

Minutes Of The

April 11, 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
 Don Landry, Attorney At Law
 Al Reaux, City Engineer
 Mark Savoie, City Engineer
 Walter Comeaux, Comeaux Engineering
 Larry Champagne, City Supervisor
 Mel Bertrand, City Foreman
 Elmer Girouard, City Supervisor
 Mike Skinner, Attorney At Law
 Roy Brown, Citizen
 Chief Brannon Decou
 Clara LeBlanc, Lafayette Council On Aging

Councilman Foco called the meeting to order and Attorney Landry lead with the Pledge of Allegiance and a silent prayer.

Adopt minutes of the March 28, 2006 City Council Meeting = Moved by Councilman Rousseau and second by Councilman Johnson to adopt the minutes of the March 28, 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	

OLD BUSINESS:

Adopt Ordinance #06-295/Revocation and Suspension of Permits for Businesses = Attorney Landry stated that Mayor Langlinois has asked him to look at incorporating in the ordinance preventing the process starting over again if the business gets their license suspended by letting someone else taking over the license like a family or friend. Attorney Landry stated we can adopt this now and amend it later. Moved by Councilman Rousseau and second by Councilman Higginbotham to adopt Ordinance #06-295, which provides for the revocation and/or suspension of permits 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	

Councilman Higginbotham questioned where are we in the litigation regarding the suit against us regarding the constitutionally of the ordinance with Michael's? Attorney Landry stated it is still in the appeals process. Chief Decou stated the club has changed attorneys' and that is why it is being reset. We won the federal side of the ordinance regarding the constitutionally. They are fighting the conviction of the violation. Councilman Higginbotham questioned if our ordinance follows the Lafayette ordinance or is it stricter? Attorney Landry stated it is about the same.

Adopt Ordinance #06-296/Amending the Setback Ordinance = Attorney Landry stated Walter was going to get us more information regarding some of the stipulations, but he hasn't received that information yet. We can adopt this ordinance now and amend it later after we get the information from Walter. Attorney Landry explained the ordinance. Moved by Councilman Guilbeau and second by Councilman Rousseau to adopt Ordinance #06-296, which amends Ordinance #124-A to add the 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 Resolution #179-06/Abandonment of a portion of a utility easement in Lot 63 of Vieux Chenes Subdivision, Phase 4 = Attorney Landry stated that is the one that was previously discussed with the swimming pool. Councilman Bonin questioned, he thought the owner was suppose to check to see what utilities where there and then come back to us? Larry stated everyone already has utilities there. Attorney Landry stated in the agreement it is included that they have a hold harmless agreement with the city. Therefore the council had no problems with this. Moved by Councilman Rousseau and second by Councilman Johnson to adopt Resolution #179-06, which provides for the abandonment of a portion of ten (10') foot utility easement traversing Lot 63 of Vieux Chenes Subdivision, Phase 4. 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:

Adopt Resolution #178-06/Supporting the Denial of A Permit Application by the Jefferson Island Storage and Hub LLC to expand the existing natural gas storage facility at Lake Peigneur = Mayor Langlinais stated apparently they want to use the salt dome at Lake Peigneur for reserve. He doesn't know what these people concerns are. Mayor Langlinais stated he has a resistance to pass this resolution. He cautions the council if they pass this resolution, next year the gas prices could rise. The council agreed to table this until they get more information. Moved by Councilman Bonin and second by Councilman Higginbotham to table Resolution #178-06/Supporting the Denial of a Permit Application by the Jefferson Island Storage and Hub LLC to expand the existing natural gas storage facility at Lake Peigneur. Roll call:

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

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

Adopt Resolution #180-06/Supporting the Development of New Apartment Units for the Elderly = Ms LeBlanc addressed the council. She is requesting the council adopt a resolution supporting the construction of apartments for 40 units off of Garber Road. Ms. LeBlanc explained that they get extra points if the water, sewer and building permit fees are waived. Mayor Langlinais stated that we can't do that. She stated anything they can do to help them get extra points will be appreciated. Councilman Foco questioned if it is a non -profit group and the legality of it? Attorney Landry stated that he would have to look into this. That information is not in the resolution. Councilman Rousseau questioned how many points total do they need? Ms. LeBlanc stated there are a lot of options. Ms. LeBlanc stated their application is due next Tuesday, so she wondered if she could get an answer on the permit fee waiving. The council agreed they can't vote on waiving the fees tonight till they get an answer from Don. Moved by Councilman Bonin and second by Councilman Johnson to adopt Resolution #180-06, which supports the development and construction of an estimated 40 elderly apartment units to be located on and 16.266+ Acre Tract being located in Sections 59 and 69, T10S, R5E, Lafayette Parish, LA and the location of the development in acknowledged to be on property currently indicated on the attached survey Exhibit A, provided by Lafayette Council On Aging. Roll call:

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

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

Ms. Hazel Guidry re: Condemnation of property located at 403 Third Street
 Councilman Guilbeau stated the home owners tore down the house so this matter had been taken care.

Duhon Property re: Easement Abandonment = Councilman Bonin stated he spoke to Mitch Duhon and the family would like us to move the right of way 50 feet over with the pipe in the sewage easement. Elmo stated we have a force main and gravity flow in the same easement. Elmer stated to move the gravity flow we would have to add two more manholes. Councilman Bonin stated Mr. Duhon informed him that they have donated a lot to the city and Councilman Bonin read a list aloud of the donations the Duhon's have given to the city for the sewage in that area and including the property they donated for Albertson Parkway. They would give another easement and a wider one. Councilman Foco questioned at whose expense would this be? Councilman Bonin stated that they are asking the city to pay for it. Mayor Langlinais questioned Don about abandoning or exchanging the easement and leaving the pipe in the ground and abandoning the easement for the public record, we would still be able to maintain that line, wouldn't we? Attorney Landry stated that he would like to forward with this project also to help, but suppose a house is built there and in the future there is a problem. Councilman Bonin stated that is what the intent is for; to build a house there. Walter stated if a house is built there it could be a lot of sink holes problems and they could have a lot of problems in the future. Councilman Higginbotham questioned if they are willing to share the expense at an estimated cost \$20,000 to move line? Councilman Bonin stated he could talk to them about that. Councilman Foco stated he could ask them and if they want to pay the whole expense he doesn't have a problem; but if they don't want to pay the whole expense, he will not vote for it. Attorney Landry stated he would like to help them also, but they along with us could have problems in the future. Mayor Langlinais questioned where is it that they want us to move the line? Elmer stated it is even with Yvonne Street about 50 feet west. Mayor Langlinais stated if we could suggest maybe having them re-subdivide the property where there want build so there won't be any problem with the sewage line. Mayor Langlinais asked David to go back to Mitch and ask for him to put the property on a map with lines and put where the lines to re-subdivide would be, moving the interior lot lines only, where it won't interfere with the sewage lines and we could see where will go from there. Councilman Johnson moved and Councilman Bonin second to table the request for the sewage easement abandonment. Roll call:

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

Mike Skinner re: Variance for Self-Storage Facility at 203 Albertson Parkway = Mr. Skinner represents the owner of Storage Max 3. The building he currently owns is 1.2 inches from the line. The angle of the building is 1.8 feet in the line. He is here tonight to ask for a variance for the building set-back line, which was found by the surveyor. He is asking for a 1 inch and a quarter variance. Moved by Councilman Guilbeau and second by Councilman Rousseau to adopt resolution #181-06, granting the variance to Storage Max 3 at 203 Albertson Parkway for 1 and a quarter inch variance. 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:**

Mark stated that he nothing to report on.

Al's Report:

Al stated that he had nothing to report on.

Walter's Report:

Morgan Street @ Fairfield Roundabout = Walter stated that he is here to talk about roundabout at the end of Morgan Street. His client agreed to look at that after meeting with the council. He met with Nina Ludington with Dean Tekell's office. There were a couple of things she wanted to change to make that roundabout work. Slide it to the east for site purposes was one. They authorized to review his design. Essentially what he did was workable and it just needed some fine tuning. The roundabout estimated cost is \$30,000. Nina will be going out of town and she will get back with him in two weeks. Mayor Langlinais stated we had talked about this when we were discussing the re-constructing of Fairfield, because we walked about moving the intersection south. Walter explained the side that needs to be off set, can only be off set a certain way, but it still needs to be aligned with the other streets. Walter stated it is pretty simple on the Cypress Crossing side, because nothing is built. Nina will get the draft to the council. Mayor Langlinais asked Larry where are we with our overlay project, money wise? Larry stated we are about \$8,000 or \$9,000 under budget. They should be on Fairfield in about 2 or 3 weeks. Mayor Langlinais asked to do Fairfield last. Walter stated his biggest concern and Nina's concern was getting a school bus around that roundabout, but will be able to happen. Mayor Langlinais stated the question is do we want to put the asphalt down to improve that intersection? Larry stated it would save us money if it done while the overlay is being done. Walter stated we don't have a lot of experience with these roundabouts here. Councilman Higginbotham stated the key is to get the traffic flowing. The estimated cost is \$30,000 after the road is re-constructed. Councilman Bonin questioned Walter is it \$30,000 for the total roundabout, because he is comparing the Bonin and LaNeuville Road roundabout? Walter stated yes.

