

Town of Lockport  
Lockport, Louisiana

Minutes of Regular Meeting February 15, 2012

The Mayor and Town Council met in regular session on Wednesday, February 15, 2012, at 7:00PM, at the Lockport Town Hall Complex.

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

Mayor Champagne called the meeting to order. Mayor Champagne asked everyone to note that this meeting was normally scheduled to be the third Tuesday of the month, which happens to be Mardi Gras, so the meeting was rescheduled for tonight. The opening prayer was offered by Town Clerk Gerard Leonard, followed by the Pledge of Allegiance led by Mayor Champagne.

**D. Roll Call**

The roll was called with the following present: Mayor Champagne, Councilmen Donovan Barker, Paul Champagne, Rodney Hartman, Craig Rogers, and Weldon Triche. Also present was Police Chief Warren Vedros.

**E. Approval of Minutes**

Mayor Champagne asked if there were any corrections or comments concerning the minutes of the January 17, 2012, meeting that were distributed to all Councilmen. Councilman Rogers made a motion to approve the minutes as presented. Councilman Barker seconded the motion and the motion carried unanimously.

**F. Approval of Financial Statements for the month ending January 31, 2012**

Mayor Champagne asked if there were any questions or comments concerning the financial statements for the month ending January 31, 2012, that were distributed to the Councilmen. Councilman Barker noted the increased electricity expenditures. He asked if anything was added to the sewer plant to make the charges go up. Clerk Leonard answered that Rouses' sewer lift station was added and at one point in time extra equipment was being used at the Catherine Street pump station. Councilman Hartman moved and Councilman Barker seconded a motion to approve the financial statements as presented. The motion carried unanimously.

**G. Police Report**

Mayor Champagne called on Police Chief Warren Vedros to report on his department's activities. Mr. Vedros distributed copies of the monthly activity report. Councilman Rogers moved and Councilman Triche seconded the motion to accept the police report as presented. The motion carried unanimously.

**H. GSE Report**

Clerk Leonard explained that Mr. Clay Breaud and Ms. Melanie Caillouet had prior commitments and could not attend tonight's meeting, but a copy of GSE's report is included in the Councilmen's packets. Mr. Leonard said the work on the Lower Catherine Pump station is basically complete; however, there are some problems with switching from one pump to another. The contractor has been notified and is working to resolve the problem. Two quotes from Ellender Backhoe were submitted to replace the damaged culvert behind the Catherine Street pump station. The first option involves gaining access to neighboring property and asking the parish to drop the water level so they can work. The second option (if property access is not granted and/or parish cannot pump out water) involves replacing the culvert and installing cement walls on either side and a cement cover on top with catch basin gratings installed. Councilman Triche asked if the second option would be more expensive. Mr. Leonard answered that it would. Councilman Triche asked if sandbags could be used if the parish would not lower the water level and let the contractor pump out the water. Mr. Leonard said that would be up to the town. Councilman Rogers added that a standard request could be made to the parish and he does not think it will be an issue for the parish to pump it down. Councilman Rogers asked if Ellender could do the job faster than B&B. Mr. Leonard confirmed. Councilman Champagne said he did not remember reading that B&B was that booked up in their quote. Mr. Leonard responded that between the time the quote was submitted and action was taken, B&B added other projects in another parish. Councilman Champagne asked when Ellender could start the project. Mr. Leonard was not sure of an exact starting date, but was sure they would begin considerably quicker than B&B. Councilman Rogers moved to authorize Ellender Backhoe & Dozer service to perform the culvert repair by means of the first option. Councilman Champagne seconded the motion and it carried unanimously.

Mayor Champagne mentioned that Mr. Breaud was going to bring plans for School Street to the meeting, had he been in attendance. Councilman Rogers interjected and said that Mr. Breaud came last Thursday with a drawing from Fourth Street to the back, showing the problem areas. The engineering firm completed shooting from Fourth Street to Crescent Avenue today. Councilman Rogers added that two main culverts need to be fixed immediately: one at Second Street and the other at the first driveway coming up to Third Street. The remaining areas can be corrected without doing any enlarging. There are a few culverts that need to be lowered, but Councilman Rogers is unsure if the town can afford to do that.

