

**MINUTES OF THE REGULAR MEETING OF THE MAYOR & CITY COUNCIL
HELD AT 6:00 P.M. ON THURSDAY, APRIL 8, 2010 AT THE YOUNGSVILLE CITY HALL:**

PRESENT: Mayor Wilson B. Viator, Jr., Councilman A.J. Bernard, Jr., (Div C), Councilwoman Brenda Burley, (Div B), Councilman Paul Huval, (Div A), Councilman Tim Barbier (Div D), Councilwoman Dianne McClelland (Div E), CEO Rick Garner, City Manager Charles Langlinais, and Municipal Clerk Rebecca Gondron

ABSENT: None

GUESTS: Scotty Carriere, Jerry Wiley, Charles Porter, Dana Martin, Perry Wilson, Larry Romero, Kay Haslam, Gus Dugas, Dordon Doerle, Tim Guillory, Carolyn Lowe, Amie Vanado, Kirk Huval, Dale & Brenda Langlinais, Bobby Guidry, Angie Scopes, John Sergi, Blaine Broussard, Linda Fox, Bill Fendor, and Raymond Reaux.

Mayor Viator called this regular meeting to order. Councilwoman Dianne McClelland led everyone in a Prayer and the Pledge of Allegiance.

Motion was made by Councilman A.J. Bernard, Jr., to amend the agenda to add Item 10-e-1 to discuss/introduce Ordinance No. 321: Annex Properties on Ambassador Caffery/Bonin Road area. Motion was seconded by Councilman Tim Barbier. Passed unanimously. Mayor Viator then introduced and welcomed Mr. Kirk Huval who is the manager of the newly constructed CVS Pharmacy here in Youngsville.

- (1) Mayor Viator discussed the Wastewater Operator's Agreement/Contract renewal from Gus Thibodeaux with A.P.T. Controls, Inc. addressing services for routine operations of the two (2) wastewater treatment plants (main facility and Crepe Myrtle Trailer Park), and twenty (20) lift stations. It is a three year contract with detailed specifications for operating services and maintenance program. This contract reflects a nine percent (9%) increase over the current contract which expires in April. Motion was made by Councilman Paul Huval and seconded by Councilman A.J. Bernard, Jr., to table this matter and bring it back to the council for consideration. Passed unanimously.
- (2) Resident Diane Langlinais did not attend tonight's meeting, therefore the matter concerning speeding on Railroad Street was cancelled.
- (3) Resident Troy Turner discussed a request for a sidewalk on Hawk Drive and presented a signed petition from residents who have safety concerns about children when going to play in the subdivision park since the increase in subdivision development. City Manager Charles Langlinais discussed this matter on ditch cleaning, culvert installation and easements. An estimate from Menard's Concrete works was obtained in the amount of \$7,165.00 for 306 feet of sidewalk. After discussion, motion was made by Councilman Tim Barbier and seconded by Councilwoman Dianne McClelland to table this matter and get a cost estimate to construct a sidewalk for the entire length of this street. This matter can be placed on a special meeting agenda which will probably called by Mayor Viator. City Manager Charles Langlinais stated that engineers would need to be involved. Passed unanimously. Petitions were given to CEO Rick Garner.
- (4) Robert Guidry with LaVilla Homeowners Association discussed the request to clean out the coulee located behind their subdivision. It is overgrown with trees and filled with trash. No action was taken by the Council, however, the Council agreed to have the city clean the coulee and remove the trash. Discussion is given on tape. Robert Guidry stated that if the city cleans it up, the residents will maintain it.

