

CITY OF OPELOUSAS
OPELOUSAS, LOUISIANA
REGULAR MEETING MINUTES
NOVEMBER 8, 2011

The Council of the City of Opelousas, Parish of St. Landry, State of Louisiana, convened in a regular session on this 8th of November 2011 at 5:00 p.m.

With Mayor Donald R. Cravins, Sr. presiding, the meeting was called to order.

The Mayor requested the City Clerk to call the roll and the following Council members were PRESENT: Joseph Charles, Louis Butler, Jr., Blair Briggs, Reginald Tatum, and Jacqueline Martin. ABSENT: Julius Alsandor.

A moment of silent meditation was observed and Alderman Joseph Charles led the Pledge of Allegiance.

On a motion by Alderman Louis Butler, Jr., seconded by Alderman Joseph Charles and unanimously carried, it was resolved to approve the minutes of the Regular Meeting held on 10/11/2011.

On a motion by Aldermen Joseph Charles and Blair Briggs, seconded by Alderman Reginald Tatum and unanimously carried, it was resolved to adopt the agenda with the following changes: **deleting under the PRESENTATIONS Section, Item No. 14, "Discussion regarding adoption of budget"; adding under the PRESENTATIONS Section, Item No. 15-4, "Award Bids for Hiram Street Bridge Project".**

PRESENTATIONS

Presentation for recognition of the Employee of the Month. The Employee of the Month chosen for October 2011 is Ms. Charlette McLendon. Ms. McLendon has been employed in the Mayor's Office for four (4) years. She has five (5) children and is married to Captain Martin McLendon.

Presentation by Mr. Joseph Citizen regarding an ordinance for horses in the City. Mr. Citizen distributed information regarding the existing ordinance. Mayor Cravins pointed out that this ordinance will probably have to be revised. He stated that he will have Attorney Frank Trosclair review the ordinance. No action taken at this time.

Presentation by Rev. Walton Dunbar regarding the street name change for Jefferson Street. Rev. Dunbar presented a resolution to amend Resolution No. 1 of 2010. This resolution would reflect an honorary name change of Jefferson Street which would not affect emergency or mail services. This item was tabled to be discussed at next month's meeting. No action taken at this time.

Discuss request for approval for CONDITIONAL USE of property in NMU (Neighborhood Mixed Use) Zone located at 1203 S. Union Street to open an Outreach Ministry Office (Pam Harmon/Melissa Thomas-Espree). A public hearing regarding this matter was held by the Planning Commission on 11/07/2011. The Commission approved the request. On a motion by Alderman Blair Briggs and seconded by Alderman Reginald Tatum, it was resolved to APPROVE the request for CONDITIONAL USE of property in NMU (Neighborhood Mixed Use) Zone located at 1203 S. Union Street to open an Outreach Ministry Office (Pam Harmon/Melissa Thomas-Espree). A roll call vote was taken with the following results:
YEAS: Joseph Charles, Louis Butler, Jr., Blair Briggs, Reginald Tatum, and Jacqueline Martin.
NAYS: None.

ABSENT: Julius Alsandor.

Discuss request for approval for CONDITIONAL USE of property in C1 (Commercial) Zone located at 524 E. Landry Street to expand building and open a Poker Room (ASAD Enterprises, Inc). A Public Hearing regarding this matter was held by the Planning Commission on 11/07/2011. The Planning Commission decided to table the item but since then Mr. Swait has rescinded his request for Conditional Use for the Poker Room. Ms. Rosemary St. Clergy stated that the main reason was because there were several instances in ordinances already on the books that prohibited poker rooms. This item was deleted.

Discuss request for approval for ZONING CHANGE TO C1 of property in R1 (Residential) Zone located at 2829 Ducharme Road to open an evacuation site for nursing home residents and for St. Landry Parish Sheriff Administration Offices (LECC Opelousas LLC). A public hearing regarding this matter was held by the Planning Commission on 11/07/2011. No one was present at that meeting to represent LECC but there was an extensive discussion between the Planning Commission as well as some of the residents from that area. The Commission sent a recommendation to deny the request. Mr. Felix Pavy spoke regarding this matter. He and his family own property directly across from the old Senior Village Nursing Home. He spoke to the attorney for the Sheriff's Department, Mr. Chad Pitre, who stated to Mr. Pavy that the Sheriff no longer wants the property. Mr. Pavy stated that a petition was signed by all property owners from Ducharme Road with the exception of one property owner. Mr. Pavy feels that this property needs to be razed and simply turned into residential property in order to maintain the other homeowners' property values. Mayor Cravins suggested that Ms. Doucet contact the property owner and have them attend the next meeting to voice their intentions. On a motion by Alderman Blair Briggs and seconded by Alderman Reginald Tatum, it was resolved to DENY the request for ZONING CHANGE TO C1 of property in R1 (Residential) Zone located at 2829 Ducharme Road to open an evacuation site for nursing home residents and for St. Landry Parish Sheriff Administration Offices (LECC Opelousas LLC). A roll call vote was taken with the following results:

YEAS: Joseph Charles, Louis Butler, Jr., Blair Briggs, Reginald Tatum, and Jacqueline Martin.

NAYS: None.

ABSENT: Julius Alsandor.

Discuss request for approval for VARIANCE of property in R1 (Residential) Zone located at 802 Paggo Street to build a new home (Rita Woods). A public hearing regarding this matter was held by the Planning Commission on 11/07/2011.

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The original home was demolished because repairs would have been too costly. The homeowners were able to secure a loan to build a new home and they are requesting that the setbacks to be as the old setback was before the new zoning change. The new zoning change requires setbacks to be 25 feet from the street and 25 feet from the back property line. The old setbacks were 20 feet from the street and 18 feet from the back property line. The Commission approved the request. On a motion by Alderman Reginald Tatum and seconded by Alderman Louis Butler, Jr., it was resolved to APPROVE the request for VARLANCE of property in R1 (Residential) Zone located at 802 Paggo Street to build a new home (Rita Woods) with old setback requirements of 20 feet from the street and 18 feet from the back property line. A roll call vote was taken with the following results:

YEAS: Joseph Charles, Louis Butler, Jr., Blair Briggs, Reginald Tatum, and Jacqueline Martin.

NAYS: None.

ABSENT: Julius Alsandor.

Discuss request for approval for VARLANCE of property in C2 (Commercial) Zone located at 1236 E. South Street to place a mobile home (Rev. Woodrow Thompson). A public hearing regarding this matter was held by the Planning Commission on 11/07/2011. There was one opposition to the request at the meeting. Rev. Thompson is requesting that a mobile home be placed on his existing property to accommodate his grandson's need to provide a home for his children who recently lost their mother. Alderman Tatum pointed out that this is in Alderman Alsandor's district. Alderman Briggs stated that they have ordinances in place. His recommendation is that they stick with the ordinance and not allow the variance. Ms. Nelda Boswell Broussard owns the property located next to the proposed site for the mobile home. She and her sister are opposed to the request for the variance. This item was tabled until Alderman Alsandor could be present to discuss the matter.

Discussion regarding adoption of budget. Alderman Julius Alsandor, Budget Committee chairman, was not in attendance; therefore, this item was deleted.

Engineer's Monthly Status Report. Mr. William Jarrell requested that the Council take action regarding the awarding of the bid for the Hiram Street Bridge Project. Mr. Jarrell stated that the Council had received a letter from him regarding a recommendation for award of the contract to the low bidder, Cecil Gassiot, Inc. The original bid that was received in September was over budget by approximately \$25,000.00. Morgan Goudeau & Associates negotiated a change order to make changes to reduce the cost. On a motion by Alderman Blair Briggs and seconded by Alderwoman Jacqueline Martin, it was resolved to award the contract in the amount of \$346,500.00 to Cecil D. Gassiot, LLC for the Hiram Street Bridge Project (MGA Project B#130) and approve the Change Order No. 1 in the deductive amount of \$28,000.00, thus effectively changing the contract amount to \$318,500.00 which is within the funds available for construction. A roll call vote was taken with the following results:

YEAS: Joseph Charles, Louis Butler, Jr., Blair Briggs, Reginald Tatum, and Jacqueline Martin.

NAYS: None.

ABSENT: Julius Alsandor.

