

**OFFICIAL MINUTES  
PLANNING AND ZONING BOARD  
February 9, 2005**

Members Present: Clay Breaud, Bert Boquet, Melvin Adams, Sheard Ber and Marguerite Erwin  
Members Absent: None  
Also Present: Kermit Kraemer, Jr., Acting Zoning Administrator , Errol Price, Inspector, Councilmen Dee Richard and Chad Mire and Ruby Maggio, Secretary

**The first item on the agenda was old business to consider a request by Acadia Land Surveying, LLC on behalf of Acadia Agricultural Holdings, LLC for sketch and preliminary plat approval of re-subdivision of a portion of Tract II-A of Acadia Plantation into Phase One – Village One, Acadia Plantation located on the West side of Percy Brown Road, south of the intersection of South Acadia Road and Percy Brown Road in Section 36, T15S-R16E, City of Thibodaux, Lafourche Parish, Louisiana.** Mr. Breaud stated this item was brought before us at our meeting last month for sketch plat approval and we had failed to notify the adjacent property owners so we postponed any action until this meeting in which everyone who is an adjacent property owner should have been notified. Mr. Toups would you come and explain where we are right now on this. Mr. Jules Toups of Acadia Land Surveying, 314 E. Bayou Rd., Thibodaux came forward and stated right now this is vacant property, you can say it was prior cane field, it's been leveled, they are preparing it to start construction. They were creating ten (10) residential lots, two lots for a little bit more use than just residential, he believed one may be an assisted living and Lot A is for a proposed detention pond. At present they are looking at other options than placing a detention pond here, possibly placing it on another portion of property owned by Acadia Holding. There are a couple of little things they needed to clean up on the plat. He was speaking to Clay earlier, we had noticed a couple of things, on the real lot behind the residential lots we show a 10' building setback with a 15' private drainage servitude, we're going to go ahead and increase that to a 15' building setback so nothing can be built in the drainage servitude. On the lower side of Lot A we show a 5' building setback inside of a 10' sewer setback, we're going to go ahead and increase that to a 10' building setback so nothing can be built inside that servitude, just to try and protect it a little more. Mr. Adams inquired on Lot A? Mr. Toups replied on Lot A, we show a proposed fifty (50') drainage servitude, then we had a ten (10') proposed sewer servitude with a five (5') building setback, so we're just going to increase that setback to ten (10') to further protect so no one can put anything into that sewer servitude. Mr. Breaud replied ok, Errol as far as the utility service in this area, the water and sewer, there's adequate facilities to handle this development as far as you know? Mr. Price replied as far as he could answer, yes, Kermit might be able to answer that. Mr. Breaud then asked Mr. Kraemer if he had any comments on that as far as utilities? Mr. Kraemer replied technically, everything that needs to be there is there. Mr. Breaud replied ok, from a drainage standpoint he did have some discussions on the detention pond and they were looking at some different options to either widen the ditch along the Southern part of the property line all the way from, he guessed this development to possibly Erwin Drive or even maybe relocating the detention pond near the other side or the West side. What he would ask if we decide to conditionally approve this, that you modify your drainage calculations upon final submittal and the plat be revised to show the location of the detention pond. Personally he thought they could probably serve everyone in this area by widening the canal or moving the detention pond further downstream than to put it on the development itself but ya'll look at that and ya'll come back in the final phase and revise those calculations for us. The drainage ditches along Percy Brown Rd. and South Acadia Rd., he knew they were up against the State highway but he thought they needed to at least sweep those ditches he guessed in the same direction and he thought the high point of the ditches is at the intersection, if we can just sweep the ditches so that it drains to the ditches that you are constructing on the bottom side of the development it would help to drain those ditches such that they won't hold water and aesthetically it would look a lot better in your development also. We can't depend on the state to come sweep any ditches for us so he would say that ya'll would kind of incorporate that into your plan if you can. Mr. Toups replied they would look into it but they just needed to check and see if the state is going to require us to permit it, before we can do anything we've got to get their blessing. Mr. Breaud then asked if there were any other comments by the Commission. Mr. Ber stated they were squeezing in these servitudes. Mr. Breaud stated squeezing in, they're not wide enough do you mean as far as the 12' servitude. Mr. Ber replied that was right. Mr. Breaud stated well we've got 12', this is part of the.... Mr. Ber stated we've got 10' right here. Mr. Breaud stated where, we changed that, so now you've got a 12' servitudes on both sides of the road on this which complies with our regulations and those 12' servitudes is to go ahead and put the private utilities in there plus the water line, that's not part of his development, this is part of his, everything we require right now is 12' servitudes adjacent to the roadways and then for drainage purposes we've got to get the width of the right of way plus another 10' for access on the ditch bank and that's why you're showing 15' on the back property line. Mr. Ber stated because when you go in there with a backhoe.... Mr. Breaud stated you've got to be able to access it. Mr. Breaud then asked if there were any other comments, Melvin? Mr. Adams replied yes he had a comment on the exit from that street, they're proposing coming out on Percy Brown Road right in the curved section. Mr. Toups replied well as of right now the road isn't planned to come out there, we're coming down the road and putting a turning "T". They're still looking at the options on how to address it whether they're going to come out to Percy Brown or whether they're going to put a loop in it and send it back the other way. Mr. Adams stated they're not addressing that section tonight. Mr. Toups replied no, right now they aren't proposing to build that, they're just reserving it in case that is the only option. Mr. Adams stated but if they do, he just wanted to make a reminder that you are required that when you tie into a state road that you make a turn lane on it so you can put that in your proposal whenever you get it set up, when you come out on Percy Brown Rd. Mr. Boquet stated he would like for them to consider possibly leaving that as Melvin says leaving that at some future date where we could come out on

