

Minutes Of The
October 28, 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
 Councilman Kenny Higginbotham, District V
 Councilman Albert Romero, District VI
 Councilman Johnnie Foco, At Large
 Mr. Don Landry, City Attorney
 Jerry Grooms, 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
 Chief Brannon Decou, Police Chief
 Asst. Chief Bryan Champagne, Fire Chief
 Mr. Donnie Cunningham, Bonding Attorney
 Mrs. Adam Mouton, Resident
 Mr. Donnie Cunningham, Bonding Attorney
 Jim Ryan, Bonding Rep.
 Charlie Side, Bonding Rep.

Absent: Councilwoman Gertrude Batiste, District IV

Councilman Foco called the meeting to order and stated that we are dedicating this meeting to former Councilman Harold Johnson and his family, whose wife Ms. Hilda Johnson passed away last week and Attorney Landry lead with the Pledge of Allegiance and a silent prayer was done for our troops that are still overseas

Adopt minutes of the October 23, 2008 = Moved by Councilman Rousseau and second by Councilman Romero to adopt the minutes of the October 23, 2008 meeting. Roll call:

District I = Yea

District IV = Absent

District II = Yea

District V = Yea

District III= Yea
At Large = Yea

District VI = Yea

OLD BUSINESS:

Adopt Ordinance #08-341/Setting the franchise fee for entities providing cable or video service within the City = Moved by Councilman Rousseau and second by Councilman Romero to adopt Ordinance #08-341, setting the franchise fee to be paid by those entities providing cable or video service within the City of Broussard's municipal limits under a state – granted franchise authority and otherwise providing with respect thereto. Roll call:

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

Adopt Ordinance #08-342/Requiring the payment of public, educational, governmental access programming support to the City by cable or video service providers = Moved by Councilman Guilbeau and second by Councilman Higginbotham to adopt Ordinance 08-342, requiring the payment of public, educational, governmental access programming support to the City of Broussard by cable or video service providers operating within the City's municipal limits under a state-issued certificate of franchise authority and otherwise providing with respect thereto. Roll call:

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

Adopt Ordinance #08-343/Requiring a permit for use of municipal property for business operation in the City = Moved by Councilman Bonin and second by Councilman Rousseau to adopt Ordinance #08-343, requiring a permit for use of municipal property for business operations in the City of Broussard; requiring the provision of certain information prior to issuance of such permit; and otherwise providing with respect thereto. Roll call:

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

Adopt Ordinance #08-344/Authorization the exchange of certain immovable property belonging to the City (sandbag location) = Attorney Landry stated this deals with the exchange of the sand bag location for other property. The Mayor had the appraisals done and that all came back okay. Everything was published and ready to go. Moved by Councilman Higginbotham and second by Councilman Romero to adopt Ordinance #08-344, authorizing the exchange of certain immovable property belonging to the City of Broussard, Louisiana, and authorizing the Mayor of the City of Broussard to sign any and all documents necessary to exchange said property. Roll call:

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

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

Councilman Rousseau question what will do with the sand? Larry stated that it has all been removed. Mayor Langlinais stated that site was originally used for the construction of Albertson Parkway.

Adopt Resolution #243-08/Acceptance of St. Nazairre Road = Martin stated the construction is complete and he recommending it be accepted as complete. Everything went according to plan. Councilman Foco stated we have some people questioning the 4-way stop, but we are not going to enforce that right of way. Mayor Langlinais stated the design of the island at Walgreen's was in the original design. Councilman Higginbotham stated there are two issues on St. Nazairre; there is a tree that is almost down to the road that needs to cut and the shoulder needs to be re-cut. Larry stated that he will check into this. Moved by Councilman Guilbeau

second by Councilman Romero to adopt resolution #243-08, accepting the construction and completion of St. Nazaire Road, within the corporate limits of the City of Broussard, Louisiana, and further authorizing the Mayor to sign documents to accomplish that acceptance. Roll call:

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

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

NEW BUSINESS:

Mr. Donnie Cunningham re: Bond = Mr. Cunningham addressed the council. He stated they had a long discussion after the last meeting. It looks that the city has a potential need to finance 2 roads in the future for \$10 million and another \$5 million to finish the sewer pond. We have 3 years to spend the bonds proceeds. The first \$10 million the banks bought at a very low interest rate. They spoke to the Mayor about issuing up to \$10 million for this year and come back in 09 for another \$5 million. The market is in tremendous turmoil right now. Municipal market has just re-opened after 2 weeks. He wants the financial people to talk to the council about this matter. Mayor Langlinais stated his instructions were for one road, for South Bernard Road. This is certainly not dead issue. The council did talk about preparing water and sewer along Ambassador Caffery. He will state tonight what the strategy is. We will offer opportunities to participate in the lift station. The sewer pond he feels the final cost of the sewer pond will be at \$3 million dollars. His engineers were told to come up with three lift stations. We will be bringing sewage from the west end of Broussard to Highway 90. We will be enacting our ordinance for property owner contributions for sewer. It is important our future development is south Broussard. Grooms Engineering will give a cost on the hardware to be bidded out separately. The dirt work is substantially completed. Jim Ryan addressed the council. As far of the use of proceeds, they will make sure they draw up the resolutions and ordinances broad enough and flexible. We will have 3 years to spend the money. There are times in the market that using the bank qualification hurts and some times it helps. The Internal