- (5) CEO Rick Garner discussed the five (5) proposals received for city waste pick up and removal; providing a 5 year contract for this service. See attachment submitted by Rick Garner for council consideration. Discussion is given on tape from residents with garbage pickup complaints which are to be addressed by the garbage provider. The lowest proposal submission is from Waste Management at the residential rate of \$12.39. The City currently charges \$14 per customer which includes recycling. Motion was made by Councilwoman Brenda Burley and seconded by Councilwoman Dianne McClelland to go with the lowest proposal (the one from Waste Management Inc.), and contract for 5 years. Our current contract will expire on May 31, 2010. Mayor Viator stated that we have received good proposal rates because of our City's recycling program participation. Motion passed unanimously.
- (6) As follow up from last month's regular meeting, CEO Rick Garner needs direction from the Council on the matter concerning the poor condition of the trailer home and structure located at 806-1/2 Church Street. The permit for remodeling the trailer will cost \$1,200.00. Property owner Donna Vincent will obtain the permit giving one year to complete; giving 30 days to clean up the property and demolish the other structure on this same lot. If not, then the City will do the cleanup work and a lien will be placed on the property as provided by our ordinance.
- (7) Discussion is given on the lot cleaning/junk removal and demolition of house located at 4400 Bonin Road on Krieg Road. A member of the Arthur family was present tonight and stated that the owner of the house is having it remodeled to live there. The cleanup process has begun and a building permit will be obtained. After discussion, a motion was made by Councilman Paul Huval and seconded by Councilwoman Dianne McClelland to give 30 days to clean up the property and start the process to remodel the home, and if not, then the City will pursue it legally. Passed unanimously.
- (8) Because of the city's repetitious installation caused sewerage failures, Mayor Viator is recommending to the Council to implement new subdivision regulations on sewer system policy, to address these problems. All new sewer mains installed in new subdivisions must be properly maintained, as described in the discussion and policy. New sewer drops or taps must be inspected and recorded as such by the City before covering with dirt. See attachment for regulations and refer to tape for discussion. Motion was made by Councilwoman Brenda Burley and seconded by Councilman A.J. Bernard, Jr., to approve and adopt the new subdivision development regulations on our sewer system policy. See attachment for detailed information and guidelines/regulations. Passed unanimously.
- (9) Because of the opening of the Chemin Metairie Parkway after the roadway repair work, Mayor Viator included on the agenda the matter of speed limit increases for council consideration. The Mayor recommends that from Hwy. 92 to Savoy Road, the speed limit be changed to 45 mph and from Savoy Road to Highway 89 it become 50 mph on the Chemin Metairie Parkway. Engineer Raymond Reaux stated the road was designed for 45 mph. After discussion, motion was made to Councilman Tim Barbier and seconded by Councilwoman Brenda Burley that from the roundabout at Rouse's Market all the way to the roundabout at Hwy. 89 that the speed limit be 45 mph. Councilman A.J. Bernard, Jr., Councilwoman Brenda Burley, and Councilman Tim Barbier voted in favor of this motion, with Councilman Paul Huval and Councilwoman Dianne McClelland against it. Motion carried.
- (10) Engineering Projects by Raymond Reaux, C.H. Fenstermaker & Associates:
 - (a) In reference to the Straightening of Hwy. 92, Engineer Raymond Reaux discussed the councils' option to allow this intersection to remain open to traffic during construction of the roundabout project which will cost an additional estimated funding of \$80,000.00 to \$100,000.00 from the City. Mayor Viator projects that he will have the appraisals, right-of-way agreements/signatures acquired and will send to Bill Eskew at Facility Planning & Control in Baton Rouge to proceed with this project. Motion was made by Councilwoman Brenda Burley and seconded by Councilman Tim Barbier to authorize the additional expenditures of \$100,000.00 to keep the intersection open during construction to

maintain traffic. Councilman A.J. Bernard, Jr., recused himself from voting with all the other council members in favor. Motion carried.

(b) The Chemin Metairie Parkway, Phase I, was re-opened to traffic. Some additional areas will need repair work. Engineer Raymond Reaux is awaiting a schedule from Contractor Glenn Lege. The contractor is owed approximately \$425,000.00 and Mayor Viator wants council to consider releasing some of this money, all but \$100,000. Mayor Viator will review the proposal and call a special meeting.

