

Minutes Of The

March 14, 2006

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
 Chief Brannon Decou, Chief of Police
 Gene Chiarulli, City Auditor
 Don Landry, Attorney At Law
 Al Reaux, City Engineer
 Mark Savoie, City Engineer
 Dean Tekell and Nina Ludington w/Dean Texel Consulting
 Tex Plumley w/Billeaud Companies
 Mr. Paul Dupre, Resident
 Walter Comeaux III, Comeaux Engineering
 Mr. & Mrs. Allen Guidroz, Residence
 Representative from Walmart
 Mr. Adam Mouton, resident

Councilman Foco called the meeting to order and Tina lead with the Pledge of Allegiance and a silent prayer was said for Mr. Lucien Hulin who is very ill, the boys in Iraq and the people in the northeast who are going thru the severe storms.

Adopt minutes of the March 14, 2006 City Council Meeting =Moved by Councilman Higginbotham and second by Councilman Rousseau to adopt the minutes of the March 14, 2006 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:

Introduce Ordinance #06-295/Providing for the revocation and/or suspension of permits issued to businesses = Councilman Foco questioned section 4, paragraph I in reference to 3 strikes and your out. He feels that we might have to give some sort of other action. Mayor Langlinais stated the point is to set a procedure for a license and if there are three strikes then there will be provisions if they want to challenge it. Attorney Landry will check into how other cities do it with the three strikes. Mayor Langlinais stated he doesn't know how we can handle it with the dance club. Attorney Landry stated they are still appealing the charges that we brought against them. Mayor Langlinais stated it could go on for 3 or 4 or 5 years before the license is revoked. Councilman Higginbotham questioned if the dance club is abiding by the permit process? Chief Decou stated yes. Mr. Mouton recommended perhaps we could suspend there license while it is going thru the due process of appeal. Attorney Landry state that would be very risky. Therefore it was moved by Councilman Guilbeau and second by Councilman Rousseau

to introduce Ordinance #06-295, which provides for the revocation and/or suspension of permits/licenses issued to businesses who are engaged in the manufacturing, blending, distilling, processing, importing, storing, using, or selling of alcoholic beverages. Roll call:

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

Introduce Ordinance #06-296/Amending Ordinance #124-A, amending setback requirements to ordinance = Mayor Langlinais stated that this is to address the issue of condos for common wall. Mayor Langlinais stated that there is also the issue in this ordinance about the front set-back issue. It would be the actual property line or actual right of way property line, which the set-back would be measured from. Walter stated is one provision they might want to be put in and that is the front set-back is always measured from the property line, with the exception of on a private street as a gated community. Mayor Langlinais asked Walter to get that information to Don and we can add that that to this ordinance. Moved by Councilman Guilbeau and second by Councilman Rousseau to introduce Ordinance #06-296, which amends ordinance #124-A to add additional building setback requirements under item (a) residential. Roll call:

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

Adopt Intergovernmental Agreement with Lafayette Consolidated Government for La Neuville Road Re-construction = Mayor Langlinais stated that their share is 77%, but in concurrence with Grooms Engineering a calculation will be the pro-rated costs. Councilman Guilbeau asked Larry if he has a cost? Larry stated the city owns 2100 feet of street and the parish owns 2700 feet. Mayor Langlinais stated it will be a percentage of reimbursement. Attorney Landry stated we can adopt a resolution allowing the Mayor to enter into the intergovernmental agreement. Councilman Higginbotham questioned how will they pay us? Mayor Langlinais and Councilman Foco stated they will go by what the engineers come up with

on the pro-rated share. Councilman Guilbeau requested Mark send them a copy of his findings of what is for the parish and what is for the city. Moved by Councilman Higginbotham and second by Councilman Johnson to adopt the intergovernmental agreement with Lafayette City-Parish Consolidated Government for the La Neuville Road Re-construction project from Highway 89 to Vivian Drive, which includes rehabilitation of the roadway, including construction costs and other associated project costs, including, but not limited to, engineering design, surveying, drafting, inspection, testing, rights-of-way acquisition, professional services and the like whereas the LCG shall pay the City of Broussard a pro rata percentage of the total cost described above as calculated by concurrent agreement Broussard and LCG appointed engineers, based upon the percentage of the construction within their respective jurisdictions.

