval Holiday Phase II and he has the document for adoption. This dedicates the streets and utilities to the city. Attorney Landry stated that the part in reference to the closing in the ditches, there is a moratorium on that. Mayor Langlinais stated that they went thru planning several months ago with this subdivision. The ditch between the Duhon's and his property was addressed. In reference to storm water, that was included in the document that was recorded in the restricted covenants. Joey stated if he doesn't do this, then the ditches stay open. Mark stated that the drain design was changed for the outfall. It is designed open ditch or squash pipe. This is phase III, not phase II. Councilman Bonin stated he thought it was the understanding that the city installs all pipes? Mayor Langlinais stated that the contractor is required to do that; we only check the grade. Councilman Foco questioned stated he doesn't remember ever approving this? Attorney Landry stated that we always approve the dedication of streets and utilities for all new subdivisions. Mark stated that the grades on the pipe needs to be changed to 12 x 12 one-inch square. He has 45 lots. Councilman Rousseau questioned, what if he buys a lot, who is responsible for closing in the ditch? Joey stated the dedication states that the homeowner is responsible for closing in the ditch when the property is purchased. Joey stated on the covenants it shows what is the invert for each lot. Mayor Langlinais stated he specifically put it in the restrictions. Joey stated the only way he knows how to enforce it is thru the restricted covenants. Mayor Langlinais stated the council's concern is that what happens if they wait to close in the ditches later. Larry stated they cannot get a final electrical until it is inspected. Attorney Landry stated that all of this discussion has nothing to do with the act of dedication. Attorney Landry stated what we are here for tonight is to accept the dedication of the streets and utility easements. We have no right of enforcing any of the covenants; it has to come from the developer. Attorney Landry stated the dedication does not talk about the drainage. Bob Austin suggested that the act of dedication be re-worded to include accepted as per the plats. Mayor Langlinais stated that this is the way to control it. Joey stated he has no problem recording an amended plat. Councilman Bonin stated he talk to Walter, the Mayor and Joey about the pipes at the end of Louisa Street. Councilman Bonin stated that he personally he has seen water run over those pipes and he is sure when the parish comes in with their assistance and we open up Cypress Bayou and clean that area, what can he do to eliminate the water on the north side of Louisa Street? Joey stated he thinks that they have already helped that situation. Bonin questioned Joey what would he contribute to help the problem? Joey stated that he would not contribute anything, because he had pipe there and the city took out the pipe and they said they would put it back, but they never

did, so he put the pipe back. Anzalone stated he had no problem signing an agreement to clean the ditch, but not to widen it. In reference to the act of dedication, in this dedication they are reserving the minerals and we are accepting the dedication of the streets, rights of servitudes and or easements for the utilities of service of the subdivision. Mayor Langlinais stated as corrected per the plat. Attorney Landry stated the first time he heard about this was last week and today was the first he saw the act of dedication. The chart and the language on the chart reference the closing in of the ditches. Attorney Landry stated when it comes to closing in the ditches that is not part of the dedication. Therefore, it was

moved by Councilman Rousseau and second by Councilman Johnson to approve the dedication of the streets, rights of servitudes and or easements for the utilities for Huval Holiday Subdivision Phase III. Roll call:

District I = Yea

District IV = Yea

District II = Yea

District V = Yea

District III = Yea

District VI = Yea

At Large = Yea

Sugar Trace South Sewage/Utilities = Mayor Langlinais stated he sent to the council some information in reference to this matter. In reference to the memo dated January 26, 2005, it looks like we will have some problem with the sewage system not being able to take that development and the future development across the street. Attorney Landry stated that we might have to go into executive session regarding this matter, because there have been threats about litigation. Councilman Foco questioned Walter Comeaux, who okayed him to hook-up Deer Meadow into that sewage? Comeaux stated that it was designed with a sewage plant, but Cordell Castette the developer did speak to Mayor and it was hooked up to the force main for Deer Meadow Phase I and Phase II. Councilman Foco stated that he and the council want to help with the development, but he feels that Cordell could have helped with the cost. Councilman Foco stated that our rules for development are not clear. Attorney Landry stated that he doesn't agree with that. Attorney Landry stated presenting the plan to the Planning Commission doesn't have anything to do with the sewage. Tex Plumley stated that when their plans say city sewage that is what they plan on doing and he feels there shouldn't be any changes 70% into the development. Attorney Landry stated he agrees that the Billeaud Companies have donated to the Town, and we want to work with them. Walter stated the purpose of the planning commission to put notice to the government and area residents of what is being developing. The city is growing and they definitely need a better procedure. Mayor Langlinais stated right now the process is no dirt can be moved, until an engineer reviews the plans. Attorney Landry stated we are up to the point that they have preliminary plat approval; maybe if we come up with a good plan about sewage, these discussions won't be necessary. Bob Austin stated that the plans are presented to the planning commission engineer for the sewage and water also and he feels coming back 6 months later and saying there is no sewage, that does cause a problem. Councilman Rousseau stated that he feels we need a step-by-step process on giving the plat to the city and then everything will be crystal clear for the developer. He feels we need a more definitive program. He feels we need someone to manage the process. Councilman Foco stated we definitely want to do something with the sewer, that's why he feels there needs to be a liaison with the city who can come up with a checklist to go over this. That person could be a liaison between the engineer and developer. Mayor Langlinais stated that our engineers will be

instructed to check the water and sewer carefully before the dirt is moved. Mike Hollier stated that he would provide a checklist to the city. Estimated cost for the force main between Sugar Trace South and La Rue Malaga is \$160,000. Councilman Foco stated, that it also needs to be done bigger for the future development. Councilman Rousseau moved and Councilman Higginbotham second to amend the budget for \$160,000 to run the force main from La Rue Malaga to Sugar Trace South. Roll call:

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

Mayor Langlinais stated that this will pushing up phase I and phase II to take care of future development. He also added that we can't continue to take same system to put thru smaller and smaller straws. We had planned on putting a lift station on Morgan Street for approximately 1.1 million. We need to speed that process up to take care of many future developments. Gene Wakefield stated that hope that he hopes none of his comments offended anyone here; he just feels we need to fix the problem. Councilman Foco stated that he is not saying the planning commission is doing anything wrong; but he feels we could take a liaison to check on this with the engineer and the developers. He feels the city is moving to fast. Mayor Langlinais stated that he would instruct Larry to check that carefully. Councilman Rousseau stated that he would like to know when a development comes thru the planning process. Mayor Langlinais instructed Tina to send a memo to Sarah to copy all councilmen when a development comes to the planning commission.

Approval of bills for the Broussard Environmental Enhancement Sewage District =

Moved by Councilman Guilbeau and second by Councilman Johnson to approve the following bills be paid for the Broussard Environmental Enhancement Sewage District Board: CLM Equipment Company, Inc. for \$4,270.00 and C. B. Talley for \$944.50 totaling, \$5,214.50. Roll call:

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

Intergovernmental Agreement with Lafayette Consolidated Government for the funding Contract with US Army Corps of Engineers for LINC Comprehensive Drainage and Stormwater Plan for the Lafayette Parish "Flood Plain Management Services Agreement"

= Mike Hollier stated that the UL Engineering Department came together and put together a package for a storm-water plan. He is asking the council to contribute to this package. The city's share is \$25,000 for this \$590,000 contract. This is comprehensive analysis of our existing drainage system. The objective is to develop a series throughout the parish with the information they will be given. This fall FEMA will be issuing the new flood elevations for the parish. They will be putting out promotions on these flood elevations. The \$25,000 can be paid in two installments; half in 2005 and half in 2006. Gene stated he would prefer that we do it all now. Moved by Councilman Rousseau and second by Councilman Johnson second to amend the budget for \$25,000 for the funding this study and enter into this Intergovernmental Agreement

with Lafayette Consolidated Government for this Flood Plain Management Services Agreement to complete the LINC Plan for Lafayette Parish. Roll call:

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

OLD BUSINESS:

Adopt Ordinance #05-280/ Annexation for Yogi, LLC Property = Per the request of John Linahan the adoption of Ordinance #05-280, which provides for the annexation of certain property located in section 93, township 10 south, range 5 east, Lafayette Parish, Louisiana, being known as the Yogi, LLC Annexation was tabled because all of the necessary paperwork has not been received yet.

Adopt Ordinance #05-281/Annexation for H. C. Martin Property = Per the request of John Linahan the adoption of Ordinance #05-281, which provides for the annexation of certain property located in sections 9, township 11 south, range 5 east, Lafayette Parish, Louisiana, being known as the H.C. Martin Properties, area “A” and area “C” annexation was tabled because all of the necessary paperwork has not been received yet.

Adopt Ordinance #05-282/Annexation for Northside Moulin Road = Per the request of John Linahan the adoption of Ordinance #05-282, which provides for the annexation of certain property located in sections 17 & 34, township 10 south, range 5 east, Lafayette Parish, Louisiana, being known as the Northside Moulin Road Annexation was tabled because all of the necessary paperwork has not been received yet.

ENGINEER’S REPORT:

Mark’s Report:

Hulin Road Drainage = Mark stated he is doing some abstracts on the properties and there are no easements out there that he has found.

Al’s Report:

Ambassador Caffery = Al stated that he had a meeting with the Highway Department about the Ambassador Caffery utilities. The agreement has to be in their hands by October 1st of this year. We are ahead of the game. We will be refunded 100% if we can prove the easements are in the city limits. The only question is what side of Morgan Street is incorporated. Attorney Landry stated he would look into this. We will have to furnish an affidavit to that effect.

Walter’s Report:

Moulin Road = Walter stated that the Parish will not participate in the re-construction of

Moulin Road. They feel they can do it cheaper. Mayor Langlinais asked him to see where they are on the bidding process. Councilman Rousseau stated that Veronica, Randy's secretary told him that they do have cheaper prices than we have.

AUDITOR'S REPORT:

Planning Commission = Gene stated as far as the planning commission it is okay to get the procedure in place; the problem was the funding to make sure they were self-sufficient. We have to authorize the planning commission to spend money to do what they plan to do. Walter suggested they adopt Lafayette Consolidated Government's fee schedule for application. The council will address this at the next meeting.

ATTORNEY'S REPORT:

Attorney Landry stated that he had nothing else to report on.

FIRE DEPARTMENT:

No one was present.

POLICE DEPARTMENT:

2004 Report = Chief Decou stated that gave the council the report for 2004. They are close to comparison to 2003. According to 2003 crime went up 1%. Total overall calls for 2004 12,227 and 11,713 in 2003. They patrolled about 200,000 miles and they answered about 1200 alarm calls.

Surplus in the budget = Chief Decou stated he has a surplus in the salaries categories. He waited to see if he was financial able to hire another officer. He needs 2 people; but he will hire one officer and buy one patrol car if the council approves. He has a surplus of about \$30,000. The council had no problem with him start the process of looking for another officer and purchasing a vehicle.

COUNCIL BUSINESS:

At Large/Councilman Foco:

Employees/Planning Commission = Councilman Foco stated the comments that were made were not against the employees and the planning commission. They do a great job. The planning commission consists of all volunteers.

ADJOURN:

Meeting Adjourn =Moved by Councilman Johnson and second by Councilman Higginbotham 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. Langlais, MAYOR

S/Tina G. Denais, City Clerk