

CITY OF OPELOUSAS
OPELOUSAS, LOUISIANA
REGULAR MEETING MINUTES
JANUARY 10, 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 10th of January 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, Reginald Tatum, and Jacqueline Martin. ABSENT: None.

A moment of silent meditation was observed and Alderman Blair Briggs led the Pledge of Allegiance.

On a motion by Alderman Blair Briggs, seconded by Alderwoman Jacqueline Martin and unanimously carried, it was resolved to approve the minutes of the Regular Meeting held on 12/13/2011.

On a motion by Alderman Blair Briggs and seconded by Alderman Louis Butler, Jr., it was resolved to adopt the agenda, with the following changes: adding under the PRESENTATIONS Section, Item No. 17-A, "Discussion regarding changing meeting time"; Item No. 17-B, "Request by Mrs. Margaret Doucet to make corrections to minutes of April 2011 and November 2011"; Item No. 17-C, "Discussion regarding Interim Parks Director". Alderman Reginald Tatum had objections to the item regarding the Interim Parks Director. A roll call vote was taken with the following results:

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

NAYS: Reginald Tatum.

ABSENT: None.

Alderman Tatum informed the Mayor that if they do not get six unanimous votes, then they cannot add anything to the agenda; therefore, none of the additions will be made at this meeting.

PRESENTATIONS

Presentation for recognition of the Employee of the Month. The Employee of the Month chosen for December 2011 is Mrs. Delores Guillory. Mrs. Guillory has been employed with the City of Opelousas Museum for fifteen (15) years. She is married and has two (2) sons.

Discussion regarding request by Rev. Woodrow Thompson to place a mobile home at 1236 E. South Street. Alderman Julius Alsandor stated that he did follow-up on this matter and spoke to Mr. Thompson. He also had the chance to meet with Ms. Broussard and look at the properties. Alderman Alsandor asked Mr. Thompson if he was still adamant about purchasing a mobile home or did he consider the suggestions of a modular or more structured home whose value would sustain its livelihood for much longer than a trailer. Rev. Thompson stated that they have considered other possibilities but they were waiting on the decision of the Council. Alderman Alsandor pointed out that there is a home that Mr. Thompson presently owns at 1260 E. South Street. Rev. Thompson stated that his son presently lives in that home. Alderman Alsandor stated that there are no utilities at that home and this is considered a blighted home—there are busted windows, doors open on it, and boarded up windows. He suggested that Rev. Thompson re-invest the money that he was going to use to buy a mobile home and refurbish the home at 1260 E. South Street, which would be a structurally sound home and can last much longer than a trailer home. Rev. Thompson stated that based on his income he would not be able to take care of his home and all of the repairs needed for the other home.

On a motion by Alderman Julius Alsandor and seconded by Alderman Blair Briggs, it was resolved to DENY the request for a variance to place a mobile home at 1236 E. South Street (Rev. Woodrow Thompson) in accordance with the City's ordinance.

A roll call vote was taken with the following results:

YEAS: Julius Alsandor, Louis Butler, Jr., and Blair Briggs.

NAYS: Joseph Charles, Reginald Tatum, and Jacqueline Martin.

ABSENT: None.

Mayor Cravins voted YEA to break the tie. The motion PASSES.

Discussion regarding request by Mrs. Margaret Doucet for demolition of property located at 810 N. Main Street (James Bellard). Mr. James Bellard was in attendance. He stated that due to his schedule he has not been able to do any work on the property. Mr. Bellard stated that if he is going to invest money in this city he will not be dictated to on what to do with

