

The Mayor and Council of the City of Abbeville met in regular session on December 15, 2020 at 5:30 P.M., at the A. A. Comeaux Recreation Center located at 300 A. A. Comeaux Drive, Suite 200, Abbeville, Louisiana with the Honorable Mark Piazza, Mayor, presiding.

Members Present: Council Members, Francis Plaisance, Terry Broussard, Brady Broussard, Jr., Francis Touchet, Jr., Mayor Pro-Tem and Roslyn White

Members Absent: None

Also, Present: Ike Funderburk, City Attorney
Kelly Mire, Assistant, Fire Chief
Bill Spearman, Police Chief
Clay Menard, Public Works Director
Richard Primeaux, Engineer
Gene Sellers, Engineer
Richard Minvielle, Grant Consultant
John Listi
Joshua Listi, Eagle Scout
Gerald Gaspard, American Legion

Mayor Piazza asked Mr. John Listi to lead those assembled in prayer. Mayor Piazza asked Joshua Listi to lead the assembly in the Pledge of Allegiance.

-01 introduced by Mr. Brady Broussard, Jr. and seconded by Mr. Francis Plaisance to accept the resignation from Elliott LeLeux from the Abbeville Police Department effective December 11, 2020. The motion carried unanimously.

Mr. Gerald Gaspard stated the American Legion has been doing a food drive that is dedicated to needy veterans. We are in the process of looking for more veterans since about 22 have passed away. We are partnering with Super One Food. They have helped us tremendously. Right now, we have between 8,000 to 9,000 pounds of food that we will distribute. Anybody that knows any veterans' families or any civilian families that are in very dire need let us know. We take care of the veterans very good. The food will take care of them for over a week. We have also been able to give them a \$20 to \$30 gift card for other assistance. Our monetary donations have been very slim this year. Friday we will have a food drive at Super One. We hope to get groceries and monetary donations. We will vet those on the list. We will distribute the food Tuesday of next week. It all goes to a very good cause.

-02 introduced by Mr. Francis Plaisance and seconded by Ms. Terry Broussard to ratify bills paid in the month of November 2020. The motion carried unanimously.

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

**Touchet/Plaisance
Resolution R20-24**

A resolution granting the authority to the Mayor to negotiate and execute a contract with Terracon Consultant, Inc. to provide an accredited asbestos inspector for the City's FY 2019 LCDBG Clearance Program.

The motion carried unanimously.

-03 introduced by Mr. Francis Plaisance and seconded by Ms. Roslyn White to approve the quote from Homeowner's Construction in the amount of \$6,160.00 for repairs to structures at various parks that were damaged as a result of Hurricane Delta. The motion carried unanimously.

Touchet/Plaisance
Resolution R20-25

A resolution to authorize the Mayor to execute an intergovernmental agreement with Sheriff Mike Couvillon to create the Vermilion Parish/City of Abbeville Major Crimes Task Force.

The motion carried unanimously.

Plaisance/White
Resolution R20-26

A resolution adopting the legal holidays for the City of Abbeville for calendar year 2021.

The motion carried unanimously.

