

MARCH 9, 2011

NEW IBERIA, LOUISIANA

IBERIA PARISH COUNCIL

The Parish Council of Iberia Parish, Louisiana met in Regular Session in the Parish Council Chambers, Main Courthouse Building, New Iberia, Louisiana, on Wednesday, March 9, 2011.

The following members were recorded PRESENT:

Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

ABSENT: Barry Verret.

OTHERS IN ATTENDANCE: Ernest Freyou, Parish President  
Sally Angers, Chief Administrative Officer  
Eric Duplantis, Legal Counsel  
Dean Wattigny, Legal Counsel  
John Raines, Planning & Zoning Director

The Parish Council of the Parish of Iberia, State of Louisiana, was duly convened as the Governing Authority of the Parish of Iberia by Mr. Roger Duncan, its Chairman, who announced that the Council was now ready to conduct its business.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. M. Larry Richard, that the Iberia Parish Council does hereby recess its Regular Session and convene as a Public Hearing to obtain public comments regarding Ordinances and Resolutions being considered for final adoption.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Jerome Fitch, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret.

ABSENT AT VOTING: Charles Williams.

And the motion was declared adopted this 9th day of March, 2011.

Mr. John Mouton, attorney for the developers, addressed the Council regarding Standing Committee Item No. K, which is a request for a zoning reclassification for a lot in Sugar Hill Estates Subdivision to allow the location of a commercial structure on said property. Mr. Mouton explained several changes made to the original site plan since the Iberia Parish Regional Zoning Commission meeting in an effort to respond to some of the concerns of the neighbors, such as elimination of access by Sugar Hill Drive and leaving access on LA 88. Landscaping and fencing requests have also been addressed. He stated that this area of LA 88 is mostly commercial properties and further that this lot was exempted from the subdivision restrictions. Assistant District Attorney Eric Duplantis also addressed questions by the Council regarding this item and stated several concerns with the Zoning Commission's denial of this request, including that the Zoning Commission voted against the recommendation of the staff and further that their minutes did not include reasons for denial. Also addressing the Council regarding this matter was Ms. Amy Romero, representing the developer and several residents of the subdivision, including Mr. Clyde Olivier, Mr. Glenn Boudreaux and also Mr. Jimmy Landry.

Upon hearing no further comments, the Chairman requested a motion to adjourn the Public Hearing and to reconvene into Regular Session.

A motion was made by Mr. Naray Hulin, seconded by Mr. Glenn Romero, that the Iberia Parish Council does hereby adjourn its Public Hearing and reconvene into Regular Session.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret.

And the motion was declared adopted this 9th day of March, 2011.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Naray Hulin, that the following be adopted:

RESOLUTION NO. 2011-61

A RESOLUTION APPROVING A LIST OF PARISH DRAINAGE CHANNELS TO BE SPRAYED, INCLUDING SUBDIVISION ROADSIDE DITCHES AND CHANNELS AS LISTED AND FURTHER AMENDING THE 2011 PARISHWIDE DRAINAGE MAINTENANCE FUND BUDGET IN THE TOTAL AMOUNT OF \$54,490 TO PROVIDE FUNDING FOR ADDITIONAL CHANNEL SPRAYING TO INCLUDE PRIORITIES 1, 2 AND 3 OF THE APPROVED LIST, ALL TO BE FUNDED FROM THE 2011 PARISHWIDE DRAINAGE MAINTENANCE FUND BUDGET, FUND BALANCE - PREVIOUS YEARS.

WHEREAS, the Administration has compiled a listing of information gathered from the Parish files and field reviews indicating subdivisions and/or drainage laterals within subdivision areas that need spraying of ditches and/or drainage channels, which listing includes cost estimates for spraying ditches listed as Priorities 1, 2 and 3; and

WHEREAS, the total cost estimate for said spraying is \$54,490 by Manco; and

WHEREAS, this proposal would entail a contract amendment with Manco to provide the spraying requested for this approved list.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby adopt a Resolution approving a list of Parish drainage channels to be sprayed, including subdivision roadside ditches and channels as listed as Priority 1, 2 and 3.

BE IT FURTHER RESOLVED, that the Iberia Parish Council does hereby amend the 2011 Parishwide Drainage Maintenance Fund Budget in the total amount of \$54,490 to provide funding for additional channel spraying to include Priorities 1, 2 and 3 of the approved list.