Roll call:

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

Adopt Intergovernmental Agreement with Lafayette Consolidated Government for Coulee LaSalle (Cypress Bayou) drainage work = Councilman Foco stated he received phone calls about this from the council and he would like them to state their case. Councilman Bonin stated it has been 3 years that he and the Attorney have been trying to work with the parish about Cypress Bayou, without any success and now they want to clean from Holiday Gardens to drain into our coulee and they don't want to help us with what is here in the City limits; he has a problem with that. Mayor Langlinais recommended we amend it and amend it that they start in this area first where the outfall is. Attorney Landry read the ordinance. Councilman Foco stated he feels when they get to Albertson Parkway they will stop. Councilman Bonin questioned Walter will it do the drainage of Broussard any good? Walter stated naturally they should start at the outfall first. Al stated that any drainage project, you should start from the outfall and go upstream. Councilman Rousseau questioned that he thought their plan was to clean Cypress Bayou? Attorney Landry stated it is an intergovernmental agreement and basically we should be sending them back a letter stating where the project should start, therefore we would get more accomplished that way. It was moved by Councilman Rousseau and second by Councilman Romero to table the Intergovernmental Agreement with Lafayette City-Parish Consolidated Government for the clearing of Lateral 4-C of Coulee W-20, (Coulee Fortune) from Coulee Fortune (sometimes referred to as Cypress Bayou) main branch to Thomas Nolan Drive, including the replacement or supplementation of existing 60" culvert at Albertson Parkway and have our engineers send LCG a letter stating where we want the project to start and what we want to accomplish. Roll call:

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

Billeaud Companies re: Northeast Corner of St. Nazairre and Highway 90 = Mayor Langlinais stated the initial improvements of the Highway at Albertson Parkway were instituted by us about 2 years ago. Dean Tekell stated he feels we need to show what needs to

happen at this intersection now, whether Walmart builds or not. Instead of going thru the intersection they are turning onto Highway 90 and he feels to correct this problem the exit ramp on Highway 182 needs to be improved. DOTD is willing to allow the exit ramp to end. DOTD will pay for everything except asphalt which would be about 600 tons. The estimate is \$28,000. They will put up a left turn signal at Hwy 182 and Albertson Parkway. They will take care of the cost of the light change-out also. Mayor Langlinais questioned Dean if they had some sort of fashion for a presentation. Nina stated yes. Mayor Langlinais stated also Walmart has some of their engineers here tonight. Dean stated this will only take care of the existing problem; it will not take care of the traffic Walmart will bring in. Nina did a presentation. She showed the Albertson Parkway and left turn signals on LA 182 at Albertsons Parkway. We are going to add dual left turn lane to northbound highway 90. It will be split phasing first St. Nazairre then Albertson Parkway. We need to redo the ramp portion. The state will realign it closer to Highway 90. There will be a stop sign at Highway 182. Other recommendation is to add a controller for Albertson's Parkway and LA 182. The city only has to pay for the engineering timing and the off ramp which will cost approximately \$28,000. Councilman Bonin questioned if they don't feel the stop sign will cause problems? Nina stated the complaints they had was the red light was causing backing ups on Highway 90 and there were a lot of angle accidents. They believe 70% of the traffic will take that ramp. Councilman Foco questioned what happens if we do this and it doesn't help? Nina stated this will work in conjunction with the Walmart project. Chief Decou stated he feels that we need to remove the traffic from that intersection, because of the congestion there. Nina stated she has simulations, but she didn't bring them. Councilman Foco questioned how long will it take the state to come in? Nina stated they said 2 weeks. Gene questioned about much will the engineering be? Nina stated about \$3,000. Councilman Foco stated he feels it is a good idea. Councilman Rousseau moved and Councilman Johnson second to amend the budget for \$30,000 to do this project (\$27,000 for the asphalt and the \$3,000 for the engineering). Roll call:

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

Councilman Foco stated he was going to Ton's a couple of weeks ago and he was late getting there because of the no turn signal. He met Senator Craig Romero and he told him about the turn signal not being there and requested help from the State in installing one. Senator Romero took care of getting the State to act on this. Nina stated she was wondering how it got to the state so quickly.

