The Mayor and Council of the City of Abbeville met in regular session on March 2, 2021 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 Jude Mire, Fire Chief Bill Spearman, Police Chief Clay Menard, Public Works Director Allie Horton, Digital Media Assistant Jeremiah Bolden, City Marshal Richard Primeaux, Engineer Gene Sellers, Engineer Pastor Steve Delino, Parks & Recreation Board Felicia Williams, Parks & Recreation Board Gerald Gaspard, Chamber of Commerce, American Legion Debbie Garrot, Vermilion Film & Visitors Commission Tommy Picard, QSA Anita Levy Marilyn Mitchell

Mayor Piazza asked Pastor Steve Delino to lead those assembled in prayer. Mayor Piazza asked Marshal Jeremiah Bolden to lead the assembly in the Pledge of Allegiance.

-01 introduced by Mr. Francis Plaisance and seconded by Ms. Terry Broussard to accept the resignation of Police Officer James Wood from the Abbeville Police Department. The motion carried unanimously.

Councilwoman White asked Chief Spearman if Mr. Wood had given a reason for the resignation. Chief Spearman stated he went to another agency. Mayor Piazza stated he and the City Council got a letter of his resignation. Chief Spearman stated he did not receive a copy of the letter.

Mayor Piazza presented a proclamation to the City Marshal, Jeremiah Bolden. Marshal Bolden is the first African American to hold this position in Abbeville. He was recently elected to his third term. His family held a ceremony on January 18, 2021 to recognize his accomplishments but we could not get the proclamation to him for that because we could not attend because of the COVID-19 restrictions. He proclaimed January 18, 2021 as City Marshal Jeremiah Bolden Day in the City of Abbeville, Louisiana.

Mrs. Debbie Garrot discussed possibly showing a movie at LaFitte Drive-In Park. That request was discussed with her by Mayor Piazza, Councilman Plaisance and Councilman Brady Broussard, Jr. It would be a drive-in movie because it would fit the restrictions as set by the Governor. They are

doing this across the country. She did some investigating and shared the preliminary information with the Mayor and Councilman Plaisance. Since then, she has learned more. She would like a decision to be made if she should continue to move forward or to stop. There are two companies. They are turnkey companies that will set up the inflatable screen, the projector and the radio transmitters so that everyone can hear the movie in their vehicle. You don't have to leave your vehicle. One company charges \$1,500 to do this and the other company is double that amount. The screen is not very expensive if we would want to buy it but the projector is very expensive. The projector costs about \$10,000. Because the park was once a drive-in, Disney has such restrictions that it would be very difficult for us to obtain the rights to show a Disney movie. Most family movies are Disney movies. To obtain the rights to show a movie it is about \$450.00. If we go the cheaper route, we are looking at about \$2,000. Even if the event is cancelled because of rain, we still have to pay them. The cheaper company is Roundtree Productions and they have been doing this for over 20 years. He watches the weather and is willing to reschedule the event but that can become a problem. One year she had to reschedule the Christmas Movie in the Square three times in December. She wanted to know if the Mayor and Council wanted to move forward. We would sell the tickets in advance and would charge per car. She has checked with others and they charge, for example, \$20 per car and no more than 6 occupants per car. We could do something like that. If it would start to rain, it could mess up the grounds. She is happy to do whatever they want her to do but it is expensive and she thinks it is too big of a risk. Councilman Plaisance stated the public would be receptive to this and the ground is very hard and it has settled quite a bit. It is a great idea. Councilman Touchet asked her to research more on the Disney restrictions. Councilman Plaisance stated we could probably get a sponsor for the event. Tommy Picard stated that QSA has a projector that she could use. Debbie stated we have a whole year with Swank to show a movie once we pay for the rights to use it. She was thinking about showing the movie in April or May. Councilman Touchet stated we should move forward with the movie. All Council members agreed that we should move forward. Mayor Piazza stated to Debbie that the Council would like her to continue to pursue this event.

-02 introduced by Mr. Francis Plaisance and seconded by Mr. Francis Touchet, Jr. to approve the minutes from the regular City Council meetings held on December 1, 2020, December 15, 2020 and January 5, 2021, the Committee meeting held on December 15, 2020, the special City Council meeting held on December 22, 2020 and the Personnel Interviews held on January 5, 2021. The motion carried unanimously.

