

**OFFICIAL MINUTES OF THE CITY COUNCIL
CITY OF THIBODAUX
CITY HALL
THIBODAUX, LOUISIANA
APRIL 6, 2021**

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, April 6, 2021 at 5:00 P.M.

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

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

Absent: Councilman Richard.

The minutes of the March 16, 2021 City Council Meeting were approved as written.

The term of Mr. Clay Breaud on the Thibodaux Planning & Zoning Commission expired on August 17, 2020.

In accordance with the provisions Section 22-6 of the Thibodaux City Code of Ordinances, the Councilman Tabor has appointing authority for this appointment.

Mr. Tabor has informed me that he wishes to re-appoint Mr. Clay Breaud to the Thibodaux Planning & Zoning Commission for another five-year term. Mr. Breaud's term will be set to expire on August 17, 2025.

On motion of Councilman Tabor, seconded by Councilman Naquin, the Council voted on a resolution to approve Councilman Tabor's re-appointment of Mr. Clay Breaud as a member of the Thibodaux Planning and Zoning Commission. Upon roll call the vote was as follows:

YEAS: Tabor, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Richard

RESOLUTION NO. 2319

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

WHEREAS, the Thibodaux Planning & Zoning Commission is comprised of five members appointed by the Thibodaux City Council and Mayor; and

WHEREAS, due to the expiration of the term of Clay Breaud, it is necessary to appoint a member to fill the vacancy on the board; and

WHEREAS, in accordance with the rotation method of appointment dictated by Section 22-6 of the City Code of Ordinances, Councilman Tabor has nominated Mr. Clay Breaud for re-appointment to fill the aforesaid vacancy.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Thibodaux that in accordance with the provisions of Article IX of the Thibodaux Zoning Ordinance, Mr. Clay Breaud, is hereby appointed as a member to the Thibodaux Planning & Zoning Commission.

BE IT FURTHER RESOLVED that the term of Mr. Breaud will expire August 17, 2025.

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

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

And the above resolution was declared adopted this 6th day of April 2021.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

On March 2, 2021, the Council approved Ordinance No. 3127 to propose amendments to the Home Rule Charter in order to change the date newly elected officials take office, and appointing authorities for the Thibodaux Civil Service Board. We now must adopt a resolution to call for the special election as required by the adoption of Ordinance No. 3127. Also included in the special election call is the renewal of the 1.83 mill ad valorem tax for the Fire Department, and 2.74 mill ad valorem tax for streets.

In order to call the special election the City Council must adopt a resolution calling and ordering the election to be submitted to the State Bond Commission and the Secretary of State for placement on the October 9, 2021 ballot.

On motion of Councilwoman Johnson, seconded by Councilman Naquin, the Council voted on a resolution to order and call a special election to be held in the City of Thibodaux, State of Louisiana, to vote upon the adoption of amendments to the current Home Rule Charter of the City of Thibodaux and to authorize the renewal of special taxes therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith. Upon roll call the vote was as follows:

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

RESOLUTION 2320

A RESOLUTION ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD IN THE CITY OF THIBODAUX, STATE OF LOUISIANA, TO VOTE UPON THE ADOPTION OF AMENDMENTS TO THE CURRENT HOME RULE CHARTER OF THE CITY OF THIBODAUX AND TO AUTHORIZE THE RENEWAL OF SPECIAL TAXES THEREIN; MAKING APPLICATION TO THE STATE BOND COMMISSION IN CONNECTION THEREWITH; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

BE IT RESOLVED by the City Council of the City of Thibodaux, State of Louisiana (the "Governing Authority"), acting as the governing authority of the City of Thibodaux, State of Louisiana (the "City"), that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by the Constitution of the State of Louisiana of 1974, including Article VI, Sections 5, 22 and 27 thereof, the applicable provisions of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the City on SATURDAY, OCTOBER 9, 2021, between the hours of seven o'clock (7:00) a.m. and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following propositions, to-wit:

**PROPOSITION NO. 1 OF 4
(CHARTER AMENDMENT)**

Shall Article III, Section 4 of the Home Rule Charter of the City of Thibodaux be amended as set forth in Ordinance No. 3127 adopted by the Thibodaux City Council on March 2, 2021, to provide that the Mayor and members of the City Council shall take office on the second Monday in January following their election?

**PROPOSITION NO. 2 OF 4
(CHARTER AMENDMENT)**

Shall Article IV, Section 6(A) of the Home Rule Charter of the City of Thibodaux be amended as set forth in Ordinance No. 3127 adopted by the Thibodaux City Council on March 2, 2021 to modify the process by which members may be nominated to the Civil Service Board?

