

**OFFICIAL MINUTES OF THE CITY COUNCIL
CITY OF THIBODAUX
CITY HALL
THIBODAUX, LOUISIANA
APRIL 15, 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 15, 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 and Germaine Jackson.

The minutes of the April 1, 2008 Council meeting were approved as written.

Councilman Hebert introduced an ordinance authorizing the Mayor to execute Amendment #1 to the Cooperative Endeavor Agreement with the State of Louisiana. The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, May 6, 2008.

Councilman Richard, introduced an ordinance authorizing the Mayor to execute a Cooperative Endeavor Agreement with the Thibodaux Civic Center Development Corporation. The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, May 6, 2008.

The City received bids for the Menard Street/ Blake Court Drainage Improvement Project on April 9, 2008. The project calls for the replacement of storm drain pipe, installation of catch basins and conflict boxes, and the removal and replacement of concrete and asphalt paving. The lowest bid was from Byron E. Talbot Contractors in the amount of \$646,847.25.

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 Menard Street/Blake Court Drainage Improvement Project and authorize the Mayor to sign 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. 1352

A RESOLUTION ACCEPTING THE LOW BID OF BYRON E. TALBOT CONTRACTORS FOR THE MENARD STREET/BLAKE COURT DRAINAGE IMPROVEMENT PROJECT 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 Menard Street and Blake Court Drainage Improvement Project; and

WHEREAS, the low base bid received was from Byron E. Talbot Contractors in the amount of \$646,847.25; and

WHEREAS, it is necessary to consider the acceptance of the low base 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 base bid submitted by Byron E. Talbot Contractors in the amount stated hereinbefore.

BE IT FURTHER RESOLVED by the City Council that the Mayor be and is hereby authorized to execute a contract with Sealevel Construction Inc. for the project stated herein.

BE IT FURTHER RESOLVED that in addition to the contract document itself, the Mayor is also empowered to execute all change orders relative to the contract after approval by the City Council by means of an appropriate resolution.

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 15th day of April 2008.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The City Attorney informed the Council Administrator that the lease with Thibodaux Dixie Baseball Association for the use of the facilities at Peltier Park has expired. The lease agreement allows Dixie Baseball to use the fields at Peltier Park from March 1st through July 31st for a \$600.00 per year fee. The City and Thibodaux Dixie Baseball Association have agreed to exercise the one (1) year extension for the 2008 baseball season.

On motion of Councilman Hebert, seconded by Councilman Taylor, the Council voted to adopt a resolution authorizing the Mayor to sign a memorandum of understanding with the Thibodaux Dixie Baseball Association. Upon roll call the vote was as follows:

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

NAYS: None

ABSTAINED: None

ABSENT: None

RESOLUTION NO. 1353

***A RESOLUTION AUTHORIZING THE MAYOR TO
SIGN A MEMORANDUM OF UNDERSTANDING WITH
THE THIBODAUX DIXIE BASEBALL ASSOCIATION, INC.***

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

WHEREAS, the Thibodaux Dixie Baseball Association, Inc. operates its programs independent of the Thibodaux Recreation Department and has executed a lease agreement with the City of Thibodaux for the use of the baseball and softball fields located in Peltier Park; and

WHEREAS, the lease agreement is for a term of four (4) months commencing March 1, 2005, and ending July 31, 2005, and for the same time period for calendar years of 2006 and 2007, for the consideration of \$600.00 per year and other good and valuable consideration; and

WHEREAS, the lease agreement also includes an option to extend the lease agreement for additional one (1) year periods upon agreement of both parties; and

WHEREAS, the Thibodaux Dixie Baseball Association and the City are in agreement to extend the lease for the 2008 baseball season from March 1, 2008 through July 31, 2008 under the same terms and conditions as the existing contract

NOW, THEREFORE BE IT RESOLVED that the Mayor be and is hereby authorized to sign a memorandum of understanding with the Thibodaux Baseball Association for the extension of the lease agreement for the use of the facilities in Peltier Park as outlined above for the 2008 baseball season.