Councilman Rousseau moved and Councilman Foco second to amend the budget up to \$30,000 for the construction of a roundabout on Fairfield and Morgan Street. Roll call:

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

Councilman Guilbeau stated he feels we will have money leftover in the overlay. Councilman Higginbotham stated that he just wants to make sure the size will be right. Walter stated that is why we sent it to the best to overlook it.

AUDITOR'S REPORT:

Gene was not present.

ATTORNEY'S REPORT:

Attorney Landry stated he had nothing else to report on.

FIRE DEPARTMENT:

No one was present.

POLICE DEPARTMENT:

False Alarm Ordinance = Chief Decou stated that he did a presentation at the Broussard Business Leader Meeting about us possibility adopting an ordinance in reference false alarms. He gave them some information to help them. Mayor Langlinais requested that Chief Decou call the alarm companies and give them some information on this. He has some information on this. Councilman Foco stated on businesses a lot of the key holders don't show up. Chief Decou stated that he will be looking into this.

Night Patrols = Councilman Johnson questioned how many patrols we have at night? Chief Decou stated we have 3. Councilman Bonin questioned if he hired the man that was approved. Chief Decou stated yes. Chief Decou stated that he is also waiting on another vehicle.

Hit and Run off of Highway 90 = Councilman Higginbotham questioned Chief Decou about the hit and run near Mel's Diner this morning? Chief stated he doesn't have status on that.

COUNCIL BUSINESS:**District V/Councilman Higginbotham:**

Magnolia Ridge = Councilman Higginbotham stated that there is a situation in Magnolia Ridge reference to some farm land sold to another farmer. Downstream the farmer decided to change the piping and it interfered with our drainage. Larry had to go in and take care of this. Mayor Langlinais stated he will meet with the farmer tomorrow. Larry stated we could put a flap gate, like we did at the end of Louisa Street, but it will have to cost more. Mayor Langlinais stated we will try to work with him. Councilman Higginbotham requested Mayor Langlinais call him about the outcome on this.

District IV/Councilman Johnson:

La Neuville = Councilman Johnson questioned when will the La Neuville roadwork start? Larry stated we will start Monday, because of the shortage of cement the plant

closed. Councilman Guilbeau questioned if they notified the media that the road will be open till then? Larry stated not yet. Councilman Higginbotham questioned on how long will it take? Larry stated 7 – 10 days. Larry stated that it doesn't look like we will have to tear up the intersection and then we will crossover and go all the way to Vivian Drive.

District III/Councilman Rousseau:

Hulin Road Drainage = Councilman Rousseau stated that he went to visit Mr. Hulin on Hulin Road and he is waiting for him to get back with him. He left him a card.

Morgan Street and Highway 90 Intersection = Councilman Rousseau questioned if we have traffic studies for the signals at Morgan and Highway 90? Mayor Langlinais stated we haven't done anything on that. Councilman Rousseau stated that it is such a mess when people are coming over and people getting hung up in the middle of Highway 90. Mayor Langlinais stated he will instruct Dean to look into this. Chief Decou asked if caution lights will be put at the new stop signs on Highway 182 when they are installed, because he feels they will be desperately needed.

Councilman At Large/Councilman Foco:

Trash on the Side of the Road = Councilman Foco stated that he would like to thank the city workers for picking up the trash that someone dumped on St. Etienne Road. Our workers picked up the trash. If he catches them he will make an example of them. It happens on a regular basis. The dumpsters have definitely helped out a lot. There is something to accommodate their trash.

