

**OFFICIAL MINUTES OF THE CITY COUNCIL  
CITY OF THIBODAUX  
CITY HALL  
THIBODAUX, LOUISIANA  
JULY 6, 2010**

The City Council of the City of Thibodaux assembled in regular session at its regular meeting place, City Hall, 310 West 2<sup>nd</sup> Street, Thibodaux, Louisiana, on Tuesday, July 6, 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.

The minutes of the June 15, 2010 Council Meeting were approved as written.

Leland Hoffmann, of 954 Bayou Road, thanked the Administration, the Council and all City Workers involved with the "Let Freedom Ring Festival". He stated that the July 4, 2010 celebration was a great success and looked forward to future festivals.

Councilman Mire introduced an ordinance to amend and re-enact Section 20-19 (a) (10) of the Thibodaux City Code of Ordinances (Speed Limit on St. Patrick Hwy). The Public Hearing for this ordinance will be held at the Council Meeting on Tuesday, July 20, 2010.

The Public Works Director informed the Council Administrator that the Mayor requested that David Waitz Engineering prepare an engineering contract which would authorize the design of the West Thibodaux Drainage Improvement Project.

In accordance with the provisions of the proposed engineering contract, the City would pay engineering fees in an amount in accordance with the schedule of fees for basic engineering services plus fees for additional services as necessary according to the contract.

On motion of Councilman Hebert, seconded by Councilman Taylor, the Council voted to adopt a resolution authorizing the Mayor to sign an engineering contract with David Waitz Engineering (West Thibodaux Drainage Improvements). Upon roll call the vote was as follows:

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

**NAYS: None**

**ABSENT: None**

**ABSTAINED: None**

***RESOLUTION NO.1559***

***A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN  
ENGINEERING CONTRACT WITH DAVID WAITZ  
ENGINEERING (WEST THIBODAUX DRAINAGE  
IMPROVEMENTS)***

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

***WHEREAS***, the City is wishes to implement West Thibodaux Drainage Improvements and associated incidental work; and

***WHEREAS***, the Mayor has selected David Waitz Engineering to prepare the plans and specifications, and assist in the bidding and construction phases of the

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 David Waitz Engineering for the aforementioned 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, Richard, Taylor, Badeaux, Mire

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** None

And the above resolution was declared adopted this 6th day of July 2010.

/s/ Jennifer Morvant  
Jennifer Morvant, Council Adm.

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

On June 22, 2010 the City received bids for the installation of a standby generator at Harang Auditorium.

The lowest responsible bid was received from Third Coast Electrical Services in the amount of \$178,906.49. Mr. James Goodwin is recommending that the City accept the bid of Third Coast Electrical Services as submitted.

On motion of Councilman Richard, seconded by Councilman Mire, the Council voted to adopt a resolution accepting the low bid of Third Coast Electrical Services for the standby generator installation at Harang Auditorium and authorizing the Mayor to execute a contract therewith. Upon roll call the vote was as follows:

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

**NAYS:** None

**ABSENT:** None

**ABSTAINED:** None

*RESOLUTION NO. 1560*

*A RESOLUTION ACCEPTING THE LOW BID OF THIRD COAST ELECTRICAL SERVICES, LLC FOR THE STANDBY GENERATOR INSTALLATION AT HARANG AUDITORIUM AND AUTHORIZING THE MAYOR TO EXECUTE 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 standby generator installation and service modifications at the Warren J. Harang, Jr. Municipal Auditorium; and

*WHEREAS*, the lowest responsible bid received was from Third Coast Electrical Services, LLC in the amount of \$178,906.49; and

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

***NOW, THEREFORE BE IT RESOLVED*** that the City does hereby accept the low bid submitted by Third Coast Electrical Services, LLC 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 Third Coast Electrical Services, LLC 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, Mire, Badeaux  
**NAYS:** None  
**ABSTAINED:** None  
**ABSENT:** None

And the above resolution was declared adopted this 6th day of July 2010.