-03 introduced by Mr. Brady Broussard, Jr. and seconded by Ms. Roslyn White to ratify bills paid in the month of January 2021. The motion carried unanimously.

Mayor Piazza asked if there were any comments from the public on any agenda item. Mrs. Felicia Williams stated she serves on the Parks and Recreation Advisory Board and she wanted to ask what plan does the City have in terms of the Parks and Recreation Department and why do we have on the agenda to abolish the Park Director position and also to outsource. She would also like to know what happens to the applications that were submitted for that position. She would also like to know, in reference to the ordinance, under Part II Section 2.9, and the home charter, under Part I Section 3, Corporate Powers, that if you look at those you would see the City is in violation of its ordinance and its charter for trying to abolish and outsource that position.

-04 introduced by Ms. Terry Broussard and seconded by Mr. Brady Broussard, Jr. to ratify the renewal of property, inland marine/equipment, auto physical, airport liability and boiler and machinery insurance with Thompson, Smith & Leach effective March 1, 2021 with an annual cost of \$191,829.10. The motion carried unanimously.

Councilman Broussard stated this was an annual increase of \$17,286.55 but the insurance company insisted on increasing the coverage of City Hall. It is now covered for \$3,058,000. In prior year it was covered for \$2,000,000. This is a good renewal after the two hurricanes we had here last season. It is a very competitive quote.

-05 introduced by Ms. Terry Broussard and seconded by Mr. Brady Broussard, Jr. to ratify the renewal of general liability, automobile liability, law enforcement officer coverage and errors and omissions insurance with Risk Management, Inc. effective March 1, 2021 with an annual cost of \$231,022.66. The motion carried unanimously.

Councilman Broussard stated this renewal comes with an annual decrease of premium in the amount of \$35,999.81. So, we have an increase in our other coverage of \$17,286.55 and a decrease in premium of this insurance of \$35,999.81. This is a net savings of \$18,713.26 annually.

Councilwoman Terry Broussard discussed the McKinley Scott Park pavilion. She understands that Clay has submitted a quote to the Mayor for the project. She wanted to bring this project back up in March in order to get moving forward with this project. Councilman Touchet had requested quotes so we can revisit the budget to make sure the money was there. Mayor Piazza stated the contractor who quoted the job was referred to us by Glenn Lege Construction as a good reference to do this type of work. He said that the building would need to be elevated first and repaired before we can do any of the ground work and the concrete slab work. We cannot do the concrete slab first and then go in there with heavy equipment to elevate the building. To elevate the building and make the repairs would be \$60,300. The new concrete slab under the existing building would \$71,050. He asked Clay if he was able to get any other quotes besides this one. Clay stated he was not. Councilman Touchet asked Clay about the bid law. Clay stated it is a public works project because it is lower than the threshold, we do not have to get formal bids. We do need to try to get three quotes. Councilwoman Broussard stated she does have somebody that wants to submit a quote. They will meet with Clay next week so she would like to wait for that. Councilman Touchet asked when the next quarterly finance committee meeting would be to discuss the status of the budget. Kathy Faulk stated it would be at the second meeting in April. Councilman Plaisance asked which funds would be used for this project. Mayor Piazza stated Sales Tax. He would also need to look at that number to see if it would require a budget revision. We spend money through the budget through the course of the year without having to do a revision to the budget as long as it doesn't exceed 5% of the total funds you have budgeted. This is a large dollar amount and it may exceed the 5% and we may have to do a budget revision. He needs to speak to Steve Moosa about it. Councilman Touchet suggested, in the meantime, we get as many quotes as we can so we can be ready for the budget update the second meeting in April. Councilwoman White would also like Steve to discuss any hurricane reimbursements we have received to date. Also, she asked if we could split the project between two fiscal years. Mayor Piazza stated it has to be done all together. Ms. Marilyn Mitchell asked what a brand-new pavilion would cost. Mayor Piazza stated the little basketball court next door, we also received a quote to do a whole new pavilion on that basketball court. It is about 1/2 the size of the one at McKinley Scott Park and it was \$175,000. Ms. Anita Levy asked if we could apply for a grant for the project. Mayor Piazza stated we applied for years to get a grant and did not receive it. Mr. Gene Sellers stated the federal dollars for something like this are nil to none.

