

CITY OF OPELOUSAS  
OPELOUSAS, LOUISIANA  
REGULAR MEETING MINUTES  
NOVEMBER 13, 2012

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The Council of the City of Opelousas, Parish of St. Landry, State of Louisiana, convened in a regular session on this 13<sup>th</sup> of November 2012 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, Julius Alsandor, Louis Butler, Jr., Blair Briggs, and Jacqueline Martin. ABSENT: Reginald Tatum.

A moment of silent meditation was observed and Alderman Julius Alsandor led the Pledge of Allegiance.

On a motion by Alderman Louis Butler, Jr., seconded by Alderwoman Jacqueline Martin, and unanimously carried, it was resolved to approve the minutes of the Regular Meeting held on 10/09/2012 and the Special Meeting held on 10/16/2012.

On a motion by Alderman Blair Briggs, seconded by Alderwoman Jacqueline Martin and unanimously carried, it was resolved to adopt the agenda, with the following changes: adding under the RESOLUTIONS Section, Item No. 18-A, "A Resolution for PLAT APPROVAL for a railroad spur on property located in an LI (Light Industrial) Zone at Section 72, Township 6 South, Range 4 East".

#### PRESENTATIONS

*Presentation for recognition of the Employee of the Month.* The Employee of the Month chosen for October 2012 is Mr. Matthew Zachary. Mr. Zachary has been employed with Wastewater Treatment Plant for one year.

*Presentation by Attorney Derriel McCorvey regarding the proposed changes to the Liquor Ordinance.* This item will be discussed during the Public Hearing.

*Discuss request for pre-approval for CONDITIONAL USE of property located in an NMU (Neighborhood Mixed Use) Zone at 906 N. Market Street to open a Healthcare Office (Daniel White/Good Hands Home Care Services).* A public hearing regarding this matter was held by the Planning Commission on 11/13/2012. The Commission approved the request. On a motion by Alderman Blair Briggs, seconded by Alderman Louis Butler, Jr., and unanimously carried, it was resolved to APPROVE the request for pre-approval for CONDITIONAL USE of property located in an NMU (Neighborhood Mixed Use) Zone at 906 N. Market Street to open a Healthcare Office (Daniel White/Good Hands Home Care Services).

*Discuss request for pre-approval for CONDITIONAL USE of property located in an NMU (Neighborhood Mixed Use) Zone at 944 E. Jefferson Street to open a Convenience Store (Stephanie Pearson).* A public hearing regarding this matter was held by the Planning Commission on 11/13/2012. The Commission approved the request. On a motion by Alderman Blair Briggs, seconded by Alderman Joseph Charles and unanimously carried, it was resolved to APPROVE the request for pre-approval for CONDITIONAL USE of property located in an NMU (Neighborhood Mixed Use) Zone at 944 E. Jefferson Street to open a Convenience Store (Stephanie Pearson).

*Discuss request for approval for VARIANCE of property located in an R1 (Residential) Zone at 307 W. South Street #2 to open a Healthcare Office (Southside Caregivers/Melvin J. Richard).* A public hearing regarding this matter was held by the Planning Commission on 11/13/2012. The Commission approved the request. On a motion by Alderman Blair Briggs, seconded by Alderman Louis Butler, Jr., and unanimously carried, it was resolved to APPROVE the request for approval for VARIANCE of property located in an R1 (Residential) Zone at 307 W. South Street #2 to open a Healthcare Office (Southside Caregivers/Melvin J. Richard).

*Discuss request for approval for CONDITIONAL USE of property located in a DMU (Downtown Mixed Use) Zone at 233 S. Liberty Street to open Carwash/Detail Shop (Shree Sai Ram LLC/Coy Jones).* A public hearing regarding this matter was held by the Planning Commission on 11/13/2012. The Commission approved the request. On a motion by Alderman Joseph Charles, seconded by Alderman Julius Alsandor and unanimously carried, it was resolved to APPROVE the request for approval for CONDITIONAL USE of property located in a DMU (Downtown Mixed Use) Zone at 233 S. Liberty Street to open Carwash/Detail Shop (Shree Sai Ram LLC/Coy Jones).

*Presentation by City Attorney.* Attorney Frank Trosclair stated that he had no business to discuss.