Percy Brown Road and possibly have an access and egress lane to take care of what the state's problem is with having that thing in the curve. Mr. Toups stated we'll they are leaving it right now, the right way there, we're calling out is a future road expansion, they're just not building it there, we're leaving it there depending on how the development works out with the rest of the property there. Mr. Breaud stated he guessed what they were saying tonight, we had some discussions last month about this access, we don't have a problem he guessed proposing it with a temporary "T" turn around at this time but in the future if this road ever does get extended we would either want to see some kind of tie in to the state road or some kind of study by a traffic engineer showing us they wouldn't have a problem. Mr. Breaud then asked if there were any other comments. Mr. Adams stated he didn't see anything wrong with the plans. Mr. Breaud then asked if there were any comments from the public, does anyone wish to speak on this development, what he's asking for is sketch and preliminary approval tonight. With approval tonight it allows them to go to construction on this project and then he'll have to come back one more time in front of the commission and the City Council for acceptance of the dedication of the utilities and streets, so this will probably be a few months down the road before this will take place, if there's no.... Mr. Lea Rutter of 206 Creole Land, Thibodaux, came forward and stated he just wanted to be clear, their big concern of course is the detention pond, is what you are proposing going to be something that they are going to do or is it something, he wasn't quite sure, he knew they were trying to suggest, he just wanted to make sure we don't have a detention pond. Mr. Breaud stated it was more of an answer to a developer at this time, Lea, we're leaving it open for other options, Mr. Adams do you have any comments to make on the location of this pond at this time. Mr. Ronald Adams replied he would love to move it but they've got restrictions everywhere we want to move it. Mr. Breaud stated it was kind of his understanding that they were going to go back and look at the engineering a little bit more and see if the engineering calculations showed that they could widen the ditch back here and eliminate the pond at this point, they'd prefer to do that, this is a valuable piece of land for them to sell here. They'd prefer not to build a pond at this location, so they were going to do some more engineering analysis to either widen the ditch along here all the way Erwin Drive or possible even re-locate this pond towards the Erwin Dr. side or something; but that's an option at this time and he was proposing a conditional approval tonight that under the final phases that they present the calculations to show us that this will work whether they put it here, here, or widen it. Mr. Rutter replied well, he would speak for himself, he didn't know that he was speaking for the neighborhood but he would like to see the detention pond not even be there, we're talking about, he knew it was supposed to be a dry pond and we all know how that works but he didn't think they would like to have a pond any where near for the obvious reasons, you know what I'm saying, mosquitoes, what-nots, critters, whatever the case may be. He would just like to go on record to say that he was definitely against the detention pond in that location. Mr. Breaud replied and that's a good point but our first concern is drainage, he knew they wouldn't like to see 6" of water in your living room either, so their first concern was that they address the drainage and if we can make it work another way they were open to that idea. Mr. Rutter stated well, let me just ask this, not being an engineer but just like you're suggesting, something as simple as widening the drainage ditch all the way down by the apartments and then even to where it crosses Percy Brown, if you're talking about taking out, sweeping 4' or 5', wouldn't that accomplish the same thing? Mr. Breaud stated well that's why they have engineers to do these calculations for you, he wasn't going to answer that, that's why the developer hired an engineer. Mr. Rutter stated he was just suggesting let's look at that as opposed to retention pond. Mr. Breaud replied he couldn't tell him how it would work until it goes through an engineering analysis. Mr. Rutter replied got ya, he just wanted to go on record saying he was against it. Mr. Breaud stated Mr. Adams, did you want to comment further? Mr. Ronald Adams replied, "Mr. Rutter, just for your information it would have to be more than 4' or 5' to meet the same requirements and that requirement is not something we want to do, that's something the City mandates we do, so for once we're on the same side of the table, ok." Mr. Charles Breaud of 105 Acadia Point Dr. came forward and stated he knew this was all a concern to us and he just wanted to know if they would have a chance to review this again, although we probably wouldn't have any, make any difference on the outcome, but they would like to review it before the project is completed. Mr. Clay Breaud stated with approval tonight, it allows the developer to go to construction. Mr. Charles Breaud replied so once they do the engineering study it allows them to go to construction and... Mr. Clay Breaud stated and then in the final submittal he's got to come back for a final plat approval and the final plat approval is at their own risk, he's got to provide us the calculations that show that what he proposed to do or what he did... Mr. Charles Breaud replied so he'd have to come before this committee again. Mr. Clay Breaud replied on the final approval. Mr. Charles Breaud stated before construction would start? Mr. Clay Breaud replied no, no, not if we give him conditional approval, no. Mr. Charles Breaud stated so he could start construction before final approval is given. Mr. Clay Breaud replied that was correct, if we give him conditional but whatever he proposes to do has got to meet the same drainage requirements he's doing now so if he eliminates the detention here he's got to provide either detention in the ditch or somewhere else. The regulations stated that you can't adversely impact the adjacent property owners so he's got to provide, when he develops this property he's increasing the run off, what he's got to do is mitigate or offset that increased run off with some type of detention or improvements to the canal. Mr. Charles Breaud stated moving the retention pond from say the East side of the West side, what would that do exactly? Mr. Clay Breaud replied he'd have to make some ditch improvements because his development is increasing the run off and that run off is routed through this ditch to Erwin Dr., so... Mr. Charles Breaud then asked what would that do to their subdivision, he guessed, just re-locating it? Mr. Clay Breaud replied if he makes improvements to the ditch going, routing to that they would help out everyone, help out your subdivision because your subdivision drains into that ditch also and the more he widens and the more improvements he makes on that ditch the lower he can keep the stage elevations in that canal; so that would be beneficial for ya'll as well as his development. Mr. Charles Breaud replied he guessed he just didn't understand, just relocating it in the same area what that would do. Mr. Clay Breaud replied yes, no he just couldn't move the pond here to another location, he's got to be able to make the improvements routing it to that pond, wherever he locates that pond. Mr. Brian Clausen of 108 Acadia Point Dr. came forward and stated when you're talking to Erwin Dr. with fixing the ditch or making improvements to the ditches there, is that survey going to go beyond that because at the corner of Erwin Dr. there's a culvert that drains, are you just going to come to a smaller spot and then drain from there or, then what happens on our end if the water is draining that way? Mr. Clay Breaud replied that's why we've got to go through the engineering calculations. Mr. Clausen stated it is going to go further than Erwin Dr. on the calculations. Mr. Breaud replied he couldn't tell him it's going anywhere right now until they go through the calculations. Mr. Clausen stated then that could impact us if it doesn't drain past that point. Mr. Breaud replied well he's got to prove to us or prove to the Administration that it doesn't, that's part of the drainage impact study, that's why we require the study, so that he does not adversely impact the property owners. Mr. Clausen replied but construction can begin, though. Mr.

Breaud stated construction can begin at his own risk because we'd be giving him conditional approval that he meets those regulations; either that or he comes back with the revised calculations before he goes to construction, that's their choice. Mr. Ronald Adams of 1072 Highway 1 came forward and stated that he took exception to something that he just said, he thought the gentleman asked if we could go to construction, if you vote for us tonight for us to go to construction, we're not taking a risk, it's not at their risk, we're taking a chance to build it according to the document that we turned in, giving you guys the calculations that you requested that will not impact the surrounding neighbors. So that wasn't any risk on their part. Mr. Breaud replied there was not any risk as long as you build the pond on Lot A, if you move the pond or do some more routing, you're doing it at your own risk because what we would be approving tonight is the plan presented to us. Mr. Adams replied ok. Mr. Breaud stated they would give them a conditional approval because you are asking for options for something other than locating the pond at this location. Mr. Adams replied that was right but he wanted everybody here tonight to understand that the request tonight is as it is drawn on the plans to put it on the Lots that we have subject to us having the option to submit something to the Planning Commission that would meet their approval different than what we have according to the calculations; but as far as what he knew right now, there are no other options. Either we build a pond right adjacent to Acadia Point or no ponds at all, it was that simple. Mr. Breaud replied all right, so you don't want us to act with the condition, you want to go ahead and vote on the plan the way it is presented. Mr. Adams replied well, yes, vote on the plan as it is presented subject to us coming to you if we find an alternate route, we come back to you for you to approve the alternate route, but it is your mandate that's requiring us to do that, that's your City ordinance, so we've presented something tonight that meets your criteria and if we present something again, it 's still going to meet your criteria as far as not impacting adjacent property but it has to be and somebody mentioned where it has to be located at, he thought the gentleman over here, it has to be located to work as a retention pond, it has to be located downstream where the water goes. For example, we've got other property but it's on higher property so that won't work and then what we have on the South side of Acadia Point is wetlands, we can't disturb the wetland unless we get a permit, so we're at an impasse, if we have to put the retention pond tonight it has to be where it is, he wanted to make that absolutely clear. Mr. Bert Boquet stated but if you can find another route, another alternative other than the retention pond, that might satisfy this, you wouldn't necessarily be averse to doing that. Mr. Adams replied no, they'd welcome it with open arms, but what he was saying is that we have restrictions from other agencies as far we know right now that is preventing us from doing that. We'd love to move it nearest the property that is by the apartments which is where the water has to go and it would be held in that retention pond where the clearing is just before we let it into the St. Louis Canal but that's not possible they way they understood it at this time. Mr. Breaud stated let me clarify one more point for you, approval of this Commission tonight and the City Council approving your development relieves you of no liability of flooding, so if you develop this thing and you've got houses adjacent to you that floods he was sure he would get sued, his developer would get sued, your engineer would get sued and everybody else and maybe even us. So they weren't relieving him of any liability. Mr. Adams replied that was natural for any municipality, what's new, but we're building it, we're coming for approval tonight per your Planning Commission, per your City Council, plus your ordinance. We're adhering to all of your requirements. Mr. Breaud replied ok, so what you're telling me is that we're not looking at options tonight, you're asking for us to vote from the plans presented. Mr. Adams replied no, the only request that he would have, there's only one thing you can leave open to option, if we can find something that doesn't break some other laws and we can relocate it, we certainly want to do that. Mr. Breaud stated that's what we've been saying, that's the condition that we would approve, we would allow you different options if you can come back to us and show it with calculations, engineering calculations, that what you are proposing to do will work, whether it's routing this channel or whether it's re-locating it, we'll give you that option until final acceptance. Now, if you want to come back to us before, we don't have to act on this condition right now, you come back to us, it would delay your development for another month or two, but that was fine with them. They were allowing you tonight after, with approval of this to go to construction with your engineering calculations to come back and prove to us that you don't have an impact. If you elect not to go that route then you come back to us next month with a different plan and we'll act on that plan. Mr. Adams replied the English language is not that difficult to understand, we want it approved like it is presented tonight, subject to us coming up with an alternative plan that would relocate it in another location and we would submit that to you at another time, at another meeting for your approval with the calculations so that give us the opportunity to build it as presented to you tonight unless we find an alternative. And as we speak here tonight I see no alternative, that's just me. Mr. Breaud stated he knew the English language, you've got me mixed up again, because I still don't know if you want the condition or you don't want the condition. Mr. Jules Toups replied no, what we're going to ask for, we would like the condition, we want approval as it is now, with the understanding that we can build it as it is shown on these plans; however, we'd like that option open so we can still continue to look at it, see if we can either widen the ditch or relocate it next to the St. Louis Canal. Mr. Boquet stated that would be... Mr. Toups replied right, we're getting acceptance, they're going to give us acceptance as our plans show it now, with the condition that if we can find another location and relocate it that we can do it and just when we come back for the final we can show them the engineering calculations to prove that it would work. Mr. Adams stated if anybody had any recommendations or suggestions, they would certainly like to meet with them prior to that and get those suggestions. They would like to move, they wanted to make that perfectly clear. Mr. Breaud replied well, that was the original condition that they approved. Mr. Lea Rutter came forward and stated basically he wasn't going to give them an ultimatum, he was going to give them an assumption, let's assume based on what Mr. Ronald is saying, for some unknown reason this is now a wetland, it wasn't before and now it is, so let's assume that he can't find another alternative, it almost sounds like you're letting, you're closing the barn door after the horse is out. His philosophy would be let's find out first, then act on it, he's seen them do that a hundred times before, get all of your information in first and then make the right decision. If you're making the decision tonight to O.K. it, we're basically, it's a done deal. Mr. Boquet stated there's nothing wrong with their submitting now. Mr. Breaud stated there's nothing that prohibits him from putting a detention on his lot unless it's unsafe conditions, we may if we feel like it's unsafe, we could require that a chain link fence be put around the pond, this would remain a private pond to be maintained by the developer, is that right, Mr. Kraemer, the City is not accepting dedication of the pond or are they? Mr. Kermit Kraemer, Public Works Director replied no, sir. Mr. Breaud replied no, so this would remain a private pond, which would be maintained by the developer. Mr. Rutter stated well let me ask you this, does the City of Thibodaux have any definitions or any rules or regulations regarding a private pond or a detention pond. He was just questioning, this is something that we do in Houma but does the City of Thibodaux have any provisions for....? Mr. Breaud replied there's not many in the City right now, Levert Land has a big one by the power station in North Thibodaux. Basically the regulations say right now they

