

**OFFICIAL MINUTES OF THE CITY COUNCIL
CITY OF THIBODAUX
CITY HALL
THIBODAUX, LOUISIANA
OCTOBER 21, 2008**

The City Council of the City of Thibodaux assembled in Special Session at its regular meeting place, City Hall, 310 West 2nd Street, Thibodaux, Louisiana, on Tuesday, October 21, 2008 at 5:00 o'clock P.M.

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

Councilman Richard was absent.

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

The minutes of the October 7, 2008 Council Meeting were approved as written.

Councilman Hebert introduced an ordinance authorizing the Mayor to sign a Grant Agreement with the Louisiana Highway Safety Commission. The Public Hearing for this ordinance will be held at the next Council Meeting on Tuesday, November 4, 2008.

The Council postponed agenda item #2 until the end of the meeting in order to allow Mr. Leonard Chauvin, the project engineer, the opportunity to be present in the audience to address the Council.

The City administers the Section 8 Rental Assistance Program funded through the U.S. Department of Housing and Urban Development.

In 1998 HUD required that all Section 8 Programs adopt a PHA (Public Housing Agency) plan in accordance with the provisions of the Quality Housing and Work Responsibility Act.

The City's Federal Programs Director has compiled a new PHA plan for Fiscal Year 2009 to comply with the Aforesaid Federal Legislation. HUD will recognize this plan as the City's Official Plan.

Councilman Centanni questioned the Section 8 Director, Liana Barker, on the process of running background checks on the applicants. She gave a brief explanation of the process currently being used to screen applicants for this program.

On motion of Councilman Taylor, seconded by Councilman Hebert, the Council voted to adopt a resolution authorizing the Mayor to submit the 2009 Section 8 PHA Plan to the U.S. Department of Housing and Urban Development. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Taylor, Centanni, Mire

NAYS: None

ABSTAINED: None

ABSENT: Councilman Richard

RESOLUTION NO. 1389

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

WHEREAS, Section 511 of the Quality Housing and Work Responsibility Act of 1998 imposes certain requirements on public housing agencies; and

WHEREAS, the requirements include the preparation of an Annual PHA Plan be submitted to the U.S. Department of Housing and Urban Development; and

WHEREAS, the City of Thibodaux, Section 8 Rental Assistance Program has completed such a plan, made it available for public review and comment, and conducted a public hearing on September 29, 2008 in accordance with the said regulations; and

WHEREAS, no comments were received from the public regarding the plan; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Thibodaux does hereby adopt the PHA Plan for Fiscal Year 2009 and does authorize the Mayor to sign all certifications and documents for submission to the U.S. Department of Housing and Urban Development.

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

YEAS: Councilmen Hebert, Taylor, Centanni, Mire

NAYS: None

ABSTAINED: None

ABSENT: Councilman Richard

And the above resolution was declared adopted this 21st day of October 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 expiration of the term of Ms. Jessica Delatte on the Civil Service Board, it was necessary for us to contact Dr. Stephen Hulbert, President of Nicholls State University, 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 us that they wish to re-appoint Ms. Jessica Delatte to the vacant position on the Thibodaux Civil Service Board. The term will expire October 21, 2012.

Councilman Centanni asked that in the future the City Administrator be allowed to solicit the nomination from the appointing authority rather than the administration. During a brief discussion in regards to appointing a new member to a board, the Mayor stated that it really didn't matter who solicited the nomination just so it was done in a timely manner.

On motion of Councilman Hebert, seconded by Councilman Taylor, the Council voted to adopt a resolution approving the re-appointment of Jessica Delatte to the Thibodaux Civil Service Board. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Taylor, Centanni, Mire

NAYS: None

ABSTAINED: None

ABSENT: Councilman Richard

RESOLUTION NO. 1390

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 fact that the term of one of the current members has expired on the above said board, the appointing agency has forwarded a nomination to the City Council to fill the vacancy; and

WHEREAS, in accordance with the method of nomination employed in the City Charter, the President of Nicholls State University has nominated Ms. Jessica Delatte for re-appointment to 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, that the appointment of Ms. Jessica Delatte to the Thibodaux Civil Service Board is hereby ratified effective October 21, 2008.

