

City of Abbeville
Regular Meeting
December 6, 2022

The Mayor and Council of the City of Abbeville met in regular session on December 6, 2022 at 5:30 P.M., at the regular meeting place, the Council Meeting Room, located at 101 North State Street, Abbeville, Louisiana, with the Honorable Roslyn R. White, Mayor, presiding.

Members Present: Council Members, Carlton Campbell, Terry Broussard, Brady Broussard, Jr., Francis Touchet, Jr., Mayor Pro-Tem and Tony Hardy

Members Absent: None

Also, Present: Bart Broussard, City Attorney
Mike Hardy, Police Chief
Jude Mire, Fire Chief
Chris Gautreaux, Public Works Director
Ann Hardy, Municipal Employees Civil Service Director of Personnel
Allie Horton, Digital Media Assistant
Gene Sellers, Engineer
Kim Touchet, Engineer
Gene Sellers, Jr., Architect
Janis Fabre, Sellers & Associates
Charles Dill, Abbeville Planning Commission
Elaine Dill, Municipal Employees Civil Service Board
Nikki Vidos, Abbeville Planning Commission
Kristina Serai, Director of Government Affairs for Cox
Ahmed Soussi, Voting Rights Attorney, SPLC
Byron Dozier, QSA Parks & Recreation Coordinator

Mayor White asked Councilwoman Terry Broussard to lead those assembled in prayer. Mayor White asked Councilman Tony Hardy to lead the assembly in the Pledge of Allegiance.

Mayor White asked if there were any public comments from the audience on any agenda item prior to action. There were none.

Mayor White asked that we keep agenda item comments limited to 3 minutes and any presentations during the public hearing we would like to limit those to 10 minutes and any comments during the public hearing we will limit those to 7 minutes in order to move the meeting along.

Mrs. Ann Hardy stated that Mr. Sabian Brown resigned last week from the Municipal Employees Civil Service Board due to other commitments that he had. The Women's Club had nominated Ms. Diane Forsythe who has declined the nomination at this time so the Women's Club has nominated Mrs. Elaine Dill for the vacant position on the Municipal Employees Civil Service Board.

-01 introduced by Mr. Francis Touchet, Jr. and seconded by Mr. Brady Broussard, Jr. to accept the resignation of Mr. Sabian Brown from the Municipal Employees Civil Service Board and to fill the vacancy caused by the resignation with Mrs. Elaine Dill. The motion carried unanimously.

Ms. Kristina Serai, director of government affairs with Cox was at the meeting. Mayor White

stated that Councilman Broussard had requested for Cox to be here to discuss why the local office was closed. He would also like to know the future plans for expansion. Ms. Serai introduced Tracy Wirtz and Laycie Lewis who are both local representatives for Cox in this area. Cox employs over 100 members in the Acadiana market. Cox is invested in enhancing the lives of Abbeville residents. It is in the Cox culture to give back to the community. The employees volunteer in their communities over 5,000 hours annually and also give from their paychecks to Cox charities. The Cox charities provide grants up to \$5,000 to local schools, teachers and non-profits. This past August, Cox sponsored the local Stuff the Bus event to provide school supplies to the Vermilion Parish School Board. We did close the local Cox store last month however. This was due to decreased foot traffic and staffing issues. This will be a slight impact to the Abbeville customers but there are other options available to those customers. Customers can pay bills at Walgreens, CVS and the Family Dollar on Veterans Memorial. If a customer needs to order equipment, those items can be shipped directly to their homes. We can also provide a box and return shipping label to return equipment. If a resident wants to visit in person, the nearest stores are in Lafayette and New Iberia. Cox is working to bridge the digital divide with programs they have that will provide affordable internet. Councilman Broussard stated that they have received many complaints that the store was closed. This is difficult for the residents who don't have communication and/or transportation. It is difficult for them to set up a new account or to return equipment. He understands it can be shipped to the home but that does not seem timely. We appreciate all the tools Cox has to serve the 60,000 population of Vermilion Parish but we no longer have a store. This affects all of the citizens in Vermilion Parish. Is Cox committed to Vermilion Parish and to Abbeville in the future or do we need to look at other options? Ms. Serai stated that they have no intention of not serving their customers in Abbeville. They are here to stay and they are invested in the community. Councilman Touchet asked Bart to research when the franchise agreement with Cox will be expiring. He wants to be sure we dictate what we want in the next franchise agreement. He wants the agreement to dictate that they need to reopen their store in Abbeville. He doesn't feel that Cox is providing a good service and he receives many complaints about their service. Councilman Broussard asked Ms. Serai about expansions and projects for growth of their market. Ms. Serai stated that if there are areas that are underserved or needing service build outs then she can have conversations with them and they can look at the GUMBO program or other sources of funding to build out those areas. They have a whole team dealing with expansion. Councilwoman Broussard stated that she is concerned about the senior citizens. Ms. Serai stated there are several different channels where they can reach Cox. They have a chat feature on their website and that is at www.cox.com. The telephone number is 478-784-8000. They can also text 54512. Those are the virtual options. Mayor White stated that she received an email that stated the rates for Cox will be going up on January 5, 2023. Ms. Serai stated the rates are dictated by the programmers and content providers. It is incremental changes. Ms. Linda Thompson is also concerned about senior citizens. Can someone come out and install the equipment? Ms. Serai stated they still have a dedicated customer service staff. Mr. Aross Brown stated that if they would put a drop box at their building here, that would eliminate a lot of problems. Ms. Serai stated that she would look into that option.