Civil Engineer for Walmart Shane Gillis addressed the council. There information was coordinated with the traffic study that Nina just did. They have the preliminary traffic study. They are proposing putting in a 5 lane cross section for St. Nazairre and a left lane and right turn lane and a thru lane. They will also be adding a signal on St. Nazairre onto the development. 3 lanes will be in the westbound direction and 2 lanes in the east bound direction. Mayor Langlinais questioned if we have enough space to do that. The engineer stated he doesn't know that right now. Mayor Langlinais stated his biggest thing was to start this for what when will have their part done. Shane Gillis stated he will be working with Dean, Nina and PENSCO. Councilman Higginbotham stated at our previous meetings it was discussed that we didn't want to commit to spending any more money until the property was purchased and he feels that is

where they are. Mayor Langlinais stated he asked what would be required on a 5 lane. Al stated they need more information on what they will have at this intersection. Al stated they need information from Walmart for the ditch. Mayor Langlinais questioned if perhaps we can set a date for this to be brought back to the council. Tex stated we need to get the planning needs to be done. Councilman Higginbotham stated at \$100,000 he can't see spending the money until the land is purchased. Attorney Landry stated if it is not Walmart, someone will come in, so he feels it will be money well spent. Mayor Langlinais stated until we have a set of plans with the lot lines, they can't go forward with their plans. Attorney Landry stated when Albertson Parkway was built, look at what La Nueville was then, the expenditure is a good investment. Councilman Foco questioned Tex if the Billeaud Companies would reimburse the city for some of the money if it is not built? Plumley stated he didn't see a problem with that. Tom Becki, real estate for Walmart stated they have never have gone this far before and not build the building. Councilman Guilbeau moved and Councilman Rousseau second to amend the budget for \$100,000 to allow PENSICO to do the engineering and if the deal falls thru Billeaud Companies will reimburse 50%.

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 within 30 days Walmart will be back to do their presentation to the council. Al stated before the intersection is approved by the Highway Department, they cannot do the plans. Councilman Guilbeau questioned if coming off of St. Nazairre, and taking a left onto Highway 90 should eliminate a lot of traffic problems? Everyone agreed it will defiantly eliminate problems.

Mr. Paul Dupre re: Dirtbikes and 4-Wheelers on Public Road in Deer Meadow Subdivision = Mr. Dupre addressed the council about dirt-bikes and 4 wheelers riding near Deer Meadow. Councilman Foco stated dirt bikes are riding on the new development and he questioned Mr. Plumley if they would have problem posting No Trespassing signs there. Tex stated they already did this and the kids tear the signs down. Dupre stated that the kids ride and if they get a fine, they pay the fine and they go back doing it again. Councilman Rousseau stated he has the same problem, behind Comeaux Estates. Councilman Foco questioned what about if they are on public roads? Chief Decou stated they shouldn't be on public roads with 4-Wheelers and dirt-bikes. Chief Decou stated he took a police officer off the road this weekend for 1 hour and when this bike passed, he couldn't stop it. Mayor Langlinais stated perhaps we can make these 4-wheelers and dirt-bikes register with the police department. Everyone agreed that would be impossible. Dupre stated he sees the kids on the streets and at 2 and 3 o'clock in the morning. Attorney Landry questioned if Mr. Dupre knows who the kids are? Dupre stated he knows the addresses. Chief Decou stated if he has the address of the kids, he can work with him on that. Councilman Foco recommended Mr. Dupre furnish the Chief with the information he has.

Provident Realty re: Apartment Complex Water and Sewage Connection =
Mayor Langlinais stated they are looking for acreage to build apartments in the "Go Zone." This

is to make development in areas not affected by Hurricane Katrina. You get some money back in the first year. They are looking at on North Eola. Mayor Langlinais stated he just wanted the council to know because this, because it will brought up at the next meeting.

ENGINEER'S REPORT:

Mark's Report:

Sewage Transfer System = Mark stated that the work on that is going well.

Hulin Road Drainage = Mark stated that this project is substaintly complete.

Al's Report:

St. Nazairre Force Main = Al stated they have been on hold for the St. Nazairee roadway and also for the force main and the lift station, because of the right of way issue.

