

Minutes Of The

May 9, 2007

Broussard City Council Meeting

Present:

Tina G. Denais, City Clerk
 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
 Mark Savoie, City Engineer
 Al Reaux, City Engineer
 Gene Chiarulli, City Accountant
 Larry Champagne, City Supervisor
 Mel Bertrand, City Foremen
 Elmer Girouard, City Supervisor
 Mr. Barry Fabacher, Property Owner
 Mr. Mark Gallagher, Contractor of Moulin Cove
 Mr. Joshua Thibodeaux, Resident of Moulin Cove
 Mr. Greg Guidry, Developer of Moulin Cove
 Mr. Jack Naumann, Resident of Nellie's Acres

Absent:

Mayor Charles Langlinais
 Councilman Terry Guilbeau, District I

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

Adopt minutes of the April 25, 2007 Regular Meeting = Moved by Councilman Rousseau and second by Councilwoman Batiste to adopt the minutes of the April 25, 2007 City Council Meeting. Roll call:

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

POLICE DEPARTMENT:

Chief Decou stated he had to leave early, so he asked if the council had anything for him. The council had nothing for him.

NEW BUSINESS:

Mr. Barry Fabacher re: Variance Request = Mr. Fabacher addressed the council. He is asking for a variance for a piece of property he purchased at the intersection of East Broussard Street and East Monroe Street (formally owned by Mr. Morey Winston). He is fine with the front set-back, but the back calls for a 10 foot set-back and he only has an 8.3 foot set-back. It is on a small residential street. It was moved by Councilman Higginbotham and second by Councilman Bonin to approve the set-back variance granted to Mr. Barry Fabacher for his property located at East Monroe Street and East Broussard Street granting a variance to the back set-back on East Broussard from 10' to 8'3". Roll call:

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

Dedication of Nellie's Lane as a public road = Attorney Landry stated he doesn't have a formal act of dedication. Mr. Guidry stated they have an association meeting on May 20th to discuss this and then they will come back to the council if they have all the signatures. He stated they need 100% signatures per the subdivision restrictions. Councilman Foco questioned if the size of the street is okay? Attorney Landry stated per the engineer there shouldn't be a problem. Guidry stated the easement on the Westside will never be used. Therefore it was moved by Councilman Rousseau and second by Councilman Romero to table this matter till after the association meeting. Roll call:

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

Mr. Mark Gallagher re: Drainage Issue in Moulin Cove = Mr. Gallagher addressed the council. He is a builder for Joshua Thibodeaux and for the developer Greg Guidry. They handed out some information in reference to a heavy rain in Moulin Cove. Guidry stated when Moulin Cove was developed they went to the process to meet the criteria and did all of the changes that was required by the planning commission. One of the last changes was the drain analysis to install a water retention culvert along the drainage easement. According to the pictures on the west side there is a foot to a foot in a half of water on people's property. He feels that additional structure was not needed. Guidry stated they did everything they had to do and the city approved it and now it is owned by the city. He feels the structure is retaining too much water. He feels it needs to have more flow. The immediate problem is Mr. Thibodeaux's house. If people would build next to Mr. Thibodeaux's there is a possibility those houses would flood. Gallagher stated he has built in Broussard for the last 5 years. He pays special attention to all the houses he builds. He lives on Nellie's Lane, so he takes pride in this area. Mr. Thibodeaux's lot