BE IT FURTHER RESOLVED 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: Councilmen Hebert, Richard, Taylor, Centanni, Mire
NAYS: None
ABSENT: None
ABSTAINED: None

And the above resolution was declared adopted this the 15th day of April 2008.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Grants Director informed the Council Administrator that the Mayor wishes to file an application with the Louisiana Recreational Trails Program for grant funds in the amount of \$30,080.00. The funding is for the installation of emergency call boxes along the walking paths in MLK Park, Peltier Park, and the Adley Landry Water Reservoir. The estimated cost of this project is \$37,600, with the City providing a 20% match as a requirement of the grant in the amount of \$7,520.

On motion of Councilman Taylor, seconded by Councilman Hebert, the Council voted to adopt a resolution approving the application for the grants funds from the Recreational Trails Program for Emergency Code Blue Call Boxes in MLK, Peltier Park and the Adley Landry Water Reservoir. Upon roll call the vote was as follows:

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

RESOLUTION NO. 1354

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

WHEREAS, the Transportation Equity Act for the 21st Century provides funds to the State of Louisiana for grants to state, local and non-profit organizations to acquire, develop and/or maintain motorized and non-motorized trail purposes; and

WHEREAS, the Governor's Office of Community Programs has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing project application under the program; and

WHEREAS, said procedures established by the Governor's Office of Community Programs require the applicant to certify by resolution the approval of the application before submission of the said application.

NOW, THEREFORE BY IT RESOLVED, that the City Council of the City of Thibodaux does hereby approve the filing of an application for the Recreational Trails Program and does further certify that the City has or will have available prior to commencement of any work on the project included in this application, sufficient funds to operate and maintain the project.

BE IT FURTHER RESOLVED that the said Council does hereby appoint the Mayor as agent of the City of Thibodaux to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment request and so on, which may be necessary for the completion of the aforementioned projects.

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 the 15th day of April 2008.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

A discussion was then held with Paul Mayronne of PO Box 1810 Covington, La. 70434. He is with Global Housing Solutions LLC, a company that will be purchasing a 1.2 acre parcel next to the Dixie Glass Building. He requested that the City initiate a process in reference to selling the Dixie Glass Building.

Nicholls State University is requesting that the City Council consider creating a No Parking Zone on Bowie Road from La Highway 1 to the Arpent Canal. In order to accomplish this, the ordinance would have to amend Section 20-13 of the Thibodaux City Code of Ordinances so as to create Sub-Section (ww) No Parking on Bowie Road from LA Highway 1 to the Arpent Canal.

Mr. Eugene Dial of 307 Cherokee in Thibodaux, LA 70301 and Mike Davis, both representing Nicholls State University, addressed the Council, as well as the Mayor, with concerns in regards to the problems with parking on Bowie Road.

On motion of Councilman Hebert, seconded by Councilman Centanni, the Council voted to amend the proposed ordinance to create a No Parking Zone on the west side of Bowie Road from a point one hundred (100) feet north of the first driveway south of LA Highway 1 to a point one hundred (100) feet south of the La Maison Du Bayou entrance. Upon roll call the vote was as follows:

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

On motion of Councilman Centanni, seconded by Councilman Mire, the Council voted to adopt an ordinance to amend Section 20-13 of the Thibodaux City Code of Ordinances so as to create Sub-Section (ww) No Parking on Bowie Road as amended. Upon roll call the vote was as follows:

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

ORDINANCE NO. 2386

**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**

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that Section 20-13, of the Thibodaux City Code of Ordinances is hereby amended and re-enacted so as to add Sub-Section (ww) to read as follows:

Sec. 20-13. Method of Parking, no parking areas, designation of streets.

(ww) No parking on the west side of Bowie Road from a point one hundred (100) feet north of the first driveway south of LA Highway 1 to a point one hundred (100) south of the La Maison du Bayou entrance.

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

YEAS: Councilmen Hebert, Taylor, Centanni, Mire

NAYS: Councilman Richard

ABSTAINED: None

ABSENT: None

And the above ordinance was declared adopted this 15th day of April 2008.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

Nicholls State University is requesting that the City Council consider reducing the speed limit along a portion of Bowie Road. The portion from LA 1 to the first curve will remain 25 mph, and would like to reduce the portion from the first curve to the Arpent Canal to 15mph. The University feels that reducing the speed limit in this area will provide a safer environment for the students.

