

Minutes Of The

January 24, 2007

Broussard City Council Meeting

Present: Mayor Charles Langlinais
 Tina G. Denais, City Clerk
 Councilman Terry Guilbeau, District I
 Councilman David Bonin, District II
 Councilwoman Gertrude Batiste, 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
 John Linahan, City Engineer
 Larry Champagne, City Supervisor
 Mel Bertrand, City Foremen
 Elmer Girouard, City Supervisor
 Jonathan LeBlanc, City Foreman
 Gene Chiarulli, Accountant
 Oscar Reed, City Attorney

Absent: Councilman Keith Rousseau, District III

Councilman Foco called the meeting to order and Mr. Roy Brown lead with the Pledge of Allegiance and a silent prayer was done for our boys that are still overseas and prayers.

Adopt minutes of the January 9, 2007 Regular Meeting = Moved by Councilman Higginbotham and second by Councilman Romero to adopt the minutes of the January 9, 2007 City Council Meeting. Roll call:

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

NEW BUSINESS:

Adopt Resolution #195-07/LCDBG Granting Authority to Sign the necessary documents = Councilman Higginbotham questioned how will that work will the future I-49? Walter stated he thought it was for acceleration lanes. This will be an off ramp. Chief Decou stated he thought it was a decell and an accell lane. Mayor Langlinais stated that this grant was applied for so long ago he doesn't quite remember the specifics on the grant. Moved by

Councilman Guilbeau and second by Councilman Bonin to adopt Resolution #195—07, granting the authority to Mayor Charles Langlinais to sign and submit all necessary documents in connection with the Louisiana Capital Outlay Grant for the US Highway 90 – Bercegeay Road Intersection Improvements. Roll call:

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

Adopt Resolution #196--07/Appoint Consultant and Engineer for the 2006-2007

LCDBG = Moved by Councilman Guilbeau and second by Councilman Romero to adopt Resolution #196-07, appointing a grant administrative consultant and engineer for the FY 2006-2007 Louisiana Community Development Block Grant Economic Development Program. Roll call:

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

Bell South and Atmos Energy Relocation Cost = Mr. Oscar Reed approached the council. Oscar explained when you are building a road and we have to move the utilities, which have been there before ours, it has to be paid by the person requesting the move. If in the future if utilities have to be moved, then it will be at our cost. Councilman Foco questioned if we can build a road on top of their utilities? Attorney Landry and Mr. Reed stated that is a chance we take that they can come in and tear up the road anytime. Councilman Bonin questioned how much are the Billeaud Companies willing to put out? Tex stated they are already paying over \$400,000 for the moving of two pipe lines and they have given up a lot of right of ways. Councilman Bonin questioned if they have closed the deal yet with Walmart? Tex stated the business deal is done, but the legal issues take time. They have already spent tons of money. Councilman Foco stated we are getting ready to spend more money than we have ever spent before that is why he wants to proceed with this with caution. He feels tonight the council will take the widening of St. Nazaire Road bids under advisement. Al stated this is the first time he has taken on a project, where the client has not taken care of the utilities. The process that Oscar explained for readjustment of their utilities is like that all over the state and all over the country. For Bellsouth it will cost Bellsouth approximately \$298,000 to relocate Bellsouth facilities with the City of Broussard incurring a liability of 39.68%. This liability is due to the Bellsouth plant that exists at the present time in private easements. These easements will be required to be relocated at the present time in private easements. This will result in and estimate cost of \$118,247 and the Trans La relocation will cost us approximately \$9,000. This is for 3000 feet. Attorney Landry stated that it is part of doing business. They have already put in their utilities and they have no problem with where they are located, we have the problem. The first price for utility relocations was ¼ million. The utilities will be put in our new right of way. Oscar stated they have a detail breakdown from Trans LA, but not Bellsouth yet. Mayor Langlinais stated that SLEMCO is not charging. Attorney Landry stated if they would have been in our utility easements, they wouldn't have charged us either. Mayor Langlinais stated when we built

Albertson Parkway they did have to move their utilities then, and they didn't charge us, but they they were upgrading their utilities then. Attorney Landry stated we spent a lot of money in building this road, whether Walmart doesn't come, somebody is coming. He definitely considers it as a plus. Councilman Higginbotham stated he would like to see a material list from Bellsouth. Oscar stated he will be getting that. After we sign the agreement to move the utilities, it will take 90 – 100 days for them to start. The council decided to come back to this after the discussion on the St. Nazaire Road bids.