Revenue Service makes all of the rules, because it takes money out of the Federal Treasury. You have to pay interest not taxes. You get to deduct 80% of the capital. The only people who will touch municipal bonds are bank qualified. On Nov 11 they will be back here to introduce the ordinance; Nov 20 we will get final approval from bond commission; and on Dec. 1 and 2 they will get pricing on the bonds and the Mayor will sign the bond purchase agreement; on Dec. 9 the council will adopt the bond ordinance; and on Dec. 15 will be the pre-closing of the bond issue and Dec. 17 will be the closing of the bond issue and the funds will be available for use. Charlie Sides addressed the council. He gave the council a chart of recent transactions in the market. The better rated credit is the AA-. The rates were pretty drastically different; bank qualified versus non-bank qualified. They are taking advantage of bank qualified for \$10 million for this year in order to preserve bank qualifications status on the bonds and the remaining balance of \$5 million will be issued in 2009 to also preserve bank qualification status on those bonds. Ryan stated if we can get bond insurance on it; it will be triple AAA rated. Mayor Langlinais stated he attended the independent luncheon with Loren Scott and he what got out of that luncheon is the banks that are bailing out. He really got from the presentation; he is not near pessimistic as he was a year ago. None of the Louisiana banks are in that file; so who will you sell the bonds to. Ryan stated most of the local banks. Ryan stated the credit crisis doesn't mean the banks don't have money. The question is the Mayor told the engineers that they need to give him the estimates to speed up the process. We are going to finish our pond. Mayor Langlinais stated that he urges the council very strongly that if they want to do anything; he will ask Dean to give us an estimate on the impact of the Ambassador Caffery opening. Mayor Langlinais stated we need to relieve Main Street, Morgan Street and Highway 90 with Ambassador Caffery . Ryan stated that as the windows open up we need to take advantage of them as quickly as possible. Gene stated it also makes a lot of difference of the revenues that we are anticipating coming in. But we also need to keep the reserves so that if things go down, we don't have to go thru drastic cuts. Councilman Foco stated he just wants to make the comment that we are so much smarter than we were a year ago. Councilman Higginbotham stated we always have the money to pay the current bonds; but the question is how much do we want to pay as we go? Gene stated we have money in reserves and we want to keep money in the reserves. But we are going to fund this thru an income stream that is going to come in, that will bring in so much additional revenue. He feels within 5 years we will be paying out that \$10 million debt. We don't have enough to pay for the project. Gene stated he is one of the most conservative persons. Mayor Langlinais stated if you listen and read between the lines; if you put water and sewer along Ambassador Caffery, he sees major economic development along Ambassador Caffery. This is an incentive program to encourage retail, high end along Caffery. Donnie stated he seen a lot of local governments that are conservative and there are those that do borrow the money over a certain amount of money. He feels it is good if you have a revenue stream to pay the bonds that is good. Gene stated in 1990 we didn't owe a dime. We had 2 million in reserves. The water system was horrible. We are growing, we have to take these revenues and grow. Albertson Parkway was \$3 million and St. Nazairre was done for \$2.9 million. Donnie stated this is just a presentation to continue the continuity. They will let use know for the next meeting when the bond ordinance should be introduced.

ENGINEER'S REPORT:

Al's Report:

Sewage Pond = The pond the contractor is continuing to work. The Mayor mentioned the lift station for the pond. That project was ready to be bid last Wednesday, but the Mayor changed the project so they had to do some changes before the bids were sent out.

Ambassador Caffery utility adjustments = Al stated the contract price was \$650,000 and the final price was \$600,000. The city's portion was \$26,000; however we had to get reimbursed \$544,921.10 from the State. Al stated that he, Mel and Tina came up with a formula and made the final bill. Then the State came up with the revised formula and thanks to Tina and Mel we were successfully reimbursed the \$544,921.10. St. Nazairre project took roughly 16 months.

Jerry's Report:

Jerry stated he had nothing to report on.

Walter's Report:

Lift Stations = Walter stated he and Al were assigned the first 2 regional lift stations. He was assigned South Morgan which will have some gravity. He met with property owners which were reasonable. There were 2 sites they were looking at for that lift station. When they start doing these regional lift stations, they will guess on flows. Don't be surprised if every 2 or 3 years we have to change out the pumps. Al stated you start off with a smaller pump and then go with a larger pump. Walter stated perhaps we can do it like a package where the pumps can be moved.

South Bernard and Fairfield Extension = They have done the property surveys, except with one landowner. He would be happy to provide a rough draft. He doesn't know how they want to proceed with the alignment. Walter stated perhaps at a minimal we can let the councilmen of the districts look at where it is affecting everyone. He is ready when they are ready. He will bring copies for the next meeting.

