

Minutes Of The

October 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
 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
 Mr. Don Landry, City Attorney
 Mark Savoie, City Engineer
 Al Reaux, City Engineer
 Walter Comeaux, City Engineer
 Larry Champagne, City Supervisor
 Mel Bertrand, City Foreman

Councilman Foco called the meeting to order and Councilman Bonin lead with the Pledge of Allegiance and a silent prayer was done for the family that had a recent tragedy in town.

Adopt minutes of the September 20, 2007 TIF Meeting and the October 10, 2007 Regular Meeting = Moved by Councilwoman Rousseau and second by Councilwoman Batiste to adopt the minutes of the September 20, 2007 TIF Meeting and the October 10, 2007 Regular 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 | |

NEW BUSINESS:

Mr. Michael Oleske and Mr. Friday Oleske re: Approval to obtain occupational and liquor license to re-open “The Old Landmark Bar” = Mayor Langlinais stated he had asked the planning or licensing clerk if all property owners near the bar were notified that this

was going to be brought up at the meeting and she informed him no, so he would like the council to table this. Councilman Foco questioned what if the owner has all the necessary paperwork? Attorney Landry stated he understands the issue on both sides involving the property owners and the bar owners. He thinks the Mayor just wanted everyone to understand that there is a noise problem in that area. Councilman Rousseau stated he just wants everything done on the legal side of the council. Councilman Rousseau questioned if the city has the authority to refuse the license? Attorney Landry stated the council can revoke the license. Mayor Langlinais stated the State ABC Board and the city both issue licenses. But he feels if there is some resistance from the citizens, we can inform the State about this. Chief Decou stated he feels the entire council needs to hear what is happening in that area. He and the Mayor have heard several complaints since the bar has been there. Councilman Higginbotham stated he has been approached by Jud Judice, the owner of the Barber Shop about his windows that have been broken 5 times in the last couple years. The Oleske's stated they have a bar in Rayne and they stated they are opening up a sports bar and grill here. Oleske's stated they can't apply for a state license until they receive a city license. Mayor Langlinais stated we need to hear from the citizens in that area. Oleske stated if they issue him a license they will come back and talk to the citizens in that area. Mayor Langlinais requested that Chief Decou sit down with the property owners, the proposed bar owner and the councilman of that district to perhaps resolve the issue. It was moved by Councilman Rousseau and second by Councilman Bonin to remove this item from the agenda and then leave it up to the administration whether to issue a license or not after the meeting is held. 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 | |

Councilman Foco stated if they have everything necessary and we have the 3 strikes ordinance, then he feels they understand our rules and if they abide by our rules then there shouldn't be a problem. Oleske questioned what if someone just calls in because they have something against them? Attorney Landry stated that you do get a hearing to present your case.

Adopt Resolution #223-07/LCDBG Grant for Wadleigh Group and Cummings Road Improvements = Moved by Councilman Rousseau and second by Councilman Higginbotham to adopt Resolution #223-07, granting the authority to the Mayor to sign and submit all necessary documents and appoint a grants administrative consultant and engineer for the FY 2007 Louisiana Community Development Block Grant Economic Development Program to construct a public road named Cummings Road to serve an oil field service company locating in Broussard. 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 | |

South Bernard Extension and Fairfield Extension re: Engineering and Right of Way Acquisition = Councilman Foco stated this is to start the design for South Bernard. There previously was a traffic study done for this area. Dean Tekell gave the council a model that was