/s/ Jennifer Morvant  
Jennifer Morvant, Council Adm.

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

On June 29, 2010, the City received bids for the installation of a standby generator at Stark Municipal Complex.

The lowest responsible bid was received from Third Coast Electrical Services in the amount of \$99,888.00. Mr. James Goodwin is recommending that the City accept the bid of Third Coast Electrical Services as submitted.

On motion of Councilman Taylor, seconded by Councilman Hebert, the Council voted to adopt a resolution accepting the low bid of Third Coast Electrical Services for the standby generator installation at Stark Municipal Complex and authorizing the Mayor to execute a contract therewith. Upon roll call the vote was as follows:

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

***RESOLUTION NO. 1561***

***A RESOLUTION ACCEPTING THE LOW BID OF THIRD COAST ELECTRICAL SERVICES, LLC FOR THE STANDBY GENERATOR INSTALLATION AT STARK MUNICIPAL COMPLEX AND AUTHORIZING THE MAYOR TO EXECUTE 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 standby generator installation and service modifications at the Stark Municipal Complex; and

***WHEREAS***, the lowest responsible base bid including Alternate No. 1 was received from Third Coast Electrical Services, LLC in the total amount of

\$99,888.00; and

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

*NOW, THEREFORE BE IT RESOLVED* that the City does hereby accept the low bid submitted by Third Coast Electrical Services, LLC 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 Third Coast Electrical Services, LLC 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, Mire, Badeaux  
NAYS: None  
ABSTAINED: None  
ABSENT: None

And the above resolution was declared adopted this 6th day of July 2010.

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

At its meeting on May 12, 2010, the Planning and Zoning Commission approved the submission of a recommendation to re-zone property located on the south side of LA Hwy 308 owned by J.B. Levert Land Company.

In accordance with the provisions of the Thibodaux Zoning Ordinance, the proposed re-zoning must be accomplished by the adoption of an appropriate ordinance.

The proposed ordinance changes the zoning of the property from and R-1 to an R-4.

On motion of Councilman Mire, 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 and R-1 District to an R-4 District. Upon roll call the vote was as follows:

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

*ORDINANCE NO. 2525*

**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-1 DISTRICT TO AN R-4 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 2.725 acre tract of property owned by Levert Land Company located on the south side of Hwy 308 approximately one hundred (100) feet east from its intersection with Rosedown Drive eastward is currently zoned R-1; and

**WHEREAS**, the owners of this tract of property have requested that the zoning for their property be changed from an R-1 district to an R-4 district; 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 LA Hwy 308 is hereby officially changed from the zoning classification of R-1 to that of R-4.

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

**BE IT FURTHER ORDAINED** that a plat illustrating the area to be re-zoned to R-4 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**

**ABSTAINED: None**

And the above ordinance was declared adopted this 6th day of July 2010.

/s/ Jennifer Morvant  
Jennifer Morvant, Council Adm.

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

The Finance Director informed the Council Administrator that it is time to present the Council with the mid-year supplemental appropriation to the 2010 Budget.

The proposed adjustments to the budget will accommodate transfers of funds within a department by reducing or increasing appropriations in individual line-items or the lack of appropriations. All of these adjustments are required in order to comply with State Law which requires that our budget, after all adjustments, be within five (5%) percent of the actual activity after being audited.

The Finance Director explained the adjustment of funds and answered questions from the Council.

