

**OFFICIAL MINUTES OF THE CITY COUNCIL
CITY OF THIBODAUX
CITY HALL
THIBODAUX, LOUISIANA
MAY 18, 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, May 18, 2021 at 5:00 P.M.

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

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

Absent: Councilman Tabor.

The minutes of the May 4, 2021 City Council Meeting were approved as written.

The Monthly Financial Report was presented to the Council for April 2021 as required by the State's Agreed-Upon Procedures.

The City contracted with Duplantis Design Group in March 2019 in order to conduct a feasibility study for the construction of sidewalks and a bike path from NSU to the downtown area. The Mayor has notified the Council Administrator that he would like to proceed with the final design of that project, and he has requested that Duplantis Design Group submit a proposal to provide the design services.

The proposed agreement stipulates that Duplantis Design Group will perform design services on for the Menard Street Pedestrian Path Project for an estimated fee of \$98,595.00 based on a percentage of construction costs, plus additional hourly reimbursable costs.

On motion of Councilman Richard, seconded by Councilman Naquin, the Council voted on a resolution to authorize the Mayor to execute a Professional Services Agreement with Duplantis Design Group for the Menard Street Pedestrian Path Program. Upon roll call the vote was as follows:

YEAS: Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Tabor

RESOLUTION NO. 2328

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH DUPLANTIS DESIGN GROUP FOR THE MENARD STREET PEDESTRIAN PATH PROJECT

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

WHEREAS, the City wishes to construct a 6'-8' wide, approximately 1 mile long, 4" thick concrete sidewalk and bike path from Nicholls State University (Audubon Avenue) to East 2nd Street; and

WHEREAS, the Mayor has selected Duplantis Design Group to provide design services for the aforesaid project with an estimated fee of \$98,595.00 based on a percentage of construction costs, plus additional hourly reimbursable costs; and

WHEREAS, it is necessary to execute a contract with the said engineering firm for the services to be rendered in conjunction with this project.

NOW, THEREFORE BE IT RESOLVED by the City Council that the Mayor be and is hereby authorized to execute an engineering contract with Duplantis Design Group for the aforementioned project.

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

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

YEAS: Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAIN: None

ABSENT: Tabor

And the above resolution was declared adopted this 18th day of May 2021.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

Councilwoman Johnson introduced an ordinance to authorize the Mayor to execute a Cooperative Endeavor Agreement with Nicholls State University for the 2021 Manning Camp. The Public Hearing on this ordinance will be held at the Council meeting on June 1, 2021.

The City Council amended Section 20-31 last year based on the Mayor's request. The Assistant City Prosecutor has informed the Council Administrator that the section should be amended in order to remove the requirement for the Police Department to place a sticker on the abandoned vehicle because officers cannot enter private property to tag these vehicles. Photographs should be taken and the owners notified that the vehicle has to be removed. If the vehicle is not removed in accordance with the notice, a summons will be issued for them to appear in City Court.

The proposed ordinance would amend and re-enact Section 20-31 of the Thibodaux City Code of Ordinances in order to remove the sticker requirement as requested by Mr. Comeaux.

On motion of Councilman Naquin, seconded by Councilwoman Johnson, the Council voted on an ordinance to amend and re-enact Section 20-31 of the Thibodaux City Code of Ordinances – Parking and Storage of Certain Vehicles. Upon roll call the vote was as follows:

YEAS: Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Tabor

ORDINANCE NO. 3145

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 20-31 OF THE THIBODAUX CITY CODE OF ORDINANCES – PARKING AND STORAGE OF CERTAIN VEHICLES

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

WHEREAS, Section 20-31 is hereby amended and re-enacted so as to read as follows:

Sec. 20-31. - Parking and storage of certain vehicles.

Motor vehicles or towable trailers of any kind or type without current license plates and motor vehicle inspection tags shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings, obscured fencing or garage. Photographs shall be taken of said vehicles, and the owner shall be notified of the violation.

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

YEAS: Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Tabor

And the above ordinance was declared adopted this 18th day of May 2021.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Assistant City Prosecutor has requested to make several changes to Chapter 7 of the Thibodaux City Code of Ordinances which established a local criminal code to be prosecuted in City Court.

Two of the amendments are being proposed to create Section 7-46 – False Imprisonment, and 7-80.1 – Misdemeanor Carnal Knowledge of a Juvenile. These sections are not currently in our criminal code, so in order to prosecute this offense in City Court, it is necessary to adopt an ordinance to include these Sections in Chapter 7.

The other amendments to Section 7-56 (Simple Criminal Damage to Property), Section 7-68 (Unauthorized Use of a Movable), Section 7-69 (Illegal Possession of Stolen Things), and Section 7-2000 (Curfew for Minors-Definitions), are being proposed in order to update those sections based on updates made to their corresponding state statutes.