Mayor Piazza discussed the proposed electronic billboard to be located on Park Avenue. The location is at the intersection of Highway 14 and Highway 167 at the Bypass. It is a little bit setback from the corner. It is between the white house on the corner and Riverfront. It will be an electronic flashing billboard. He is concerned about the safety of the public. This intersection has already been a dangerous intersection. These signs can be blinding at times and a distraction. We have had a lot of accidents at that intersection. The City has ordinances that prohibit these kinds of signs. That particular piece of property is not in the City limits. We have 5 or 6 sections of property or islands that are surrounded by the corporate limits of the City. That piece of property is not under the jurisdiction of the City's ordinances. They do not apply. They applied either to the State or the parish for their permit. Mr. Primeaux stated they received their permit from the State. They received their electrical permit from the parish. The parish does not have a sign ordinance. Councilman Touchet stated that Councilman Plaisance has been screaming this for years. This is a prime example of why islands within the City are things that we can't control. The state and the parish never communicated with the City about this situation. If something happens at that intersection, it is the state's fault. The state gave them the permit. If something happens then go after DOTD. He can't believe that the parish did not look at the location of this knowing the relationship that we have and try to communicate this to the Mayor. We could have tried to stop this. If something happens at that intersection then the parish is responsible too. Councilwoman White stated that we asked them to honor our ordinances at that intersection. Councilman Plaisance stated he has brought up the issue of unincorporated islands many times in the 14 ½ years he has served. Suppose they put another one up by Langlinais Tractor? That is not in the City. There have been several fatalities in front of Walmart. What if they put one up by the old skating rink on North John Hardy? There have been several accidents at that intersection. He has asked Ike to look into what can be done for these types of islands. This has created a serious problem on the corner of Highway 167 and Highway 14. This will continue unless

we don't box in these islands since we have no control over them. Councilman Broussard asked if the Council has noticed that there are two sets of rules that DOTD applies to business and applies to the City of Abbeville. We are treated lesser. Why do we have to have a Styrofoam Welcome Sign yet a business can put a metal pipe? We are told that we had to have a collapsible sign next the highway but business can put something that can kill somebody. Councilman Touchet stated he spoke to the owner of that particular property. He has a 15-year lease with two additional renewal terms after that with a very lucrative monthly payment. The lease is done and the permits have already been issued. The sign will be up this week. Mr. Gene Sellers stated he believes that there is case law that these islands have to abide by the laws of the corporate limits that surround them. Also, if you have an island, you don't have to have a petition to annex it. Mayor Piazza asked if Councilman Broussard had reached out to a couple of jurors. Councilman Broussard stated he did and those jurors think it would be a good idea for these unincorporated islands to follow the ordinances of the City. Councilwoman White stated this sign is in her district and 90% of the time she believes people own their property and the government shouldn't tell them what to do with it but she thinks this comes down to being a good neighbor. If your neighbors don't want it and no one around you wants it and we have ordinances against it but you take the dollar over it, it is extremely disappointing. She is disappointed in the land owner in putting their financial situation and the dollar over the community. Every child that goes to school there will be subject to whatever is on that billboard. It is a distraction to drivers and to our community. We work so hard to keep our historic authenticity but then you have a huge digital billboard right there. We worked hard to try to discourage the land owner from doing it and to try to get the Police Jury to work with us but unfortunately, we failed at that. A constituent that was in the audience stated that when she saw the big truck there this morning, she was very distressed. She is a property owner on Park Avenue. This is not only a distraction to drivers but it disrupts the aesthetic view of our community. We try to beautify our community and the Community Foundation just gave us some money to try to beautify the community and then we have something like this coming up in the most inappropriate place. Right when you drive into Abbeville, that is what you will see. She supports the opposition the Council is showing. She went online and read the ordinances and asked if there is anyway you can put a perimeter around to show that you don't want this kind of sign to come in. She understands that the City's ordinances do not apply in this case because the sign is on an unincorporated island.

-04 introduced by Mr. Francis Plaisance and seconded by Ms. Roslyn White to oppose the sign that is going on the unincorporated island at the corner of Highway 14 and Highway 167 and to send a letter to the State and the Vermilion Parish Police Jury requesting that the City be notified of a proposed sign prior to the granting of permits on these islands that are in close proximity of the City limits.

-05 introduced by Mr. Brady Broussard, Jr. and seconded by Ms. Terry Broussard to table the request for a variance from the sign ordinance for 115, 117 and 119 Concord Street. The motion carried unanimously.