The Ordinance would amend Section 20-19 (a) of the Thibodaux City Code of Ordinances so as to amend Sub-Section (6) to include the portion of Bowie Road from the first curve south of LA 1 to the Arpent Canal as a 15 mph speed zone on the NSU campus.

Mr. Eugene Dial and Mike Davis representing Nicholls State University addressed the Mayor and the Council in regards to this matter. They feel that the speed limit should be reduced because of congestion and ongoing construction in this area.

On motion of Councilman Taylor, seconded by Councilman Centanni, the proposed ordinance failed on a vote of 1 to 4. Upon roll call the vote was as follows:

YEAS: Councilman Hebert

NAYS: Councilmen Richard, Taylor, Centanni, Mire

ABSTAINED: None

ABSENT: None

The Zoning Administrator has informed the Council Administrator that the Planning and Zoning Commission has recommended that the City Council consider an ordinance to approve the re-division of property located in Phase I of Village I Project "A" of Acadia Plantation. The proposed re-division involves the division of Block 2 Lot 2 into Lot 2 and 3. They also propose the re-division of Block 1 Lot 13 on order to include the adjacent temporary servitude for the existing "T" turnaround as a part of Lot 13. The Ordinance would approve the aforesaid re-division as recommended by the Planning and Zoning Commission.

An explanation of the proposed ordinance was given by Jimmy Ledet of T. Baker Smith, Inc. He explained the re-division of the above mentioned property.

On motion of Councilman Hebert, seconded by Councilman Richard, the Council voted to adopt an ordinance to approve the re-division of property located in Phase I of Village I Project "A" of Acadia Plantation. Upon roll call the vote was as follows:

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

NAYS: None

ABSTAINED: None

ABSENT: None

ORDINANCE NO. 2387

*AN ORDINANCE APPROVING THE RE-DIVISION
OF PROPERTY LOCATED IN PHASE I OF VILLAGE I PROJECT
"A" OF ACADIA PLANTATION*

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 concerning the re-division of the property located in Phase I of Village I Project "A" of Acadia Plantation; and

WHEREAS, the proposed re-division request involves Block 1 Lot 13 to include the adjacent temporary servitude for the existing "T" turnaround into Block 1 Lot 13; and

WHEREAS, the proposed re-division request also involves the division of Block 2 Lot 2 into Block 2 Lot 2 and 3 and for this property; 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 Chapter 1 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-division of property located in Phase I of Village I of Project "A" 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-division 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, Centanni, Mire

NAYS: None

ABSTAINED: None

ABSENT: None

And the above ordinance was declared adopted this 15th 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 to approve the revocation of an existing road right-of-way and the adjacent utility servitude located in Phase I of Village I Project "A" of Acadia Plantation. The road right-of-way was included on the original plat for the possibility of a future extension of Rue Celeste to Percy Brown Road. The property developers have determined that the future extension of Rue Celeste would not be constructed, therefore they are requesting that the City revoke and set aside the road right-of-way and the 12' utility servitude to the north of the right-of-way, and have that property become part of Block 2 Lot 3. This ordinance would revoke and set aside the aforesaid right-of-way.

An explanation of the proposed ordinance was given by Jimmy Ledet of T. Baker Smith, Inc.

On motion of Councilman Hebert, seconded by Councilman Richard, the Council voted to adopt 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. Upon roll call the vote was as follows:

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

ORDINANCE NO. 2388

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

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 concerning the revocation of an existing road right-of-way and the adjacent utility servitude located in Phase I of Village I Project "A" of Acadia Plantation; and

WHEREAS, the property developers have determined that the extension of Rue Celeste onto the existing road right-of-way would not be constructed and are therefore requesting that the City revoke the existing road right-of-way and also the portion of the utility servitude to the north of said road right-of-way; and

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

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Thibodaux that the existing road right-of-way and the twelve (12') foot utility servitude to the north of said road right-of-way located in Phase I of Village I Project "A" of Acadia Plantation are no longer needed for public purposes and is hereby revoked and set aside.

BE IT FURTHER ORDAINED that the revoked property shall be made a part of Block 1 Lot 3 of Phase I of Village I Project "A" of Acadia Plantation.

BE IT FURTHER ORDAINED that a copy of a plat illustrating the section of road right-of-way and utility servitude to be revoked 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

ABSTAINED: None

ABSENT: None

And the above ordinance was declared adopted this 15th 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 adopting an ordinance to change the zoning designation for a tract of property located on Audubon Avenue from an R-4 District to a C-2 District.

