

Minutes Of The

September 12, 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 Harold Johnson, District IV  
 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  
 Jerry Grooms, City Engineer  
 Mel Bertrand, City Foreman  
 Elmer Girouard, City Supervisor  
 Dr. David Thibodeaux, School Board Representative  
 Mrs. Rae Ann Trahan, School Board Representative  
 Mr. Dean Tekell, Consultant  
 Mr. Roy Brown Citizen

Absent: Councilman Keith Rousseau, District III  
 Councilman Kenny Higginbotham, District V

Councilman Foco called the meeting to order and Dr. Thibodeaux lead with the Pledge of Allegiance and a silent prayer was done for Ms. Marie Larriviere and Ms. Marie Thibodeaux, who have recently passed away.

**Adopt minutes of the August 22, 2006 Regular Council Meeting** = Moved by Councilman Guilbeau and second by Councilman Johnson to adopt the minutes of the August 22, 2006 Regular Meeting City Council Meeting. Roll call:

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

**NEW BUSINESS:**

**Dr. David Thibodeaux and Mrs. Rae Ann Trahan/School Board Representatives =**

Dr. Thibodeaux addressed the council. He stated that he will be representing this area on the school board again, because he had no opposition. Thibodeaux stated he had a very hard year personally. He introduced Ms. Rae Trahan who is a new member on the school board, who was voted in without opposition. Thibodeaux added that we need some new schools on the south-side. Mr. Thibodeaux thanked the council and everyone. Ms. Trahan introduced herself and she stated that she is happy to work with everyone. Mayor Langlinais congratulated both Ms. Trahan and Mr. Thibodeaux. Mayor Langlinais asked Dr. Thibodeaux about the residents of St. Martin Parish that live in Broussard, but go to Lafayette Parish Schools; he requested he talk to Ms. Trahan about that. Dr. Thibodeaux stated he will check into that. Councilman Johnson congratulated both Dr. Thibodeaux and Ms. Trahan. Councilman Johnson wanted to remind about Dr. Thibodeaux about the problems at Katherine Drexel when we have inclement weather and no place for the kids to wait. Councilman Guilbeau stated he feels we need to give the new board a chance and he feels they will get things done. Councilman Foco congratulated both Dr. Thibodeaux and Ms. Trahan.

**Mr. John Burke RE: Requirements for Certified Site Plan for Inspections =**

Councilman Foco stated Mr. Burke is not here, but he contacted him regarding his concern about faxing the site plan in. He did speak to Sarah and she said we are accepting the faxed site plan in so that inspections can be done. Councilman Foco asked Al if he sees a problem with that. Al stated he sees no problem with that. Councilman Foco stated if they change forms or move forms around then they have a problem.

**Adopt Resolution #188-06** – Mayor Langlinais stated that we need to amend the caption for the caption to read at the coulee crossing at west Fairfield, instead of the drainage crossing at Cypress Bayou Channel. Moved by Councilman Guilbeau and second by Councilman Bonin to adopt Resolution #188-06, which requests financial assistance for \$50,000 from the Louisiana Government Assistance Program (LGAP) to replace two (2) corrugated metal pipes that constitute the coulee crossing at West Fairfield Drive that are undersized and need to be replaced? Roll call:

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

**Adopt Resolution #189-06** = Councilman Foco explained about the problem with only 7 inspectors in the state that are approved. Councilman Foco stated at the last COG Meeting it was decided to try to get with the legislatures to get this delayed. Mayor Langlinais stated that he and Wilson discussed this yesterday and they discussed having a meeting with all of developers to discuss this. He feels the public should not have to pay the price for this. It shouldn't be our responsibility to certify these plans. Mayor Langlinais stated that in the information they received there is no penalties. Moved by Councilman Bonin and second by Councilman Johnson to adopt Resolution #189-06, requesting the State of Louisiana to delay the implantation of the State Uniform Construction Code till inspectors have been properly trained for a period of 24 months, whichever occurs first? Roll call:

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

District V = Absent  
 District VI = Yea

**Introduce Ordinance #06-301** = Mayor Langlinais questioned if there is enough property value ton incorporate Warren Electric? Jerry stated they will have to look into this. Therefore it was moved by Councilman Johnson and second by Councilman Guilbeau to table Ordinance #06-301, which provides for the annexation of certain property located in section 55, township 10 south, range 5 east, Lafayette Parish, Louisiana, being known as the Park Center Street Annexation. Roll call:

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

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

**Introduce Ordinance #06-302** = Moved by Councilman Johnson and second by Councilman Romero to introduce Ordinance #06-302, which provides for the annexation of certain property located in section 28, township 10 south, range 5 east, Lafayette Parish, Louisiana, being known as the Loul Street Area Annexation. Roll call:

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

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

**Adopt Resolution #190-06** = Mayor Langlinais stated the deadline to put a tax proposition on the November ballot is Sept 20, 2006. Attorney Landry recommended if we adopt this resolution that we forward it to the bonding attorney as soon as possible, prior to it being put on the ballot. This resolution form was taken from Lafayette Consolidated Government. Mayor Langlinais stated that we have been meeting with LCG for the last 15 months. The State Highway Department has stated that there will be no more new construction money after 2009, which is in 2 years. Mayor Langlinais stated it was first discussed that about the cap on sales tax. We discussed toll roads and many different other ideas. We came to the conclusion that we need to do something parish wide. Councilman Guilbeau also remarked on the taxes we pay and the services we get from the parish. Mayor Langlinais stated during these negotiations, his goal was to use the sales taxes we pay the City of Lafayette when we shop in Lafayette to use on projects that benefit our citizens. He feels that with the State TIF match, we can do these projects. Mayor Langlinais stated his goal is to get 80% of the taxes. Mayor Langlinais stated that we have been having 15 months of negotiations. Mayor Langlinais stated that we had to get thru the legislature a 1% relief of the sales tax cap. The legislature passed it only if the tax is done with the parish. At that point the negotiations were not going well, so the idea was dropped. Then President Durel announced his proposition for the tax and he got blasted with response. Then the idea was brought up about a sales tax district for the parish. The district would be composed of a district that outlines Broussard. The only issue is the parish would ask for a ½% of the tax collected for a user fee. Mayor Langlinais stated if we can't reach an Intergovernmental Agreement we will vote it down. If we do go forward with this we would

probably do about 40 million dollars worth of project. We don't collect tax on gasoline. Mayor Langlinais stated he had Dean Tekell do a study. Dean stated he prepared 3 tables according to the gas and your commute and how much you spend. It depends on the type of vehicle and the type of commute. Dean explained the graph. Mayor Langlinais explained the information on the taxable sales of the businesses in the parish. He highlighted the oil service businesses, the construction businesses, the retail businesses, the industrial and the mom and pop stores. He broke down how much each category brings in to the balance of the sales tax generated. 40% is regular retail and 85% is retail mom and pop stores paid by our citizens. Estimated is \$22,090 paid by the citizens in Broussard. He is trying to give an idea of what will it cost. Councilman Bonin questioned if we have all of these businesses coming in and we have more tax money coming in, then why have our residences pay that extra cent? Councilman Bonin stated his constituents are asking if we will have more businesses and get more sales tax and also these TIF districts, then why do we have to do this. Councilman Bonin stated his opinion is that this is all speculation. An example the state highway department came up with the plan of for Highway 182 near the intersection at Albertson Parkway, which he feels is now a nightmare. Mayor Langlinais stated that plan was implemented before the final plan for the signalization was done. Councilman Foco stated a problem is that there are no turning lanes. The state approved the plan with, with the agreement we put up the asphalt for the turn lane. It will be better once the signalization is done. Councilman Bonin stated he feels the intersection is too small. Councilman Foco stated in reference to the resolution to be approved for the tax, he will vote the democracy of the people and he would like the people to vote on this. Attorney Landry stated the decision is to authorize it to put on the ballot. Councilman Bonin stated he publicly would like everyone to know that he opposes the tax. Councilman Foco stated, therefore we will vote by district. Attorney Landry questioned the wording in the resolution. Mayor Langlinais stated he wanted Joey Durel or Dee Stanley to come address the council about this, but they couldn't. Councilman Guilbeau questioned if this does goes thru and it is approved, how long it will take the parish for them to give us our money; because we still haven't see the money for La Neuville since May 2006. Attorney Landry stated he is not comfortable with the wording of the resolution. Mayor Langlinais stated Dee and Joey stated they could attend a special meeting about this along with the bonding attorney. A decision does not have to be made today. After much discussion it was moved by Councilman Guilbeau and second by Councilman Romero to table Resolution #190-06, which authorizes the City of Broussard Sales Tax District to levee one cent (.01) sales and use tax for purchasing, constructing, acquiring, extending, maintaining and improving public works or capital improvements for said district. Roll call:

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

**Morgan Street Signalization** = Councilman Guilbeau questioned Dean about the signalization at Morgan Street and Main Street when will they be done. Mayor Langlinais said he got an e-mail that they would be done in 10 days. Dean stated he will check into this.

**CETCO re: Request for Sewer Service** = Councilman Guilbeau stated that CETCO has requested that we extend our sewer line on Second Street. The estimated cost is \$15,343.00.

Councilman Guilbeau stated he spoke to Mr. Quinn and he is re-doing the old Tre-to-Lite building and they are also building another building between CETCO and Tre-to-Lite. The furthest we can run the sewer is to Tre-to-Lite. The businesses across the road would have to go under the ditches. There are 3 or 4 buildings that could hook up to this. Jerry stated it will be just a gravity line. Councilman Foco questioned about a package plant to just handle the two-story building? Mel stated he doesn't know the cost. Councilman Foco questioned if they would like to contribute at the cost of the plant? Councilman Guilbeau stated he will check with him to see if they want to contribute. Councilman Guilbeau questioned if it fair to make him pay and then go down further down with the line and everyone else doesn't have pay? Mayor Langlinais stated just go back to the new construction people and ask them for a contribution, in lieu of doing the package plant and then bring it back to the council. Councilman Guilbeau will go speak to them. It was moved by Councilman Guilbeau and second by Councilman Romero to approve the Mayor to authorize the project after he hears back from Councilman Guilbeau after he talks to the CETCO representatives to see if they are willing to contribute to the project. Roll call:

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

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

**Broussard Properties, LLC re: Request to purchase the City of Broussard Maintenance Shop and Land on Second Street** = Mr. H. Paul Broussard addressed the council. They have shown interest in buying our building on Second Street at fair market value. Attorney Landry stated we can't do that, we have to get appraisals before we put it out for bid. Broussard stated he just a broker for CETCO. Attorney Landry stated that first we have to see what our property appraises for. Mayor Langlinais stated it is his thought do we want a maintenance building in south Broussard? Attorney Landry stated real estate in Broussard is so high. Councilman Foco stated that a legal appraisal will cost about \$3,000 - \$4,000. Councilman Foco requested that they come up with the appraisal. Broussard stated that they are not asking for the city to pay for it, he is only here to present the proposition. Attorney Landry stated the first block is the appraisal that the council probably doesn't want to fund. Gene stated that there is no reason for the council to do, unless we have a physical relocation area. Our current location is not costing us anything. Mayor Langlinais recommended Mr. Broussard speak to his people to see if they want to pay for the appraisal. Attorney Landry stated we would have to find a place first to relocate. Mr. Broussard stated he will go back to his client with the council's decision.

#### **OLD BUSINESS:**

**Adopt Ordinance #06-300** = Mayor Langlinais stated that we met with all of the utility providers a week ago. Now we are requiring permits from all of utility companies that do run utilities in our easements. Mayor Langlinais stated that he feels it will work well. Attorney Landry stated on August 28<sup>th</sup> he sent a revised ordinance to the council. Mayor Langlinais stated we told them we wouldn't charge them for the permit, but can we change that permit cost without going to the council. Attorney Landry stated that there is nothing in the ordinance about

the cost of the permit. If they don't come and get the permit, then they will be fined. If they do damage anything and don't pay the damages, then they won't be able to get a permit. Moved by Councilman Foco and second by Councilman Guilbeau to amend the fine to \$2,000. Roll call:

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

Councilman Johnson moved and Councilman Romero second to re-introduce Ordinance #06-300, as amended and to be adopted at the next meeting, declaring that all present and future public roads, highways, parks, streets, lanes, alleys and any other publicly owned areas of the City of Broussard, including all existing and future utility easements, be reserved for the city's sole and exclusive use with regard to construction, maintenance and operation of utility systems, to include but not limited to electricity, natural gas, water, sewer, fiber optics and telecommunication systems. Roll call:

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

#### **ENGINEER'S REPORT:**

##### **Jerry's Report:**

Jerry stated that he didn't have anything to bring up.

##### **Al's Report:**

**Ambassador Caffery Utilities** = Mayor Langlinois stated that he received the agreement on the re-adjustment of Ambassador Caffery utilities. He also received approval from DHH on yesterday; therefore he will be sitting down with Attorney Landry, Mel and Larry to get everything done.

**Wal-Mart** = Al stated that he started staking out parcels of land for the development of Wal-Mart for the road. Wal-Mart did call him and want to know when we would get it staked for they could look at it prior to the closing.

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

Gene stated that he didn't have anything to report on.

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

Attorney Landry stated that he didn't have anything to report on.

#### **FIRE DEPARTMENT:**

No one was present from the Fire Department.

## **POLICE DEPARTMENT:**

**Speed Bumps** = Chief Decou stated that he had request for speed bumps on Bismark and Burgess. Right now they are in placed at Brownlee and Berrybrook. Louisa Street is very happy with the speed bumps. Councilman Guilbeau stated he hasn't heard anything from the residents on Bismark and Burgess. We didn't get any response from them either from the mail-out.

**Highway 182 Stop Signs** = Chief Decou stated that he received some complaints about the intersection at Highway 182 where the stop signs were placed. The first two days he had to put policeman out there, because it was gridlock and now it is better. He did some media releases on a better way to move the traffic.

## **COUNCIL BUSINESS:**

### **District II/Councilman Bonin:**

**Bids on 3", 4" and 6" Pre-Packaged Self-Priming Primer Pump Station =**  
Councilman Bonin questioned Elmer if these bids on pump stations for 3", 4" and 6" pump stations for spare units. Elmer stated we only had one bidder and the. The prices are \$18,370 for the 3", \$20,740 for the 4" and \$36,310 for the 6". This is the entire package. The bidder will honor the prices for one year. Mayor Langlinais recommended that Elmer bring a list of what lift stations he wants to re-do for the next meeting. The wet well is still there, it is just a matter of replacing the pump. There won't be an interruption of service. Elmer will get that list to the council for the next meeting.

**Highway 96 Waterline Extension** = Mel stated that the developer who is building on Highway 96 is building an industrial park. The developer and Baldwin Ready Mix are requesting water. The estimated cost of the project is \$28,500.44. This is 1700 feet of an eight inch line. The council okayed the project.

**Eola Road Force Main** = Mayor Langlinais stated that we reached agreement to finish the force main to South Hampton Subdivision. He doesn't know if there was any right of way cost included. We had to pay or expropriate. Gene recommended we wait till the next to meeting to approve a resolution to do.

**Cypress Bayou** = Councilman Bonin questioned about the Cypress Bayou application to the Core. Mayor Langlinais stated that Bob Boese is in charge of this.

### **At Large/Councilman Foco:**

**TIF Meeting** = Councilman Foco reminded everyone about the TIF meeting tomorrow night.

**Mr. Roy Brown** = Mr. Brown commented on the Sales Tax proposition. Mr. Brown regarding if we are going to have the money from the new Wal-Mart and we already have a tax and LCG has already turned down \$5 million from the City for Ambassador Caffery, then why do we need a tax? Mayor Langlinais stated that another leg is making improvements to the city on the state highways. We can make improvements inside the city, but what about on the outer part of the city. Mr. Brown stated we pay state taxes and they if they say they can't do this and that, what can they do with our money. He feels putting on the November ballot is premature.

**ADJOURN:**

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

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

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

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

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**S/Tina G. Denais, CITY CLERK**