

Minutes Of The

March 12, 2008

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
Councilman Kenny Higginbotham, District V
Councilwoman Gertrude Batiste, District IV
Councilman Albert Romero, District VI
Councilman Johnnie Foco, At Large
Mr. Don Landry, City Attorney
Mark Savoie, City Engineer
Walter Comeaux III, City Engineer
Gene Chiarulli, City Bookkeeper
Mel Bertrand, City Foreman
Larry Champagne, City Supervisor
Chief Brannon Decou, Police Chief
Chief Blair Rivette, Fire Chief
Greg Manuel w/Manuel Builders
Mr. Dennis Stine w/Stine Home Improvement Stores
Residents and property owners along the future S. Bernard Extension
Mr. Ken Bordelon w/SLEMCO
Corey Domec w/Central Control

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

Adopt minutes of the March 12, 2008 Meeting = Moved by Councilman Rousseau and second by Councilwoman Batiste to adopt the minutes of the March 12, 2008 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:

Introduce Ordinance #08-330 SLEMCO Franchise and Streetlight Agreement =

Mr. Bordelon addressed the council. Mr. Bordelon stated the existing franchise was signed in 1997 and has four more years left on it. He is here tonight for requesting the council approve an amendment to the existing contract, because of some legality that is coming into effect. The limitations will go away in the new contract, except for large industrial. On the existing contract they will not pay us any franchise for Home Depot and Walmart, but on the new one they will. This proposal is for 10 years. Some of the legality information is to expand the language so everything is explained. They are governed by the Public Service Commission. Once you are established with a utility then you are with that utility for life. Councilman Foco urged the council that he is uncomfortable with a contract that is for more than 15 years. Mr. Bordelon stated they do only 10 years. Two key points is that this contract is for 15 years and it is under a mileage contract. It will be a line item on utility bills. The 3 mills mean they don't pay enough. They are willing to compromise and round it off and equal to competitor of 5%. This increase will be \$18,000 a year not including Walmart and Home Depot. Those dollar values are a low amount. Mayor Langlinais stated the way he understood it was the way it was being billed and part will be sent out separately. In the old contract there was bonus clause and that was done. If the growth was over a certain point you were paid a bonus. Mayor Langlinais stated he has some issues because under Amabassador Caffery, we will not get the increase. Mr. Bordelon stated yes under the new contract we will. Attorney Landry stated he sent the agreement out about one month ago to the council in case the council would have some questions. He also prepared an ordinance to be introduced tonight and adopted next month. Councilman Guilbeau questioned about the street lighting regarding the maintenance? Ken stated we are only responsible for any additional cost and the monthly bill. Ken stated street lighting is a separate contract. Councilman Higginbotham questioned if Gene looked at this document yet? Gene stated no. Therefore it was moved by Councilman Guilbeau and second by Councilman Rousseau to introduce Ordinance #08-330, to enter into a Franchise Agreement and Street Lighting Agreement with Southwest Louisiana Electric Membership Corporation (SLEMCO). Roll call:

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

Mr. Greg Manuel and CPS Engineers re: Dedication of Waterford Ridge Phase II =

Mr. Manuel addressed the council. Mark stated they meet everything of what normally supplied to the engineer. There was an issue with one crossing and they got us a warranty with the contractor. There are some if the crossings that weren't done correctly. Larry stated when the soil cement was put the as the base, he would have like to see concrete instead of the soil cement. We got a one year warranty from last Thursday for these crossings. Mr. Naomi stated they did some core samples. Larry stated they didn't do it all the way to the base. Mr. Manuel stated he has no problem with the warranty. Councilman Bonin stated he met Mr. Manuel in the middle of Phase I. and in the process he was told everything was legally done by the institution. But he will have to vote no, because he can't go to sleep at night because of the neighbors concerns about how much the lots were raised. Mayor Langlinais stated he went over and beyond that was required. Councilman Bonin stated it was a learning experience to him. Mark stated he wrote letters and followed up with Don and Mr. Manuel has done everything that was asked by him. The issues now are the development issues. Councilman Foco stated he

understands. He spoke to Mel and he said that he did more than he was supposed to. Mr. Manuel addressed the council. One issue was the drainage moving the water to the rear instead of the front. They put the sub-surface drainage to carry off their water. If they had any house close to the 5 foot set-back, then they would put gutters along those property lines. They have to put the dirt high, because of FEMA regarding the flood elevations. They imported 10,000 cubic yards of dirt. Councilman Foco questioned the retention ponds, if they go with the subdivision? Mr. Manuel stated they will fence in their ponds. They will always maintain the grass around them. Don stated we need a dedication from the council accepting the subdivision. Moved by Councilman Rousseau and second by Councilman Romero accept the dedication of Waterford Ridge Phase II. Roll call:

District I = Yea

District IV = Yea

District II = Nay

District V = Yea

District III = Yea

District VI = Yea

At Large = Yea

Councilman Rousseau stated in the future we will have this problem and it will have some effect on someone. We are trying to retro-effect older parts of town. Walter stated you adopted ordinances to be in the flood program. There are some un-lightened people that say they won't build in a flood plain. Walter stated we are getting stricter and stricter and you want people to do what you tell them they need to do.

Mr. Harold Johnson re: Street Name Change Policy = Mr. Johnson addressed the council. He is here to get some clarification on the street name change policy. Who is eligible to sign the street name change request form? Attorney Landry stated it is only the residents residing on the street that can sign the form. Councilman Foco stated if they don't have an address change, then those people shouldn't be allowed to sign the petitions. Johnson questioned who initiated the streets to be renamed like Alley I and Alley II? Is it an update the town is doing? Attorney Landry stated it would have to be a resident of the street. Councilman Guilbeau stated he heard about it being changed and he suggested it being changed to Harold Johnson Street, because it he has been there for ever. Councilwoman Batiste stated she had several requests to have the two streets name changed by residents in that area. At first it was property owners. There are some people that have property on St. Des Porres that extend to Alley II. Councilwoman Batiste stated she received the wrong information at first and since then she contacted Mr. Johnson and apologized and now she has new papers. Mr. Johnson stated that on Alley II the residents are just his family and no one wants the street name changed. He thanked the council for their time and clearing up this matter.

Central Control re: Property Exchange = Mr. Corey Domec addressed the council. They are interested in the property off of Albertson Parkway (the sandbag location). Mayor Langlinois stated they met with Billeaud Companies and Central Control will purchase 3.55 acres more or less for \$280,000. Our sandbag facility was appraised at \$294,000 and sale price of the other property is \$280,000. Our acreage is a 1.5 acre tract. Mayor Langlinois stated that his plan is to build a road from Ambassador Caffery to Heart D Farm Road thru this property. We could get a RDA Grant for that. At that time we can approach the library and try to entice them to build a Broussard/Youngsville library. The question is the value comparable. Attorney Landry stated we need to get an appraisal on the other property. We can do an exchange, but we have to follow the guidelines. Mayor Langlinois stated he would like to have a meeting of the

minds. Councilman Foco stated he doesn't have a problem with doing it, just so we get property of equal value. The exchange would be off of Morgan and Ambassador Caffery. Attorney Landry stated if they are willing to get the appraisal, and it works out then it could be swapped. Councilman Rousseau questioned if he gets an exact appraisal and we do it; what if someone comes for the same offer? Attorney Landry state you have to do what is in the best interest of the city. Mr. Domec will get back with his constituents regarding getting the appraisal.

