

**OFFICIAL MINUTES OF THE CITY COUNCIL
CITY OF THIBODAUX
CITY HALL
THIBODAUX, LOUISIANA
JUNE 15, 2010**

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, June 15, 2010 at 5:00 o'clock P.M.

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

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

Dr. Laura Badeaux and Donna Zeringue with the Louisiana Center for Women and Government and the Louisiana Girls Leadership Academy were also in attendance.

The minutes of the June 1, 2010 Council Meeting were approved as written.

The Council, Mayor and Administration explained all of the items on the agenda and answered questions from the attendees at tonight's meeting.

Councilman Mire introduced an ordinance to amend Ordinance No. 2490 "Appropriation Ordinance for the Year 2010" (Supplemental Appropriation). The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, July 6, 2010.

Councilman Hebert introduced an ordinance to amend and re-enact Article I, Section 10-1 of the Thibodaux City Code of Ordinances (Accumulations and weeds on premises). The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, July 6, 2010.

Councilman Mire introduced an ordinance to amend and re-enact Article I, Section 10-2 of the Thibodaux City Code of Ordinances (Same-Entry of officers to investigate and serve notice). The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, July 6, 2010.

Councilman Richard introduced an ordinance to amend and re-enact Article I, Section 10-3 of the Thibodaux City Code of Ordinances (Same-Time for compliance with removal notice). The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, July 6, 2010.

Councilman Hebert introduced an ordinance to amend and re-enact Article I, Section 10-5 of the Thibodaux City Code of Ordinances (Same-Cleaning premises and cutting weeds by City, recovery of cost). The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, July 6, 2010.

Councilman Mire introduced an ordinance to amend and re-enact Article I, Section 10-5.1 of the Thibodaux City Code of Ordinances (Subsequent violations). The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, July 6, 2010.

Pursuant to R.S. 43:141, the City shall select a newspaper as the Official Journal for the City in June of each year. The City shall notify the Secretary of State of its selection as soon as possible after the selection is made. The selected Official Journal is in effect for a period of one year, from July 1, 2010 through June 30, 2011.

Councilman Badeaux extended his thanks and appreciation to Lloyd Nelson for his coverage in the Daily Comet concerning Council Meetings. He wished him well in the new position that he would be accepting in another state.

On motion of Councilman Richard, seconded by Councilman Taylor, the Council voted to adopt a resolution selecting the Daily Comet as the Official Journal for the City of Thibodaux for the period July 1, 2010 thru June 30, 2011. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSENT: None

RESOLUTION NO. 1555

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

WHEREAS, in accordance with the provisions of La. R.S. 43:141 the City Council shall select a newspaper as official journal for the City of Thibodaux in June of each year for a term of one year.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Thibodaux does hereby select the following newspaper as official journal for the City of Thibodaux for the period July 1, 2010 through June 30, 2011:

The Daily Comet
PO Box 5238
Thibodaux, LA 70302
Phone: (985) 447-4055
Fax: (985) 448-7606
legals@dailycomet.com

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

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSENT: None

And the above resolution was declared adopted this 15th day of June 2010.

/s/ Jennifer Morvant /s/ Lloyd "Chip" Badeaux
Jennifer Morvant, Council Adm. Lloyd "Chip" Badeaux, President

The Grants Director informed the Council Administrator that the Mayor wished to file an application for a grant allocation of \$13,052 through the U.S. Bureau of Justice Assistance.

The City will utilize the JAG funds to enhance and improve local law enforcement including the purchase of equipment and communication technologies. There is no local match requirement applied to these funds.

On motion of Councilman Taylor, seconded by Councilman Hebert, the Council voted to adopt a resolution authorizing the Mayor to submit a grant application to the U.S. Bureau of Justice Assistance. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSENT: None

RESOLUTION NO. 1556

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

WHEREAS, the City of Thibodaux will submit an application to the U.S. Bureau of Justice Assistance for a 2010 Justice Assistance Grant in the amount of \$13,052.00; and

WHEREAS, the grant funds will be used by the Thibodaux Police Department to enhance law enforcement efforts within the City of Thibodaux; and

WHEREAS, the funding assistance does not require a local match; and

WHEREAS, the application will be made available for public review and comment.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Thibodaux does hereby authorize the Mayor to submit an application for the 2010 Justice Assistance Grant (JAG) Program to benefit local law enforcement efforts for the City of Thibodaux.

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

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

NAYS: None

ABSENT: None

And the resolution was declared adopted this 15th day of June 2010.

/s/ Jennifer Morvant

Jennifer Morvant, Council Adm.

/s/ Lloyd "Chip" Badeaux

Lloyd "Chip" Badeaux, President

The Mayor has informed the Council Administrator that the State DOTD has proposed that the City continue to maintain the green space along State Highways located in our City under the provisions of an agreement under which the City would be compensated for the services. The City will be required to clean and mow the green spaces at least four (4) times per year.