want the system designed without ponds in it if they can accommodate or comply with the regulations. The regulations also say that you can't impact the adjacent property owner so you have to do something to off set that increased run off, so the only way to do it is you dig ditches wider, you dig ponds or you dig canals wider or you make some improvements to keep the stage elevation down such that it does not come out the banks of the ditch. That's why they require engineers to do analysis, drainage impact studies and this is the plan that the engineer came back with on this particular project. They have looked at this thing, they're not quite satisfied themselves, or the developer would like to do something, so that's why we're leaving an option open to maybe look at another option to relocate this pond. If they decide tomorrow they want to put the pond here, there's nothing in these regulations that would prohibit this pond at this location unless it's an unsafe condition in which we could require it to be fenced it. Mr. Rutter replied ok, is there any type of sub-surface detention type system where it's not exposed? Mr. Breaud replied yes there is. Mr. Rutter then asked if that was an alternative or an option. Mr. Breaud stated it was a little costly and he could ask the developer but he has sub-surface drainage in the roadway, the roadway is curb and gutter sub-surface drainage, the run off, all that run off from the land is draining onto the roadway and being caught in this pond and regulated through a metered flow pipe outside the pond. The cost of covered ponds is something that can work but it's more costly. Mr. Rutter stated now also you mentioned that their provision, it's on private property but would the adverse comments from the adjoining property owners have any weight, or you're saying basically we don't have a voice. Mr. Breaud replied well everybody has a voice and we listen to all the voices but when we make a decision we've got to weigh the voices of the public together with what the regulations comply with and we've got five members or four members here tonight and everybody's got a vote on it. Mr. Rutter stated his concern was, we've all seen detention ponds that are in the business and some are maintained and some aren't. He just wanted to make sure that they didn't have a problem somewhere down the line, obviously we won't see it because we're fenced in so he didn't have a problem with seeing it, he just had a problem with what conditions may be out there once it's set in place, that's all. Mr. Breaud replied another thing, administration, we can look at some type of maintenance on those ponds even though it's not owned by the City, it has to function for it to work and we would expect that to be maintained. Mr. Adams stated he thought it was the City's responsibility, at least he was told, Mr. Kraemer do you know for a fact that the City won't take possession of that pond and maintain it. Mr. Kraemer replied he had no ponds presently in the City and had no desire to have any open water pond on behalf of the City. Mr. Adams stated what about the one that Clay mentioned earlier on the back of Rienzi, that's in the City. Mr. Kraemer replied it's in the City but it is not City property. Mr. Boquet stated it's privately maintained. Mr. Breaud stated Levert, you're talking about the one by the power plant.. Mr. Adams replied that the City maintains that one, he was just asking the question because.... Mr. Kraemer replied not that he knew of. Mr. Adams stated any drainage servitude would be City responsibility, he would think, let's clear that up too because we have no intentions of maintaining a retention pond, it's a nuisance but it's your requirements. He understood what he was saying but they had to elevate their property 2' to be able to have that much retention. Mr. Breaud replied what is more common is a linear pond which is basically a canal or a ditch, we require it and we started this year as a goal that the developer dedicate servitudes for these canals or linear reservoirs or ponds, whatever you may call them. What we require is that you dedicate the width of the canal plus 15 ft. on one bank plus 10 ft. on the other bank for the City to maintain these ditches. Once they're constructed, the City has to get in there with mowing machines and cut the grass. One of the big complaints that the City has had in the past is whenever you see grass growing up in ditches the City says well we can't get back there because we don't have any servitudes. So what we are requiring, it's in the new regulations, is that we've got access on both sides of the canal and that's a more common occurrence, like he said, we've only got one other pond in the City and we'd prefer to see these linear ponds that's why we're leaving the option open, we'd prefer to see you dig this ditch wider if possible, it would help out the drainage for everybody in the subdivision as well as your development and get away from the big pond on Lot A which is some valuable land for you all to develop. That's why we'd like to see you come back with a different option to do that, but their first concern is drainage, it's got to work and that's why we go back to the engineers to provide us some calculations to show us that it will work. If it will work they won't have a problem in the final phase of coming back and presenting the new calculations and coming back and showing the relocated ponds and that's where we are at tonight, we're discussing giving you a condition based on that. Mr. Adams replied ok, Mr. Kraemer, you have a servitude for the drainage ditch that passes right behind Acadia Point now, if the ditch is widened and we widen the servitude, does that mean that the City maintains the retention pond? Mr. Kraemer replied yes. Mr. Breaud stated if it's a linear pond, yes. Mr. Adams replied thank you. Mr. Breaud replied they don't have any problems going in with their bush hogs and riding down the banks and cutting the banks of it, ponds like this, they don't have the equipment that can get in the middle of the pond to maintain it, they don't have the equipment for it. That's why we'd like to see you come up with a different option. Mr. Adams replied we'd love to Clay, you know what our problem is. Mr. Breaud stated go back to the engineers and discuss it with them, they'll give you some alternatives. Mr. Melvin Adams asked if he had thought about putting it across the ditch in that wooded section. Mr. Ronald Adams replied yes, sir. Mr. Melvin Adams then asked if they had applied for a permit for that section, is that wetlands? Mr. Ronald Adams replied yes, sir, Lea Rutter had that declared wetlands when he was thinking about buying it in 1998. Mr. Lea Rutter stated he couldn't even clear it at the time. Mr. Ronald Adams stated no, you can clear it but you can't fill it, so our dilemma is that we can take the dirt out of it and make a retention pond but we can't let any... Clay you know the dilemma.... Mr. Breaud replied all right, let's get off of that issue and let's get back with your engineers and you come up with the calculations. There is some issues even though it's wet you can do some mitigation, you've got some areas which you may be able to widen without getting into the wetlands as long as you don't deposit the materials, get back with your engineers and come back with the options if you will. Mr. Tim Angellette came forward and stated he just wanted to say something about wetlands, whoever is developing that, if it's Ronald Adams, they're knocking down trees very early in the morning, little bit by little bit by little bit and then what he calls slash burning, they're not doing this all at one time where every body can notice it. They're putting a dozer in there early in the morning, knocking down one or two trees, that way when the Corps of Engineers, when they put a satellite in the air or a G.P.S. they can't see it all at one time. He just wanted to bring that out. Mr. Ronald Adams stated why don't you come up to the mike and give us your name and address please. Mr. Angellette replied my name is Tim Angellette, 637 Highway..... Mr. Breaud stated Mr. Adams, let's address the commission, not the individuals. Mr. Adams replied ok, Mr. Chairman, if I'm going to be accused of something that's a bald face lie maybe the man ought to come up and address the commission. Mr. Tim Angellette came forward and stated that he didn't even come to this meeting for this particular reason, my name is Tim Angellette and I live at 637 Highway #308, I also own the Seafood Outlet. Everyday I pass to work and if this is Mr. Ronald Adams, I've never met him before, that is doing this development,