run by LGC for Main St., Albertson Parkway and then they show what happens when Ambassador Caffery comes thru and then they add on South Bernard Road and Fairfield Extension and other roads. This is a rough model of what is going to happen. Basically it shows if you don't build South Bernard Extension, Morgan Street will get more pressure. Councilman Rousseau stated we know Youngsville will not put up the money to build up Fairfield Ext. The first page shows the numbers on Albertson Parkway. The second page shows after the Ambassador Caffery Extension. You then see significant changes on Morgan Street. Final page the Bernard Extension is added and then it takes off pressure off of Morgan Street. Bernard Road will have the biggest significant effect on the road. You will see some reduction on Albertson Parkway. Councilman Foco stated he would like Comeaux Engineering to get the engineering for the South Bernard Extension. He also added that he would like it straight when it gets to Highway 90. Councilman Bonin questioned if Youngsville wants to extend can they? Mayor Langlinais stated Youngsville's issue is how will they pay for it. The rights of ways are the biggest thing. Mayor Langlinais stated he is suggesting they begin the engineering process and acquire the right of ways. Mayor Langlinais stated he and Councilman Foco talked about perhaps speaking to the residents there in the Youngsville area. Therefore it was moved by Councilman Rousseau and second by Councilman Romero to begin South Bernard Extension project engineering and give to Comeaux Engineering. 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 | |

OLD BUSINESS:

Re-Introduce Ordinance #07-322/Removal of Junked Motor Vehicles =

Attorney Landry stated he sent an ordinance that he modified, but it is still the council's call. Councilman Foco stated the old ordinance is stricter. Attorney Landry stated the new ordinance is more successful regarding enforcement. Councilman Rousseau stated he prefers the newer one and the only request he has is to go from the 15 day notice to the 30 day notice. We just want to get rid of vehicles that are eyesores and it is not a witch hunt we are going thru. Chief Decou stated he has already seen people get rid of vehicles. Councilman Bonin questioned the fine amount for the removal of the vehicle. Attorney Landry stated that is if it goes to Magistrate Court one is a criminal violation and the other is the administrative cost of removal. Attorney Landry stated he used the parish ordinance, but we can change it. Councilman Bonin stated he feels they broke the criminal penalty already, if they haven't removed the vehicle. Chief Decou stated the only way he feels it will go to court is if the property owner doesn't allow the tow truck driver to go on the property. Attorney Landry stated he did make some changes. Moved by Councilman Rousseau and second by Councilwoman Batiste to re-introduce Ordinance #07-322, ordaining the procedures for removal of junked motor vehicles on public and private property within the city limits of Broussard and to make the following change requested by Councilman Rousseau to change from a 15 day notice to a 30 day notice. 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

ENGINEER'S REPORT:

Mark's Report:

Drainage Ordinance = Mark stated that it has been 2 years since the detention ordinance has been in effect. They have submitted some revisions to the ordinance, because of what they are seeing right now. Some of the changes they are requesting are:

- 1) Use of roadside ditches no longer allowed for detention in residential development.
- 2) Under commercial development, the City may allow detention on an individual lot basis. The developer must request this in writing with the plat submittal. If granted by the City, the individual lot detention requirements approved by the City shall be noted on the Final Plat.
- 3) Residential floor elevations shall be minimum one foot above base flood elevation.
- 4) Mobile homes shall have floors set at one foot above base flood elevation.
- 5) Analysis of the 100 year storm event will be required. Although detention of this runoff is not required, the effects of flooding and overflow routing shall be analyzed to protect adjacent properties.
- 6) Change commercial development detention requirement from 5 year storm event to 10 year storm.
- 7) Certification letter requirement by the developer's engineer that the detention system was built in accordance with the submitted Drainage Impact Analysis.
- 8) Developments of 5 acres or 50 lots located in a 100 year flood zone shall submit a Flood Plain Impact Analysis.
- 9) Update the engineering Runoff Coefficient Table.
- 10) Requires that tail water (outfall ditch water level) be considered in analysis of the detention system.
- 11) No development construction shall commence until approval of the Drainage Impact Analysis has been granted.

Mark suggested that a committee be formed including another engineer review this and then come back to the council with any other recommendations.

Mayor Langlinais stated the only one he has a problem is with the commercial development. Attorney Landry stated the attachment is the actual regulation. Mark stated he can type it and bring it back to the council. Mark will put them all in except the last one and then it bring back to the council. Councilman Higginbotham stated he would like Walter to receive a copy of this and look over this also. Mark stated the first two are due to something that happened in Broussard. Mayor Langlinais requested that Walter and Ian receive these recommendations also. Councilman Rousseau requested also that the recommendations be sent to Walter and Ian and he and Johnnie and Kenny can get together on this along with the engineers.

