

CITY OF OPELOUSAS  
OPELOUSAS, LOUISIANA  
REGULAR MEETING MINUTES  
MARCH 10, 2015

The Council of the City of Opelousas, Parish of St. Landry, State of Louisiana, convened in a regular session on this 10<sup>th</sup> day of March 2015 at 5:00 p.m.

With Mayor Reginald Tatum presiding, the meeting was called to order.

Mayor Tatum requested the Clerk to call the roll and the following Council members were PRESENT: Marvin Richard, Julius Alsandor, J. Tyrone Glover, Blair Briggs, Sherell Roberts and Jacqueline Martin. ABSENT: None.

A moment of silent meditation was observed. Alderwoman Jacqueline Martin led the Pledge of Allegiance and Alderman J. Tyrone Glover led the Prayer.

On a motion by Alderman Blair Briggs, seconded by Alderman J. Tyrone Glover, and unanimously carried, it was resolved to approve the minutes of the Regular Meeting held on 02/10/2015.

On a motion by Alderman Blair Briggs and seconded by Aldermen Marvin Richard and J. Tyrone Glover and unanimously carried, it was resolved to adopt the agenda, with the following changes: **deleting under the PRESENTATIONS Section, Item No. 10, "Presentation by Ms. Mary Jackson regarding support for the OHS Marching Band to participate in the National Memorial Day Parade in Washington D.C.";** **adding under the CONSENTS Section, Item No. 14-A, "Presentation by Mayor Tatum to discuss pool and bathroom repairs at City Parks";** **correcting under the CONSENTS Section, Item No. 35b, "Christopher Auzenne" should be "Christopher Courville";** **adding under the CONSENTS Section, Item No. 30-A, "Award contract for the Sewer Treatment Plant Improvements (Walmart D.C. #6048) Project, MGA Project STP#73, to Trek, Inc, in the amount of \$263,853.00".**

**PRESENTATIONS**

*Presentation by Mayor Reginald Tatum and Alderman J. Tyrone Glover in recognition of the heroic life-saving acts performed by Opelousas Police Officers Tyrone Davis and Shone Richard.* Chief Donald Thompson stated that these two officers responded to a call in reference to a man who decided to take his own life. With the response time of these two officers, they were able to save this man's life. The officers were presented with plaques by Alderman Glover on behalf of the City of Opelousas for going above and beyond the call of duty.

*Proclamation for Keep Opelousas Beautiful and Keep Louisiana Beautiful Programs.* Ms. Frances Leday invited everyone to the Leaders Against Litter Day activity on Friday, March 13, 2015, starting at 8:30 a.m. at the Farmer's Market.



*Presentation by Ms. Lena Anderson regarding Library concerns.* Ms. Anderson addressed the Council regarding problems at the Library. She stated that this all started the first week in January. She met Attorney Bill Gaudin at a function and

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mentioned to him that she had a lot of concerns about the Library from the number of years she had been going there. She stated that she knew about the transition from Mr. Stubbs being the Librarian there to the recent hiring of a black woman by the name of Ms. Alicia Guy as Librarian. She stated that she learned that the Board had refused to let Ms. Guy be interviewed. Ms. Anderson stated that on her own initiative she had been raising donations for the library to purchase equipment they needed but she was later told by Ms. Guy that she would no longer be able to solicit donations nor would the library be able to accept donations from her. She felt that her donations were being refused by the Library Board because of revengefulness toward her. Ms. Anderson stated that a lot of things she checked into at the Library did not add up. Mayor Tatum informed Ms. Anderson that he would look into the matter and get back with her.

*(Item Deleted) Presentation by Ms. Mary Jackson regarding support for the OHS Marching Band to participate in the National Memorial Day Parade in Washington D.C.*

*Presentation by Mr. Paul Gennuso regarding sales tax issues.* Mr. Gennuso stated he was there as a commissioner for the Sales Tax Commission for St. Landry Parish. He stated that with the recent trail ride/mardi gras parade that was held in Opelousas, the City got zero in the tax collection. Mr. Gennuso referenced the City statutes that all permits are issued by the Mayor. He stated that when these events are held at the Yambilee Building, the City is losing a lot of money. He stated Opelousas is a business and should be run as such that the City should at least have a treasurer or comptroller in place for checks and balances. He pointed out that the Yambilee building is in the City limits of Opelousas and has been for several years. He stated that the City had been getting funds from the Yambilee building for years but for some reason some prior administration decided to change this. He pointed out that the permit that was issued to the recent trail ride/parade was \$30.00 but had the City issued a permit for each horse participating, they would have made serious money. Mr. Gennuso stated that the City should get with Parish Government and have someone from the City meet with them to research this matter. Attorney Garrett Duplechain verified that the Yambilee Building is indeed in the City limits and he will be getting with the St. Landry Parish School Board to make sure they are collecting the right amount of money for the City. Mr. Gennuso stated that Sales Tax collections are based on an honor system and there is no way to verify what was actually taken in. Attorney Duplechain stated that he will be meeting with the representative from the Sales Tax Department on tomorrow. No further action taken.

