

Minutes Of The

May 14, 2008

Broussard City Council Meeting

Present: 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 Albert Romero, District VI
Councilman Johnnie Foco, At Large
Mr. Don Landry, City Attorney
Mark Savoie, City Engineer
Al Reaux, City Engineer
Gene Chiarulli, City Bookkeeper
Mel Bertrand, City Foreman
Larry Champagne, City Supervisor
Elmer Girouard, City Supervisor
Chief Brannon Decou, Police Chief
Mr. & Mrs. Glenn Gaudin, resident
Mark Duhon, resident
Roy Brown, Citizen
Absent: Mayor Charles Langlinais

Councilman Foco called the meeting to order and Attorney Landry lead with the Pledge of Allegiance and a silent prayer was done for boys still overseas and a local resident Delia Hebert that passed away.

Adopt minutes of the April 23, 2008 Meeting = Moved by Councilman Higginbotham and second by Councilwoman Batiste to adopt the minutes of the April 23, 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	

OLD BUSINESS:

Adopt Ordinance #08-330/SLEMCO Franchise and Street Lighting Agreement =

Attorney Landry stated Gene contacted him about some items about the agreement; therefore he asked Mr. Bordelon to come to the meeting tonight to answer the questions. Gene stated he had minor issues. One was the area they are serving. The word then will be removed. In section 5, regarding the right of ways also there was an issue. He was concerned about channel the right of ways. They have an additional 5 foot right of way. In reference to the construction regarding the improvements of new construction; the council had an issue with the new roads. Mr. Bordelon stated the construction of a new road within a municipality is rare. Ken stated in reference to St. Nazairre they moved their lines, the same with South Morgan. The only new construction would be if poles have to be moved for new construction of a road. They do not charge us to move the utilities. The new construction they would move the new poles to us at no charge. For instance Ambassador Caffery Extension the utilities are being moved at no charge to us. Councilman Foco questioned about the transition lines? Ken stated that is a different thing. Gene stated in clause 6 it states improvements and or transition lines. Ken stated that is Slemco's transition lines. It could also be an Entergy line that goes to their substation. Gene stated the question is if they will move that line, if they build that road? Ken stated they can't move it, if they have no place to move it. Transition is a whole different entity. Councilman Rousseau questioned if that is done in the engineering phase? Mark stated you try to take the cheapest way. Ken stated they have to buy transition right of ways. Ken stated it was in the previous contract. Gene stated he just wanted to make sure the council addressed this because of the Bell South situation. Attorney Landry stated Gene brought it up to his attention; that is why he brought up the concerns. All 20 of their franchises have the same agreement. Councilman Foco stated he would like the minutes to reflect that this will be a 10 year contract; because of the previous councils that signed 50 or 60 year contracts with utility companies. Moved by Councilman Guilbeau and second by Councilman Rousseau to adopt Ordinance #08-330, which authorizes the Mayor of the City of Broussard, Louisiana to enter into a Franchise Agreement and Street Lighting Agreement, with Southwest Louisiana Electric Membership Corporation (SLEMCO) for a term of 10 years ending on April 30, 2018. This will be effective June 3, 2008.

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 #08-331 Meeting Date Change = Moved by Councilman Guilbeau and second by Councilman Romero to introduce Ordinance #08-331, to establish public meeting dates for the meetings of the City Council on the 2nd and 4th Tuesday of each and every month starting in June 2008. Roll call:

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

Mr. & Mrs. Glenn Gaudin RE: Variance request for 126 La Rue Malaga = Mr. Gaudin addressed the council. He is requesting a variance to the side setback from a 5 foot to a 3 ½ feet. The neighbor Durand Hebert stated he has no objection to this. Councilman Foco stated that Mr. Gaudin did not get the permit for this project yet. Mr. Gaudin stated his wife looked at the wrong ordinance and didn't realize he didn't need a permit. When he came to get the permit that is when he was told about the setbacks. Mr. Gaudin stated he doesn't think if he moves the building he could make the other door functional. The neighbor stated he has a boat shed that is on the property line and it has been like that for years. Councilman Guilbeau questioned how will they get there if there is a fire? Mr. Gaudin stated there is room between the buildings. The building is a metal building. Councilman Foco stated it is not easy to make a decision like this. The permit process puts them in bad situation. This is a 30 x 40 building which is a sizable building. The building is for him to house his travel trailer and boat. Councilman Foco stated he is concerned about the set-back and he knows it is a costly situation. The permit process is very simple. He thought since he was doing it his self he didn't have to buy a permit. Councilman Guilbeau questioned if it only affects that one neighbor and he has no objection? Mr. Hebert stated no he has no problem at all. Councilman Rousseau questioned if we can put something on file that the neighbor has no objection. Attorney Landry stated that he can notarize the minutes to that effect. Councilman Rousseau stated the he just wanted to state for the record that we do have a permit process that needs to be followed. Therefore it was moved by Councilman Higginbotham and second by Councilman Guilbeau to grant the variance to Mr. & Mrs. Glenn Gaudin at 126 La Rue Malaga for the building set-back for the side from 5 feet to 3 ½ feet. Roll call:

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

Mr. Mark Duhon RE: Variance request for Clara Street = Mr. Duhon stated that he needs a variance request to add on to his home. Mr. Duhon stated that he is adding out towards the exiting porch. Councilman Bonin stated this is on Clara Street which is the one way part. Therefore it was moved by Councilman Guilbeau and second by Councilman Bonin to grant a variance to Mr. Mark Duhon so that he may add on to his home at 108 Clara Street. Roll call:

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

St. Nazairre Road RE: Remaining road rehabilitation = This is the actually the maintenance of the road. Al stated there was some concern about what was in the city? Councilman Guilbeau stated he talked to Don Bertrand with the parish and he said

it is in the city. Al stated he talked to all of the property owners and they will sign annexation letters to be in the city limits if they are not already in. Really about 70% of the people are in and those that are not in have indicated they would come into the city limits. He provided various widths for construction cost. We are considering a 20 foot roadway with a soil cement base which would be \$220,082.00. Of the six prices that is the cheapest price. Before the contractor starts construction, we need a firm price on the soil cement. We have asked him for a price on that and on the signs also, at the instruction of Dean Tekell. Al stated anything but a soil base will be predicated with him. Gene stated it is considered maintenance and rehabilitation. Gene stated we have nothing in the budget, so we will have to amend the budget. Therefore it was moved by Councilman Guilbeau and second by Councilman Higginbotham to amend the budget for \$225,000 for maintenance and rehabilitation to complete this project for a 20' wide roadway with soil cement base and authorizing the Mayor Pro-Tem to sign the change order. Roll call:

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

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

ENGINEER'S REPORT:

Al's Report:

Sewer Pond = The contractor has been doing a good job. He is about 15 % complete.

St. Nazairre Road = Al state that project is about 90% complete. The only thing left is the final wearing course to Home Depot and the Highway 90 tie in. Also Bobby St. Julien the property owner of the trailer park questioned if the city would consider installing the pipe for 60 feet in the ditch. The owner is questioning why the ditch is so large. And that is because it will be draining more water. The council will take it under consideration. Councilman Rousseau questioned when you turn down LaFlamme, will that be all the way down to the end? Al stated that is the final wearing course.

Mark's Report:

Grant for Road = Mark stated we did get a grant for a off of South Bernard about one year ago. It is on the west side of Bernard Road. We were awarded this about a year ago. We will be opening the bids soon on this project.

Walter's Report:

South Bernard and Fairfield Road = Walter stated that he continuing to work on the preliminary work to South Bernard and Fairfield. He will have something at the next meeting.

ACCOUNTANT'S REPORT:

Gene stated that he had nothing to report on.

ATTORNEY'S REPORT:

Junk Ordinance = Councilman Bonin questioned Attorney Landry about the junk vehicle ordinance, being appealed in the parish? Attorney Landry stated the parish's ordinance is being appealed. It wasn't the entire ordinance; it was only the section dealing with allowing the cars to be covered under the carport. Councilman Guilbeau questioned if we should hold off on enforcing this to see what the appeals court does? Attorney Landry stated that our ordinance is fine. Councilman Bonin stated he feels we need to amend this ordinance. He doesn't have a problem with cleaning up cars; but he feels some people need to be grandfathered in. And if this ordinance is near the city's ordinance, he feels we need to hold off enforcing this ordinance.

Councilman Higginbotham stated he went with David to the one of the complaints and he feels that the citizen makes his living their and uses this on a daily basis. The welding shop was there, before the subdivision was. Councilman Foco stated he is under the impression that he has junk on the subdivision lots. He doesn't think the subdivision has a problem with the welding shop, but there is junk on the lots in the subdivision. Chief Decou stated he spoke to the owner's son and he had informed him that they were going to take the chassis off of the vehicle and move the vehicle. But they have not done it yet. Attorney Landry stated we were enforcing the junk vehicle ordinance only. The remedy is easy for Mr. Champagne. Councilman Bonin stated the other ordinances deal with metals. Councilman Bonin other businesses will be affected by these ordinances.

Councilwoman Batiste stated she spoke to some of her constituents in her district Mr. Hebert and Mr. Williams that they are working on clearing the vehicles they have in their yards. She feels there have been some improvements in her district. Chief Decou stated the program is working. The residents are complying. He feels it is working.

Councilman Bonin stated he has seen homeowners not in-compliance, but these are business owner's not home owners. Chief Decou stated he was instructed to proceed with enforcing the ordinance. Chief Decou stated those businesses have done what we have asked them to do. The ordinance it not to hurt anyone's business; it is to help the quality of life in the city. Councilman Bonin stated the other two ordinances could affect him though. Councilman Bonin stated if is fine to control the growth in the new part of town, but the older parts of town have been like this forever. Attorney Landry will send copies of Ordinance #146 and 143 to the council so that they can review this at the next meeting at the request of Councilman Bonin.