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his own property. He stated that his intention is to repair the property and he told the Council not to put a piece of equipment on his property because it is his property. He stated that the City should stop dictating to people what they can do with their own property. Ms. Lena Anderson has a large complaint against Mr. Bellard about him coming before the Council and saying what he will not do. She pointed out that it is Mr. Bellard's responsibility to clean up his property and it was the citizens' responsibility to come before the Council to ask for help to have Mr. Bellard to clean it up. Ms. Anderson stated that he does not have any right to come before the Council and say what he is not going to do because everyone has to follow rules and laws. Mrs. Doucet stated that Mr. Bellard purchased a permit in April 2011 to repair the property and in December 2011, he told Code Enforcement the same thing he just told the Council that he would not let Mrs. Doucet, the City nor Jarvis Claiborne tell him what to do with his property. Mrs. Doucet stated that the property either needs to be rehabbed or demolished. She stated that she has gone through the process to have different ones to give her quotes in order to do demolition because of the fact that the City of Opelousas is not equipped nor certified in order to remove asbestos and this house has asbestos on it. She does have one bid as of today. Mrs. Doucet stated that every certified letter that was sent to BM6, LLC comes back refused. Mr. Bellard stated that he does not own that company. Alderman Reginald Tatum pointed out that in March 2011 they voted unanimously to condemn the building. Mrs. Doucet stated that they found out in the latter part of March that there was asbestos on the house and since then, they have been in the process of getting bids and trying to get funding in order to get a contractor to do this and working with Mr. Bellard for him to go in and do the rehab that he said he would do but still to this date nothing has been done. Mr. Bellard stated that he would start on repairs next week and that he needs six months to finish the project. Alderman Alsandor asked if, in six months, the building would be usable for business or somebody to live. Mr. Bellard stated that it would be. Alderman Alsandor pointed out that this had been going on since June 2010. Alderman Alsandor told Mr. Bellard that he was asking him to cut his time down at which point Mr. Bellard asked if four months was good. He then changed that time frame to ninety days. Alderman Alsandor asked Mr. Bellard that if the work was not done in ninety days, if he was giving them permission to tear it down. He then stated that at that point the legal process dictates that they can do that. Alderman Louis Butler, Jr., stated that if they were to do this for Mr. Bellard, it would be unfair to the other people whose homes they have already demolished. On a motion by Alderman Reginald Tatum and seconded by Alderman Blair Briggs, it was resolved to demolish the building located at 810 N. Main Street (James Bellard).

A roll call vote was taken with the following results:

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

NAYS: None.

ABSENT: None.

Discussion regarding request by Mrs. Linda Walker for payment of Civil Service Board attorney fees for November and December 2011. Mrs. Walker is requesting funds to pay November and December's attorney's fees, which total approximately \$2,200.00 because she only has about \$400.00 in her budget for this. She stated that she will be receiving another bill at the end of January because they are billed monthly. Ms. Karen Frank informed Mrs. Walker that they cannot add any money to her budget because all departments are operating on fifty percent of their budget. Only line item transfers can be made. This item was tabled until the issue comes up during the budget discussion.

Discuss request for approval for CONDITIONAL USE of property in NMU Zone located at 707 N. Main Street to open a Beauty Salon (James W. Bellard/Candie Simion). A public hearing regarding this matter was held by the Planning Commission on 01/09/2012. The Commission approved the request. On a motion by Alderman Reginald Tatum, seconded by Alderman Louis Butler, Jr., and unanimously carried, it was resolved to APPROVE the request for CONDITIONAL USE of property in NMU Zone located at 707 N. Main Street to open a Beauty Salon (James W. Bellard/Candie Simion).

Discuss request for approval for CONDITIONAL USE of property in NMU Zone located at 937 N. Court Street to open a Car Wash/Detailing Shop (Charlie's Detailing). A public hearing regarding this matter was held by the Planning Commission on 01/09/2012. The Commission approved the request. On a motion by Alderman Reginald Tatum, seconded by Alderman Louis Butler, Jr., and unanimously carried, it was resolved to APPROVE the request for CONDITIONAL USE of property in NMU Zone located at 937 N. Court Street to open a Car Wash/Detailing Shop (Charlie's Detailing).

Discuss request for approval for VARIANCE of property in DMU Zone located at 118 N. Main Street to open an Automotive Sales & Service (Sterling Automotive Group). A public hearing regarding this matter was held by the Planning

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Commission on 01/09/2012. The Commission approved the request. On a motion by Alderman Blair Briggs, seconded by Alderman Julius Alsandor and unanimously carried, it was resolved to APPROVE the request for VARIANCE of property in DMU Zone located at 118 N. Main Street to open an Automotive Sales & Service (Sterling Automotive Group).

Discuss request for approval for ZONING CHANGE of property in R1 Zone located on Heather Drive, Lots C-1 & C-2 to be changed to a MEDICAL ZONE (LHC Real Estate I, LLC). This item was tabled by the Planning Commission on 01/09/2012 until the owner provides them with more information and will be brought back before the Council at a later date.