(c) Raymond Reaux stated that he is 30% complete on the final plans on the Chemin Metairie Parkway, Phase II. Mayor Viator is having difficulty with the Aillet and Provost Properties right-of-way acquisitions. The Mayor is asking for council approval to approach the Lafayette Parish School Board with the proposal that water will be made available to the school when built and there will only be boring across the road and they are requesting a sewer force main to go from the pump station to our sewer lift station across from Police Chief Earl Menard's residence. If they accept the agreement, then Councilman Paul Huval can sign on behalf of the City of Youngsville. Mayor Viator is asking for council authorization to approach the School Board with this offer. Resolution is to be adopted. Councilwoman Brenda Burley made the motion to allow the Mayor to negotiate with the Lafayette Parish School Board on behalf of the City of Youngsville for the Cooperation Endeavor Agreement. Motion was seconded by Councilman Tim Barbier. Passed unanimously. Another motion was made by Councilman Tim Barbier and seconded by Councilwoman Dianne McClelland to look at the remaining property owners of the Chemin Metairie Parkway, Phase II that have not signed and do whatever we can to obtain signatures on the purchasers/seller agreements. If not, then start the process of expropriations on them. Mayor Viator will hire Attorney Wade Trahan who specializes in property expropriations with Ottinger, Hebert, LLC. Passed unanimously. Raymond Reaux then recommends Gene Cope for the second appraisal needed for expropriations procedure.

(d) The private development report was reviewed by the council and briefly discussed by Engineer Raymond Reaux.

(e) The City of Youngsville will be annexing the Butcher Property on the Chemin Metairie Parkway, Phase II; the Verret Parcel that is not incorporated in our city limits, on the Straightening of Hwy. 92 Project, and the Aillet/Provost Properties on Chemin Metairie Parkway, Phase II.

(e-1) Mayor Viator discussed the amended agenda item regarding the introduction of Ordinance No. 321 to annex Bonin/Ambassador Caffery Properties consisting of 57 acres more or less, with a mile of highway frontage on Ambassador Caffery and ½ mile of prime commercial property on Bonin Road. Mayor Viator stated he kept this annexation process on a low key because of the controversy between Lafayette Consolidated Government and the City of Broussard. All the requested signatures have been obtained and he spent most of the morning at the Assessor's office making sure everything was correct, legal and in place. The Mayor recommended the annexation of this property into City of Youngsville. The Mayor contacted Mr. Mills and Mr. LaBorde in good faith but was unsuccessful, even their signatures are not needed; with the remaining property owners already signing. Councilwoman Brenda Burley stated that we should not jump into the fiasco of what's going on. Mayor Viator stated he has been working on this for about a month to obtain the necessary signatures for this annexation. He stated Youngsville has a chance to acquire frontage on a four-lane highway. Councilwoman Brenda Burley stated "she felt it was sneaky and underhanded the way we are doing it" and said it was a wonderful thing, though. Mayor Viator stated that we would be crazy not to annex that section. Councilman Paul Huval asked what the approximate cost would be for a waterline running from Atlas Road to the Ambassador Caffery Highway (approximately 300 feet), and answered approximate cost of \$30,000.00 or \$40,000.00 minimal. Councilman Paul Huval then stated he thought this was a great idea but the council was given this information this afternoon, he had several calls that afternoon, he had spoken to Mayor Viator, and he had already been listening to what was