POLICE DEPARTMENT:

Chief Decou stated he was going to report on junk vehicle ordinance, but that has already been covered.

Traffic Lights at Highway 90 and St. Nazairre Road = The traffic lights on Highway 90 and St. Nazairre have been re-done. The intersection has been re-stripped.

And now it flows better. Chief Decou stated from Highway 90 and short intersection, there is a no left turn sign back to Highway 90 toward New Iberia and they are enforcing that. It was causing bad traffic congestion.

FIRE DEPARTMENT:

No one was present.

COUNCIL BUSINESS:

District I/Councilman Guilbeau:

The Gazette Article = Councilman Guilbeau stated that he would like a correction to be made in reference to article in “The Gazette.” Councilman Guilbeau stated over the Easter holidays himself; other bus drivers and friends put awnings with benches at Katherine Drexel. A decision was reached for limestone to be put on the turnaround road. The article incorrectly stated that the city paid for the limestone. The Lafayette Parish School Board paid for it. The road is for car riders only, not for buses. Councilman Guilbeau stated they received donations from Home Depot and local other merchants for the project. Now they pass 100 cars thru that area. It took all of the traffic out of the neighborhood. He feels we have that problem that is now solved. He just wants to make sure the citizens know we did not pay for the limestone. Councilman Guilbeau stated that this turn around was accomplished with the help of all of the city council.

Red Light at South Morgan and Alberston Parkway = Councilman Guilbeau questioned who is charge of the red light especially at South Morgan and Albertson Parkway; because it stays red so long. Chief Decou stated he thinks the sensors are broken. The sensors are in the road. Mark stated you would have to re-cut the road to replace the sensors. Chief Decou stated he thinks E. P. Breaux did it. Larry stated he will call E. P. Breaux tomorrow to get a price on replacing the sensors.

District II/Councilman Bonin:

State Legislatures = Councilman Bonin stated that he just wanted to comment on Senator Michot committed for a 9.4 million dollar raise for the legislature. Bonin stated he called Michot’s office twice and he never received a call back. Guilbeau stated they are also cutting school projects.

District III/Councilman Rousseau:

Tax Free Shopping = Councilman Rousseau stated that he just wanted to remind the citizens they will Hurricane Holiday Tax May 24 and May 25, which means some items will be tax free.

Next Meeting = Councilman Rousseau stated he will not be able to attend the next meeting, because he will be on a family vacation.

District IV/Councilwoman Batiste:

Projects = Councilwoman Batiste stated that District 4 has 6 projects that she is working on with Larry and Tina. They are guiding her on this. She is also working on Alley I and Alley II. Alley II some complaints about the road. She is working on it. Larry stated there were 2 big pecan trees and they were cut and they widen that kink in the road and now the property owners asked why their property wasn't widen on the other side. Larry stated he told her if they want to donate property they can widen the road.

District V/Councilman Higginbotham:

Railroad Tracks = Councilman Higginbotham stated that he saw they moved some limestone at the tracks at St. Etienne. Chief Decou stated that Councilman Bonin has asked if any incidents with the tracks and two weeks there was one at the tracks on Albertson Parkway. Two weeks ago there was an accident on the track with a motorcycle and it was caused because of the tracks condition.

Mr. Myers on St. Des Porres = Councilman Higginbotham questioned Larry if checked into Mr. Myers problem on St. Des Porres. There is a mass erosion of the coulee by his house. Larry stated they started patching last week, but Mr. Myers was not home. So he doesn't know where the coulee needs to be patched. Councilman Higginbotham stated he will have Mr. Myers get in touch with Larry.

District I.....continued:

Excess parish money for drainage = Councilman Guilbeau stated that there is excess left with the Parish to do some work in Kenny's district, per Don Bertrand. Larry stated the parish has \$260,000 left on a drainage grant and they had a meeting with Don and that coulee was listed as first priority. Don stated he would try to help us with the coulee in question.

District II.....continued:

Cypress Bayou Project = Councilman Bonin questioned about the expropriation at Highway 92 and 90? Attorney Landry stated that the parish is handling this. Councilman Foco stated they will clean everything else and leave that area.

At Large/Councilman Foco:

Variance on La Rue Malaga =Councilman Foco stated he just wanted to make a comment to the council, he was dead set against the variance, but with the help of the neighbor he understands how much it was needed.

Mr. Roy Brown = Mr. Brown thanked Mr. Champagne and Elmer for taking care of the situations in his neighborhood. And hopefully the house in that district will soon be taken care of. Councilman Guilbeau stated he can also call him 24/7 because is his councilman in his district.

LEDA = Ryan with Lafayette Economic Development Authority introduced himself. LEDA is to assist businesses in parish. He will be here at all of the meetings. They are here for all of the businesses.

Congratulations = Councilman Rousseau congratulated Tina on her engagement and upcoming nuptials. Tina thanked him.

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= Yea
At Large = Yea

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

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

S/Tina G. Denais, CITY