

Town of Lockport  
Lockport, Louisiana

Minutes of Regular Meeting February 15, 2011

The Mayor Pro Tem and Town Council met in regular session on Tuesday, February 15, 2011, at 7:00 P.M., at the Lockport Town Hall Complex.

**A. Call to Order, B. Opening Prayer, C. Pledge of Allegiance**

Mayor Pro Tem Paul Champagne called the meeting to order. The opening prayer was offered by Town Clerk Gerard Leonard, followed by the Pledge of Allegiance led by Mr. Champagne.

**D. Roll Call**

The roll was called with the following present: Mayor Pro Tem Paul Champagne, Councilmen Donovan Barker, Rodney Hartman, Craig Rogers, and Weldon Triche. Absent: Mayor Richard Champagne (for cause). Also present was Police Chief Warren Vedros and Town Attorney Mitch Theriot.

**E. Approval of Minutes**

**1. January 18, 2011-** Mr. Champagne asked if there were any corrections or comments concerning the minutes of the January 18, 2011, meeting that were distributed to all councilmen. Councilman Rogers requested that the minutes be amended to include his reason for voting against the Crown Castle lease agreement extension. A review of the audio recording of the January 18, 2011, meeting revealed that during the Public Hearing held on the topic, Councilman Rogers stated that he did not feel that the council is qualified to make a decision on the lease agreement and that a better agreement could possibly be negotiated by professional consultants. Councilman Rogers made a motion to approve the minutes as amended. Councilman Hartman seconded the motion and the motion carried unanimously.

**F. Approval of Financial Statements for month ending December 31, 2010**

Mr. Champagne asked if there were any questions or comments concerning the financial statements for the month ending January 31, 2011, that were distributed to the councilmen. Councilman Hartman moved and Councilman Rogers seconded a motion to approve the financial statements as presented. The motion carried unanimously. Mr. Leonard described a request from JPMorgan Chase Bank allowing the bank to release the security collateral being held on the Town's behalf. Regulations changed as of 12/31/10 providing full coverage for all non interest bearing accounts in an insured institution regardless of the balance. Failure to approve the release could increase bank charges. Councilman Hartman moved and Councilman Rogers seconded the motion approving the release as requested. The motion carried unanimously.

Councilman Rogers made a motion to move agenda items H, I, and J ahead of agenda item G. Councilman Triche seconded the motion. There were no comments from the audience and the motion carried unanimously.

**H. Lockport Carnival Club – Brian Hebert**

Mr. Champagne called on Mr. Brian Hebert to address the council. Mr. Hebert requested approval for the carnival parade to roll on March 5, 2011, from 12 o'clock noon until 5:00pm using the same route as last year. Councilman Rogers moved and Councilman Barker seconded the motion to approve the request. The motion carried unanimously.

**I. GSE Report**

Mr. Champagne called upon Mr. Clay Breaud of GSE, who gave the monthly engineering status report as follows

**1. Rouses' Supermarket Sewer Lift Station:**

Substantial completion inspection was conducted January 7, 2011. A minor punch list was noted. Project is in the lien period.

**2. Wind Hardening of Town Hall Complex:**

GSE submitted application for funding through Hazard Mitigation Program. Application approval is still pending. Application is awaiting final step of FEMA process.

**3. Comeaux Drive LCDBG Sewer Application:**

The Town has funding in the amount of \$669,400.00 for this project through the LCDBG 2008-2009 application. A grant from DRA has been approved for an additional \$100,000. Lockport's commitment of funding is on Agenda. Councilman Hartman made a motion to approve a town commitment of \$159,053.00 to be used along with the grant funds described above and the

deferred sewer bond principal payments for two years to fund the Comeaux Drive and Lower Catherine Street Sewer Pump Station improvements. Councilman Barker seconded the motion and it carried unanimously. Mr. Breaud estimated that advertisement for bids could begin as early as three weeks from today.

**4. Catherine, Elizabeth, School and Ethel Street Drainage:**

A MIP Grant Application in the amount of \$2,000,000 was submitted through South Central Planning for drainage improvements on these streets. No decision has been received to date.