ENGINEER'S REPORT:

AI:

St. Nazaire Widening Bids= AI stated back in August when it was approved to bid out project the estimated cost was \$3.3 million. We had three bidders who took packets and we only received two bids. The bids received were from Matt Durand, L.L.C. for \$2,948,915.86 and H & S Construction, Inc. for \$2,589,075.70. H & S Construction was the apparent low bidder. These bids are good for 45 days and after that they are awarded then you have to go to contract days, unless is mutually agreed upon by the contractor and us. AI stated that the council needs to look at the potential development that we are looking forward to in this area of the road. When Albertson Parkway was built it built thru a cane field. Albertson saw that road coming and developed that area there. In this case we have 3 major companies that willing to be build there. He feels they are going about it the right way and we should re-coop our money within 5 years. Tex stated that that he made it very clear to the Walmart attorney that the council expects to see something before the road is approved. Tex stated they fully understand the council's feelings. Councilman Foco stated that he feels we should take the bids under advisement. Mayor Langlinais requested they approve the low bid, with the condition Walmart closes the sale within the 45 days the bid is to awarded. Councilman Higginbotham stated first it was a five lane road then they approved the 7-lane for the Walmart traffic, not for Home Depot. Walmart will bring the traffic. Mayor Langlinais stated he forced and gave AI a deadline. After the August meeting the thing was to deliver the plans within 6 months and it has been done in 4 months. Tex stated they are hoping to have Walmart open in February 2008 and Home Depot in January 2008. Mayor Langlinais stated we have a major traffic problem now. He feels the worst case scenario you will have the #2 and #3 retailer if Walmart doesn't come. Tex stated right now they are in the processing of closing with Walgreens and Chili's. Councilman Bonin stated Tex stated they will pay for the engineering, if Walmart does not come anyway. AI stated you have 45 days to award the contract and after you start the contract then the project will start. AI recommended waiting on the 45 days to get a written agreement from Walmart from the Billeaud Companies. Tex stated they have already spent hundred of thousand of dollars on this and he feels it would take a lot for them to back-out on this deal. Mayor Langlinais stated whether we do 5 or 7 lane we do need to move the utilities. Those are estimates. The utility company stated that after the agreement is signed it would take 30 days to engineer it and then another 30 days to bid it out.

Gene recommended we amend the budget and authorize the Mayor to sign the agreement that Oscar Reed has prepared. Councilman Guilbeau moved and Councilman Bonin second to amend the budget to authorize the Mayor to sign the agreements with Bellsouth and Atmos Energy for

utility relocation at a cost of \$130,000. Roll call:

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

Bid for St Nazairre Road Widening = Councilman Foco stated we can take the bids under advisement with the condition the Walmart is finalized. Councilman Guilbeau moved and Councilman Higginbotham second to accept the low bid of \$2,589,075.70 from H & S Construction Company for the St. Nazairre Road Widening contingent on Walmart signing their sale agreement with the Billeaud Companies.

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

Sewer Service off St. Nazairre Road = Al stated that we need to accommodate the retail developments that are coming in the city in that area that need sewer service. The sewer service first started out on Albertson Parkway, but now it will extend to St. Nazairre Road. Al stated he got a call from the Walmart engineers a couple of weeks ago inquiring about this. Al stated he came up with a couple of estimates for a wastewater collection system along St. Nazairre, which are as follows: a gravity sewer main to the lift station on LA 182 for an estimated cost of \$73,370.00, a gravity sewer main and a pump station with a force main for \$50,420.00 and a gravity sewer main (additional 400') and pump station with force main for \$66,670.00. Councilman Foco stated this will also help the existing businesses. Al stated this does not have to be handled tonight. This will also handle the outer parcels like Chili's Restaurant and the manhole for Walmart will be set low.

Jerry's Report:

John stated that he had nothing to report on.

AUDITOR'S REPORT:

Monthly Report = Gene stated the expected sales tax revenues are up. The back page gives the actual sales tax collections. We are certainly ahead and he feels that nothing will change significantly.

