

Minutes Of The

July 26, 2005

Broussard City Council Meeting

Present: Mayor Charles 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
 Gene Chiarulli, City Auditor
 Brannon Decou, Chief of Police
 Jess Spiehler, Developer
 David Wright w/Diehl Land Services
 Oscar Reed, City Attorney
 Roy Brown, Citizen
 Elmer Girouard, Supervisor
 Larry Champagne, Supervisor
 Mel Bertrand, Foreman

Mayor Langlinais called the meeting to order and Roy Brown lead with the Pledge of Allegiance and a silent prayer was said for the troops in Iraq. Mayor Langlinais commented that the 25th should be home in about 55 days.

Adopt minutes of the July 12, 2005 Regular City Council Meeting = Moved by Councilman Rousseau and second by Councilman Romero to adopt the minutes of the July 12, 2005 Regular 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:

Approval of bills for the Broussard Environmental Enhancement Sewage District = Moved by Councilman Johnson and second by Councilman Higginbotham to approve the

following bills be paid for the Broussard Environmental Enhancement Sewage District Board: Grooms Engineering, LLC for \$12,185.00 and Comite Resources, Inc. for \$10,583.33 for total bills of \$22,768.33. Roll call:

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

Mr. David Wright re: Drill Site/Road Location = Mr. Wright addressed the council. Mayor Langlinais explained that the original production company negotiated a right of way agreement a couple of years ago with the city. They would like an extension on the current renewal agreement. Mayor Langlinais stated the city gets nothing out of it. The road is about 25 years old. He commented that the original contract provided for use of the road for production. His objection is the current condition of the road that is why he is requesting help to improve the condition of the road before it used by the drilling company. Wright stated that they do intend on putting a wing in the front of the road. He stated that the road would be inspected prior to use and after the use of it. They will drill along the Louis Girouard tract. Councilman Foco stated that he will not let them use the road if they don't intend on improving the road. Wright stated that they are obligated by the surface owner Randy Girouard to maintain the road. Councilman Higginbotham stated that he is having the same problem right now with a road being used by an oil production company who previously told him that they would improve the road and they haven't done anything. Larry stated 2 days of heavy traffic on that road will tear it up tremendously. Wright stated they have had the leases in this area for six or more years and it has benefited a lot of people in this area. Councilman Rousseau questioned what legal recourse would we have if they don't improve the road as promised? Oscar Reed stated we would need stronger wording to the lease and a higher performance would be necessary and also including environmental language in the contract. Drilling is expected for 60 days and perhaps if it produces it would be longer. Elmer questioned what about the security of the area, because that gate needs to stay locked? Wright stated that is not a big ticket item. Elmer stated it would probably have to be moved more up the road for the trucks won't be standing in line waiting to get in. Mayor Langlinais stated it's up to council if they would consider the lease and what about the road condition. Councilman Foco stated he doesn't have a problem if the road is put back to the way it was. Councilman Higginbotham stated a maintenance clause would have to be included in the lease. Councilman Guilbeau questioned how much is the re-construction cost of the road? Larry stated about \$77,000. Councilman Guilbeau commented that is today price, not the future price. Councilman Rousseau stated he feels our engineers need to get involved and stated what our road needs to be spec to. Mayor Langlinais questioned Mr. Wright if they would let our engineer review what the road condition would be at the end of their use and they would fix the road to that spec? Wright stated he would like a third party to review the road condition at the end. Right now we have a 99 year lease on the road and it is a non-exclusive lease. The council agreed to let them use the road with the following condition: 1) the road needs to be put back to the original condition, 2) a third party arbitrator is needed in reference to the road condition inspection and 3) the bond should be raised to \$100,000. They would probably also be required to move the gate. Wright stated they are also talking about putting security personnel at the gate 24 hours a day for security purposes. Based on those revisions in

the contract it was moved by Councilman Higginbotham and second by Councilman Romero to authorize Mayor Langlais to sign the contract for the drill site road (sewage pond access road) including the conditions stated. All expenses will be paid by the drilling company. Roll call:

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

Quality Builders/Jess Spiehler re: Variance Request for Construction in Village South Subdivision, Phase I = Mr. Spiehler addressed the council. He previously requested the variance, but the council requested that he purchase the property first then they would consider the variance. He would like to abide by the original covenants which state that zero lot lines with a fire wall rated on the property line would be sufficient enough. Moved by Councilman Foco and second by Councilman Rousseau moved to adopt resolution #165-05, authorizing a variance from 5 feet to 0 feet for side property lines with a fire wall rated on the property line for lots #164,163,162,161,153,152,142,141,140,102, and 101 in Village South Phase I Patio Homes off of Village Square Drive and Leisure Field Drive. Roll call:

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

ENGINEER'S REPORT:

Mark's Report:

Bid for Sewer Force Main Installation at New Pond in Phase II = Mark handed out the bid results for the sewer force main installation for Phase II. The low bidder was Stelly Construction Incorporated in the amount of \$134,257.50; which came in about ½ of what was budgeted. Moved by Councilman Foco and second by Councilman Guilbeau to lend \$134,257.50 to BESED for the sewer force main installation for the Phase II project. Roll call:

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

Walter's Report:

Moulin Road and Cruise Drive = Walter stated a final inspection was done of Moulin Road and Cruise Drive. Moved by Councilman Rousseau and second by Councilman Higginbotham to accept substantial completion of Moulin Road and Cruise Drive Roll call:

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

The originally amount project for Moulin Road was \$264,172.80, but it only cost us \$260,649.80 for Moulin and Cruise Drive. After the old road was taken off we didn't need lime treatment so we saved money. The total cost of Cruise Drive was \$56,000.00. We saved about \$75,000.

