

Minutes Of The
January 26, 2010
Broussard City Council Meeting

Present: Mayor Charles 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
Mr. Oscar Reed, City Attorney
Mr. Gene Chiarulli, City Bookkeeper
Jerry Grooms, City Engineer
Al Reaux, City Engineer
Walter Comeaux, III, City Engineer
Chief Brannon Decou, Police Chief
Chief Bryan Champagne, Fire Chief
Elmer Girouard, City Supervisor
Mel Bertrand, City Foreman
Kenneth Wainwright, City Foreman
Ms. Angela Duhon, owner of Club Creole
Mr. Adam Mouton, Citizen
Ms. Liz Duhon, ENTERGY Representative
Mr. Ken Bordelon, SLEMCO Representative
Several residents
Mr. and Mrs. Dan Foster, Citizen
Ms. Annette Washington, Citizen

Councilman Foco called the meeting to order and Councilman Guilbeau lead with the Pledge of Allegiance and a silent prayer was done our troops that are still overseas.

Mr. and Mrs. Dan Foster and Ms. Annette Washington/Thanks = Mr. Foster and Annette Washington addressed the council. They thanked the Mayor and the council and the Fire Department for working with them to get Ms. Washington's parents property cleaned up on

Duke Street that was damaged by fire. They thanked them also for giving them the time to take care of this. They also thanked the Mayor, the council members and the Police Chief who assisted them in paying for the dumpsters. Councilman Guilbeau also asked them to thank Andy Adams for helping them. He went see to Andy and Andy did it freely picking up all of the debris.

Adopt minutes of the January 12, 2010 Regular Meeting = Moved by Councilman Bonin and second by Councilman Rousseau to adopt the minutes of the January 12, 2010 Regular 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 #266-10/St. Martin Parish Hazard Mitigation Plan Update = Moved by Councilman Bonin and second by Councilwoman Batiste to adopt Resolution #266-10 whereas the City of Broussard supports the plan as it pertain to Broussard and the entire parish, which places new emphasis on local mitigation planning, as previously signed into law the Disaster Mitigation Act of 2000. Roll call:

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

Ms. Angela Duhon re/Variance Request to allow the opening of Club Creole on Super Bowl Sunday = Mr. and Mrs. Duhon approached the council. Mr. Lloyd Duhon, her husband approached the council and asked for the variance. They are located off of St. Des Porres and have been there for 3 years. They would like to host a super bowl party for a special event permit. They came to comply with the city's ordinance. It would be between 6am and 12am on Sunday. They will have security on hand. They would like to celebrate the Saints victory in the Super Bowl. Councilman Higginbotham questioned if they have a food license? Duhon stated they are not selling food currently, but they will be serving food. They would have to update their kitchen to be able to sell food all the time. In order to open on Sunday's they would have to have a Class B License. This is a special event. It will not be regular event. Councilman Rousseau questioned what type of security will they have? Duhon stated that an off duty sheriff deputy or a t-shirt deputy. There capacity is only 100 people. It is open to the public. They are not expecting to draw more than there capacity. They do have another security officer they can call if they need to. Councilman Higginbotham questioned the Chief about his opinion about this? Chief Decou stated he has no problem as long as it is a one-time event, provided that he has security. They do not provide inside bar security, that is why they use t-shirt security. Duhon stated they do have a silent alarm to alert the police dept. Councilman Higginbotham questioned Chief Decou how much security he recommends? Chief Decou stated at least 2 -3 security officers. Councilman Guilbeau questioned how many bars we have, because