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*Engineer's Monthly Status Report.* Mr. Kenny Boagni spoke on behalf of Mr. William Jarrell in his absence. He stated that the Hiram Street Bridge is substantially complete. The Park Avenue project should be done by the end of the year. The McCarthy Lane project is on hold until the Park Avenue project is finished.

**BIDS**

*Accept Bids for the Water System Improvements (Ground Storage Tank, Service Pumps and Distribution System Extensions) Project, MGA Project W#174-A.* Pursuant to an advertisement in the Daily World for Bids for the Water System Improvements (Ground Storage Tank, Service Pumps and Distribution System Extensions) Project, MGA Project W#174-A, six (6) bids were received:

BIDDERS	BID BOND	BASE BID	DEDUCTIVE ALTERNATE NO. 1	ADDITIVE ALTERNATE NO. 2	ADDITIVE ALTERNATE NO. 3	BASE BID PLUS ALTERNATES 1, 2, AND 3
CONSTRUCTION PRO, LLC #41842	YES	\$1,564,567	\$499,000	\$622,800	\$112,200	\$1,800,567
L. KING COMPANY, LLC #42360	YES	\$1,629,561	\$509,230	\$563,342	\$47,773	\$1,731,446
WHARTON-SMITH, INC. #52227	YES	\$1,427,000	\$455,000	\$500,000	\$45,000	\$1,517,000
CECIL D. GASSIOTT, LLC #1012	YES	\$1,378,150	\$440,000	\$461,717	\$55,000	\$1,454,867
TREK, INC. #6905	YES	\$1,391,977	\$400,000	\$504,000	\$54,000	\$1,549,977
THE LEMOINE COMPANY LLC #32600	YES	\$1,500,000	\$480,000	\$500,000	\$50,000	\$1,570,000

On a motion by Alderman Joseph Charles and seconded by Alderman Julius Alsandor, it was resolved to take the bids under advisement and award based on the recommendation of the City Engineer. A roll call vote was taken with the following results:

YEAS: Joseph Charles, Julius Alsandor, Louis Butler, Jr., Blair Briggs and Jacqueline Martin.

NAYS: None.

ABSENT: Reginald Tatum.

**PUBLIC HEARINGS**

*Pursuant to advertisement in the Daily World, a Public Hearing was opened at 5:24 p.m. regarding AN ORDINANCE TO AMEND ORDINANCE NO. 7 OF 2011 RELATING TO WATER RATES.* Mr. Kim Fontenot, Interim Public Works Director stated that the City would like to increase the water and sewer rates by three percent. Mr. Bobby Ardoin with *The Morning Advocate* asked how much this increase will bring into the City. Mr. Fontenot stated that it would bring in about \$130,000 per year.

The Public Hearing was closed at 5:25 p.m.

On a motion by Alderman Julius Alsandor and seconded by Alderwoman Jacqueline Martin, the following Ordinance was offered for adoption:

ORDINANCE NO. 10 OF 2012

BE IT ORDAINED by the Board of Aldermen of the City of Opelousas, State of Louisiana, that Ordinance No. 7 of 2011 relating to water rates be amended to reflect changes to existing water and sewer rates as follows:

**CITY OF OPELOUSAS WATER RATES  
 2012**

INSIDE CITY LIMITS	NEW RATES
1st 2,000 gal. per month	\$15.71
Next 13,000 gal. per month	\$2.21 – per 1,000 GAL
Next 35,000 gal. per month	\$2.21 – per 1,000 GAL
Next 50,000 gal. per month	\$2.21 – per 1,000 GAL
Over 100,000 gal. per month	\$2.21 – per 1,000 GAL
OUTSIDE CITY LIMITS	
1st 2,000 gal. per month	\$23.40
Next 3,000 gal per month	\$2.21 – per 1,000 GAL
Over 5,000 gal. per month	\$2.21 – per 1,000 GAL
SPECIAL (SCHOOLS & CHURCHES)	
1st 10,000 gal. per month	\$12.99
Over 10,000 gal. per month	\$2.21 – per 1,000 GAL
MINIMUM RATE INSIDE CITY	
3/4 & 1 inch Meter	\$15.71
1-1/4 & 1-1/2 inch Meter	\$24.97