BE IT FURTHER RESOLVED that the term of Ms. Delatte will expire October 21, 2012.

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

YEAS: Councilmen Hebert, Taylor, Centanni, Mire

NAYS: None

ABSTAINED: None

ABSENT: Councilman Richard

And the above resolution was declared adopted this 21st day of October 2008.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Public Works Director informed the Council Administrator that due to the effects of Hurricane Gustav, it is necessary for the City Council to consider the adoption of a resolution approving Amendment No. 1 and No. 2 to the contract with Omni Pinnacle for Disaster Debris Management and Removal Services.

The proposed amendments allows for the contract price of \$100.00 per tree removal of hanging/damaged limbs of 2" or greater in diameter, and also increases the cost for vegetative storm debris disposal from \$1.25 per cubic yard to \$2.50 per cubic yard.

The proposed amendments have been determined to be reasonable costs and are reimbursable by FEMA. The amendments have also been recommended in the review of the City's Debris Management Plan by the State of Louisiana.

Councilman Taylor asked the Public Works Director, Kermit Kraemer, for an explanation of these amendments. He explained that due to the recent storms and enormous amount of tree debris the contract was reevaluated by all parties involved including FEMA. He also explained that FEMA requires the City to have a Debris Management Plan in effect. The current contract remains in effect for one (1) year with these amendments only being in effect for this event. He also explained the time frame of this project to Councilman Mire. He explained that he hopes to be finish with debris removal by November 7, 2008.

On motion of Councilman Centanni, seconded by Councilman Hebert, the Council voted to adopt a resolution authorizing the Mayor to sign Amendments No. 1 & 2 to the contract with Omni Pinnacle, Inc. (Disaster Debris removal). Upon roll call the vote was as follows:

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

RESOLUTION NO. 1391

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AMENDMENT #1 AND #2 TO THE CONTRACT WITH OMNI PINNACLE, INC. (DISASTER DEBRIS REMOVAL)

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

WHEREAS, the City entered into a contract with Omni Pinnacle, Inc. for Disaster Debris Management and Removal Services; and

WHEREAS, due to Hurricane Gustav the amendment of two (2) line items in the contract have been reviewed and approved by FEMA, and the execution of line item amendments is required; and

WHEREAS, the proposed Amendment No. 1 allows for the contract price for hanging/damaged limbs remaining in the tree(s) above the ROW of 2" or greater in diameter in the amount of \$100.00 per tree; and

WHEREAS, the proposed Amendment No. 2 increases the cost for vegetative storm debris disposal from \$1.25 per cubic yard to the amount of \$2.50 per cubic yard.

NOW, THEREFORE BE IT RESOLVED by the City Council that the Mayor be and is hereby authorized to execute Amendment No. 1 and Amendment No. 2 with Omni Pinnacle, Inc. in the amounts mentioned above.

BE IT FURTHER RESOLVED that a copy of the said amendments are 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, Taylor, Centanni, Mire
NAYS: None
ABSTAINED: None
ABSENT: Councilman Richard

And the above resolution was declared adopted this 21st day of October 2008.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Council Administrator met with the Zoning Administrator and the GIS Technical Supervisor concerning updating the City's Zoning Map. They reviewed zoning changes that have been made since the adoption of the zoning ordinance in

1979, and the GIS Technical Supervisor made the necessary changes to the zoning map. It was also discovered that the Official Zoning Map shall be certified by the signature of the Mayor and Council Administrator and kept in the Council Administrator's Office in accordance with the Thibodaux Zoning Ordinance.

The Zoning Ordinance has a provision for the adoption of a new Official Zoning Map by the City Council with the adoption of an appropriate resolution, in the event that the Official Zoning Map becomes lost, damaged, destroyed, or difficult to interpret because of the nature or number of changes and additions.

