

**OFFICIAL MINUTES OF THE CITY COUNCIL
CITY OF THIBODAUX
CITY HALL
THIBODAUX, LOUISIANA
AUGUST 5, 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 August 5, 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 July 15, 2008 Council Meeting were approved as written.

Councilman Richard introduced an ordinance accepting the utility improvements in Acadia Plantation, Phase One, Village One, Project "B" in Tracts D-2-A and D-2-B. The Public Hearing for this ordinance will be held at the next Council Meeting on Tuesday, August 19, 2008.

Councilman Hebert introduced an ordinance authorizing the Mayor to sign an agreement with the Thibodaux Soccer Association. The Public Hearing for this ordinance will be held at the next Council Meeting on Tuesday, August 19, 2008.

Councilman Taylor introduced an ordinance authorizing the Mayor to sign a Grant Agreement with Louisiana DOTD (FOD Control Safety Improvements at the Thibodaux Municipal Airport). The Public Hearing for this ordinance will be held at the next Council Meeting on Tuesday, August 19, 2008.

Councilman Centanni introduced an ordinance authorizing the Mayor to sign a Grant Agreement with Louisiana DOTD (Airport Access Road Paving) The Public Hearing for this ordinance will be held at the next Council Meeting on Tuesday, August 19, 2008.

Councilman Richard introduced an ordinance declaring certain City Property surplus and subject to sale. The Public Hearing for this ordinance will be held at the next Council Meeting on Tuesday, August 19, 2008.

A presentation on the traffic study at the intersection of Tiger Drive and Plantation Road was held by Craig Melancon, Chief of Police. Chief Melancon gave a power point presentation in reference to the traffic study conducted by the Thibodaux Police Department. In the past, many serious accidents have occurred at this intersection and the study suggests that this is a hazardous traffic area. The research dates back to 2002 and shows that 23 accidents have occurred in this area with 4 injuries.

Councilman Mire questioned what prompted the study as well as the issues with traffic in this area at the opening and closing of school each day. Chief Melancon explained that in the scope of a 24 hr. day there would be a very short window of traffic backed up in this area during peak school traffic. The Mayor suggested that a Four- Way Stop Sign be put at this intersection due to a request from the public and the findings of this study.

Councilman Taylor introduced an ordinance to amend and re-enact Section 20-4 of the Thibodaux City Code of Ordinances so as to create Sub-Section (bb); Four-Way Stop – Tiger Drive and Plantation Road. The Public Hearing for this ordinance will be held at the next Council Meeting on Tuesday, August 19, 2008.

Councilman Mire has informed the Council Administrator that he wishes to re-appoint Mr. Melvin Adams to the Thibodaux Planning & Zoning Commission for an additional five (5) year term. Mr. Adams' new term will be set to expire on August 5, 2013.

On motion of Councilman Mire, seconded by Councilman Taylor, the Council voted to adopt a resolution approving the re-appointment of Melvin Adams to the Thibodaux Planning & Zoning Commission. Upon roll call the vote was as follows:

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

RESOLUTION NO. 1377

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

WHEREAS, the Thibodaux Planning & Zoning Commission is comprised of five members appointed by the Thibodaux City Council and Mayor; and

WHEREAS, due to the expiration of the term of Mr. Melvin Adams, it is necessary to appoint a new member or re-appoint Mr. Adams for a new term on the board; and

WHEREAS, in accordance with the rotation method of appointment dictated by Section 22-6 of the City Code of Ordinances, Councilman Chad Mire has nominated Mr. Melvin Adams for re-appointment to the board.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Thibodaux that in accordance with the provisions of Section 22-6 of the Thibodaux Code of Ordinances, Mr. Melvin Adams, is hereby re-appointed as a member to the Thibodaux Planning & Zoning Commission.

BE IT FURTHER RESOLVED that the term of Mr. Adams will expire August 5, 2013.

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 5th day of August 2008.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

In accordance with the provisions of Article IV of the Thibodaux City Charter, whenever a vacancy occurs on the Civil Service Board, the nominating authority for that seat must make a nomination to the City Council for appointment to fill the vacancy on the board.

Due to the resignation of Mr. Beau Brooks from the Civil Service Board, it was necessary to contact the President of the Lafourche Parish Bar Association in order to request a nomination for an appointment to fill the vacancy on the board.

