

**OFFICIAL MINUTES OF THE CITY COUNCIL
CITY OF THIBODAUX
CITY HALL
THIBODAUX, LOUISIANA
MAY 1, 2018**

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 1, 2018 at 5:00 P.M.

There were present: Councilmen Tabor, Richard, Badeaux, Mire and Councilwoman Johnson.

There were also present: Mayor Tommy Eschete and Beau Brooks.

Absent: None

The minutes of the April 16, 2018 City Council Meeting were approved as written.

A presentation was conducted by Ben Malbrough, 1016 St. Mary Street, with Bayou Lafourche Freshwater District. He updated the Council on upcoming and finished projects going on throughout the parish.

The Housing and Community Director requested that David Waitz Engineering prepare an agreement that would authorize the firm to prepare the plans and specifications for the 2017 CDBG Project that includes the construction of sidewalks along South Barbier.

The proposed agreement stipulates that David Waitz Engineering will perform the duties associated with the aforesaid project for a lump sum payment of \$8,000.00.

On motion of Councilwoman Johnson, seconded by Councilman Tabor, the Council voted on a resolution to authorize the Mayor to sign an engineering contract with David Waitz Engineering for the 2017 CDBG Project (South Barbier Sidewalk Construction Project). Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Badeaux, Mire

NAYS: None

ABSTAINED: None

RESOLUTION NO. 2144

***A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN
ENGINEERING CONTRACT WITH DAVID WAITZ
ENGINEERING FOR THE 2017 CDBG PROJECT (SOUTH
BARBIER SIDEWALK CONSTRUCTION PROJECT)***

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

WHEREAS, the 2017 CDBG Project will provide for the construction of sidewalks along South Barbier; and

WHEREAS, David Waitz Engineering has been selected to prepare the plans and specifications, and assist in the bidding and construction phases of the project; and

WHEREAS, it is necessary to execute a contract with the said engineering firm for

the services to be rendered in conjunction with this project.

NOW, THEREFORE BE IT RESOLVED by the City Council that the Mayor be and is hereby authorized to execute an engineering contract with David Waitz Engineering for the aforementioned project.

BE IT FURTHER RESOLVED that a copy of the said contract is attached hereto as "Exhibit A" and thereby made a part hereof.

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

YEAS: Tabor, Richard, Johnson, Badeaux, Mire
NAYS: None
ABSTAIN: None

And the above resolution was declared adopted this 1st day of May 2018.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Chad J. Mire
Chad J. Mire, President

The City of Thibodaux is designated as an "Entitlement City", receiving Community Development Block Grant (CDBG) funds through the U.S. Department of Housing and Urban Development.

The City has received notice of its 2018 CDBG Entitlement allocation from HUD, and now must submit the application for Federal Assistance and the annual action plan for Fiscal Year 2018. The City's estimated entitlement for FY 2018 is \$134,000.00.

On motion of Councilman Richard, seconded by Councilman Badeaux, the Council voted on a resolution to authorize the Mayor to submit the City's 2018 CDBG application for funds, annual plan, SF424 and certifications. Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Badeaux, Mire
NAYS: None
ABSTAINED: None

RESOLUTION NO. 2145

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

WHEREAS, the City of Thibodaux, Louisiana has received notice of its 2018 Community Development Block Grant Entitlement allocation from the Department of Housing and Urban Development; and

WHEREAS, the City of Thibodaux, Louisiana, in order to receive said funds must submit to the Department of Housing and Urban Development its application for Federal Assistance and Annual Action Plan; and

WHEREAS, the City of Thibodaux, Louisiana has met all the requirements specified by 24 CFR Part 570, Subpart D - Entitlement Grants 570-301 and 570-302; and

WHEREAS, no comments were received at two public hearings held regarding the activities proposed by the City.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Thibodaux does hereby authorize Tommy Eschete, Mayor, to proceed with the submission of the Application for Federal Assistance for \$134,000.00 of Community

Development Block Grant Funds and to sign a grant agreement and any other related documents with the Department of Housing and Urban Development for said grant.

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

YEAS: Tabor, Richard, Johnson, Badeaux, Mire

NAYS: None

ABSTAINED: None

And the above resolution was declared adopted this 1st day of May 2018.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Chad J. Mire
Chad J. Mire, President

The City has received a proposal for the City's Fire and Property Insurance coverage for the period June 1, 2018 through June 1, 2019.