The agreement is for the period of July 1, 2010 to June 30, 2011 at certain rates of reimbursement depending on the type of highway. The City would be responsible for the maintenance of those sections of LA 1, LA 308, LA 20 and LA 3107 which are located within the corporate limits of the City.

In accordance with the provisions of the proposed maintenance agreement, the City would receive \$12,300.00 annually for our maintenance services provided. Payments for the services would be made on a semi-annual basis.

On motion of Councilman Mire, seconded by Councilman Richard, the Council voted to adopt a resolution authorizing the Mayor to sign a maintenance agreement with Louisiana DOTD for the maintenance of green space on State Highways. Upon roll call the vote was as follows:

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

NAYS: None

ABSENT: None

RESOLUTION NO. 1557

**A RESOLUTION AUTHORIZING THE MAYOR
TO SIGN A MAINTENANCE AGREEMENT WITH
LOUISIANA DOTD FOR THE MAINTENANCE OF
GREEN SPACE ON STATE HIGHWAYS**

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

WHEREAS, the Mayor has received a proposal from the State DOTD to compensate the City to maintain the green spaces located along the State Highway routes which are located within the corporate limits of the City; and

WHEREAS, the State proposes to reimburse the City in the amount of \$12,300.00 during the period of July 1, 2010 to June 30, 2011 for the maintenance of green space along 8.75 miles of State highways located within the City; and

WHEREAS, it is necessary to execute maintenance agreement with the State DOTD for the reimbursements/compensation mentioned hereinbefore.

NOW, THEREFORE BE IT RESOLVED by the City Council that the Mayor be and is hereby authorized to execute a maintenance agreement with the Louisiana DOTD for the maintenance of green space along State Highways located in the City limits as outlined above.

BE IT FURTHER RESOLVED that a copy of the said agreement 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, Mire, Badeaux

NAYS: None

ABSENT: None

And the above resolution was declared adopted this 15th day of June 2010.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Lloyd "Chip" Badeaux
Lloyd "Chip" Badeaux, President

The City has utilized the Wetlands Enhancement Process as an additional means of treatment for City Sewerage.

Since this process was approved, the City was required to monitor the effectiveness of the program in accordance with the provisions of our NPDES Discharge Permit.

The City received a proposal from the Nicholls State University Department of Biological Sciences to provide the required monitoring service for the year July 1, 2010 thru July 30, 2011 at a cost of \$46,555.

On motion of Councilman Hebert, seconded by Councilman Mire, the Council voted to adopt a resolution authorizing the Mayor to execute a Professional Services Contract with Nicholls State University for the Wetlands Assimilation Monitoring for the Thibodaux Wastewater Treatment Plant. Upon roll call the vote was as follows:

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

NAYS: None

ABSENT: None

RESOLUTION NO. 1558

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICE CONTRACT WITH NICHOLLS STATE UNIVERSITY FOR THE WETLANDS ASSIMILATION MONITORING FOR THE THIBODAUX WASTEWATER TREATMENT PLANT

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

WHEREAS, the City of Thibodaux has employed an approved process of wetlands enhancement wastewater treatment utilized as a means of tertiary treatment of City sewerage; and

WHEREAS, under the permit for this process, the City contracted with Nicholls State University for the monitoring requirements dictated by the Environmental Protection Agency NPDES permit; and

WHEREAS, Nicholls State University has proposed to continue to perform the said monitoring program for the period July 1, 2010 thru July 30, 2011 at a cost of \$46,555; and

WHEREAS, it is necessary to execute a professional services contract with the Nicholls State University Department of Biological Sciences for the services mentioned hereinbefore.

NOW, THEREFORE BE IT RESOLVED by the City Council that the Mayor be and is hereby authorized to execute a contract with Nicholls State University for the monitoring of wastewater assimilation in conjunction with the wetlands enhancement NPDES Permit requirements.

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, Mire, Badeaux

NAYS: None

ABSENT: None

And the above resolution was declared adopted this 15th day of June 2010.

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

**/s/ Lloyd "Chip" Badeaux
Lloyd "Chip" Badeaux, President**

The Finance Director informed the Council Administrator that she received a proposal for the renewal of the City's General Liability Insurance coverage for the period July 1, 2010 through June 30, 2011. The City's current liability policy carrier is St. Paul's / Travelers Companies.

The Mayor recommends that we renew our coverage with St. Paul Fire & Marine with an individual Self Insured Retention (deductible) in the amount of \$100,000 with an aggregate deductible or Total Self Insured Retention in the amount of \$525,000. The total combined premium for the proposed renewal is \$376,669 which reflects a 3.31% (\$12,071) increase over the City's current annual premium.