-06 introduced by Mr. Francis Touchet, Jr. and seconded by Mr. Brady Broussard, Jr. to award the contract for the Downtown Main Street Drainage Outfall Repair Project to Glenn Lege Construction, Inc. in the amount of \$40,502.95. The motion carried unanimously.

Quotes were requested to clean the concrete coulee. The lowest quote was from Glenn Lege Construction, Inc. in the amount of \$47,318.70. Clay Menard stated the quote consisted of 4 separate items. The City will take care of items #1 and 3 on the quote and the Drainage Board has agreed to take care of item #2 and 4. The cost of item number 1 and 3 is \$30,665.70. That would be the City's responsibility and items number 2 and 4 total \$16,653.00 and that would be the Drainage Board's responsibility. The only thing the Drainage Board requested was for the use of our trucks to help remove the debris. Councilman Touchet asked why can't our City crews do it. Mayor Piazza stated that in the past we only cleaned the bottom now we need to go all the way to the edge and clean everything that is hanging over too. We never really did this cleaning to this extent. It is very extensive. We are going 20 feet up. Police Juror Ronald Darby has also agreed to help with trucks if needed. Clay stated the Drainage Board did approve the intergovernmental agreement at their meeting tonight.

-07 introduced by Ms. Roslyn White and seconded by Ms. Terry Broussard to approve the quote from Glenn Lege Construction, Inc. in the amount of \$47,318.70 with the City's being responsible for item number 1 and 3 in the amount of \$30,665.70 and the Drainage Board being responsible for item number 2 and 4 in the amount of \$16,653.00 to clean the concrete coulee. The motion carried unanimously.

White/T. Broussard Resolution R21-04

A resolution authorizing the Mayor to execute an intergovernmental agreement with Gravity Drainage District #2 to clean the concrete coulee.

The motion carried unanimously.

-08 introduced by Mr. Brady Broussard, Jr. and seconded by Mr. Francis Touchet, Jr. to grant a variance to move a modular home to 900 Charity Street which is in our Smart Zone area that prohibits mobile/modular homes. The motion carried unanimously.

Councilman Broussard stated the modular home looks like a house. It will replace a dilapidated structure that will be torn down. It will be an improvement to that location.

## Plaisance/Touchet Resolution R21-05

A resolution requesting the Vermilion delegation to the Louisiana Legislature to sponsor legislation to amend Article I of the Charter creating the City of Abbeville to redraw the corporate limits of said City to include the enclaves.

The motion carried unanimously.

T. Broussard/Plaisance Resolution R21-06

A resolution declaring a State of Emergency due to the winter storm in February 2021.

The motion carried unanimously.

# T. Broussard/B. Broussard Resolution R21-07

A resolution modifying Sections 18-10 and 15-23 for those billing cycles impacted by the winter storm of February 2021.

The motion carried unanimously.

Mayor Piazza stated we have done this in the past. We have an opportunity to help our citizens that were impacted recently by the winter storm. Because the Governor has declared a statewide state of emergency, due to the winter storm, the local governments have local certain discretions that they can utilize under the state of emergency. He suggests that some of our citizens that had busted pipes and could possibly have substantial water bills due to our water rates that coincide with our sewer rates and we can make adjustments to those bills when that citizen can verify that they actually had a water leak that was substantial and has been repaired. They need to show proof that it was because of the winter storm. The bill would have to be at least twice as much as they normally pay. We are talking about very high water bills of \$200 that they can substantiate and it has been repaired. We need to do what we can to help our citizens for this disaster and since it was a declared state of emergency by our Governor. We already have a list of those names and they will have to show some proof. They will see the difference on their water bill.

-09 introduced by Mr. Francis Plaisance and seconded by Ms. Roslyn White to approve the purchase of transformers for stock from Solomon Corporation in the amount of \$12,225.00. The motion carried unanimously.