*Discuss request for approval for VARIANCE of property located in a C1 (Commercial 1) Zone at I-49 N. Service Road to move a mobile building to use as an Office Building (St. Landry Parish Federal Credit Union). The Planning Commission held a Public Hearing on 03/09/2015 and this item was taken under advisement for more review. No action needed at this time.*

*Discuss request for **pre-approval** for VARIANCE of property located in an R1 (Residential 1) Zone at 430 E. Grolee Street to relocate an existing Bakery business (Andre Pont, LLC – Yam Country Pies). The Planning Commission held a Public Hearing on 03/09/2015 and recommended approval of this item. On a motion by Alderman Blair Briggs and seconded by Alderwoman Jacqueline Martin and Alderman Marvin Richard, it was resolve to approve the request for **pre-approval** for VARIANCE of property located in an R1 (Residential 1) Zone at 430 E. Grolee Street to relocate an existing Bakery business (Andre Pont, LLC – Yam Country Pies). A roll call vote was taken with the following results:  
YEAS: Marvin Richard, Julius Alsandor, J. Tyrone Glover, Blair Briggs, Sherell Roberts, and Jacqueline Martin.  
NAYS: None.  
ABSENT: None.*

*Discuss request by Mrs. Melanie Lee-Lebouef to amend the Tourism Department budget line item 54560-3397 (Promotions) in the amount of \$5,028.60 for final payment of Gulf Coast Tourism Grant. On a motion by Alderman Blair Briggs and Alderman J. Tyrone Glover, it was resolved to approve the request by Mrs. Melanie Lee-Lebouef to amend the Tourism Department budget line item 54560-3397 (Promotions) in the amount of \$5,028.60 for final payment of Gulf Coast Tourism Grant. A roll call vote was taken with the following results:  
YEAS: Marvin Richard, Julius Alsandor, J. Tyrone Glover, Blair Briggs, Sherell Roberts, and Jacqueline Martin.  
NAYS: None.  
ABSENT: None.*

*Presentation by Mayor Tatum to discuss pool and bathroom repairs at City Parks.* Mr. Clarence Watson, Parks & Recreation Director, informed the Council that in order to open both pools, it would cost approximately \$43,058.00. It was suggested that only the pool at North Park be opened at this time at a cost of approximately \$21,000.00. Alderman Julius Alsandor questioned what the additional costs of operating the pool would be since he only provided amounts for

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labor, supplies, and security. He also asked if Mr. Watson had money in his budget for this project. Mr. Watson stated that he did not have money budgeted for this project and would need to request additional funding. Mayor Tatum requested that Mr. Watson have a number for them at next month's meeting. This item was tabled until next month's meeting.

Mr. Watson stated that in regards to the bathroom situation, the bathrooms are working but they are very old. Alderman Glover stated that he never said the bathrooms weren't working but that they were not cleaned, they smelled horrible and they were covered in graffiti. Mr. Watson stated that there is a protocol that involves submitting a work order that all of the Council members have to request services from departments but he knows that the bathrooms are being cleaned on a regular basis. Mr. Charles Tyler stated that the bathrooms are horrible and are not being inspected after a certain time.

*Approve request by Chief Donald Thompson to rescind previously approved request to transfer \$28,000.00 from line item 54210-1101 (Salaries) to 54210-3374 (Professional Services) due to decision not to hire Mrs. Anna Simmons as a financial advisor/consultant at this time.* On a motion by Alderman Blair Briggs and seconded by Alderman Marvin Richard, it was resolved to approve the request by Chief Donald Thompson to rescind previously approved request to transfer \$28,000.00 from line item 54210-1101 (Salaries) to 54210-3374 (Professional Services) due to decision not to hire Mrs. Anna Simmons as a financial advisor/consultant at this time. A roll call vote was taken with the following results:

YEAS: Marvin Richard, Julius Alsandor, J. Tyrone Glover, Blair Briggs, Sherell Roberts, and Jacqueline Martin.

NAYS: None.

ABSENT: None.

*Discuss request by Chief Donald Thompson to amend the Police Department budget in the amount of \$22,150.47 in the Capital Outlay account for Computer-related costs not previously budgeted resulting from purchase of thirty (30) body cameras, software, and hardware.* Alderman Julius Alsandor pointed out that they are six months into the fiscal year and when this discussion took place a month and a half ago, the Council asked the Chief to work through the end of the budget and the amend those line items that were depleted. He pointed out that the Chief said he could move funds from another line item which means there is still money in his budget that he can take care of these items with. Alderman Glover pointed out that the Chief is asking to move funds from another line item to take care of this matter. On a motion by Alderman Blair Briggs and seconded by Alderman Marvin Richard, it was resolved to approve the request by Chief Donald Thompson to amend the Police Department budget in the amount of \$22,150.47 in the Capital Outlay account for Computer-related costs not previously budgeted resulting from purchase of thirty (30) body cameras, software, and hardware. A roll call vote was taken with the following results:

YEAS: Marvin Richard, J. Tyrone Glover, Blair Briggs, Sherell Roberts, and Jacqueline Martin.

