

**OFFICIAL MINUTES OF THE CITY COUNCIL
CITY OF THIBODAUX
CITY HALL
THIBODAUX, LOUISIANA
MAY 18, 2010**

The City Council of the City of Thibodaux assembled in regular session at its regular meeting place, City Hall, 310 West 2nd Street, Thibodaux, Louisiana, on Tuesday, May 18, 2010 at 5:00 o'clock P.M.

There were present: Councilmen Hebert, Richard, Taylor, Mire and Badeaux.

There were also present: Mayor Charles Caillouet and Germaine Jackson.

The minutes of the May 4, 2010 Council Meeting were approved as written.

Councilman Mire introduced an ordinance to amend and re-enact Section 20-13 of the Thibodaux City Code of Ordinances so as to rescind Sub-Section (pp) (No Parking on a section of Canal Blvd). (Proposed by Councilman Badeaux) The Public Hearing for this ordinance will be held at the Council Meeting on June 1, 2010.

Councilman Hebert introduced an ordinance authorizing the Mayor to sign a contract with the Lafourche Council on Aging. The Public Hearing for this ordinance will be held at the Council Meeting on June 1, 2010.

The Council discussed the possible extension of the moratorium on the issuance of all permits for the placement of manufactured homes within R-3 Zoning Districts in the City that expires on May 18, 2010.

After the discussion, the Council Administrator was advised to place the moratorium extension on today's agenda for a ninety (90) day extension. She is also requesting that the Planning and Zoning Commission review the district regulations, and make a recommendation as to whether manufactured homes should be permitted at the R-4 level. She is also requesting that they include definitions of manufactured homes and modular homes to be included within the Zoning Ordinance.

On motion of Councilman Taylor, seconded by Councilman Richard, the Council voted to adopt a resolution establishing a moratorium on the issuance of any and all permits for the placement of manufactured homes within R-3 Zoning Districts in the City of Thibodaux. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSTAINED: None
ABSENT: None

RESOLUTION NO. 1550

***A RESOLUTION ESTABLISHING A MORATORIUM ON THE
ISSUANCE OF ANY AND ALL PERMITS FOR THE
PLACEMENT OF MANUFACTURED HOMES WITHIN R-3
ZONING DISTRICTS IN THE CITY OF THIBODAUX***

BE IT RESOLVED by the City Council of the City of Thibodaux in regular session assembled, that:

WHEREAS, the current zoning district regulations were adopted by the City Council on December 2, 2008 as recommended by the Planning and Zoning Commission; and

WHEREAS, the City Council has received several complaints from residents in the R-3 zoning designation concerning the new regulations allowing mobile homes to be placed in an R-3 zone; and

WHEREAS, in order to allow the City Council and the Planning & Zoning Commission the time needed to study the impact of allowing mobile homes to be placed within an R-3 zoning district, the City Council is hereby issuing a moratorium on the issuance of any and all permits to place mobile homes within an R-3 zoning district.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

- 1. The City Council of the City of Thibodaux does hereby issue a moratorium on the issuance of any and all permits for the placement of manufactured homes within an R-3 zoning district within the City of Thibodaux.**
- 2. The moratorium shall be effective immediately upon its adoption and remain in full force and effect for a period of ninety (90) days in order to conduct a study of the revised zoning district regulations and make any changes deemed necessary by the City Council.**

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

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux

NAYS: None

ABSTAIN: None

ABSENT: None

And the above resolution was declared adopted this 18th day of May 2010.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Lloyd "Chip" Badeaux
Lloyd "Chip" Badeaux, President

The Finance Director informed the Council Administrator that she has received a renewal proposal for the City's Property Fire and Casualty Insurance coverage for the period June 1, 2010 through June 1, 2011.

The renewal proposal presented by Jones Insurance Services includes \$5,000,000 of primary coverage through Westchester Surplus Lines, \$5,000,000 of excess coverage with James River Insurance, and \$13,373,731 of excess coverage with Arch Specialty Insurance for a total annual premium of \$200,813. This amount of coverage covers the full statement of values for the City and the renewal premium is a 26.5% decrease from the 2009-2010 premiums.