if we do it for one, we will have to do it for all. Councilman Rousseau questioned how does it set us up in the future? Attorney Landry stated we previously brought the message across that we wouldn't allow the variance. We will get in trouble with the alcohol if there is a problem and if a variance is granted. Duhon stated the state has a special events permit and they have to get authorization from the city also. In order to obtain a state permit you only have 7 days before the event, that is why they asked to be put on this meeting's agenda. Mayor Langlinais stated we only had 2 bars and one time now we have plenty more. The council more or less followed the parish wide law. Mayor Langlinais stated there are new concepts of lounges, sports bars and regular bars. Mayor Langlinais stated if it is done for any club it should be done for all. Super Bowl does not start till 5:30, you will have people drinking all day and it will be crazy if the Saints win. Mayor Langlinais stated if you have bars in residential areas, you will have problems. Chief Decou stated they are anticipating the calls and they will have the staffing in the field to handle the call load. Councilman Foco asked if anyone wants to speak for or against it. Ms. Lovenia Lee addressed the club. She is the property owner of Club Two-Step. She doesn't know why the people are against opening the bars on Sundays. A lot of people are out of jobs and what if that is their lively hood. She feels they should let them open from 12 to 9 every Sunday. It is not taking anything off of the council. She said they have security there at Club Two-Step. That ordinance was made when Harold Romero was the Chief. She doesn't see any sense in why the clubs have to close on Sunday. She also commented how when they have they have a parade down the street; barricades are put up in just the black section not all over town. The barricades need to be put all over. Mr. Duhon asked a point of clarification, asked if can open on Sunday for the Super Bowl or for Sundays. Councilwoman Batiste stated when Mr. Soloman came he asked for Sundays, not for Super Bowl Sunday. Mr. Soloman asked the difference between a Saturday and Sunday? Councilman Foco stated because of the ordinance. He suggested they serve food just like the Sports Bars if they want to open on Sundays. Attorney Landry stated tonight it is not about the ordinance; it is the variance that is on the agenda. Attorney Landry stated if the council grants a variance for Super Bowl Sunday he suggests that there be some guidelines. He suggested that if they are allowed to open Sunday that someone from the City does notify the bar owners to notify them about this. Duhon stated they already have an inspection of what they need to do to open a kitchen in the bar. George Norbert addressed the council. He explained what led to the closing of he bars on Sunday in the past. Councilman Foco stated if we do it for one we will have to do it for all, and we will have security issues. Chief Decou stated he can't provide the security. Duhon stated he doesn't have a problem of having 3 security officers. Councilman Higginbotham questioned what kind of security guards are these guys? Duhon stated the t-shirt security guards are inside the club and off duty sheriff deputies are outside. Attorney Landry stated we are exposing ourselves to more liability; he doesn't know why alcohol has to be served. Councilman Rousseau asked if he has to serve alcohol. Duhon stated that is why he is here. Councilman Foco stated we don't have a Mardi Gras parade anymore because of the trouble. Councilman Foco stated each place has to have security. Attorney Landry stated if grant the variance, all other bar owners should be notified and he doesn't see why it has to be wide open; he feels there should be a time frame because of the Special Event Permit. Mayor Langlinais stated he strongly suggests that the variance should be from 4:30 – 9:00. Councilman Rousseau stated he knows the party is the pre-game so maybe should it be 2:00pm. Don stated he feels they should have security, by the capacity of the club a certain amount of people. The variance will be 2:30 pm – 10:30 pm for a

Special Event Permit and they will have to have a security. Mayor Langlinais stated the issue is how many people per officer? Chief recommend 1 uniform officer per 50 people that has arrest authority and their t-shirt people inside. Chief Decou stated they contract with an off duty officer. That is because alcohol is involved. Therefore it was moved by Councilman Guilbeau and second by Councilwoman Batiste to waive the Sunday bar closing ordinance for Sunday, February 7, 2010 for Super Bowl Sunday and to allow the bars to open from 2:30pm –10:30pm for one time only and they must furnish security uniform police officers with arrest authority for the amount of capacity their bar holds on the outside and t-shirt security on the inside and they must furnish the necessary special event paperwork from the City of Broussard and State of La Office of Alcohol Beverage Control. Roll call:

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

Councilman Foco stated they stuck their necks out for this and if any problems arise they will be closed down that same day.