#### **I. Center for Traditional Louisiana Boat Building- Freddie Delaune**

Mr. Delaune announced that the Boat Center would like to host a "Bateau du Bois" on May 12, 2012, to push the cultural aspect of the area. Boats will be on display along with craftspeople, exhibitors, and storytellers. They would like to work in conjunction with the Bayou Playhouse and Folklife & Heritage Museum. The event is tentatively scheduled to last from 10am to 8pm. They would like permission to sell alcohol at the event. Mr. Delaune needs a letter from the town granting permission to host the event on the town's property and a letter authorizing the Boat Center to sell alcohol. Mayor Champagne asked Mr. Delaune if he contacted Mr. Paul Lo (MMG), because Mr. Lo would like to celebrate the completion of the Brownsfield Project, most probably in conjunction with the Boat Center's celebration. Mr. Rene' Leonard added that they would like the focus to be on Main Street and the boat traffic. He asked if any approval or special planning is needed for parking. Councilman Hartman added that the town needs to submit a Special Event Notice to the insurance company for that date. Councilman Triche asked if the event was strictly for the Center for Traditional Louisiana Boat Building. Mr. Delaune responded that the details have not yet been formalized with the Museum and Playhouse. Councilman Rogers moved to submit a Letter of No Objection to serve alcohol and to give permission to The Center for Traditional Louisiana Boat Building to host the event on town property. Councilman Champagne seconded the motion and it carried unanimously.

#### **J. Resolutions**

**1. Richard N. Bollinger memorial resolution**

Mayor Champagne will present the resolution at another time.

**2. Elery Morvant memorial resolution**

Mayor Champagne called upon Mr. Elery Morvant, Jr, Tony Morvant, and Hazel Morvant, to receive a resolution honoring Mr. Morvant's service to the town during his three term tenure as Police Chief.

**3. Authorize Mayor to sign lease agreement renewals for**

**i. Lafourche Parish Assessor's Office**

**ii. Halifax Theatre**

**iii. Friends of LA Traditional Boat Building**

**iv. Lafourche Clerk of Court's Office**

**v. Lafourche Parish Sheriff's Office**

Mayor Champagne informed the Council of current lease rates. Councilman Champagne asked how the lease rates for the Clerk of Court's Office and the Assessor's Office were determined. Mayor Champagne answered that the rates were probably determined by allocating square footage, but he was not positive. He recalled that the last time this discussion was held, some audience members said rates ranged between \$7 and \$15 per square foot. Councilman Rogers added that the town also pays the utilities, which has a bearing on the lease rates. Councilman Rogers also said that he did not see any proposed leases for the renewals and added that ordinances were needed for the lease agreements. Councilman Rogers felt a public hearing should be called for, to introduce the Ordinances for the new lease agreements and he did not think a resolution would suffice, but could not confirm in the absence of the town attorney. Mr. Leonard said he did ask the attorney and was told a resolution is sufficient. Councilman Rogers rebutted that each lease was done as an ordinance when they were introduced and they all had to be done by ordinance, because they were done by resolution prior to that and had to be redone. Councilman Rogers stated if the statute changed, the Council should have a copy of it. Councilman Hartman felt that under the circumstances, the leases should be extended as they are. Councilman Barker added that a couple of the tenants cannot afford to pay any more. Councilman Triche worried that the buildings were getting older, which leads to increased maintenance costs. Councilman Rogers would like to clarify issues with the town attorney before any action is taken. Councilman Rogers would like to be certain that all expenses are covered by current lease rates. Councilman Rogers inquired about the timeline.