The tract of property is owned by Acadia Agricultural Holdings, LLC and is located on the south side of South Acadia Road east of Audubon Avenue 697' along Audubon Avenue with a depth of 400'. The re-zoning of this tract of property is being requested by the property owners in order to accommodate the construction of a commercial development. The proposed rezoning was approved by the Planning and Zoning Commission at their meeting March 12, 2008.

An explanation was given by Heather Klingman with Duplantis Design Group. She spoke on behalf of Weiner Development in regards to why the change in zoning is needed.

On motion of Councilman Taylor, seconded by Councilman Hebert, 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 from an R-4 District to a C-2 District. Upon roll call the vote was as follows:

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

NAYS: None

ABSTAINED: None

ABSENT: None

ORDINANCE NO. 2389

***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***

***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 Acadia Agricultural Holdings, LLC located on the south side of South Acadia Road east of Audubon Avenue 697' along Audubon Avenue with a depth of 400' is currently zoned R-4; and**

***WHEREAS*, in order to accommodate the construction of a proposed commercial development in this area, it has been requested by the owners that the property be given the zoning classification of C-2; 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 south side of South Acadia Road east of Audubon Avenue 697' along Audubon Avenue with a depth of 400' is hereby officially changed from the zoning classification of R-4 to that of C-2.**

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 C-2 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 15th day of April 2008.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Administration is requesting that the City Council consider amending Section 10-13 of the Thibodaux City Code of Ordinances that pertains to Solid Waste Storage. The proposed amendments establish regulations for the storage containers specifically for the downtown Main Street District. The district boundaries include LA 1 to West 5th Street between Jackson Street and Canal Boulevard. The proposed amendments have been discussed with the residents and businesses in this area, and there were no objections to the changes.

The Mayor discussed the benefits of this ordinance in regards to garbage cans with attached covers for the Downtown Area and the Historic Area District.

On motion of Councilman Centanni, seconded by Councilman Richard, the Council voted to amend Section 10-13(b) (2) of the proposed ordinance to change the wording in the section pertaining to the Historic District to remove "shall have removable" and include "shall at all times utilize". 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 Richard, seconded by Councilman Taylor, the Council voted to adopt an ordinance to amend and re-enact Section 10-13 of the Thibodaux City Code of Ordinances (Solid Waste Storage) 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. 2390

***AN ORDINANCE TO AMEND AND RE-ENACT
SECTION 10-13 OF THE THIBODAUX CITY CODE
OF ORDINANCES (SOLID WASTE STORAGE)***

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that Section 10-13 of the Thibodaux City Code of Ordinances is hereby amended and re-enacted so as to read as follows:

Sec. 10-13. Solid waste storage.

(a) General.

- (1) *The storage of all solid waste shall be practiced so as to prevent the attraction, harborage or breeding of insects and/or rodents and to eliminate conditions harmful to public health or which create safety hazards, odors, unsightliness and public nuisances.***
- (2) *The owner, his agent and/or occupant of any premises shall be responsible for the satisfactory storage of all waste accumulating or originating at that premises. A sufficient number of proper containers shall be provided by the owner, his agent or occupant to accommodate all applicable solid waste material generated between regularly scheduled collections as may be necessary to meet the intent of paragraph (a)(1) above.***
- (3) *All containers for storage of solid waste shall be maintained in such a manner as to prevent the creation of a nuisance or menace to public health, safety or welfare. Containers that are broken or otherwise fail to meet the requirements of this article shall be immediately replaced with acceptable containers.***
- (4) *Where garbage and similar putrescible wastes are stored in combination with nonputrescible refuse, containers for the storage of the mixture shall meet the requirements for garbage containers. Garbage and trash shall be drained of all free liquids and garbage shall be wrapped prior to being placed in containers.***

(b) *Individual Household-Type Containers. Individual containers utilized for the storage of garbage and other putrescible solid wastes at households and certain other applicable premises which utilize manual nonmechanical collection equipment, shall have the following physical characteristics:*