**PROPOSITION NO. 3 OF 4
(FIRE DEPARTMENT MILLAGE RENEWAL)**

Shall the City of Thibodaux, State of Louisiana (the "City"), continue to levy and collect a special tax of one and eighty-three hundredths (1.83) mills on all the property subject to taxation in said City (an estimated \$237,600 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2023 and ending with the year 2032, for the purpose of maintaining and operating the fire department facilities of said City?

**PROPOSITION NO. 4 OF 4
(STREET MILLAGE RENEWAL)**

Shall the City of Thibodaux, State of Louisiana (the "City"), continue to levy and collect a special tax of two and seventy-four hundredths (2.74) mills on all the property subject to taxation in said City (an estimated \$355,800 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years beginning with the year 2023 and ending with the year 2032, for the purpose of the maintenance of the public streets, roads and alleys within the City?

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in the *Daily Comet*, a newspaper of general circulation within the City, published in Thibodaux, Louisiana, and being the official journal of the City, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full. Notwithstanding the foregoing, prior to the publication of the Notice of Election, the President is authorized and directed to make any amendments to the foregoing propositions that may be required to comply with any state or federal regulatory agencies.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, the Council Chambers, 2nd Floor, 310 W. 2nd Street, Thibodaux, Louisiana, on TUESDAY, NOVEMBER 16, 2021, at FIVE O'CLOCK (5:00) P.M., and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

SECTION 4. Polling Places. The polling places for the precincts set forth in the aforesaid Notice of Special Election are hereby designated as the polling

places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held as provided in Section 3 hereof. All registered voters in the City will be entitled to vote at the special election, and voting machines shall be used.

SECTION 6. Authorization of Officers. The Council Administrator of the City is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the President and/or Council Administrator of the City are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodian of Voting Machines of Lafourche Parish and the Registrar of Voters of Lafourche Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to amend the Home Rule Charter of the City of Thibodaux and to continue to levy and collect the special taxes provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

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

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

And the resolution was declared adopted on this, the 6th day of April, 2021.

/s/ Jennifer Morvant
Council Administrator

/s/ Chad J. Mire
President

EXHIBIT "A"

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the City Council of the City of Thibodaux, State of Louisiana (the "Governing Authority"), acting as the governing authority of the City of Thibodaux, State of Louisiana (the "City"), on April 6, 2021, NOTICE IS HEREBY GIVEN that a special election will be held within the City on SATURDAY, OCTOBER 9, 2021, and that at the said election there will be submitted to all registered voters in the City qualified and entitled to vote at the said election under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following propositions, to-wit:

**PROPOSITION NO. 1 OF 4
(CHARTER AMENDMENT)**

Shall Article III, Section 4 of the Home Rule Charter of the City of Thibodaux be amended as set forth in Ordinance No. 3127 adopted by the Thibodaux City Council on March 2, 2021, to provide that the Mayor and members of the City Council shall take office on the second Monday in January following their election?

**PROPOSITION NO. 2 OF 4
(CHARTER AMENDMENT)**

Shall Article IV, Section 6(A) of the Home Rule Charter of the City of Thibodaux be amended as set forth in Ordinance No. 3127 adopted by the Thibodaux City Council on March 2, 2021 to modify the process by which members may be nominated to the Civil Service Board?

**PROPOSITION NO. 3 OF 4
(FIRE DEPARTMENT MILLAGE RENEWAL)**

Shall the City of Thibodaux, State of Louisiana (the "City"), continue to levy and collect a special tax of one and eighty-three hundredths (1.83) mills on all the property subject to taxation in said City (an estimated \$237,600 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2023 and ending with the year 2032, for the purpose of maintaining and operating the fire department facilities of said City?

**PROPOSITION NO. 4 OF 4
(STREET MILLAGE RENEWAL)**

Shall the City of Thibodaux, State of Louisiana (the "City"), continue to levy and collect a special tax of two and seventy-four hundredths (2.74) mills on all the property subject to taxation in said City (an estimated \$355,800 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years beginning with the year 2023 and ending with the year 2032, for the purpose of the maintenance of the public streets, roads and alleys within the City?