Mr. Leonard noted that the insurance and maintenance costs for each building are included on the financial statements. Councilman Rogers admitted he did not review the leases because the proposed leases were not included in the Councilmen's packets, only the current leases. Mr. Leonard asked "if the Mayor negotiated the terms of the leases 'as is' does he have the authority to sign and if not, what does he have to negotiate?" Councilman Triche answered that he was not okay with it. Councilman Rogers reiterated that he thinks a public hearing should be held and negotiations can be held with the lessees at that time. Councilman Rogers moved and Councilman Champagne seconded a motion to call for a public hearing to renew lease agreements between the Town of Lockport and the following: Lafourche Parish Assessor's Office, Halifax Theatre, Friends of Traditional Louisiana Boat Building, Lafourche Clerk of Court's Office, and Lafourche Parish Sheriff's Office. Councilman Hartman asked that negotiations precede the public hearing and the Council to be given a report detailing the negotiations. The motion was voted on and it carried unanimously.

**4. Authorize Mayor to sign Lafourche Parish School Board Sales Tax Collection Agreement**

Mayor Champagne briefly renewed the sales tax agreement between the Lafourche Parish School Board and the Town of Lockport. Councilman Hartman made a motion and Councilman Barker seconded a motion authorizing the mayor to sign the above stated agreement. The motion carried unanimously.

**K. Lower Catherine Pump Station culvert repairs**

Discussed during Agenda Item H.

**L. Open topics**

**1. Smoke testing report**

A total of 28 letters have been sent to private property owners. Of these, 17 leaks have been corrected; 11 have not. Five public property locations have been corrected.

**2. Clear trees from main drainage ditch from Crescent Ave to First Street**

The town is still waiting for the right-of-ways.

**3. Committee for Expansion of Lockport**

No report.

**4. Street Repairs**

Mr. Leonard reported speaking with Martha Cazaubon (SCPDC) regarding next year's LCDBG application. The State is in the process of reviewing the applications and making visits. In the case of street improvements, the State is making visits to look at the streets, but they have not yet visited Lockport.

**5. Restrooms at Bayou-Side Park**

A letter was sent to Parish President Charlotte Randolph requesting an update, but no response has been received.

**6. Municode**

A digital copy of Municode was sent to all Councilmen, the Police Chief, and the Town Attorney. Administration has received no response.

**7. Disposition of police car**

Chief Vedros reported that he has been in contact with Mr. Ledet, Principal of Central Lafourche High School. There is a lot of red tape involved in donating a car to the students. The School Board's attorney is looking into resolving issues and will get back to Chief Vedros. Chief Vedros added that if the Council approves, he would give the car to the Sheriff Department's Motor Pool to use for parts. Councilman Triche said the car can be given to the Fire Department to use for training. Mayor Champagne recommended waiting to hear from the School Board. If they decline the car, the town will discuss alternative options. Chief Vedros said he should know something by the next meeting.

**8. House located at Vacherie and Eighth Streets and 9. Conoco Gas Station**

Mayor Champagne made reference to a packet of reports on dilapidated structures within the town, compiled by the Code Council at SCPDC, a copy of which was distributed to the Council. Mr. Leonard reviewed the compilation with the Council. Councilman Rogers mentioned that he would like to see the repairs made before hurricane season begins. Mayor Champagne said that it most likely would not be done that quickly. Mr. Leonard noted that most recommendations were for the buildings to be demolished, with a few recommendations stating that the repairs should be done within 60 to 90 days. Councilman Hartman recommended giving the Code Council's report to the Town Attorney and letting him send letters to the property owners. Councilman Champagne recommended including a copy of the report from SCPDC with the letters.

Mayor Champagne said that the attorney will get a copy of the report and will write letters to the property owners. Councilman Champagne made a motion authorizing the Town Attorney to write letters to the property owners asking property owners to follow the recommendations made by the Code Council, with regard to the derelict structures. Councilman Rogers seconded the motion and it carried unanimously.

#### **10. School Street Drainage-GSE prepared scope of work**

Discussed under Agenda Item H.