- (1) *Be constructed of durable metal or plastic, tapered, be rust-resistant, nonabsorbent, watertight and leakproof, easily cleanable with close-fitting insectproof and rodentproof lids, and having adequate handles or bails to facilitate handling.***
- (2) *Covers for containers shall be removable and not secured or fastened to containers. Except that containers within the Main Street District boundaries shall at all times utilize lids or covers that fit securely to the container so as to prevent spillage of the contents. The district boundaries include LA 1 to West 5th Street between Jackson Street and Canal Boulevard.***
- (3) *Containers shall be not less than ten (10) gallons or more than thirty-two (32) gallons in capacity, and the combined weight of container and contents shall not exceed seventy-five (75) pounds. Except that containers sixty-five (65) gallons in capacity shall be allowed within the Main Street District Boundaries. The district boundaries include LA 1 to West 5th Street between Jackson Street and Canal Boulevard.***

(c) *Disposable Containers. Disposable containers such as paper and plastic (polyethylene minimum 1.5 mil) bags shall be acceptable for storage of nonputrescible solid wastes provided the following conditions are met:*

- (1) *Only those bags specifically designed for storage and collection shall be used.***
- (2) *Bags are protected against precipitation, vandalism, animal damage and overloading to prevent littering or attracting of vectors.***
- (3) *Bags have a holding strength capable of withstanding stresses while being handled and collected.***
- (4) *Bag opening is securely tied prior to setting out for collection.***
- (5) *Bag capacity shall not exceed thirty-two (32) gallons and filled weight shall not exceed fifty (50) pounds.***
- (6) *Nonputrescible material which cannot be properly contained in bags shall be containerized in garbage cans.***
- (7) *Disposable containers, such as, paper or plastic (polyethylene) bags are***

a prohibited method of waste matter storage for collection for all residential, commercial and institutional facilities located within the Main Street District boundaries. The district boundaries include LA 1 to West 5th Street between Jackson Street and Canal Boulevard. Within the Main Street District, all types of waste matter shall only be collected from containers as delineated in Section 10-13 (b) and (d).

- (d) *Bulk Containers. Bulk containers utilized with rear loading solid waste collection equipment equipped with appropriate container dumping mechanism shall have a capacity which is compatible with the collection equipment; be constructed of durable, rust- and corrosion-resistant material; be equipped with tight-fitting lids or doors to prevent entrance of insects or rodents; and be watertight, leakproof and weatherproof.*
- (e) *Methods of Use of Containers:*
 - (1) *Containers shall be kept covered at all times except during placing or removal of contents.*
 - (2) *Containers shall not be filled so that the lid cannot fit properly.*
 - (3) *The area around the containers shall be kept clean.*
- (f) *Temporary Storage. Certain wastes of a nonputrescible nature lend themselves to temporary storage in a manner other than containerization:*
 - (1) *Magazines, newspapers, cardboard containers and light tree debris shall be tied securely in bundles not exceeding four (4) feet in length, two (2) feet in diameter or width and seventy-five (75) pounds in weight, to be easily handled by the collection system and so as to minimize littering.*
 - (2) *Large items such as furniture, appliances, trees and stumps shall be stored to prevent a safety hazard or the collection of water or so as not to serve as a harborage for insects or rodents.*
- (g) *Hazardous wastes. Hazardous materials such as pathogenic hospital wastes, biological wastes, empty pesticide containers, chemicals and explosive material require special consideration while being handled and stored prior to final disposition. All such waste must be handled and stored in a manner approved by the department.*

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 15th 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 adopting an ordinance to amend Article XX, Section 2005.2 (2) and (3) of the Thibodaux Zoning Ordinance.

This article provides the regulations for signs within the City of Thibodaux. The proposed amendments include a reduction in the allowable square footage for ground signs from sixty-four (64) square feet to thirty-two (32) square feet. It also clarifies that a business within fifty (50) feet of right-of-way may have one of the following types of signs: wall sign, mansard sign, and marquee or canopy sign, not to exceed sixty-four (64) square feet.

