

**OFFICIAL MINUTES OF THE CITY COUNCIL
CITY OF THIBODAUX
CITY HALL
THIBODAUX, LOUISIANA
MAY 7, 2019**

The City Council of the City of Thibodaux assembled in regular session at its regular meeting place, City Hall, 310 West 2nd Street, Thibodaux, Louisiana, on Tuesday, May 7, 2019 at 5:00 P.M.

There were present: Councilmen Tabor, Richard, Naquin, Mire and Councilwoman Johnson.

There were also present: Mayor Tommy Eschete and Beau Brooks.

Absent: None

The minutes of the April 16, 2019 City Council Meeting were approved as written.

The Mayor presented the Senior Class of the Mayor's Advisory Group with a plaque recognizing their participation.

The Lafourche Parish Assessor, Ms. Wendy Thibodeaux, spoke about the Ad Valorem Revenue and how the Parish could work together to strengthen the tax base.

The City of Thibodaux is designated as an "Entitlement City", receiving Community Development Block Grant (CDBG) funds through the U.S. Department of Housing and Urban Development.

The City received notice of its 2019 CDBG Entitlement allocation from HUD, and now must submit the application for Federal Assistance and the annual action plan for Fiscal Year 2019. The City's estimated entitlement for FY 2019 is \$153,124.00.

On motion of Councilwoman Johnson, seconded by Councilman Richard, the Council voted on a resolution to authorize the Mayor to submit the City's 2019 CDBG application of funds, annual plan, SF424 and certifications to HUD. Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

RESOLUTION NO. 2204

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

WHEREAS, the City of Thibodaux, Louisiana has received notice of its 2019 Community Development Block Grant Entitlement allocation from the Department of Housing and Urban Development; and

WHEREAS, the City of Thibodaux, Louisiana, in order to receive said funds must submit to the Department of Housing and Urban Development its application for Federal Assistance and Annual Action Plan; and

WHEREAS, the City of Thibodaux, Louisiana has met all the requirements specified by 24 CFR Part 570, Subpart D - Entitlement Grants 570-301 and 570-302;

and

WHEREAS, no comments were received at two public hearings held regarding the activities proposed by the City.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Thibodaux does hereby authorize Tommy Eschete, Mayor, to proceed with the submission of the Application for Federal Assistance for \$153,124.00 of Community Development Block Grant Funds and to sign a grant agreement and any other related documents with the Department of Housing and Urban Development for said grant.

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

YEAS: Tabor, Richard Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

And the above resolution was declared adopted this 7th day of May 2019.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The City wishes to enter into a contract with Artisan Pyrotechnics in order for them to provide the fireworks show for the 2019 Let Freedom Ring Festival. The City has obtained funding through the Lorio Foundation to cover the cost of this service in the amount of \$10,000.00.

On motion of Councilman Richard, seconded by Councilman Tabor, the Council voted on a resolution to authorize the Mayor to sign a professional services contract with Artisan Pyrotechnics, Inc. for the 2019 Let Freedom Ring Festival. Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

RESOLUTION NO. 2205

***A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A
PROFESSIONAL SERVICES CONTRACT WITH ARTISAN
PYROTECHNICS, INC. FOR THE 2019 LET FREEDOM RING
FESTIVAL***

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

WHEREAS, the City has secured funding in the amount of \$10,000.00 from the Lorio Foundation to provide the fireworks show at Nicholls State University for the Let Freedom Ring Festival to be held on July 4, 2019; and

WHEREAS, the City wishes to utilize the services of Artisan Pyrotechnics, Inc. to provide the fireworks show at the festival again this year; and

WHEREAS, it is necessary to execute a professional services contract with Artisan Pyrotechnics, Inc. in order to outline the terms and conditions for the services to be rendered in conjunction with the fireworks show to be provided on July 4, 2019.

NOW, THEREFORE BE IT RESOLVED by the City Council that the Mayor be and is hereby authorized to execute a professional services contract with Artisan Pyrotechnics, Inc. for the services outlined hereinabove.