AUDITOR'S REPORT:

Monthly Report = Gene stated this is January's report since there was no second meeting in February. The Sales Tax collections are still doing well. We are .8 of a million dollars up in Sales Tax as of January. Councilman Guilbeau stated that pays for the overlay. Councilman Rousseau moved and Councilman Guilbeau second to approve report the monthly report for January 2006 as presented by Gene. 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:

International Building Codes = Attorney Landry stated that now there is a requirement from State Legislature adopt that we adopt the International Building Code with the wind load sections. Attorney Landry stated this will be coming up soon. Attorney Landry questioned the council if they want the fire marshal's office to come brief us on this. The council stated yes. Attorney Landry stated he will start preparing a model ordinance and some permitting for this.

Ordinances = Mayor Langlinais stated feels we need to update the parking ordinance and he thanked Don for the new proposed ordinances for the establishments with alcohol and the amended set-back ordinance and plus his support on the St. Nazairre road issue.

FIRE DEPARTMENT:

No one was present.

POLICE DEPARTMENT:

2005 Activity = Chief Decou gave the council the activity sheet for 2005 compared to 2004. He also has the narcotic report according to the street value. The passed few years we made some substantial narcotic arrests. The charts are self-explanatory. One thing on the numbers of calls, the traffic calls went down, but that is due to the traffic stops. The crash data went up. Chief Decou stated that there were about 90 more hit and runs. Chief Decou stated he doesn't find any major increases in significant crimes. A lot of times were spent on alarm calls. Chief Decou stated an alarm call sends 2 police officers out automatically on that call. Councilman Higginbotham questioned if we are getting any assistance from the Sheriff's Office? Chief Decou stated they provide us with as much assistance as they can. He has asked the sheriff's department to send their deputies on all calls they have holding, due to his officers being on a call. Mayor Langlinais stated he doesn't watch the local news, because of the things that are happening in other local towns and he feels comfortable with our police department. Councilman Guilbeau stated he feels we have one of the best police departments. Chief Decou recommended if they need any assistance with deciphering this report, please feel free to call him. Mr. Mouton questioned if they have any habitual offender of alarms, perhaps we could charge them? Chief Decou stated we did bring that up, but we didn't pass it.

Additional Officer = Councilman Higginbotham questioned about his staffing if there are any problems with the growth? Councilman Guilbeau stated that he thought we put on an additional officer on besides a narcotic officer. Chief Decou stated he received the judgment on the drug seizure money. He requested if he supply the vehicle with the drug seizure money would the city pay for the man? Chief Decou is requesting that he be able to approve the hiring of the deputy tonight. Mayor Langlinais stated we don't have the numbers for this tonight? Chief Decou stated he contacted the auditor about this. Gene stated he told them that he would have to look at the numbers and he said it was too early. Councilman Guilbeau moved and Councilman Higginbotham to allow Chief Decou to hire a new officer. Roll call:

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

Chief Decou stated he didn't feel there would have been any resistance on this, but evidently there are contrary feelings. Mayor Langlinais stated it's not resistance, it just wasn't on the agenda.

COUNCIL BUSINESS:

Councilman Higginbotham/District V:

Road overlays = Councilman Higginbotham questioned Larry about the overlay of Lafferty Drive. Larry stated that road will be re-constructed. Councilman Higginbotham questioned what is the cul-d-sac radius? Larry stated 30 feet. Mel stated the overlay crew moved out temporarily because they caught up with the patching. Councilman Guilbeau stated

he thought it would take care of all of La Flame? Larry stated he stopped where the city limits stop.

Councilman Rousseau/District III:

Hulin Road Drainage Project = Councilman Rousseau questioned what is the status of the Hulin Road drainage project? Larry stated it is about finished. Councilman Rousseau stated down Hulin Road there is the big bottom sway before the turn needs that needs to be looked at. Mark stated there is not outfall there. Mayor Langlinais stated be ready to expropriate if we have to. Mayor Langlinais recommended Councilman Rousseau go talk to the property owner near there first.