if you notice, he's cutting down trees little bit, by little bit, by little bit out of this wooded area. The reason why they do this is, the Corps of Engineers have G.P.S. satellite from the air and if you come in an wipe it all out at one time they recognize it but if you knock down one tree at a time they cannot see it from the satellite. Mr. Breaud stated let me cut you off right there, the City of Thibodaux has no jurisdiction over wetlands, ok, that's a separate issue... Mr. Angellette stated he only said that because of the fact he had brought up the additional wetlands. Mr. Breaud stated we have no jurisdiction over that, if he's doing something illegal he could guarantee him that the Corp would come down and take care of that, but that's an issue that we don't have to address. Mr. Adams replied he could address it, we're not clearing one tree at a time, when we work, we work ten hours a day, weather permitting and we're not clearing one tree at a time and maybe you ought to get up early in the morning and you ought to pass 2 or 3 times a day. Mr. Breaud replied all right, were there any other comments from the public? Mr. Boe Savoie, 107 Acadia Point Dr. came forward and stated he was just asking, there's a ditch behind the residential lots that he is proposing, is that ditch going to stay in place or is that going to be cancelled out? Mr. Jules Toups replied no, that lot is going to stay in place, we'll have a 15' servitude on it. Mr. Savoie replied but the ditch is going to stay in place. Mr. Toups replied yes, that's part of your drainage also. Mr. Adams asked which ditch he was referring to. Mr. Toups stated behind the wooden fence there's a ditch. Mr. Savoie stated it would be the back of your residential lots, there's the residential lots, at the back of it there's a wooden fence and there's a ditch that goes from the front to the back line and it would probably go in your retention pond, wouldn't it? Mr. Jules Toups came forward and stated it was the 15' private drainage servitude that will be maintained. Mr. Adams replied it's not a ditch, it's a drainage servitude. Mr. Toups replied that it would be maintained. Mr. Breaud stated it's a swale ditch that's there that exists there now and it would continue to stay in existence and they're going to give another 15' servitude on their property to be able to maintain that ditch. Mr. Ronald Adams stated his question is a ditch, there won't be a ditch there, it's going to be a drainage servitude. Mr. Toups replied yes, a swale. Mr. Breaud stated it's a swale ditch that exists there now with part of the development before. Were there any other comments, if not, he would entertain a motion to accept preliminary and sketch plat approval on Phase 2-A of Acadia Land Plantation as presented on the plat with the condition that the rear offset be changed to 15', that the 5' setback on the South side be changed to a 10' setback and that the condition be placed on possible options to relocate the detention pond provided that the engineer provides us an impact study to show us his proposed relocation or improvements does not adversely impact the adjacent property owners and that some drainage sweeping of the ditches along the State highway be incorporated into the grading plan such that we don't trap water in the ditches along the highway. Motion was made by Mr. Boquet. Mr. Adams then asked if they had 15' on the lot side too? Mr. Breaud replied no, the side lot lines were fine, the 5' setback complies with the R-4 regulations, the reason why we're changing the back property line is that the regulations call for a 10' setback and we've got a 15' servitude, so we want to change the setback to equal the servitude so that nobody can build on top of the servitude. Mr. Adams replied so you don't have any servitude on the lot sides. Mr. Breaud replied lot sides, you've got 5' setbacks but no servitudes, no. Mr. Adams then asked how the City would get in there and clean it. Mr. Breaud replied they would access it from South Acadia and back over here, you're talking about this, to clean what? Mr. Adams replied this pond. Mr. Breaud replied oh, back here, well the City doesn't have to clean the pond, this is a private pond, all of this would be for the developer, but they can access this anywhere in here because it's all open, that whole lot right now is being proposed as a retention pond. Mr. Jules Toups came forward and stated one clarification Clay, its Tract 2-A, not Phase 2, Tract 2-A, Phase I. Motion was made by Mr. Boquet and seconded by Mr. Adams, Mr. Boquet, Mr. Adams and Mr. Breaud were in favor, Mr. Ber was in opposition, motion passed 3 to 1.

**The next item on the agenda was to review the City of Thibodaux Sign Ordinance No. 1593, Article XXI, Division 1, Section 2005, relative to on-premise signs. (a) Request by Mr. Tony Carrere to address the Planning and Zoning Commission concerning the provisions of the City's sign ordinance with regard to temporary signs.** Mr. Breaud stated he guessed that's why his sign Chairman didn't show up tonight, but is Mr. Carrere in the audience, this is the second time, he was on the agenda last month and didn't show up and he's requested to be on, he guessed this was his second separate request, or this is just a carryover from last month? Ms. Maggio replied a carryover from last meeting. Mr. Breaud replied well being it's on the agenda right now, do we have anyone that wants to address this sign issue, we've got two issues, we addressed one last month or two months ago which referenced off-premise signs and we were proposing some changes in it and once that came up we said well we need to address on-premise while we are here also, so if you've got any comments, come forward and give us your name and address. Mr. Carol Dantin of Dantin Chevrolet, 1519 Canal Blvd., came forward and stated that the request that they had for taking some of the signs that we had up there, he guessed it's part of the ordinance but they thought it was a little unfair. We had nice signs that come from GMAC, they send us, they're going to have different sales throughout the year, we have them hanging on our banners, it might stay up for two weeks at a time, three weeks at a time, then they've got to come down. It might happen three, four or five times a year. If we can't advertise us, Thibodaux Chrysler, and whatever other auto dealers that are around here, go right out the City limits, they can put whatever signs they want, that's unfair competition as far as he thought. Their signs were not gaudy, they were not unbearable, he thought they were nice signs that they hang up and the moment the sale is up we take them down. Mr. Breaud replied this is on-premise signs you're referring to, these are signs on your own property? Mr. Dantin replied on our own property, yes sir. Mr. Breaud replied ok, go ahead, he didn't mean to interrupt him. Mr. Dantin replied no, well that's what he was saying, how is it, we can't have any signs advertising whatever plans we've got going on or whatever, sales and their competitors right outside of the City limits have all the signs they want. Mr. Adams replied he thought that was the thing on the agenda that's supposed to come up tonight, we've got a committee working on that to re-study the on-premise signs, they thought there was a discrepancy there between off-premise and on-premise signs, he thought they were in the process of re-working that a little bit. Mr. Dantin replied you've got somebody coming up with a.... Mr. Breaud replied well, my committee chairman is Marguerite Erwin, she's not here today, she's on the Commission, she has selected 5 or 6 other people to be on that board, Mr. Ansolsek, he thought he was one of them, have you all met, or do you have any comments. Mr. Andy Andolsek, of J.B. Lever Land Company, 202 E. Bayou Rd. came forward and replied well they met Monday and he couldn't make it but what he got out of a phone call to Marguerite was she wants to look at the whole ordinance and it might take a year. So these people need a fix, it's something that needs to be looked at quick and he was thinking they were looking for the temporary signs. He didn't know if they could pass something that let's them put them up for a certain amount of time until something can be fixed here. He totally agreed with everybody here and he thought we needed to look at something that takes care of their concerns but it's something you can't come up with in a week so if it's just to allow it temporarily until we can get something and get input from