taking place because of the Independent Gazette's information. Mayor Viator stated that there was no one else that knew of this annexation before tonight. Councilman Paul Huval responded that someone from the Annexation Department in Lafayette knew about it and they called to find out if it was on our agenda tonight. Councilman Paul Huval stated he had no problems with doing so but wanted this matter placed on the special meeting agenda next week to look at and doesn't want to put our constituents in any type of litigation between Broussard and Lafayette. Mayor Viator stated there won't be any law suits. We are introducing an Ordinance which will be up for final adoption thirty (30) days from tonight, and if there are any objections from anybody on whether we did anything wrong, they can come and contest the annexation. Mayor Viator stated strongly that everything was done right by law and we are missing the boat on this prime commercial development if we let anybody else get it, because that property has always been earmarked for Youngsville. Councilwoman Dianne McClelland asked if there were discussions with Lafayette Consolidated Government and Broussard about this matter. Mayor Viator responded that the only discussion with LCG was that they were annexing Ambassador Caffery all the way to the Golf Course to be able to run fiber-optics through the golf course to Faubacher Field where the library is being put. This is property owned by Lafayette. The City of Broussard is annexing property almost all the way to LaNeuveville and supposedly has introduced some annexation ordinances and introduced property owned by Evelyn Gauthier on the north side of Ambassador Caffery, not the south side. The Mayor asked "why shouldn't we annex this property?" which is prime commercial property which will hopefully get businesses that will generate tax revenues for Youngsville. Broussard spent \$10 million dollars on Ambassador Caffery to bring in business within their city limits. We don't annex anyone without the necessary signatures. Councilwoman Dianne McClelland stated that we got this information so late; we are not privy as to how municipalities come together and discuss this annexation. Mayor Viator stated they don't. Councilman Paul Huval stated he hasn't had a chance to look at this whatsoever because it was given when the meeting started tonight and knew nothing of it. Mayor Viator stated he did not want it to get out to the public to get calls from the Advocate & Advertiser & TV media and hear everybody bellyaching. We have the signatures. Councilman Paul Huval asked why we can't wait until the special meeting to comprehend what is taking place. Councilman Paul Huval asked what the rush was about this. Mayor Viator stated why should we lose this? Councilman Huval asked if the 6" waterline will feed the commercials that will be on that roadway for that one mile, and answered "not really, we know it won't because we have already gone through this whole procedure for the last ten (10) years and did not tie into the 16" waterline from LUS" unless we have an Intergovernmental Agreement. Mayor Viator stated that any land that is on our city limits, we can furnish them water. Councilman Tim Barbier stated that we are not thinking outside the box, if it cost \$30,000.00 to run a waterline there, what will be the return on the property on commercial investment in sales tax? Councilman Tim Barbier stated that he has never heard from the council at any time regarding whether or not Lafayette was going to file suit against Youngsville for annexing property and if you'll think that Broussard is going to sit there and think about what Youngsville is going to do before they annex property, you're sadly mistaken! Audience member Dana Martin stated that she did not know why anyone that is representing Youngsville wouldn't be more concerned about what is best for Youngsville and we need the tax dollars. Broussard has had prime real estate property with all of the stores for a long time. Youngsville has the opportunity to get this, then why in the world would you pass on that? As a citizen, we have been begging for that type of thinking and she doesn't understand it. Councilman Paul Huval stated he wanted to answer that. "First of all, we went from 1.3 million to 4.3 million dollars, so we have to really watch what we are doing and be conservative to the livelihood of the people, if we go and just really push expenditures on that; we don't know of any commercialism that is going to happen at that locations in time. I think it's a great idea, I'm just asking for a week." Councilwoman Dianne McClelland stated that she doesn't think we are trying to pass this up and we just got this information a little while ago. Dana Martin stated that this councilman is a member of Youngsville and not Broussard or Lafayette and that this council needs to think of the citizen of Youngsville. Councilwoman Dianne McClelland replied that we are; just want a little more information tonight. As representatives of Youngsville, we don't want this to be construed as being anything sneaky. So we need to understand this and she has never been involved in this fight so we