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2 inch Meter	<b>\$40.21</b>
Above 2 inch	<b>\$13.82</b>
Plus 11% cost of meter	
4 inch Meter	<b>\$181.26</b>
6 inch Meter	<b>\$211.57</b>
<b>MINIMUM RATE OUTSIDE CITY</b>	
3/4 & 1 inch Meter	<b>\$23.40</b>
1-1/4 & 1-1/2 inch Meter	<b>\$40.24</b>
2 inch Meter	<b>\$57.57</b>
Above 2 inch	<b>\$18.37</b>
Plus 11% cost of meter	
4 inch Meter	<b>\$185.66</b>
6 inch Meter	<b>\$215.97</b>
<b>SEWER RATES</b>	
1st 2,000 gal.	<b>\$10.81</b>
Every 1,000 gal. per month	<b>\$2.06</b>
<b>DEPOSIT</b>	
New Connections	<b>\$100.00</b>
<b>NSF FEE</b>	
Per Check	<b>\$25.00</b>

Said Ordinance having been introduced on the 9<sup>th</sup> day of October 2012, by Alderman Blair Briggs, notice of public hearing having been published, said public hearing having been held, the title having been read and the Ordinance considered, a record vote was taken and the following results were had:

YEAS: Joseph Charles, Julius Alsandor, Louis Butler, Jr., Blair Briggs, and Jacqueline Martin.

NAYS: None.

ABSENT: Reginald Tatum.

*Pursuant to advertisement in the Daily World, a Public Hearing was opened at 5:26 p.m. regarding AN ORDINANCE TO AMEND ORDINANCE NO. 2 OF 2007, (SEC. 3-16 OF THE CODE OF ORDINANCES), ENTITLED 'PROHIBITED TIMES OF OPERATION, EXCEPTIONS'. Attorney Derriel McCorvey, representing Stallion's, addressed the Council and spoke of several incidents that have happened at other business locations. He pointed out that the amendment to the ordinance allows the casino to give free drinks but the "mom and pop" businesses are the ones that will be hurt. Mr. Mike Howard, general manager for Evangeline Downs, stated that the casino's record speaks for itself in the community. He pointed out that the recent shooting that occurred on the grounds that was related to the Step & Strut trail ride. He stated that the casino does not benefit from this event but it is a big benefit to the community. He also stated that the casino does not sell alcohol between 2 a.m. and 6 a.m. They only give complimentary drinks to those patrons who are gambling and all the casino's employees have to go through alcohol training therefore if a customer is tipsy they are cut off. Alderman Louis Butler asked if the Police Chief had completed the investigation of the shooting incident at the Chevron station. Chief Gallow stated that this incident, as well as the shooting incident on the grounds of Evangeline Downs, is still ongoing and he is not a liberty to discuss them at this time. Alderman Blair Briggs stated that he had a printout done of all the incidents that occurred at Stallion's. Chief Gallow agreed that they do handle calls of incidents at Stallion's. Alderman Julius Alsandor asked if the same could be said for the casino. Chief Gallow stated that they receive calls to handle incidents at the casino as well. He pointed out that a nightclub staying open until 5:00 a.m. is a breeding ground for more crime and is not what Opelousas needs. Alderman Briggs stated that Stallion's is being called a restaurant but between midnight and 5:00 a.m., it is not a restaurant but it is a nightclub. Mr. Lance Chambers stated that Stallion's is a multi-purpose business—it is a restaurant and karaoke bar as well. He stated that he has performed at functions at Stallion's and there are at least ten Opelousas Police Department officers outside of the club but they need to use better judgment when it comes to public safety. Mr. Trey Thibodeaux with Evangeline Downs stated that they make a profit from casino gaming, not alcohol. Alderwoman Jacqueline Martin stated that she is on both sides. She stated that they ask businesses to come to the City. She works at the Chevron station and they need business. She can't blame Stallion's for the shooting. She has worked there for 15 years and has seen many incidents. She stated that they can't keep changing the ordinance for one incident. Mr. Michael Tatman asked how other cities have managed the same issue as far as for ordinances and*

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enforcement. Alderman Briggs stated that most of the other casinos are on Indian reservations or riverboats. Mr. Larry Martin asked if he has a party at his house and someone leaves his house after a party and something happens, is he at fault. Mr. McCorvey stated that he could be held liable if he gave the person the alcohol. The Public Hearing was closed at 6:06 p.m.

On a motion by Alderman Blair Briggs and seconded by Alderman Julius Alsandor, the following Ordinance was offered for adoption:

ORDINANCE NO. 11 OF 2012

AN ORDINANCE TO AMEND ORDINANCE NO. 2 OF 2007, (SEC. 3-16 OF THE CODE OF ORDINANCES),  
ENTITLED "PROHIBITED TIMES OF OPERATION, EXCEPTIONS."

