

Minutes Of The

October 11, 2005

Broussard City Council Meeting

Present: 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  
 Gene Chiarulli, City Auditor  
 Walter Comeaux, Engineer  
 Brannon Decou, Chief of Police  
 Elmer Girouard, City Supervisor

Absent: Mayor Charles Langlinais  
 Councilman Harold Johnson, District IV

Councilman Foco called the meeting to order and lead with the Pledge of Allegiance and a silent prayer was said for the victims of the Hurricane Rita and Hurricane Katrina.

**Adopt minutes of the September 27, 2005 Regular City Council Meeting** = Moved by Councilman Higginbotham and second by Councilman Rousseau to adopt the minutes of the September 27, 2005 Regular City Council Meeting.

Roll call:

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

**NEW BUSINESS:**

**Adopt Ordinance # 05-290/Amendment to Ordinance #124 Regarding Building Setbacks on Ambassador Caffery Parkway** = Moved by Councilman Rousseau and second by Councilman Romero to adopt Ordinance #05-290 which provides for the amendment of ordinance #124 of the ordinances of the City of Broussard, Louisiana to changed section II A, which states that properties adjacent to any street shall have a front building setback of not less

than 20 feet, provided however that all properties adjacent to Ambassador Caffery Parkway (proposed) shall have a front building setback of not less than 50 feet. Roll call:

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

## **ENGINEER'S REPORT:**

### **Mark's Report:**

**Electronic Meters** = Mark stated that we will be re-bidding the electronic meters, different from the way it was previously bided. This will be bided per unit and no exceptions. Attorney Landry stated he looked at the bids and we definitely need to re-bid it, because there would be some conflicts with the bid law. He received some information this afternoon that he will have to look at first. The new subdivision will have the new meters and the handheld and we will keep going from there. Councilman Guilbeau questioned Elmo, what kind of meters come from Coburn's? Elmer stated they are American Meters. Elmer stated the glass on top seals better with Badger and American meters. Mark stated the bid specs will be delivered this week. Elmer stated anything larger than a 3/4 inch we only put 3 – 5 times a year, so he recommends that we definitely don't include those in the bid packets. It might be cheaper for us to buy those out right. Gene stated you could bid just 3/4 inch meters and take the larger meters out of the bid completely and buy those out right.

**Asphalt Overlay** = Mark stated that he is almost finish with the specs and he send them to Larry to review the specs. Councilman Bonin questioned what will we do with the bridge on Fairfield? Councilman Guilbeau stated we will stop before it and start after it, till decide what we will do with Cypress Bayou. Walter stated talked with Richard Minville and he sent him some information about the box culverts for the Rural Development Grant that he is applying for the City. The estimated cost from last engineer was \$90,000 for the box culverts. Walter stated Cypress Bayou is not as near large as it needs to be. He did talk to Bill Campbell about this also. Councilman Foco stated he feels we still need to go forward with a bridge instead of box culverts. Walter stated perhaps we can look at a clear span bridge. Councilman Guilbeau stated we might want to compare prices on bridges and box culverts. Walter stated yes someone definitely needs to look at. Councilman Guilbeau questioned Mark in reference to the asphalt overlay, when will be put out for bid and what is the process? Mark stated he will give Larry the bid specs and if everything is okay then they advertise and then the bidders will pick up the bids and within 30 days the bids will be opened. Councilman Guilbeau requested that Mark provide him with a copy of the bid specs once it is ready to be advertised. Councilman Bonin questioned if the proposed intergovernmental agreement will pertain to that bridge? Don stated he believes the intergovernmental agreement will basically be for just small projects.

### **Walter's Report:**

**Moulin Road** = Walter stated that the lien period ended for Moulin Road and the project

is completely done and the retainage has paid.

**Drainage Regulations** = Councilman Higginbotham stated that he received the drainage regulations draft from Ian. Some changes need to be made. Walter stated he received one also and it looks good to him. One problem he sees is in reference to seeding the ditch, after a project is finished and a final inspection is done and maybe two or three months later, then the phone company comes in, and then problems arise with the digging they do and mess up the seeding of the ditch. The developer has no control over this. They have no problem with doing this, but Utility Companies should be held accountable for the mess they make. Larry stated the city shouldn't accept any subdivisions after the utilities have been put on. Walter stated we can't do that. Walter stated they don't regulate the utilities and neither does the council, only the public service commission does. Walter stated he feels we could tell them when they do erosion damage they need to repair it. Attorney Landry stated perhaps we can contact the utility company and tell them to contact us from here on out. Mel stated every time they come in, they break the water or sewer service and they don't pay to repair them. Councilman Higginbotham asked if we are ready to move forward on this ordinance. Councilman Rousseau stated first he would like the council to review it also Attorney Landry before it is presented for introduction.

**Roundabout at Morgan and Fairfield** = Walter gave the council a picture of the proposed roundabout at the end of Morgan at Fairfield. Walter stated the road is about 18 feet. Walter stated he would like Dean Tekell to review this first for his expertise advice, before the council moves further on this.

