

Minutes Of The
March 9, 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 Albert Romero, District VI
Councilman Johnnie Foco, At Large
Mr. Don Landry, City Attorney
Mr. Gene Chiarulli, City Bookkeeper
Jerry Grooms, City Engineer
John Linahan, City Engineer
Al Reaux, City Engineer
Walter Comeaux, III, City Engineer
Chief Brannon Decou, Police Chief
Captain Justin Denais, Fire Department
Elmer Girouard, City Supervisor
Larry Champagne, City Superintendent
Mel Bertrand, City Foreman
Kenneth Wainwright, City Foreman
Ms. Jeanne LaBorde, Candidate of 3rd Circuit Court of Appeals
Mr. Donald Sagrera, Teche-Vermillion Freshwater District
Mr. William White, resident
Mr. Donald Michell, resident
The St. Julien Family

Absent: Councilman Kenny Higginbotham, District V

Councilman Foco called the meeting to order and Jeanne LaBorde lead with the Pledge of Allegiance and a silent prayer was done our troops that are still overseas and for the father of Councilman Kenny Higginbotham who currently hospitalized.

Adopt minutes of the February 23, 2010 Regular Meeting = Moved by
Councilwoman Batiste and second by Councilman Rousseau to adopt the minutes of the
February 23, 2010 Regular Meeting. Roll call:

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

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

NEW BUSINESS:

Ms. Jeanne LaBorde re: Candidate for 3rd Court Circuit of Appeals = Ms. LaBorde introduced herself to everyone. She stated that she is a candidate for the 3rd Court Circuit of Appeals position, which is to be held this year. This district, 5-A, includes an overwhelming part of Lafayette Parish. 3rd Court Circuit sits on panels. She has been practicing in Lafayette all of her life. The reason she is seeking this position is because she has always been interested in all types of law. She is a resident in Broussard and is a member of Sacred Heart Church. She has 2 children and a step-daughter. She loves research. She is a fair straight forward person and would appreciate the council's support. She asked everyone to go out and vote.

Mr. Donald Sagrera re: Teche-Vermillion Freshwater District = Mr. Sagrera addressed the council. He stated there will be an issue on the March ballot to renew the property tax that supports the Teche-Vermillion Fresh Water District. Their project restores the freshwater back after the great flood of 1927. At one time the Vermillion was one of the most polluted rivers in the country. This is a 40 million project that the Federal Government built and it was turned over to the Teche-Vermillion Fresh Water District. He asked the council to keep in mind that this will be on the ballot on March 27, 2010. Councilman Foco questioned with the melt of snows, where do they decide how much they will pump in? Mr. Sagrera explained where the water will follow and how it is regulated. He stated that the pumps are turned off anytime Bayou Courtableau reaches the elevation it should be. It is a district wide election, so it is a total vote. It includes 4 parishes.

Mr. William White re: Complaint Music Nuisance = Mr. White addressed the council. He resides at 203 Delcy Drive. He is not here to shut down any bar down, he just wants a solution to his problem. This problem has been ongoing since Dec. 2008. He has reached out to the police department. He has called in 8 complaints. Each time the owner of the bar has responded and lowered the music. Councilman Foco questioned what time are the complaints? Mr. White stated between 10:30 and midnight. He lives at the dead end of Delcy. Mayor Langlinais stated we met with the owner of the bar one time and read him the riot act. Mayor Langlinais stated he met with them one time before and he did previously told them about the 3 strikes and you are out ordinance. Councilman Guilbeau explained about when he was called about the music, and he went out that night and he couldn't hear anything. Don stated the last meeting we discussed proposing a noise ordinance. Don stated he did prepare a Noise Ordinance and it discusses the regulating of unreasonable and excessive noise. This is the first attempt to help resolve this problem. Councilman Guilbeau requested that Chief Decou get the price on a decimal meter. Chief Decou stated that it is \$1495 for the meter cost and \$900 for the training. Don stated you can't apply the 3 strikes ordinance until you have the violations. Mr. White stated he is not looking to hurt the bar owner, he wants to meet at a threshold level. He is hoping that they can find some mutual agreement. Mayor Langlinais stated the meter will be bought

and meter used. Mr. White stated he understands it is a business district behind his house, but the fact you have a systematic sound going on and then you have to call the police department. The bar owner stated he has live entertainment every Saturday and he checks the sound out every Saturday night. He has his own personal decimal meter that he uses. Mr. White stated that he always leaves his name when he calls. Mrs. Linda Meaux stated she lives 2 houses down from Mr. White and she has been there 13 years and she has never heard any sound. Mrs. White stated that they call when it is louder than their television set and she stated that anyone is welcome to come to her house and listen when they contact the police department. Councilman Bonin stated that the ordinance doesn't state where it will be measured from. Don stated that the Chief did talk to him about this and they will revise the ordinance to include the distance. Walter stated that if it is the bass they are complaining about, it might have to be handled different because you feel the bass more than you hear it. The council instructed the Chief to purchase the decimal meter. Chief Decou stated the meter will measure the sound including the bass. Councilman Foco commended Mr. White for coming to the council and facing this head on about this. Chief Decou stated that they have gotten cooperation from both parties. Moved by Councilman Rousseau and second by Councilman Guilbeau to introduce Ordinance #10-357, which regulates unreasonable or excessive noise within the corporate limits of the City of Broussard, Louisiana. Roll call:

District I = Yea

District IV = Yea

District II= Yea

District V = Absent

District III= Yea

District VI = Yea

At Large = Yea

Ambassador Caffery Utility Servitudes and Final Zoning = Mayor Langlinais questioned Oscar about the servitudes. Oscar stated that it has been worked out with Ms. David. Mayor Langlinais stated that the Zoning ordinance has been adopted, with Ambassador Caffery area being the first area to be zoned. He has held off on finishing the mapping of the Caffery Corridor. Mayor Langlinais thanked him for his input. Mr. Donald Michell approached the council about the servitudes. Mayor Langlinais stated we sent him a request for utility servitude. Slemco has offered us a contract for \$71,000 for the underground electrical. Slemco is doing the engineering. He is holding them back because he doesn't have all the servitudes. We previously talked about assessment. Whenever we come forward we will try and get the developers to come meet us. We will use the TIF proceeds for infrastructure. With little luck you may not have that assessment in the future. He doesn't remember if he responded. Mr. Michell stated Ambassador Caffery fronts the southern boundary of his property. Thru expropriation he lost 2 acres. He wrote a letter to the city. He had a triangle section with trees. The trees were removed without his permission. He was only asking who authorized them to be removed and why and no one answered his letter. He stated he will allow userfraix to the property, but he will not sell it. He told this to Mike Billeaud and he has never heard from anyone. Mayor Langlinais stated the point is you are willing for us to use the property for water, sewer and electrical. We will let him pick the value and in the future he will be credited. Mayor Langlinais stated he spoke to Tex Plumley if they would be willing to swap out. Michell stated he wants be a sound barrier there, like planting trees there. His house is closer to South Morgan, than the red light. He has yet to hear from Tex and what the value of the property is. Mayor Langlinais stated he is willing to talk to Tex about this. Michell stated he has about 250

frontage. He is looking to putting a future facility behind his barn. Michell stated he feels he is owed an explanation on the trees. Larry stated the map that he has, didn't show that piece of the property that is why the trees were accidentally cut down.

Mr. St. Julien addressed the council. They received a map in the last the month. Mayor Langlinais stated instead of Slemco coming ask for the servitude, what we did we came up with hybrid servitude. Mayor Langlinais stated it is not a taking it as an on hold. At a point and time, we will try and get the developer come to meet us. They may not have a cost. Mr. St. Julien stated they have 9 individuals involved and he doesn't expect to see not anyone willing to give the servitude. The actual total servitude is 15 feet. Mayor Langlinais stated we are trying to keep it simple. Councilman Foco stated the utilities will be underground and the City of Broussard paid the difference for this. We are paying for the street lights and the difference. Mr. Bordelon stated the piece of equipment will be on the property line. Mr. St. Julien asked if there will be something forthcoming. Mayor Langlinais stated he can redraw the servitudes. Mayor Langlinais asked that he can go tell the developer or the other property owner to let them know that property is in a TIF District for the infrastructure.

OLD BUSINESS:

Hubert Romero Annexation = Don stated this ordinance was introduced at the last meeting, and he just wants to ratify it. It was moved by Councilman Rousseau and second by Councilman Guilbeau to reintroduce Ordinance #10-356, which provides for the annexation 10 south, range 4 east, and in section (s) 30 & 31, township 10 south, range 5 east, Lafayette Parish, Louisiana, being known as the Hubert Romero, et al annexation. Roll call:

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

Mayor Langlinais stated when we were introduced this; Lafayette was introducing the Vieux Chene Ordinance for the Caffery corridor. It is the same ordinance.

The maps are what will be changed.

John Linahan stated the annexation because of section we are giving to the city it is not contingent; he is more comfortable with doing these ordinances separate. The Ambassador Caffery/Bonin Annexation will be introduced at the next meeting. Chief Decou explained what they have on Highway 90. Chief Decou stated this will cause some problems. The annexation will be from the north curve to the outer portion. We will be traveling in Lafayette city to get to the businesses in the Broussard City limits.

ENGINEER'S REPORT:

Jerry's Report:

Jerry stated today they delivered the equipment for the sewer pond that is being stored in our building until it is to be used. The town employees did a super job in unloading the equipment.

John's Report:

John stated he had nothing else to report on.

Walter's Report:

Walter stated he had nothing else to report on.

Al's Report:

New Pond = Al stated that the contractor is waiting on a break in the weather. There is 5 to 6 feet of water in the pond. Hopefully if they can get in there soon, and be out in May or June.

Package Treatment Plants = Al stated that they have prepared an intent to apply for funding. From that point they will tell us where to go to get some funding.

ACCOUNTANT'S REPORT:

Gene stated that he had nothing to report on.

ATTORNEY'S REPORT:

Don stated he had nothing to report on.

POLICE DEPARTMENT:

Noise Complaint = Chief Decou stated that he feels things will be worked out regarding the noise complaint. The new noise ordinance will help them with situations like that. Councilman Guilbeau thanked Chief Decou for the help he gave him this week and appreciates the information he received about the decimal meter.

FIRE DEPARTMENT:

Captain Denais stated that he had nothing to report on.

COUNCIL BUSINESS:**District III/Councilman Rousseau:**

Thanks = Councilman Rousseau thanked Don and Chief Decou for the work on the noise ordinance and the decimal meters.

Councilman Foco/At Large:

Engine Brakes = Councilman Foco stated that two people asked him about engine

brakes on 18 wheelers. There are some without mufflers. He feels we need to do something about this. It helps to slow a vehicle with braking. Don will check with Chief Decou about this.

Executive Session = Councilman Foco stated that other parties are stating if it is legal for us to go into executive session? Don stated that he wouldn't allow it unless it was proper.

Mayor Langlinais:

Mayor Langlinais commented how the cost of the decimal meters has come down.

Adjourn the meeting = Moved by Councilman Romero and second by Councilwoman Batiste to adjourn the meeting. Roll call:

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

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

S/Charles E. Langlinais, MAYOR

S/Tina M. Emert, CITY CLERK