BE IT FURTHER RESOLVED that a copy of the said agreement is attached hereto as "Exhibit A" and thereby made a part hereof.

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

YEAS: Tabor, Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAIN: None

And the above resolution was declared adopted this 7th day of May 2019.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The City has requested that T. Baker Smith prepare a contract that would authorize the firm to establish and maintain a GIS Public Works Portal in order to have GIS locations mapped out for all utilities in the City.

The implementation and setup fees will be \$6,750.00, with annual fees for the GIS Core Services Subscription at \$5,000.00/year and Feature Editing and Adding Toolset Subscription at \$1,200.00/year.

On motion of Councilman Tabor, seconded by Councilman Naquin, the Council voted on a resolution to authorize the Mayor to sign a professional services agreement with T. Baker Smith, LLC to establish and maintain a GIS Public Works Portal for the City of Thibodaux. Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

RESOLUTION NO. 2206

***A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A
PROFESIONAL SERVICES AGREEMENT WITH T. BAKER
SMITH, LLC TO ESTABLISH AND MAINTAIN A GIS PUBLIC
WORKS PORTAL FOR THE CITY OF THIBODAUX***

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

WHEREAS, the City wishes to establish and maintain a GIS Public Works Portal which will provide a complete data management tool assist in the administration of assets for their complete GIS life cycle; and

WHEREAS, the City has selected T. Baker Smith to establish and maintain the GIS portal; and

WHEREAS, it is necessary to execute an agreement 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 T. Baker Smith for the above mentioned GIS Public Works Portal.

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: Tabor, Richard, Johnson, Naquin, Mire
NAYS: None
ABSTAIN: None

And the above resolution was declared adopted this 7th day of May 2019.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The City wishes to continue to contract with CERES Environmental Services for our disaster debris removal needs. The City has been under contract with CERES since 2013 and has exhausted all of the renewal options. The Mayor would like to execute a new contract with CERES for an initial two-year term through November 30, 2021, with the option to renew for three additional two-year terms if approved by both parties.

On motion of Councilwoman Johnson, seconded by Councilman Naquin, the Council voted on a resolution to authorize the Mayor to execute a contract with CERES Environmental Services, Inc. for disaster debris removal. Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Naquin, Mire
NAYS: None
ABSTAINED: None

RESOLUTION NO. 2207

***A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
CONTRACT WITH CERES ENVIRONMENTAL SERVICES, INC. FOR
DISASTER DEBRIS REMOVAL***

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

WHEREAS, the City negotiated a contract for disaster debris removal in accordance with FEMA guidelines and the Louisiana Governor's Office of Homeland Security and State Emergency Preparedness to be activated as needed after a disaster situation; and

WHEREAS, it is necessary for the Council to authorize the Mayor to execute a professional services contract with CERES Environmental Services for the disaster debris removal services.

NOW BE IT RESOLVED by the City Council that the Mayor be and is hereby authorized to execute a contract with CERES Environmental Services for the services stated herein at the unit prices attached thereto.

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: Tabor, Richard, Johnson, Naquin, Mire
NAYS: None
ABSTAINED: None

And the above resolution was declared adopted this 7th day of May 2019.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The City has received a proposal for the City's Fire and Property Insurance coverage for the period June 1, 2019 through June 1, 2020.

The proposal presented by Jones Insurance Services includes \$41,598,495.00 of coverage through Underwriters at Lloyd's. This amount of coverage covers the full statement of values for the City and the proposed premium is a 7% increase from the 2018-2019 premiums. The annual cost for the proposed coverage is \$168,107.00.