**5. Elliot St. Sewer Lift Station Generator:**

The Town received a \$35,000 grant for this project. GSE is looking into sizing requirements and generator type. The Town is looking into property ownership. Mr. Theriot is researching the available servitude.

**J. North Lafourche Levee District Presentation – Dwayne Bourgeois**

Mr. Champagne invited Mr. Bourgeois to address the meeting. Mr. Bourgeois introduced Mr. Kenney Matherne, the Lockport representative on the Levee District Board. Mr. Bourgeois then gave a brief description of the following completed, planned, and active projects:

1. Al Robichaux Pump Station
2. Parr Pump Station Replacement
3. Company Canal South Bank Levee Project and Second Lift
4. Company Canal / LA1 Bridge Closure
5. Company Canal North Bank Levee Project
6. Smithport Levee Improvements
7. 40 Arpent Canal Levee Improvements
8. East Side Company Canal and Mathews Canal Maintenance Dredging
9. Company Canal Pump Station
10. Lockport to Larose Levee Improvements (West Side)
11. Butch Hill Outfall & Commercial Canal Levee Improvements
12. Lockport to Larose Levee Improvements (East Side)
13. Parish Wide Drainage Study

Mr. Bourgeois thanked property owners, local governments, and others that have cooperated with the Levee District in order to help these projects succeed. The council thanked Mr. Bourgeois and Mr. Matherne for their efforts in providing flood protection to this area.

**G. Police Report**

Mr. Champagne called on Police Chief Warren Vedros to report on his department's activities. Mr. Vedros distributed copies of the monthly activity report. Chief Vedros briefly discussed the topic of Pitt Bull dogs and the need to discuss this issue. Chief Vedros then discussed the need to order police cars this month because FORD will discontinue the Crown Victoria after this year. State bid pricing for the cars is \$23,667.00 and a lease agreement would be \$13,500.00 per year for four years. The plan is to replace the 2003 car and add one car to the fleet. The cars would be delivered in August or September, in the next budget year. In addition, there would be a onetime expense of approximately \$5,000.00 for equipment to outfit the second car. Councilman Barker moved and Councilman Rogers seconded the motion to approve the chief's request as presented. The motion carried unanimously. Chief Vedros also reported that he has received complaints regarding the former Quick Stop Convenience Store. There is an opening in the rear wall and children and animals have access to the interior. Councilman Rogers made a motion to authorize the town attorney to send a letter instructing the property owner to remedy the dangerous conditions of the building. Councilman Barker seconded the motion and it carried unanimously. Chief Vedros also described coming events including the Carnival Parade on March 5<sup>th</sup>, the Main Street Market on March 26<sup>th</sup>, and Families helping Families on April 9<sup>th</sup>. Mr. Champagne thanked the Chief for a great report.

**K. Adopt Millage Rate for 2011 General Alimony Tax**

Councilman Hartman moved and Councilman Barker seconded the motion to adopt the Millage Rate of 8.26 mils for the 2011 General Alimony Tax. A roll call vote was taken with the following results:

YEAS: Councilmen Barker, Champagne, Hartman, Rogers, and Triche.  
NAYS: None.  
ABSENT: None.

And the resolution was declared adopted on this, the 15<sup>th</sup> day of February, 2011.

## **L. Resolutions**

### **1. Adopt the Tax Millage rate for tax year 2011**

This Resolution was adopted under Agenda item K.

### **2. Approve the Final Acceptance Letter for the “Welcome to Lockport” signs and authorize the Mayor or Mayor Pro Tem to sign the relative documents.**

Councilman Rogers moved and Councilman Triche seconded the motion to adopt the above resolution. The motion carried unanimously.

### **3. Select General Environmental and Brownfields Remediation Services Consultant and authorize the Mayor or Mayor Pro Tem to sign the relative documents.**

Councilman Rogers moved and Councilman Triche seconded the motion to select Materials Management Group as the town’s General Environmental and Brownfields Remediation Services Consultant. Councilman Rogers and Councilman Triche commented that both proposals were excellent and both consulting firms were obviously well qualified. The motion carried unanimously.