PUBLIC HEARINGS

Pursuant to advertisement in the Daily World, a Public Hearing was opened at 5:40 p.m. concerning the following properties:

- a. John Edward Brooks, 423 E. Grolee Street (Burned Wood Frame Structure) – Mr. Brooks met with Mrs. Doucet on today regarding this matter. The property is located within the Historic District. The house was burned in February and the original owner gave the house to Mr. Brooks and he went before the Historic District to request restoration of the house. Mr. Brooks addressed the Council and stated that his plan was to restore the house because it is in the Historic District. He stated that only the part of the house burned in the back but he does not have the funds to start with the repairs. Dr. Rosemary St. Clergy stated that there might be tax incentives available. Mr. Brooks stated that he needs at least six (6) months to make repairs. Mayor Crawins suggested that Mr. Brooks bring a plan of what he wants to do before the Council next month. This property is located in Alderman Alsandor's district. No action taken at this time.
- b. Mary Egby Parker, 1727 Caddo Street (Burned Wood Frame Structure) – This property is located in Alderman Butler's district. Mrs. Doucet stated that Ms. Parker is deceased and her granddaughter contacted them about having the structure demolished. Recommendation is for demolition.
- c. Bryant Ledet, 227 W. B Alley, Deeded 2008 Parish Taxes (Burned Wood Frame Structure) – Since the time that Mr. Ledet was notified, this property has been sold to someone else in a Parish tax sale. The property will be re-advertised for public hearing under the new owner's name; however, Mrs. Doucet's recommendation is for demolition. This property is located in Alderman Butler's district.
- d. Eirita Rideaux Savoy, 508 S. Academy Street (Abandoned Wood Frame Structure) – Recommendation is for demolition because this property has been abandoned for several years.

At this time, Dr. Rosemary St. Clergy inquired about the house that was located near South Street Elementary that was discussed once before and the property owner was given forty-five (45) days to make repairs. Mrs. Doucet stated that the property was still in the same condition and that the matter would be brought back before the Council to make a final decision based on her recommendation.

The Public Hearing was closed at 5:51 p.m.

On a motion by Alderman Reginald Tatum and seconded by Alderman Joseph Charles, it was resolved to accept the recommendations regarding the aforementioned properties. A roll call vote was taken with the following results:

YEAS: Joseph Charles, Louis Butler, Jr., Blair Briggs, Reginald Tatum, and Jacqueline Martin.

NAYS: None.

ABSENT: Julius Alsandor.

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RESOLUTIONS

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE ST. LANDRY PARISH SOLID WASTE DISPOSAL DISTRICT FOR "LOAN FOR USE" OF EQUIPMENT.

On a motion by Alderman Blair Briggs and seconded by Alderman Louis Butler, Jr., the following Resolution was offered for adoption:

RESOLUTION NO. 28 OF 2011

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE
ST. LANDRY PARISH SOLID WASTE DISPOSAL DISTRICT FOR

"LOAN FOR USE" OF EQUIPMENT

WHEREAS, both St. Landry Parish Solid Waste Disposal District, (hereinafter sometimes referred to as "LENDER") and City of Opelousas, (hereinafter sometimes referred to as "BORROWER") are public bodies and political subdivisions of the State of Louisiana; and
WHEREAS, R.S. 33:1321, et seq., allows the entering of cooperative agreements between such entities with the purpose of encouragement of greater economy and efficiency in the operation of local services; and
WHEREAS, both parties desire and seek to remove solid waste, debris and refuse from the City of Opelousas in a economic and efficient manner; and
WHEREAS, the requirement of debris, refuse and garbage collection and removal is continuously needed throughout the City of Opelousas; and
WHEREAS, the DISTRICT has allocated the funds to be divided amongst municipalities and parish government within St. Landry Parish, and
WHEREAS, Louisiana Civil Code Article 2891, et seq., allows parties to contract for the loan of certain items which may be used by the borrower and returned at a later date.
WHEREAS, both parties verify that this agreement has been approved by ordinance or resolution of its governing body at a regular or specially called meeting; and
WHEREAS, both parties deem this is in their best interest and the interest of their constituents to enter into this cooperative agreement.
NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and other valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereto agree to loan and borrow respectively the following described movable property to wit:

FOR DEBRIS MANAGEMENT

One Used Roll-Off Truck (SW8) VIN#1FDADF57F0XED60064

One Used Case Industrial Front Loader SER#480#11

24 Used 10 and 12 CU YD Roll-Off Containers

For a period of five (5) years, from November 1, 2011 through November 1, 2016

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Aldermen of the City of Opelousas do hereby authorize Mayor Donald R. Gravins, Sr., to enter into an intergovernmental agreement with the St. Landry Parish Solid Waste Disposal District for "Loan for Use" of Equipment.