On motion of Councilman Naquin, seconded by Councilman Tabor, the Council voted on a resolution to authorize the Mayor to sign a contract by Jones Insurance Services with Underwriters at Lloyd's for 2019-2020 Fire and Property Insurance. Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Naquin, Mire
NAYS: None
ABSTAINED: None

RESOLUTION NO. 2208

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN
A CONTRACT PRESENTED BY JONES INSURANCE
SERVICES WITH UNDERWRITERS AT LLOYD'S FOR
2019-2020 FIRE AND PROPERTY INSURANCE**

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

WHEREAS, the City's Fire and Property Insurance coverage is set to expire on June 1, 2019; and

WHEREAS, the City has received a renewal proposal from our local agent, Jones Insurance Services, for the City's 2019-2020 Fire and Property Insurance coverage; and

WHEREAS, the Mayor is recommending that the City accept the proposal presented by Jones Insurance Services with Underwriters at Lloyd's for the aforesaid insurance coverage with an annual premium of \$168,107.00 for \$41,598,495.00 in coverage based on the City's statement of values.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Thibodaux that the Mayor be and is hereby authorized to sign a contract for the coverage presented by Jones Insurance Services for the City's 2019-2020 Fire and Property Insurance coverage as stated herein.

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

YEAS: Tabor, Richard, Johnson, Naquin, Mire
NAYS: None
ABSTAINED: None

And the above resolution was declared adopted this 7th day of May 2019.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The City received a proposal for the City's Boiler and Machinery Insurance coverage for the period June 1, 2019 through June 1, 2020.

The proposal presented by Arthur J. Gallagher and Company includes \$41,672,490.00 of coverage through Hartford Steam Boiler Inspection & Insurance Company. The annual premium for the proposed coverage is \$14,942.00. The renewal premium is a 46% decrease from the current premium.

On motion of Councilwoman Johnson, seconded by Councilman Naquin, the Council voted on a resolution to authorize the Mayor to sign a contract presented by Arthur J. Gallagher & Company with Hartford Steam Boiler & Machinery-Equipment Breakdown Insurance. Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

RESOLUTION NO. 2209

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A
CONTRACT PRESENTED BY ARTHUR J. GALLAGHER &
COMPANY WITH HARTFORD STEAM BOILER INSPECTION &
INSURANCE COMPANY FOR THE 2019-2020 POLICY YEAR
FOR BOILER & MACHINERY – EQUIPMENT BREAKDOWN
INSURANCE**

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

WHEREAS, the City's Boiler and Machinery – Equipment Breakdown Insurance coverage is set to expire on June 1, 2019; and

WHEREAS, the City has received a renewal proposal from our local agent, Arthur J. Gallagher & Company, for the City's 2019-2020 Boiler and Machinery Insurance coverage; and

WHEREAS, the Mayor is recommending that the City accept the proposal presented by Arthur J. Gallagher & Company with Hartford Steam Boiler Inspection & Insurance Company for the aforesaid insurance coverage with an annual premium of \$14,942.00 for \$41,672,490.00 in coverage based on the City's statement of values.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Thibodaux that the Mayor be and is hereby authorized to sign a contract for the coverage presented by Arthur J. Gallagher & Company for the City's 2019-2020 Boiler and Machinery Insurance coverage as stated herein.

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

YEAS: Tabor, Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

And the above resolution was declared adopted this 7th day of May 2019.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Lafourche Parish Sales Tax Oversight Committee would like all of the taxing districts in the Parish to adopt resolutions opposing proposed legislation that

transfers the administration and collection of local sales and use taxes from the local collection departments to the Louisiana Department of Revenue.

House Bill 57 proposes a constitutional amendment to remove the authority of a local government subdivision to collect sales taxes it imposes and requires that the legislature provide by law for a centralized collection agency.