Mayor Piazza we have received a proposal from Quality Sports Authority. We have a representative here, Mr. Tommy Picard, from that organization. We also have members from our Parks and Recreation Board here tonight too. The Parks and Recreation Board have had two public hearings in this building to allow public comment about this topic.

Councilwoman Broussard stated she would like to discuss the concerns that Mrs. Felicia Williams expressed during the public comments. She would like to know what we are violating. Mrs. Williams stated there are three applications. You are violating the City's ordinance, Part 2, Section 2.3, the home rule charter part 1 Section 3 of the corporate powers. You accepted a proposal from QSA and there was no solicitation of a request for proposals (RFP). That was one thing from other entities or from other individuals that wanted to submit a proposal. In the 2016 minutes from the Parks and Recreation Board, it was stated that that position would be a full-time position. Ike addressed the charter aspect of this. The corporate powers listed in the charter shows the City may sue or be sued, may purchase real estate and personal property, may enter into contracts of all kinds and do all other acts in relationship to the property and concerns of the City as may be necessary to exercise its corporate and administrative powers. Entering into a contract with an independent contractor certainly falls under this section. He asked Mrs. Williams to point out the area she was referring to since there were about 20 paragraphs in this section. Mrs. Williams stated she would have to go through the whole thing because she jotted it down. She wanted him to look into it because we are requesting to abolish a position and offer it to a third party with applications on the table. Those applicants have not been interviewed. You will sign the agreement tonight then you are proposing to abolish the position. How can you abolish it and then award it to someone? Ike stated the rational here is we don't know what this Council will do in regards to the independent contract that has been prepared and that has been submitted to QSA. We don't know if QSA will accept that contract if this Council approves it. The

Mayor's logic was to first have a vote to determine whether not the City and QSA are of one mind and can agree on this contract. If they can agree on it, then we move to the first of the next two of the resolutions. That would be to have the Municipal Civil Service Board declassify the position of Park Director. If, however, the City Council and QSA do not agree to enter into the independent contract, we still need to fill the Park Director position. We have received three applications. They were received without the position being opened officially for applicants. They have been distributed to the Mayor and the City Council. The third alternative would be to request that the Civil Service Board open the position so other applicants could also apply and then after the deadline for that would come, then the normal Civil Service process would occur including testing. Mrs. Williams said the applications were requested. You should at least interview those applicants you have. Mayor Piazza stated to Mrs. Williams that this was her opinion. That is not Civil Service law or rule. That is just your opinion when you state that we should interview them because it doesn't say that in Civil Service. It says we can take the list and declare the list is ineligible and not consider any of them because we don't think they are qualified. We can reject that list and request a new list. It does not say anywhere in Civil Service that if you apply for a job that you are entitled to an interview. Ike stated that Mrs. Williams stated we are in violation of Part 2 Section 2.1 of the code of ordinances. Mrs. Williams stated it is 2.9, Part 2 Section 2. Ike stated that is designation of municipal officers and appointment of same. Is that what you are referring to? Mrs. Williams stated she did not know as she would have to look at it. Ike read the verbiage from that section as follows: The following municipal positions are classified as officers of the municipality and shall be filled by the City Council in accordance to the Municipal Civil Service System, if applicable; Administrative assistant to the Council and City Attorney, the City Attorney, Director of Parks and Recreation, Director of Public Works, Supervisor of Electrical Department, Supervisor of Street and Bridge Department, Supervisor of Wastewater Plant, Supervisor of Water Plant. If the Mayor and Council and QSA do enter into an independent contractor agreement, then we will need to amend this section to remove Director of Parks and Recreation as an officer of the City. Thank you for pointing that out Mrs. Williams. Mrs. Williams stated she is in opposition of this. She will be submitting a proposal that will save the City money. The things QSA is proposing to do is already in the contract. Ms. Marilyn Mitchell asked if the Park Director was appointed by Francis Plaisance. Councilman Touchet stated they were hired by the City Council. Ms. Mitchell stated you are not hiring anyone right now but you advertised a position. Why was the position advertised? Mayor Piazza stated because it was vacant. Councilman Touchet stated the applications that were submitted to us were not qualified for the position. That is his opinion. Mayor Piazza stated we are not on the correct subject matter but just to clear things up, we advertised for 4 jobs today in other departments for other employees that we are hiring. We have been advertising for an electrical lineman for two years. We get dozens of applications for openings in the Street and Bridge Department. A lot of them don't even come near to qualifying for the job. They are not even looked at or considered. This is not unusual. This is just the day-to-day routine of running the City. Advertising for positions, receiving applications, reviewing applications and maybe or maybe not interviewing people. This is routine and this is only one department out of a dozen. Mrs. Williams wanted to know if the Park Director gets his orders from QSA. Mayor Piazza stated in the QSA proposal, Mr. Picard requested two City employees from the Street maintenance department to work under his authority. Mr. Tommy Picard stated QSA will not tell the Park Director what to do because you are working for the City of Abbeville. He received a call today from a Council member and received a call from another Council member last week. That is all on the City of Abbeville. If they need something in a park in their district, they call him and it will be done. That is not QSA. The Park Director is with the City of Abbeville. His time will be spent here. Councilman Broussard stated that abolishing a position within the City of Abbeville is not unique especially when it can save the City money. This proposal will save the City between \$25,000 and \$30,000 per year. In the past we have abolished the Risk Manager position to save money. We have abolished the grass cutting positions in the