all of these people to come up with something right that we don't have to change in another year, he thought it was worth it. That was his suggestion for now and if anybody else has any comments. Mr. Breaud replied Brett, you're on that committee, did you attend that meeting? Mr. Brett Moreaux of Bayou Sign Company came forward and stated they met Monday and one of the thoughts that was brought up was maybe to be able to obtain a permit to put your temporary signs up for a month and you could possibly have two or three months during the year depending on what this number is, that you could obtain permits, you can't obtain a permit every month, but two or three months out of the year you could obtain a permit in order to be able to put your temporary signs up just like Mr. Dantin was speaking about. He guessed the question that was raised was how do you patrol this particular permit situation, if you want them to have permits, if you wish to let them have temporary signs whenever they please, well then that's, so be it, but if you want to permit them or control it, then you have to be able to patrol it and put somebody in order, in short of saying well, he obtained this permit on December 15<sup>th</sup> so he has it until January 15<sup>th</sup> and that seems to be kind of a problem on it's own, so that's pretty much where it stands. Mr. Bert Boquet stated he thought the permit would be ideal, you could do... Mr. Chris Dantin with Dantin Chevrolet came forward and stated we received these promotional materials without any lead time, we may receive them the day after we are aware that this is coming out so we wouldn't have time to obtain a permit and the promotion may last two weeks, it may last four weeks and by the time we get a permit... Mr. Boquet replied if we institute a permit the only thing you would have to do would be to go to the office, get your permit for that particular time and that permit should state how long you're going to carry that promotion. Mr. Dantin replied what he's saying, you can only get 3 or 4 a year, we don't know how many promotions General Motors is going to present us with so, you can't limit it on that either. Mr. Boquet replied but by the same token, I can't let you do an on-premise sign indefinitely. Mr. Dantin replied no, it's not indefinitely, what we're saying we may get a new promotion every month, so each month and you're saying you can't get one every month, a permit but our business may dictate us to get a permit every month. Mr. Boquet replied then he would say that you'd have to take a choice but he couldn't see allowing you to have a permit every month like that because that would be a consistent thing, it would be 12 months. Mr. Dantin replied but our competitors in Terrebonne Parish right there can advertise all the promotions that General Motors is presenting. Mr. Boquet replied that wasn't his problem. Mr. Dantin replied no it's not, you're not running a business that it's going to cripple. Mr. Boquet replied we can't say what they do in Terrebonne Parish, he really couldn't but the thing is he thought what the commission was proposing is fair, is that you come up for a permit, now the only other thing is would be to institute some type of penalty if you don't eradicate that sign after your permit expires and he thought that was what you guys were looking at and he thought it was a good thing. Now if you're going to have 12 months of promotion he couldn't help him on that, he really couldn't, not with what you're looking at and he seriously doubted that he would have 12 promotions a year. Mr. Dantin replied in 12 months we may have a promotion every year, they may run a different type of promotion and that's very possible. Mr. Boquet replied not every month. Mr. Dantin replied yes, sir it is. Mr. Boquet replied then it would be up to you to select which ones you want to, he couldn't let them have a sign throughout the whole year because then he might as well say go ahead and put the sign up. Ms. Selena Johnson came forward and stated she owned a small business on Back St., Joni's Washateria, so this guy comes in, she didn't know who he was, anyway he told me I had to take my signs down, I have a lottery sign, I have a slush sign and I said why do I have to take my signs down, that's advertising for my business, all right. She just thought it was so wrong, it's not blocking anybody's view at all, so that's revenue for me. So when I go to pay my taxes on the 20<sup>th</sup>, that's money that I made, more money I can pay to the City. Mr. Boquet asked what type of a sign is it? Ms. Johnson replied she had a lottery sign, a big banner with the lottery, she had a slush sign, it's not blocking anybody's view and that's advertising for my business. Mr. Boquet replied right now that... Ms. Johnson replied she just didn't think it was fair, she didn't think it was fair at all, she needed to advertise for her business, that was her livelihood and like she said, she didn't think it was fair. Mr. Breaud stated you know, we did form a committee, he wanted to hear all of their comments tonight, we're not going to take any proposed action tonight and he knew that they would like to see something soon, maybe they could act on something next month when the committee chairman is here, we can make more recommendations but he would like to hear all of your comments. There's reasons for all of these rules in place right now, we're trying to keep our, we've got a pretty City, he thought everybody agrees we have a nice City, everybody is happy because they're living here, we're trying to keep our City aesthetically pretty. We don't want to go down.... Ms. Johnson replied yes, but that sign, that lottery sign and that slush sign is not trash. Mr. Breaud replied but if you go down, you talked about Terrebonne Parish and he knew what was going on in Terrebonne Parish because they basically don't have any sign ordinance and you go down Martin Luther King and you've got billboards and you've got signs up and down the boulevard and they were trying to prevent that somewhat. He could understand their concerns, if I owned a business I'd want to advertise as much as I could, we're going to try and make the playing field equal for everybody and that's why we're trying to address the off-premise and the on-premise at the same time. Ms. Johnson replied but the more money that I would make it would be more money, taxes that I would pay to the City too, you know. Mr. Breaud replied he agreed, but we do want to have a nice town, what you think is a nice sign or helps your business, somebody else thinks it's an ugly sign. Ms. Johnson replied it was a matter of opinion, for this committee that you formed, are you're taking any more members? Mr. Breaud replied he thought they had seven members right now, he was sure they would be glad to have you attend, even though you're not a committee member, they would be glad to listen to your concerns and the committee chairman is Ms. Marguerite Erwin, you can try and give her a call and if you get with these people they'll give you a phone number and express your concerns to us or they can address your concerns. Ms. Johnson replied she sure would, thanks. Mr. Boquet replied Brett, you are on the committee and you are talking about basically limiting that? Mr. Moreaux replied well right now you can't have anything, so... Mr. Boquet replied right, but you guys are talking... Mr. Moreaux replied they were trying to get something that the general public can use, what is that final scenario, he didn't know, but... Mr. Boquet stated do you think it would be a hardship for people to apply for a permit when they need that sign? Ok, I'm not going to put you on the spot, just consider that in the committee. You mentioned another thing, you mentioned the fact that you would have difficulty policing; he would say that if you put the fine heavy enough it would be good enough and so if he applied for a sign for two weeks then after the two week period is gone then if I have to pay \$100.00 a day for that sign, I think I would pull it down, don't you? Let the committee consider that if you will. Mayor Charles Caillouet came forward and stated again, the purpose behind this is we do have an ordinance on the books that is very strict and if it's enforced which we enforced it recently and tried to do it to everybody, it creates a great hardship on all of the businesses in the City. His concern right now is that we come up with an ordinance that can accommodate businesses and it can be competitive with people who don't necessarily live in the City or live right outside of the City. He thought what they would need to do is, because he

