

Minutes Of The

August 12, 2008

Broussard City Council Meeting

Present: Mayor Charles E. Langlinais
 Tina M. Emert, 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
 Martin Poirier, City Engineer
 Al Reaux, City Engineer
 Walter Comeaux III, City Engineer
 Gene Chiarulli, City Bookkeeper
 Mel Bertrand, City Foreman
 Larry Champagne, City Supervisor
 Elmer Girouard, City Foreman
 Chief Brannon Decou, Police Chief
 Chief Blair Rivette, Police Chief
 Asst. Chief Bryan Champagne, Fire Dept.
 Mr. Karl LaCombe, Lafayette Parish School Board
 Mrs. Rae Ann Trahan, Lafayette Parish School Board
 Mr. Richard Faust, Business Owner
 Mr. Roger Black, Celebrity Theatre Project Manager
 Mr. Todd Landry, BYYA
 Mr. Mark Gallagher, Developer

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.

Adopt minutes of the July 22, 2008 Meeting = Moved by Councilman Guilbeau and second by Councilman Rousseau to adopt the minutes of the July 22, 2008 meeting. Roll call:

District I = Yea
 District II = Yea
 District III = Yea

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

At Large = Yea

NEW BUSINESS:

Walter Comeaux RE: Variance Request for Roosevelt Street = Walter addressed the council. Walter gave the council an aerial photo of Roosevelt Street. Mayor Langlinais asked him to look into this, because the set-backs are in question on Roosevelt Street. Roosevelt was previously straight and somewhere along the way the road got moved. Walter explained what the 3 lines were for. It looks like there is an existing 25 foot right of way and a 25 foot reservation. There are some houses that encroach into their own right of way. The rule in Broussard is your house must be 5 foot from the property line, unless it is a reservation line which would be a 10 foot set-back. He is suggesting that we clean up the situation with all of the buildings in that area. He feels the council should grant waivers for all of those people and then we could have a new reservation line. Attorney Landry questioned how did this issue come about? Walter stated the way it started was with a dispute with a local business owner and a builder. And then it doesn't meet the set-back. Attorney Landry requested where does he want a variance at? And are we re-dedicating the reservation? Mayor Langlinais stated that is the first he hears that the road goes straight across. Mayor Langlinais stated if you do the right of ways on the original map, it is 35 feet. Walter stated if the road wasn't abandoned, the citizens built on the street. Attorney Landry stated he is skeptical about working out problems with people that are disputing with the boundary. Attorney Landry stated once it reserved, nothing should be built on the property. Attorney Landry suggested that they allow him to get with Walter and see what can be done to resolve this. Mayor Langlinais stated maybe that was the confusion in the past. Walter stated when you get into older communities you will have this. Mark Gallagher approached the council. Mr. Gallagher stated he owns two lots there that he plans on developing on. Mayor Langlinais requested that the clerks will research the abandonment by resolutions. Mr. Gallagher stated the restrictions were 5 foot in the back set-backs. Gallagher stated he is trying now to fit a house on the property for the property he purchased. The council will wait for more info from Attorney Landry and Walter. Attorney Landry stated if everyone on both sides is in agreement, then you have no problem; but if someone disagrees you have a problem. Mayor Langlinais instructed Tina to get any resolutions to Don regarding the abandonments and he also asked Walter to get with Attorney Landry with that info. Walter stated we would fix the southern property line, so it doesn't impact anyone. Once it is fixed then maybe the other 3 houses won't have a violation. The line will not be in the actual roadway surface. The north side can be done the same. They can fix the line.

Mr. Richard Faust RE: Relocation of drainage servitude between 220 and 222 Burgess Drive = Mr. Faust addressed the council. Mr. Faust stated he owns the property at 220 and 222 Burgess Drive. He stated they are re-subdividing the lots and adding 20' of the lot at 222 Burgess to the new property at 220 Burgess. In order to use the property most effectively he wants to abandon the existing 10' drainage servitude and move it west 20 feet to the new property line between 220 & 222 Burgess Drive. He has put pipe in the drainage canal on his private property. Larry stated he showed him some drawings of what he did. They inspected the job. They piped the entire drainage easement. They oversized the pipe to what crosses the road. The ditch did not have pipe before. Larry stated it will help us with settlement from those

coulees. Mayor Langlinais questioned him if he understands the concept of the consequences and if could produce some sort of drainage study? Larry stated our drainage permits now states that if an engineer approves this then there is no problem. What he is doing is moving over the drainage to build the building he needs to build. This is private property. The ditch is between his lots. Mayor Langlinais questioned if the drainage ditch was an original dedicated drainage easement. He is draining his own property. Councilman Rousseau stated if the water comes from him, it goes somewhere else so it affects someone somewhere else. Larry stated he improved the drainage. The council asked that he get another engineer to get him a letter with various calculations and bring it back to the council prior to the approval.