BE IT FURTHER RESOLVED, that said appropriation shall be funded from the 2011 Parishwide Drainage Maintenance Fund Budget, Fund Balance - Previous Years.

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret.

And the Resolution was declared adopted this 9th day of March, 2011.



The Chairman then suggested that the Council move to Standing Committee Item #2011-03-K, regarding the request for zoning reclassification of a lot in the Sugar Hill Estates Subdivision, due to the interest in the matter. The Council agreed by general consensus.

ADD SUBSTITUTE MOTION INFO TO THIS SC ITEM.

ITEM #2011-03-K (Introduced by Zoning Commission)

Discuss and consider an Ordinance denying the reclassification request for Lot 1, Block 1, of Sugar Hills Estates, located at the Northwestern corner of the Sugar Hills Drive and LA 88 (Coteau Road) intersection, from Mixed Residential ( R-2 ) to General Business ( C-2 ), located in District 14, contingent upon review and approval by the District Attorney's Office.

A motion was made by Mr. Naray Hulin, seconded by Mr. M. Larry Richard, that the following item be forwarded to the next agenda, contingent upon review and approval of the District Attorney's office.

A substitute motion was made by Mr. Bernard E. Broussard, seconded by Mr. Troy Comeaux, that Standing Committee Item #K be forwarded to the next agenda as amended to read as follows:

An Ordinance approving the reclassification request for Lot 1, Block 1 of Sugar Hills Estates, located at the Northwestern corner of the Sugar Hills Drive and LA 88 (Coteau Road) intersection, from Mixed Residential (R-2) to General Business (C-2), located in District 14, contingent upon review and approval by the District Attorney's Office.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Curtis Boudoin, Thomas J. Landry, Troy Comeaux, Bernard E. Broussard, John Berard, Barry Verret, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: Maggie F. Daniels and Lloyd Brown.

ABSENT: None.

And the motion was declared adopted this 9th day of March, 2011.

A motion was made by Ms. Maggie F. Daniels, seconded by Mr. Curtis Boudoin, that the following be adopted:

RESOLUTION NO. 2011-62

A RESOLUTION REQUESTING THE IBERIA PARISH LEGISLATIVE DELEGATION TO PROVIDE ASSISTANCE WITH A REQUEST BY THE CITY OF NEW IBERIA FOR ASSISTANCE TO COMPLETE FUNDING NECESSARY ON THE ARMENCO CANAL PROJECT THROUGH GRANTS FROM THE LOUISIANA CAPITAL OUTLAY BUDGET.

WHEREAS, the Armenco Canal is a large drainage channel that transverses Iberia Parish throughout the city limits and the rural areas of the Parish, which has overflowed in past years, flooding homes and property in and around the banks of said canal; and

WHEREAS, the City of New Iberia and Iberia Parish Government have joined together to make improvements to this canal in attempts to provide better drainage and lessen the flooding of homes and property; and

WHEREAS, improvements to the Armenco Canal for drainage improvements is estimated to be \$6,300,000 and the State of Louisiana, the City of New Iberia, and Iberia Parish Government have committed to provide a total of \$4,450,000 in funding to make these improvements; and

WHEREAS, funding in the amount of \$1,550,000 is necessary to complete the funding for the total cost of said drainage improvements.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby request the Iberia Parish Legislative Delegation to provide assistance with a request by the City of New Iberia to complete funding necessary on the Armenco Canal Drainage Improvements Project through grants from the Louisiana Capital Outlay Budget in such fashion that grants in the approximate amount of \$500,000 annually for the next three years.

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret.

And the Resolution was declared adopted this 9th day of March, 2011.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Glenn Romero, that the following be adopted:

RESOLUTION NO. 2011-63

A RESOLUTION AUTHORIZING THE EXECUTION AND SUBMISSION OF THE LOUISIANA SYSTEMS SURVEY AND COMPLIANCE QUESTIONNAIRE FOR THE 2010 FINANCIAL AUDIT OF IBERIA PARISH GOVERNMENT TO BE CONDUCTED BY KOLDER, CHAMPAGNE, AND SLAVEN, CERTIFIED PUBLIC ACCOUNTANTS.

