

CITY OF OPELOUSAS
OPELOUSAS, LOUISIANA
REGULAR MEETING MINUTES
AUGUST 21, 2012

The Council of the City of Opelousas, Parish of St. Landry, State of Louisiana, convened in a regular session on this 21st of August 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 Joseph Charles led the Pledge of Allegiance.

On a motion by Alderman Louis Butler, Jr., seconded by Alderman Julius Alsandor and unanimously carried, it was resolved to approve the minutes of the Regular Meeting held on 07/10/2012 and a Special Meeting held on 07/24/2012.

On a motion by Alderwoman Jacqueline Martin and seconded by Alderman Julius Alsandor, it was resolved to adopt the agenda, with the following changes: *deleting under the CONSENTS Section, Item No. 25, "Approve the suspension of Permanent Police Officer Chasity Carriere..." and Item No. 26, "Approve the suspension of Permanent Police Communications Officer Pamela Thompson..." - these items were handled at a previous meeting; adding under the CONSENTS Section, Item No. 28-A, "Approve the termination of Military Leave without Pay of Probational Police Officer First Class Jose Mendez, effective 08/13/2012"; Item No. 29, "Approve the recommendation for suspension of Firefighter Stewart Young for eighteen (18) calendar days..."; Item No. 30, "Approve the request for removal of tree on private property on Liberty Street".*

PRESENTATIONS

Presentation for recognition of the Employee of the Month. The Employee of the Month chosen for July 2012 is Mr. Michael Landry. Mr. Landry has been employed with the City of Opelousas Water Plant for thirteen years. He has one daughter and he is engaged to be married.

Presentation by Reverend Dr. Stacy S. Poullard in regards to City-owned property. Dr. Poullard stated that his church, St. Peter Missionary Baptist Church, is presently having service on West Landry Street. They are asking the City to give 25 acres to place a church and they also intend to put up two gymnasiums, an eight lane oval track, an indoor swimming pool, a school room and a daycare center. He stated that they will allow every senior citizen to use the swimming pool facility, health spa and track and they will tutor any child after school at no charge to the city or the parents. The property is on Bernard Street. The church is planning to ask for grants from the federal government that will total approximately one billion dollars over the next fifteen years. Dr. Poullard referenced Louisiana Revised Statutes 33:4717.3 - Donation of abandoned or blighted property; municipality and parishes: The governing authority of a municipality or parish may donate any abandoned or blighted housing properties owned by the parish to any nonprofit organization which is recognized by the Internal Revenue Service as a 501(c)(3) or 501(c)(4) nonprofit organization and which agrees to renovate and maintain such property until conveyance of the property by such organization. Dr. Poullard provided documentation that his church is indeed 501(c)(3) organization. Dr. Rosemary St. Clergy asked Attorney Frank Troclair if there is any prohibition for a government entity donating property to a religious institution. Attorney Troclair stated that generally speaking, there are very tight prohibitions dealing with donation of public property. Attorney Troclair stated that he was not familiar with the statute that Dr. Poullard referenced and he would have to research it.

Discussion by Mr. Carson Nardinia of CLECO regarding request for approval of Right-of-Way Permit and request to allow CLECO to provide power to AT&T. Mr. Nardinia was not present.

Discussion by Parks & Recreation Commission and Master Plan Committee regarding adoption of ordinance for the Cherry Street Construction Project. Alderwoman Jacqueline Martin stated that this project is mainly focused in her district and she wanted to be here to hear the pros and cons of the situation. She stated that she wanted to make sure that, first, this was not the donated land they would be using for this project and, secondly, was the money going to be allocated directly to the park and not for any other usage. Ms. Yvonne Normand stated that in 2006 the City received a federal grant to start the ballparks on Cherry Street but, in 2012, there has only been a little bit of movement of dirt but nothing significant at this point. About a year ago, she first heard the rumblings of using some of the property for housing construction but that proposal faded. About one month ago a new proposal came before the council about property on Cherry Street. The Master Plan Committee and the Parks & Recreation Commission met and were apprised of the situation by Mr. John Lamke. Ms. Normand wants to know where the economic development is. She stated that there is a difference in the type of care of homes – whether you own it or rent it. She stated that they need a project there that has longevity. She stated that the property is for a gym and baseball fields. Mr. Frederick Wilson wants to know about the safety of his children when the City decides to put a park there. Mayor Cravins informed Mr. Wilson that this was not a public hearing because the ordinance has not even been introduced yet.