Councilman Bonin/District II:

Railroad Crossings = Councilman Bonin stated he saw work was done at the Main Street crossing. He asked Don to send them a letter for the Morgan Street and Albertson crossing and St. Etienne. Attorney Landry will take of this.

Councilman Guilbeau/District I:

Condemnation = Councilman Guilbeau if the property owner of 403 Third Street was contacted about the condition of her home? Tina stated yes, they signed the certified notice and this will be addressed at the meeting in April. Mayor Langlinais explained this was brought up a year ago and they hired someone to live in a trailer there and fix the house, but they didn't fix it.

Mayor Langlinais:

Street Overlay = Mayor Langlinais stated that when the council approved the overlay of some streets they were approved list as from point A to point B. He noticed last week that part of Heart D Farm Road that was overlaid is in the city limits of Youngsville. It was specified from North Larriviere to Highway 89, so he contacted Larry about this. Therefore he asked Larry to produce a list of the remaining streets which are in the parish jurisdiction or the Youngsville city limits. Moulin road is not in the city limits. Mayor Langlinais stated he is questioning the council if they understand they are approving of overlaying Heart D Farm Road in Youngsville and understand overlay Moulin Road in the Parish and Eola Road which is also in the parish. Councilman Guilbeau stated he doesn't feel we should start and stop and then maybe go another 20 feet and start again. Councilman Guilbeau stated Moulin Road us not on the list. Larry stated he added Moulin Road at the end of his list as extra, so maybe Keith asked him to add it. Councilman Rousseau stated no he didn't ask him to add Moulin Road. Mayor Langlinais stated he just wants to make sure the council is comfortable with this. Attorney Landry stated he sees a problem if we are overlaying streets that are not in the city limits. Walter stated he did the Moulin Road project, and we did not overlay the parish section, because it is illegal to overlay if it is not in the city limits and it could only be done with a Intergovernmental Agreement. Mayor Langlinais stated the Eola Road section is not in city limits. Councilman Higginbotham stated that we can't keep making the same mistake. Gene recommended that we

don't overlay anything out of the city limits. The total overlay amount for road out of city limits is around \$60,000 or \$70,000 of overlay. Councilman Guilbeau stated it was all written all in black in white and we simply overlooked it. Walter stated we could ask them to annex the road. Mr. Mouton stated with the bid boom we have in the future the council needs to consider for every tree cut we need to plant 2. We need to keep up our environment. Councilman Foco questioned what about people that have trash trees or diseased trees. Walter stated the developers try to preserve trees. Mayor Langlinais stated he is not trying to cause any heart ache; he was alarmed when it happened so he stopped Larry as soon as he noticed it. Councilman Higginbotham questioned what do we do, we need to set up some kind of policy? Councilman Foco stated he feels when we start annexing; we annex accordingly and annex the roads also. Attorney Landry stated there are some areas that will never be annexed. Attorney Landry stated we need to follow the law. Mayor Langlinais stated he is instructing Larry what not to do. Councilman Guilbeau stated the overlay project is still going well.

Utility Improvements = Mayor Langlinais stated he had anticipated spending \$200,000 for water and \$200,000 for sewage improvements. Right now the Regal Drive pump station has a temporary pump. Mayor Langlinais stated he had anticipated overlaying Regal Drive and Dwight Manuel is going forward with his development. Mr. Manuel asked the Mayor if he puts a lift station, if the city will put some money forward toward this. We also bought 2 generators that could be brought to each lift station during hurricane for emergency hookup. Right now we are going thru the bid process to connect each lift station to the generators. He is just asking for the council just to be looking at this, because Mr. Manuel will be coming to the next meeting.

Councilman Foco/At Large:

Development off of Fairfield = Councilman Foco stated that he would like to re-iterate what Walter talked about the beaver dams off of Fairfield. He feels we have a problem. The dam was busted Friday and Monday it was built back up by the beavers. He feels we need to get a process to start trapping beavers. He also understands that we have a lot of animal right activists. Elmer had problems with alligators at the sewage pond and the Wildlife and Fisheries aided him with this with a nuisance hunter. He recommended he contact them.

Overlay = Councilman Foco stated he feels the overlay is going very well.

ADJOURN:

Adjourn the meeting = Moved by Councilman Johnson and second by Councilman Guilbeau 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