### **Q. Reports**

#### **1. Council**

- **Councilman Champagne-** No report.
- **Councilman Hartman-** No report.
- **Councilman Barker-** Councilman Barker asked if any action was ever taken for a citizen who had sewer problems and asked the Council to take action a few years ago. Mr. Leonard said it was the first area where smoke testing was done and all of the problems were corrected in that area. Mr. Leonard added that the corrections did not solve this particular citizen's problems at all. Councilman Barker asked what can be done about it. Mr. Leonard answered that the town is still trying to solve the problem by working on Vacherie Street, because a lot of infiltration is getting into the sewer line from the drainage lines on Vacherie Street. A video survey was done along Vacherie Street concluding that when it rains, water infiltrates the line, particularly in two locations. A contractor repaired the two locations, but the town has not experienced a severe rain event since then. Councilman Barker asked if the town could change the speed limit on Highway 308, now that the town incorporated it, or if the State had to do it. Chief Vedros answered that the State is responsible for the speed limit. Mr. Leonard added that he has left messages with Gary Gisclair and Dennis Hebert, inquiring if the State will put either "Welcome to Lockport" signs or "Lockport Corporate Limit" signs or if the Town has to do that.
- **Councilman Rogers-** Councilman Rogers made reference to a copy of an email that is included in the Councilmen's packets regarding culvert installation. Councilman Rogers explained that the issue was brought up when a citizen came into his store and asked why the town does not install culverts. The parish installs initial driveway culverts to citizens living in the parish. Councilman Rogers stated that he thought the town adopted the same ordinance as the Parish, because the permit fee is the same as the Parish and the cost to do it is the same as the Parish. He added that the Parish does not install any additional culverts, but they will install the first 40' driveway culvert for the public. Councilman Rogers said there was a question of whether it was legal, but the Parish is doing it. Councilman Rogers said he called Parish Councilman Philip Gouaux and asked why the Parish would not install culverts within the limits of Lockport and Councilman Gouaux was not sure why the Parish would not install the culverts, because Lockport residents pay the same taxes as other residents in the Parish. Councilman Rogers said that Councilman Gouaux is supposed to get back with him, but added that he feels the Town should offer the same services as the Parish. Councilman Rogers said the current ordinance does not restrict the town from installing culverts; the ordinance only states the permit fees, the costs involved, and the process. The ordinance does say if a culvert is installed at the wrong size or the wrong elevation, the Town can remove the culvert. Councilman Rogers said he feels the town should install culverts. Mayor Champagne responded that "stating the town should do something because the Parish does it" is unfair because the Town does not have the same finances as the Parish. Mr. Leonard responded that following the day the topic was discussed, he listened to the recording of the minutes whereby the Ordinance was approved, and the Council said the Town was definitely not to install any culverts. Mr. Leonard added that he would gladly send the recording to anyone interested. Councilman Rogers asked if that was comments or if a vote was made on it. Mr. Leonard answered that he believed a vote was made on the issue. Councilman Triche said he objected to the town charging the amount that the State wanted to charge per foot, but a \$50 permit would document that a citizen put the correct culvert in a ditch. Mr. Leonard said the \$50 fee is intended to cover the cost of the Town's employee determining the size of the culvert and the elevation needed. It also includes someone going back to the site and checking that the culvert was properly installed. Councilman Rogers said if a town employee installs the culvert, he knows it is done right. Councilman Rogers added there is no Ordinance stating the town cannot install culverts. Councilman Champagne asked what the Ordinance says. Councilman Rogers answered that it says the town charges \$50 for a permit for the installation of culverts and that it does not say who does or who does not install the culverts. He added that it is the same as the Parish Ordinance.

Mayor Champagne said that based on Councilman Rogers comments, the Council needs to clarify the Ordinance, one way or the other. Mayor Champagne recommended putting the topic on the issue for the next Council meeting so the issue can be resolved. Councilman Hartman asked a member of the audience, Floyd Cretini, who is a Parish employee, if the Parish does indeed install culverts. Mr. Cretini confirmed that the resident pays for the culvert and the permit and parish employees install the culvert to the correct grade. Councilman Rogers said there is a citizen who has a culvert and needs it installed and he would like the Council to authorize Administration to have the culvert installed. Mr. Leonard asked if the town should install culverts anytime there is a request. Councilman Champagne said if the wording of the Ordinance is that ambiguous, then the town should install the culverts. Mr. Leonard said that in the recording from the minutes, the Council said they do not want the town to install culverts. Councilman Champagne said he understood, but that is not what is written. Councilman Champagne added that if the Ordinance conflicts with what was said, then the town must follow the Ordinance. He added that if the Ordinance does not reflect what was said, the Mayor and Council should not have adopted the Ordinance. Councilman Champagne made a motion to install initial driveway culverts. The motion was seconded by Councilman Rogers and it carried unanimously.