NAYS: Julius Alsandor.

ABSENT: None.

*Discuss request by Chief Donald Thompson for funding of annual software license agreement with PTS Solutions in the amount of \$20,000.00. (This item has been deleted.)*

*Discuss request by Chief Donald Thompson to transfer \$8,000.00 from 54210-3334 (Coroner's Fees) to 52310-2233 (Uniforms) to offset the cost of additional uniform purchases.* The City Clerk noted for the record that the account number for Police Department Uniforms should be 54210-2233. Alderman Blair Briggs asked what these additional uniforms were for. Chief Thompson stated that they were going with a different design for uniforms for all officers. Alderwoman Jacqueline Martin asked Chief Thompson if he did not want to wait a while longer for uniforms to make sure all of his funds are budgeted right so that he does not go over. Mayor Tatum asked if they would not need those additional funds in Coroner's fees. Captain Mark Guidry stated that last year at this time they had already paid for five autopsies but they have not had any come out of their current budget this fiscal year. On a motion by Alderman J. Tyrone Glover and seconded by Alderwoman Sherell Roberts, it was resolved to approve the request by Chief Donald Thompson to transfer \$8,000.00 from 54210-3334 (Coroner's Fees) to 52310-2233 (Uniforms) to offset the cost of additional uniform purchases. A roll call vote was taken with the following results:

YEAS: Marvin Richard, J. Tyrone Glover, and Sherell Roberts.

NAYS: Julius Alsandor, Blair Briggs, and Jacqueline Martin.

ABSENT: None.

TIE VOTE: MAYOR REGINALD TATUM VOTED YES.

**MOTION PASSES.**

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*Discuss request by Chief Donald Thompson regarding adoption of a sagging pants ordinance with review by City Attorney of legal issues regarding ordinance.* Chief Thompson stated he knows he will be challenged by the ACLU regarding this issue. He pointed out that it is disrespectful to the citizens of Opelousas to go into the public with sagging pants. Chief Thompson referenced an ordinance that was passed by the City of Ville Platte and asked that the City of Opelousas pass the same ordinance. Attorney Duplechain stated that the ordinance could certainly be challenged in a court of law by the ACLU under a number of grounds, including depriving one of free speech; however he does not feel that clothing falls under this form of free speech and ultimately the court will decide. Alderman Tyrone Glover stated that instead of attacking just one particular part of this with sagging pants—there are also young ladies walking around with bustiers and “daisy dukes”—that if they are going to address this it should be addressed across the board. Chief Thompson pointed out that he is not asking them to vote on it today just review it and revisit it because they have to start somewhere. Alderman Julius Alsandor asked if the City has a “sagging pants” ordinance. City Clerk Leisa Anderson pointed out that the only thing the City has that is closely related to this is an “indecent exposure” ordinance. Mr. Victor Lewis stated that they are missing the point by concentrating on sagging pants instead of on crime. Mr. Warren Babineaux stated that he does not like “sagging”. Several other citizens voiced their dislike for sagging. No further action taken at this time.

*Discuss request by Mrs. Donna Lewis, Opelousas Water Department Billing Clerk, for proposed amendment to water billing department fees.* Mrs. Lewis pointed out the various issues that have come before the water department of which changes to the current ordinance

AN ORDINANCE AMENDING ORDINANCE NO. 1 OF 2009 AS IT RELATES TO CHAPTER 14, SECTION 14-4(C), OF THE CITY OF OPELOUSAS CODE OF ORDINANCES RELATING TO THE SCHEDULE OF FEES AND CHARGES FOR THE CITY OF OPELOUSAS WATERWORKS SYSTEM, SPECIFICALLY DELINQUENT CHARGES, USING WATER WITHOUT A CONNECTION FEES AND PAYMENT ARRANGEMENTS

BE IT ORDAINED by the Board of Aldermen of the City of Opelousas, State of Louisiana, that Chapter 14, Section 14-4 (C), of the City of Opelousas Code of Ordinances be, and the same is hereby amended to read:

SECTION 4. For the reasons set forth in the preambles to this ordinance, effective May 1, 2015, the following **highlighted** schedule of fees and charges for the miscellaneous services provided by the City with respect to its municipally-owned waterworks system and sewage collection and disposal system are hereby placed into effect:

Service Calls \$15.00  
(checking meters, requests to turn off water, ~~delinquent charge~~, etc.)

Delinquent Account Fees \$30.00

Tampering Fees \$50.00

Using Water Without a Connection (New Connections) \$50.00

Using Water Without a Connection (Obstruction of Meter) \$50.00 plus an additional \$25.00 for each billing period that meter is obstructed.

Payment Arrangements Arrangements will NOT be made on cutoff day. In addition, payment arrangements will NOT be made on any account that has not been paid in full within the past 90 days. Customers will be required to pay the outstanding balance in full plus any applicable fees.