knew it's come up here twice, the last two meetings, but maybe we need to advertise when this committee has a meeting or because there's a lot of people, certainly Carol with the car dealership and all, they have different issues than let's say somebody who runs a convenience store or somebody else who has different types of facilities. Again, it was just something that has to be addressed. The issue of getting everybody's comments, he didn't know how they could do that unless this committee kind of advertises when it's going to meet, he knew you said you could take the lady's name and you could give her a call, but he thought maybe if they knew when they were going to meet since Marguerite is not here tonight, if she'd call we'd certainly try to get the Comet to publish it, they could have the meeting here. Mr. Boquet replied but once it is presented to us we advertise and so if people wanted to.. Mayor Caillouet replied he understood, but he thought that's why the committee was formed, to also take the public's information in because everybody on the committee may have a different job or a different function and they look at it from their point of view but to give everybody an opportunity to come together and express it. The committee would then make a recommendation to the full commission; the commission at that time would have a public hearing and could again hear from everybody. One of the things he didn't like, again as the Mayor, we issue so many permits in this City, you need a permit to put a fence up, you need a permit for this, you need a permit for that, then you go into the enforcement aspect of it. Not only do they have to go to public works to get a permit, then you've got to go and verify in two weeks, four weeks, two months that they've taken the sign down. That's a lot of enforcement issues involved behind this. Again, he wasn't expressing it to you, certainly he'd like to go in front of the committee, but he wasn't even sure when the committee meets. That maybe they be allowed so many temporary signs, three or four, pick a number rather than a permitting process that takes place and is there going to be a fee associated with the permitting. Again, we have a lot of permitting in the City of Thibodaux. So he just wanted to bring that up, but his main concern right now was that we make available to the general public an opportunity to communicate in front of the committee or the people that would like to be on the committee. Because ultimately it does come back to you as a full body and then obviously it goes to the Council and they'd have to have another public hearing at that time. Mr. Breaud replied let's do this, we've got to limit the amount of people on the committee, we can't get anything done if you've got a hundred people on the committee, he thought they had seven right now or five, how many members do we have, do you all know? It was 5 or 7 members right now, we definitely want all of the input from the public, so let's do this Ruby, let's contact Marguerite and ask her for a date and have a public hearing on this issue and have it advertised before, if we can have it before our next planning commission meeting so that maybe next month we can act on, if nothing else, maybe some kind of simplified plan if we can't get into the great details to give some possible relief in the short coming. Can you take care of that Ruby for us. Mr. Danny Adams the owner of Tiger "T's" 1113 Tiger Dr. came forward and stated he just took the time this afternoon when he found out about the meeting, he checked 10 or 12 neighbors that lived across the street from my existing business which has a couple of banners up and a couple of other little signs ok, and not one was in denial of having the signs on my building, not one. This was from where the tracks was on Tiger Dr. all the way down to Sheer Touch which is a hair cutting salon and he didn't find one, there's the names, what is the problem? Are we trying to not create tax dollars so we can pay our teachers, pay our public servants, pay the police officers, we're running ourselves out of business as a City because you're not letting the businesses who are the City run and advertise. How can we make money if nobody knows we are here, it's a big problem, I am a very small business, I can't afford to go advertise in the Daily Comet for \$400 and \$500 a day, it's impossible, those signs mean a lot to him. Hell, he sold advertising products but you are not letting me advertise. He just found it ridiculous, you know, and he was sure these people behind me pretty much feel the same way or they wouldn't be here tonight. Let's create a good business atmosphere in the City so people would want to move here instead of moving to Terrebonne Parish, because he really didn't want to do that but you know what, his hands are almost tied. If this doesn't, some kind of relief doesn't come down, we're all going to be making Terrebonne a bigger and better place, thank you. Mr. Breaud replied they would wash away before us, you know. Mr. Freddie Hebert, he has the Heineken Car Care on 1310 Canal Blvd. and he like Mr. Carol occasionally get banners and promotional items from Menace Car Care and like his place and Southland Thibodaux Chrysler, every time he passed there, his place, my place, they are all very nice, the banners are up, there's nothing that's deteriorated or dry rotted or anything that looks bad or out of place. He really tried his best to keep his place looking really nice and it was really unfortunate that he had to pull his banners down and he agreed with Mr. Danny right there, he did the best that he could to promote what I have and if I can't put my oil change special or whatever I'm promoting at the time up, he just feels that he's been short cut and if he wouldn't have got a good deal on this place in Thibodaux, he sure would have never came here because the way he's been treated ever since he got to Thibodaux, he would move tomorrow, that's how he felt. Mr. Tim Angellet, owner of the Seafood Outlet came forward and stated first of all he would like to start off, he didn't know who this lady Marguerite is, but can she be fired or something for not attending these meetings. Mr. Breaud replied this was a voluntary board and we don't get paid a nickel to do this job, so it's tough to fire somebody. Mr. Angellet stated I heard you say you're putting it off for another month. Mr. Breaud replied we meet once a month. Mr. Angellet replied we have 6 weeks of lent, I can't put signs out, I might be one of the reasons why this whole thing started because he did put out a lot of signs. Without these signs he couldn't advertise in the Daily Comet, it takes 2 to 3 days for him to put an ad in the Comet, by those times the prices of crawfish could drop 25 cents or go up 25 cents. He doubted that he could even come here and put a permit as many signs that he needs for the changing of the prices. He had one sign out, live choupic, they made me take my sign down, let me back up a while, the sign was removed by people who work for the City without any written notice. He didn't think that was a legal right to come onto somebody's property and take down somebody's sign. If you read when you get your occupational license, abide by City laws, wouldn't you think somebody would maybe give a written notice and time and give me, if I want to take the sign down I take it down, if I don't take it down I loose my license, but no, yet they'll come take them down. He didn't see any people, anybody here from the City that's not in the business complaining about the signs, look how many business owners you have over here, why don't they just leave it like Houma and New Orleans, they're growing. Mr. Al is right here trying to make a subdivision, businesses create jobs, more jobs more houses, bigger City of Thibodaux, more tax dollars, but yet we can't advertise. Everybody wants to move somewhere else. Mr. Ronald Adams replied he guessed he had to go to Terrebonne too, huh. Mr. Angellet replied he had a petition here with over 250 names on it, that people signed that come in the store, he'd hand it to them if they wanted to read it. Mr. Breaud replied present it to Ruby and she can record it in the file. He then stated the City and nobody on this board is against development in the City but when you bring in more development, you're bring in more problems unless you've got a set of rules and regulations to make sure that everybody follows. Everybody complains about drainage and believe you me, if you come to these meetings monthly, they've got a lot of people complaining about signs and enforcement of the sign