Mayor Mark Piazza

- *Wished everyone a Merry Christmas and a Happy New Year. 2020 has been the worst year since he has become Mayor with COVID and two hurricanes. Bring on 2021.*
- *He asked Councilman Broussard about the upcoming Park and Recreation Board meeting. Councilman Broussard stated the meeting will be held on January 12, 2021 and it will be advertised. Councilwoman White requested formal proposals so they could examine them before the meeting.*

Kelly Mire, Assistant Fire Chief

- *The unincorporated islands cause a problem for the fire department. We have had issues with them burning trash and we are being told to get off their property because they reside outside the City limits.*
- *We have been looking at a different type of rescue boat. It is all plastic. In 2016 flood we could not run the fire trucks through the streets. There is a grant they applied for with the Rotary Club for \$13,400.00. We will buy the boat with the trailer with the grant funds and we will buy a small motor for it with our funds. The Rotary Club will pay for the boat directly then donate it to the Fire Department. Mayor Piazza asked Chief Kelly to thank the Rotary Club for this. The Rotary Club has been a tremendous help with a lot of City projects.*

Councilwoman Terry Broussard

- *Wished everyone a Merry Christmas. May God continue to bless you.*

Councilwoman Roslyn White

- *Received three resumes for the digital media assistant. These are three very good candidates so far. We put it out to the schools, SLCC and ULL.*

-06 introduced by Ms. Roslyn White and seconded by Mr. Francis Plaisance to enter into executive session to discuss pending or threatened litigation and the state of emergency for COVID issues. The motion carried unanimously.

-07 introduced by Mr. Francis Touchet, Jr. and seconded by Ms. Terry Broussard to reconvene the regular meeting from executive session. The motion carried unanimously.

Mr. Funderburk reported that during the executive session we discussed possible policies in regards to vaccinations of City employees once the COVID vaccine becomes available. We also discussed the situation with regard to the placement of a digital billboard within an island of unincorporated land within the corporate limits of the City of Abbeville. He has laid out the plan that he asks the Council to consider and if approved, authorize him to move forward with the plan. He would like the Council to authorize him to send a letter to Rue Outdoors Advertisers ordering them to cease and desist the construction of this billboard because it violates our existing ordinances and to further inform them that it is the intention of the City of Abbeville to annex that subject property by any means that is lawfully available to the City. In which case, once the annexation is complete, they will have to take down their non-conforming billboard. Councilman Plaisance added that we need to annex all the other islands too.

-08 introduced by Mr. Francis Plaisance and seconded by Mr. Francis Touchet, Jr. to authorize the City Attorney to send a letter to Rue Outdoors Advertisers ordering them to cease and desist the construction of this billboard because it violates our existing ordinance and to further inform them that it is the intention of the City of Abbeville to annex that subject property by any means that is lawfully available to the City. The motion carried unanimously.

Mayor Piazza stated that he would like to continue to pursue, with the assistance of our State delegation and the Vermilion Parish Police Jury, to help us with the unincorporated islands of the City and to potentially for the Jury to piggy back and recognize the ordinances of the City of Abbeville for these specific islands in the meantime until we can get the State legislature to act and if we can't that they would continue to recognize our ordinances within the City of Abbeville. Councilman Broussard stated the Jury is waiting for their attorney to talk to Ike and then they will be ready to present that. The attorneys have to give the language. Mayor Piazza added that we

may be able to get the Jury to act quicker than the legislature. The legislature will not convene until April or May. Even if the Jury's actions are temporary.

-09 introduced by Mr. Francis Touchet, Jr. and seconded by Mr. Francis Plaisance to continue to pursue, with the assistance of our State delegation and the Vermilion Parish Police Jury, to help us with the unincorporated islands of the City and potentially for the Jury to piggy back and recognize the ordinances of the City of Abbeville for these specific islands in the meantime until we can get the State Legislature to act and if we can't that the Jury continue to recognize our ordinances within the City of Abbeville. The motion carried unanimously.

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

ATTEST:

APPROVE:

Kathleen S. Faulk
Secretary-Treasurer

Mark Piazza
Mayor