

**OFFICIAL MINUTES OF THE CITY COUNCIL
CITY OF THIBODAUX
CITY HALL
THIBODAUX, LOUISIANA
APRIL 1, 2008**

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 April 1, 2008 at 5:00 o'clock P.M.

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

There were also present: Mayor Charles Caillouet

The minutes of the March 17, 2008 Council meeting were approved as written.

Councilman Taylor introduced an ordinance to amend and re-enact Section 20-19 (a) Sub-Section (6) of the Thibodaux City Code of Ordinances. (Speed limit on Bowie Road) The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, April 15, 2008.

Councilman Richard introduced an ordinance to amend and re-enact Section 20-13 of the Thibodaux City Code of Ordinances so as to create Sub-Section (ww) (No parking on Bowie Road). The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, April 15, 2008.

Councilman Hebert introduced an ordinance for approval of the re-division of property located in Phase I of Village I Project "A" of Acadia Plantation. The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, April 15, 2008.

Councilman Centanni introduced an ordinance to revoke and set aside an existing road right-of-way and utility servitude located in Phase I of Village I Project "A" of Acadia Plantation. The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, April 15, 2008.

Councilman Taylor introduced an ordinance to amend Article I, Section 101 of the official zoning map to change the zoning classification for a tract of property located along Audubon Avenue from an R-4 District to a C-2 District. The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, April 15, 2008.

Councilman Hebert introduced an ordinance to amend and re-enact Article XX, Section 2005.2 (2) and (3) of the Thibodaux Zoning Ordinance (Signs). The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, April 15, 2008.

Councilman Richard introduced an ordinance to amend and re-enact Article XVIII of the Thibodaux Zoning Ordinance (Definitions). The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, April 15, 2008.

Councilman Centanni introduced an ordinance to amend and re-enact Article VI of the Thibodaux Zoning Ordinance so as to create Section 602.1 and 602.2 and amend Section 609 (Supplementary District Regulations). The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, April 15, 2008.

Councilman Hebert introduced an ordinance to amend and re-enact Article V of the Thibodaux Zoning Ordinance. The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, April 15, 2008.

Councilman Hebert introduced an ordinance to amend and re-enact Section 7-33 of the Thibodaux City Code of Ordinances (Solicitation of Donations on Public Streets). The Public Hearing for this ordinance will be held at the Council Meeting Tuesday, April 15, 2008.

Councilman Richard introduced an ordinance to amend and re-enact Section 10-13 of the Thibodaux City Code of Ordinances (Solid Waste Storage). The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, April 15, 2008.

As you are aware, the City Council contacted Mr. Don Strobel, for an outside evaluation of the job description and education requirements for the position of Council Administrator. Mr. Strobel issued an opinion at no charge through his retainer with Louisiana Municipal Association. The Council then requested that Mr. Strobel attend a Civil Service Board Meeting to explain his opinion. He informed the Council that he would charge his LMA fee of \$125.00 per hour and 1/2 his travel time to attend the meeting on their behalf. Mr. Strobel informed the Council that his payment for the invoice he submitted in November 2007 has not been paid as of yet. Councilman Mire requested that the Council Administrator prepare a resolution to approve the invoice submitted by Labor Consultants Central, Inc. in the amount of \$625.00 for services rendered on behalf of the City Council.

On motion of Councilman Taylor, seconded by Councilman Centanni, the Council voted to adopt a resolution authorizing payment to Labor Consultants Central, Inc. for consultation services to the Thibodaux City Council. Upon roll call the vote was as follows:

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

RESOLUTION NO. 1350

***A RESOLUTION AUTHORIZING PAYMENT TO
LABOR CONSULTANTS CENTRAL, INC. FOR
CONSULTATION SERVICES RENDERED TO THE
THIBODAUX CITY COUNCIL***

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

WHEREAS, the City Council has requested consultation services for clarification of the educational requirements included in the job description of the position of Council Administrator; and

WHEREAS, the Council requested the services of Mr. Don Strobel with Labor Consultants Central, Inc based on the fact that he is on retainer with the Louisiana Municipal Association (LMA) for consultation services for LMA members; and

WHEREAS, the Council requested Mr. Strobel's attendance at the November 13th 2007 Thibodaux Municipal Employees Civil Service Board meeting at which this matter was on the agenda to be discussed; and

WHEREAS, Mr. Strobel agreed to attend the meeting on the Council's behalf at his negotiated hourly rate with LMA of \$125.00 per hour and ½ travel time and the Council received an invoice on November 17, 2007 in the amount of \$625.00 in accordance with the hourly rate agreed upon by both parties

NOW, THEREFORE BE IT RESOLVED by the City Council that the invoice submitted by Labor Consultants Central, Inc. for consultation services rendered to the Thibodaux City Council is hereby approved as submitted and payment in the amount of \$625.00 is hereby authorized to Labor Consultants Central, Inc. for said services.