Discussion regarding request by Mrs. Linda Walker for payment of Civil Service Board attorney fees for July and August 2012. On a motion by Alderman Joseph Charles and seconded by Alderman Blair Briggs, it was resolved to approve the request to increase the attorney's fees line item for Municipal Civil Service in the amount of \$1,246.50. A roll call vote was taken with the following results:

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

NAYS: Julius Alsandor.

ABSENT: None.

Discuss request for pre-approval for CONDITIONAL USE of property located in an NMU (Neighborhood Mixed Use) Zone at 631 S. Union Street to open a Healthcare Office (Marlon Haynes/Gwendolyn Callier). A public hearing regarding this matter was held by the Planning Commission on 08/13/2012. The Commission approved the request. On a

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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 located in an NMU (Neighborhood Mixed Use) Zone at 631 S. Union Street to open a Healthcare Office (Marlon Haynes/Gwendolyn Callier).

Discuss request for approval for CONDITIONAL USE of property in NMU (Neighborhood Mixed Use) Zone located at 232 E. Leonard Street to open a Music Retail Store and Instructional Studio (Sangam Properties LLC/Dorsey and Marie Greene). A public hearing regarding this matter was held by the Planning Commission on 08/13/2012. The Commission approved the request. On a motion by Alderman Reginald Tatum, seconded by Alderman Joseph Charles and unanimously carried, it was resolved to approve the request for approval for CONDITIONAL USE of property in NMU (Neighborhood Mixed Use) Zone located at 232 E. Leonard Street to open a Music Retail Store and Instructional Studio (Sangam Properties LLC/Dorsey and Marie Greene).

Discuss request for approval for VARIANCE of property in R1 (Residential-1) Zone located at 223 N. Walnut Street to open an Adult Day Healthcare Center (John B. Joseph/Audrey Joseph). A public hearing regarding this matter was held by the Planning Commission on 08/13/2012. The Commission approved the request. On a motion by Alderman Reginald Tatum, seconded by Alderman Joseph Charles and unanimously carried, it was resolved to approve the request for approval for VARIANCE of property in R1 (Residential-1) Zone located at 223 N. Walnut Street to open an Adult Day Healthcare Center (John B. Joseph/Audrey Joseph).

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 present.

INTRODUCTION OF ORDINANCES

INTRODUCTION OF AN ORDINANCE PROVIDING FOR AN ACT OF SALE BETWEEN THE CITY OF OPELOUSAS AND CHERRY MEADOWS LP, INVOLVING A TEN (10) ACRE TRACT OWNED BY THE CITY OF OPELOUSAS ON CHERRY STREET; PROVIDING FOR PROCEEDS FROM SAID SALE TO BE USED TO HELP FUND PHASE 1 OF THE PROPOSED PARK ON THE REMAINDER OF THE CITY-OWNED PROPERTY ON CHERRY STREET; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

AN ORDINANCE TO EXECUTE AN ACT OF
SALE BETWEEN THE CITY OF OPELOUSAS
AND CHERRY MEADOWS LP.

BE IT ORDERED that the Board of Aldermen of the City of Opelousas, State of Louisiana, acting as the governing authority of said municipality that the following ordinance be adopted.