Al's Report:

St. Nazairre Road = Al stated that they are getting ready for the St. Nazairre improvements.

Sewer Pond = Al stated in reference to the sewer pond there are some wetlands questions. In the last week Oscar has come to an agreement with the Girouard family and we should be able bid this out subject to getting the written agreement from the Girouard's.

Intersection of Albertson = Question was asked how long will there be the inter-rush? Al stated the new section will tie into Highway 90 and we will have to re-do the signals. As the contractor builds the new section and the new section goes into place; then they will tear out the old section and then re-do it

LaFlamme Road Closure = Al stated that LaFlamme Road will be closed for 7 – 9 days from St. Nazairre to Ida Road starting Friday October 26th at 8:00 a.m. for this project.

ACCOUNTANT'S REPORT:

Tina gave the council the monthly report, because Gene was unable to attend the meeting, because he is out of town.

ATTORNEY'S REPORT:

Mr. Buckles/Red-Flex = Mr. Buckles stated they scheduled a kick off meeting for Monday November 11th at 1:00 p.m. with all of the parties. The red light portion they crossed a hurdle this week. They have received permission from LODOTD to install the cameras on State roads. As far as the speed van program, there is a small minority that is speaking out very loudly against this. There are still challenges on a couple of issues. They have never had this problem before. The van is an automatic process. They are on top of this. There are a lot of issues they are dealing with. They should be issuing citations within 2 – 3 weeks after the kickoff date. As the need grows, they will provide extra vans if necessary. After the kickoff date their engineering staff will meet with our staff. From the moment of approval the cameras should be up and in operation within 60 days. Mayor Langlinois stated he forwarded e-mails from 2 people who he thinks has no idea of what we are doing. Buckles stated they are ready to go and they are on top of these issues. Councilman Rousseau questioned a certain governing body had to vote on the mileage over the speed limit, who will vote on that? Chief Decou stated they already do that. Councilman Bonin stated 5 miles per hour over 55 is not a lot, but 5 miles per hour over 25 is a lot. Councilman Rousseau stated personally he doesn't want the council to decide that. Attorney Landry stated it could be the council's call, because this is not a criminal violation and it doesn't go to Baton Rouge. Councilman Higginbotham questioned what happens if something happens with the van use; that wouldn't jeopardize the camera use? Buckles stated no it wouldn't. Buckles stated in the first 23 days in Lafayette there were more than 1400 violations recorded and sent to Lafayette. Buckles stated of all of the vehicles that went thru there was an average of 4.5% were in violation. Chief Decou questioned if the council needs to decide if we are doing speed on green? The Mayor and the council stated the Chief should make the decision. Chief Decou stated he just needs to see how far the council would take the program. The ticket will go to the owner of the vehicle. Chief Decou stated his traffic supervisor will review the violations. Buckles stated the violations will go into a lockbox. Buckles stated Lafayette's

program is different. Chief Decou stated Lafayette has there parking and transit division doing their program. Councilman Rousseau questioned if we will still do the 30 day grace period? Mr. Buckles stated yes.

POLICE DEPARTMENT:

Death at Middle School = Chief Decou stated they received a lot of concerns about why they have not release the intricate details of the Broussard Middle School incident. They received a request from the family not to release the details. It is a criminal investigation and the police department cannot release any of that information any. Councilman Foco stated he feels the Chief is handling it very well, but he feels the newspaper shouldn't have released the child's name. Councilman Higginbotham stated he feels we definitely need to get the officer in the school as previously discussed at the last meeting. Chief Decou thanked the Mayor's concern for him and his staff about handling this situation. It met a lot of to them. The family appreciates what they have done as a city government. Chief Decou stated the school is definitely a safe place; he wants the public to know that. Councilman Guilbeau stated that he spoke to Mrs. Trahan and she said they were sending counselors there. Chief Decou stated they had counselors there since Friday. Councilman Higginbotham stated he would like to amend the budget and see that an officer gets put in the school. Councilman Guilbeau stated he thinks the School Board will be deciding about that at the next meeting. The council had previously agreed to help fund the officer with the school board.

FIRE DEPARTMENT:

No one was present.