On motion of Councilman Hebert, seconded by Councilman Centanni, the Council voted to adopt an ordinance to amend and re-enact Article XX Section 2005.2 (2) and (3) of the Thibodaux Zoning Ordinance (Signs). Upon roll call the vote was as follows:

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

ORDINANCE NO. 2391

***AN ORDINANCE TO AMEND AND RE-ENACT
ARTICLE XX SECTION 2005.2 (2) AND (3) OF
THE THIBODAUX ZONING ORDINANCE (SIGNS)***

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that Article XX, Section 2005.2 (2) and (3) of the Thibodaux Zoning Ordinance (Signs) are hereby amended and re-enacted so as to read as follows:

Section 2005. Sign standards--On-premises.

2005.2. Ground signs, wall signs, mansard signs, marquee and canopy signs shall be subject to the following conditions:

- (2) No new ground sign shall be larger than thirty-two (32) square feet.***
- (3) Business within fifty (50) feet of right-of-way may have one of the following: wall sign, mansard sign, marquee or canopy sign, not to exceed sixty-four (64) square feet. Over fifty (50) feet, business is allowed one sign equal to one-half the distance from right-of-way.***

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 15th 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 adopting an ordinance to amend Article VI of the Thibodaux Zoning Ordinance.

This article includes the Supplementary District Regulations in addition to the Established Zoning District Regulations. The proposed amendment creates section 602.1 defining the regulations for pool fences and also creates Section 602.2 establishing regulations for the maintenance of swimming pools. The proposed amendment also amends the zoning districts that social gathering establishments for minors are both permitted and prohibited.

On motion of Councilman Richard, seconded by Councilman Taylor, the Council voted to adopt an ordinance to amend and re-enact Article VI of the Thibodaux Zoning Ordinance so as to create Sections 602.1 and 602.2 and amend Section 609 (Supplementary District Regulations). Upon roll call the vote was as follows:

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

ORDINANCE NO. 2392

**AN ORDINANCE TO AMEND AND RE-ENACT
ARTICLE VI OF THE THIBODAUX ZONING ORDINANCE
SO AS TO CREATE SECTIONS 602.1 AND 602.2
AND AMEND SECTION 609 (SUPPLEMENTARY
DISTRICT REGULATIONS)**

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that Article VI Section 602 of the Thibodaux Zoning Ordinance is hereby amended and re-enacted so as to create Section 602.1 and 602.2 to read as follows:

Article VI – Supplementary District Regulations

Section 602.1. Pool Fences

All swimming pools or other outside body of water, with a depth greater than eighteen (18) inches, designed or used for swimming, dipping or immersion purposes, shall be completely enclosed with fence or walls not less than five (5) feet in height with no openings greater than four (4) inches. Walls of buildings may be used as part of the enclosure. All gates shall be equipped with self-closing and self-latching devices. Exterior doors from any habitable building need not be so equipped. Other protective devices or structures may be used as long as the degree of protection afforded by the substitute devices or structures is not less than the protection afforded by the fence, gate and latch described hereon.

Section 602.2 Maintenance of Swimming Pools

Every owner of a swimming pool, with a depth greater than eighteen (18) inches, shall keep the pool completely enclosed with fences or walls not less than five (5) feet in height with no openings greater than four (4) inches. Every pool owner shall equip gate or door openings to the pool with self-closing and self-latching devices capable of keeping such gates or doors securely closed at all times. Every swimming pool owner shall keep said fences, gates and doors in a state of repair. All gates and doors shall be securely closed at all time. No waiver of this section shall be in compliance.

BE IT FURTHER ORDAINED, that Article VI Section 609 of the Thibodaux Zoning Ordinance is hereby amended and re-enacted to read as follows:

Section 609. Social Gathering Establishments for Minors

Provisions of this Article shall govern the districts in which allowed as well as regulate social establishments for minors. For the purpose of this section, social establishments shall be defined as any assembly of people for the purpose of entertainment in an enclosed building and minors shall be defined as any person under eighteen (18) years of age. The schedule of district regulations for social gathering establishments for minors shall be as follows:

Permitted - Zoning Districts C-1, C-2 and C-3

Prohibited - Zoning Districts R-1, R-2, R-3, R-4,
M-1 and M-2

In addition to the district regulations stated above, it is prohibited for any establishment for social gatherings of minors to be situated within three hundred feet (300' - measurement to be from property line to property line) from establishments in which alcoholic beverage sales exceed 50% of total sales, and in addition shall included one (1) vehicle space for each two hundred square feet of floor space for loading and unloading unless provided for elsewhere herein.