RFP's from Slemco and Entergy re/Lighting on Ambassador Caffery = Councilman Guilbeau questioned why we have to pay for this? We paid \$10 million to the state to build this road and this is a State road. Mayor Langlinais explained he is trying to find out from the State why should we have to pay for the lighting. Mayor Langlinais stated they will provide the poles above ground at no cost. Last time SLEMCO put poles underground at no cost, but ENTERGY put poles above ground. There was a duplication of services on one side of the road for Albertson Parkway. If a developer wants to put a subdivision in he has to pay for the betterment of the cost. We requested it to have it all under ground. We thought we could do it all underground, but we found out 6 weeks ago and that the number of poles has tripled for the amount of coverage. Councilman Foco stated we won't put lights up till we get some businesses there. There are street lighting grants, but they are out of money. Councilman Guilbeau stated he feels it is a state highway and the state pay for this. Mayor Langlinais stated he is trying to get the best deal for the city at no cost and not to duplicate the services, if we want to put street lights up. Councilman Foco questioned how will we do this? Oscar stated we hired a consultant. And he will meet with SLEMCO and Entergy about the infrastructure of this. The consultant is meeting with both of them for the cost of this and to make sure we don't have the duplicate cost or duplicate services. They are also checking with the State for reimbursement from the State. For the next meeting they should have all the information and we will have a presentation from Slemco and Entergy. They have no prices right now. Councilman Foco stated he doesn't see why we have to have a consultant to put this together; Entergy and Slemco both know what they can do. Attorney Landry stated his charges for his time are less than an attorney charges to do these negotiations. He doesn't feel we are losing anything. Councilman Guilbeau stated he feels where Councilman Foco is coming from that Entergy and Slemco both know what they can do. He feels the state should pay for the lights. The consultant is charging a per hour Diem. Liz Duhon stated they gave the numbers to the consultant. Mr. Bordelon stated his numbers have been provided to Brad also. Liz stated she thinks Brad will compare apples to apples. Councilman Higginbotham questioned if getting a consultant is a common practice to do this? Liz stated yes it is. Councilman Foco stated they already gave \$10 million, so this is their

frustration. This will be addressed at first meeting next month. Kenny stated we want to compare apples to apples. We have lights on Main Street and that is a state road too. Let's look at the proposals and compare total transparency. Oscar stated Brad is speaking to the state for reimbursements for the lights also.

ENGINEER'S REPORT:

Jerry's Report:

Pond Road to old pond = Jerry stated the repairs are not done yet. And we did receive a letter of what they will be doing according to our requirements. Attorney Landry stated they hired a contractor to do this. It will be done according to the standards. We don't have a time frame yet.

Business Plan = Councilman Rousseau asked Jerry about the business plan he asked Mark for on lift stations. Jerry stated they are putting everything back together, and he will probably get it early next week.

Walter:

South Bernard Road = Walter stated he thinks we will have to go into executive session for this item. Don stated the ordinance is to be adopted Feb. 9th, but we will have to go into executive session for possible litigation

Al's Report:

New Sewer Pond = Al stated that they are still waiting on Specialty Contractors to see when they are coming back. Other phases are being done. The baffles are being stored in the warehouse.

ACCOUNTANT'S REPORT:

Monthly Report = Gene stated there are no real surprises. The Sales Tax for December was \$642,000 under budget and this month it went up. He feels once the oilfield picks up the sales tax will go back up. Everything else is in line.

ATTORNEY'S REPORT:

Utilities on Ambassador Caffery = Attorney Landry stated at the last meeting we were discussing utility issues with Mr. Reed. He has been checking around with other municipalities about the wiring.

Sewage Pond Road = Attorney Landry stated he worked on the project with Mr. Grooms and Mr. Savoie about the sewage pond road and he is sure something will be done soon.

Arbor Trace = Attorney Landry stated he hasn't heard anything from McClain Home Builders about Arbor Trace Subdivision yes? Mel stated he talked to Barry Bleachman and he stated he would do everything he has to do.

POLICE DEPARTMENT:

Yearly Report = Chief Decou gave the council the yearly stats. There was a decrease in call volume. There was also a decrease in traffic crashes and a reduced number of fatalities. Some of the theft calls went down. Violent crimes are pretty consistent. Felony arrests went up. Arrests numbers are consistent. We have been a lot busier from 2006 to present. If they have any specific areas they would like to discuss he asked them to please call him or come by. Councilman Rousseau questioned what are road hazardous? Chief Decou stated is when someone drops something out of their trucks. He thinks the alarm calls went down also; but he is still trying to work with those businesses for that. A lot of resources go to responding to alarm calls.