-02 introduced by Mr. Brady Broussard, Jr. and seconded by Ms. Terry Broussard to approve the minutes from the Personnel interview meeting held on November 1, 2022, the Committee meetings held on November 1, 2022 and November 15, 2022, the special City Council meeting held on November 15, 2022 and the regular City Council meeting held on November 1, 2022. The motion carried unanimously.

-03 introduced by Mr. Carlton Campbell and seconded by Mr. Tony Hardy to ratify bills paid in the month of November 2022. The motion carried unanimously.

-04 introduced by Mr. Tony Hardy and seconded by Mr. Brady Broussard, Jr. to approve the budget to actual report for the month of October 2022. The motion carried unanimously.

-05 introduced by Ms. Terry Broussard and seconded by Mr. Francis Touchet, Jr. to enter into a public hearing to receive comments pertaining to an ordinance to set the four election districts and their geographical area of the City Council in accordance with the 2020 census within the City of Abbeville. The motion carried unanimously.

Public Hearing

Mr. Gene Sellers stated the first reapportionment plan they did for the City was in 1980 when they first started this. He and Janis Fabre worked on that first plan. The next plan will be in 10 years from now. Obviously, I will not be able to help you with that one, but Janis will. Ms. Janis stated that the proposal is to leave the districts as they are because they are in the range. We also feel that the 2020 census is not accurate because of COVID. The numbers appear off and we do not believe that Abbeville lost that many residents. The first thing they examine are the minority districts. We do not want to dilute the districts. Mayor White stated that the City originally received a letter from the Secretary of State saying that we had to move forward with a reapportionment plan at the end of 2021. When we received that notice we were told that we had to make a decision by the end of December of 2021. Mr. Gene and his staff looked at it and they were potentially going to make a change. The Secretary of State then sent us another letter stating that since we have a spring election, we did not need to reapportion by the end of December 2021 but by the end of December 2022. We didn't take any action in 2021. In March of 2022 we did have an election. Our Council has changed quite a bit with that election. We had a Mayor of 20 years who gave up his seat and we now have the first female mayor. We had Councilman Campbell who won the At-Large seat. Everyone was sworn in on July 1st and we knew we had to make a decision about reapportionment. We also had a transition of City attorney too. Waiting so long to make this decision was not intentional on anyone's part. It was a change of administration and a new attorney. It took us some time to get our feet on the ground. We also feel that the 2020 census was not that accurate. We don't think we lost 1,000 people in the City. She did not see any census workers walking around Abbeville. Given the election results that we had, we now have two African American Council Members and two females sitting here, our current Council does reflect a fair cross-section of our community. Also, we did not see any substantial changes within the district and we feel we are in our legal rights to leave the districts the same. Councilman Campbell asked if the City is in compliance with the Voting Rights Act. Bart Broussard stated that we are as far as he knows. Ms. Janis stated that they send the reapportionment plan to the Justice Department every ten years even though it is no longer required. We have followed the same procedures for the past 42 years. Mr. Ahmed Soussi stated he is a voting rights attorney with the Southern Poverty Law Center. They work to make sure that localities comply with Section 2. He wanted to talk about one person, one vote. The standard deviation is 10%. This map, as presented, is almost 19%. He took the total amount of people in Abbeville and calculated the ideal population into 4 districts. We want to make sure we are not diluting people's vote. Take the population of 11,186 and divide that by 4 and you get 2,797. District 1-4 represents your district A-D. C has the least and B has the most. Your current proposal violates the constitution because it is over 10%. You are committing racial discrimination. Ms. Janis stated that Ms. Soussi is using voting ages instead of people. In their proposal, they are using people. The number one priority is not to add to a district and then taking away from the minority numbers. You have to look at the number of people. 10% is based on the total population. Bart stated that the statement that the City is violating the constitution is Mr. Soussi's opinion based on the presentation of the facts as he see them. It is not that cut and dry. The constitution and the Supreme Court cases provide that the City undertakes the examination