Dennis Stine w/Stine's Lumber = The engineer was going to do a cost for a force main and he included a gravity flow. Mayor Langlinais questioned how much they are we anticipating spending. The cost our engineer's is giving is \$865,000 which includes a pump station for \$250,000, force main for \$84,000, gravity line for \$240,000, 9 manholes for \$36,000, upgrades to Camelot and Dustin for \$60,000, contingency for \$70,000 and the engineering fees for \$125,000. Mr. Dennis Stine stated this is bigger than Home Depot. He explained the city will gain from Sales Tax and utility bills. He understands Home Depot and Walmart have a lift station. He stated they are a Louisiana company. Councilman Foco stated the sewage for Home Depot was close. Mark stated we can reduce the cost by just giving them sewer to serve them for \$250,000. Stine stated their cost is \$40,000. The cost for their building will be about 12 million not including the racking for the facility. Mayor Langlinais average they would pay in taxes for their facility would be \$180,000. We don't have to put the larger pumps. Stine stated the larger sewage facility makes sense because of the growth. Mayor Langlinais stated we can contribute to the bigger lift station and address the growth as it comes on line. Councilman Bonin stated someone will hook up to it with the area it will serve. Councilman Rousseau questioned how long will the growth take? Councilman Foco stated we don't have to do the upgrades to Camelot and Dustin. Mark stated it can be done with the pump station \$250,000 and gravity line for \$240,000. They would like to donate the property for the lift station for their \$40,000. Mark stated with the gravity line and taking out the 7 manholes, then maybe the line to Dustin may not have to be upgraded. Also the contingency will go down. Mr. Stine stated they do appreciate the council helping them on this. Mayor Langlinais wanted to clarify that they will donate the property in exchange for the \$40,000. Mr. Stine stated yes that is true. Councilman Rousseau stated they try to be as user friendly as we can. Mr. Stine stated he feels we are the most aggressive city in the state. They are only asking to be put on the same playing field with the larger corporations. The council held off on making a decision on this tonight.

South Fairfield and South Bernard Road Extension = Walter addressed the council. Walter stated when the city asked him to look at this the first criteria was to get from one place to another and the second criteria we didn't want to interfere with the peoples' houses. The third criteria we wanted a straight road. The city also wants the road to have a 50 mph speed limit. They are trying to follow property lines. They have to snake the road in to maintain the 50 mph speed limit. We will cross Albertson Parkway. We want as close to 90% at the intersection as possible. We haven't talked to DOTD yet about crossing Ambassador Caffery. This will cross 2 coulees. This total project will be about 3 ½ miles long. It will be 2 lanes, 25 feet wide. He feels we also need to do turn lanes and significant intersections. Councilman Foco stated we are building this road to move it from South Broussard to Highway 90 to keep the integrity of Morgan Street the same. This road will not touch any resident. Walter stated the longer you wait and the more the property develops the harder will be. Mayor Langlinais stated the purpose is to pin down a final route. The engineering will drive the alignment of the road. Gene stated

the Billeaud Companies will be giving the right of way at Fairfield. Ms. Newberry questioned which route are they favoring? She stated they are widening Cypress Bayou and they are taking 40 feet from her and by curving the road they are leaving her less space. She would like it more to enhance the property. Walter stated either route is good. She wants to straighten the alignment. Mayor Langlinais stated she is giving an easement for Cypress Bayou. Ms. Newberry stated you can't put a building on the property though. Mayor Langlinais questioned if the Sonnier's or the Norton's are here. No one was present. Kirk Mosing was also not present. Adam Mouton stated he prefers the route between him and Sue Ann not directly thru his property. Mr. Mouton stated they are comfortable if they will buy the right of way. Mayor Langlinais stated the next property had agreed to provide the right of ways. Mr. Manuel stated he had no problem with his property. Mayor Langlinais stated and with Christopher we talked about following the coulee to the east. If we keep it on the other side, then we don't have to cross the coulee twice. No one was there from the Peggy Cormier or Susie Rohner or Dan Melancon family. Councilman Foco stated donations for the right of way will effect the alignment. Councilman Foco stated we will move forward with everyone who needs anything. Walter stated he has been done this for almost 20 years and he has never been to a public meeting that was this nice. Mr. Mouton questioned how long before a firm route will be done? Walter stated we need to title research and surveying to see where all property lines are. He can do a preliminary cost estimate? Walter stated how far does the council want to go? Do they want him to do title research and surveying? Walter stated between now and the next meeting he can come up with a cost estimate. He can come up with the engineering cost estimate within 30 days. Once the survey is done, then we can get to the engineering. Councilman Rousseau questioned what entails us about talking to the State? Mayor Langlinais stated Bill Fontenot is aware of this and they will have to design the Ambassador Caffery Intersection that is safe. Walter stated he will also sit down with DOTD within the next 30 days. Ms. Newberry complained about the no arrow on Ambassador Caffery to turn onto Highway 182? Mayor Langlinais stated the state will be doing that when the intersection is done. Walter questioned what about the signalization on this road? Walter recommended we do this.

ENGINEER'S REPORT:

Al's Report:

Mr. Reaux was not present.