BE IT ORDAINED BY THE BOARD OF ALDERMEN of the City of Opelousas, State of Louisiana acting as the governing authority of said municipality do hereby amend the aforesaid ordinance to read as follows:

See 3-16. PROHIBITED TIMES OF OPERATION, EXCEPTIONS.

- a. It shall be unlawful for anyone to sell or serve alcoholic beverages or beer in any business establishment licensed under this chapter between the hours of 2:00 a.m. and 6:00 a.m. daily.
- b. In any establishment or part thereof where alcoholic beverages or beer are the principal items sold or handled, the alcoholic beverage permit holder shall remove all patrons and members of the public from the premises by 2:30 a.m. However, the permit holder, and his employees and/or agents may remain on the premises during the aforementioned hours for the purpose of closing operations, taking stock, cleaning up and any other legitimately business related activities. In all other businesses licensed under this chapter, the physical part of the premises where alcoholic beverages or beer are located shall be cordoned off by physical restraints so as to deny access by patrons and to permit reasonable enforcement of these provisions.
- c. This section shall not apply to any business establishment for which the sale of alcoholic beverages or beer constitutes less than fifteen (15%) percent of its gross revenue between the hours of 2:00 a.m. and 6:00 a.m. For the purposes of this ordinance, an entry fee to premise where alcohol or beer is allowed shall be considered a fee for the sale of alcohol or beer.

Said Ordinance having been introduced on October 9, 2012, by Alderman Blair Briggs, notice of public hearing having been published, said public hearing having been held, the title having been read and the Ordinance considered, a record vote was taken and the following result was had:

YEAS: Joseph Charles, Julius Alsandor, and Blair Briggs.

NAYS: Louis Butler, Jr. and Jacqueline Martin.

ABSENT: Reginald Tatum.

THE MOTION PASSES.

## RESOLUTIONS

### *A RESOLUTION IN SUPPORT OF THE PRESERVATION OF VOCATIONAL AND TECHNICAL TRAINING PROGRAMS OFFERED BY T.H. HARRIS.*

On a motion by Alderman Blair Briggs and seconded by Alderwoman Jacqueline Martin and Alderman Joseph Charles, the following resolution was offered for adoption:

RESOLUTION NO. 22 OF 2012

A RESOLUTION IN SUPPORT OF THE PRESERVATION OF VOCATIONAL AND TECHNICAL TRAINING PROGRAMS  
OFFERED BY T.H. HARRIS

WHEREAS, the City of Opelousas joins with the St. Landry Economic Industrial Development District and the Opelousas-St. Landry Chamber of Commerce to strongly support the preservation of vocational and technical training programs which have been offered by T. H. Harris to the citizens of St. Landry Parish and surrounding parishes and any curtailment of these traditional vocational programs will have a negative impact on workforce development and on economic development efforts;

WHEREAS, the merger of T. H. Harris Technical College into the South Louisiana Community College holds a promise of bringing academic courses to the campus, but the academic courses should not be at the expenses of the vocational technical courses and continuation of vocational and technical training at the T. H. Harris campus is vital to the economic health of our region;

WHEREAS, recent increases in tuition and decreases in instructors' pay have had a serious and detrimental effect on the continued success of T. H. Harris, therefore, it is imperative that the school receive the support it needs in order to continue its mission to provide quality vocational and technical training to our citizens.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Aldermen of the City of Opelousas do hereby extend its support for the preservation of vocational and technical training programs which have been offered by T. H. Harris Technical College.

The above resolution, having been submitted to a vote, was adopted as follows on the 13<sup>th</sup> day of November 2012.

YEAS: Joseph Charles, Julius Alsandor, Louis Butler, Jr., Blair Briggs, and Jacqueline Martin.

NAYS:

ABSENT: Reginald Tatum.

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ATTEST:

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CITY CLERK

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MAYOR

*A RESOLUTION TO ACCEPT THE ORPHAN TRAIN MUSEUM PROJECT (# 744-49-0013) AS COMPLETE.*

On a motion by Alderman Blair Briggs and seconded by Alderman Julius Alsandor, the following Resolution was offered for adoption:

RESOLUTION NO. 23 OF 2012

A RESOLUTION TO ACCEPT THE ORPHAN TRAIN MUSEUM  
PROJECT (# 744-49-0013) AS COMPLETE

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Opelousas, Louisiana, that the Orphan Train Project, State Project #744-49-0013, is hereby accepted as complete.