The said special election shall be held at the polling places for the following precincts, which polls will open at seven o'clock (7:00) a.m. and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, to wit:

**PRECINCTS
01-02(PART)
01-04(PART)
02-01(PART)
02-01A(PART)
02-02A(PART)**

02-02B(PART)
02-03(PART)
02-03A
02-04(PART)
02-05
02-06
02-07
02-08
02-09(PART)
02-10(PART)
02-11(PART)
02-12(PART)
02-14

The polling places for the precincts set forth above are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

The estimated cost of this election as determined by the Secretary of State based upon the provisions of Chapter 8-A of Title 18 and actual costs of similar elections is \$33,000.

Notice is further given that a portion of the monies collected from the taxes described in the Propositions shall be remitted to certain state and statewide retirement systems in the manner required by law.

The said special election will be held in accordance with the applicable provisions of Chapter 5 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and the officers appointed to hold the said election, as provided in this Notice of Special Election, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, will make due returns thereof to said Governing Authority, and NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet at its regular meeting place, the Council Chambers, 2nd Floor, 310 W. 2nd Street, Thibodaux, Louisiana, on TUESDAY, NOVEMBER 16, 2021, at FIVE O'CLOCK (5:00) P.M., and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election. All registered voters of the City are entitled to vote at said special election and voting machines will be used.

THUS DONE AND SIGNED at Thibodaux, Louisiana, on this, the 6th day of April, 2021.

ATTEST:

/s/ Chad J. Mire
President

/s/ Jennifer Morvant
Council Administrator

STATE OF LOUISIANA

PARISH OF LAFOURCHE

I, the undersigned Council Administrator of the City of Thibodaux, State of Louisiana (the "City"), do hereby certify that the foregoing pages constitute a true and correct copy of the proceedings taken by the City Council on April 6, 2021, ordering and calling a special election to be held in the City of Thibodaux, State of Louisiana, to vote upon the adoption of amendments to the current Home Rule Charter of the City of Thibodaux and to authorize the renewal of special taxes therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature at Thibodaux, Louisiana, on this, the 6th day of April, 2021.

/s/ Jennifer Morvant

Council Administrator

Councilman Naquin introduced an ordinance to amend and re-enact Chapter 6, Article II of the Thibodaux City Code of Ordinances so as to create Section 6-5.1 – Illicit Discharge.

Councilman Tabor introduced an ordinance to authorize the Mayor to execute a Cash Sale with Louisiana Department of Transportation and Development for the sale of a certain parcel of property associated with the construction of the Acadia Road Roundabout State Project No. H.009320.

The Public Hearings on these ordinances will be held at the Council meeting on April 20, 2021.

The City would like to continue to participate with the Lafourche Parish Sheriff's Office in the operation of a Children's Advocacy Center to be utilized by the Thibodaux Police Department for investigative services for victims of child abuse or neglect.

The proposed agreement is for the year 2021, and stipulates that the Sheriff's Office will hire the personnel necessary to operate the Children's Advocacy Center, and the City will provide \$10,000.00 to offset the costs incurred by the Sheriff for this service. In order to cooperate with the Sheriff's Office for the Children's Advocacy Center, it is necessary to execute an Interagency Agreement stipulating the responsibilities of all parties involved.

On motion of Councilwoman Johnson, seconded by Councilman Tabor, the Council voted on an ordinance to authorize the Mayor to execute a Cooperative Endeavor Agreement with the Lafourche Parish Sheriff's Office for the operation of the Children's Advocacy Center. Upon roll call the vote was as follows:

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

ORDINANCE NO. 3134

***AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A
COOPERATIVE ENDEAVOR AGREEMENT WITH THE
LAFOURCHE PARISH SHERIFF'S OFFICE FOR THE
OPERATION OF THE CHILDREN'S ADVOCACY CENTER***

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

WHEREAS, the City has an obligation to provide protection and investigative services for the child victim of abuse or neglect; and

WHEREAS, in order to lessen the duplication of services the Lafourche Parish Sheriff's Office will provide funding to hire the personnel necessary to operate a Children's Advocacy Center to be utilized by the Thibodaux Police Department; and

WHEREAS, the City will provide funding an amount not to exceed \$10,000 for the year 2021 to offset the costs incurred by the Sheriff's Office; and

WHEREAS, in order for the City to provide the said funding, it is necessary to execute a cooperative endeavor agreement outlining the benefits to be received by the City of Thibodaux in exchange for the said funding; and

WHEREAS, in order for the City to execute this proposed agreement it is necessary for the Council to authorize the Mayor to do so by the adoption of an ordinance.

NOW, THEREFORE BE IT ORDAINED by the City Council that the Mayor is hereby authorized to execute a Cooperative Endeavor Agreement with the Lafourche Parish Sheriff's Office for the purposes, and under the conditions mentioned hereinabove.