We received a nomination from the said agency and they have informed the Council Administrator that they wish to appoint Mr. Nicholas Zeringue to the vacant position on the Thibodaux Civil Service Board. The term will expire March 21, 2010.

Mr. Nicholas Zeringue was present in the audience. He said that he would be glad to accept the nomination and would hope to serve the community well.

On motion of Councilman Hebert, seconded by Councilman Centanni, the Council voted to adopt a resolution approving the appointment of Nicholas Zeringue to the Thibodaux Civil Service Board. Upon roll call the vote was as follows:

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

RESOLUTION NO. 1378

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

WHEREAS, the Thibodaux Municipal Civil Service Board is comprised of five regular members; and

WHEREAS, due to the resignation of Mr. Beau Brooks from the above said board, the appointing agency has forwarded a nomination to the City Council to appoint a new member; and

WHEREAS, in accordance with the method of nomination employed in the City Charter, the Lafourche Parish Bar Association has nominated Mr. Nicholas Zeringue to be appointed to this position on the Thibodaux Civil Service Board.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Thibodaux that in accordance with the provisions of Article IV, Section 6 of the Thibodaux City Charter, the appointment of Mr. Nicholas Zeringue to the Thibodaux Civil Service Board is hereby ratified effective August 5, 2008.

BE IT FURTHER RESOLVED that the term of Mr. Zeringue will expire March 21, 2010.

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 5th day of August 2008.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Building Inspector has inspected the structures located at 1711-C Canal Boulevard which are substandard and pose a threat to the safety and welfare of the residents living in the neighborhood where these structures are located.

In accordance with the provisions of LRS 33:4762, The City Council must afford the property owner or resident the opportunity to contest the proposed condemnation of their structure.

Leslie Clement Jr. was asked by the City Attorney, Germaine Jackson, to assist in the condemnation proceeding by acting as the attorney attempting to contact the individuals interested in this property. The property was last owned by the estate of Lawrence Brown. He ran an advertisement in both the Daily Comet and Houma Courier on July 14th, 15th and 16th of 2008 in which he stated that no individuals came forth to protest the condemnation of the property.

The owner, Martha Flakes, of 1711 Canal Boulevard and Glenn Flakes appeared and requested a 90 (ninety) day extension in order to finish work requested on the property. Councilman Taylor questioned the means in which they were contacted and also if they would be able to tear down and remove all debris in the 90 day period if granted.

The City Attorney, Germaine Jackson, spoke to the owner's and explained the items needed if the extension was granted.

Councilman Centanni asked if the taxes were paid and up to date. The City Attorney explained her procedure for condemnation of property and stated that the taxes were paid and up to date.

On motion of Councilman Taylor, seconded by Councilman Richard, the Council voted to adopt a motion authorizing the property owner 90 days to completely remove and dispose of all debris of the 3 structures located at 1711-C Canal Boulevard and to appear before the Council at its meeting on November 4, 2008 for a status report. Upon roll call the vote was as follows:

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

NAYS: None

ABSTAINED: None

ABSENT: None

Councilman Hebert requested a discussion concerning a Good Earth Transit Bus Stop on Audubon Avenue near the MAX Charter School.

Jake Giardina, of 212 Rue Colette, addressed the Council on concerns regarding a bus stop in this area. He also stated that the children crossing these streets ranged from 1st to 8th Grade and he agreed that it would be a great help to have a stop in front of the school.

Councilman Hebert read the following letter addressed to him from Cleve Hill, Director of the Max Charter School.

Dear Councilman Hebert,

A number of our children ride the Good Earth Transit Bus from Houma, Louisiana and that number promises to increase as the cost of gasoline continues to rise. Because we do not have school bus service, our students are transported by their parents. However, officials at Good Earth inform us that they are not permitted to stop on streets in the City of Thibodaux. Currently, the bus stops in front of Gouaux Hall on the Nicholls State University Campus. Thus, our students have to cross two busy streets, one on NSU's Campus and the other being Audubon Street. To alleviate this situation, I am asking that you propose to the City Council, erecting a bus stop on the right side of Audubon Street at the Audubon and Ardoyne Streets intersection.

Mayor Caillouet explained that the next item on the agenda would be a discussion on a possible new bus route. He stated that the new proposed bus route would tie all of these areas together. He stated that he will write to the Good Earth Bus Transit System, on behalf of the City, letting them know that we would appreciate them stopping to let the students enter and exit the bus at this intersection.