Employees of the City of Opelousas must also adhere to these guidelines.

On a motion by Alderman Blair Briggs and seconded by Alderman Marvin Richard, it was resolved to introduce the ordinance and grant authority for a Public Hearing to adopt AN ORDINANCE AMENDING ORDINANCE NO. 1 OF 2009 AS IT RELATES TO CHAPTER 14, SECTION 14-4(C), OF THE CITY OF OPELOUSAS CODE OF ORDINANCES RELATING TO THE SCHEDULE OF FEES AND CHARGES FOR THE CITY OF OPELOUSAS WATERWORKS SYSTEM, SPECIFICALLY DELINQUENT CHARGES, USING WATER WITHOUT A CONNECTION FEES AND PAYMENT ARRANGEMENTS. A roll call vote was taken with the following results:

YEAS: Marvin Richard, Julius Alsandor, J. Tyrone Glover, Blair Briggs, Sherell Roberts, and Jacqueline Martin.

NAYS: None.

ABSENT: None.

*Discuss request by Fire Chief Lee Cahanin of appointment of interim Fire Chief.* Chief Cahanin stated that he will be retiring, effective 05/01/2015, but he will be leaving on 04/01/2015 in order to use some of his vacation time. He pointed out that grades from the current Fire Chief testing will not be in until mid May, therefore, he is recommending that Mr. Charles Mason, Assistant Fire Chief, be considered for appointment as interim Fire Chief, effective 04/01/2015, to allow

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the department to continue running smoothly and allow time for training and final selection of Permanent Fire Chief. On a motion by Alderwoman Jacqueline Martin and seconded by Alderman Marvin Richard, it was resolved to approve the recommendation by Fire Chief Lee Cahanin to appoint Mr. Charles Mason as interim Fire Chief, effective 04/01/2015, with salary adjustment pending verification from Fire & Police Civil Service Board of pay scale. A roll call vote was taken with the following results:

YEAS: Marvin Richard, Julius Alsandor, J. Tyrone Glover, Blair Briggs, Sherell Roberts, and Jacqueline Martin.  
NAYS: None.  
ABSENT: None.

*Presentation by Mr. Vic Slaven of Kolder, Champagne, Slaven & Company, LLC to review the Fiscal Year End 08/31/2014 Audit Report for the City of Opelousas.* Mr. Slaven gave a summary of the audit report that was completed by his firm and stated that the city received a favorable review. On a motion by Alderman Blair Briggs and seconded by Alderman J. Tyrone Glover, it was resolved to accept the Fiscal Year End 08/31/2014 Audit Report for the City of Opelousas as present by Kolder, Champagne, Slaven & Company, LLC. A roll call vote was taken with the following results:

YEAS: Marvin Richard, Julius Alsandor, J. Tyrone Glover, Blair Briggs, Sherell Roberts, and Jacqueline Martin.  
NAYS: None.  
ABSENT: None.

*Presentation by City Attorney.* Attorney Jarvis Claiborne was not present.

*Engineer's Monthly Status Report.* Mr. William Jarrell stated that he had no report to present.

#### INTRODUCTION OF ORDINANCES

*INTRODUCTION OF AN ORDINANCE OF THE CITY OF OPELOUSAS TO ABANDON A PORTION OF NORTH STREET BEGINNING FROM WHERE ASPHALT ENDS SITUATED IN SECTION 74, TOWNSHIP 6 SOUTH, RANGE 4 EAST, IN SAINT LANDRY PARISH, LOUISIANA, RETAINING THE RIGHT-OF-WAY FOR UTILITIES.*

AN ORDINANCE TO ABANDON  
A PORTION OF NORTH STREET

BE IT ORDAINED by the Board of Aldermen of the City of Opelousas, State of Louisiana, acting as the governing authority of said municipality.

SECTION I. That the City of Opelousas does hereby formally abandon as a public street the following described to wit:

*A certain portion of North Street beginning from where the asphalt ends situated in Section 74, Township 6 South, Range 4 East, in Saint Landry Parish, Louisiana.*

SECTION II. The above said street known as a portion of North Street is no longer of use to the City of Opelousas, and is hereby abandoned to the benefit of the present abutting property owners, to be owned by them in the manner and proportions described by law, with the City of Opelousas retaining the right-of-way for utilities.

On a motion by Alderwoman Jacqueline Martin and seconded by Alderwoman Sherell, it was resolved to introduce the ordinance and grant authority for a Public Hearing to adopt *AN ORDINANCE OF THE CITY OF OPELOUSAS TO ABANDON A PORTION OF NORTH STREET BEGINNING FROM WHERE ASPHALT ENDS SITUATED IN SECTION 74, TOWNSHIP 6 SOUTH, RANGE 4 EAST, IN SAINT LANDRY PARISH, LOUISIANA, RETAINING THE RIGHT-OF-WAY FOR UTILITIES.* A roll call vote was taken with the following results:

YEAS: Marvin Richard, Julius Alsandor, J. Tyrone Glover, Blair Briggs, Sherell Roberts, and Jacqueline Martin.  
NAYS: None.  
ABSENT: None.