Mark's Report:

Turn lane on Highway 96 to Highway 182 = Last meeting we discussed this turn lane on highway 96 to Highway 182. If it is done, it has to be done to state highway standards, Mark stated. The city will be responsible for this. Councilman Foco questioned Mark if he could give us a cost estimate? Mark questioned if they want them to do the field work. He will have the field work done in a couple of weeks. They will review it then.

ACCOUNTANT'S REPORT:

Monthly report = Gene stated the only issue is the Police Department overspent on their capital outlay budget. It is about \$15,407 over budget. Chief Decou stated he disagrees with that. Councilman Guilbeau stated he would like Chief Decou to look at this first, before it is approved. Gene stated everything else is in line.

ATTORNEY'S REPORT:

Red Flex = Attorney Landry stated he has nothing to report on... He will have something at the next meeting about Red Flex. Councilman Guilbeau stated if it can't be done on Highway 90, then he feels we shouldn't do this. Councilman Foco stated he can't see hiring someone to review the tickets. Councilman Rousseau questioned if there are cameras on Highway 90? Chief Decou stated no. Mayor Langlinais stated we just have to show DOTD the need on why the cameras are needed on highway 90? Mayor Langlinais questioned if we can't do it on Highway 90, can we walk away from the contract? Attorney Landry stated yes.

POLICE DEPARTMENT:

Leash Law = Councilman Guilbeau stated he knows we have a leash law? In his district around the same time everyone morning someone turns their dogs loose; and he wants to know if the police department can do something? Chief Decou stated animal control comes out and takes care of this and issues the citation. Chief Decou stated they had a situation where a lethal force was used on an animal by a police officer. A citizen ran from the dog. The dog then attacked the police officer and the police officer shot the dog. Everyone was cleared. Chief Decou stated the citizens are welcomed to call him. Councilman Guilbeau questioned about giving the owner a ticket. Attorney Landry stated our officer can go to the call and then call animal control to come and give the citizen a ticket. Chief Decou stated perhaps we can regulate the restraints home owners need on pit bulls or vicious animals. Councilman Foco recommended the resident contact animal control.

FIRE DEPARTMENT:

Office Renovation = Chief Decou stated they originally had plans for Main Street. They looked into adding on First Street, because they couldn't extend towards the water tower. The membership discussed this at the last meeting and they decided to keep everything on Main Street. They do have existing plans for the renovations in the inside of the building. Those were the original plans. These plans are about 890 feet for the new construction. Mayor Langlinais and Councilman Foco requested that Chief Rivette get the plans to them to review so a decision can be made.

COUNCIL BUSINESS:

District I/Councilman Guilbeau:

Loose Dogs = Councilman Guilbeau stated all he has is about the dogs in the area of Avenue C, Third Street and Avenue D. He just asked Chief Decou to have someone check that area. Chief Decou stated he will get someone to do it tomorrow.

District II/Councilman Rousseau:

Projectors for Viewing Meeting = Councilman Rousseau suggested we get projectors to show on screen like maps that were shown tonight for the convenience for the council and the public. It would make it easier for everyone.

District IV/Councilwoman Batiste:

Street Name Changing = Councilwoman Batiste stated that she doing some research regarding renaming Alley I and Alley II.

At Large/Councilman Foco:

South Bernard Extension = Councilman Foco stated this is a unique situation when a city gets to build another new road. It shows how this city is going in the right direction.

Mayor Langlinais:

Roto Park = Mayor Langlinais stated that we received a complaint about Roto Park regarding the set-backs on north Eola Road. Mayor Langlinais stated it was check out and they are in compliance because of the side set-back. Councilman Guilbeau stated he feels we need to look at this ordinance. Mayor Langlinais recommended that Attorney Landry review the ordinance to revise it when a side set-back is involved on a main thoroughfare.

Spat in Village South area = Mayor Langlinais stated he received the complaint from a contractor/developer in the subdivision. He has tried talking to the resident who the contractor is referring to. Councilman Bonin stated he will go talk to the gentleman himself.

ADJOURN:

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= Yea | District VI = Yea |
| At Large = Yea | |

S/Charles E. Langlinais, MAYOR

S/Tina G. Denais, CITY CLERK