On motion of Councilman Hebert, seconded by Councilman Mire, the Council voted to adopt a resolution authorizing the Mayor to sign a renewal contract presented by Jones Insurance Services with Westchester Surplus Lines, James River Insurance and Arch Specialty Insurance for the 2010-2011 Fire and Property insurance coverage. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux

NAYS: None

ABSTAINED: None

ABSENT: None

RESOLUTION NO. 1551

AN RESOLUTION AUTHORIZING THE MAYOR TO SIGN A RENEWAL CONTRACT PRESENTED BY JONES INSURANCE SERVICES WITH WESTCHESTER SURPLUS LINES, JAMES RIVER INSURANCE AND ARCH SPECIALTY INSURANCE FOR 2010-2011 FIRE AND PROPERTY INSURANCE

BE IT RESOLVED by the City Council of the City of Thibodaux in regular session assembled, that:

WHEREAS, the City's Fire and Property Insurance coverage is set to expire on May 31, 2010; and

WHEREAS, the City has received a renewal proposal from our local agent, Jones Insurance Services, for the City's 2010-2011 Fire and Property Insurance coverage; and

WHEREAS, the Mayor is recommending that the City accept the proposal presented by Jones Insurance Services with Westchester Surplus Lines, James River Insurance and Arch Specialty Insurance for the aforesaid insurance coverage in the amount of \$200,813.00

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Thibodaux that the Mayor be and is hereby authorized to sign a renewal contract for the coverages presented by Jones Insurance Services for the City's 2010-2011 Fire and Property Insurance coverage as stated herein.

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

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSENT: None
ABSTAINED: None

And the above resolution was declared adopted this 18th day of May 2010.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Lloyd "Chip" Badeaux
Lloyd "Chip" Badeaux, President

David Waitz Engineering submitted copies of a drainage study conducted in West Thibodaux to the Councilmen on March 31, 2010.

Brandon Arceneaux with David Waitz Engineering did a power point presentation and explained the proposed drainage improvements. He explained that most areas needed larger culverts and also gave an estimate for the complete construction cost to be \$156,000.

The Mayor explained that the City was looking into CDBG funds for this project in the next year's CDBG Program which begins its fiscal year in October.

Jerry Jones of 1132 Louise Street addressed the Council in regards to flooding in the Green Lawn Place and Bobby Street area.

The Mayor explained that part of the survey was done by Lafourche Parish. The survey was discussed with the two different engineers and split accordingly so that an overlap would not occur.

The Lafourche Parish Assessor's Office notified the City that it is time to consider the adoption of an ordinance to levy the City's ad valorem tax millages for the year 2010.

The millage assessments were adjusted in 2008 based on the statewide reassessment that was conducted that year. The City does have the option to roll forward to our prior year's maximum millage rates before the next reassessment is conducted.

On motion of Councilman Taylor, seconded by Councilman Hebert, the Council voted to adopt an ordinance to levy ad valorem tax millages for the Year 2010. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux

NAYS: None

ABSTAINED: None

ABSENT: None

ORDINANCE NO. 2516

***AN ORDINANCE TO LEVY AD VALOREM
TAX MILLAGES FOR THE YEAR 2010***

BE IT ORDAINED, by the City of Thibodaux of the Parish of Lafourche, Louisiana, in a public hearing held on May 18, 2010, which hearing was conducted in accordance with the open meetings law and the additional requirements of Article VII, Section 23(C) of the Constitution and R.S. 47:1705 (B), that the following adjusted millage rate(s) be and they are hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within said Parish for the year 2010, for the purpose of raising revenue:

<u>TAX DESCRIPTION</u>	<u>MILLAGE</u>
<i>General Alimony</i>	<i>5.02 mills</i>
<i>Special Improvements – Streets</i>	<i>2.74 mills</i>
<i>Special Improvements - Fire Department</i>	<i>1.83 mills</i>
<i>Special Improvements – Fire Department</i>	<i>4.57 mills</i>

BE IT FURTHER ORDAINED that the Assessor of the Parish of Lafourche, shall extend upon the assessment roll for the year 2010 the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.

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

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux

NAYS: None

ABSTAINED: None

ABSENT: None

And the above ordinance was declared adopted this 18th day of May 2010.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Lloyd "Chip" Badeaux
Lloyd "Chip" Badeaux, President

The Zoning Administrator informed the Council Administrator that the Planning and Zoning Commission has recommended that the City Council approve the acceptance of the final plat of Colonel's Courtyard Townhome Development – Phase I. This development is located on the west side of Louise Street, approximately 113' south from the corner of Wolfe Street. The approval of the final plat of this subdivision is required in order to comply with the provisions of Section 18-53 of the Thibodaux City Code of Ordinances.