Chief Vedros thanked the Rouse Corporation for their cooperation in planning the security for the new store. The opening day for the new store will be February 25<sup>th</sup>.

### **4. A Resolution in Support of a Coastal Congressional District**

Councilman Hartman moved and Councilman Barker seconded the motion to adopt the above resolution. The motion carried unanimously.

## **M. Introduce ordinance to renew lease agreement with Bayou Playhouse**

Mr. Champagne introduced Mr. Larry Weidel with the Bayou Playhouse to address the meeting. Mr. Weidel distributed brochures to the council and described the origin of the playhouse and the benefits to the local community. Mr. Weidel talked about the plays and performers that are active in the various productions. Mr. Weidel requested that one half of the monthly rent could be considered as a town contribution to the playhouse. This would fulfill a requirement for a grant that requires local government participation in this type of endeavor. Mr. Champagne asked if the playhouse has any issues to be addressed in the lease renewal in addition to the monthly rent. Mr. Weidel described some possible improvements to the playhouse location including a shelter on the bayou side deck. Councilman Barker made a motion to call for a public hearing at the March meeting to hear public comments on the lease agreement. Councilman Rogers seconded the motion and it carried unanimously.

**N. Public Hearings** – Councilman Hartman moved and Councilman Triche seconded a motion to suspend the regular meeting and to open a public hearing for the following topic. The motion carried unanimously.

1. Discuss changes to the “Comprehensive Zoning Ordinance of the Town of Lockport” to allow a variance to the zoning ordinance for the property at 204 Vacherie Street to allow farming of soft shell crabs and to sell seafood at wholesale.

Mr. Rodney Landry expressed concern that the business may develop into an unsightly and smelly location. If the business is maintained properly without causing odor problems, Mr. Landry would not object. Mr. John Mire expressed similar opinions stating that if the business does develop into an unsightly and smelly location, the business should be closed immediately so as not to destroy the neighborhood. Ms. Joyce Crosby expressed concern about the possible smell problem. Mr. Joe Mayet requested a description of the variance in question. Mr. Theriot basically repeated the purpose of the public hearing and requested that Mr. Guidroz explain his plans for the business. Mr. Guidroz stated that he would like to start the business with soft shell crabs and eventually develop a wholesale business selling catfish and shrimp. Mr. Guidroz further stated that he does not intend to open a bar business at this location. Mr. Guidroz described his intentions to filet and sell catfish at a later date. Strong objections were raised to any seafood processing operation. Mr. Joe Mayet applauded the attempt to start a new business. However, he expressed concern that if the variance is approved and a business is started, then the business must be monitored carefully to prevent decline of the neighborhood and property values. Councilman Barker moved and Councilman Rogers seconded the motion to end the Public Hearing and to return to the Regular Meeting. The motion carried unanimously.

Councilman Barker made a motion to approve a zoning ordinance variance at 204 Vacherie Street to allow farming of soft shell crabs and to sell seafood at wholesale. Councilman Hartman seconded the motion. Councilmen Barker and Hartman voted for the motion; councilmen Rogers and Triche voted against the motion. Mr. Champagne declared the variance motion dead. Councilman Rogers made a motion to approve a zoning ordinance variance at 204 Vacherie Street to allow farming, harvesting, and selling soft shell crabs at wholesale. Councilman Triche seconded the motion and it carried unanimously.

**O. Open topics**

**1. Drainage issues**

Mr. Leonard reported on the following drainage projects:

- a. Replace driveway culvert at 258 Comeaux Drive (town pays for culverts, property owner pays for concrete) – complete.
- b. Replace driveway culvert at 620 School Street – complete.

(10) Catch basins along Veterans Street - complete.

**2. Bridge across drainage ditch from post office to library** - Councilman Rogers reported that Mr. Jimmy Cantrelle has not been able to get in touch with the owner of the post office to discuss the design.

**3. Crescent Avenue speed limit – 35MPH end to end.** Chief Vedros reported that this item should be delayed until after the Rouse Store opens for business.