#### BIDS

*Accept Bids for Uniforms in the Police Department (Bid #01-15).* Pursuant to an advertisement in the Daily World for Bids for Uniforms for the Police Department (**Bid #01-15**), two (2) bids were received:

#### GUIDRY'S UNIFORMS

| <u>ITEMS</u>   | <u>PRICE, each</u> | <u>OVERSIZE CHG</u> |
|--|--------------------|---------------------|
| 1. Long sleeve shirt, white w/piggy back trim, unstitched epaulets, gold P buttons<br>Brand Bid<br>Style # | No Longer Get      |                     |
| 2. Short sleeve shirt, white w/piggy back trim, unstitched epaulets, gold P buttons<br>Brand Bid           | No Longer Get      |                     |

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- |  |  |
|--|--|
| <p>Style #</p> <p>3. Long sleeve shirt, navy w/piggy back trim,<br/>Brand Bid</p> <p>Style #</p> <p>4. Short sleeve shirt, navy w/piggy back trim,<br/>unstitched epaulets<br/>Brand Bid</p> <p>Style #</p> <p>5. Long sleeve shirt, navy polyester, wool, lycra<br/>Brand Bid – Blauer</p> <p>Style # - BL 8670 GR LS</p> <p>6. Short sleeve shirt, navy polyester, wool, lycra<br/>Brand Bid – Blauer</p> <p>Style # - BL 8675 GR SS</p> <p>7. Pant, polyester, wool, lycra<br/>Brand Bid – BL</p> <p>Style # - 8650</p> <p>8. Raincoat/reversible, black/hi-vis yellow<br/>Brand Bid – Blauer</p> <p>Style # - BL 26990</p> <p>9. Rain slicker, 3 piece reversible, black/hi-vis<br/>yellow, with hood, pant<br/>Brand Bid</p> <p>Style #</p> <p>10. Jacket, water proof, wind proof, with hood<br/>and pull down reflective panels<br/>Brand Bid – Blauer</p> <p>Style # - 9810Z</p> | <p>No Longer Get</p> <p>No Longer Get</p> <p>\$53.99            NONE<br/>price plain, with patches*</p> <p>\$48.99            NONE<br/>price plain, with patches*</p> <p>\$41.99            NONE<br/>price plain, with patches*</p> <p>\$118.98<br/>with hood</p> <p>N/A                N/A</p> <p>\$163.99<br/>with drop down-reflective panels<br/>“POLICE”, &amp; patches</p> |
|--|--|

Customization of shirts \* - changing straps and flap color, with trim - \$14.00 each per shirt.  
Customization of pants \* - adding stripe on pants - \$12.00 each.

|                                       |   |               |
|---------------------------------------|---|---------------|
| <b>LAWMEN'S &amp; SHOOTERS SUPPLY</b> | - | <b>NO BID</b> |
|---------------------------------------|---|---------------|

On a motion by Alderman J. Tyrone Glover and seconded by Alderman Blair Briggs, it was resolved to take the bid under advisement and award if the bidder meets specifications. A roll call vote was taken with the following results:  
YEAS: Marvin Richard, Julius Alsandor, J. Tyrone Glover, Blair Briggs, Sherell Roberts, and Jacqueline Martin.  
NAYS: None.  
ABSENT: None.

*Accept Bids for Type E Multi-Grade Mix and Type B Cold Mix (Bid #02-15).* Pursuant to an advertisement in the Daily World for Bids for Type E Multi Grade Mix and Type B Cold Mix (**Bid #02-15**), two (2) bids were received:

| Bidder  | Price   |
|---|---|
| <b><u>The EZ Street Company</u></b>   |   |
| <b><u>Cold Laid Asphalt</u></b>   |   |
| Hot Mixed Cold Lay – Type B, D, or F AC 0.6                                   | \$77.00 per ton   |
| Super Patch High Performance Material   | \$99.00 per ton   |
| <b><u>Material Resources, Inc.</u></b>  |   |
| <u>HP-1 High Performance Cold Mix BULK</u>                                    | \$90.00 per ton FOB PLANT.  |
| <u>HP-1 High Performance Cold Mix BULK</u><br>(Delivered to Maintenance Yard) | \$98.00 per ton. 25 ton minimum. Smaller Loads can be delivered, freight will change. |
| <u>HP-1 High Performance Cold Mix 50lb BAGS</u><br>(48 Bags per pallet)       | \$ 8.50 per bag FOB PLANT.  |
| <u>HP-1 High Performance Cold Mix 50lb Bags</u><br>(48 Bags per pallet)       | \$12.05 per bag.  |
| (Delivered to Maintenance Yard - Minimum 1 Pallet)                            |   |
| <u>HP Modified Cold Mix BULK</u>  | \$88.40 per ton FOB PLANT.  |
| <u>HP Modified Cold Mix BULK</u><br>(Delivered to Maintenance Yard)           | \$96.40 per ton. 25 ton minimum. Smaller Loads can be delivered, freight will change. |

On a motion by Alderwoman Jacqueline Martin and seconded by Alderwoman Sherell Roberts and Alderman Marvin Richard, 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:

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YEAS: Marvin Richard, Julius Alsandor, J. Tyrone Glover, Blair Briggs, Sherell Roberts, and Jacqueline Martin.

