

AGENDA
ST. LANDRY PARISH COUNCIL
REGULAR MEETING—WEDNESDAY, AUGUST 19, 2009—6:00 P.M.
ST. LANDRY PARISH COURTHOUSE, 118 S. COURT ST.
ST. LANDRY PARISH COUNCIL MEETING ROOM # 132
OPELOUSAS, LOUISIANA

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE & INVOCATION
by Councilman and Chaplin Jerry Red, Jr.

III. ROLL CALL

IV. CONDOLENCES

V. PERSONS TO ADDRESS THE COUNCIL:

- Coroner
- Representatives of Chimneyville Baptist Church of Washington
- Atty. Anna Simmons – Candidate for State Rep. Dist. 40

VI. APPROVAL OF MINUTES - Meeting date July 15, 2009.

VII. PARISH PRESIDENT’S REPORT

VIII. PUBLIC WORKS REPORT

IX. SPECIAL BUSINESS FOR DISCUSSION:

- Will Landry Bridge - \$44,000.00 estimate for labor and material to install a railcar over bridge.
- Culvert cleaning equipment purchased with solid waste revenue to be shared with municipalities.
- Reinstate and reconstitute the “Old City Hall Commission” under the title “St. Landry Parish Historic Commission” with present members reinstated and additional members added.
- No additional information has been received from the Sheriff’s Dept. regarding the application of Step & Strut Trail Riders November 6, 7 and 8, 2009.

X. ORDINANCES TO BE ADOPTED:

- **AN ORDINANCE OF THE ST. LANDRY PARISH CODE OF ORDINANCES TO AMEND
ORDINANCE 2005-0009**

Amend Ordinance No. 2005-0009 to include the following street(s):

3. Veteran’s Drive

Amend Ordinance 2005-0009 of the Parish Ordinances titled “An Ordinance of the St. Landry Parish Code of Ordinances to Establish Rules and Regulations for Erection and Maintenance of Speed Bumps as a Traffic Control Device within the Parish of St. Landry, State of Louisiana” to add the following section:

Streets and Roads to have Speed Bumps Installed:

1. Rayne Road, Port Barre
2. Crimson Street, Opelousas
3. Megan Drive
4. Suzanne Dejean Road
5. Rainbow Drive
6. Gilbert Drive
7. Anita Drive
8. Harold Street
9. Allen Street
10. Veteran’s Drive

▪ **AN ORDINANCE TO AMEND AND RE-ENACT
ORDINANCE 2007-006 PURSUANT TO
LA. R.S. 47:2201, et seq**

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XI. ORDINANCES TO BE INTRODUCED:

- **Summary No. 013 OR**

Chapter 11.5. SOLID WASTE MANAGEMENT

- **Summary No. 014 OR**

**A PROPOSED UTILITIES ORDINANCE PENDING
ST. LANDRY PARISH COUNCIL APPROVAL**

LA R.S. 33:4361(A) sets forth:

“Police juries may, subject to any conditions, regulations, and restrictions which they impose, grant franchises or operating system over the public places, roads, streets, and alleys of their respective parishes, not within the limits of any municipality, to any person...”

Further, Louisiana statutes describe utilities in LA R.S. 40:1749.12(10) as follows:

“‘Underground facility or utility’ means any pipe, conduit, duct, wire, cable, valve, line, fiber optic equipment, or other structure which is buried or placed below ground or submerged for use in connection with storage, conveyance, transmission, or protection of electronic communication system, telephone or telegraph system, or fiber optic, electric energy, oil, natural gas, gas, gases, steam, mixture of gases, petroleum, petroleum products, hazardous or flammable fluids/gases, toxic or corrosive fluids/gases, hazardous fluids/gases, or other substances of like nature or water or water systems, sewer systems, or traffic, drainage control systems, or other items of like nature.”

**AN ORDINANCE OF THE ST. LANDRY PARISH CODE OF ORDINANCES TO
ESTABLISH REGULATIONS FOR THE INSTALLATION AND MAINTENANCE
OF UTILITY LINES**

XII. ORDINANCES TO BE DISCUSSED

XIII. RESOLUTIONS

- Appoint three members to Public Works Dist. No. 5 for a two year term, 07/22/2009 through 07/22/2011. Two applications were received:
 - Albert Hardy, Sr.
 - Stephen Buller
- Appoint one member to St. Landry Gravity Drainage Dist. No. 14 in replacement of the resigned Ellis Fontenot. One application was received from the President of the St. Landry Gravity Drainage Dist. No. 14, Arthur Lee Theiryry
 - Debra M. Thomas