The Grants Director requested a presentation by South Central Planning & Development Commission and Gulf Engineers & Consultants concerning the Transit Feasibility Study.

Kevin Belanger and Leo Marretta with South Central Planning & Development Commission as well as Glen Graham with Gulf Engineers & Consultants presented a power point presentation on the Transit Feasibility Study. The goal of the project is to provide public transit services for the citizens of Thibodaux as well as targeting population of the transportation disadvantaged. It also provided a preliminary transit route and cost estimates on the different service provision scenarios. They answered questions from the Council Members and offered their assistance in any future development of this system.

Mayor Caillouet assured the Council and the Public that this was just an overview of many possible ways that the City could go about funding this project. He recommended that the Council expand the scope of the contract and consider using the Good Earth Transit to manage the system along with Federal Funds.

The Mayor requested a discussion concerning the proposed Tiger Drive Bridge Replacement and the LA 1 and LA 308 Intersection Improvement Project.

The Mayor wanted to update the Council and the Public in regards to secured funding on this Capital Outlay Project. He wanted to make the Council aware of steps that need to be taken in order to proceed with this project. He plans on including this project in next year's budget. He feels that it is an important and much needed project to keep the City of Thibodaux moving forward. He also received information from the Grants Director, Bonnie Lafont, and Ms. Jennings, with Facility Planning, who helps to administer the State Capital Outlay Program. Currently, the Division of Administration is trying to cut approximately \$5 million from the Capital Outlay Budget. Ms. Jennings asked several questions about this project, specifically, who is providing the local match and how do we intend to utilize the \$350,000 for a bridge project. The Grants Director explained that the city plans to fund the local match in the 2009 Budget, and that the City also has funds in House Bill 1 (\$250,000) which will be allocated to LA DOTD (District 02) for planning and engineering. A meeting will take place with them on August 27th to discuss how LA DOTD plans to utilize the funds as well as a projected timeline. After this meeting, the City should have clarification on how to budget the Capital Outlay Funds. The Grants Director also mentioned that we are working on the Cooperative Endeavor Agreement form and line of credit form, and should have these back to Ms. Jennings by the end of the week.

The Grants Director informed the Council Administrator that the City has received notice from the Lieutenant Governor's Office that we have been recertified as a Louisiana Certified Retirement Community for the year 2008-2009.

The City will receive a \$20,000 grant from the Office of the Lieutenant Governor, Louisiana Retirement Development Commission with the City required to maintain the \$10,000 local match for the program. In order to acquire the grant funds, it is necessary for the Mayor to sign a Grant Agreement with the State of Louisiana, Office of the Lieutenant Governor.

Kathy Benoit, Chamber of Commerce President, addressed the Council and updated them on money spent in regards to last year's grant. She also spoke of future spending in regards to advertising and promoting Thibodaux as a Certified Retirement Community. The new website (<http://www.retirethibodaux.org>) and advertising in regards to this grant has really put Thibodaux on the map as a Certified Retirement Community.

On motion of Councilman Richard, seconded by Councilman Hebert, the Council voted to adopt an ordinance authorizing the Mayor to sign a Grant Agreement with the State of Louisiana, Office of the Lieutenant Governor, for the

Louisiana Certified Retirement Community Program. Upon roll call the vote was as follows:

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

NAYS: None

ABSTAINED: None

ABSENT: None

ORDINANCE NO. 2410

AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A GRANT AGREEMENT WITH THE STATE OF LOUISIANA, OFFICE OF THE LIEUTENANT GOVERNOR, FOR THE LOUISIANA CERTIFIED RETIREMENT PROGRAM

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

WHEREAS, the City of Thibodaux has been recertified as a Louisiana Certified Retirement Community for the year 2008-2009; and

WHEREAS, grant funds in the amount of \$20,000.00 will be received through an agreement with the State of Louisiana, Office of the Lieutenant Governor and will be used to:

- Update the strategic plan for retirement development
- Expand the marketing infrastructure
- Sponsor an annual retirement development Community Forum
- Other eligible grant activities as necessary to continue a viable retirement program for the city; and

WHEREAS, the City of Thibodaux will work in conjunction with the Thibodaux Chamber of Commerce to administer the retirement program for the city; and

WHEREAS, it is necessary to execute a grant agreement with the State of Louisiana, Office of the Lieutenant Governor for the aforesaid grant.