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

And the above ordinance was declared adopted this 6th day of April 2021.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The City would like to enter into a cooperative endeavor agreement with Lafourche Parish Government in order for them to provide \$100,000.00 towards the cost of installing turf on the baseball field at Peltier Park. The City will be responsible for the installation of the turf, and will be responsible for any additional funds required to complete the project.

On motion of Councilman Tabor, seconded by Councilman Naquin, the Council voted on an ordinance to authorize the Mayor to execute a Cooperative Endeavor Agreement with Lafourche Parish Government for assistance with the construction of a turf field in Peltier Park. Upon roll call the vote was as follows:

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

ORDINANCE NO. 3135

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT WITH LAFOURCHE PARISH GOVERNMENT FOR ASSISTANCE WITH THE CONSTRUCTION OF A TURF FIELD IN PELTIER PARK

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

WHEREAS, the City and Lafourche Parish Government are desirous of entering into a Cooperative Endeavor Agreement in order to provide for the installation of a turf field in Peltier Park; and

WHEREAS, The Lafourche Parish Government has budgeted \$100,000.00 to assist the City with the costs associated with the construction of this project; and

WHEREAS, the City will be responsible for hiring a contractor to complete this project and will provide all additional funding required for the completion of the project; and

WHEREAS, in order for the City to execute this proposed agreement it is necessary for the Council to authorize the Mayor to execute a Cooperative Endeavor Agreement.

NOW, THEREFORE BE IT ORDAINED by the City Council that the Mayor is hereby authorized to execute a Cooperative Endeavor Agreement with the Lafourche Parish Government to provide funding to assist the City with the installation of turf fields in Peltier Park.

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, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Richard

And the above ordinance was declared adopted this 6th day of April 2021.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Planning & Zoning Commission has recommended the approval of a special exception request by Lloyd “Chip” Badeaux for property located at 1030 Henderson Street.

Section 307 of the Thibodaux Zoning Ordinance stipulates the process for granting a special exception to certain provisions contained in the zoning ordinance. This particular request is to allow a special exception in accordance with the provisions of the R-3 Zoning District Regulations in order to operate a personal services establishment (one stylist beauty salon) at 1030 Henderson Street.

On motion of Councilman Tabor, seconded by Councilman Naquin, the Council voted on an ordinance to approve a special exception request in accordance with Section 307 of the Thibodaux Zoning Ordinance in order to allow a Personal Services Establishment in an R-3 Zoning District – 1030 Henderson Street (Beauty Salon). Upon roll call the vote was as follows:

YEAS: Tabor, Naquin, Mire

NAYS: Johnson

ABSTAINED: None

ABSENT: Richard

ORDINANCE NO. 3136

**AN ORDINANCE APPROVING A SPECIAL EXCEPTION REQUEST
IN ACCORDANCE WITH SECTION 307 OF THE THIBODAUX
ZONING ORDINANCE IN ORDER TO ALLOW A PERSONAL
SERVICES ESTABLISHMENT IN AN R-3 ZONING DISTRICT –
1030 HENDERSON STREET (BEAUTY SALON)**

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

WHEREAS, in accordance with the provisions of Section 307 of the Thibodaux Zoning Ordinance, a special exception request has been filed with the Zoning Administrator by Lloyd “Chip” Badeaux for property located at 1030 Henderson Street which is designated as an R-3 Zoning District; and

WHEREAS, the request was filed in order to request a special exception in accordance with the R-3 Zoning District regulations in order to allow a personal services establishment (beauty salon) at this location; and

WHEREAS, a request for a special exception was duly referred to the Thibodaux Planning and Zoning Commission on March 3, 2021 and the Commission is recommending approval of the request by the City Council.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Thibodaux that the aforesaid special exception request to allow a personal services establishment (beauty salon) to be operated in an R-3 Zoning District located at 1030 Henderson Street is hereby approved.

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

YEAS: Tabor, Naquin, Mire

NAYS: Johnson

ABSTAINED: None

ABSENT: Richard

And the above ordinance was declared adopted this 6th day of April 2021.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Mayor updated the Council on several projects going on throughout the City. He also informed them that a Covid Vaccine site had taken place at the Warren J. Harang Jr. Auditorium last week and that another would take place on Thursday of this week.

The Council Administrator reminded the Council of the upcoming Student Government Day that would take place on Monday, April 19, 2021.

There being no further business the meeting was adjourned.

Jennifer Morvant, Council Adm.

Chad J. Mire, President