On motion of Councilman Naquin, seconded by Councilman Richard, the Council voted on a resolution in opposition of all proposed legislation that transfers the administration and collection of local sales & use taxes to the Louisiana Department of Revenue. Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

RESOLUTION NO. 2210

A RESOLUTION IN OPPOSITION OF ALL PROPOSED LEGISLATION THAT TRANSFERS THE ADMINISTRATION AND COLLECTION OF LOCAL SALES & USE TAXES TO THE LOUISIANA DEPARTMENT OF REVENUE

WHEREAS, the Constitution of the State of Louisiana grants local governments the right to levy and collect local sales and use taxes; and

WHEREAS, there are several constitutional amendments and bills introduced in the 2019 Regula Legislative Session that would transfer collection responsibility of local sales and use tax levies to the state Department of Revenue; and

WHEREAS, local taxing authorities possess the best knowledge and experience to properly collect its own taxes and have a proven record of proactive advancements in the areas of enforcement, audit coverage, dispute resolution, reporting technology and successful litigation; and

WHEREAS, the state of Louisiana's budget issues do not offer prospects for the Department of Revenue to have sufficient resources to provide the necessary taxpayer assistance, enforcement programs, and training of its employees on the specific application of local sales and use tax ordinances without significant cost contributions from local governments, thereby resulting in the direct and indirect loss of local tax receipts; and

WHEREAS, many local taxing authorities have issued bonded indebtedness guaranteed by the passage of locally adopted sales and use tax levies, collection of said levies the direct responsibility of local governments, and which transfer of that responsibility to a state agency may generate legal challenges and jeopardize future bond issues; and

WHEREAS, the central local collector in each parish is directly responsible to the local taxing authorities and their elected officials for the performance of local tax administration, and the Secretary of Revenue, being an appointee of the Governor, uncertainty exists as to who in the Department of Revenue will be accountable to local taxing authorities for the performance of such critical local tax administration, and the details of such accountability and structure, are essential to any local governmental consideration of such legislation; and

WHEREAS, there appears to be no direct benefit to local government to transfer local collection to the State, and the local and state interests can fulfill any requirements to provide easy and centralized filing and remitting for remote sellers and facilitators through less dramatic means; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Thibodaux in regular session assembled, that each member of the legislative

delegation for the Parish of Lafourche is urged to vigorously oppose any and all proposed legislation that transfers the administration and collection of local sales and use taxes to the Louisiana Department of Revenue.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to our entire State legislative delegation so that they will be made aware of our position on this matter.

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

YEAS: Tabor, Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

And the resolution was declared adopted this the 7th day of May 2019.

/s/ Jennifer Morvant
Jennifer Morvant, Council Admin.

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

Councilman Tabor introduced an ordinance to authorize the Mayor to execute a Cooperative Endeavor Agreement with Nicholls State University for the 2019 Manning Camp. The Public Hearing on this ordinance will be held at the Council meeting on May 21, 2019

Councilwoman Johnson introduced an ordinance to authorize the Mayor to sign a contract with the Lafourche Council on Aging. The Public Hearing on this ordinance will be held at the Council meeting on May 21, 2019.

Councilman Naquin introduced an ordinance to authorize the Mayor to sign a grant agreement with the State of Louisiana Division of Administration, Office of Community Development for a FY 2018-2019 Louisiana Local Government Assistance Program Grant (Camera Trailer for the Thibodaux Police Department). The Public Hearing on this ordinance will be held at the Council meeting on May 21, 2019.

Nicholls State University and the City agree that Glenwood Drive on the NSU campus is in need of street repairs in order to provide a safer roadway for those students, faculty, staff and citizens that access the campus on a daily basis. The City will fund and provide street and drainage improvements on Glenwood Drive and the University will provide access to the campus throughout the construction of these improvements.

On motion of Councilman Naquin, seconded by Councilman Richard, the Council voted on an ordinance to authorize the Mayor to execute a Cooperative Endeavor Agreement with Nicholls State University and the NSU Facilities Corporation for improvements on Glenwood Drive. Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

ORDINANCE NO. 3022

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT WITH NICHOLLS STATE UNIVERSITY AND THE NSU FACILITIES CORPORATION FOR IMPROVEMENTS ON GLENWOOD DRIVE

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

WHEREAS, Nicholls State University and City desire to work together to provide the best possible services and facilities to the students, faculty, staff, and citizens of the City who access campus on a daily basis; and

WHEREAS, the University has entered into a contract with the NSU Facilities Corporation pertaining to various roadways at the University and the University has assumed responsibility for maintaining and repairing such roadways and is required to provide the NSU Facilities Corporation with indemnities and protection from claims that may arise from said action(s); and