Discuss request for pre-approval for CONDITIONAL USE of property in NMU Zone located at 232 E. Leonard Street to operate a cellular phone business (Sangam Properties, LLC/Via Wireless, LLC). On a motion by Alderman Reginald Tatum, seconded by Alderman Blair Briggs and unanimously carried, it was resolved to APPROVE the request for pre-approval for CONDITIONAL USE of property in NMU Zone located at 232 E. Leonard Street to operate a cellular phone business (Sangam Properties, LLC/Via Wireless, LLC).

Discussion regarding adoption of budget. Alderman Julius Alsandor stated that because they did not adopt the budget at the August meeting, then they are mandated by the state to operate on fifty percent of the previous year's budget. At the end of six months or however length of time each department's funds last, then that department does not operate anymore. Alderman Alsandor pointed out that it is their duty to be fiscally responsible. Alderman Blair Briggs stated that for the last three years, they have been having a pretty significant deficit and the only reason they ended with a positive number last year was due to the one-time CLECO bonus money they got for signing that contract. He feels that there needs to be some cuts made in non-civil service employees as well as several other cuts. Mr. Troy Courville, city auditor, gave various figures from last year's budget in comparison to the proposed budget. Alderman Reginald Tatum asked Mr. Courville when he would have a finished analysis ready for review. Mr. Courville stated that he could have that information in about two or three weeks. A Special Meeting was scheduled for Thursday, January 12, 2012 at 8:00 a.m. to introduce the ordinance to adopt the budget. No action needed at this time.

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

Engineer's Monthly Status Report. Mr. William Jarrell was not in attendance.

INTRODUCTION OF ORDINANCES

INTRODUCTION OF AN ORDINANCE TO AMEND LIQUOR ORDINANCE. Alderman Blair Briggs stated the current ordinance that is in effect now is, allowing for a restaurant/bar to stay open after 2:00 a.m. and this is in reference to a safety issue. He read the amended ordinance. Ms. Lena Anderson commented that Evangeline Downs gives alcohol away and they also sell it. She does not agree on the amendment because it is benefitting Evangeline Downs and not the small club owners. She suggested that the businesses should pool their money together to pay for security.

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.

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- 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.

This proposed ordinance shall be advertised for public hearing prior to the adoption of same as required and authorized by law. On a motion by Alderman Joseph Charles and seconded by Alderman Reginald Tatum, it was resolved to introduce AN ORDINANCE TO AMEND THE LIQUOR ORDINANCE.

A roll call vote was taken with the following results:

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

NAYS: None.

ABSENT: None.

BIDS

Accept Bids for Bulk Lime. (Bid #01-12). Pursuant to an advertisement in the Daily World for Bids for Bulk Lime (*Bid #01-12*), two (2) bids were received:

<i>BIDDER NAME</i>	<i>BID AMOUNT</i>
CARMEUSE LIME	\$190.77
LHOIST NORTH AMERICA	\$210.36

On a motion by Alderman Reginald Tatum, seconded by Alderman Joseph Charles and unanimously carried, it was resolved to take the bids under advisement and award to the lowest bidder meeting specifications.

Accept Bids for Concrete. (Bid #02-12). Pursuant to an advertisement in the Daily World for Bids for Concrete (*Bid #02-12*), two (2) bids were received:

<i>BIDDER NAME</i>	<i>3000 PSI</i>	<i>4000 PSI</i>	<i>EXTRA CEMENT</i>	<i>CA. CHLORIDE</i>	<i>FIBER</i>
ANGELLE CONCRETE	\$98.00/yd	\$102.00/yd	\$4.00/bag	\$3.50/yd	\$7.50/bundle
BARRY CONCRETE	\$92.00/yd	\$96.00/yd	\$4.00/bag	\$3.50/yd	\$7.50/bundle

On a motion by Alderman Reginald Tatum and seconded by Alderman Joseph Charles, it was resolved to take the bids under advisement and award to the lowest bidder meeting specifications. A roll call vote was taken with the following results:

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

NAYS: None.

ABSENT: None.

RESOLUTIONS

A RESOLUTION IN SUPPORT OF AN APPLICATION FOR THE CREATION OF THE OPELOUSAS CULTURAL DISTRICT. Ms. Melanie LeBouef stated that this provides for more tax credits and for a state tax exemption on the sale of original artwork from artists for any businesses in that cultural district.