NAYS: None.

ABSENT: None.

*Accept Bids for Chlorine (Bid #03-15).* Pursuant to an advertisement in the Daily World for Bids for Chlorine (*Bid #03-15*), one (1) bid was received:

DPC Enterprises, L.P.

\$668.00/one ton cylinder

\$134.00/one hundred fifty pound cylinder

On a motion by Alderman Julius Alsandor and seconded by Alderman Marvin Richard, it was resolved to take the bid under advisement and award if the bidder meets specifications. A roll call vote was taken with the following results:

YEAS: Marvin Richard, Julius Alsandor, J. Tyrone Glover, Blair Briggs, Sherell Roberts, and Jacqueline Martin.

NAYS: None.

ABSENT: None.

### **PUBLIC HEARINGS**

*A PUBLIC HEARING TO ADOPT AN ORDINANCE GRANTING CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY LOUISIANA GAS, THE RIGHT TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN FACILITIES FOR THE TRANSPORTATION, DISTRIBUTION AND SALE OF GAS IN THE MUNICIPALITY AND, FOR SUCH PURPOSES, TO USE AND EXCAVATE IN THE PUBLIC HIGHWAYS, STREETS, SIDEWALKS, ALLEYS, SQUARES, COMMONS, GROUNDS, AND OTHER PUBLICLY OWNED AREAS AND LEVYING A FRANCHISE (PRIVILEGE) TAX FOR THAT PURPOSE.*

Pursuant to an advertisement in the Daily World TO ADOPT AN ORDINANCE GRANTING CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY LOUISIANA GAS, THE RIGHT TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN FACILITIES FOR THE TRANSPORTATION, DISTRIBUTION AND SALE OF GAS IN THE MUNICIPALITY AND, FOR SUCH PURPOSES, TO USE AND EXCAVATE IN THE PUBLIC HIGHWAYS, STREETS, SIDEWALKS, ALLEYS, SQUARES, COMMONS, GROUNDS, AND OTHER PUBLICLY OWNED AREAS AND LEVYING A FRANCHISE (PRIVILEGE) TAX FOR THAT PURPOSE, a Public Hearing was opened at 7:07 p.m.

#### **ORDINANCE NO. 02 OF 2015**

AN ORDINANCE GRANTING CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY LOUISIANA GAS, THE RIGHT TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN FACILITIES FOR THE TRANSPORTATION, DISTRIBUTION AND SALE OF GAS IN THE MUNICIPALITY AND, FOR SUCH PURPOSES, TO USE AND EXCAVATE IN THE PUBLIC HIGHWAYS, STREETS, SIDEWALKS, ALLEYS, SQUARES, COMMONS, GROUNDS, AND OTHER PUBLICLY OWNED AREAS AND LEVYING A FRANCHISE (PRIVILEGE) TAX FOR THAT PURPOSE

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF OPELOUSAS, LOUISIANA:

CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Louisiana Gas, its successors and assigns, hereinafter called "Grantee," is hereby granted the right to construct, install, operate and maintain in this municipality, as now and hereafter constituted, pipelines and related facilities for the transportation, distribution and sale of gas and for such purposes to use, and excavate in, the public highways, bridges, streets, sidewalks, alleys, squares, commons, grounds and other publicly owned areas for a period of fifteen (15) years.

Grantee's facilities shall be installed and operated in a workman like manner, and this Municipality shall be held harmless from any damages caused by the negligence of Grantee's employees in the course of their employment. Grantee shall tunnel beneath paved streets, sidewalks and alleys wherever practical in laying and replacing mains. Grantee shall refill its excavations and restore sidewalks and pavements promptly, and if this is not done within a reasonable time then it may be done by the Municipality at Grantee's expense. Grantee's lines shall be laid so as not to interfere with the present sewer and/or water system, and if a new sewer and/or water line crosses Grantee's pipeline at the same level, then this Municipality may, if Grantee has not done so after reasonable notice, raise or lower Grantee's line at Grantee's expense but only under Grantee's supervision. However, if any relocation of Grantee's pipelines and/or related facilities is required as a result of any project of the United States federal government or any project financed in whole or in part by the United States federal government, then the Municipality shall pay Grantee the costs and expenses incurred by Grantee in relocating Grantee's pipelines and/or related facilities up to but not greater than the total finances provided in connection with any such project by the United States federal government.

This Municipality may inspect Grantee's construction work at any time, or have said work inspected by a qualified engineer.