XIV. LITIGATION REPORT

XV. COMMITTEE MINUTES:

- Approval of Public Works and Administrative Finance Committee Minutes

**ST. LANDRY PARISH COUNCIL
PUBLIC WORKS COMMITTEE
MONDAY, August 3, 2009 @ 6:00 P.M.
ST. LANDRY PARISH COURTHOUSE, 118 S. COURT ST.
ST. LANDRY PARISH COUNCIL MEETING ROOM #132
OPELOUSAS, LOUISIANA**

MINUTES

1. The meeting was called to order by Chairman, Ronald Buschel;
2. Chairman Buschel requested roll call;
PRESENT: Fekisha Miller, Kenneth Vidrine, Glenn Stout, Jay Guidry, Jimmy Edwards, Ronald Buschel, Chairman, Leon Robinson, Ex-Officio. ABSENT: None.
Council Chaplin Jerry Red, Jr., led the Pledge of Allegiance and Invocation;
3. Melvin Bradley of 114 Old Spanish Road of St. Landry Parish addressed the council regarding a complaint of trash at the intersection of Old Spanish Road and Fleur de Coteau Road.
4. Tim Marks requested the committee review a proposed Garbage Ordinance to address the problem Mr. Bradley presented. The ordinance will require owners/occupants to follow a set time frame for placement and removal of garbage containers.
5. Kenneth Vidrine asked if residents can be required to print name/address or some sort of identification on their garbage cans.
6. A motion was made by Jimmie Edwards and seconded by Kenneth Vidrine to forward to the full council a proposed Garbage Ordinance. Without objection, this motion will be forwarded to the full Council.
7. Curley Collins of 257 Anointing Drive, of Opelousas, addressed the committee regarding tall grass, pests, potholes and safety hazards in the subdivision in which he resides.
8. Tim Marks advised that Anointing Drive subdivision is located in is a private development. The road does not meet the required specifications in order to be considered for acceptance into the Parish. Also, the street is not attached to another state or public road as required. An attempt has been made in the past to contact the developer, Chris Vidrine, concerning these problems. Mr. Chris Vidrine is responsible for the maintenance of Anointing Drive.
9. Ronald Buschel advised the residents to submit a copy of the deeds of the subdivision to Mr. Tim Marks which state who the developer is and if the subdivision is located on a private road. He further advised that the parish cannot perform work on private roads and that they would have to seek the advice of an attorney.
10. Pam Gautreau questioned if the nuisance ordinance would allow the parish to act on the complaint of the tall grass. Tim Marks advised that the parish can go onto private property to address a complaint of tall grass.
11. Torry and Dave Lemelle addressed the committee regarding application for a trail ride permit for Step-N-Strut Riders, November 6, 7 and 8, 2009, at 437 Zydeco Road for an estimated 3000 attendees.

Chairman Ronald Buschel advised that a letter is required from the Sheriff's Dept. regarding the ride in order for application to be complete and for the Council to consider approval.
12. Public Works Director, Tim Marks, presented a proposed Utilities Ordinance that states a minimum depth requirement for cables, fibers, pipelines, electrical, heat, light or various forms of utilities of a minimum of 36 inches in depth below the surface of the ground.
13. A motion was made by Jay Guidry and seconded by Glenn Stout to forward the proposed utilities ordinance to the full council. Without objection, this motion will be forwarded to the full Council.
14. Tim Marks reviewed a section of the proposed Garbage Ordinance where it is addressed that garbage cans and waste receptacles are required.
15. An estimated cost for labor and material for installation of a railcar over the existing Will Landry Bridge structure is \$44,000.00
16. A motion was made by Jay Guidry and seconded by Glenn Stout to forward to the full Council the estimate of \$44,000.00, presented by Tim Marks, for the labor and material to install a railcar over the existing Will Landry Bridge. Without objection, this motion will be forwarded to the full Council.
17. Jay Guidry requested an evaluation of Live Oak Road with the possibility of installing a railcar there for repair.