SECTION I: The City will sell and relinquish to CHERRY MEADOWS LP, a Louisiana Partnership, whatsoever rights and interest that it may have, without any warranties or title guarantees whatsoever, in and to the following property:

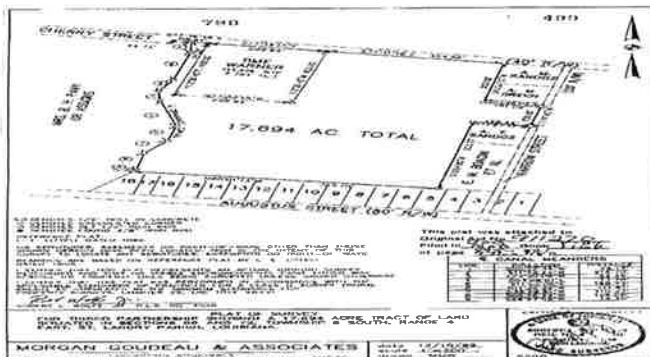
A certain parcel of land, situated in the City of Opelousas, St. Landry Parish, Louisiana, in Sections 66 and 72, Township 6 South, Range 4 East, and more particularly identified as a portion of the parcel identified on the Plat of Survey prepared by Morgan Goudeau & Associates, Robert L. Wolfe, Jr., Registered Land Surveyor, dated December 15, 1999 (copy attached hereto), and shown as a 9.11 Ac. Tract on a Schematic Site Plan by McKean & Associates Architects LLC (copy attached hereto as Exhibit "A").

The consideration for the sale and transfer will be the sum of \$200,000.00, which upon closing and receipt of funds, will be immediately deposited and used to begin Phase 1 of the Cherry Street Park project in accordance with the Master Plan for the City of Opelousas.

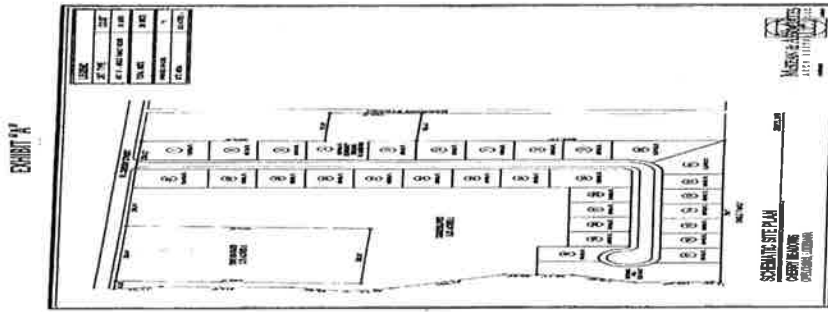
The City of Opelousas has no public need or public use in and to what it will be conveying and/or transferring in return for \$200,000.00, and the development of housing will in fact benefit the City greatly, as well as provide the needed funds to begin phase 1 of the Cherry Street Park project in accordance with the Master Plan for the City of Opelousas.

SECTION II: The Act of Sale is to be advertised in accordance with La. R.S. 33:4712, and if no objection is filed, the Mayor is hereby empowered, authorized, and directed to sign the Act of Sale on the terms and conditions set forth therein.

SECTION III: This ordinance shall be advertised 3 times within fifteen (15) days with each ad being one (1) week apart. Any opposition to this ordinance and transaction must be made in writing and filed with the City Clerk within fifteen (15) days from the first advertisement thereof. If an opposition is filed, the governing authority shall not adopt the ordinance until a hearing has been held. If the ordinance is adopted it shall not become effective until ten (10) days after its passage, during which time any interested citizen may apply to the District Court having jurisdiction for a restraining order.



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On a motion by Alderwoman Jacqueline Martin and seconded by Alderman Julius Alsandor, it was resolved to introduce the ordinance and grant authority to advertise a PUBLIC HEARING TO ADOPT AN ORDINANCE TO EXECUTE AN ACT OF SALE BETWEEN THE CITY OF OPELOUSAS AND CHERRY MEADOWS LP.

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.