On motion of Councilman Hebert, seconded by Councilman Taylor, the Council adopted an ordinance approving the final plat of Colonel's Courtyard Townhome Development-Phase I. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux

NAYS: None

ABSTAINED: None

ABSENT: None

ORDINANCE NO. 2517

***AN ORDINANCE APPROVING THE FINAL PLAT OF
COLONEL'S COURTYARD TOWNHOME DEVELOPMENT –
PHASE I***

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that:

WHEREAS, the Planning and Zoning Commission of the City of Thibodaux has reviewed a request by Milford & Associates, Inc. on behalf of Gambetta, LLC concerning the approval of the final plat of Colonel's Courtyard Townhome Development – Phase I located on the west side of Louise Street approximately one hundred thirteen feet (113') south from the corner of Wolfe Street; and

WHEREAS, the said commission has approved the aforesaid request and is recommending that the City Council concur with their recommendation; and

WHEREAS, in accordance with the provisions of Section 18-53 of the Thibodaux Subdivision Regulations, the final plat of this subdivision should be accepted by the adoption of an appropriate ordinance.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that the final plat of the Colonel's Courtyard Townhome Development – Phase I as recommended by the Planning and Zoning Commission is hereby accepted and approved as requested.

The above ordinance having been submitted to a vote the vote thereon was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux

NAYS: None

ABSENT: None

ABSTAINED: None

And the above ordinance was declared adopted this 18th day of May 2010.

**/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.**

**/s/ Lloyd "Chip" Badeaux
Lloyd "Chip" Badeaux, President**

The Zoning Administrator informed the Council Administrator that the Planning and Zoning Commission has recommended that the City Council approve the final plat for the re-division of property located in Phase One of Village One, Project "D" of Acadia Plantation. The re-division includes the division of the remaining property into Lots 6&7.

On motion of Councilman Richard, seconded by Councilman Mire, the Council voted to adopt an ordinance approving the re-division of property located in Phase One of Village One, Project "D" of Acadia Plantation into Lots 6&7. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSTAINED: None
ABSENT: None

ORDINANCE NO. 2518

*AN ORDINANCE APPROVING THE RE-DIVISION
OF PROPERTY LOCATED IN PHASE ONE, VILLAGE
ONE OF PROJECT "D" OF ACADIA PLANTATION
INTO LOTS 6 & 7*

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that:

WHEREAS, the Planning and Zoning Commission of the City of Thibodaux has reviewed a request by T. Baker Smith on behalf of Jaron Land Development Co. for final plat approval of the re-division of property located in phase one of village one of project "D" of Acadia Plantation; and

WHEREAS, the proposed request involves the re-division of the remaining portion of phase one of village one project D into Lots 6 & 7; and

WHEREAS, the said commission has approved the aforesaid request and is recommending that the City Council concur with their recommendation; and

WHEREAS, in accordance with the provisions of Section 18-53 of the Thibodaux Subdivision Regulations, this re-division should be accepted by the adoption of an appropriate ordinance

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that the re-subdivision of property located in Phase One of Village One, Project "D" of Acadia Plantation as recommended by the Planning and Zoning Commission is hereby accepted and approved as requested.

BE IT FURTHER ORDAINED that a copy of the plat illustrating the said re-subdivision is attached hereto and thereby made a part hereof.

The above ordinance having been submitted to a vote the vote thereon was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSTAINED: None
ABSENT: None

And the above ordinance was declared adopted this 18th day of May 2010.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Lloyd "Chip" Badeaux
Lloyd "Chip" Badeaux, President

The Zoning Administrator informed the Council Administrator that the Planning and Zoning Commission has recommended that the City Council approve the final plat for the division of the remaining property located in Audubon/South Acadia Park Subdivision in order to create Tract D.