On a motion by Alderman Blair Briggs, seconded by Alderman Reginald Tatum, the following Resolution was offered for adoption:

RESOLUTION NO. 01 OF 2012

A RESOLUTION IN SUPPORT OF AN APPLICATION FOR THE CREATION OF THE
 OPELOUSAS CULTURAL DISTRICT

WHEREAS, Act 298 of the 2007 Regular Session of the Louisiana Legislature authorizes Local Governing Authorities to create Cultural Districts as a mechanism for community revitalization through the creation of hubs of cultural activity; and

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WHEREAS, the Louisiana Department of Culture, Recreation and Tourism, Office of Cultural Development is authorized to develop standard criteria for cultural districts and to determine whether or not a proposed Cultural District meets those criteria; and WHEREAS, the Louisiana Department of Culture, Recreation and Tourism, Office of Cultural Development has promulgated administrative rules which set forth the procedure for Local Governing Authorities to submit applications to designate and certify a specified geographic area as a Cultural District; and

WHEREAS, the geographic area within the City of Opelousas, Parish of St. Landry, may meet the criteria for the creation of a Cultural District which area is generally comprised of the territory within the following boundaries:

The east and west boundaries of said Cultural District shall include all properties within the following boundaries: Beginning at a point which is the intersection of a point located 100 feet south of the south right-of-way of Bertheaud Avenue and the center line of the abandoned Southern Pacific Railroad; thence in a northerly direction along the centerline of the abandoned Southern Pacific Railroad to a point which is the centerline of the Missouri Pacific Railroad; thence in an easterly direction along the centerline of the Missouri Pacific Railroad to a point which is the centerline of Wallior Street; thence in a southerly direction on a line that is the centerline of Wallior Street to the point which is 100 feet south right-of-way of U.S. Hwy. 190; thence in a westerly direction along a line that is 100 feet south of a parallel to the south right-of-way of U.S. Highway 190 to a point which is the centerline of Academy Street; thence in a southerly direction along the centerline of Academy Street to a point which is 100 feet south of the south right-of-way of Madison Street; thence in a westerly direction along a line that is 100 feet south of and parallel to the south right-of-way of Madison Street to a point which is 100 feet east of the east right-of-way of Oak Street; thence in a southerly direction along a line which is 100 feet to the east of and parallel to the east right-of-way of Oak Street to a point which is 100 feet to the north of the north right-of-way of Leonard Street; thence in a westerly direction along a line that is 10 feet to the north of and parallel to the north right-of-way of Leonard Street to a point which is 100 feet to the east of the projection of the east right-of-way of Azalea Street; thence in a southerly direction along a line that is 100 feet east of and parallel to the east right-of-way of Azalea Street to a point which is 100 feet south of the projection of the south right-of-way of Willow Street; thence in a westerly direction along a line that is 100 feet south of and parallel to the south right-of-way of Willow Street to a point which is 100 feet east of the east right-of-way of Union Street; thence in a southerly direction along a line that is 100 feet east of and parallel to the east right-of-way of Union Street to a point which is centerline of Creswell Lane; thence in a westerly direction along a line that is the projection of the centerline of Creswell Lane to a point which is 100 feet to the west of the west right-of-way of Union Street; thence in a northerly direction along a line that is 100 feet to the west of and parallel to the west right-of-way of Union Street to a point which is 100 feet to the south of the south right-of-way of Bertheaud Street; thence along a line that is 100 feet south of and parallel to the south right-of-way of Bertheaud Street to its intersection with the centerline of the abandoned Southern Pacific Railroad, which is also the point of beginning.

Should any portion or part of a parcel of land fall within the above described boundary of the Cultural District, then the whole of set portion or parcel of land shall be considered to be within the boundaries of the Cultural District,
and

WHEREAS, within the boundaries of a state-certified Cultural District, several tax incentives may be available including (1) a sales tax exemption on the sale of certain original works of art, (2) individual income tax credits for eligible expenses incurred during the rehabilitation of certain owner-occupied residential or owner-occupied mixed use structures, and (3) income and corporate franchise tax credits for eligible expenses incurred during the rehabilitation of certain historic structures; and

WHEREAS, only a Local Governing Authority is authorized to submit an application for the designation and certification of a Cultural District; and

WHEREAS, a "Local Governing Authority" is defined by LAC 25:I§1101 as "the governing authority of the parish in which the Cultural District is located unless the district is located in a municipality, in which case "Local Governing Authority" shall mean the governing authority of the municipality. If the district is located partly in a municipality, "Local Governing Authority" shall mean the governing authority of the parish and the governing authority of the municipality"; and

WHEREAS, the Opelousas Cultural District is located entirely within the municipality of Opelousas (and is located completely within the parish of St. Landry) and therefore the City of Opelousas would be the proper entity to submit an application for the certification and designation of the above described geographic area as a Cultural District.