WHEREAS, the City has agreed to fund and provide street improvements on Glenwood Drive on the campus of the University; and

WHEREAS, Nicholls State University agrees to provide access to the campus for such improvements to the City, the City's Project Designers, and the Contractor awarded the work by the City; and

WHEREAS, in order for the City to provide this service to the University it is necessary to execute a cooperative endeavor agreement with Nicholls State University and NSU Facilities Corporation outlining the terms and purpose of the cooperative effort between the agencies.

NOW, THEREFORE BE IT ORDAINED by the City Council that the Mayor is hereby authorized to execute a Cooperative Endeavor Agreement with Nicholls State University and the NSU Facilities Corporation under the conditions mentioned hereinabove relative to improvements to Glenwood Drive.

BE IT FURTHER ORDAINED that a copy of the said agreement is attached hereto as Exhibit "A" and thereby made a part hereof.

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

YEAS: Tabor, Richard, Johnson, Naquin, Mire
NAYS: None
ABSTAINED: None

And the above ordinance was declared adopted this 7th day of May 2019.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

It is necessary for the City Council to adopt the required ordinance to levy our ad valorem tax millages for the Year 2019.

The millage assessments were adjusted for 2016 based on the statewide reassessment that was conducted that year. The City Council did a partial roll forward for the 2017 tax year and rolled forward to our maximum allowed millages for 2018.

On motion of Councilman Tabor, seconded by Councilman Naquin, the Council voted on an ordinance to adopt the Ad Valorem Tax Millages for the Year 2019. Upon roll call the vote was as follows:

YEAS: Tabor, Richard, Johnson, Naquin, Mire
NAYS: None
ABSTAINED: None

ORDINANCE NO. 3023

**AN ORDINANCE ADOPTING THE AD VALOREM
TAX MILLAGES FOR THE YEAR 2019**

BE IT ORDAINED, by the City of Thibodaux of the Parish of Lafourche, Louisiana, in a public meeting held on May 7, 2019, which meeting was conducted in accordance with the open meetings law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705 (B), that the following millage rate(s) be and they are hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within said City for the year 2019, for the purpose of raising revenue:

<u>TAX DESCRIPTION</u>	<u>MILLAGE</u>
<i>General Alimony</i>	<i>5.02 mills</i>
<i>Special Improvements – Streets</i>	<i>2.74 mills</i>
<i>Special Improvements - Fire Department</i>	<i>1.83 mills</i>
<i>Special Improvements – Fire Department</i>	<i>5.00 mills</i>

BE IT FURTHER ORDAINED that the Assessor of the Parish of Lafourche, shall extend upon the assessment roll for the year 2019 the taxes herein levied, and the tax collector of said City shall collect and remit the same to said taxing authority in accordance with law.

The foregoing ordinance was read in full, the roll was called on the adoption thereof, and the ordinance was adopted by the following votes:

YEAS: Tabor, Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

And the above ordinance was declared adopted this 7th day of May 2019.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

Condemnation hearings were held for several properties located within the City.

516 Pine Street- The Council didn't take any action because proper notification was not received.

225 North 10th Street- The Council didn't take any action because the address was questionable.

601 Arms Street- The Council unanimously voted to move forward with condemnation after 30 days.

1106 Henderson Street- The Council tabled this item until the May 21, 2019 Council meeting.

1018 and 1020 Lagarde Street- The Council allowed a 6 month extension to commence repairs and report back at the November 5, 2019 Council meeting with a status report.

The Mayor updated the Council on projects going on throughout the City.

Councilwoman Johnson questioned the Public Works Director about projects in her area.

Councilman Mire questioned the Public Works Director on issues with fire hydrants. He also thanked everyone involved in helping to make the Thibodaux Fireman's fair a success.

There being no further business the meeting was adjourned.

Jennifer Morvant, Council Adm.

Chad J. Mire, President