PUBLIC HEARINGS

Pursuant to advertisement in the Daily World, a Public Hearing was opened at 5:40 p.m. TO ADOPT AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF AN AGGREGATE AMOUNT OF SIX MILLION FIFTY-FIVE THOUSAND DOLLARS (\$6,055,000) OF UTILITY REVENUE REFUNDING BONDS, SERIES 2012A (THE "SERIES 2012A BONDS") AND TAXABLE UTILITY REVENUE REFUNDING BONDS, SERIES 2012B (THE "SERIES 2012B BONDS") (THE SERIES 2012A BONDS AND THE SERIES 2012B BONDS ARE COLLECTIVELY HEREIN REFERRED TO AS THE "SERIES 2012 BONDS"), OF THE CITY OF OPELOUSAS, PARISH OF ST. LANDRY, STATE OF LOUISIANA (THE "ISSUER"); PRESCRIBING THE FORM, TERMS AND CONDITIONS OF THE SERIES 2012 BONDS; DESIGNATING THE DATE, DENOMINATION AND PLACE OF PAYMENT OF THE SERIES 2012 BONDS; PROVIDING FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE SERIES 2012 BONDS; AWARDED THE SALE OF THE SERIES 2012 BONDS TO THE PURCHASERS THEREOF; DESIGNATING THE PAYING AGENT FOR THE SERIES 2012 BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

Mr. John Mayeaux stated that this was the same ordinance that was discussed at the Special Meeting on 08/13/2012.

The Public Hearing was closed at 5:45 p.m.

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

ORDINANCE NO. 6 OF 2012

(full copy of adopted ordinance will be published separately)

Said Ordinance having been introduced on August 13, 2012, by Alderman Julius Alsandor, 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, Reginald Tatum, and Jacqueline Martin.

NAYS: None.

ABSENT: None.

ABSTAINED: None.

ATTEST:

CITY CLERK

MAYOR

Pursuant to advertisement in the Daily World, a Public Hearing was opened at 5:46 p.m. TO ADOPT AN ORDINANCE PROVIDING FOR THE INCURRING OF DEBT AND ISSUANCE OF FOUR MILLION FOUR HUNDRED THIRTY THOUSAND AND 00/100 DOLLARS (\$4,430,000) OF PUBLIC IMPROVEMENT REVENUE REFUNDING BONDS, SERIES 2012 (THE "SERIES 2012 BONDS"), OF THE CITY OF OPELOUSAS, PARISH OF ST. LANDRY, STATE OF LOUISIANA (THE "ISSUER"); PRESCRIBING THE FORM, TERMS AND CONDITIONS OF SAID SERIES 2012 BONDS; DESIGNATING THE DATE, DENOMINATION AND PLACE OF PAYMENT THEREOF IN PRINCIPAL AND INTEREST; AUTHORIZING THE AGREEMENT WITH THE PAYING AGENT; PROVIDING FOR THE ACCEPTANCE OF AN OFFER FOR THE PURCHASE OF SAID SERIES 2012 BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

The Public Hearing was closed at 5:49 p.m.

On a motion by Alderman Blair Briggs and seconded by Alderman Reginald Tatum, the Ordinance was offered for adoption.

ORDINANCE NO. 7 OF 2012

(full copy of adopted ordinance will be published separately)

Said Ordinance having been introduced on August 13, 2012, by Alderman Joseph Charles, 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, Reginald Tatum, and Jacqueline Martin.

NAYS: None.

ABSENT: None.

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ABSTAINED: None.
ATTEST:

CITY CLERK

MAYOR

Pursuant to advertisement in the Daily World, a Public Hearing was opened at 5:50 p.m. TO ADOPT AN ORDINANCE AMENDING THE OPERATING BUDGET OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR BEGINNING SEPTEMBER 1, 2011 AND ENDING AUGUST 31, 2012.

The Public Hearing was closed at 6:01 p.m.