On motion of Councilman Mire, seconded by Councilman Richard, the Council voted to adopt an ordinance approving the division of property located in Audubon/South Acadia Park Subdivision into Tract D. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSTAINED: None
ABSENT: None

ORDINANCE NO. 2519

*AN ORDINANCE APPROVING THE DIVISION
OF PROPERTY LOCATED IN AUDUBON/SOUTH
ACADIA PARK SUBDIVISION INTO TRACT D*

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that:

WHEREAS, the Planning and Zoning Commission of the City of Thibodaux has reviewed a request by T. Baker Smith on behalf of Jaron Land Development Co. for final plat approval of the division of property located in Audubon/South Acadia park Subdivision; and

WHEREAS, the proposed request involves the division of the remaining portion of Audubon/South Acadia Park Subdivision in order to create Tract D; and

WHEREAS, the said commission has approved the aforesaid request and is recommending that the City Council concur with their recommendation; and

WHEREAS, in accordance with the provisions of Section 18-53 of the Thibodaux Subdivision Regulations, this subdivision should be accepted by the adoption of an appropriate ordinance

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that the division of the remaining portion of the Audubon/South Acadia Park Subdivision to create Tract D as recommended by the Planning and Zoning Commission is hereby accepted and approved as requested.

BE IT FURTHER ORDAINED that a copy of the plat illustrating the said re-subdivision is attached hereto and thereby made a part hereof.

The above ordinance having been submitted to a vote the vote thereon was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSTAINED: None
ABSENT: None

And the above ordinance was declared adopted this 18th day of May 2010.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Lloyd "Chip" Badeaux
Lloyd "Chip" Badeaux, President

The Zoning Administrator informed the Council Administrator that the Planning and Zoning Commission has recommended that the City Council approve the final plat for the division of property for the succession of the Louis P. Braud property located on the south side of Gerald T. Peltier Drive approximately 250' south of the intersection of Gerald T. Peltier Drive and Ledet Street. The division includes the creation of Lots C, D, E, F, G, H & I on a 9.136 acre tract of property.

On motion of Councilman Taylor, seconded by Councilman Hebert, the Council voted to adopt an ordinance approving the division of property for the succession of Louis P. Braud. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSTAINED: None
ABSENT: None

ORDINANCE NO. 2520

***AN ORDINANCE APPROVING THE DIVISION
OF PROPERTY FOR THE SUCCESSION OF
LOUIS P. BRAUD***

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that:

WHEREAS, the Planning and Zoning Commission of the City of Thibodaux has reviewed a request by Leonard Chauvin on behalf of Roger Braud for final plat approval of the division of property for the succession of the Louis P. Braud property located on the south side of Gerald T. Peltier Drive approximately 250 feet south of the intersection of Gerald T. Peltier Drive and Ledet Street; and

WHEREAS, the proposed request involves the division of a 9.136 acre tract of land into Lots C, D, E, F, G, H & I; and

WHEREAS, the said commission has approved the aforesaid request and is recommending that the City Council concur with their recommendation; and

WHEREAS, in accordance with the provisions of Section 18-53 of the Thibodaux Subdivision Regulations, this subdivision should be accepted by the adoption of an appropriate ordinance

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that the division of the succession of the Louis P. Braud property into Lots C, D, E, F, G, H & I as recommended by the Planning and Zoning Commission is hereby accepted and approved as requested.

BE IT FURTHER ORDAINED that a copy of the plat illustrating the said re-subdivision is attached hereto and thereby made a part hereof.

The above ordinance having been submitted to a vote the vote thereon was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSTAINED: None
ABSENT: None

And the above ordinance was declared adopted this 18th day of May 2010.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Lloyd "Chip" Badeaux
Lloyd "Chip" Badeaux, President

In other business, the Council Administrator asked that the Council consider adding two items to the agenda.

On motion of Councilman Mire, seconded by Councilman Richard, the Council adopted a motion adding two condemnation hearings to the agenda. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSTAINED: None
ABSENT: None

The first condemnation hearing was for property located at 220-A North 11th Street. Leslie Clement, Jr. of 409 Canal Boulevard addressed the Council. He stated that he was unsuccessful in his attempts to contact the owner or any heirs for this property. No one appeared before the Council to contest the condemnation.

On motion of Councilman Hebert, seconded by Councilman Mire, the Council adopted a motion to proceed with condemnation for the property located at 220-A North 11th Street. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSTAINED: None
ABSENT: None

The second condemnation hearing was for property located at 700 Arms Street. The City Attorney explained that she was unsuccessful in her attempts to contact the owner or heirs of the property. No one appeared before the Council to contest the condemnation.

On motion of Councilman Hebert, seconded by Councilman Mire, the Council adopted a motion to proceed with condemnation for the property located at 700 Arms Street. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSTAINED: None
ABSENT: None

There being no further business the meeting was adjourned.

Jennifer Morvant, Council Adm.

Lloyd "Chip" Badeaux, President