is lot 4, which is 3 lots away from a drainage ditch, not a coulee. When it rains, the ditch is supposed to act as a drainage ditch, but it is not working. All the lots surrounding him are under water with a foot of water on top of the road. Attorney Landry asked if anyone on the council is familiar with this, because earlier on it was stated that there might be some response needed from the Mayor and he is not here. Councilman Higginbotham stated we require storm water retention, but we don't tell you where to put it. Councilman Higginbotham stated we accepted the subdivision, but we didn't build the houses, the developer did. Mark Savoie it should go back to the engineer that designed this. It is evidently not working. Savoie also stated he thinks the homeowners of subdivision are responsible for the ditches. Councilman Rousseau stated he feels it should go back to the engineer, because we incorporated it doesn't mean we will solve the problem. Mark stated if there is a problem downstream then the city can get involved, but if there is no problem further down then it is the engineer's problem. The water is a foot over the road and there is 4 acres of land underwater when it rains. Also when it rains, the water doesn't get out fast enough. Councilman Rousseau stated it won't do any good to move the water from here to here. Thibodeaux stated he just needs to know what to do. Gallagher stated most of the time Nellie's Lane has no water and they have water. Councilman Foco stated he feels he needs to go back to the developer and tell him it is not working. Thibodeaux questioned when Mr. Guidry submitted his plans to the city, wasn't this looked at? Mark stated he submits plans, but it is the engineers' responsibility about the drainage study. Mr. Reaux stated the engineer stamps it saying he is approving it and our engineer looks for that. Guidry questioned if there was a water retention policy in place? Mark stated no, but Nellie's Lane requested some sort retention be put in. Guidry stated he doesn't understand what his engineer did? Mark stated he used his information. Guidry stated he would like to find out why he had to put in that detention? Guidry stated his engineer had requested that a larger culvert be put under Nellie's Lane, which has never been done. Mark stated he would also have to go back and look on the planning commission minutes. Mark stated he needs to get his engineer to look at this, because it is his retention system, not the cities. Councilman Foco stated this might cause us to correct an issue that we didn't do. Councilman Higginbotham stated he doesn't like using the tax-payers money to solve someone else's problem. Mr. Mouton, Chairman of the Planning Commission stated he feels the developer needs to get the engineer to go back and look at this and if he says it is the cities problem, then he is sure the city doesn't have a problem correcting the problem, but if it isn't the cities problem, then he (the engineer) should fix the problem. Guidry stated he would like for someone with the city to see who and why there was a request for detention? Gallagher stated something needs to be done to help Mr. Thibodeaux. Guidry stated they wanted to go on record and say there is a problem and therefore, they he will go back to his engineer and have him get with our engineers. Councilman Foco stated if it is something to help you with we will help you. Mr. Thibodeaux thanked the council for his time. Mr. Gallagher also thanked the council. Attorney Landry stated he might also talk to the engineer and say how it would impact Nellie's Lane. Councilman Higginbotham stated we were late doing the storm water retention ordinance, so it was done on a case by case basis. Jack Nauamnn addressed the council. Mr. Naumann stated his property is already flooding. If those culverts get changed to a larger culvert, there will be more water in Nellie's Lane. If they raise the culvert he would like a study made, to be sure that no more water is put on him. Guidry stated the ditch between Naumann Lane and Nellie's Lane has never been dug. Larry stated he personally dug it twice in 8 years. Guidry will contact his engineer to get with our engineer.

ENGINEER'S REPORT:**Mark's Report:**

Eola Road Pump Station = Mark stated that there is a pre-construction meeting on May 22nd for the Eola Road Lift Station.

Al's Report:

St. Nazairre Road = Al stated the contractor was given the notice to proceed for next Monday on the St. Nazairre Road Project.

ACCOUNTANT'S REPORT:

Gene stated he had nothing to present.

ATTORNEY'S REPORT:

Thanks = Councilman Foco thanked Attorney Landry for being present to aid them with the Moulin Cove matter.

FIRE DEPARTMENT:

Fire Rating = Chief Rivette stated the Fire Rating is scheduled for October 22, 23 and 24th. Chief Rivette stated he reviewed the report from Tom Cassisa. A lot of equipment was needed and that has been ordered. Also a lot of paperwork was also done. Councilman Higginbotham questioned if the consultant will be used till October? Chief Rivette stated he was only used to guide us, and he has done everything that he can do. Mel stated that PIAL did request a waterline be put on Lafferty Drive. It was tested today and is almost substantially complete.

Legislature Bill = Chief Rivette stated he attended a legislative breakfast this morning. The legislature is trying to pass a bill for a \$500 tax credit for volunteer firefighters. It looks like it might get passed.

Use of Fire Station # 1 = Chief Rivette stated that Sun and Fitness which is adjacent to the Fire Station is regarding the use of the Fire Station on May 26th. It is actually for a charity run walk for St. Judes' Telethon. They just need to use the indoor facility for the eating room. We will only provide the table and chairs. Attorney Landry stated we just need to contact our insurance. Gene stated usually the insurance requires that it be declared a city sanction event. Tina will call our insurance to see what needs to be done.

COUNCIL BUSINESS:

District III/Councilman Rousseau:

Moulin Cove Drainage = Councilman Rousseau stated that he met with Mr. Thibodeaux and he did tell him he knows they have an issue. We also informed him that we will do everything we can to help him. Mark recommended we stop issuing permits till the problems are solved.

District II/Councilman Bonin:

Cypress Bayou Drainage = Councilman Bonin stated he received an e-mail from the Mayor about the servitudes for Cypress Bayou. We have 34 and we need 64. Councilman Bonin requested we go back and talk to these people first, before we talk about expropriations. Larry stated the list they received from Lafayette Ted got everyone except one in our jurisdiction. All the rest are in jurisdiction of the Parish.

At Large/Councilman Foco:

Moulin Cove = Councilman Foco stated that we will not do a comprehensive drainage in that area. If we eliminate some of the problem we will do that. Mark stated if the property is not developable it is not developable.

Guest = Councilman Foco recognized former Councilman Harold Johnson who is present in the audience tonight for the meeting. He thanked him for coming.

ADJOURN:

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

District I = Absent
 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