

Minutes Of The

November 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
 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
 Elmer Girouard, City Supervisor
 Mr. Bobby Goodrich, Police Officer

Councilman Foco called the meeting to order and Councilman Guilbeau lead with the Pledge of Allegiance and a silent prayer was done for Lois Broussard, a very devoted city employee and friend of a lot of people who passed away on November 2, 2007 and also for our troops who are still overseas.

Adopt minutes of the October 24, 2007 Meeting = Councilman Guilbeau stated the only correction he has was that our bond payment was thought to be \$70,000 and it actually was \$52,000 instead. After that correction it was moved by Councilman Guilbeau and second by Councilwoman Batiste to adopt the minutes of the October 24, 2007 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:

Adopt Resolution#224-07/ Stuller Memorial Parkway = Moved by

Councilman Rousseau and second by Councilman Guilbeau to adopt resolution #224-07, designating that portion of the Ambassador Caffery Parkway from US Highway 90 to Louisiana Highway 89 in the City of Broussard as “Stuller Memorial Parkway.” Roll call:

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

Introduce Ordinance #07-325/Re: Littering and place telephone books on any property without permission = Councilman Bonin stated that we never settled our debris pickup and this ordinance will definitely affect that. Mayor Langlinais stated that used to Bellsouth would put the phone book at your doorstep and now there are 3 other phone book providers. Now they no longer deliver to the doorstep, they put the book on the right of ways at the mailbox or at the sidewalk. Most people will only use one phonebook. Attorney Landry stated this ordinance was prepared like this, because if it is challenged in court that is why the other stuff was put in there. If the council requests him to change it; he has no problem with it. Mayor Langlinais stated it was just his plan to start this process with the current phone book situation. Attorney Landry stated Chief Decou sent him an attorney general’s opinion that we might have a problem with this; but it is only an opinion not a law. Attorney Landry stated if it is in our right of ways then citations could be issued. Councilman Higginbotham questioned how do we notify people coming in from out of town about this ordinance? Attorney Landry stated they should be contacting us before they go soliciting these phone books. Attorney Landry stated that we can anticipate that we will be in litigation about this. Councilman Higginbotham questioned then is it worth the fight to use tax-payers money to fight this; he has a problem with this then. Councilman Higginbotham stated that this could cost us \$20,000 - \$40,000 if it goes thru any litigation. Councilman Foco stated perhaps we could ask them to get a permit before they start distributing them. The council agreed to introduce it and make changes to it before it is adopted. Attorney Landry stated evidently some companies have different policies and it is not criminal intent. Councilman Bonin requested that the changes he requested be changed, which is everything left out except telephone books. Therefore it was moved by Councilman Bonin and second by Councilman Guilbeau to introduce Ordinance #07-325, which provides for the prohibition of littering and placing certain items and telephone books on any property, without permission, and on highways, streets, alleys, sidewalks, roadside parks, and public right of ways. Roll call:

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

Cross Connection Ordinance = Attorney Landry stated that he received this ordinance from Elmer and he sent it to the engineer to review it. Elmer stated we got written up last month by the state, because we did not have a cross connection ordinance on the books. Elmer explained what a cross connection is. Elmer stated he sent to Don so he could prepare us some sort of ordinance. The health department sent us a preliminary ordinance. Attorney Landry stated that Jerry’s office stated it is a pretty tough ordinance. Mark stated it needs to be watered

down. Elmer stated we can design our own; he only sent it to Don, because that was the rough draft that the health department sent us. Mayor Langlinais stated we did install that air gap, we also have hydrant meters; so it is done; but how far do you go with it. Larry stated the whole procedure is in place, we just don't have it in ordinance form. Attorney Landry stated it is not up tonight. Mark will get feedback to Don about this before it is introduced.

Councilman Rousseau had to leave the meeting due to a family emergency.

Introduce Ordinance #07-326/Re: Amending Ordinance #06-300 =

Attorney Landry stated the original ordinance was written by Oscar Reed, because of utility companies not following the policy regarding use of all utility systems in City of Broussard. Attorney Landry stated that one main item that was changed is: "Section 4 (a) in the event that any public improvement project by the City requires the relocation or movement of such utility facilities, they will be relocated and/or moved at the sole expense and liability of such provider of utilities and its successors and assigns." The fees will have to be set by the council for the permit fee. Mayor Langlinais asked Mark and Walter can visit on the amount of the permit fees. Therefore it was moved by Councilman Higginbotham and second by Councilman Romero to introduce Ordinance #07-326, which amends ordinance #06-300 of the ordinances of the City of Broussard, Louisiana, to revise section 3 of that ordinance and to add section 4(a) to that ordinance regarding the maintenance, policing, control and efficient use of all utility systems, within the City of Broussard, to be a public necessity and in the best interest of the City.