The point of delivery of gas to the consumer shall be at the inlet to the consumer's meter, and service pipe and facilities necessary to safely receive and utilize the gas at and beyond that point of delivery shall be furnished and maintained by the consumer, except that Grantee shall furnish and connect the gas meter. Title to all equipment installed by Grantee shall remain in Grantee, and Grantee shall have the unqualified right to use, extend, repair, replace, change, abandon or remove facilities installed under the authority of this grant or any other facilities as it may determine to be necessary or desirable from time to time in the conduct of its business. Grantee will not be obligated to commence, extend or continue any particular gas service by means of facilities installed under the authority of this grant or any other facilities except as Grantee may determine the prudent management and use of its present and future gas supply and facilities to permit and in accordance with Grantee's applicable rates, rules, regulations, policies and procedures, including curtailment procedures, as the same may exist and be changed from time to time. Grantee may promulgate and enforce reasonable

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rules, regulations and requirements governing the sale, delivery, receipt and use of gas furnished by Grantee and the commencement and discontinuance of gas service.

Grantee's rates currently effective in this Municipality for gas service shall continue in effect until raised or lowered in the manner provided by law.

In consideration of this grant, beginning on the date Grantee files its written acceptance of this ordinance and thereafter for as long as this ordinance remains in effect in accordance with its terms, Grantee shall pay to the City of Opelousas four percent (4%) of Grantee's gross receipts from gas sales to residential and commercial customers located inside the city limits. If the total amount of all such taxes, fees, levies or charges for which Grantee is liable exceeds the 4% percent gross proceeds of such revenues, the amount in excess of such 4% percent shall be paid to the City of Opelousas by the Grantee. Amounts due hereunder shall be computed monthly, and payments shall be made within thirty (30) days after the expiration of the month with respect to which payment is due.

In the event Grantee agrees, during the life of this franchise, to pay to any other municipality served by Grantee in Louisiana a franchise payment based upon a rate greater than the four percent (4%) specified above, or should Grantee enter into a franchise with any other municipality in Louisiana that includes benefits to such municipality that are not addressed herein, grantee shall extend such benefits in a proportionate manner to the city of Opelousas.

This franchise ordinance will not be effective unless it is accepted by Grantee by written notice delivered or mailed to the Mayor within 90 days after the date of its passage and publication as required by law.

Upon its timely acceptance this ordinance shall continue in effect for a period of fifteen (15) years from the date of its passage and approval as indicated below.

The provisions hereof are intended to be separate and severable, and the holding of any portion hereof to be invalid shall not affect the other portions.

Said Ordinance having been introduced on the 10<sup>th</sup> day of February, 2015, 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, on a motion by Alderman Julius Alsandor and seconded by Alderman J. Tyrone Glover, a roll call vote was taken and the following result was had:

YEAS: Marvin Richard, Julius Alsandor, J. Tyrone Glover, Blair Briggs, Sherell Roberts, and Jacqueline Martin.

NAYS: None.

ABSENT: None.

ABSTAINED: None.

WHEREUPON, the presiding officer declared the above Ordinance duly adopted on this 10<sup>th</sup> day of March, 2015.

ATTEST:

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CITY CLERK

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MAYOR

## RESOLUTIONS

*A RESOLUTION TO THE STATE OF LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT TO AUTHORIZE THE MAYOR TO SIGN ANY CONTRACTS OR DOCUMENTS AS RELATED TO THE DOWNTOWN COURTHOUSE SQUARE AREA SIDEWALKS IMPROVEMENTS PROJECT AND ACKNOWLEDGE FULL RESPONSIBILITY FOR THE REQUIRED LOCAL MATCH, FOR DESIGN ENGINEERING, CONSTRUCTION, ADMINISTRATION AND TESTING, MANAGING AND MAINTAINING THE PROJECT, AND FOR ANY LEGAL LIABILITY INCURRED AS A RESULT OF THE PROJECT.*

Mrs. Melanie Lebouef stated that the project cost is approximately \$173,000.00 of which there is a twenty percent (20%) match plus engineering fees. The match amount will be about \$34,000.00; however, Tourism does not have these funds available in its budget. On a motion by Alderman Julius Alsandor, seconded by Alderman J. Tyrone Glover and unanimously carried, it was resolved to bring the matter of the funding for the match before the Budget Committee next month for review.

On a motion by Alderman Julius Alsandor and seconded by Alderman J. Tyrone Glover, the following Resolution was offered for adoption:

### RESOLUTION NO. 01 OF 2015

A RESOLUTION TO THE STATE OF LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT TO AUTHORIZE THE MAYOR TO SIGN ANY CONTRACTS OR DOCUMENTS AS RELATED TO THE DOWNTOWN COURTHOUSE SQUARE AREA SIDEWALKS IMPROVEMENTS PROJECT AND ACKNOWLEDGE FULL RESPONSIBILITY FOR THE REQUIRED LOCAL MATCH, FOR DESIGN ENGINEERING, CONSTRUCTION, ADMINISTRATION AND TESTING, MANAGING AND MAINTAINING THE PROJECT, AND FOR ANY LEGAL LIABILITY INCURRED AS A RESULT OF THE PROJECT

BE IT RESOLVED THAT THE BOARD OF ALDERMEN OF THE CITY OF OPELOUSAS does hereby authorize the Mayor to sign any contracts or documents as related to the Downtown Courthouse Square Area Sidewalks Improvements Project and acknowledge full responsibility for the required local match, for design engineering, construction, administration and testing, managing and maintaining the project, and for any legal liability incurred as a result of the project.