The above resolution, having been submitted to a vote, was adopted as follows on the 13<sup>th</sup> day of November 2012.

YEAS: Joseph Charles, Julius Alsandor, Louis Butler, Jr., Blair Briggs, and Jacqueline Martin.

NAYS: None.

ABSENT: Reginald Tatum.

ATTEST:

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CITY CLERK

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MAYOR

*A RESOLUTION FOR PLAT APPROVAL FOR A RAILROAD SPUR ON PROPERTY LOCATED IN AN LI (LIGHT INDUSTRIAL) ZONE AT SECTION 72, TOWNSHIP 6 SOUTH, RANGE 4 EAST (LOU ANA FOODS, INC./VENTURA FOODS).*

On a motion by Alderwoman Jacqueline Martin and seconded by Aldermen Julius Alsandor and Louis Butler, Jr., the following Resolution was offered for adoption:

RESOLUTION NO. 24 OF 2012

A RESOLUTION FOR PLAT APPROVAL FOR A RAILROAD SPUR ON PROPERTY LOCATED IN AN LI (LIGHT  
INDUSTRIAL) ZONE AT SECTION 72, TOWNSHIP 6 SOUTH, RANGE 4 EAST  
(LOU ANA FOODS, INC./VENTURA FOODS)

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Opelousas, Louisiana, that they are in agreement with the plat approval for a railroad spur on property located in an LI (Light Industrial) Zone at Section 72, Township 6 South, Range 4 East (Lou Ana Foods, Inc./Ventura Foods).

The above resolution, having been submitted to a vote, was adopted as follows on the 13<sup>th</sup> day of November 2012.

YEAS: Joseph Charles, Julius Alsandor, Louis Butler, Jr., Blair Briggs, and Jacqueline Martin.

NAYS: None.

ABSENT: Reginald Tatum.

ATTEST:

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CITY CLERK

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MAYOR

**CONSENTS**

On a motion by Alderman Joseph Charles and seconded by Alderwoman Jacqueline Martin, it was resolved to table the request for the termination of Mr. Michael Campbell in the Public Works Department. A roll call vote was taken with the following results:

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

NAYS: Julius Alsandor.

ABSENT: Reginald Tatum.

On a motion by Alderman Blair Briggs, seconded by Alderman Louis Butler, Jr., and unanimously carried, it was resolved to grant authority to advertise for bids for the following in the Public Works Department: (a) Bulk Lime, (b) Concrete.

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On a motion by Alderman Blair Briggs, seconded by Alderman Louis Butler, Jr., and unanimously carried, it was resolved to accept the Drainage Improvements to Bayou Yarbor (Hiram Street Bridge) Project as substantially complete, MGA Project B#130.

**ANNOUNCEMENTS**

Dr. Rosemary stated that the street department did a great job cleaning up the tree that had fallen on the sidewalk near her home. She stated that two or three months ago, a 30-day extension was granted to Mr. Brooks who has a burned property on Grolee Street and should would like to know the status of that matter. Ms. Doucet stated that this property will come before the Council again. Also another property on Grolee Street did not have contact information and they have not come before the Historic District Commission. Dr. St. Clergy also spoke regarding the Cherry Street Park. At this time, Mayor Cravins introduced Mr. Evan Moore who is the new city editor for the *Daily World*. Dr. St. Clergy continued regarding the Cherry Street Park and inquired some work could be started so that they do not lose the grant.

Mr. David Manuel stated that he lives in Ledoux Circle and the traffic drives through the neighborhood too fast. A child has been hit and another child hurt his arm when a car sped through and he fell off his bike. Mayor Cravins directed him to meet with Ms. Laura Balthazar and Chief Perry Gallow to resolve this matter.

Alderman Julius Alsandor announced that school would be closed all next week for the Thanksgiving Holiday. Mayor Cravins wished everyone a Happy Thanksgiving.

There being nothing further to come before the Council, on a motion by Alderman Blair Briggs and unanimously seconded and carried, it was resolved that the meeting be adjourned. The meeting was adjourned at 6:35 p.m.

ATTEST:

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CITY CLERK

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MAYOR