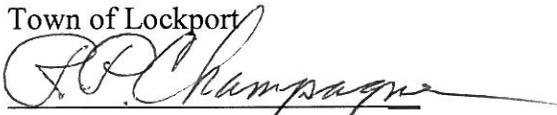
- **Councilman Triche-** Councilman Triche asked if there was truth to a rumor that the Carnival parade will be moved to Sunday if there is inclement weather on Saturday. Chief Vedros explained that it was being considered as a last resort. Councilman Triche made a motion allowing the parade to roll on Sunday, February 19, 2012, if needed due to adverse weather. Councilman Champagne seconded the motion and it carried unanimously. Councilman Triche also inquired about a snowball stand being erected on Crescent Avenue. He asked if the owner has obtained all necessary permits. Mr. Leonard answered that they have a permit, albeit he did not know the status.
- 2. **Mayor-** Mayor Champagne congratulated Chief Vedros for his position as President of the Southeast Chief's District. He asked for advanced planning if any other events are held in town. Mayor Champagne asked for one of the Councilman to make a motion to cover the expenses of the Police Chief's banquet. Councilman Hartman moved and Councilman Champagne seconded a motion to pay for the expenses related to the Southeast Chief's District Banquet. There were no questions from the Council and the motion carried unanimously.

#### S. Citizens Comments

- Citizen Mary Lynn Blanchard asked if there was anything pending on the open culverts in front of the Miller home, since hurricane season is approaching. She said there are no catch basins and there is still an open hole.
- Citizen Floyd Cretini inquired about an old store on Ethel Street that appears to be falling apart. Mayor Champagne said the building was not on the list of dilapidated structures, but he will have Administration put it on the next list for SCPDC to evaluate.

#### T. Adjourn

The next scheduled regular town meeting will be held on Tuesday, March 20, 2012. There being no further business to come before the Council, a motion by Councilman Triche to adjourn the meeting was seconded by Councilman Champagne and carried unanimously at 8:33PM.

Town of Lockport  
  
Richard P. Champagne, Mayor

  
Gerard Leonard, Town Clerk

On motion by Councilman Hartman, seconded by Councilman Barker, the following resolution was introduced and adopted:

**RESOLUTION NO. 2012-002**

**RESOLUTION APPROVING A APPROVAL OF THE LAFOURCHE PARISH SALES AND USE TAX COLLECTION AGREEMENT BY AND BETWEEN THE TOWN OF LOCKPORT AND THE LAFOURCHE PARISH SCHOOL BOARD.**

**WHEREAS,** the Town of Lockport is authorized in accordance with and by the power granted by the Constitution and Laws of this State to levy certain sales and use taxes;

**WHEREAS,** the Town of Lockport is authorized to contract with the School Board in furtherance of matters of local government, and particularly for the purpose of centralized sales and use tax collection for the various political subdivision of Lafourche Parish which are authorized to levy and collect sales and use taxes;

**WHEREAS,** subject to the terms of the proposed agreement and pursuant to Article 7, Section 3(B) of the Louisiana Constitution as amended by Acts 1991, No. 1072 as adopted by the electors of the State of Louisiana, ratified by them on October 19, 1991, the parties collectively and individually name the Lafourche Parish School Board (hereinafter "School Board" or "Board") as the duly authorized collector of sales and use taxes levied by Town of Lockport and do hereby ratify and approve the attached Sales and Use Tax Collection Agreement;

**THEREFORE, BE IT RESOLVED,** that the Town of Lockport convened in regular session on February 15, 2012, and does hereby approve the Lafourche Parish Sales and Use Tax Collection Agreement between it and the Lafourche Parish School Board in accordance thereto;

**BE IT FURTHER RESOLVED,** that the Mayor or Mayor Pro Tem be and is hereby authorized to sign the Agreement on behalf of the Town of Lockport;

**BE IT FURTHER RESOLVED,** that a certified copy of this Resolution shall be forwarded to the Lafourche Parish School Board.