On a motion by Alderman Reginald Tatum and seconded by Alderman Louis Butler, Jr., the following Ordinance was offered for adoption:

ORDINANCE NO. 08 OF 2012
AN ORDINANCE AMENDING THE OPERATING BUDGET OF
REVENUES AND EXPENDITURES FOR THE FISCAL YEAR
BEGINNING SEPTEMBER 1, 2011 AND ENDING AUGUST 31, 2012

BE IT ORDAINED by the Board of Aldermen, of the City of Opelousas, Louisiana in general session convened that:

SECTION I. The attached detailed budget of Revenues for Fiscal Year beginning September 1, 2011 and ending August 31, 2012, has been and the same was hereby amended to serve as an Operating Budget of Revenues for the City of Opelousas, Louisiana, during the same period.

SECTION II. The attached budget of Expenditures by departments for the Fiscal Year beginning September 1, 2011 and ending August 31, 2012, has been and the same was hereby amended to serve as a budget of expenditures for the City during the said period.

SECTION III. The amending of this Operating Budget of Expenditures has been and the same was hereby declared to operate as an appropriation of the amount therein set forth within the terms of the budget classification.

SECTION IV. Amounts were available for expenditures only to the extent included with the 2011-2012 budget. Said Ordinance having been introduced on July 24, 2012, by Alderman Julius Alsandor, notice of public hearings having been published, said public hearings 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, Reginald Tatum and Jacqueline Martin.

NAYS: None.

ABSENT: None.

ABSTAINED: None.

The Ordinance was declared adopted on this 21st day of August 2012.

ATTEST:

CITY CLERK

MAYOR

Pursuant to advertisement in the Daily World, a Public Hearing was opened at 6:03 p.m. TO ADOPT AN ORDINANCE ADOPTING THE OPERATING BUDGET OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR BEGINNING SEPTEMBER 1, 2012 AND ENDING AUGUST 31, 2013. Alderman Reginald Tatum stated that three of the aldermen have not had a chance to review the budget. Alderman Julius Alsandor was in agreement with Alderman Tatum. The Public Hearing was closed at 6:04 p.m.

On a motion by Alderman Reginald Tatum, seconded by Alderman Julius Alsandor and unanimously carried, it was resolved to table the discussion for the adopting of the budget until a Special Meeting can be held.

RESOLUTIONS

A RESOLUTION OF SUPPORT FOR 2012-2013 "KEEP LOUISIANA BEAUTIFUL" HEALTHY COMMUNITIES GRANT APPLICATIONS FOR KEEP OPELOUSAS BEAUTIFUL, CODE ENFORCEMENT, AND PARKS & RECREATION.

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

RESOLUTION NO. 16 OF 2012
A RESOLUTION OF SUPPORT FOR THE CITY OF OPELOUSAS' APPLICATIONS FOR THE FY 2012-2013 KEEP LOUISIANA BEAUTIFUL HEALTHY COMMUNITIES GRANT PROGRAM

WHEREAS, the Keep Louisiana Beautiful (KLB) mission is to promote personal, corporate and community responsibility for a clean and beautiful Louisiana; and

WHEREAS, the KLB 2012-2013 Healthy Communities Grant program is designed to encourage community action in the specific areas of education, enforcement, and participation in the Great American Cleanup and other such activities; and

WHEREAS, Keep Louisiana Beautiful provides funding to eligible entities for the express purpose of reducing litter and waste in Louisiana. KLB will support strong, sustainable, action oriented programs dedicated to their mission, and which demonstrate a clear commitment to community education and change; and

WHEREAS, the City of Opelousas has been committed to the goals of Keep Louisiana Beautiful and officially joined as an affiliate program of Keep America Beautiful on October 14, 2011; and

WHEREAS, the anti-litter efforts of Keep Opelousas Beautiful, Code Enforcement, Parks and Recreation, Street Department and Police Department of the City of Opelousas all participate in the specific areas of education, enforcement, and the Great American Cleanup as well as our own Trash Bash, and are eligible for assistance under this program;

NOW, THEREFORE, BE IT RESOLVED by the Board of Alderman of the City of Opelousas, State of Louisiana that support is given to the applications for the FY 2012-2013 Keep Louisiana Beautiful Healthy Communities Grant Program.