ordinance. All these regulations are in place for a reason, if we don't have any regulations and this starts back, I got on this commission probably 8 to 10 years ago and the reason why I got on this commission is because we were having drainage problems in my subdivision. Well, the first thing you find out, we were operating under a 1952 subdivision ordinance that basically said nothing. Engineers could do whatever they wanted because there was nothing telling them what to do. So we had to put in a set of regulations, yes developers didn't like it and everyday Mr. Lea Rutter is up here arguing about him doing this or doing this and tonight we've got Mr. Adams arguing with us, but we've got a set of regulations that we want to see everybody follow the regulations. We don't want to make Mr. Rutter do something and not Mr. Adams do it, we want everybody to be on the same playing table and we want to be selective with the development that comes into this City. The only way we're going to keep a clean, nice city that we all love to live in is to have some regulations and to enforce them. If we're going to have regulations and don't enforce them, it's no use to have them and if we don't have any regulations he would guarantee in no time at all this is not going to be a pretty city and you're all going to want to move to Terrebonne Parish. So he was for enforcing regulations, he was for regulations and he was for business development, he didn't want to hinder people from advertising but we've got to come up with some kind of compromise between everybody and follow those rules. Mr. Angellette replied he understood that, but right here it says, he didn't know who drew this up or if this comes from the City, Prohibited Sign, Section 2002.1, whatever that means, it says, "prohibited signs, sandwich signs, snap signs, streamers, banners," they've just got one word, banners, a bank can't advertise free checking, McDonald's a big world wide corporation can't even advertise big mac's because of "banner" but yet you say it would give you all a month, a month is going to add on to another month, why can't we do something tonight just to, he wasn't a lawyer, but something that just for the time being every business kept one sign or... Mr. Boquet replied they couldn't do it tonight, we have a committee looking into this and they were going to do something with it and to reinforce what Clay has told you, we're all for businesses, there's no doubt about that, but you don't want to junk up your City so bad that businesses don't want to locate here. Mr. Angellette replied why, look at New Orleans, look at Terrebonne, Terrebonne is growing out of hand; they've got no sign ordinance, so Mr. Boquet I say you're wrong, he says well who says a sign is not pretty. Mr. Boquet asked where was Terrebonne growing. Mr. Angellette replied drive down the street, ask the Mayor right here, the Mayor can't say anything but he guaranteed them he wished he had signs to make some tax dollars. Mr. Boquet asked where was the growth going to, have you noticed what happened in Terrebonne Parish, your growth stops out here and it gets junked up, they jump somewhere else until it gets junked up and it jumps somewhere else and if you don't believe me, I'm from Terrebonne Parish. Mr. Aglitter replied every City will do that, every old part will become, every new part will... Mr. Boquet replied it might be but we've got to have some type of manageability and that's what these guys are on the committee for. Mr. Angellette replied he thought it just went a little bit too far. Mr. Breaud replied let's not sit here and argue, the reason why we formed a committee is because we want to hear your comments, we want to make some changes, you probably won't get all the changes you'd like but maybe we can agree to some compromise between the parties and hopefully by next month we'll be able to address this issue. To address it any sooner than that we would be cutting us all short right now, it's also been brought to my attention that the sign ordinance does allow for some advertisement in the windows of the businesses as long as it doesn't exceed 30%, so you can have some advertisement on site. He thought they even had something on temporary advertisement, don't we have two or three days or something like that in the ordinance? Mr. Agellette replied you said put a penalty on a sign, hey, give me the penalty, I'll pay it, let me put the sign up, it was like speeding, you know, if it's a thousand dollars, hey, let me pay the fine. Mr. Breaud replied that wasn't the answer to the problem, what he would like for them to do, is if you want to be notified on this meeting maybe you can write your names on a sheet of paper with your phone number and give it to Ruby and she can notify you of when this meeting will be held so that you can express your concerns and that committee will bring a recommendation to this commission to act on. Mr. Angellette asked if they could go back up to the speaker and have our name and phone number recorded in the minutes so that.... Mr. Breaud replied come on and do it, let's go, Ruby has a tape recorder, give us your name and phone number and she'll contact you when this meeting is. Ms. Selina Johnson, Joni's Mini Mart – 446-7513; Danny Adams, Tiger T's 448-3915; Tina Gehbauer – Half Shell Restaurant 637-3060; Carol Dantin, Dantin Chevrolet 448-2277; Freddie Hebert, Meineke Car Care 493-9951; Audie Levron, Met Life 448-1059. Mr. Breaud then asked if there was anybody else that wanted to be notified? Mr. Andy Andolsek came forward and stated he had been appointed to the committee, he feels for everybody here, we've been through this before with other issues but he would suggest though that they try to have the meeting here if possible, if somebody could open up. There's a lot of people, hopefully they could get something accomplished, was there any way possible that there could be a 30 day or 60 day period where these people are allowed to put signs up. You try and do something and you want to do it right, you don't want to be rushed into making a decision that is incorrect. Mr. Breaud stated you're talking about a change in the laws and the ordinances and the only way you can do that is with the City Council approval and it wasn't going to happen in 30 days because they've got to introduce an ordinance... Mr. Andolsek replied right, that's why he was asking, if there's a way that you could have a temporary fix to allow this for 60 days, no? Mr. Boquet replied they couldn't so it. Mr. Andolsek replied ok, he was just asking. Mr. Breaud the stated unless Mr. Richard, do you have any comments on that? Mr. Breaud stated it can't happen that soon we've got to live by the laws we've got right now. He would like for them to come to that committee meeting and the committee members show up and come with a recommendation. You're going to hear a lot of comments, pros and against it, you're going to have to weigh it and come up with a recommendation to...because these regulations didn't come in over night, this has been modified several times, it has been in existence a long time and it's been modified many times by the same concerns that you are expressing tonight. So, that's where we're going to leave this issue tonight, we're going to call for a special meeting, Ruby is going to get with Ms. Erwin, the chairman committee, set a meeting date, she'll advertise in the paper, and she'll notify the ones that give their names tonight, and at that meeting we'll come up with some, they'll come up with some recommendation changes to the ordinance. Councilman Dee Richard asked Ruby if she could copy the Council on that so they can know when the committee meets also. Mayor Caillouet replied and also the Mayor's office. Mr. Breaud stated and we ought to go ahead, all the committee members, whoever that is, make sure that they now, Marguerite can probably do that. Mr. Adams we voted on your issue already. Mr. Ronald Adams came forward and stated he wasn't interested in that, he would like to know when they could have a copy of the minutes after the meeting, we have not been able to get a copy of the minutes of something that happened in 2004, is there a set procedure. Mr. Breaud replied Ruby gets the minutes normally back to us before our next meeting, she is backed up a little bit right now, we did have some pretty long meetings and sometimes the minutes are 25 and 30 sheets long and it takes her a little bit time to put it together, so as soon as she gets it together everyone is welcome, it's public information, we'll be glad to give

everyone a copy, there may be a cost for reproduction, you'd have to talk to administration about that, but that is available to the public. Mr. Adams replied but if we don't ever get it though. Mr. Breaud replied well as soon as they're prepared and ready you can get them. Mr. Adams replied but what kind of time frame. Mr. Breaud replied Ruby, can you answer that, or whenever she can get to it. Mr. Breaud replied this is not the only job that Ruby's got, she issues permits and she's got her hands full. Mr. Ronald Adams stated Mr. Mayor, you told me that there would be some other people that could help Ms. Ruby to get us this information, do you agree that we have to wait an indefinite period of time before we get the minutes. Mayor Caillouet replied we can probably assist her some kind of way, he didn't know until you mentioned this tonight that it is still not done, so he would talk with the Public Works Director and go from there. Mr. Ronald Adams then asked if he heard when the gentleman got up earlier and said his comments, the guy with the LSU cap over there, did you hear his comments about you're running businesses to Terrebonne Parish, the best advertisement they have is the City of Thibodaux. Mayor Caillouet replied he heard what he said. Mr. Breaud stated these meetings are being recorded on a tape also and it may be an option that if you want to buy a copy of the tape, they may be able to furnish you a copy of the tape if you've got to have them. A lady came forward and asked if they could put these up on a website where they could just go to look them and you wouldn't have the cost of reproducing them. Mr. Breaud stated at this time, he didn't know if the Council was putting their meetings on the website right now, their minutes were not public advertised, the City Council meetings are, they are public information but there is a big cost incurred with trying to publish 20 sheets of minutes so it's not required by law that we publish minutes as far as he knew for our committee, the City Council is required to do that. The lady stated she knew that they made the statement that the sign ordinance has been going on for several meetings but the minutes are not available to use to look at so. Mr. Breaud replied no, the special committee, the committee is not taking any minutes, it's an informal meeting, it's not required to be publicly advertised, we want to make it a little more public now that we've got this input. The first discussion was two meetings ago on the sign ordinance, we discussed some deals on the off-premise signs; we decided to hold off on acting on that until we could discuss the on-premise signs. Last month, Mr. Carrere requested to speak before the Commission and he didn't show up so there was no action taken last meeting, so the only minutes we'd be looking at is two meetings ago and then again, tonight. The lady stated she thought she understood him to say that he'd had been on the board for a long time and the sign issue has been going on for many, many years. Mr. Breaud replied it comes up every time Mr. Andolsek has a development that he develops all of the North side, Levert, Lowe's, Wal Mart, Dairy Queen, every time one of those developments comes in front, Mr. Andolsek comes to us and tells us that this development doesn't want to come in unless they can put a 40' high sign. The lady replied you also made the statement that at every one of these meetings there are so many people that are against the signs because Tiger "T" brought up that his neighbors don't complain about it, but you said that the room is full of people that are, but it's funny that they're not here tonight. Mr. Breaud replied they had to apply the rules uniformly to everybody, the people that are here tonight are the people that are directly affected with businesses. If you poll the rest of the people that are not here tonight that just drive through the City, they may have a different opinion about signs, they may be more worried about aesthetics than the advertising of your business. Thibodaux is not a transient type of business, people that live in Thibodaux know where the businesses are, they know how to get there in most cases, it's not like you're located off of the interstate where you've got traffic running through and you're trying to advertise and attract people from major highways. It's a little bit different situation but that's the purpose of the committee, the committee wants to hear all of your comments and he was open to listen to all discussion and come up with a recommendation, that's why they formed a committee for them to come up with some recommendations to us. Mr. Danny Adams replied there was a man driving down Tiger Dr. weekend before last from Des Allemands, he saw my sign, he stopped, he bought something, he paid taxes on that, those taxes went to Thibodaux, that's his point. Mr. Boquet replied just to reinforce what Clay said, we've been trying to tweak this sign ordinance for a number of years, we really have and each time we form a committee, which is what we did now, to see if we can come to some agreement as to what is the best for you and what is the best for the City. It does come up very often, it really does because that's the way you, that's what you do with an ordinance that you care about your City, you care about your people, you care about your business people. You bring it up time after time so that it can be tweaked so that everyone will be somewhat satisfied with what is happening. Now, to please all of you, both sides, totally, it's impossible but we can hopefully by forming committees like we do now, come up with an agreement, some sort of compromise both ways. Mr. Pat Period from Houma, LA, came forward and stated he owned and operated Grand Rental Station and in the process of moving one of his locations here to Thibodaux. Now we spent a tremendous amount of time and effort bringing in equipment into this area, he entertained the idea and in a position to open up a location here in Thibodaux, without this location here in Thibodaux and operating from Houma, we pay a tremendous amount of tax dollars when we delivered equipment to this town which is why he entertained the idea of opening a location here. However, he guessed, and he's talked to Mr. Errol and Ms. Ruby about putting up some signs and he was not coming in here to just rip this City off with money, but he's got a \$20,000 sign put up in Houma and he thought if it was done in a proper manner where we have an opportunity to go before a board, present what it is that we'd like to put up, give us a yea or nay, why can't it go to vote, he was prepared to spend \$5,000 in putting up a nice sign, that doesn't make the City look bad, is there an opportunity for me to present this option. Mr. Breaud replied that board does exist right now, it's called the Board of Adjustments and you're welcome to go in front of those guys anytime for a variance in the ordinance. Mr. Pierron replied that might be the answer to the problem and he could agree with that but at the same time he thought any signs, they get banners from different companies that we represent, Bobcats and Dewalt and all of those, we don't put these banners up but it was his understanding that it sounds like Martin Luther King Blvd. is like a trash hole. Personally he thought it brings in a hell of a lot of money as far as tax dollars are concerned into our economy and to be perfectly honest with you guys, he thought they could bring a lot of tax dollars into this community as well but at the same time they would be able to advertise. If we don't come in and educate Thibodaux, Lafourche Parish, that Grand Rentals is here and can provide many things to the homeowners, we've got a lot of companies here that rent equipment from us and realistically we don't have to depend on the homeowners, but at the same time we can offer a lot of things to the homeowner that doesn't even know that we exist. But if we don't have the opportunity to advertise them, they don't know that we're ought there. Mr. Boquet replied you have the opportunity to advertise in a certain manner and that's what they were trying to develop now, we're trying to enlarge that which you are able to do now, but you do have the opportunity to advertise and we have rules and regulations on how it has to be done, you can do this, sure. Mr. Jules Toups with Acadia Land Surveying came forward and stated he had one question, on these temporary signs, he knew a lot of these people are here are under time constraints and they are worried about it, can they go to the Board of Adjustments and ask for a