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

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

**NAYS:**

**ABSENT:**

And the resolution was declared adopted this 15<sup>th</sup> day of February, 2012.

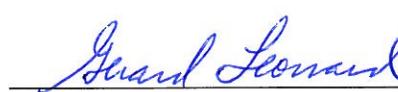
  
Gerard Leonard, Town Clerk

  
Richard P. Champagne  
Mayor, Town of Lockport

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I, Gerard Leonard, Clerk for the Town of Lockport, do hereby certify that the foregoing is a true and correct copy of Resolution No. 2012-002 adopted by the Town Council in Regular Session on February 15, 2012 at which meeting a quorum was present.

GIVEN UNDER MY OFFICIAL SIGNATURE AND SEAL OF OFFICE THIS 15<sup>th</sup> DAY OF FEBRUARY, 2012.

  
Town of Lockport, CLERK

**CONDOLENCE RESOLUTION**

**WHEREAS**, the Town of Lockport recently laid to rest one of its foremost and revered citizens;

**WHEREAS**, the Mayor and Town Council wish to acknowledge the dedication and service to the Town of Lockport by Richard Bollinger, particularly as Town Engineer during Hurricane Betsy;

**WHEREAS**, Richard Bollinger served the Town of Lockport and the surrounding community as Town Councilman, President and active member of the Lockport Lions Club, Active member of the American Legion Post 82, WWII Veteran, Husband, Father, and Friend;

**WHEREAS**, enlisting at the young age of 17, Richard Bollinger served his country valiantly as a United States Marine in World War II.

**WHEREAS**, Richard Bollinger is and will be greatly missed by the community he so generously served;

**THEREFORE, BE IT RESOLVED**, the Mayor and Town Council adopts this resolution to pay tribute to the years of service Richard Bollinger dedicated to the Town of Lockport, the surrounding community, and his Country;

**BE IT FURTHER RESOLVED**, that the Mayor shall deliver a copy of this condolence resolution to the family of Richard Bollinger, and attach a copy of this resolution to the official minutes of the Town of Lockport.

**READ, RENDERED, and ADOPTED** by unanimous vote on the 15<sup>th</sup> day of February, 2012.

  
Richard P. Champagne, Mayor  
Town of Lockport

ATTEST:

  
Gerard Leonard, Town Clerk  
Town of Lockport

**CONDOLENCE RESOLUTION**

**WHEREAS**, the Town of Lockport recently laid to rest one of its foremost and revered citizens;

**WHEREAS**, the Mayor and Town Council wish to acknowledge the dedication and service to the Town of Lockport by Elery Morvant;

**WHEREAS**, Elery Morvant served the Town of Lockport the Lockport Police Department for a period of 12 years, from 1966-1978;

**WHEREAS**, Elery Morvant dedicated and sacrificed his time to serve and protect the citizens of the Town of Lockport as Chief of Police.

**WHEREAS**, Elery Morvant is and will be greatly missed by the community he so generously served;

**THEREFORE, BE IT RESOLVED**, the Mayor and Town Council adopts this resolution to pay tribute to the years of service Elery Morvant dedicated to the Town of Lockport;

**BE IT FURTHER RESOLVED**, that the Mayor shall deliver a copy of this condolence resolution to the family of Elery Morvant, and attach a copy of this resolution to the official minutes of the Town of Lockport.

**READ, RENDERED, and ADOPTED** by unanimous vote on the 15<sup>th</sup> day of February, 2012.

  
Richard P. Champagne, Mayor  
Town of Lockport

ATTEST:

  
Gerard Leonard, Town Clerk  
Town of Lockport