The proposal presented by Jones Insurance Services includes \$41,443,705.00 of coverage through Underwriters at Lloyd's. This amount of coverage covers the full statement of values for the City and the proposed premium is a 1.7% increase from the 2017-2018 premiums. The annual cost for the proposed coverage is \$157,115.00.

On motion of Councilman Badeaux, seconded by Councilwoman Johnson, the Council voted on a resolution to authorize the Mayor to sign a contract presented by Jones Insurance Services with Underwriters at Lloyd's for 2018-2019 Fire and Property Insurance. Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Badeaux, Mire

NAYS: None

ABSTAINED: None

RESOLUTION NO. 2146

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A
CONTRACT PRESENTED BY JONES INSURANCE SERVICES
WITH UNDERWRITERS AT LLOYD'S FOR 2018-2019 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 June 1, 2018; and

WHEREAS, the City has received a renewal proposal from our local agent, Jones Insurance Services, for the City's 2018-2019 Fire and Property Insurance coverage; and

WHEREAS, the Mayor is recommending that the City accept the proposal presented by Jones Insurance Services with Underwriters at Lloyd's for the aforesaid insurance coverage with an annual premium of \$157,115.00 for \$41,443,705.00 in coverage based on the City's statement of values.

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 contract for the coverage presented by Jones Insurance Services for the City's 2018-2019 Fire and Property Insurance coverage as stated herein.

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

YEAS: Tabor, Richard, Johnson, Badeaux, Mire

NAYS: None

ABSTAINED: None

And the above resolution was declared adopted this 1st day of May 2018.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Chad J. Mire
Chad J. Mire, President

Councilman Badeaux introduced an ordinance to approve the division of property on Isabelle Place belonging to Samuel A. Jones – 100 & 102 Isabelle Place into Lot 1 & Lot 2. The Public Hearing on this ordinance will be held at the Council meeting on May 15, 2018.

The Police Department will partner with the South Central Louisiana Human Services Authority for the Louisiana Partners for Success Project specifically directed to the enforcement of the underage drinking laws. The Project term is July 1, 2017 through June 30, 2018, and the City will provide manpower and equipment to perform underage drinking operations in establishments that serve alcohol. The City will invoice SCLHSA \$50.00 per hour for 1000 man hours in an amount not to exceed \$50,000.

On motion of Councilwoman Johnson, seconded by Councilman Tabor, the Council voted on an ordinance to ratify the Mayor's execution of the Memorandum of Understanding with the South Central Louisiana Human Services Authority for the Louisiana Partners for Success Project. Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Badeaux, Mire

NAYS: None

ABSTAINED: None

ORDINANCE NO. 2970

***AN ORDINANCE RATIFYING THE MAYOR'S EXECUTION OF A
MEMORANDUM OF UNDERSTANDING WITH THE SOUTH
CENTRAL LOUISIANA HUMAN SERVICES AUTHORITY FOR
THE LOUISIANA PARTNERS FOR SUCCESS PROJECT***

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

WHEREAS, the City has partnered with the South Central Louisiana Human Services Authority (SCLHSA) for the Louisiana Partners for Success (LAPFS) Project specifically directed to the enforcement of the underage drinking laws; and

WHEREAS, the City of Thibodaux is in agreement to provide manpower and equipment to perform underage drinking operations in establishments that serve alcohol for the period July 1, 2017 through June 30, 2018 and also agrees to bill \$50.00 per hour for a total of 1000 man hours for services provided for the project in an amount not to exceed \$50,000.00; and

WHEREAS, the agreement clearly lays out the terms and responsibilities to which each party will adhere to in order to participate in the LAPFS Project.

NOW, THEREFORE BE IT ORDAINED that the Mayor's execution of the memorandum of understanding with the South Central Louisiana Human Services Authority for the Louisiana Partners for Success Project directed to the enforcement of the underage drinking laws as outlined above, is hereby ratified.

BE IT FURTHER ORDAINED that a copy of the memorandum of understanding is attached hereto as Exhibit "A" and thereby made a part hereof.

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

YEAS: Tabor, Richard, Johnson, Badeaux, Mire

NAYS: None

ABSTAINED: None

And the above resolution was declared adopted this the 1st day of May 2018.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Chad J. Mire
Chad J. Mire, President

The original agreement was for 1000 man hours for a total of \$50,000.00. SCLHSA has notified the City that they wish to amend the original agreement to include a total of 1400 man hours in an amount not to exceed \$70,000.00.