#### **AUDITOR'S REPORT:**

Gene stated that he had nothing to report on.

#### **ATTORNEY'S REPORT:**

**Salvage Vehicles** = Attorney Landry stated that he reviewed the minutes of the last meeting when the city declared some city vehicles salvage to offer to other government agencies. Attorney Landry stated that he knows of some towns that will be interested in purchasing these vehicles. Attorney Landry stated whatever is not donated to other municipalities, and then we will have to bid out those vehicles.

**Introduce Ordinance 05-291/Garbage Regulating Times** = Moved by Councilman Guilbeau and second by Councilman Rousseau to introduce Ordinance #05-291, which regulates the hours of solid waste collection (residential and commercial) within the city limits of Broussard. Roll call:

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

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

**Exotic Dancer Ordinance** = Attorney Landry stated that he received fax correspondence from an attorney on behalf of Michael's Club, disputing the permitting of everyone employed in the club. Attorney Landry stated when it was presented the Chief thought it would be a good idea to include everyone in the club to be permitted. Attorney Landry stated that the attorney stated his client is threatening a lawsuit if the ordinance is not changed. Attorney Landry stated he doesn't know if the ordinance is challenged what the outcome will be. Attorney Landry suggested that the Chief bring it back to the council, and take out employee portion of that portion (dishwasher, barmaid) and just leave the dancers having to be permitted. Attorney Landry stated his recommendation is to be proactive and just include the exotic dancers. Councilman Guilbeau questioned if we are in our legal right just doing dancers as being permitted? Attorney Landry stated yes, but the owner could still challenge our ordinance. Attorney Landry stated he thinks the attorney and his client will be fine with these recommended changes, but they can they still can file any lawsuit. Chief Decou stated those type of establishments go to the extreme to protect their places. Moved by Councilman Rousseau and second by Councilman Romero to adopt Ordinance #05-292, which amends ordinance #05-289 to delete the requirement that employees, other than "exotic dancers" to obtain a certificate of qualifications from the Chief of Police of the City of Broussard, Louisiana and to now have ordinance #05-289, read as follows: "An ordinance of the city council of the city of Broussard, Louisiana, requiring entertainers, commonly known as "Exotic Dancers," to obtain a certificate of qualification from the Chief of Police of the City of Broussard, Louisiana." Roll call:

|                   |                      |
|-------------------|----------------------|
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| At Large = Yea    |                      |

**Stolen Police Vehicle Replacement** = Attorney Landry stated that in reference to the vehicle that was stolen, we can file a suit against that person. If that person has nothing we can file a judgment which good for 10 years. The chances of collecting are not good. Attorney Landry stated it will probably cost less than \$500 to file suit. Chief Decou stated there were two individuals in the car, one a juvenile and the other was an adult. Councilman Foco and the rest of the council agreed that they still want to follow thru on this. Attorney Landry will get with Chief Decou in getting the judgment filed.

**Meeting Attendance** = Councilman Foco agreed with Attorney Landry's recommendation that if the council would like to bring something coming up that they need to get with Tina and she could call Mr. Landry ahead of time when it is being put on the agenda. Attorney Landry stated that is why an agenda posted and would be a lot better. Councilman Rousseau stated that he was the one who brought it up at the last meeting and it is not anything aimed towards Attorney Landry, there were just some issues that had come up. Attorney Landry stated it was always a policy that the second meeting in the older days nothing going on, so legal counsel would not be present; but he had no problem whatsoever attending the future meetings.

#### **FIRE DEPARTMENT:**

No one was present.

**POLICE DEPARTMENT:**

**Thanks** = Chief Decou thanked the council for the vehicle replacement last month and stated he is sorry for the unfortunate way it had to be replaced.

**COUNCIL BUSINESS:**

**District V/Councilman Higginbotham:**

**Hurricane Cleanup** = Councilman Higginbotham questioned Larry when will they pass in his neighborhood? Larry stated they are on their last leg making the last past this week. Right now we are taking phone calls where they missed and going on a street basis. Councilman Guilbeau questioned what about Bismark? Mel stated he saw that and it is not all storm debris.

**District III/Councilman Rousseau**

**Stop Signs at La Neuville and Bonin Road** = Councilman Rousseau questioned what is the status of the removal of the stop signs on La Neuville at Bonin? Attorney Landry stated that a committee was established in reference to this in the past to study the situation prior to anything being done. Chief Decou stated that intersection is not for us itself. Councilman Foco questioned Chief Decou if possible he could get an officer there to aid with traffic in the peak times? Chief Decou stated that he can't do that right now.

**At Large/Councilman Foco:**

**Thanks** = Councilman Foco thanked the maintenance department for the cleaning of the streets and ditches.

**ADJOURN:**

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

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

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**S/Charles E. Langlinais, MAYOR**

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**S/Tina G. Denais, City Clerk**