ACCOUNTANT'S REPORT:

Monthly Report = The monthly report for Sept Sales Tax collections were \$887,000. We are running \$286,000 above. The only questioned is that St. Nazairre was not completed prior to June 2008. There was work done after June 2008. The original \$266,000 was for the overlay and we need to amend it to \$466,000. It is part of this year's budget. Moved by Councilman Higginbotham and second by Councilman Romero to amend the budget for the St. Nazairre project for \$266,000 for the work that was done after June 2008. Roll call:

District I = Yea

District IV = Absent

District II = Yea

District V = Yea

District III = Yea

District VI = Yea

At Large = Yea

ATTORNEY'S REPORT:

Monthly Report = Attorney Landry stated he worked with Mr. Cunningham for the month.

He also worked with the engineers on the donations of servitudes and preparing an ordinance to that effect. Mayor Langlinais showed the council the servitude plat he had as a draft. Assuming someone wants to provide servitude, when a developer comes to the Planning Commission is the developer provides the servitude at that time. This is a catch 22. Anyone that participates will get water and sewer and road improvements.

Councilman Bonin questioned if Don heard anything on Red-Flex? Don stated they are still blaming it on the State. Mayor Langlinais stated they will set-up a meeting for they can meet with him. Chief Decou stated they e-mailed him they wanted to have another meeting and his response is for what? Mayor Langlinais asked Don to set-up a meeting with him, Don, Charlie Buckles and the Chief.

POLICE DEPARTMENT:

Junk Vehicle = Chief Decou stated that Tina informed that we junked a 1999 Crown that the engine blew and we used the car for spare parts; however the car was not junked and taken off the inventory list. The council requested the Chief wait on this, being we have several other vehicles to be junked.

Radar Trailer = Councilman Bonin questioned the status of the radar trailer? Chief stated we are waiting for some decals to come in for it. They used it the other day for a traffic count by the theatre. It is very accurate. They are still getting the things working. Chief stated he can put it out the in day, but he would like to wait for the decals for night time.

Lane Delineators on St. Nazairre = Chief Decou stated that Dean Tekell has never contact him about this.

Adam Mouton questioned on Ambassdor if the utilities are on both sides or one side? Mayor stated we don't know yet. Attorney Landry stated you can't build a permanent structure without a 50 foot set-back. Will they run a water line on South Bernard? Mayor Langlinais stated we don't know that yet.

FIRE DEPARTMENT:

Building Renovations = Asst Chief Champagne stated they received the check from the City of Lafayette for \$80,000. We will have some cost overruns. Councilman Foco stated he will work on this with the contractor. Councilman Guilbeau questioned if there are showers?

Asst Chief Champagne stated we can do the showers on top at a later date. Guilbeau stated he feels the showers need to be put in.

COUNCIL BUSINESS:

District I/Councilman Guilbeau:

Fire Chief Cell Phone Bill = Councilman Guilbeau stated he contacted Attorney Landry about call the Fire Chief's cell phone bill? He told us at the last meeting that 90% was for fire department business, but that was not so. Attorney Landry stated that he received notice that the Chief did pay the bill. Councilman Guilbeau stated he knows that, but he still lied about it. Attorney Landry stated if we want to address him about it, we can have Tina notify him to be here at the next meeting. Don stated as far as the non-issue it has been taken care of. Don stated he can adjust it next month. Mayor Langlinais stated when we bring back an appointment in the spring, he will ask the council to address this. Councilman Rousseau stated if we need to address it again, we need to do it in executive session.

District II/Councilman Rousseau:

Thanks = Councilman Rousseau stated he wanted to mention that he thought back about 2 years ago where citizens encouraged them to take that leap of faith to take that chance. He wanted to thank everyone. It is a lot of work to get things done, but it was done. He is glad to be a part of this. He comes from a small city and he has lived here for 28 years and he has seen Broussard triple in size and that is because people take a leap of faith. He is glad to be a part of it.

District III/Councilman Higginbotham:

Sewage on Albertson Parkway = Councilman Higginbotham stated that there are businesses on Albertson Parkway that their mechanical plants are at capacity. He spoke to the Mayor and he stated we have money to run a force main or a gravity line. Mayor Langlinais stated those are the businesses in the area of PSC. Mayor Langlinais instructed Grooms Engineering to see about getting this done and this will be in the current budget being we have funds for it.

At Large/Councilman Foco:

Businesses' to Broussard = Councilman Foco stated he spoke to a friend of his today and they will be bringing their business to Broussard, from the Port of Iberia. He feels with the infrastructure that we are putting in place more businesses will come.

Meeting Dedication = Councilman Foco stated that former Councilman Harold Johnson's wife, Hilda passed away that is why he would like to dedicate this meeting to the Harold Johnson family.

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 = Absent
District V = Yea
District VI = Yea

S/Charles E. Langlinsais, MAYOR

S/Tina M. Emert, CITY CLERK