The above foregoing Resolution was adopted by the following vote:

YEAS: Marvin Richard, Julius Alsandor, J. Tyrone Glover, Blair Briggs, Sherell Roberts, and Jacqueline Martin.

NAYS: None.

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ABSENT: None.

Whereupon the presiding officer declared the Resolution duly adopted on this 10<sup>th</sup> day of March 2015.

ATTEST:

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CITY CLERK

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MAYOR

### CONSENTS

On a motion by Alderwoman Jacqueline Martin and seconded by Alderman Blair Briggs, it was resolved to award contract for the Sewer Treatment Plant Improvements (Walmart D.C. #6048) Project, MGA Project STP#73, to Trek, Inc, in the amount of \$263,853.00. A roll call vote was taken with the following results:

YEAS: Marvin Richard, Julius Alsandor, J. Tyrone Glover, Blair Briggs, Sherell Roberts, and Jacqueline Martin.

NAYS: None.

ABSENT: None.

On a motion by Alderman Blair Briggs and seconded by Alderwoman Sherell Roberts, it was resolved to grant authority to advertise a Public Hearing regarding the following properties:

- a. Delores James Daniels, 1310 Caddo Alley (Abandoned Wood Frame Structure)
- b. Theodore Woods, 1622 Dwight Street (Abandoned Wood Frame Structure)
- c. Thelma J. Robin, c/o Paula Robertson, 630 Lombard Street (Abandoned Wood Frame Structure)
- d. Permis Randall Miller, 1226 Fern Street (4 Abandoned Mobile Homes)
- e. Opelousas, City of (tax roll), 820 Hall Street (Abandoned Mobile Home)
- f. Opelousas, City of (tax roll), 1005 Mayer Street (Abandoned Mobile Home)

On a motion by Alderman Blair Briggs and seconded by Alderwoman Sherell Roberts, it was resolved to approve the termination of sick leave for Permanent Police Sergeant Baxter Iford, effective 01/04/2015.

On a motion by Alderman Blair Briggs and seconded by Alderwoman Sherell Roberts, it was resolved to approve payment to Christopher Kimble, for sixty-one (61) hours of unused annual leave, pending verification from the Fire and Police Civil Service Board. Mr. Kimble resigned from the Police Department on 01/27/2015.

On a motion by Alderman Blair Briggs and seconded by Alderwoman Sherell Roberts, it was resolved to approve the hiring of the following as Probational Police Officers, effective 03/15/2015, pending successful completion of prerequisites:

- a. Herman Peterson
- b. Nicole Martin

On a motion by Alderman Blair Briggs and seconded by Alderwoman Sherell Roberts, it was resolved to approve the hiring of the following in the Fire Department, effective 03/15/2015, pending successful medical exams:

- a. Jacob Auzenne
- b. Christopher Courville
- c. Ryeland Papillion
- d. Baylin Trahan
- e. Seth Stelly

A roll call vote of the remainder of the CONSENTS Section was taken with the following results:

YEAS: Marvin Richard, Julius Alsandor, J. Tyrone Glover, Blair Briggs, Sherell Roberts, and Jacqueline Martin.

NAYS: None.

ABSENT: None.

Mrs. Adeline Washington submitted a card to address the Council regarding a personal matter which will be handled after the meeting by the Mayor and Police Chief. No action needed from Council.

Mr. Warren Babineaux submitted a card to address the Council regarding water connections. Mr. Babineaux stated that he had problems recently with water connection procedures. He stated that his daughter paid for a new connection but he had to wait almost all day for the water to be turned on. Mayor Tatum stated that they will be looking into this matter to shorten wait times for connections.

### ANNOUNCEMENTS

Upcoming Events:

March 13, 2015 – Leaders Against Litter with Keep Opelousas Beautiful

March 14, 2015 – Trash Bash at Donald Gardiner Stadium – 11:00 a.m.

March 16, 2015 – Beginning of Statewide Testing at Public Schools

March 24, 2015 – Opelousas Police Department Meet and Greet at Opelousas Civic Center – 6:00 p.m.

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March 28, 2015 – Omega Psi Phi East Egg Hunt at North Park

March 29, 2015 – Easter Egg Hunt sponsored by Alderwoman Jacqueline Martin

There being nothing further to come before the Council, on a motion by Alderman Blair Briggs, seconded Alderman J. Tyrone Glover and unanimously carried, it was resolved that the meeting be adjourned. The meeting was adjourned at 7:50 p.m.

ATTEST:

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CITY CLERK

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MAYOR