WHEREAS, the Iberia Parish Government is required to complete the Louisiana Systems Survey and Compliance Questionnaire for Audit Engagements of Government Entities annually; and

WHEREAS, the Iberia Parish Government has contracted with Kolder, Champagne, Slaven & Company, LLC, Certified Public Accountants, to conduct the financial audit of fiscal year ending December 31, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Iberia Parish Council does hereby authorize the execution and submission of the Louisiana Systems Survey and Compliance Questionnaire for fiscal year ending December 31, 2010.

BE IT FINALLY RESOLVED, that this Resolution shall become effective immediately upon adoption by the Iberia Parish Council and approval by the Parish President in accordance with Section 2-13 of the Iberia Parish Home Rule Charter.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret.

RECUSED: M. Larry Richard.

And the Resolution was declared adopted this 9th day of March, 2011.

STANDING COMMITTEE ITEMS:

ITEM #2011-03-H (Introduced by Reapportionment Consultant)

Discuss and consider an Ordinance declaring that a reapportionment of the election district boundaries must commence in order to re-balance the district populations within +/-5% of the ideal district population of 5,231 and that such plan, as adopted by the Council, be submitted to the U.S. Department of Justice for Section 5 Pre-Clearance and the State of Louisiana, no later than June 15, 2011.

A motion was made by Mr. John Berard, seconded by Mr. Lloyd Brown, that the following item be forwarded to the next agenda of March 23, 2011.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret.

And the motion was declared adopted this 9th day of March, 2011.

ITEM #2011-03-I (Introduced by Glenn Romero, District 9)

Discuss and consider a Resolution requesting a legal opinion from the Louisiana Attorney General's Office regarding the legality of temporary drainage easements.

A motion was made by Mr. Glenn Romero, seconded by Mr. Charles Williams, that the following item be forwarded to the next agenda of March 23, 2011.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret.

And the motion was declared adopted this 9th day of March, 2011.

ITEM #2011-03-J (Introduced by Bernard Broussard, District 6)

Discuss and consider a Resolution amending the 2011 General Fund Budget, Legislative Function, in the amount of \$26,000, to provide funding for voting software, microphone controls and various equipment, all to be funded from the 2011 General Fund Budget, Fund Balance - Previous Years.

A motion was made by Mr. Bernard E. Broussard, seconded by Mr. Troy Comeaux, that the following item be forwarded to the next agenda of March 23, 2011.

This motion having been submitted to a vote, the vote thereon was as follows:

YEAS: Maggie F. Daniels, Curtis Boudoin, Thomas J. Landry, Lloyd Brown, Troy Comeaux, Bernard E. Broussard, John Berard, Glenn Romero, Roger Duncan, Jerome Fitch, Charles Williams, M. Larry Richard, and Naray Hulin.

NAYS: None.

ABSENT: Barry Verret.

And the motion was declared adopted this 9th day of March, 2011.

PARISH PRESIDENT ANNOUNCEMENTS

1. Public Works Director Kevin Hagerich reviewed the status of current bridge projects, drainage projects and the road improvements project

COUNCIL MEMBER/STAFF ANNOUNCEMENTS

None.

ORDINANCES INTRODUCED FOR PUBLICATION:

SUMMARY NO. 4281 (Introduced by Lloyd Brown, District 4)

An Ordinance amending Chapter 2 of the Iberia Parish Compiled Ordinances to update Council procedures for the placement of items on the agenda.

SUMMARY NO. 4282 (Introduced by Bernard Broussard, District 6)

An Ordinance declaring that a reapportionment of the election district boundaries must commence in order to re-balance the district populations within +/-5% of the ideal district population of 5,231 and that such plan, as adopted by the Council, be submitted to the U.S. Department of Justice for Section 5 Pre-Clearance and the State of Louisiana no later than June 15, 2011.

SUMMARY NO. 4283 (Introduced by John Berard, District 7)

An Ordinance amending Article IV of Chapter 5 of the Iberia Parish Compiled Ordinances regarding animal regulations in order to change the wording from "vicious" to "dangerous".

SUMMARY NO. 4284 (Introduced by Naray Hulin, District 14)

An Ordinance approving the reclassification request of David Mortuary, LLC, located in the 2400 block of LA 88 (Coteau Road) from Mixed Residential (R-2) to General Business (C-2), located in District 14.

A motion was made by Mr. Troy Comeaux, seconded by Mr. Jerome Fitch, that the Iberia Parish Council does hereby adjourn.

The motion carried.

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE:

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Clerk of the Council