The above resolution having been submitted to a vote, was adopted as follows on the 21st day of August 2012.

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NAYS: None.

ABSENT: None.

ATTEST:

CITY CLERK

MAYOR

CONSENTS

On a motion by Aldermen Reginald Tatum and seconded by Alderman Julius Alsandor, it was resolved to grant authority to have City-owned properties located at 931 S. Market Street and Common Street appraised and advertised for sale.

On a motion by Aldermen Reginald Tatum and seconded by Alderman Julius Alsandor, it was resolved to grant authority to request proposals for gas (fuel) vendors for all City vehicles.

On a motion by Aldermen Reginald Tatum and seconded by Alderman Julius Alsandor, it was resolved to grant authority to advertise a Public Hearing regarding the following properties:

- a. Roy Mayo, 700 Block Planters Street (Abandoned Mobile Homes)
- b. Lee Esther Mayo, 700 Block Planters Street (Abandoned Mobile Home)
- c. Glenn R. Walker & Alice Walker, c/o Willie Breaux (Burned Wood Frame Structure)
- d. Sybil Williams, 818 Halphen Street (Wood Frame Structure)
- e. John Edward Brooks, 423 E. Grolee Street (Burned Wood Frame Structure)
- f. Adair Asset Management LLC/US Bank, Stephen C. Ayers W/R, 1509 Goodloe Street (Burned Wood Frame Structure)
- g. EXODUS III, LLC, 233 N. Main Street (Abandoned Brick Veneer Structure)
- h. Mary Ann Thierry Anderson, 521 & 529 Lot 7 Sapphire Street (Abandoned Mobile Home)

On a motion by Aldermen Reginald Tatum and seconded by Alderman Julius Alsandor, it was resolved to approve the recommendation for suspension of Police Lieutenant Terry Miller for eight (8) hours without pay for failing to successfully satisfy the responsibilities of a Police Lieutenant.

On a motion by Aldermen Reginald Tatum and seconded by Alderman Julius Alsandor, it was resolved to approve the recommendation for promotion of Joseph Scott Aymond from Permanent Police Captain to Probational Police Major, effective 08/19/2012.

On a motion by Aldermen Reginald Tatum and seconded by Alderman Julius Alsandor, it was resolved to approve the termination of Military Leave without Pay of Probational Police Officer First Class Jose Mendez, effective 08/13/2012.

On a motion by Aldermen Reginald Tatum and seconded by Alderman Julius Alsandor, it was resolved to approve the recommendation for suspension of Firefighter Stewart Young for eighteen (18) calendar days, beginning 08/20/2012 through 09/06/2012, for failure to report for duty and misuse of sick leave policy.

On a motion by Aldermen Reginald Tatum and seconded by Alderman Julius Alsandor, it was resolved to approve the request for removal of tree on private property on Liberty Street.

ANNOUNCEMENTS

Mr. Wilbert Levier stated that his great concern is that when there is a meeting for employees to express or address their concerns, they are never informed of those meetings—but the non-civil service employees are informed. He stated that people sitting on the board never ask where the employees are and neither does the attorney ask that question. Something needs to be done. Mrs. Linda Walker stated that all meetings are posted 24 hours prior to the meeting.

Rev. Woodrow Thompson will be inducted into the Southern University Hall of Fame. Mayor Cravins congratulated him for his accomplishments.

There being nothing further to come before the Council, on a motion by Alderman Reginald Tatum, seconded by Alderman Julius Alsandor and unanimously carried, it was resolved that the meeting be adjourned. The meeting was adjourned at 6:26 p.m.

ATTEST:

CITY CLERK

MAYOR