Introduce Ordinance #08-338/Acquisition of servitudes and rights of ways along Ambassador Caffery = Attorney Landry stated this was introduced at the previous meeting and in the future if it is the council's intention then those people don't donate the servitude then they will have to pay on a per foot basis. Councilman Foco stated it could be simple, those people that have property along the right have to donate or don't get no city utilities for their property. Mayor Langlinais stated we will sub-divide that utility easement to provide for slots. Councilman Bonin stated we contributed \$10 million; therefore he feels the landowners can contribute also. Attorney Landry stated it authorizes the Mayor to provide for the acquisition of the servitudes and rights of way. Mayor Langlinais stated that if Gilcrest is ahead, the Highway Department has agreed to open the east side much sooner. Gilcrest Construction stated that they are 8 months ahead. Councilman Bonin stated he would like Don to write that ordinance they previously discussed. The efforts will be made will be made when we acquire the servitudes. Moved by Councilman Guilbeau and second by Councilman Bonin to introduce Ordinance #08-338, which provides for the acquisition of servitudes and rights of ways along that along that segment of Ambassador Caffery Parkway from the Youngsville Highway to US Highway 90. Roll call:

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

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

Mr. Roger Black re: Dedication of Celebrity Drive to the City = Mr. Black addressed the council. Mr. Black stated they would like to dedicate the street along with the 10 foot easements on both sides of the street. The only exception is the theatre sign is within the 10 foot easement. Mayor Langlinais stated he spoke to Tex yesterday and they are in the process of moving the sign with all the other signs. Grooms Engineering did review the core samples on the road. The street is curb and gutter. There is a crossing under the road. There are major some steak franchises and breakfast franchises that will be opening there. Mr. Black stated he will have their attorney formalize the dedication. Attorney Landry stated once we get the dedication, then the council will vote on this.

Mr. Todd Landry re: BYYA Request for funding for a maintenance person = Mr. Landry addressed the council. Mr. Landry stated he have approximately 1500 kids in the program. They are trying to maintain the park, provide good programs and improve the park. Parks and recreation put someone on fulltime during baseball season. He does both parks. And

they also have volunteers that help. However, when baseball season is over they cut it down to 8 hours a week. They haven't been able to find someone until now. BYYA cannot afford to pay this person themselves. If can leave it up to Parks and Recreation to cut the fields, which will only be done maybe once a month. Then the parks end up looking really bad. They tried to see what they could do. Youngsville has approved a \$9,000 expenditure to hire this person fulltime. They are asking Broussard to do the same. The money would go to City-Parish to pay the gentleman. It will be up City-Parish agreement if it is for maintenance. Gene stated our agreement with them, won't dictate a specific person. Therefore it was moved by Councilman Higginbotham and second by Councilman Guilbeau to amend to budget for \$9,000 for this maintenance person for BYYA thru Lafayette Government. 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 Utility Relocation Bill = Attorney Landry stated he is satisfied with the result of \$16,000 charge the pipeline adjustment for Shell Pipeline. Al Reaux stated Oscar negotiated with Shell Pipeline. It came back that they would charge \$24,000. After all the work was done it was \$16,000. It was moved by Councilman Rousseau and seconded by Councilman Romero to approve pay the \$16,000 bill to Shell Pipeline for the pipeline adjustment. Roll call:

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

Garbage Rate Increase = Gene stated the only question is do we want to raise the rate? Mayor Langlinais stated if we bid this contract you know what the rate will be. Councilman Foco questioned how long can we subsidize this rate? Gene stated we don't have any additional cost. Councilman Foco questioned when was the last time we went up? Tina stated approximate 2 years ago. The council agreed if we bid this contract out, the service will be \$18.00 a month per resident at least. Therefore Councilman Rousseau moved and Councilwoman Batiste second to approve the new garbage rate to the citizens of \$14.00 for the next billing cycle. Roll call:

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

Lafayette Parish School Board Reps: Mrs. Rae Ann Trahan and Mr. Carl LaCombe = Mr. LaCombe addressed the council. Basically his request to address the council tonight to dispel any miss-conceptions about the article he read. Mayor Langlinais stated we are talking about putting up school board property for industrial park. Mr. LaCombe suggested we ask LEDA why we weren't informed. He was at Lafayette High for a driveway issue. He received a phone call from Greg Gautreaux with LEDA. He attended the meeting and they said they need to go thru the school board property. They had already given them permission for soil