variance to place a temporary sign. Mr. Boquet replied not now because they are prohibited, as far as he knew, unless they've been changed since he was on the sign committee, you can't get an adjustment on something that is prohibited. Mr. Toups replied ok. Mr. Boquet stated that's why we are looking to change it. Mr. Breaud replied there were certain signs that were grand-fathered in prior to this development, that was addressed about 3 or 4 years ago and supposedly all the signs that are non-conforming right now are supposed to be brought to conform, so most of the signs in the City should be conforming and what the City has been doing is cracking down on the non-conforming signs to make sure everybody is following the same rules. We can't allow one person to do something and not the other person. So, with all of that said and done, let's move on on this issue, we've got the committee formed, everyone is interested, give your input and the committee will come up with a recommendation hopefully at our next meeting, addressing changes in this ordinance. There's nothing else that we can immediately do at this time to change that ordinance. To change an ordinance you've got to go through a certain procedure and that can't happen overnight.

**The next item on the agenda is new business to consider a request by Acadia Land Surveying, LLC on behalf of J.B. Levert Land Company for final plat approval of Rienzi Business Park consisting of the re-divisions of Lot 2 and 3 into Lots A,B,C,D,E and F located on the North side of Highway 308 approximately 600' East of the intersection of St. Patrick Highway in Sections 115 and 117, T15S-R16E, City of Thibodaux, Lafourche Parish, Louisiana.** Mr. Jules Toups of Acadia Land Surveying came forward and stated that they were here asking for final approval on a subdivision that has been constructed and he believed that all inspections were made and they were asking for final approval. Mr. Breaud replied ok, this is the subdivision that came in front of us last month and it was pulled off the agenda because it was incomplete. He kind of read the riot act last month, hopefully that we don't have this construction coming before us until the planning commission has approved future subdivisions. The only other comment he wanted to make, he saw the barricades were taken down from the street, this street does not become a publicly dedicated roadway until the City Council acts on it which has to be an introduction of an ordinance and approval which is probably another month away, so this is still a private road and the developer is still liable for any accidents that may happen. He would have some concerns about removing the barricades until this thing becomes a publicly dedicated road, so he was just making that comment to you, that official dedication doesn't happen for a while even though we make a recommendation tonight. Were there any comments based on the approval of this subdivision, Mr. Adams replied no, he didn't have any. **Mr. Breaud then asked if there were any comments from the public, if not, he would entertain a motion for final plat approval of Rienzi Business Park, Lot 2 and 3 into Lots, A,B,C,D,E and F on the North side of Highway 308, motion was made by Mr. Boquet and it was seconded by Mr. Adams, all members were in favor.**

**The next item on the agenda was to consider a request by Acadia Land Surveying, LLC on behalf of J.B. Levert Land Company for sketch plat approval of Lots 1,2 & 3 of Block 2 of the J.B. Levert Commercial Park Subdivision located on the North side of N. Glenwild Dr. approximately 210' West of the intersection of Glenwild Dr. and N. Canal Blvd. in Sections 43 and 44, T14S-R16E, City of Thibodaux, Lafourche Parish, Louisiana.** Mr. Jules Toups of Acadia Land Surveying came forward and stated what we're proposing is a three lot subdivision that's located North of Glenwild Dr., the Forty Arpent Road which is basically going to wrap around the Popeye's tract. We came a couple of months before with a Lot that you can see right here, highlighted as just Lot 1, which was the Sonic Development, we're just looking at developing the property in between. As of yet, Mr. Andolsek is working out a deal with someone for Lot 3, the Lots 1 and 2 were just vacant land and we figured we might as well while we're coming go ahead and divide those into lots also. All they were asking for was sketch plat approval at this point. Mr. Breaud stated just a few comments, all the utilities basically are in place on Glenwild so they weren't looking at any public dedications of utilities, per say. These are some fairly large tracts of property, he knew they were probably going to have drainage going towards the North so he would ask that the drainage canals be constructed. He knew they were not constructing roadways at this time but they needed to at least adequately provide drainage for the run off on the property to the ditches, so he would just ask that that be incorporated into their preliminary submittal. Other than that, identify that servitude on the West side, we had talked about that as a drainage servitude. Mr. Toups replied yes, they have it shown, we just don't have it labeled. Mr. Breaud then asked if there were any other comments by the commission, if not, **he would entertain a motion for sketch plat approval for Lots 1, 2 & 3 of Block 2 of J.B. Levert Commercial Park Subdivision, motion was made by Mr. Adams and seconded by Mr. Boquet, all members were in favor.**

Mr. Breaud stated Mr. Kraemer, a while back you had given us some information on some legislation that had passed about Planning Commission members attending some type of seminar or something, do you have any more information or can you find something on that? He didn't know if it was for new members or for sitting members. Mr. Kraemer replied it was for everybody and one unfortunate thing, he has searched and continued to search for information relevant to that class. While the legislation is in place, there are no classes being offered that he could find that meet those requirements, he would continue to search and as soon as he did find something he would certainly report back to this Commission. Mr. Breaud replied there is a seminar coming up and it's probably not the same thing as this, but it's a Zoning Seminar, Land Development in New Orleans, he thought in April, there is a fee to attend this, but he would like and he knew it was late for the budget this year but maybe next year that we could allocate a few dollars in the budget for the commissioners to educate themselves, attending some of these seminars or something like this, so he would appreciate him keeping that in the back of his mind. Mr. Kraemer replied there usually is money in the budget for seminars and that type of thing and certainly he could research it and see if, he usually put some in and he would let them know what is available. Mr. Breaud stated he thought it was a bit much to ask, some of them would be agreeable to take off of work and even pay our gas and mileage to get up there but he thought when we start having to pay \$200 or \$300 for a seminar, he thought was asking a little bit too much of our commissioners but he thought it would go a long way to help educate some of the commissioners on just what the laws are when we get into these public discussions. Mr. Kraemer replied that he saw no problem with that. Mr. Breaud stated but if you could research that for us and maybe this legislation, you could give us an answer maybe at the next meeting or something like that, he wasn't sure who would be interested in going but he thought it would be definitely something that would be beneficial for them. Mr. Kraemer replied he would see what he could do. Mr. Breaud then asked if there was any other business to be brought before the commission, if not, meeting adjourned.