The above resolution having been submitted to a roll call vote was adopted as follows:

YEAS: Joseph Charles, Louis Butler, Jr., Blair Briggs, Reginald Tatum, and Jacqueline Martin.

NAYS: None.

ABSENT: Julius Alsandor.

Done and signed this 8th day of November, 2011.

ATTEST:

CITY CLERK

MAYOR

CONSENTS

On a motion by Alderman Louis Butler, Jr., and seconded by Alderman Reginald Tatum, it was resolved to approve the amended Personnel Action Form for the reinstatement of fourteen (14) calendar days (one hundred sixty hours) of suspension and departmental seniority as listed by dates on corrected Personnel Action Form for Permanent Police Lieutenant Mark E. Semien, effective 10/03/2011, based on Governing Authority's action being overruled by the 27th Judicial District Court at a hearing held on 05/17/2011.

On a motion by Alderman Louis Butler, Jr., and seconded by Alderman Reginald Tatum, it was resolved to grant authority to advertise a Public Hearing regarding the following properties:

- a. Mary R. Lancelos, Gerald Fontenot, T/S, 227 W. "B" Alley (Burned Wood Frame Structure)
- b. Amelia Carrier, C/O Donald R. Cassimere, 1316 Montreal Street (Burned Wood Frame Structure)
- c. Joseph P. Thomas, C/O Catherine Rideau, 727 Perry Lane (Abandoned House)

Alderman Joseph Charles stepped out of the room prior to the roll call vote. A roll call vote was taken with the following results:

YEAS: Louis Butler, Jr., Blair Briggs, Reginald Tatum, and Jacqueline Martin.

NAYS: None.

ABSENT: Julius Alsandor.

ANNOUNCEMENTS

At this time, Ms. Karen Frank updated the Council on a lawsuit that was filed by Ronald and Tiffany Jenkins. The lawsuit was settled in court in September for general damages of \$13,121.00 for Mr. Jenkins and \$13,277.50 for Mrs. Jenkins. The matter of payment of the judgment amounts to Ronald and Tiffany Jenkins was tabled until Attorney Trosclair has to opportunity to review and discuss the matter with the former legal counsel, Attorney Pride Doran.

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Mr. Wilbert Levier addressed the Council regarding the Municipal Civil Service Board and his concern that there is no employee representation on that Board. Mayor Cravins pointed out that it is a question of whether it is a constitutional provision or a statutory provision. Mr. Levier stated that it was said that the employee members were appointed illegally; however, he pointed out that they were not appointed but that they were elected to the Board by the other City employees. Mayor Cravins stated that the problem was the way the legislation was done—it should have been part of a constitutional amendment because the creation of that Board was done constitutionally and not statutorily. Mayor Cravins assured Mr. Levier that he is not in opposition to his issue at all—the way to do it is at issue. Mr. Levier also had an issue with the names that were submitted by the universities. He stated that all three vacancies were filled from the universities. He is asking that those names be rejected because it was not done properly. Next, Mr. Levier inquired about the overtime he and his workers were denied from the time they worked to clean up after the parades. Mayor Cravins stated that the department heads made those decisions based on the current status of the budget.

Dr. Rosemary St. Clergy addressed the Council regarding crime in Opelousas. She listed several items that have been stolen out of her yard within the last six months. She stated that she is in no way downplaying serious issues such as drugs, etc., but suggested that perhaps they could refocus or figure out a way to also deal with petty crime. She pointed that if the young people are stealing things and learning that they can get away with it they are going to graduate into worse criminals.

The matter regarding the judgment for settlement to Mr. and Mrs. Ronald Jenkins was revisited. On a motion by Alderman Reginald Tatum and seconded by Alderman Joseph Charles, it was resolved to approve payment of judgment to Ronald and Tiffany Jenkins once it is reviewed by Attorney Troscclair and all requirements are met. A roll call vote was taken with the following results:

YEAS: Joseph Charles, Louis Butler, Jr., Blair Briggs, Reginald Tatum, and Jacqueline Martin.

NAYS: None.

ABSENT: Julius Alsandor.

There being nothing further to come before the Council, on a motion by Alderman Joseph Charles and unanimously seconded and carried, it was resolved that the meeting be adjourned. The meeting was adjourned at 6:30 p.m.

ATTEST:

CITY CLERK

MAYOR