surveys. They said they were interested in partnering with LEDA because they wanted to get some funding so they had to do new development. With the conversations they had, they came to them and asked if the board would be interested in taking some of the school board property and coming up with development of some sort of industrial park. They went to the board and the agreement states that they agreed to talk and the board is not bound in anyway. That agreement can be cancelled within 30 days. The reason the agreement is that Greg Gaureaux needs to move forward. Mayor Langlinais explained the situation. Councilman Foco stated he is dumbfounded with this. If they have something with the Mayor they need to refer to the Mayor about this. Attorney Landry questioned when was the last time the school board did this with Section 16 land? Mr. LaCombe stated they have land leased all over the parish. Mr. LaCombe stated they don't know what can be generated. Mayor Langlinais stated we had this discussion with Karl Meche and Conrad Comeaux and no one helped us build Albertson Parkway. The school board has generated over 29 million because of our roads. Mayor Langlinais stated he feels it is not his fault; it is probably the administration of LEDA. Mayor Langlinais stated the problem you have is you are building an Industrial Park on a by-pass road. Mr. LaCombe stated it wasn't cooked up like something behind closed doors. Mrs. Trahan stated when they were addressed by LEDA, Greg Gauthreaux addressed the council he stated it was a Woodlands Retail Development, not an Industrial Park. Mr. LaCombe stated the board is open to anything. He just wants the council to know that no one was left out. Mr. LaCombe stated we can look at the agreement. The only mention about acreage; was Mr. Gautreaux mentioned a minimum amount of acreage. The school board would enter into a lease agreement. Attorney Landry stated the leases are not 100 year leases; but you wouldn't enter into a 5 year lease for an industrial park. He just wanted to address the council with everything that he knows was going on. Chief Decou questioned was this the situation with the new school? Chief Decou stated he just wouldn't like them to get them in a situation that would jeopardize our education for our children.

OLD BUSINESS:

Adopt Ordinance #08-336/Drainage Regulations = Mark stated the regulations have 9 or 10 changes that we went over before. It was moved by Councilman Higginbotham and second by Councilman Rousseau to adopt Ordinance #08-336, which amends Ordinance #05-291 which provides for the drainage regulations in the corporate limits of the City of Broussard, Louisiana. Roll call:

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

Roadway Patching and Overlay Bid = Mark stated at the last meeting he presented the bids. There was a problem with the low bidder supplying the polymer. The thing is to go with the next bid, which is substantially higher. If we piggy back the Parish it would have come in lower to the tune of \$25,000. This is rural overlay so some things are not in there and they are on time schedule. The encouraging thing is that the prices are coming down. Mark recommended we precede and re-bid this contract. He would put a cost adjustment in the new bid. The patching is no spec. Mark feels if we do with the price adjustment, we could keep the

contract for a couple of years. Councilman Foco questioned why is the polymer so hard to get?

Larry stated it just makes the road better. We have been using the polymer. Larry stated it is hard to get because of the fuel charges. Mark is advising the council to re-bid the project with the cost index. Councilman Foco re-commended that we look at this and overlay. Patching is about a 1/3 of the overlay. It was moved by Councilman Rousseau and second by Councilwoman Batiste

to reject all of the bids because of the price and to re-bid and include a cost index and to put the polymer in with an alternate. 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 = In reference to the sewer pond for July the contractor was 40% complete. We are approaching the good construction months. Tomorrow or the next day he will e-mail the contractor to see when he feels the project will be complete. The sewer pond the contractor has addressed the pad that we have to build our facilities on. He will report at the next meeting where the contractor is at.

St. Nazairre = Al stated in reference to St. Nazairre the final road surface is 95% complete. Martin stated they are in the process of fixing change order #2. They are looking at an increase of \$28,000. Two items deal with maintenance and safety issues to lessen the erosion off of LaFlamme Road, also a side drainage that a safety end treatment was done. They are looking a span wide for the lanes. The t-intersection will be a two away stop for right now. The driveways were current existing items. Al stated the span wire signs and the flasher came in when we took out that corner and added a true intersection. This should be a safer exit from Walmart.

Mark's Report:

Sewer Re-hab Grant = Mark stated that they are working on the grant project. The city does have to pay for 10% of the construction and the engineer.

Walter's Report:

South Bernard and Fairfield = Walter stated he is essentially complete with field work for South Bernard and Fairfield Road extension. They will begin the office work.

ACCOUNTANT'S REPORT:

Gene stated that he had nothing to report on.

ATTORNEY'S REPORT:

Attorney Landry stated he had nothing at this time.

