

Minutes Of The

March 14, 2007

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  
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  
Jerry Grooms, City Engineer  
Al Reaux, City Engineer  
Walter Comeaux, City Engineer  
Mel Bertrand, City Foremen  
Elmer Girouard, City Supervisor  
Gene Chiarulli, Accountant  
Dr. David Thibodeaux, School Board Member  
Troy Courville, Auditor with Kolder, Champagne, Slaven & Company  
Boy Scout Troops

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

**Adopt minutes of the February 28, 2007 Regular Meeting** = Moved by Councilman Rousseau and second by Councilwoman Batiste to adopt the minutes of the February 28, 2007 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:**

**Dr. David Thibodeaux** = Dr. Thibodeaux presented a slide show to the council about the school facilities in Lafayette Parish. Thibodeaux stated there are many things that many people are unaware of. The most overcrowded schools are Evangeline

Elementary, Prairie Elementary and Green T. Lindon Elementary. Both cities Youngsville and Broussard have no high school. At Broussard Middle the fire alarm system has not worked in 2 years. He also showed pictures of Lafayette High. Councilman Guilbeau questioned if they put money aside for maintenance? Thibodeaux stated no. The objective is to open a no-zone high school of choice, a vocational academy. Funding for the School Board comes from local, stated and federal monies. In reference to the state there is no federal dollars for construction. The only source left is the local (sales and property taxes) and state (MFP dollars). Lafayette is one of the few parishes in the State that gets less money from local taxes. There are only 3 solutions which are change MFP, increase local level and hope wealth goes down. Lafayette has one of the lowest sales tax rates in the state. To do all the construction renovations and improvements for the school, we only need to raise the tax rate by ½ cent. The property tax rate for Lafayette Parish is 34.25. Thibodeaux stated you just can't basically ask people for money. Councilman Guilbeau stated the money needs to go into a fund, beside the general fund. Mayor Langlinais stated the new school board has to prove themselves. Tex stated he feels possibility they could sell or swap land for money. Thibodeaux stated in this area, we need a high school, middle school and two elementary schools. Councilman Foco stated that Councilman Bonin is the youngest council member on this council and he feels Councilman Bonin will not live to see a new school. The council agreed the future tax money shouldn't go in the general fund. The council appreciated his presentation, but they feel he needs to get some accountability. Councilman Rousseau stated he appreciates Mr. Thibodeaux's presentation and he stated it is very embarrassing the condition of the schools. This is the third time he makes the presentation.

**Adopt Resolution #200-07/Cable Franchise Agreement** = Don stated this is a model resolution that LMA is asking us to adopt to promote competition. Councilman Foco questioned if he visited the issue of having to move utilities at no cost for the new franchise agreement with Cox Communications? Attorney Landry stated the Mayor met with them on that and they had no problem in putting that in the agreement. Mayor Langlinais stated we talked about extending the existing contract for a shorter time and they (Cox Communications) have no problem. Attorney Landry is still working on the Franchise Agreement with Cox Communications. Attorney Landry stated he just doesn't know how soon the competition will come. Moved by Councilman Rousseau and second by Councilman Bonin to adopt Resolution #200-07, which desires to encourage and promote competition within its municipal limits for cable services (as that term is presently commonly understood within the cable service industry) and other video programming ("Cable Services") for its citizens. 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 #201-07/Application for Recreational Trails Grant** = Mayor Langlinais stated this is the walking trail for Arceneaux Park. We would have to enter into an Intergovernmental Agreement with the Parish. Attorney Landry stated he did

send a letter to Gerald Boudreaux for their assistance. The parish did endorse the letter, but they can't commit to funding. Councilman Guilbeau questioned what if they can't come up with their share? Gene stated we can give back the grant then. Councilman Rousseau stated it is good for the kids and everyone involved. Moved by Councilman Rousseau and second by Councilman Romero to adopt Resolution #201-07, which approves the submittal of the application for financial assistance to the State of Louisiana under the Recreational Trails Grant Program to construct a recreational trail at Arceneaux Park. Roll call:

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

**Appointment of Auditor for the term of 2007-2010** = Mr. Troy Courville with Kolder, Champagne, Slaven and Company addressed the council. Mayor Langlinais stated he has submitted their firm's name. Mayor Langlinais stated the question some council members had would it cost more money? Courville stated no. Councilman Higginbotham questioned what about the Baker Hughes issue? Mayor Langlinais stated they will be informed about the situation. Councilman Higginbotham stated Baker refused an annual audit and now after the audit was done then money was owed to Baker Hughes. Councilman Guilbeau questioned Attorney Landry that it took them 6 years to do the audit, why do we have to pay it all at one time? Attorney Landry stated that in the negotiations it would save on the interest. Councilman Guilbeau stated he feels that we shouldn't have to pay interest, because it wasn't our fault. Councilman Bonin questioned if he would come address the council prior to the situation of a check being written next time? Courville stated he will be here anytime they are requesting him. Courville stated he will give guidance and recommendations, but he will not make day to day decisions. It was first moved by Councilman Guilbeau and second by Councilman Romero to appoint J. L. Sonnier as the city auditor for the term 2007-2010. Roll call:

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

Motion failed.

It was then moved by Councilman Higginbotham and second by Councilman Rousseau to appoint the firm of Kolder, Champagne, Slaven & Company, LLC to be the City Auditors for the City of Broussard for the term of 2007—2010. Roll call:

|                   |                   |
|-------------------|-------------------|
| District I = Nay  | District IV = Nay |
| District II= Yea  | District V = Yea  |
| District III= Yea | District VI =     |

Nay

At Large = Yea

Motion passed. Kolder, Champagne, Salve and Company, LLC will be City Auditor for the City of Broussard for term of 2007-2010. It was then decided that a committee will be formed for the Baker Hughes situation. The committee will consist of Councilman Higginbotham and Councilman Foco.

**ENGINEER'S REPORT:**

**Jerry's Report:**

**Water Well No. 1 Repair** = Jerry stated the water well has been completed. Moved by Councilman Guilbeau and second by Councilman Rousseau to approve the Water Well No. 1 Project to be accepted as substantially complete and pay Layne Christensen Company \$35,065.80. Roll call:

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

**Eola Road Pump Station** = Jerry stated the bids on the Eola Road pump station will be opened on April 10<sup>th</sup>. We have two alternates in the bid packet.

**Al's Report:**

**St. Nazairre Road Contract** = The St. Nazairre project bids are good till next Friday March 23<sup>rd</sup>. Walmart should be signing on March 22<sup>nd</sup>. A dry closing will be done this Friday and the funding closing will be the 22<sup>nd</sup>. Mayor Langlinais stated he talk to the real estate agent and he assured him that will be the date. Al stated as soon as we find out the sale has been finalized, we need to contact the contractor to let him know that have we have awarded the bid.

Moved by Councilman Rousseau and second by Councilman Higginbotham to award the bid to H & S Construction Company for a bid price of \$2,589,075.70 for the St. Nazairre Road Improvement Project contingent that Walmart executes the document to the city that the sale has be finalized on March 22, 2007. Roll call:

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

Moved by Councilman Higginbotham and second by Councilwoman Batiste to amend the budget for the project for \$2,589,075.70. Roll call:

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

**ACCOUNTANT'S REPORT:**

Gene stated he had nothing to report on.

**ATTORNEY'S REPORT:**

Attorney Landry stated that he had nothing to report on.

## **FIRE DEPARTMENT:**

**Fire Rating** = Bryan stated he will send the packet to PIAL next week. He will inform the council after he hears from them. Councilman Guilbeau questioned when will he hear from them? Bryan stated they will contact him when the inspection will be done. He and the water superintendent also has to be in town. He has never been thru the actual rating. He feels they will be here in July or August. Bryan stated they usually are here for two days. Mayor Langlinais questioned if they are finished on the hydrants and the testing? Elmo stated they are working on it. Mayor Langlinais questioned about Lafferty Drive waterline? Mel stated that they are working on that and it should be finished before they come in.