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

YEAS: Councilmen Hebert, Taylor, Centanni, Mire

NAYS: Councilman Richard

ABSTAIN: None

ABSENT: None

And the above resolution was declared adopted this 1st day of April 2008.

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

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

The Public Works Director has reviewed the bid documents and is recommending that the City accept the bid as submitted by Byron E. Talbot Contractors for the Street and Drainage Maintenance Contract. The contractor will invoice the City for actual work performed based on the unit process submitted in the bid document. The maintenance repairs are included in the 2008 budget in an amount not to exceed \$225,000. Previously, repairs were authorized by the issuance of a purchase order for each project. The Public Works Director has requested that the Council Administrator present a contract to you for approval and authorize the Mayor to execute the contract with Byron E. Talbot Contractors for the Street and Drainage Maintenance in accordance with the bid documents.

On motion of Councilman Richard, seconded by Councilman Hebert, the Council voted to adopt a resolution accepting the low bid of Byron E. Talbot Contractors for the Street and Drainage Maintenance Contract and authorizing the Mayor to execute a contract therewith. Upon roll call the vote was as follows:

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

NAYS: None

ABSTAINED: None

ABSENT: None

RESOLUTION NO. 1351

**A RESOLUTION ACCEPTING THE LOW BID
OF BYRON E. TALBOT CONTRACTORS FOR
THE STREET AND DRAINAGE MAINTENANCE
CONTRACT AND AUTHORIZING THE MAYOR TO
SIGN A CONTRACT THEREWITH**

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

WHEREAS, the City has received bids for the Street and Drainage Maintenance Contract; and

WHEREAS, the low bid received was from Byron E. Talbot Contractors at the stated unit process as shown in Exhibit "A"; and

WHEREAS, it is necessary to consider the acceptance of the low bid and execute a contract with the said contractor for the services mentioned hereinbefore.

NOW, THEREFORE BE IT RESOLVED that the City does hereby accept the low bid submitted by Byron E. Talbot Contractors in the unit prices stated hereinbefore not to exceed the budgeted amount of \$225,000 for the year 2008.

BE IT FURTHER RESOLVED by the City Council that the Mayor be and is hereby authorized to execute a contract with Byron E. Talbot Contractors for the project stated herein.

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: Councilmen Hebert, Richard, Taylor, Centanni, Mire
NAYS: None
ABSTAINED: None
ABSENT: None

And the above resolution was declared adopted this 1st day of April 2008.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Zoning Administrator has informed the Council Administrator that a section of the Building Code pertaining to vacant buildings was not included in the Chapter 6 Amendment that was adopted by the City Council in January 2007 therefore the Council will have to adopt an ordinance to have this section included in the building code. The ordinance creates Section 6-7 to define vacant buildings and stipulate the building and lawn requirements of the vacant property. This section also requires the owner of the vacant property to maintain liability insurance on the property.

On motion of Councilman Centanni, seconded by Councilman Hebert, the Council voted to adopt an ordinance to amend and re-enact Chapter 6 of the Thibodaux City Code of Ordinances so as to create Section 6-7; Vacant Buildings. Upon roll call the vote was as follows:

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

ORDINANCE NO. 2384

AN ORDINANCE TO AMEND AND RE-ENACT CHAPTER 6 OF THE THIBODAUX CITY CODE OF ORDIANANCES SO

AS TO ADD SECTION 6-7 ENTITLED "VACANT BUILDINGS"

BE IT ORDAINED by the City Council of the City of Thibodaux that Chapter 6 of the Thibodaux City Code of Ordinances is hereby amended and re-enacted so as to add Sub-Section 6-7 to read as follows:

Sec. 6-7. Vacant Buildings -- Owner Required To Act -- Enforcement Authority.

(a) "Vacant building" defined. For purposes of this section, "vacant building" means a building which is not actually occupied by its owner, lessee or other invitee, or at which substantially all lawful business operations or residential occupancy has ceased, or which is substantially devoid of content, that has been left unsecured or inadequately secured from unauthorized entry to the extent that the premises may be entered and utilized by vagrants or other uninvited persons as a place of harborage, or any premises which by reason of dilapidation, deterioration, state of disrepair, or other such status is otherwise detrimental to or endangers public safety, health, or welfare.

(b) Duties of Owner. The owner or registered agent of the owner of any building that has become vacant shall, maintain the vacant building as follows:

- (1) Lawns and landscaping shall be kept mowed, maintained and trimmed.***
- (2) All building exteriors shall have adequate weather protection, including paint and finish in good condition.***
- (3) All buildings and grounds must be secured against trespassers. This includes maintaining all exterior doors, windows and yard fencing in a good and secured condition.***
- (4) Roofs on all buildings shall be in good, weather tight condition with no leakage.***
- (5) Any accumulated trash or debris must be removed from the property immediately.***

(c) Insurance Required. The owner of any building that has become vacant shall maintain liability insurance, covering any damage to any person or any property caused by any physical condition of or in the building.