of the apportionment. We have done that. After that evaluation he believes it is in the City's rights to leave the districts as they are. The one person, one vote that Mr. Soussi speaks about, is a principal that came out of a Supreme Court case. When he speaks of the 10% deviation, that is not an absolute number. In that case, the court basically said that if you are 10% or below, you are more than likely good and if you are above 10% you may be more likely not good. It is a case-by-case factual determination. The Council can leave the districts like they are. Councilman Campbell stated that if SPLC files suit we will have to defend it. We do not have enough information with all the deviations, to make a decision to create another district. We have to be right. Bart stated that he can't guarantee that they will not file suit. That would be up to them to decide. But based on the information he has been given, he is confident that we would be able to defend it. Councilman Broussard stated that 65% of the voters did not choose to vote in the last election. We pride every vote and encourage every vote. Our biggest job is to get people out to vote. We have people who gave their lives for the privilege of others to vote. Our efforts would be better served when we make sure that registered voters do one vote, one person. Ms. Kay Joiner asked what the population difference was from 2010 to 2020. Ms. Janis stated the population in 2010 was 12,257 and in 2020 it was 11,186 or a difference of 1,071 people. Ms. Felicia Williams stated that they are in opposition of the map. They wanted to eliminate the at large position. They want each district to be equal so that revenues can be split equally among the districts. Mayor White stated that we do not divide revenues based on population, it is driven by need. Downtown is the core of the City. We spend more money there and that will be true in every City you visit. She has pledged that we need to invest in other areas and we are trying to do that. We are only six months into our administration. In no way do we proportion money based on population. That is not how we divide projects here. We are trying to build a master plan. One of her goals is to put out a list of projects for the upcoming years. As we build a master plan, we will be in every community and offering the community to come and tell us what they feel is important in our master plan. We are looking at new financial software so that we can be more transparent. The people who represent your districts are fighting for you. We try to be as fair as possible. We just completed a \$1 million grant application for streets in Councilwoman Broussard's district. If it is awarded, it will all go in District D. Mayor White stated that she did an application for a grant and received \$400,000 for Graceland. Please give us a little time to get our feet on the ground and to work for you. Councilwoman Broussard stated that the black and brown people have been neglected. It is time to start working in minority districts. Every day she has a conversation with the Mayor about putting money into her district. You have a voice at the table. Mayor White stated that this is a public hearing and there will no action taken tonight regarding the adoption of the ordinance. That will occur at the next meeting. We rely heavily on our consultants to make sure we are in compliance and doing things within the law before we take action. It has been their recommendation that we move forward with the current districts but ultimately that decision will rest on the shoulders of the City Council.

-06 introduced by Ms. Terry Broussard and seconded by Mr. Carlton Campbell to reconvene the regular meeting from public hearing. The motion carried unanimously.