don't want this to be construed as been underhanded. And she is all for it. We can't vote on something that we don't have the information on. Mayor Viator stated that it is all raw land. Jerry Wiley stated that we don't want to pass this up, it's tax dollars for the city you can't afford to just sit around and push it off. Let's get the property. Perry Wilson stated that the Mayor and Raymond have done the work, and don't think they will do anything illegal. If this council doesn't act on it tonight, Broussard or Lafayette, tomorrow, will snatch it up, guarantee it! Mayor Viator stated it is raw land that can be developed commercially because for the simple reason, look what Rouse's has done for our sales tax. I can't give out figures; but our sales taxes have gone up in the last seven years 400% from \$45,000 to \$220,000 per month and that we have brought in 50 new businesses, Rouse's NuNu's, CVS, Farmers Drugs new facility, and if we have prime commercial development we are going to get businesses that will generate \$50,000 to \$100,000 per month on that mile of annexed property. We would be crazy not to annex it. Mayor Viator stated that he did it because he wanted to annex that property and make sure we got it; Broussard did not get it and Lafayette did not get it. The Mayor also stated that he has accomplished this and if the Council doesn't approve it tonight, then the Council is jeopardizing everything that was done. The Mayor further stated he would abide by what the Council says but just want to let everyone know that he is in full disagreement; it needs to be acted on tonight to annex it and get it done for the City of Youngsville. Postmaster John Sergi stated that the Postmasters have gotten together and it will be considered Lafayette until Bonin Road and from Bonin Road to Hwy 92 will be considered Youngsville for delivery purposes and then from Hwy. 92 to US 90 it will be considered Broussard. This has already been decided. Mayor Viator stated we are not annexing the highway, just the property. We are just introducing the ordinance tonight. Councilman Paul Huval stated that no one from this council would be foolish to say no to this annexation. It is a great avenue; it just came to the council at the last minute and it is hard to make a decision when it hasn't been read yet, and just received it tonight. With there being a special meeting on Monday or Tuesday, then why can't we bring it up then? Councilman Paul Huval stated that Broussard has been working on this for 8 months, so they already know about it. Mayor Viator stated that they don't have any signatures. Mayor stated he has the signatures. Why do you want to give Broussard the chance to go to these property owners and have them change their minds? That is what is being risked here. Mayor stated that he has spent a lot of time getting these signatures; we went to houses and visited and got the signatures. Mayor Viator stated he worked hard to get them; real hard and it is jeopardizing the whole annexation by not introducing it tonight. We are not asking for final adoption, we are asking for introduction. Councilman Paul Huval stated that in that case, the Mayor had done a good job, therefore he is introducing Ordinance No. 321 based upon what the public sees it as good and reasonably thinks we should wait but wants to introduce it by making a motion to accept Ordinance No. 321 as an introduction only. Seconded by Councilman Tim Barbier. Passed unanimously.

(f) Engineer Raymond Reaux stated that there has been slow progress on the water tank at Ascension School.

(g) In reference to the Bonin/Fortune Roundabout, the City of Youngsville has an Intergovernmental Agreement with LCG and is moving forward on the bidding around June of 2010. Working on expropriations.

(h) On the Bonin Road and Hwy. 92 Roundabout, Raymond stated that utility relocations are moving forward. Glen Lege Construction is the low bid contractor and has 15 days to execute the documents to forward to D.O.T.D.

(i) Engineer Raymond Reaux discussed the Fixed Base Water Meter System Project with funding through ARRA Funding with DEQ approval and inspections. Discussion is on tape. For Council information, the city has bid out the sewer upgrade project and will open bids on May 10, 2010. We are meeting with DEQ to secure the bonds for this project.

11. Motion was made by Councilman A.J. Bernard, JR., and seconded by Councilman Tim Barbier to approve the financial report; authorizing the bills to be paid. Passed unanimously.
12. Motion was made by Councilwoman Brenda Burley and seconded by Councilwoman Dianne McClelland to accept the regular meeting minutes of March 11, 2010 and the special meeting minutes of March 23, 2010; dispensing with the reading of same. Passed unanimously.

Audience comments are given on tape concerning the Sewer Upgrade, engineered by Domingue, Szabo & Associates. Mayor Viator stated that we are waiting to receive the bids to open them and we have nothing else to report. Mayor Viator then discussed the LCDBG Grant for Sewer System Improvements which is all in order. Engineer Adam Thibodeaux with Domingue, Szabo & Associates is handling this Sewer Lift Station/Improvement Project. Mayor Viator will make sure that someone is here to report about these two sewer projects from now on.

With no further agenda business to discuss, motion was made by Councilwoman Brenda Burley and seconded by Councilwoman Dianne McClelland to adjourn this meeting. Passed unanimously. This meeting was declared adjourned by Mayor Viator.

Wilson B. Viator, Jr., Mayor
City of Youngsville

Rebecca Gondron, CMC
City Clerk