**4. Research ROWs and SERVITUDES** – Mr. Theriot found the servitude for the Elliot Street Sewer Pump Station. The details must be checked. Mr. Clay Breaud brought considerable information drawings concerning the servitudes along the streets throughout the town.

**5. Smoke testing report.** The town has completed repairs on all public property leaks. Repairs on private property have been progressing very well.

**6. Clear trees from main drainage canal.** Mr. Theriot has been unable to find servitude information for the canal.

**7. Committee for expansion of Lockport.** Committee chairman Craig Rogers reported that he has not been able to meet this month and will call a meeting of the committee next month.

**8. Sidewalk repairs** – no action.

**9. STOP signs** – no action.

**10. Item 10 was addressed as an addendum to item 1.**

**11. Old Town Hall Building.** Disposition.

**P. Reports**

**1. Council**

Councilman Rogers reviewed the requirements for installing mobile homes. Changes to regulations require that mobile home elevations be measured from the bottom of the frame. If more than fifty two inches of blocks is required, the foundation must be engineered. From thirty six to fifty two inches requires double blocking. Above sixty seven inches requires engineered supports. Councilman Rogers requested that South Central Planning send relevant information to the town. Councilman Rogers asked for an update on the camper trailers in town. Mr. Theriot has not sent out letters yet.

**2. Town Attorney** – we are working with A T & T to get a franchise agreement. The document should be available for the next meeting.

**3. Mayor**

Mr. Champagne distributed the town fireworks ordinance. Mr. Champagne requested that a public hearing be called for next month to discuss changes to this ordinance. Councilman Hartman moved and Councilman Triche seconded the motion to call for a public hearing to discuss the fireworks ordinance. The motion carried unanimously. Mr. Champagne described a request for information concerning a conference call number to be used in emergencies. This topic may be discussed further in the future.

**Q. Citizens Comments**

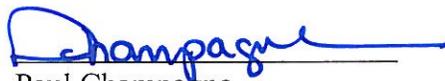
Mr. Ralph Sapia thanked the council for installing catch basins on Veterans Street. Also, Mr. Sapia requested that some action be taken on the burnt house across from the bank. The town attorney was instructed to send a letter to the bank. Mr. Guidroz thanked the council for assistance with his request for the zoning variance. Ms. Charlene Rodriguez thanked the town police for patrolling her neighborhood.

**R. Adjourn**

The next scheduled regular town meeting will be held on Tuesday, March 15, 2011. There being no further business to come before the Council, a motion by Councilman Triche to adjourn the meeting was seconded by Councilman Barker and carried unanimously at 9:15 pm.

  
Gerard Leonard, Town Clerk

Town of Lockport

  
Paul Champagne  
Mayor Pro Tem

**RESOLUTION**

**BE IT RESOLVED**, that the following millage is hereby levied on the 2011 tax roll on all property subject to taxation by the Town of Lockport:

**MILLAGE**

General Alimony Tax .....8.26 Mills

**BE IT FURTHER RESOLVED** that the proper administrative officials of the Parish of Lafourche, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2011, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

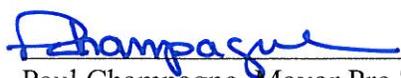
The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes:

YEAS: Councilmen Barker, Hartman, Rogers, and Triche.

NAYS: None.

ABSTAINED: None.

ABSENT: None,

  
Paul Champagne, Mayor Pro Tem  
Town of Lockport

**CERTIFICATE**

I hereby certify that the foregoing is a true and exact copy of the resolution which **UPON MOTION** of Councilman Hartman and seconded by Councilman Barker was adopted at a regular board meeting held on February 15, 2011, at which meeting a quorum was present and voting.

Town of Lockport, Louisiana, this 15<sup>th</sup> day of February, 2011.

  
Gerard Leonard, Town Clerk

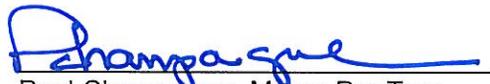
RESOLUTION

A RESOLUTION ADOPTING THE FINAL ACCEPTANCE REPORT FOR THE LA1 SIGNAGE IMPROVEMENTS PROJECT AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO SIGN ALL DOCUMENTS RELATING TO THE FINAL ACCEPTANCE.