The coverage is a renewal and requires no action from the Council. It is the intent of the administration to retain F.A. Richard & Associates as the City's Third Party Claims Administrator.

The Building Inspector has inspected the structure located at 1259 St. Charles Street (St. Charles Apartment Partnership) that is substandard and poses a threat to the safety and welfare of the residents living in the neighborhood where the structure is located.

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

The City Attorney notified the property owners that the Council would conduct a hearing at tonight's meeting.

Mr. Jay Rabalais, of 3224 26th Street in Metairie, LA 70003 addressed the Council in regard to this property. He stated that it is the owner's intention to have the property demolished. The Council, Mayor, City Attorney and Building Inspector discussed several issues involved with the demolition of this property.

On motion of Councilman Hebert, seconded by Councilman Taylor, the Council adopted a motion giving the property owners 90 days to finalize plans for this property. They asked that they appear at the September 21, 2010 Council Meeting. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSENT: None

Councilman Hebert requested that the Council Administrator prepare an ordinance that would create Section 20-6 Sub-Section (t) in order to create a pedestrian crosswalk on Rue Loudon at its intersection with Laura Drive to the Adley Landry Reservoir. The City received a request to install the crosswalk from the eLearning School, as they utilize the reservoir facility on their breaks, and it would make it safer for them to cross Rue Loudon.

On motion of Councilman Hebert, seconded by Councilman Taylor, the Council voted to adopt an ordinance to amend and re-enact Section 20-6 of the Thibodaux City Code of Ordinances so as to create Sub-Section (t) Pedestrian Crosswalk-Rue Loudon. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSENT: None

ORDINANCE NO. 2523

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 20-6 OF THE THIBODAUX CITY CODE OF ORDINANCES SO AS TO CREATE SUB-SECTION (t) (PEDESTRIAN CROSSWALK – RUE LOUDON)

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that Section 20-6 of the Thibodaux City Code of Ordinances are hereby amended and re-enacted so as to add Sub-Section (t) to read as follows:

Sec. 20-6. Pedestrian Crosswalks.

32) Rue Loudon at its intersection with Laura Drive to the Adley Landry Water Reservoir.

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

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSENT: None

And the above ordinance was declared adopted this 15th day of June 2010.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

/s/ Lloyd "Chip" Badeaux
Lloyd "Chip" Badeaux, President

Acadian Gas Pipeline submitted a proposal to the City of Thibodaux for the sale of natural gas for the period through July 1, 2011. This proposal also provides for a possible additional one (1) year extension.

The proposal is similar to our current contract in that Acadian proposes to sell the City natural gas based on the price published on the I.F. Henry Hub Index plus an add-on of \$0.43 per mmBtu.

The proposal is based on the City purchasing all of its natural gas for the City System from Acadian Gas Pipeline.

On motion of Councilman Richard, seconded by Councilman Mire, the Council voted to adopt an ordinance authorizing the Mayor to sign a contract with Acadian Gas Pipeline for the purchase of natural gas. Upon roll call the vote was as follows:

YEAS: Councilmen Hebert, Richard, Taylor, Mire, Badeaux
NAYS: None
ABSENT: None

ORDINANCE NO. 2524

**AN ORDINANCE AUTHORIZING THE MAYOR
TO SIGN A CONTRACT WITH ACADIAN GAS
PIPELINE FOR THE PURCHASE OF NATURAL
GAS**

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

WHEREAS, the City has negotiated with Acadian Gas Pipeline to supply the City with natural gas for a period of one year through July 1, 2011 with the option to extend for an additional one year term from July 1, 2011 to July 1, 2012; and

WHEREAS, the rate charged the city would be that rate established by the I.F. Henry Hub Index plus \$0.43 per mmBtu; and

WHEREAS, it is necessary to execute a contract with Acadian Gas Pipeline in order to purchase gas for the period and cost mentioned hereinbefore.

NOW, THEREFORE BE IT ORDAINED by the City Council that the Mayor be and is hereby authorized to execute a contract with Acadian Gas Pipeline for the purchase of natural gas for the period ending July 1, 2011 with the option to extend for an additional one year period as outlined above.

BE IT FURTHER ORDAINED that a copy of the said contract 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, Mire, Badeaux

NAYS: None

ABSENT: None

And the above ordinance was declared adopted this 15th day of June 2010.

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

**/s/ Lloyd "Chip" Badeaux
Lloyd "Chip" Badeaux, President**

The Mayor discussed the resurfacing of St. Patrick Hwy and asked that the Council consider making an adjustment on the speed limit and weight limit in this area.

Councilman Badeaux asked that these items be placed on the agenda for the July 6, 2010 Council Meeting.

There being no further business the meeting was adjourned.

Jennifer Morvant, Council Adm.

Lloyd "Chip" Badeaux, President