Overlay = Councilman Foco stated that the overlay is going great. He added that he thought it was April fools on March 31st when he saw H & S start tearing up Moulin Road. The parish is finally overlaying the road after 3 ½ years.

Mayor Langlinais:

Dumping of Trash = Mayor Langlinais stated that he caught someone red handed throwing trash in the dumpster at maintenance from Shenandoah. He told the gentleman if he doesn't take it out he will call the police. He gave him one hour to take out the traffic He gave him one hour to take out the traffic. After one hour he took out his trash. So now the dumpsters on Second Street are inside.

Other Business:

Electronic Meters = Elmer stated they have installed the electronic meters that we purchased. They have put 100 meters in the ground. They will start reading Monday and then will send them a bill on these new meters. Elmer asked that they be able to purchase another hundred meters now until the new budget. Attorney Landry asked to wait till the next meeting,

to vote on this, being it wasn't on the agenda and Gene isn't here. Councilman Foco stated that he went ride with Bobby and he was impressed with the way it works. A decision will be made at the next meeting.

Roy Brown = Mr. Brown stated since the city growing so fast in Tuesday's he saw a map of Broussard and Youngsville. For the longest time he didn't see St. Joseph's Church on the map. So he called the newspaper and they put it on. Mayor Langlinais requested next time Mr. Brown call him and he would take care of the problem problem.

Property Tax Resolution = Mayor Langlinais spoke about the memo he sent the council regarding the resolution adopted by the Lafayette Consolidated Government, calling for the extension of the tax mill age for maintenance of drainage, roads and bridges. Mayor Langlinais would like the council to adopt a resolution to amend the language in their resolution of the special election calling for the insertion of the following: "All property taxes or mill ages paid by residents of the municipalities shall be used exclusively for projects within the corporate confines of that municipality." Don stated that we can adopt a resolution, but we also need to look at the other side. It will work two ways. We have to look at who is here. Councilman Higginbotham stated that what we are concerned about is that they don't spend any money within the corporate limits of Broussard. Don stated he understands that, he is just giving them the other side of the coin. There is no legal ramification of us passing the resolution. Don stated it is plain political. Councilman Higginbotham questioned if we can legally retain any tax money? Mayor Langlinais stated he asked about the language in the tax money and how is it dedicated and are they taking the money and using it for something else. Don stated he will do whatever they want him to do. Councilman Rousseau questioned if there is any law that applies that we get money back that belongs to the city? Mayor Langlinais stated if we can push it and then maybe we can get money for our citizens. Don stated if they feel like passing such a resolution will help, then do it. Councilman Bonin stated we gave them some money to work on the building in Parish and they asked for money for the walk path and the building was done but not the walk path. Walter stated the walk path was a grant.

LINC Study = Mayor Langlinais stated he questioned Mike Hollier about the \$25,000 for our match for LINC, which we understood was a drainage study. Essentially it did not include any of the channels in Broussard. As of May 28th the document will be released and he plans on having a public meeting on this. We paid \$25,000 to put people in flood zone. There was a lot of misrepresentation on this. It allows us to set criteria on this. Walter explained about the new digital flood plain map. The modeling is another step. Councilman Bonin stated he saw some plans. Walter stated the parish hired Sellers and Associates to improve Cypress Bayou, but they didn't do a study. They will do a study for Cypress Crossing. He was looking at the construction plan to improve it. He will probably be calling a public meeting after the maps are released.

Bonin Road and La Neuville Road = Mayor Langlinais stated that he spoke to one property owner who wanted money to improve the intersection for a roundabout. Mayor Langlinais stated that perhaps we can pass a resolution and send it to the property owners that we are requesting their assistance with this matter. The council feels unless someone comes forward

and state this is what they want and they will assist the town, then we will not improve that intersection and therefore it will remain a four way stop. Mayor Langlinais stated we are telling the property owners that if they cooperate we will fix their problem and also the traffic problem. Councilman Higginbotham questioned in the Intergovernmental Agreement does it fund the roundabout? Mayor Langlinais stated any extra money would go to funding the roundabout. The council requested that Mayor Langlinais send the property owners at the intersection a letter along with a copy of these minutes stating that we will consider spending the money somewhere else for the roundabout if there is no cooperation from the property owners for the roundabout. The only thing that will be done is the road will be overlaid and the intersection will still remain a four way if we do not hear from them.

ADJOURN:

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