District I = Yea

District IV = Yea

District II = Yea

District V = Yea

District III = Absent

District VI = Yea

At Large = Yea

ENGINEER'S REPORT:

Mark's Report:

LaFlamme Road Improvements = Mark stated that they had a pre-construction meeting with the contractor doing LaFlamme. He should be starting next week. The road is still closed right now however.

Walter:

Bercegeay Road = Walter stated that he sent in some information to Facility Planning for the project for the acceleration for Bercegeay Road; but he hasn't heard anything. Walter stated he will call the project engineer to see what is going on.

Al's Report:

Al was not present at the meeting right now, because he will be arriving late; however e-mailed the following report to the council.

St. Nazairre Road = The traffic signal pole on the northwest corner of US 90 and St. Nazairre is scheduled to be relocated this week. H & S will begin paving the new section of the roadway immediately thereafter.

Sewer Pond = The first advertisement for bids is set for November 20, 2007. A mandatory pre-bid conference will be held on December 11, 2007. The bids will be opened on December 18, 2007.

ACCOUNTANT'S REPORT:

Gene stated that he had nothing to report.

ATTORNEY'S REPORT:

Attorney Landry stated he had nothing to report.

POLICE DEPARTMENT:

Chief Decou was not present; but Officer Goodrich stated they had nothing to report on.

FIRE DEPARTMENT:

No one from the Fire Department was present.

COUNCIL BUSINESS:

District I/Councilman Guilbeau:

Procedure for Changing the Name of a Street = Councilman Guilbeau stated that Attorney Landry e-mailed the "procedure for changing the name of a street" to himself and he thought it was also sent to the council-members. He requested if any councilmember has any changes that they contact Attorney Landry with the changes or himself. Attorney Landry stated it is just policy, but we can do it by resolution. Attorney Landry will prepare a resolution for the next meeting. Councilman Guilbeau stated that he added the businesses in their, at the request of Councilman Foco. The council agreed that it is good policy.

District V/Councilman Higginbotham:

Thanks = Councilman Higginbotham thanked the committee on the name change resolution; he feels it will be a good resolution. Councilman Guilbeau stated it was himself, Ms. Gert and Mr. Brown on the committee.

At Large/Councilman Foco:

Dedication to Lois Broussard = Councilman Foco stated that he would like to dedicate this meeting to Lois Broussard who was a dear good friend of ours and a fellow employee. She will be honored as the parade marshal for the upcoming Broussard Christmas parade.

Thanks = Councilman Foco stated that he appreciates everything everyone is doing; we don't say it often enough though.

District V/Councilman Higginbotham....continued:

Voting = Councilman Higginbotham stated that he had constitutes ask him his opinion about some of the candidates on the ballot. We need to get the people to go out and vote.

Mayor Langlinais:

Tripartite Agreement = Mayor Langlinais stated Oscar sent a memo in reference to the Tripartite Agreement. Oscar is saying they will have a new meeting as soon as the new parish reps come on board. Councilman Higginbotham stated he needs some classification on what they want. Mayor Langlinais stated it has been changed. Councilman Higginbotham stated he would like to get copies of this agreement. His concern is putting another layer of red-tape. The tripartite agreement is in reference to Ambassador Caffery, planning on what will be the corridor of Ambassador Caffery be. Walter questioned why do we have to have another organization? Councilman Higginbotham stated if we all have basically the same policies then there shouldn't be a problem. The tripartite will be the surrounding areas of Lafayette Parish. The MPO is a seven parish area. Councilman Higginbotham stated if they don't fund it; they shouldn't tell us what to do with it then. Attorney Landry stated he will e-mail Oscar and ask him to send the agreement to Walter and all of the council and make a note of when the meeting will be. Attorney Landry stated you might want to invite Mike Hollier to come to your meeting. Mayor Langlinais asked Don to ask Oscar summarize the issues there with this agreement and then get it to the council. Walter questioned what did they put up? Councilman Foco stated they put up what the cat covered.

Limb Pickup = Larry got a quote for \$1700 per day to pick up the limbs and dispose of them. Larry stated maybe this would be twice a month. Normal usage would be 2 -3 days a month. Attorney Landry stated he thinks our present contract requires them to this to be done for \$1500 a day with our garbage hauler. The council asked Don to research this. Mayor Langlinais asked Gene to give us an idea on where we are in our street department from the budget. Larry stated we are picking up 4 days, but ½ days. Larry stated every 2 weeks they will pick up. Gene stated he is worried about the bid law. Attorney Landry stated we are probably better off bidding it out. Larry stated they can pick it up and dispose of it or they can pick it up and grind it and bring to our sewer pond. Attorney Landry will research the contract further.

ADJOURN:

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

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

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

S/Charles E. Langlinais, MAYOR

S/Tina G. Denais, CITY CLERK