On motion of Councilman Taylor, seconded by Councilman Centanni, the Council voted to adopt a resolution adopting a new Official Zoning Map to replace the Official Zoning Map adopted by the City of Thibodaux on April 10, 1979. Upon roll call the vote was as follows:

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

RESOLUTION NO. 1392

**A RESOLUTION TO ADOPT A NEW OFFICIAL ZONING
MAP TO REPLACE THE OFFICIAL ZONING MAP
ADOPTED BY THE CITY OF THIBODAux ON
APRIL 10, 1979**

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

WHEREAS, in accordance with the provisions of Article I, Section 102 of the Thibodaux Zoning Ordinance, the City Council may adopt a new official zoning map which will supersede the prior official zoning map; and

WHEREAS, due to changes in the Thibodaux City limits and to changes in zoning designations for certain tracts of property it is in the City's best interest to adopt a revised official zoning map; and

WHEREAS, the proposed official zoning map has been prepared by the Public Works Department in accordance with all previously adopted zoning designations and regulations.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Thibodaux that the aforesaid zoning map of the City of Thibodaux is hereby adopted as the Official Zoning Map of the City of Thibodaux in accordance with the provisions of Article I, Section 102 of the Thibodaux Zoning Ordinance.

BE IT FURTHER RESOLVED that the Official Zoning Map of the City of Thibodaux 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, Taylor, Centanni, Mire
NAYS: None
ABSENT: Councilman Richard
ABSTAINED: None

And the above resolution was declared adopted this 21st day of October 2008.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Grants Director has informed the Council Administrator that the Mayor wishes to file an application with the Louisiana DOTD, Division of Aviation for the FY 2009-2010 financial assistance based on the FAA and DOTD approved Master Plan for specific future development of the Thibodaux Municipal Airport.

The improvements include Priority 1 – Precision Approach Indicators; Priority 2 - Aviation Easements; and Priority 3 – Asphalt Taxiway.

The estimated total project costs for the three (3) projects is \$490,000.00 with the City providing a match of \$24,500.00.

On motion of Councilman Taylor, seconded by Councilman Hebert, the Council voted to adopt a resolution in support of the City’s FY 2009-2010 Aviation Priority Program Application and request for State Financial Assistance. Upon roll call the vote was as follows:

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

RESOLUTION NO. 1393

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

WHEREAS, Title 2 of the Louisiana Revised Statutes of 1950 provides that cities, towns, parishes, and other political subdivisions of this State may separately or jointly acquire, establish, construct, expand, own, lease, control, equip, improve, maintain, operate, regulate, and police airports and landing fields for the use of aircraft; and,

WHEREAS, the State of Louisiana, Department of Transportation and Development, Division of Aviation (formerly the LA DOTD-OAPT) is charged by Title 2 with the responsibility for the development of aviation facilities within the State to foster air commerce and to safeguard the interests of those engaged in all phases of the aviation industry and of the general public; and,

WHEREAS, the City of Thibodaux, hereinafter referred to as “Sponsor”, has completed an FAA and DOTD approved Master Plan, Action Plan, and/or Airport Layout Plan which outlines the specific future development of the Thibodaux Municipal Airport; and, the Sponsor is desirous of implementing a portion of the approved Plan recommendations which provide for the critically needed improvements as stated herewith to substantially improve the safety and usability of the Airport, but does not have sufficient funds of its own required for completing the needed improvements; and,

WHEREAS, these improvements include the following: Priority 1 – Precision Approach Indicators; Priority 2 — Aviation Easements; and Priority 3— Asphalt Taxiway; and,

WHEREAS, the LA DOTD, Division of Aviation is authorized by Title 2 to expend funds for the construction or enlargement of airports for the safety and advancement of aeronautics;

NOW, THEREFORE, BE IT RESOLVED:

SECTION I

That the Sponsor does hereby formally request that the LA DOTD, Division of Aviation provide funds required to complete the airport improvements at the Thibodaux Municipal Airport specifically as described in the Application for State Financial Assistance dated October 14, 2008:

SECTION II

That the said LA DOTD, Division of Aviation be and is hereby assured that all necessary servitudes, rights-of-way, rights of ingress and egress and means thereof will be furnished by the Sponsor and the titles thereto will be valid and indefeasible, and that the Sponsor will assume ownership, financial reporting, and complete responsibility for the maintenance and upkeep of the airport after completion of said improvement.