City because it saved dollars from lawsuits. Abolishing positions to save taxpayer money is a good thing. We will continue to register children here. No City contractor or employee will report to QSA. Mayor Piazza stated that since he has been the Mayor, we have abolished 17 positions. Councilwoman Broussard stated that we owe citizens that take the time to fill out an application an interview. Councilman Plaisance stated that we advertised it on the front page of the Meridional. How do we address the people who applied? Councilman Broussard stated that we have had multiple public meetings and he understood that applications would be given to the Mayor's office and the Mayor would report to them what the best application or proposal would be to go forward. That is what he understood. Mayor Piazza stated the normal procedure for any position is first for the position to be opened. However, we have people submit applications for positions that are not open just in case one does open up. This happens all the time. Second, the Civil Service Director would screen those applications for the appropriate qualifications. We get dozens of applications for people that never even get passed the process of the Civil Service Director qualifying them as a legitimate applicant because they may not be qualified for that position. Then, if they qualify, they are tested for that position and have to come out in the top 5 before they even make it to the City Council for interviews. All those steps have to take place before anyone is afforded an interview. None of those things will take place if you abolish the position. Councilman Touchet stated that not one individual we received applications for is qualified. There is nothing that says if someone applies then they have to be interviewed. Mayor Piazza also stated the Civil Service Law states you can decline hiring anybody anytime you want. It does not say you have to interview or hire even though you have advertised. You can decline to hire anytime for any reason you want. He asked Councilman Plaisance if the City Council made a motion at any meeting to open and advertise the position. Was any action taken at a City Council meeting? The City Council is the hiring authority and the City Council never acted at a City Council meeting to open and advertise the position. We have a specific agenda item to consider the contract. We are way out of the realm of that agenda item by talking about Civil Service laws and regulations. Ms. Anita Levy stated that Councilman Touchet stated none of the applicants are qualified. Wasn't there one who has a degree in sports medicine? Is she not qualified? Mayor Piazza stated that we are not here to talk about these applicants. Councilman Touchet stated none of the applications he received have anything about sports medicine. Mrs. Williams asked who authorized the story in the newspaper. Mayor Piazza stated the did. Mrs. Williams stated that on February 9<sup>th</sup>, you (Mayor Piazza) said anybody could apply. If you know a position is vacant come put in your application. Mayor Piazza stated he said that anybody could apply for any position at anytime and if there was an open position anyone could come in a put an application.

### Touchet/B. Broussard Resolution R21-08

A resolution approving an independent contractor's agreement between the City of Abbeville and Quality Sports Authority to perform the duties of the Park Director and to authorize the Mayor to execute same.

The motion was put to a vote and the vote thereon was as follows:

YEAS:	4(B. Broussard, Touchet, Plaisance, White)
NAYS:	1(T. Broussard)
ABSENT:	0
ABSTAIN:	0
Therefore, the motion carried.	