NOW, THEREFORE BE IT ORDAINED that the City Council of the City of Thibodaux does hereby authorize the Mayor to sign a grant agreement with the State of Louisiana, Office of the Lieutenant Governor for the 2008-2009 Louisiana Certified Retirement Community Program.

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: Councilmen Hebert, Richard, Taylor, Centanni, Mire

NAYS: None

ABSTAINED: None

ABSENT: None

And the above ordinance was declared adopted this 5th day of August 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 approving the final plat for the North Acadia Road Extension and Acadia Woods Drive.

Milton Donegan, of 317 Plater Drive and Susie LaHaye, of 104 Plater Court addressed the Council in regards to questions about the left turn lane coming out of Acadia Woods Subdivision, the Acadia Woods Road Completion and several other issues. They were here representing the Acadia Woods Home Association. They inquired about the road completion that was originally to be completed in 2005 then 2007 and finally now 2008. Mr. Donegan also inquired about the terms of the contract and the City's intent to pursue the matter of the road completion. They explained that the subdivision has incurred many problems. An increase in traffic, a dangerous intersection and messy road conditions in regards to entering and exiting their subdivision are reasons for concern.

Heather Klingman, with Duplantis Design Group explained that there was not a left turn lane on the original plans. Upon reviewing the plans the turn lane was added and submitted to DOTD for approval. DOTD did approve the project. She explained that once both of the left turn lanes are opened it should alleviate any problems.

Councilman Centanni also expressed concerns over the left turn lane coming out of Acadia Woods. He feels that it is dangerous and asked to review the paperwork approving the left turn lane.

Public Works Director, Kermit Kraemer, explained that once the road is opened, the signs and road markings should also help in alleviating many problems in this area.

Councilmen Taylor, Mire and Richard, as well as, Germaine Jackson and the Mayor all addressed the issue brought up by Mr. Donegan in regards to the City's position in the Acadia Woods Road Completion. Under the terms of the latest contract, the completion is due on December 31, 2008. Until that time, no further action can be taken by the City Council on this matter. The scope of the project on the agenda item for tonight is complete for the approved section.

Jake Giardina, with Acadia Land Surveying, explained their position with the delay of the road. In an effort to enhance this project, the company donated land to make the couplet a reality. He has had several meetings explaining their position on this problem. With the slowing of the housing market, it would not be economically feasible to have this project completed at this time. It is the intent of the company to complete the Acadia Woods Road however a definite completion date cannot be given at this time.

Councilman Richard stated that the agreement signed in 2005 was extended to 2007 and now 2008. In that agreement, it states that the road will be completed by December 2008. Again, Jake Giardina stated that Acadia intends to complete the road but cannot give an exact date on the completion.

The Mayor and Susie LaHaye continued discussions involving the Acadia Wood's Road Completion. He stated that the Council would have to look into options at the end of the year in regards to any further action taken in regards to the contract. He stated that the agreement was put into place to have a basis to work from and didn't include any penalties in regards to the date of completion. He also mentioned that Acadia donated the land for the couplet and that the City is now in the process of moving forth with the beautification of that area. While he feels that everyone agrees that the projects in this area will be beautiful once complete, he stressed that it is a work in progress and the completion is not going as well as originally planned.

Mr. Donegan also questioned the Council on the right hand turn lane onto Rue Betancourt and whether it would become City Property after this approval. A discussion relative to this matter took place with all of the involved parties. It was

concluded that all of the proper procedures were followed and the project was built according to the approved design.

On motion of Councilman Hebert, seconded by Councilman Taylor, the Council voted to adopt an ordinance approving the final plat of North Acadia Road Extension and Acadia Woods Road. Upon roll call the vote was as follows:

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

NAYS: None

ABSTAINED: None

ABSENT: None

ORDINANCE NO. 2411

***AN ORDINANCE APPROVING THE FINAL PLAT OF
NORTH ACADIA ROAD EXTENSION AND ACADIA WOODS DRIVE***

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 Acadia Land Surveying concerning the approval of the final plat of the extension of North Acadia Road located in Section 39, T15S-R16E; 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 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 North Acadia Road extension and Acadia Woods Drive 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, Centanni, Mire

NAYS: None

ABSENT: None

ABSTAINED: None

And the above ordinance was declared adopted this 5th day of August 2008.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

There being no further business the meeting was adjourned.

Jennifer Morvant, Council Adm.

Chad J. Mire, President