WHEREAS, the Town Council of the Town of Lockport wishes to adopt the FINAL ACCEPTANCE REPORT for the LA1 SIGNAGE IMPROVEMENTS PROJECT;

NOW, THEREFORE, BE IT RESOLVED that the Mayor or Mayor Pro Tem of the Town of Lockport is authorized to sign and execute all documents regarding the FINAL ACCEPTANCE REPORT for the LA1 SIGNAGE IMPROVEMENTS PROJECT.

The foregoing resolution was read, considered, and is adopted this 15<sup>th</sup> day of February, 2011.

  
Paul Champagne, Mayor Pro Tem  
Town of Lockport

CERTIFICATE

I, Gerard Leonard, Clerk for the Town of Lockport, hereby certify that the above constitutes a true and accurate copy of a resolution, which UPON MOTION of Councilman Rogers and seconded by Councilman Triche was adopted by the following Yea and Nay vote:

YEAS: Councilmen Barker, Hartman, Rogers, and Triche.  
NAYS: None.  
ABSENT: None.

and the Resolution was declared adopted on the 15<sup>th</sup> day of February, 2011.

  
Gerard Leonard, Town Clerk

**RESOLUTION**

**GENERAL ENVIRONMENTAL AND BROWNFIELDS REMEDIATION SERVICES CONSULTANT SELECTION**

**WHEREAS** the Town of Lockport Town Council is desirous of remediating the property at 107 Lafourche Street; and

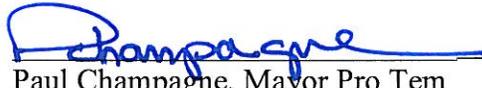
**WHEREAS** a potential opportunity to remediate the property at 107 Lafourche Street is available through a Brownfields Coalition grant administered by South Central Planning and Development; and

**WHEREAS** the Town of Lockport solicited proposals for General Environmental and Brownfields Remediation Services Consultant; and

**WHEREAS** the various proposals for General Environmental and Brownfields Remediation Services Consultant that were received were carefully evaluated and graded,

**NOW THEREFORE BE IT RESOLVED THAT** the Town Council of the Town of Lockport does hereby select Materials Management Group, Inc., 3520 General DeGaulle Drive, Suite 3010, New Orleans, LA as the General Environmental and Brownfields Remediation Services Consultant for the 107 Lafourche Street project and that the Mayor and / or Mayor Pro Tem is authorized to execute any and all documents and assurances necessary to execute an agreement with Materials Management Group, Inc..

The foregoing resolution was read, considered, and is adopted this 15<sup>th</sup> day of February, 2011.

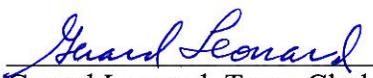
  
Paul Champagne, Mayor Pro Tem  
Town of Lockport

**C E R T I F I C A T E**

I, Gerard Leonard, Clerk for the Town of Lockport, hereby certify that the above constitutes a true and accurate copy of a resolution, which **UPON MOTION** of Councilman Rogers and seconded by Councilman Triche was adopted by the following Yea and Nay vote:

YEA: Councilmen Barker, Hartman, Rogers, and Triche.  
NAY: None.  
ABSENT: None.

and the same was declared adopted this 15<sup>th</sup> day of February, 2011.