Al's Report:

Al stated he had nothing to report on.

AUDITOR'S REPORT:

Final Report for the Year = Gene gave the council the final report for the year. We had under estimated the sales tax revenue. There will be some savings on Cruise Drive and Moulin Road. Basically we will end up about \$319,000 in the black for the year 2004/2005.

Bond Ordinance = Gene stated he was asked to explain the ordinance on the bond issue at this meeting. Basically the council asked him to start the procedure to borrow the money for the new bond. When he spoke to the bonding attorney they suggested we re-finance the current bonds we have, which will combine the bonds we owe and the bonds we need for the sewer bond, for a total of \$7.2 million dollars. We put the money aside each month and pay the premiums on these bonds semi-yearly. The higher the bond rating the cheaper we would pay on the interest rates. We have the capacity of about 20 million dollars for bonds, per the bonding attorney with our current collections. This will enable the BEESD money to do their projects. The money is to be used for acquisition and improvements in the city. The ordinance is due to be adopted at the next meeting. We should have the funding by September.

ATTORNEY'S REPORT:

Attorney Landry was not present.

FIRE DEPARTMENT:

Chief Lopez was not present.

POLICE DEPARTMENT:

Chief Decou stated he had nothing to report on.

COUNCIL BUSINESS:

Roy Brown/COMPLAINTS:

Traffic in the alleyway = Mr. Brown stated that he is having problems in his neighborhood. In the 1980's he bought 180 feet of culvert that was put in. Now he is having

problems with traffic coming thru the alley on those culverts. When the culverts were installed he put additional 3 or 4 feet extra. He would like to remove the last jar if the town would help him and move it 3 to 4 feet into his property. By removing this culvert this traffic problem should stop. Mayor Langlinais stated someone will contact tomorrow to get this done.

East Broussard Street (possible one-way) = Mr. Brown stated that he knows in the past it was discussed as possibly putting East Broussard Street a one-way. Brown stated that the property owner that moved back parks on the side of the road and so does the property owner across the street. If you come north you are unable to see, because of the cars along side of the road. He requested perhaps a catch basin could be put to give more space. Mayor Langlinais stated they will go look into this to see how this problem can be resolved. Mayor Langlinais stated perhaps putting up signs stated no parking 50 feet to the corner.

District II/Councilman Bonin:

Railroad Crossing on Albertson Parkway = Councilman Bonin stated he thought we wrote a letter to the railroad about the condition of the crossing on Albertson Parkway. Mayor Langlinais stated he thinks Attorney Landry did write a letter. Councilman Bonin requested that we please check with Attorney Landry on this and if he hasn't could we please instruct him to write that letter to railroad about the crossing on Albertson Parkway. He also added that they really need to inspect all of the crossing in the city.

District III/Councilman Rousseau:

PTO Ordinance = Councilman Rousseau stated at the BESED meeting last week Bob wants us to introduce an ordinance where storm water retention was 5 years ago. As soon as he gets more info on this he will pass it on to the council. Councilman Rousseau stated this ordinance basically clarifies what is allowed to be dumped into the sewer. Mayor Langlinais recommended the ordinance be made more users friendly. Mayor Langlinais instructed Tina to send each council member a copy of the ordinance.

At Large/Councilman Foco:

Fence on Fairfield at Sugar Trace South Phase I = Councilman Foco stated that he knows a site triangle was put in the plan, but he still has a problem with the fence at the intersection of Fairfield and South Morgan. Walter stated he sent survey crew out there and they measured the site. Walter stated perhaps we might want to consider moving the stop sign up. Mayor Langlinais stated there is no stop bar at this location. He did talk to Tex to about perhaps re-doing the lines on the back of the lots. Walter stated he didn't talk to Tex. Councilman Rousseau stated he agrees it is a problem, but now the cars are coming to stop at the end of Morgan Street. Walter stated that Fairfield to the east and to the west don't line up, so that's the problem. The council will get with Walter about this and he will take it up with his client.

District V/Councilman Higginbotham:

Exit Lane for Cinema off of Highway 90 = Councilman Higginbotham questioned if there was an accident at Highway 90 and the turn lane into the Cinema? Chief Decou stated he doesn't believe so; however Councilman Johnson stated he saw an accident there last week. Councilman Higginbotham stated he see problems arising there. Unfortunately this is a state road so there isn't anything the city can do.

Mel Bertrand/Foreman:

Proposals for clearing at the sewer bond = Mel stated that we received sealed proposals for clearing of the additional 10 acres at the new pond. The low bid was for \$1,150 per acre from Teche Construction. Mel stated that he had estimated the proposals to be higher than what came in. Moved by Councilman Higginbotham and second by Councilman Romero to approve the loaning of the money for the BESED for the low bid for the clearing of the remaining 10 acres for \$1,150 per acre from Teche Construction Company. Roll call:

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

Mel stated that the first section was done for \$885 per acre, but that contractor admitted that he lost money on the job.

ADJOURN:

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

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

S/Charles E. Langlinais, MAYOR

S/Tina G. Denais, City Clerk