18. Don Menard requested a motion from the full council to state that since culvert cleaning equipment is purchased with solid waste revenue, that municipalities be allowed usage of this equipment. Committee member Jimmie Edwards motioned and was seconded by Glenn Stout, that such request be forwarded to the full Council. Without objection, this motion will be forwarded to the full Council.
19. A motion was made by Glenn Stout and seconded by Jay Guidry that the Public Works report be accepted as presented. Without objection, this motion will be forwarded to the full Council.
20. Clerk of Court, Charlie Jagneaux, addressed the committee requesting that the council consider reconstituting the Old City Market Commission. He requested reappointing the existing members and adding new members.
21. Ronald Buschel requested that Mr. Jagneaux submit, in writing, an operating procedure of the number of commission appointments to be made and what members' responsibilities would be. Mr. Buschel also requested that the written description state that a specified number of absences from advertised meetings would result in ejection from the commission.
22. A motion was made by Glenn Stout and seconded by Jimmie Edwards to forward to the full Council the request to reinstate and reconstitute the "Old City Hall Commission " under the title of St. Landry Parish Historic Commission. A further request to be forwarded with this motion includes that present members be placed on the commission with the addition of more. Without objection, this motion will be forwarded to the full Council.
23. Don Menard reviewed plans for three public hearings to all opportunity for citizens' input on needs relative to the Community Development Block Grant.
24. Mr. Menard informed the committee that the examining coroner of our parish has been paying the \$100.00 fee for required Certified Examiner's Certificates. The state statute requires this fee to be paid by the governing authority. The parish will begin covering CEC fees and the budget for the coroner will be increased next year.
25. Parish President, Don Menard, presented revenues and expenditures to the committee. A project was presented on plans to turn part of the front steps of the courthouse building into a handicapped ramp due to numerous break-downs of the handicapped elevator.

A contract has been signed for renovations to begin at Old City Market.
26. A motion was made by Glenn Stout and seconded by Jimmie Edwards to accept the Parish President's Report as presented.
27. A motion was made by Fekisha Miller and seconded by Kenneth Vidrine to take no action on an ordinance regarding regulations for residential fences.
28. Ronald Buschel shared that a contract regarding soil conservation in North St. Landry Parish has been signed to remove hurricane debris from three bayous running from Morrow to Palmetto, the bayou that runs from Morrow to Big Cane, and bayou that runs from Wauksha to Palmetto.
29. Fekisha Miller requested ideas for road improvement. Jerry Red shared that in conversations with constituents, they voiced opposition against any taxes put on the ballot. Mr. Red told them that there is nothing to generate funds and requested they reconsider a tax on the ballot. Mr. Red suggested the Council do more research and attempt to work together.
Ms. Miller requested that council members work together on communicating to the public how the tax would help.
30. Fekisha Miller asked Mr. Buschel if something could be done as far as him giving up what he has in his district if it could benefit the entire parish. She stated that she feels as if the Charter is followed to a certain extent but if a topic of discussion specifically affects District 5, options are not considered.

Mr. Buschel stated that District 3 had the highest millage rate. Ms. Miller answered that the reason was due to no available assessment.
31. Chairman Buschel called for motion to adjourn. Glenn Stout made a motion to adjourn.
32. Ms. Miller argued that the meeting could not be closed while there was still an ongoing discussion according to Robert's Rules of Order. The meeting was not re-opened for continued discussion.

Submitted by:
/s/ Ronald Buschel, Chairman

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE.
NOVELLA RICHARD, COUNCIL CLERK

ADMINISTRATIVE/FINANCE COMMITTEE
IMMEDIATELY FOLLOWING THE PUBLIC WORKS COMMITTEE
MONDAY, August 3, 2009

Minutes

1. Meeting was called to order by Committee Chairman, Albert Hollier;
2. Chairman Hollier requested roll call;
PRESENT: Jerry Red, Jr., Pam Gautreau, Dexter Brown, Gary Courville, Albert Hollier, Chairman, Leon Robinson, Ex-Officio. ABSENT: Hurlin Dupre.
3. Don Menard presented the report of revenue and expenditures.
4. Gary Courville asked for an explanation of how fees could be collected on vehicle inspection stickers. Mr. Menard recalled research from 2004 which revealed a lot of hurdles on inspection sticker fees. Legislative approval is required. The collection process would be difficult and the bond amount issued must be collected.
5. Gary Courville questioned the expected amount collected from a sales tax in rural areas. Mr. Menard recalled the last sales tax election that barely passed. He advised trying to better manage funds that are currently being collected.
6. A motion was made by Pam Gautreau and seconded by Jerry Red to forward to the full council the consideration of a lease agreement with the town of Sunset on a lot located at 146 Castille Street. Sunset, LA, for a fee of One Dollar per year for a period of two years. The vote was as follows: YEAS: Jerry Red, Pam Gautreau, Dexter Brown, Gary Courville. NAYS: None. ABSENT: None.
7. A motion to adjourn was made by Gary Courville and seconded by Jerry Red.

Submitted by:

/s/ Albert Hollier, Chairman

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE.
NOVELLA RICHARD, COUNCIL CLERK

XVI. OTHER BUSINESS

XVII. ADJOURNMENT