  
Gerard Leonard, Town Clerk

**TOWN OF LOCKPORT**

**RESOLUTION**

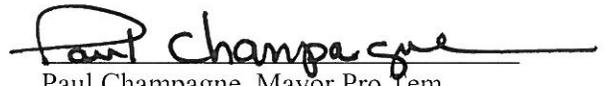
**A RESOLUTION IN SUPPORT OF A COASTAL CONGRESSIONAL DISTRICT**

- WHEREAS: The Great State of Louisiana's commercial fisheries account for one third of commercial fishing in the United States. The state's catch regularly exceeds one billion pounds and \$300 million in dockside value.
- WHEREAS: Sport-fishing provides \$700 million to \$1.2 billion to the Great State of Louisiana's economy, the vast majority of this revenue coming from Coastal Louisiana.
- WHEREAS: Alligator harvesting and costal trapping generates \$30 million and \$2 million, respectively, in annual economic activity.
- WHEREAS: Almost 25 percent of the oil and gas consumed in the United States and 80 percent of the oil and gas recovered from our nation's offshore reserves travels through Coastal Louisiana before it is used to power our nation's economy.
- WHEREAS: The oil and gas industry directly or indirectly employs 320,000 or one in three Louisianans and supplies these families with \$12.7 billion in annual household income, This amount represents more than 15 percent of the Great State's total household income. The vast majority of these jobs and virtually all of the 58,000 Louisianans that work extraction, pipeline and refining jobs are residents of Coastal Louisiana.
- WHEREAS: Many of the offshore drilling platforms in the Gulf of Mexico are serviced through Coastal Louisiana's Port of Fourchon. The oil and gas industry's use of Port Fourchon has made it the largest port by tonnage in the Western Hemisphere.
- WHEREAS: The Great State of Louisiana ranks first in the nation in total shipping tonnage, almost all of this cargo is loaded on a ocean-going ship or transferred from a barge to a ship in a Coastal Louisiana port, the remaining cargo is transported through Coastal Louisiana along the Mississippi river or Gulf Intracoastal Waterway.
- WHEREAS: The Great State of Louisiana also ranks first in the nation in maritime employment, with 61,956 jobs in the maritime industry, more than half of individuals holding these jobs residing in Coastal Louisiana.
- WHEREAS: Coastal Louisiana contains 40 percent of the coastal wetlands found in the continental United States. These wetlands provide habitat for more than 5 million migratory waterfowl and many threatened or endangered species.
- WHEREAS: Wildlife harvesting and watching in these wetlands provides \$1.2 billion in retail sales and sales taxes and provides jobs to more than 16,000 Louisianans.
- WHEREAS: Coastal Louisiana's wetlands are disappearing at an alarming rate, 1,500 square miles in the last 50 years and 40 square miles per year, every year for the last few decades.
- WHEREAS: If the factors causing this erosion are not rectified, Coastal Louisiana stands to lose an additional 1,000 square miles—an area the size of the State of Rhode Island.
- WHEREAS: Continued erosion of our wetlands will subject 2 million Louisianans to more damaging and deadly floods and hurricanes.
- WHEREAS: Coastal Louisiana continues to feel the affect of Hurricanes Katrina and Rita and the 2010 BP oil spill.

THEREFORE, BE IT RESOLVED:

- (1) Over the course of centuries, the close net population of Coastal Louisiana has developed unique traditions and industries from this distinct environment.
- (2) Through the hard work and sacrifice of local residents, these industries have become vital to the economic future of the Great State of Louisiana and the entire United States.
- (3) Coastal Louisiana is susceptible to and endangered by natural disasters, manmade accidents and coastal erosion.
- (4) The people of Coastal Louisiana remain resilient through these challenges.
- (5) The Lockport Mayor and Council urge the Louisiana State Legislature and Governor Bobby Jindal to create one Coastal Congressional District so that Coastal Louisiana can be represented by one voice in Congress whose priority is our coast and the commonalities that bond our communities.

The foregoing resolution was read, considered, and is adopted this 15<sup>th</sup> day of February, 2011.

  
Paul Champagne, Mayor Pro Tem  
Town of Lockport

C E R T I F I C A T E

I, Gerard Leonard, Clerk for the Town of Lockport, hereby certify that the above constitutes a true and accurate copy of a resolution, which UPON MOTION of Councilman Hartman and seconded by Councilman Barker was adopted by the following Yea and Nay vote:

YEAS: Councilmen Barker, Champagne, Hartman, Rogers, and Triche.

NAYS: None.

ABSENT: None.

and the Resolution was declared adopted on the 15<sup>th</sup> day of February, 2011.

  
Gerard Leonard, Town Clerk