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 15th 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 adopting an ordinance to amend Article XVIII of the Thibodaux Zoning Ordinance, which provides definitions of terms within the ordinance.

The proposed amendment would include the definition of “Public Buildings” within the Zoning Ordinance.

On motion of Councilman Richard, seconded by Councilman Hebert, the Council voted to amend the proposed ordinance to include the phrase “during normal business hours”. Upon roll call the vote was as follows:

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

NAYS: None

ABSTAINED: None

ABSENT: None

On motion of Councilman Richard, seconded by Councilman Mire, the Council voted to adopt an ordinance to amend and re-enact Article XVIII of the Thibodaux Zoning Ordinance (definitions) 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. 2393

***AN ORDINANCE TO AMEND AND RE-ENACT
ARTICLE XVIII OF THE THIBODAUX ZONING
ORDINANCE (DEFINITIONS)***

***BE IT ORDAINED* by the City Council of the City of Thibodaux in regular session assembled, that Article XVIII of the Thibodaux Zoning Ordinance is hereby amended and re-enacted so as to create and include the definition of Public Building to read as follows:**

Public Building: A building or buildings owned by a public governing body that is accessible for use to the public that does not require permission to enter during normal business hours.

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 15th 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 reviewed all of the regulations for each zoning district within the City. The Commission has approved revisions to each zoning district and they are recommending that the City Council consider adopting an ordinance to amend Article V of the Thibodaux Zoning Ordinance in order to adopt the new zoning district regulations.

David Duplantis of Duplantis Design Group voiced his concern on the re-zoning of certain areas of the City. He asked that the Council consider reviewing certain areas of the new zoning district regulations.

On motion of Councilman Mire, seconded by Councilman Taylor, the Council voted to amend the proposed district regulation amendments to amend the R-3 regulations to include Public Buildings and Uses and Schools/Public or Private (Pre-K through Senior) and associated buildings as principally permitted and delete all other proposed amendments. 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 Hebert, seconded by Council Taylor the Council voted to adopt an ordinance to amend and re-enact Article V of the Thibodaux Zoning Ordinance as amended. Upon roll call the vote was as follows:

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

Councilman Hebert has requested that the Council Administrator prepare an ordinance for consideration to amend Section 7-33 of the Thibodaux Code of Ordinances so as to prohibit the solicitation of donations on public streets in the City of Thibodaux.

Councilman Hebert has received complaints that the can shakes are a nuisance and distraction to motorist. He feels that it creates a dangerous situation for the individuals collecting donations in the street.

Mr. Tommy Tabor of 159 Couteau Lane, Mr. Eddie Tabor of 1206 Lafourche Drive, Mr. Leland Hoffmann, Jr. of 954 Bayou Road all of Thibodaux, as well as Mr. Robert Campbell of Donaldsonville all spoke in favor of keeping the can shakes. They all represent organizations that consider these can shakes profitable in helping different individuals and charities.

Mr. George Diedrich, of 314 Ashland Drive and Councilman Eddie Hebert spoke of the dangers of these can shakes. They are against this method of raising money and feel that it is a danger to the can shakers, as well as the drivers. They feel that alternative methods could be used to fund these charities.

On motion of Councilman Hebert, seconded by Councilman Taylor, the proposed ordinance failed on a vote of 1 to 4. Upon roll call the vote was as follows:

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

On motion of Councilman Hebert, seconded by Councilman Taylor, the Council voted to add an item to the agenda for discussion. Upon roll call the vote was as follows:

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

NAYS: None

ABSTAINED: None

ABSENT: None

The Grants Director informed the Council Administrator this morning that the Louisiana Commission on Law Enforcement has awarded the City funding in the amount of \$901.00 through the Metropolitan District Law Enforcement Commission for the purchase of video equipment to be employed by the Thibodaux Police Department's mobile command unit.

In order to proceed with the acquisition before the deadline, it is necessary for the Mayor to sign and submit the agreement prior to the Council's adoption of an ordinance authorizing him to do so.

Councilman Taylor introduced an ordinance ratifying the Mayor's execution of a grant agreement with the Louisiana Commission on Law Enforcement. The Public Hearing will be held at the Council Meeting on Tuesday, May 6, 2008.

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

Jennifer Morvant, Council Adm.

Chad J. Mire, President