NOW THEREFORE, be it resolved that the City of Opelousas does hereby:

1. Support and endorse the submission of an application to the Louisiana Department of Culture, Recreation and Tourism, Office of Cultural Development to designate the Opelousas Cultural District as a state-certified Cultural District; and

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2. Delegate its authority to submit said application and all supporting documents, reports, and other forms required for the creation, administration, and reporting to the City of Opelousas Department of Tourism; and
3. Direct all city employees to support and cooperate with efforts to compile all necessary information and data required for the application and all subsequent reporting necessary for the administration of the Cultural District; and
4. Request all affected citizens and businesses to support and promote activities consistent with the purposes of the Cultural District; and
5. Authorize the Mayor to sign any and all documents required for the creation and administration of the Opelousas Cultural District.

The above resolution, having been submitted to a vote, was adopted as on this 10th Day of January, 2012.

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

NAYS: None.

ABSENT: None.

ATTEST:

CITY CLERK

MAYOR

CONSENTS

On a motion by Alderman Louis Butler, Jr., seconded by Alderman Julius Alsandor and unanimously carried, it was resolved to approve the confirmation of the following in the Police Department from Probational Police Officer to Permanent Police Officer, effective 11/19/2011:

- a. **Bowman Bob**
- b. **Derek Garrick**
- c. **Wilfred Morton**

On a motion by Alderman Louis Butler, Jr., seconded by Alderman Julius Alsandor and unanimously carried, it was resolved to approve the confirmation of the following in the Police Department from Probational Police Officer First Class to Permanent Police Officer First Class, effective 12/12/2011:

- a. **Yolanda Lewis**
- b. **Kerry Sam**
- c. **Edward Smith**
- d. **Darren Zachary**

On a motion by Alderman Joseph Charles and seconded by Alderman Reginald Tatum, it was resolved to nominate Alderman Blair Briggs as Mayor Pro-Tempore for 2012.

A roll call vote was taken with the following results:

YEAS: Joseph Charles, Blair Briggs, and Reginald Tatum.

NAYS: Julius Alsandor, Louis Butler, Jr., and Jacqueline Martin

ABSENT: None.

Mayor Cravins voted NAY to break the tie. THE MOTION FAILS.

A second motion was submitted. On a motion by Alderman Julius Alsandor and seconded by Alderwoman Jacqueline Martin, it was resolved to nominate Alderman Louis Butler, Jr., as Mayor Pro-Tempore for 2012.

A roll call vote was taken with the following results:

YEAS: Julius Alsandor, Louis Butler, Jr., and Jacqueline Martin.

NAYS: Blair Briggs.

ABSTAINED: Joseph Charles and Reginald Tatum.

ABSENT: None.

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THE MOTION FAILS because two-thirds (2/3) majority did not vote in favor of the motion.

At this time, Alderman Alsandor withdrew his motion to nominate Alderman Louis Butler, Jr., as Mayor Pro-Tempore for 2012. Mayor Cravins suggested that they table this issue until next month's meeting.

ANNOUNCEMENTS

Ms. Julie Miles addressed the Council regarding being re-appointed to her job. Mayor Cravins stated that Ms. Miles voluntarily resigned due to her worker's compensation claim. Ms. Miles stated that she did not voluntarily resign—she was told she had to resign. Ms. Karen Frank stated that according to the worker's compensation attorney, it was part of her worker's compensation settlement that she had to resign and Ms. Miles attorney accepted this agreement.

There being nothing further to come before the Council, on a motion by Alderman Blair Briggs, seconded by Alderwoman Jacqueline Martin and unanimously carried, it was resolved that the meeting be adjourned. The meeting was adjourned at 7:20 p.m.

ATTEST:

CITY CLERK

MAYOR