## **POLICE DEPARTMENT:**

**New Police Car** = Chief Decou stated they have a police car that lost an engine with 133,000 miles and he is now out of cars. He would like to amend the budget and purchase a new car. Mayor Langlinais stated perhaps purchase a new engine. The council agreed that a new car should be purchased. Councilman Guilbeau requested that he use the money that is remaining in auto expense. Moved by Councilman Guilbeau and second by Councilman Higginbotham to transfer \$25,000 from the auto expense to the capital outlay in the police budget to purchase a new vehicle. 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 only thing is how soon can he get it in. No one has a state contract vehicle available. Can it be declared an emergency? Gene stated no. Gene stated if it is not delivered at budget time we need to transfer money to the new budget.

## **COUNCIL BUSINESS:**

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

**Trees on Morgan Street** = Councilman Bonin stated he will bring up the trees again and he will keep bringing it up. Councilman Guilbeau stated we are taking care of our citizens. Don stated he still feels the same way, but it is on private property. Gene stated they need to complain to the power company. Councilman Bonin stated the power company said no. Mayor Langlinais stated maybe we could get an attorney general's opinion. Councilman Bonin stated he feels that 90% of the power outage is due to this. Attorney Landry stated this will also open a can of worms for everyone. Councilman Bonin stated we know we have a problem there. Attorney Landry will enquire with the attorney general's office to see if the city can cut down the trees.

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

**BESED Meeting** = Councilman Foco stated that there will be a sewer district meeting next Wednesday.

**Mayor Langlinais:**

**Walmart** = Mayor Langlinais thanked the council, because the Walmart deal was one of the most difficult deals. He complimented the council. Councilman Foco stated he feels all of the area town's should look at what they have done.

**Chief Decou:**

**Ambassador Caffery Relocation of Utilities** = Chief Decou questioned when will the bids be let out. Mayor Langlinais stated June 22<sup>nd</sup> the entire road will be let off for bid.

**Citizens:**

**Roy Brown** = Mr. Brown stated he received two documents regarding the ordinance from the Planning and Zoning Commission. He was told because of the 911 Commission the name change of Eola Road couldn't be done. Brown stated according to Lafayette Parish Planning Commission in 1998 Broussard and Duson got out of the LPPC and they are their own governing body. If Broussard wants to change the name it can be done per the Lafayette Planning and Zoning Commission. Mr. Vincent can only give a recommendation, he cannot prohibit it. Roy stated he questioned Mr. Vincent if he would call 911 and hang up and they can call you back, then they know where he called from. Mr. Vincent did not have an answer for him. Mr. Brown counted the number of businesses and homes that are on Eola Road. Councilman Guilbeau questioned if he talked to the people on that street? Mr. Brown stated no. Mr. Brown stated he felt when he previously made his request; some of the council was in favor of this. Mayor Langlinais request that Attorney Landry check into the legislation and see if we have an out with 911 with this and the liability for this. Chief Decou stated a cell phone doesn't pick up the location for 911. Mayor Langlinais asked Chief Decou to get Bill Vincent here for the next meeting. Roy stated perhaps they can look at another name. Chief Decou stated he could have a meeting with Mr. Vincent, himself, Mr. Brown, Attorney Landry and the Mayor to discuss this prior to the meeting. Councilman Guilbeau stated he feels the citizens on the Eola Road need to voice their opinion about this also. Councilman Foco stated he feels the same. Mr. Brown stated if Dr. King cannot be used, he would like to use other another name instead of using a memorial parkway. Gene stated we can have a special public meeting to discuss. Attorney Landry stated if you go with a memorial you don't have to change the name of the street. Mr. Brown stated he understands the citizens response on Eola Road, but it is a diversify road used by everyone especially going to the Post Office. Councilwoman Batiste questioned Mr. Brown if he would settle for a Memorial Parkway? Mr. Brown stated no. Roy stated the signs on the Memorial Parkway are not well noticed in Lafayette. Mayor Langlinais stated that they will be putting up more signs.

**Thanks the Chief** = Mr. Brown also thanked the Chief for getting the sign replaced that was impeding the traffic on Loul Street.

**Executive Session:**

Moved by Councilman Bonin and second by Councilwoman Batiste to go into executive session to discuss pending legal matters. Roll call:

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

Moved by Councilman Bonin and second by Councilman Rousseau to come out of executive session

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

**ADJOURN:**

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

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

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

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