

**MINUTES OF THE
REGULAR MEETING OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF BROUSSARD, LA HELD ON
TUESDAY, April 9, 2019 AT 6:00 P.M. AT
414 EAST MAIN STREET, COUNCIL CHAMBERS**

Present: Mayor Ray Bourque, Councilwoman Angel Racca (District 1),
Councilman David Bonin (District 2), Councilman Jesse Regan (District 3),
Councilman Michael Rabon (District 4), Councilman Kenny Higginbotham (District
5), Councilman Ray Gary (District 6), Councilman Jeff Delahoussaye (At Large)

Staff: Tina Emert (City Clerk), Karen Fontenot (CFO), Don Landry (City Attorney),
Mel Bertrand (City Manager/Director of Public Works), Walter Comeaux (City
Engineer), Jeremy Hidalgo (COO), Annie Perret (Executive Asst. to the Mayor), Holly
Cope-Lynn (Director of Tourism & Communications), Brannon Decou (Police Chief),
Justin Denais (Deputy Fire Chief), Dennis Mouton (Asst. Fire Chief)

1. OPENING

1.1 Pledge of Allegiance was led by Mayor Ray Bourque.

1.2 Prayer was led by Councilman Gary

2. MINUTES

2.1 Acceptance of Minutes of the March 26, 2019 Meeting
Motion by Councilman Delahoussaye
Second by Councilman Higginbotham
to accept the minutes of the March 26, 2019 meeting.

Final Resolution: Motion Approved

YEAS: Angel Racca

David Bonin

Jesse Regan

Michael Rabon

Kenny Higginbotham

Ray Gary

Jeff Delahoussaye

3. RESOLUTIONS

- 3.1 Adopt Resolution #572-19, accepting the lowest responsive bid of two million five hundred sixty thousand twenty-three and 25/100 dollars (\$2,560,023.25) from Elliott Construction, LLC for the South Bernard Phase II Project

Moved by Councilwoman Racca

Second by Councilman Delahoussaye

Discussion: Daniel Hutchinson stated there were 5 bids received and we did come in \$139,000 under budget. Mayor Bourque questioned the timeline of the contract. Daniel stated after the contract is signed and recorded, we are looking at 60 – 90 days before the project starts.

Final Resolution: Motion Approved

YEAS: Angel Racca

David Bonin

Jesse Regan

Michael Rabon

Kenny Higginbotham

Ray Gary

Jeff Delahoussaye

- 3.2 Adopt Resolution #573-19, accepting the lowest responsive bid of five hundred forty-two thousand eight hundred and no/100 dollars (\$542,880.00) from Teche Construction Company for the Huval Sewer Extension Project

Moved by Councilman Gary

Second by Councilman Higginbotham

Discussion: Mark Savoie stated the project estimate was \$398,000 and the bids did come in over the estimate. Two contractors bided on the project. Mark stated that the council can approve it or re-bid it later. There were irregularities with the calculations for the low bidder, but he has corrected them and is still the low bidder. Mark stated that larger pumps were ordered for the additional \$150,000. Councilman Higginbotham questioned how low would it take to re-bid it? Mark stated we can wait 6-9 months when the contractors are not busy, but there is a development coming up that will need the sewer before then.

Final Resolution: Motion Approved

YEAS: Angel Racca

David Bonin

Jesse Regan

Michael Rabon

Kenny Higginbotham

Ray Gary
Jeff Delahoussaye

4. ORDINANCES FOR INTRODUCTION

- 4.1 Introduce Ordinance #19-599, amending the 2018/2019 operating budget of revenues and expenditures of the City of Broussard, LA by adding an additional one hundred fifty thousand and no/100 dollars (\$150,000.00) for the Huval Sewer Extension Project

Moved by Councilman Bonin

Second by Councilman Rabon

Final Resolution: Motion Approved

YEAS: Angel Racca

David Bonin

Jesse Regan

Michael Rabon

Kenny Higginbotham

Ray Gary

Jeff Delahoussaye

- 4.2 Introduce Ordinance #19-600, amending the 2018/2019 budget of revenues and expenditures of the City of Broussard for engineering for the waterline projects:
a) along S. Bernard Road from Heart De Farm Road to West Fairfield for \$27,000
b) along Ambassador Caffery Parkway from Louisiana Highway 89 to Bonin Road for \$27,000 and c) South Bernard Phase II from Main Street to Albertson Parkway for \$36,000

Moved by Councilman Gary

Second by Councilman Higginbotham

Discussion: Mayor Bourque stated that he is not recommending the construction of these waterlines right now especially on Bernard Road until the road is built.

Mel stated there is a development coming on the northwest corner of Ambassador @ Bonin and we currently do not have water in that area. Walter stated that we need to get the water system everywhere we incorporate.

Final Resolution: Motion Approved

YEAS: Angel Racca

David Bonin

Jesse Regan

Michael Rabon

Kenny Higginbotham

Ray Gary

Jeff Delahoussaye

5. OTHER BUSINESS

- 5.1 Ms. Kristy Hayes/Principal @ Billeaud Elementary
Request sign variance for digital sign at Billeaud Elementary
Moved by Councilman Delahoussaye
Second by Councilman Regan

Discussion: Ms. Hayes stated that they are in the process of building the sign. They are requesting a variance because it is a digital sign. The only purpose of the sign is for the message to parents and students. It will be 5 feet 1 inch tall and low to the ground. Mayor Bourque stated the rules is no LED signs within 500 feet of homes and there are homes within that that distance. His concern is the brightness of the LED sign. Ms. Hayes stated that she plans to dim the display settings at night. She added they will have a 4-lane car rider line and this will be beneficial to them. She will get her architect and the sign company on board with the settings of the sign. She will also make sure that after 9'o clock pm the lights on the sign will dim. Don stated subject to the info Ms. Hayes provided tonight; there should be no problem with granting them the variance after she consults with her architect and the sign company.