POLICE DEPARTMENT:

Budget amendment for grant = Chief Decou stated he received an award for a grant for \$28,500 and he needs the council to authorize the expenditure to cover the expenses. He will purchase radio equipment. It was moved by Councilman Rousseau and second by Councilman Bonin to amend the budget for this \$28,500 for this grant. Roll call:

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

FIRE DEPARTMENT:

Training Expense = Chief Rivette stated the council granted the fire department \$8,000 in the budget for training. Councilman Guilbeau stated that is correct and with the understanding that they bring it to the council if they were to use the funds to go out of town, not like last year when they went to California. Chief Decou stated he registered him and Kasie for the seminar, but then he got a call from City Hall stating that it was rejected by the council. Tina informed Chief Rivette that is not what was said. Councilman Guilbeau questioned the Chief why is he going if he went last year? Chief Rivette stated he is learning the software and they pay every year to build the program to what it can do. Mayor Langlinais questioned Tina if when we buy the software if includes the training. Tina stated yes. Mayor Langlinais questioned who specs out the software. Chief Decou stated that software has been existence for years. Bryan stated you cannot take all the classes during the 3 day period. Bryan stated it does more than you can imagine. Bryan stated this is the most common used one. Councilman Foco stated he feels the problem was when the training money was used last year all in one place. Councilman Foco stated they just wanted to make the council aware of what was going with the Fire Department. The council didn't want it after the fact. The council had no problem with the seminar for the Chief and Kasie. The Chief also stated that the volunteers are also trained by LSU which is free to the fire department. Mayor Langlinais stated he just wants him to be aware of when the budget comes in that they need to prepare themselves and don't wait to the last minute.

COUNCIL BUSINESS:**District II/Councilman Bonin:**

Mud on the roads = Councilman Bonin stated that it has brought to his attention about construction sites in town; if allow them to drag their mud on the road? Is it legal? Chief Decou stated it should be in the contract. Walter stated this is covered under the erosion control ordinance. Mark stated you can send someone from the town with a checklist to check their

permits. Larry stated all they have to do is call Sarah.

Speed Bumps = Councilman Bonin stated he received a letter from people in his district requesting speed bumps. He hates speed bumps. The ones we have are destroying our roads. He asked the Chief for help, but he has so much other stuff to do. When will we get the Redflex and vans in town? Attorney Landry stated the State of Louisiana is still giving them problems on this. Chief Decou stated a traffic supervisor went to the location today. Chief Decou stated he can get the speed trailer in there. He can also pay a visit to the person, if there is one person in particular that they are complaining about. Councilman Bonin stated the citizens in that area are requesting the speed bumps. Councilman Rousseau stated when they had the radar trailer on Fairfield at one time, he felt it helped. Mayor Langlinais questioned how much does that cost? Chief Decou stated about \$14,000 or \$15,000. The trailer can stay on the street. Mayor Langlinais stated maybe we need to see about getting one, perhaps out of the maintenance department. The council asked the Chief to see about getting one on State Contract. It gives you the count, the time and the speed. Walter it is also helpful for traffic data. Councilman Rousseau asked to get it on Fairfield if he gets the one from the Sheriff Department.

District III/Councilman Rousseau:

Compliments to the Police Department = Councilman Rousseau stated a fellow employee was involved in a very serious accident on Main Street. The officers were very professional and they were very impressed on how courteous they were. He just wanted to pass that on to the Chief.

District IV/Councilwoman Batiste:

Thanks = There are several people she would like to thank. First, the Chief for meeting with some young men and women who are trouble makers in her district. She also thanked Sarah for working with her for the clean –up in her district. It is a family estate that will be demolished on McNary. And on Ned L we are also cleaning up that district. She will need some help with the West Broussard house. It is the Alfred property. She is trying to help with moving the debris off the property. Mayor Langlinais informed Brannon to ask E. J. to see about the abandon vehicles in the Gustave and St. Des Porres area.

District V/Councilman Higginbotham = Councilman Higginbotham stated the service road on Highway 90 is totally being ignored. Al stated it will be an in and out. Once traffic starts developing in that area it will change. Mayor Langlinais asked Larry to put some no outlets signs in that area.

At Large/Councilman Foco:

LMA Convention = Councilman Foco stated that we entered a project with the LMA Convention for project contest. We thought our project was slam dunked. We got beat out by a water line project. We gave it our best shot.

Mayor Langlinais:

TIF = TIF is set for the agenda for August 24th and 3rd week of September for the bond meeting approval. He has to take another trip to meet with bond rating people.

Ambassador Caffery = Mayor Langlinais stated tomorrow he welcomes anyone that want to come to the meeting with Gilchrist Construction and Bill Fontenot

Citizens:

Adam Mouton = Mr. Mouton questioned what is the projection date for Bernard Road for starting and completion. Walter stated that is not known yet. Mayor Langlinais stated he doesn't want to do anything on Bernard till he gets bond rating approval. The bureaucrats want to delay this. They are producing documentation for the approval. He has it tentatively on the agenda for Aug. 24th. He can't give the completion date. The bottom line is the project approved that the second half of the TIF is being matched by the State.

ADJOURN:

Adjourn the meeting = Moved by Councilman Romero and second by Councilwoman Batiste 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 M. Emert, CITY CLERK