On motion of Councilman Taylor, seconded by Councilman Richard, the Council voted to adopt an ordinance to amend Ordinance No. 2490 "Appropriation Ordinance for the Year 2010" (Supplemental Appropriation). Upon roll call the vote was as follows:

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

**NAYS: None**

**ABSENT: None**

**ABSTAINED: None**

**ORDINANCE NO. 2526**

**AN ORDINANCE TO AMEND ORDINANCE NO. 2490  
"APPROPRIATION ORDINANCE FOR THE YEAR 2010"  
(SUPPLEMENTAL APPROPRIATION)**

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

**WHEREAS**, Article VI, Section 1 of the Thibodaux City Charter indicates that the appropriation ordinance shall contain appropriations of the expenditures for each City Department; and

**WHEREAS**, Ordinance No. 2490 adopted by the City Council on December 3, 2009 approved appropriations for the 2010 Budget by line item; and

**WHEREAS**, Article VI, Section 2 of the Thibodaux City Charter reads in part, "If during the fiscal year the Mayor certifies that there are available for appropriation, revenues in excess of those estimated in the budget, the Mayor may present a supplemental appropriation ordinance for the disposition of such revenues; and the Council may adopt it."

**NOW, THEREFORE BE IT ORDAINED**, that in accordance with Article VI, Section 2 of the Thibodaux City Charter, that the following items as indicated are amended in accordance with the recommendations of the Mayor:

*(Exhibit "A")*

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

**ABSTAINED:** None

And the above ordinance was declared adopted this 6th day of July 2010.

/s/ Jennifer Morvant  
Jennifer Morvant, Council Adm.

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

The City Attorney informed the Council Administrator that she met with the City Inspector to review the garbage, trash and weed ordinance because of difficulty with the notices and enforcement of violations. After their review, they have submitted several changes to different sections of this chapter in the code in order to alleviate the enforcement issues within the current ordinance.

The City Attorney explained the issues prompting these changes to the present ordinances. The Council asked questions and gave varying opinions in regard to the proposed changes.

Mrs. Eva Shanklin, of 943 St. Charles Street, addressed the Council with concerns of people being allowed on private property to enforce these changes. She stated that she did not think that this was a good idea and asked that the Council not support these changes.

On motion of Councilman Richard, seconded by Councilman Mire, the Council voted to adopt an ordinance to amend and re-enact Article I, Section 10-1 of

the Thibodaux City Code of Ordinances (Accumulations and weeds on premises). Upon roll call the vote was as follows:

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

The ordinance failed with a vote of 2-3.

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

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

The ordinance failed with a vote of 2-3.

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

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

The ordinance failed with a vote of 2-3.

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

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

*ORDINANCE NO. 2527*

*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)*

***BE IT ORDAINED*** by the City Council of the City of Thibodaux in regular session assembled, that Article I, Section 10-5 of the Thibodaux City Code of Ordinances is hereby amended and re-enacted so as to read as follows:

**Sec. 10-5. Same--Cleaning premises and cutting weeds by city, recovery of cost.**

**In default of the cleaning of the premises or the cutting of weeds or grass after due notice as herein provided, a duly authorized officer *or contractor* of the city is hereby authorized and instructed to clean such premises and cut weeds and grass thereon, at the expense of the**

owner, and to recover the cost of such work against the owner before any court of competent jurisdiction. All costs and expenses of cleaning such premises and cutting weeds and grass thereon shall constitute a lien on such premises, enforceable in the same manner as liens for delinquent taxes.

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

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

And the above ordinance was declared adopted this 6th day of July 2010.

/s/ Jennifer Morvant  
Jennifer Morvant, Council Adm.

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

On motion of Councilman Richard, seconded by Councilman Hebert, the Council voted to adopt an ordinance to amend and re-enact Article I, Section 10-5.1 of the Thibodaux City Code of Ordinances (Subsequent Violations). Upon roll call the vote was as follows:

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

The ordinance failed with a vote of 2-3.

John Ringstad and Gerald Ford, representatives from British Petroleum, addressed the Council and audience in regards to the progress that BP was making in reference to the oil spill, cleanup and reimbursement measures. They also stated that another meeting would be held at Moses Baptist Church on Thursday, July 8, 2010. This meeting is open to the public for any questions that they may have as well as helping people to get assistance in filing claims.

There being no further business the meeting was adjourned.

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Jennifer Morvant, Council Adm.

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Lloyd "Chip" Badeaux, President