On motion of Councilman Tabor, seconded by Councilman Richard, the Council voted on an ordinance to authorize the Mayor to sign an amendment to the memorandum of understanding with the South Central Louisiana Human Services Authority for the Louisiana Partners for Success Project. Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Badeaux, Mire

NAYS: None

ABSTAINED: None

ORDINANCE NO. 2971

***AN ORDINANCE AUTHORIZING THE MAYOR TO
SIGN AN AMENDMENT TO THE MEMORANDUM OF
UNDERSTANDING WITH THE SOUTH CENTRAL LOUISIANA
HUMAN SERVICES AUTHORITY FOR THE LOUISIANA
PARTNERS FOR SUCCESS PROJECT***

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

WHEREAS, the City entered into an agreement with the South Central Louisiana Human Services Authority (SCLHSA) for the Louisiana Partners for Success (LAPFS) Project specifically directed to the enforcement of the underage drinking laws; and

WHEREAS, the original agreement allowed the City of Thibodaux to provide manpower and equipment to perform underage drinking operations in establishments that serve alcohol and also agrees to bill \$50.00 per hour for a total of 1000 man hours for services provided for the project in an amount not to exceed \$50,000.00; and

WHEREAS, the agreement amendment allows the City to provide an additional 400 hours for a total of 1400 hours in an amount not to exceed \$70,000.00 by June 30, 2018.

NOW, THEREFORE BE IT ORDAINED that the Mayor be and is hereby authorized to sign an amendment to the memorandum of understanding with the South Central Louisiana Human Services Authority for the Louisiana Partners for Success Project directed to the enforcement of the underage drinking laws as outlined above.

BE IT FURTHER ORDAINED that a copy of the amendment to the memorandum of understanding is attached hereto as Exhibit "A" and thereby made a part hereof.

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

YEAS: Tabor, Richard, Johnson, Badeaux, Mire

NAYS: None

ABSTAINED: None

And the above ordinance was declared adopted this the 1st day of May 2018.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Chad J. Mire
Chad J. Mire, President

The legal Counsel for the City has prepared a cooperative endeavor agreement between the City and Rouse Land Company outlining the terms of proposed tax incentives requested by Rouses in order to make it economically feasible for the Company to construct a new 44,000 sq. ft. Rouses Market Grocery Store within the corporate limits of Thibodaux.

The agreement calls for the City's reimbursement obligation of an amount not to exceed \$800,000.00 over the reimbursement term. The City will receive the first \$217,000.00 of sales tax collections each year from the new site and the remainder will be paid to Rouses until they reach the \$800,000.00.

On motion of Councilman Badeaux, seconded by Councilman Richard, the Council voted on an ordinance to authorize the Mayor to execute a cooperative endeavor agreement with Rouse Land Company, LLC for the construction of a Rouses Market Grocery Store location within the corporate limits of the City of Thibodaux. Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Badeaux, Mire

NAYS: None

ABSTAINED: None

ORDINANCE NO. 2972

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT WITH ROUSE LAND COMPANY, LLC FOR THE CONSTRUCTION OF A ROUSES MARKET GROCERY STORE LOCATION WITHIN THE CORPORATE LIMITS OF THE CITY OF THIBODAUX

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

WHEREAS, Article VII, Section 14 (C) of the Louisiana Constitution of 1974 provides that for a public purpose, political subdivisions may engage in cooperative endeavors with private associations, corporations, or individuals; and

WHEREAS, the City has been requested by Rouse Land Company to undertake the cooperative endeavors herein provided in order to make it economically feasible for Rouse to construct an approximately 44,000 square foot grocery store in Thibodaux which will result in significant economic benefits to the City, including the creation of construction jobs and other new non-construction jobs, increases to the tax base for ad valorem taxation, significant increases in sales and use tax collections, and the attraction of additional businesses to the City of Thibodaux; and

WHEREAS, in order to induce Rouse to proceed with the project, the City has agreed to reimburse Rouse for the Partial Project Costs, as defined herein, subject to the terms and conditions set forth in the Cooperative Endeavor Agreement; and

WHEREAS, the City's reimbursement obligation shall not exceed \$800,000.00 over the reimbursement term with the City receiving the first \$217,000.00 per year and the remainder of the taxes collected shall be remitted to Rouse until the City's reimbursement obligation is met; and

WHEREAS, in order for the City to execute the proposed cooperative endeavor agreement it is necessary for the Council to authorize the Mayor to do so by adoption of an appropriate ordinance.