SECTION III

That the Sponsor will save and hold the said LA DOTD, Division of Aviation, its officers, agents, and employees harmless from any liability or claim for damages arising out of the project, including death or injuries to third parties including, but not limited to, liability or claim for damages out of the negligence of said LA DOTD, Division of Aviation, its officers, agents, or employees, and expressly agrees to defend any suit of any nature brought against the LA DOTD, Division of Aviation as a result of this project.

SECTION IV

That the Mayor, Charles Caillouet, of the Sponsor be and is hereby authorized and directed to evidence this agreement by affixing his signature on subsequent related documents/agreements as required by the rules and regulations of the Federal Aviation Administration and the State of Louisiana and the Council Administrator is hereby authorized to attest said execution.

SECTION V

That this resolution shall be in full force and effect from and after its adoption.

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

YEAS: Councilmen Hebert, Taylor, Centanni, Mire

NAYS: None

ABSTAINED: None

ABSENT: Councilman Richard

And the above resolution was declared adopted this 21st day of October 2008.

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

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

The Section 8 Director has informed the Council Administrator that the Mayor has requested that Leonard Chauvin prepare an engineering contract for your consideration which would authorize the design of the 2008 CDBG Project. This project includes improvements to drainage and shoulders along Cardinal Drive and Bell Street.

This project is being funded through the 2008 CDBG Program with a total estimated project cost of \$414,250.00 for engineering and construction.

In accordance with the provisions of the proposed engineering contract, the City would pay engineering fees based on the Schedule of Fees included in the proposed contract.

Councilman Centanni questioned Leonard Chauvin on the terms of the contract. Mr. Chauvin explained that this is a lump sum contract that will be done in phases. He explained the different areas of cost involved in this project. The project will be done in several phases and funded over a two (2) year period.

On motion of Councilman Taylor, seconded by Councilman Hebert the Council voted to adopt a resolution authorizing the Mayor to sign an engineering contract with Leonard Chauvin for the design of the 2008 CDBG Project (Cardinal Drive and Bell Street Drainage and Shoulder Improvements). Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Taylor, Centanni, Mire

NAYS: None

ABSTAINED: None

ABSENT: Councilman Richard

RESOLUTION NO. 1388

***A RESOLUTION AUTHORIZING THE MAYOR
TO SIGN AN ENGINEERING CONTRACT WITH
LEONARD CHAUVIN FOR THE DESIGN OF THE
2008 CDBG PROJECT (CARDINAL DRIVE AND BELL
STREET DRAINAGE AND SHOULDER IMPROVEMENTS)***

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

WHEREAS, the City is planning to construct drainage and shoulder improvements along Cardinal Drive and Bell Street in conjunction with the 2008 CDBG Project; and

WHEREAS, the Mayor has selected Leonard Chauvin to perform the design and supervise the construction of the said 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 Leonard Chauvin for the design of the Cardinal Drive and Bell Street Drainage and Shoulder Improvement 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: Councilmen Hebert, Taylor, Centanni, Mire

NAYS: None

ABSTAIN: None

ABSENT: Councilman Richard

And the above resolution was declared adopted this 21st day of October 2008.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

Councilman Mire questioned the Mayor on why the police units were not distributed since purchased. The Mayor explained that the titles were incorrectly issued and they are in the process of being corrected. He also stated that a policy needs to be in place for the take home units before being distributed.

There being no further business the meeting was adjourned.

Jennifer Morvant, Council Adm.

Chad J. Mire, President