COUNCIL BUSINESS:

District V/Councilman Higginbotham:

— **Death at Middle School** = Councilman Higginbotham stated he definitely supports the Chief's decision on the way this investigation was handled.

District III/Councilman Rousseau

Death at Middle School = Councilman Rousseau stated he also supports the Chief's decision on the way this investigation was handled. He would like to say that he knows the school is a safe place. His heart goes out to the police department and the family.

Election Candidates = Councilman Rousseau complimented all of the candidates who ran and he congratulated the winners, and he wished to good luck to those in the runoff.

District II/Councilman Bonin:

Cypress Bayou = Councilman Bonin questioned the Mayor on the status of Cypress

Bayou? Mayor Langlinais stated 2 individuals have still not signed. The parish is in the process of hiring the attorney to take care this.

Dirt Pit (burn permit) = Councilman Bonin quested Attorney Landry if he talked to Bob Boese about the burn pit about expanding the permit? Attorney Landry stated he hadn't asked Bob to ask for another permit. Councilman Foco stated he feels we could ask for this as long as it doesn't jeopardize the current permit. Attorney Landry stated he will call Bob about this. Councilman Foco stated Youngsville will purchase a mulcher for \$17,000 which isn't a commercial mulcher to dispose of their limbs. Councilman Guilbeau stated he feels the burn pit covers burning the branches. Councilman Guilbeau stated he will call Bob Boese and question him about this. Councilman Bonin stated he feels we need to find an outlet for everything including branches, furniture and everything. Mayor Langlinais stated he doesn't have a problem with the grinders, but we still have an additional service provided with the garbage contractor.

Councilman Foco stated if you have a compose pile for everyone, and then we could charge everyone. Mayor Langlinais questioned the price on grinder that Larry received. Larry stated \$340,000. It is a lot cheaper to get your trash people to re-negotiate the price. Attorney Landry stated you don't want to re-negotiate the contract, because we already have one of the best deals in the parish. Larry stated he can get prices of renting a tub-grinder at the dirt pit. He also has a price of \$1,700 per day is for picking up and grinding the branches from a contractor. Mayor Langlinais asked Larry to continue the process. Attorney Landry stated that Bob Boese stated if it is storm event then we can pick it up. Is there really a problem here? Councilman Higginbotham stated it is a problem in the older areas of town. Larry stated in the last 2 weeks they have picked up 2 half of days. Mayor Langlinais stated we are stopping our people from doing work, he needs to free up his people. Mayor Langlinais stated he feels we need to amend the budget to do this. Councilman Rousseau stated if we open it up it will quadruple. Larry stated they are handling it now and winter is coming and we will be free. Mayor Langlinais stated we are spending it now, on people doing it. Councilman Foco stated he feels we can do it for a trial basis, but he knows we will have problems. Larry stated it is also a traffic hazard. Councilman Rousseau stated he feels we shouldn't provide the service. Larry stated it depends where they are for the traffic situation on how many people are needed.

District I/Councilman Guilbeau:

Raises = Councilman Guilbeau stated at the budget meeting we gave the 5% for the city workers and 10% for the police. At that time we didn't know what the cost on the bond note would be. It was thought to be \$52,000 and it is lower. He would like to revisit this matter and see about giving the city personnel the remaining 5%. Mayor Langlinais stated he thought we would wait till the first doors to Walmart opened. Mayor Langlinais just asked the council to cautious because of the engineering cost will be incurring for the South Bernard Extension. Councilman Guilbeau stated he feels everyone should get the same amount of raise. He would like the council to be thinking about this.

Mayor Langlinais:

Stuller Memorial Parkway Resolution = Mayor Langlinais questioned Attorney Landry on when this will be adopted? Don stated it will be on next agenda for adoption in November.

Citizens:

Mr. Adam Mouton re: Veterans Day = Mr. Mouton questioned if the City of Broussard does anything for Veteran's Day? The council stated no. Mr. Mouton suggested we do something for the future. Mayor Langlinais stated we can do a proclamation.

ADJOURN:

Adjourn the meeting = Moved by Councilman Romero and second by Councilwoman Batiste 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