(d) Administration. The Building Inspector may issue rules and regulations for the administration of this section. These rules may designate board-up materials and methods which must be used when securing a building so that the boarding is reasonably incapable of being removed by trespassers or others acting without the building owner's consent. Any person who violates any provision of this section or of the rules and regulations issued hereunder shall be fined not less than \$200.00 and not more than \$1,000.00 for each offense. Every day that a violation continues shall constitute a separate and distinct offense.

(e) Notice to Owner. If at any time after making an inspection of a property the building inspector determines that the building is vacant and open, the building inspector shall notify the owner that the building must be enclosed and secured within thirty (30) days or the City will commence condemnation proceedings on the building. A written statement by the building inspector setting forth the basis for his or her determination shall accompany the order.

(f) City May Secure Building. Upon failure of an owner to secure a vacant building within the required time, the City will secure the building in accordance with the established rules and regulations.

(g) Enforcement by Lien. The cost of securing and enclosing a vacant building incurred by the City, shall be recoverable from the owner or owners and shall be a lien on the property upon which the building or structure shall also be enforceable in the same manner as liens for delinquent property taxes.

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

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

And the above ordinance was declared adopted this 1st day of April 2008.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Zoning Administrator has informed the Council Administrator that the Planning and Zoning Commission has recommended that the City Council consider an ordinance changing the zoning designation for a tract of property from R-1 and R-2 Districts to an R-3 District. The property is owned by the Lafourche Parish School Board and is located on the north side of East 7th Street. The re-zoning of this tract of property would place all of the school board property located along Goode, Tetreau, East 7th, East 12th Streets and Cardinal Drive in an R-3 Zone. The Council tabled this matter from the March 17, 2008 meeting so that any concerns from the public may be discussed at this time.

On motion of Councilman Richard, seconded by Councilman Centanni, the Council voted to amend the proposed ordinance to exclude the section of property bordered on the South by East 7th Street, on the West by Blake Court, on the East by the Toups property line, and on the North by the Naquin property line. Upon roll call the vote was as follows:

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

On motion of Councilman Taylor, seconded by Councilman Richard, the Council voted to adopt an ordinance to amend Article I, Section 101 of the Official Zoning Map to change the zoning classification for a tract of property owned by the Lafourche Parish School Board from R-1 and R-2 districts to an R-3 district as amended. Upon roll call the vote was as follows:

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

ORDINANCE NO. 2385

AN ORDINANCE TO AMEND ARTICLE I, SECTION 101 OF THE OFFICIAL ZONING MAP TO CHANGE THE ZONING CLASSIFICATION FOR A TRACT OF PROPERTY OWNED BY THE LAFOURCHE PARISH SCHOOL BOARD FROM R-1 AND R-2 DISTRICTS TO AN R-3 DISTRICT

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

WHEREAS, in accordance with the provisions of Article I of the Thibodaux Zoning Ordinance, a tract of property owned by the Lafourche Parish School Board on the north side of East 7th Street is currently zoned R-1 and R-2; and

WHEREAS, in order to consolidate all property owned by the Lafourche Parish School Board located along Goode, Tetreau, East 7th, East 12th Streets and Cardinal Drive into the same zoning classification, it has been requested by the owners that the property be given the zoning classification of R-3; and

WHEREAS, a request for the said zoning change of the property was duly referred to the Thibodaux Planning and Zoning Commission, which, after all legal requirements, including public hearings, has recommended favorable consideration of the requests.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Thibodaux that the aforesaid tract of property located on the north side of East 7th Street is hereby officially changed from the zoning classification of R-1 and R-2 to that of R-3.

BE IT FURTHER ORDAINED that the Official Zoning Map of the City of Thibodaux is hereby amended so as to reflect the changes in zoning designations as set forth herein.

BE IT FURTHER ORDAINED that a plat illustrating the area to be re-zoned to R-3 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: Councilmen Hebert, Richard, Taylor, Centanni, Mire

NAYS: None

ABSENT: None

ABSTAINED: None

And the above ordinance was declared adopted this 1st day of April 2008.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

Councilmen Taylor and Hebert addressed issues concerning complaints from residents in their districts regarding blighted property and drainage concerns. They asked that the Mayor and Public Works Department follow up on these items so that they can address the problems and concerns in these areas of their districts.

There being no further business to discuss the meeting was adjourned.

Jennifer Morvant, Council Adm.

Chad J. Mire, President