# Touchet/White Resolution R21-09

A resolution requesting the Abbeville Municipal Employees Civil Service Board to abolish the position of Park Director and to have Ike remove the position of Director of Parks and Recreation from the list of Municipal Officers.

The motion carried unanimously.

B. Broussard/Touchet Resolution R21-10

A resolution authorizing the Mayor to execute an intergovernmental agreement between the City of Abbeville and the Vermilion Parish Police Jury to perform needed maintenance of the parking lot of the A. A. Comeaux Recreation Building.

The motion carried unanimously.

## Touchet/Plaisance Resolution R21-11

A resolution authorizing the Mayor to execute the agreement with DOTD pertaining to the Airport project: Rehabilitate T-Hangar Taxilanes & Apron Phase II (Construction).

The motion carried unanimously.

### Touchet/White Resolution R21-12

A resolution committing \$56,960.75 of City funds to the Flood Damage and Drainage Improvement Project.

The motion carried unanimously.

Plaisance/White Resolution R21-13

A resolution authorizing the Mayor to execute an intergovernmental agreement between the City of Abbeville and the Vermilion Parish Police Jury for the Hollingsworth Drive Improvements.

The motion carried unanimously.

Clay Menard, Public Works Director

- DOTD has issued the permit to repair the water leak on State Street. We will try to complete that this Saturday. We want to do that on a Saturday because there is less traffic. It should take about two hours to repair the leak. DOTD will provide us some barricades.

Mayor Mark Piazza

- Commented about the Electrical Department. We have two linemen both out on extended sick leave. One may not come back. We have another individual that is scheduled for

surgery and that will leave us with one lineman and three helpers. That is not good news at all. We have asked for two contract crew companies that can come in and help us in the case of an emergency. If there is a power outage, they can come in from the Lafayette area and help us out. We will have to hire somebody for a few weeks. They will also help us with street lights and day to day stuff. We have lined up one crew for sure. We also have two prospects to hire. One individual we talked to about 8 months and he went to work for a contract crew and is tired of traveling and wants to work locally. We will speak to him again on Friday to try to negotiate a salary. Councilman Touchet stated we need to give the Mayor the flexibility to negotiate salaries. This department is very important and we have to raise those salaries since we are competing with SLEMCO and CLECO. Let's ask Stewart to use his contacts to try to get people here to work for us. This is better than us having to pay \$6,000 per week for a contract crew just to be on call. Councilman Broussard agreed that we can't keep doing things the same way and expect to get career electrical department employees. It won't happen. We need to study it, modify it and improve it. Councilwoman White stated she would like to see Allie do a push on social media regarding those open lineman positions. Mayor Piazza stated she and Lynn got together to do that this morning. We are kind of crippled without our Civil Service Director. Ike stated she works for the Civil Service Board. He has conferred with the Civil Service Board attorney to maybe make some recommendations.

- Running our City is all our jobs. We are supposed to be in our City and riding our districts looking for issues and problems. Don't wait for something to be broken or somebody is upset about something or it is already an issue before you call Tommy (Picard) about the problems in your park.

### Councilman Francis Plaisance

- Glad to see our recreation program will move forward. He appreciates Mr. Picard offering his help at LaFitte Park.
- He is looking forward to the fishing pier being built at LaFitte Park.

#### Councilman Francis Touchet, Jr.

- At one time we had three different attorneys and we consolidated that to one. We have someone who runs our business day to day and does prosecutions. Tonight, our City Attorney went around at least 10 times to get us to sign different things but most importantly it takes the research, the dedication and then having to follow up on all these things tomorrow. He thanked Ike for all his work and his efficiency he provides for us and at City Court. We are getting a better deal. Mayor Piazza stated that since New Year's Ike has not slowed down.

#### Councilwoman Terry Broussard

- Asked how much are we putting up for Hollingworth project. Mayor Piazza stated \$75,000 and it is in the budget.

#### Councilman Brady Broussard, Jr.

- Thanked everyone who came to the meeting and commented on their concerns and their needs.

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

ATTEST:

APPROVE:

Kathleen S. Faulk Secretary-Treasurer Mark Piazza Mayor