Salvage Units = Chief Decou stated that he has 3 police units that need to be declared salvaged. They were replaced by other units this during budget year. Chief Champagne has an Explorer and 2 old generators and a portable pump. Therefore it was moved by Councilman Guilbeau and second Councilman Rousseau to declare the following item salvage and advertise for sealed bids and no minimum bid requirement: 2004 Impala VIN # 4270; 2001 Crown Vic VIN #7580; 2001 Crown Vic VIN # 7560, 1998 Ford Explorer VIN #8472; Briggs and Stratton Generator Model #FP-42EN; Pincor Generator Model #PR-30HM5 and Hale Fire Pump Type FZ. Roll call:

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

Replacement Vehicle = Councilman Guilbeau questioned Chief Decou how is the officer that was in the accident? Chief stated he is back to work. He was running code to a vehicle that overturned and he was hit. The insurance company is totaling that vehicle. The settlement is for \$10,000 less the \$2500 deductible. It is still under investigation. He will need some funds to replace that car. The interior is still usable. He needs about \$25,000. Councilman Guilbeau moved and second by Councilwoman Batiste to amend the Police Capital Outlay Budget and add \$25,000 to replace the vehicle that was totaled in the accident. 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:

Annual Report = Chief Champagne gave them a copy of annual report. It also shows

the accomplishments that were done this past year. They are down in the amount of calls. If anyone has any questions, they can contact him. Councilman Rousseau questioned what is a good intent call? Chief Champagne stated it is a public service call like smoke detectors beeping. They are pushing training and certifications.

COUNCIL BUSINESS:

District I/Councilman Guilbeau:

St. Etienne Road = Councilman Guilbeau stated that he has been working with City Parish Government and he has talked to Mr. Theriot and he didn't even know the bids were awarded to H & S for overlay. He was going to look into it. He called him back and told him that St. Etienne would be done in January or February. He feels between Mr. Theriot and Mr. Bertrand we should get some help on this. Mayor Langlinais stated he got an e-mail from Mark that this will be on the tail end and probably should be in February.

At Large/Councilman Foco:

Sunday Closing Variance = Councilman Foco stated that he needs everyone to understand about the variances, if there are any problems they will not do this again. Councilman Bonin stated maybe not many bar owners will take advantage of this.

Mayor:

Highway 182 Sewage Project = Mayor Langlinais stated that when we were putting gravity sewer on Highway 182 from Movie Theatre to South Girouard Road; Larry told him the cost would be \$5400. He usually spends up to \$5500 without coming to council. However the total cost is \$15,400; \$5400 is just for the materials. This would pick up the two houses across the street and at the corner. Mel stated and in the future we can do South Girouard and Cote Glee Apartments. Al stated we are looking at Cote Glee and Maxie's and combining those flows to the sewage plant. Maybe in a year and half we might be able to do that. It was moved by Councilman Rousseau and second by Councilman Guilbeau to approve the Highway 182 sewage project for \$15,400. Roll call:

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

Parish Consolidation = Mayor Langlinais stated that there is actual talk about consolidation or re-consolidation. Some of the stuff they will do is non-sense. He requested the council give him feedback on this. He will say we need to undo consolidation government. The rural areas need to stand on their own. The cities should stand on their own and the taxes paid by our citizens should come back to the cities. That is his recommendation and he will put it in the form of a resolution. This would force the rural areas to incorporate, so there won't be any rural areas.

Executive Session:

It was moved by Councilman Bonin and second by Councilman Rousseau to go into executive session to discuss potential litigation of one piece of property on the future Bernard Road extension. 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 | |

Moved by Councilman Bonin and second by Councilman Rousseau to come out of executive session. 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 | |

It was moved by Councilwoman Batiste and second by Councilman Bonin to allow Mr. Reed to move forward with negotiations on future South Bernard Road extension project. 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 | |

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. Langlais, MAYOR

S/Tina M. Emert, CITY CLERK