NOW, THEREFORE BE IT ORDAINED by the City Council that the Mayor is hereby authorized to execute a Cooperative Endeavor Agreement with Rouse Land Company under the conditions mentioned hereinabove.

BE IT FURTHER ORDAINED that a copy of the said agreement is attached hereto as Exhibit "A" and thereby made a part hereof.

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

YEAS: Tabor, Richard, Johnson, Badeaux, Mire
NAYS: None
ABSTAINED: None

And the above ordinance was declared adopted this 1st day of May 2018.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Chad J. Mire
Chad J. Mire, President

The legal Counsel for the Rouses Tax Incentive Program, Jones Walker, has notified the City that in addition to the cooperative endeavor agreement with Rouses, the City must also execute a cooperative endeavor agreement with the Lafourche Parish School Board for the sales tax collection. The School Board, acting in its capacity as our sales tax collector, will maintain and distribute sales tax in accordance with the \$800,000.00 tax incentive for the location of the new Rouses Market Grocery Store in Thibodaux.

On motion of Councilwoman Johnson, seconded by Councilman Tabor, the Council voted on an ordinance to authorize the execution and delivery of a Joint Agreement for the collection of sales and use taxes by and between the City of Thibodaux and the Lafourche Parish School Board. Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Badeaux, Mire
NAYS: None
ABSTAINED: None

ORDINANCE NO. 2973

**AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A
JOINT AGREEMENT FOR THE COLLECTION OF SALES AND USE TAXES
BY AND BETWEEN THE CITY OF THIBODAUX AND THE LAFOURCHE
PARISH SCHOOL BOARD**

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

WHEREAS, the City of Thibodaux has entered into a cooperative endeavor agreement in accordance with the provisions of Article VII, Section 14(C) of the Louisiana Constitution of 1974, as amended, provides that for a public purpose, political subdivisions may engage in cooperative endeavors with private associations, corporations, or individuals; and

WHEREAS, upon the completion of construction of the facility, the facility will generate taxable sales, uses, and leases of articles of tangible personal property and taxable services, many of which will incur sales tax revenues in an amount equal to the excess of the sales tax revenues collected within the site in the year immediately preceding the date on which the facility is first open to the public for business plus \$217,000.00 (the Sales Tax Increment); and

WHEREAS, pursuant to that cooperative endeavor agreement, the City has obligated itself to reimburse Rouse Land Company up to \$800,000.00 of the costs for development and construction of infrastructure improvements incurred by Rouse in connection with the Rouses Market Grocery Store facility solely from the Sales Tax Increment generated by the facility; and

WHEREAS, the Lafourche Parish School Board, through its Sales Tax Department, will continue to collect the Sales Tax on behalf of the City and determine the sales tax increment generated by Rouse, and maintain and distribute to the City monthly data reflecting calculations of the Sales Tax Increment on behalf of the City and Rouse; and

WHEREAS, to aid in the calculation of the Reimbursement Obligation, the Council desires to authorize and direct the City to enter into a Joint Agreement for the Collection of Sales and Use Taxes with the Lafourche Parish School Board, as the sales and use tax collector for the Parish of Lafourche, to provide for the calculation of the increases in sales and use tax collections generated by the Project.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Thibodaux that the Mayor is hereby authorized to execute the Joint Collection Agreement, which is attached hereto as “Exhibit A”.

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

YEAS: Tabor, Richard, Johnson, Badeaux, Mire
NAYS: None
ABSTAINED: None

And the above ordinance was declared adopted this 1st day of May 2018.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Chad J. Mire
Chad J. Mire, President

The following were status reports by the City Attorney on the appointment of Counsel and notification requirements for the following properties:

- 1) 1212 President Street, 1316 St. Charles Street, 1282 St. Charles Street – The City Attorney appointed Benjamin Comeaux as legal counsel.
- 2) 225 North 10th Street, 1214 Narrow Street, 1018 & 1020 Lagarde Street – The City Attorney will send out letters to the property owners.

These properties will be addressed at the Council Meeting on June 19, 2018.

The Mayor updated the Council on the new playground equipment at Peltier and Martin Luther King Parks. He also addressed a possible upcoming agreement

with Cardiovascular Institute of the South for additional parking across from Martin Luther King Park.

Councilman Badeaux and the Mayor discussed the status on a public golf driving range.

Councilwoman Johnson addressed sidewalk issues with the Public Works Director and he gave an update on the status of the repairs going on throughout the City.

There being no further business the meeting was adjourned.

Jennifer Morvant, Council Adm.

Chad J. Mire, President