Final Resolution: Motion Approved

YEAS: Angel Racca

David Bonin

Jesse Regan

Michael Rabon

Kenny Higginbotham

Ray Gary

Jeff Delahoussaye

- 5.2 Mr. Donald Sagera w/Teche Vermilion Fresh Water District
Tax Renewal on the May 4th ballot

Mr. Ernest Girouard addressed the council in place of Mr. Sagera. He stated the renewal is for the Tech Vermilion Fresh Water District Proposition 1.5 Mills Tax. In 1970, the voters in Iberia, Lafayette, St. Martin and Vermilion Parishes approved a 1.5 mills property tax and the Teche Vermilion Fresh Water District has kept fresh water flowing ever since. The millage has been renewed by voters four times and over the last 45 years. The Teche Vermilion Fresh Water District has built a reserve, as required by the US Army Corps of Engineers for repairs and replacement. Corps approved engineering reports estimate the need for a \$32.8 Million reserve. Due to an agreement with the Corps, upon turning over the project to the parishes, the District can no longer receive federal funds, leaving this millage as the only source

of funding to maintain and operate the project. Mr. Girouard thanked the Mayor and Council for their time and appreciate the support

5.3 Mr. Bryan McClain

Discussion on the bid for annexation for Magnolia Trace Subdivision on Hwy 92. Mr. McClain stated he has purchased 22+ acres on Highway 92 for 86 homesites. This property is adjacent to the city limits on both sides. It will be a gate development with 3 – 4 acres of green space. After the sign was put up for the development, the response was over whelming. The current waterlines are on the opposite side of the road; but they will ask for water and they will put in a sewer package plant. Mayor Bourque stated it is a beautiful project; but there are 1 or 2 issues that Mel and Walter have concerns about. Mel stated Mr. McClain was asking for a variance on the set-backs from 20 feet to 15 feet. Most of the properties will be alley loaded without a lot of utilities in front. The lots are 50 – 75 feet wide and 100 – 130 deep. They have worked on this design for 2 years. Councilman Higginbotham questioned if the annexation was contingent on the variances? Mr. McClain state that he has preliminary plat with the Parish. Walter stated we can't do anything. With the parish the planning commission can grant the front setback variance, but with the City of Broussard it is up to the city council, not the planning commission. Walter stated his concern is how close the water lines will be to the house. Mr. McClain stated that he can move the waterlines closer to the road. Walter stated his concern is if the waterline breaks, and the roads are private who pays for the repairs, the city or the HOA. Walter added that after talking to Don, perhaps we can do a hold harmless agreement. Councilman Higginbotham stated if it is gated, then we don't have perpetual maintenance. Councilman Delahoussaye stated that if he does what we tell him to do and he signs off on the agreement and it is private, then it is HOA's problems after that. All we must do is put in each meter box at the time the water lines are being installed. Mr. McClain stated if a repair must be done, then it will on the HOA. Mayor Bourque stated these are the facts: a) the road will be private, 2) the City Manager and the City Engineer state in granting the 5 foot set back variance that the waterlines will be closer to the house, so they are suggesting to move the road and 3) repairs made could damage the road. Councilman Delahoussaye stated that after the tap is done when the meters are put in, all future damages like the roadway are not the city's responsibility that would be on the HOA. He added that we to listen to the expertise of our engineer, city manager and attorney. Mr. McClain stated that the only other way for him to get water is not annexing the property and he is put a master meter to serve the entire subdivision. Councilman Bonin questioned the size of the back yard? Mr. McClain stated they are all alley loaded have side yards 25 to 30 feet deep. Mayor Bourque asked each council member their feelings on annexation this property.

District 1/Councilwoman Racca stated she us undecided. She questioned if we choose not to annex then who is responsible for his water? Mel stated he will get a master meter and they will be up to the HOA to determine how they will bill the residents.

District 2/Councilman Bonin stated he is up in the air, but his vote will probably be no.

District 3/Councilman Regan thanked Mr. McClain for investment. He feels we should lean on the expertise of our City Manager, City Engineer and City Attorney.

District 4/Councilman Rabon stated he would lean the same way. No repairs done on the road and meter repairs for our liability.

District 5/Councilman Higginbotham stated he has no problems if a hold harmless document is done to prevent any litigation. This would prevent us from exposure from each residence. Don stated he can prepare a hold harmless agreement if the council so chooses to do so.

District 6/Councilman Gary stated he would grant the one variance for the 15-foot set back.

At Large/Councilman Delahoussaye said he has already expressed his feelings on this.

6. ADJOURNMENT

6.1 Adjourn Meeting

Motion by Councilman Higginbotham

Second by Councilman Rabon

To adjourn the meeting

Final Resolution: Motion Approved

YEAS: Angel Racca

David Bonin

Jesse Regan

Michael Rabon

Kenny Higginbotham

Ray Gary

Jeff Delahoussaye