Ms. Gabby Harding with Enterprise discussed their vehicle leasing program. They work with about 80 different governmental agencies in Louisiana. They do work with the Vermilion Parish Police Jury. They also work with LMA and LAMATS as a partner. The lease is not a traditional lease. It is a finance to residual. This will allow you to replace four to five times the number of vehicles. There are about 25 vehicles and 64% of those are older than 10 years. Those are the ones that are costing more as far as maintenance and fuel. Mayor White stated that the list has been changed and the recommendation from Chris is to replace 12 vehicles plus a vehicle for the Mayor. We will also possibly look at a few for Police and the Marshal's office. Chris stated that he is not replacing some of the older vehicles because they serve a specific purpose. Gabby stated that you

would have to surplus and sell those vehicles that you own that are being replaced by Enterprise. We understand that there will be normal wear and tear and there are no penalties for that. These vehicles would also include a maintenance plan. There is no mileage cap. If there is any equity left in the vehicle once it is turned over and sold, the City would receive that equity. Mayor White stated that there is no action needed at this time as the finalized plan will be brought back to the Council for approval. We do not track each vehicle currently with maintenance. If we go with Enterprise, every vehicle would have a maintenance card with pre-negotiated rates with local vendors so that maintenance would be tracked per vehicle.

Mayor White began a discussion of the 2023 holiday schedule. Councilwoman Broussard stated that she would like to add Juneteenth. Mayor White stated that she is not in favor of adding a holiday without striking one out. We currently have up to 13 holidays now with two being optional at the discretion of the Mayor. 13 holidays are fair. We have to pay overtime to the Fire and Police Departments when there is a holiday. This past Thanksgiving costed us \$12,000 per day in overtime.

-07 introduced by Mr. Francis Touchet, Jr. and seconded by Mr. Carlton Campbell to add the holiday of Juneteenth to the 2023 holiday schedule. The motion carried unanimously.

-08 introduced by Mr. Carlton Campbell and seconded by Mr. Brady Broussard, Jr. to table the request to approve payment of partial payment number 3 for the Sewer System Rehabilitation Project due a delay caused by inclement weather. The motion carried unanimously.

Chris Gautreaux, Public Works Director

- *Doing a few projects for the City Council. He is beautifying the restrooms at McKinley Scott Park for Councilwoman Broussard. He is doing something for Councilman Broussard at the tennis courts. We are doing some beautification of some signs on Lyman Street for Councilman Campbell.*
- *Mr. Ray Clark is retiring after 10 years.*

Mayor Roslyn R. White

- *The Christmas Stroll was a huge success.*
- *We do have our Cajun Christmas Celebration occurring this Saturday.*

Bryon Dozier, Parks and Recreation Coordinator

- *Discussed the calendar of events from February to June.*
- *Biddy Basketball registration is closed. They have 181 participants.*
- *USSSA held a Toys for Tots tournament last weekend.*

Jude Mire, Fire Chief

- *Three recruits will graduate on 12/16/22. LWFC will reimburse us for some of that expense.*
- *They cut down the medicals they run beginning 12/1/22. They have only run 5. They would have run about 25.*

Councilman Carlton Campbell

- *Asked the legal counsel to review the COX franchise.*

Councilwoman Terry Broussard

- *Recognized Ms. Rylie, the pageant Queen for St. Jude's.*

Councilman Brady Broussard, Jr.

- *Had over 800 people for the Christmas Stroll. It was very successful.*
- *We will have a day- long event on December 10, 2022: the Cajun Christmas Celebration.*
- *The last Farmers' Market for 2022 will be held on December 17th.*

Councilman Francis Touchet, Jr.

- *He disagrees with the comment made earlier that the Council is not in their districts. They all fight for their districts.*

Councilman Tony Hardy

- *Asked Chief Hardy if we still allow part-time officers. He stated yes.*

There being no further business to discuss, Mayor White declared this meeting adjourned.

ATTEST:

APPROVE:

Kathleen S. Faulk
Secretary-Treasurer

Roslyn R. White
Mayor