Budget Amendment = Gene stated that the only thing is the engineering for St. Nazairre was never budgeted for, so we need to amend the budget. It was moved by Councilman Higginbotham and second by Councilman Romero to amend the budget for \$42,523 for the engineering cost for St. Nazairre Road.

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

At Large = Yea

Councilman Higginbotham questioned how we will pay for the St. Nazairre project. Gene stated that we will take from the reserves.

ATTORNEY'S REPORT:

Introduce Ordinance #07-313/Abandoning 50 Foot Unnamed Street off of Morgan Avenue = Moved by Councilman Guilbeau and second by Councilman Bonin to introduce Ordinance #07-313, which abandons the 50 foot unnamed street (extension of Third Street) on the northwest side of North Morgan Avenue effective immediately. Roll call:

District I = Yea

District IV = Yea

District II= Yea

District V = Yea

District III= Absent

District VI = Yea

At Large = Yea

FIRE DEPARTMENT:

Resignation of Chief Lopez = Mayor Langlinois stated the Fire Chief resigned two weeks ago and Bryan Champagne, the assistant chief is currently the acting Fire Chief. Mayor Langlinois stated that he feels we cannot operate under the rules and by laws of the fire department, because of the growth of this town. He feels we need to adjust the ordinance again. He would like to set-up a committee to re-do the ordinance and have more answering power to the Mayor. Mayor Langlinois asked Councilman Guilbeau to chair a committee to for this. Councilman Bonin and Councilwoman Batiste volunteered to serve on this committee. Mayor Langlinois stated Councilman Guilbeau is authorized to bring in other people on this and meet with Don and come up with some potential recommendations. Don stated we will use the current ordinance and give it more structure on it. Mayor Langlinois stated he is not ready to recommend we have a fulltime Chief as this time. Mayor Langlinois stated perhaps we can pay Bryan the minimum amount a month and perhaps pay the Assistant Chief. Councilman Foco stated he feels Councilman Guilbeau needs to look into other departments that give Christmas Bonuses to firefighters for attending fires. Councilman Guilbeau stated he would like to see about the fireman who are getting paid and go to fires at night and come to work the next day, after staying up all night. This is very hazardous. Mayor Langlinois stated that they shouldn't have to do that. Councilman Foco stated he feels the firemen do an outstanding job. Councilman Bonin stated one of these days we will have to have a fulltime fire department. Councilman Guilbeau will take all of the recommendation just stated under advisement with the committee.

POLICE DEPARTMENT:

Monthly Report = Chief Decou thanked the fire department for their help at the fatality last night off of Highway 90 and Corne Road. The driver hit the back of an 18 wheeler that

pulled out onto road. They also had an armed robbery by the Circle K last week. They did the capture the two individuals. The officer physically saw them driving out of the Circle K. Chief Decou stated that has also been helping Ms. Batiste with things in her district.

COUNCIL BUSINESS:

Councilman Bonin/District II:

Trees on South Morgan Street = Attorney Landry stated he handed out Attorney Landry’s opinion on the cutting of trees he inquired about on Morgan Street. Attorney Landry’s response was unless it is for a need for a safety issue for the citizens of Broussard, then he doesn’t recommend it be done. Councilman Bonin stated it would put out the whole south-side of Broussard of electricity without because of those trees. Attorney Landry stated it starts as precedence for other areas. Councilman Bonin stated he wouldn’t have a problem with cutting trees all over town if it is problem like this. Attorney Landry stated he still feels this on private property. Mayor Langlinais stated this is almost the same argument Roy Brown had, but eventually the storm took out the tree. Mayor Langlinais stated it is very far from the road. Mayor Langlinais questioned if he visited with the property owner there? Councilman Bonin stated no. Mayor Langlinais requested that he let him talk to Entergy about this first. Mayor Langlinais stated we have no liability, because we are not in the business of providing power to the citizens. Attorney Landry stated he just gave his opinion. Mayor Langlinais will meet with Liz Duhon with Entergy about this.

Councilman Foco/At Large:

Appreciation to the council = Councilman Foco expressed his appreciation to the council for moving forward on this project. He stated that he appreciate everyone’s vote and support on this. Mayor Langlinais stated we have to make improvements. The state has paid for the signalization. Mayor Langlinais thanked them for voting this way.

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

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

S/Charles E. Langlinais, MAYOR

S/Tina G. Denais, CITY CLERK