On motion of Councilwoman Johnson, seconded by Councilman Richard, the Council voted on an ordinance to amend and re-enact Chapter 7, Article V of the Thibodaux City Code of Ordinances so as to create Section 7-46 False Imprisonment. Upon roll call the vote was as follows:

YEAS: Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Tabor

ORDINANCE NO. 3146

***AN ORDINANCE TO AMEND AND RE-ENACT CHAPTER 7,
ARTICLE V OF THE THIBODAUX CITY CODE OF ORDINANCES
SO AS TO CREATE SECTION 7-46 FALSE IMPRISONMENT***

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that Chapter 7, Article V of the Thibodaux City Code of Ordinances is hereby amended and re-enacted so as to create Section 7-46 False Imprisonment:

Chapter 7 – Offenses and Miscellaneous Provisions
Article V. Assault and Battery and Related Offenses
Sec. 7-46 – False Imprisonment

- A. False imprisonment is the intentional confinement or detention of another, without his consent and without proper legal authority.
- B. Whoever commits the crime of false imprisonment shall be fined not more than two hundred dollars, or imprisoned for not more than six months, or both.

State Law reference – Similar provisions, R.S. 14:46

BE IT FURTHER ORDAINED that the provisions of this ordinance shall become effective immediately upon its adoption and approval by the Mayor.

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

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

And the above ordinance was declared adopted this 18th day of May 2021.

/s/ Jennifer Morvant
 Jennifer Morvant, Council Adm.

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

On motion of Councilman Richard, seconded by Councilman Naquin, the Council voted on an ordinance to amend and re-enact Section 7-56 of the Thibodaux City Code of Ordinances (Simple Criminal Damage to Property). Upon roll call the vote was as follows:

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

ORDINANCE NO. 3147

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 7-56 OF THE THIBODAUX CITY CODE OF ORDINANCES (SIMPLE CRIMINAL DAMAGE TO PROPERTY)

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that Section 7-56 of the Thibodaux City Code of Ordinances is hereby amended and re-enacted so as to read as follows:

Sec. 7-56 – Simple Criminal Damage to Property

- A. (1) Simple criminal damage to property is the intentional damaging of any property of another, without the consent of the owner, and except as provided in R.S. 14:55, by any means other than fire or explosion.
- (2) The provisions of this Section shall include the intentional damaging of a dwelling, house, apartment, or other structure used in whole or in part as a home, residence, or place of abode by a person who leased or rented the property.
- B. (1) Whoever commits the crime of simple criminal damage to property where the damage is less than one thousand dollars shall be fined not more than one thousand dollars or imprisoned for not more than six months, or both.
- (2) Where the damage amounts to one thousand dollars but less than fifty thousand dollars, the offender shall be fined not more than one thousand dollars or imprisoned with or without hard labor for not more than two years, or both.
- (3) Where the damage amounts to fifty thousand dollars or more, the offender shall be fined not more than ten thousand dollars or imprisoned with or without hard labor for not less than one nor more than ten years, or both.

(4) In addition to the foregoing penalties, a person convicted under the provisions of this Section may be ordered to make full restitution to the owner of the property. If a person ordered to make restitution is found to be indigent and therefore unable to make restitution in full at the time of conviction, the court shall order a periodic payment plan consistent with the person's ability to pay.

State Law reference – Similar provisions, R.S. 14:56

***BE IT FURTHER ORDAINED* that the provisions of this ordinance shall become effective immediately upon its adoption and approval by the Mayor.**

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

YEAS: Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Tabor

And the above ordinance was declared adopted this 18th day of May 2021.

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

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

On motion of Councilwoman Johnson, seconded by Councilman Naquin, the Council voted on an ordinance to amend and re-enact Section 7-68 of the Thibodaux City Code of Ordinances (Unauthorized Use of a Movable). Upon roll call the vote was as follows:

YEAS: Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Tabor

ORDINANCE NO. 3148

***AN ORDINANCE TO AMEND AND RE-ENACT SECTION 7-68 OF
THE THIBODAUX CITY CODE OF ORDINANCES
(UNAUTHORIZED USE OF A MOVABLE)***

***BE IT ORDAINED* by the City Council of the City of Thibodaux in regular session assembled, that Section 7-68 of the Thibodaux City Code of Ordinances is hereby amended and re-enacted so as to read as follows:**

Sec. 7-68 - Unauthorized use of movable.

- A. Unauthorized use of a movable is the intentional taking or use of a movable which belongs to another, either without the other's consent, or by means of fraudulent conduct, practices, or representations, but without any intention to deprive the other of the movable permanently. The fact that the movable so taken or used may be classified as an immovable, according to the law pertaining to civil matters, is immaterial.**
- B. Whoever commits the crime of unauthorized use of a movable having a value of one thousand dollars or less shall be fined not more than five hundred dollars, imprisoned for not more than six months, or both. Whoever commits the crime of unauthorized use of a movable having a value in excess of one thousand dollars shall be fined not more than five thousand dollars, imprisoned, with or without hard labor, for not more than two years, or both.**

State Law reference – Similar provisions, R.S. 14:68

BE IT FURTHER ORDAINED that the provisions of this ordinance shall become effective immediately upon its adoption and approval by the Mayor.

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

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

And the above ordinance was declared adopted this 18th day of May 2021.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

On motion of Councilman Naquin, seconded by Councilwoman Johnson, the Council voted on an ordinance to amend and re-enact Section 7-69 of the Thibodaux City Code of Ordinances (Illegal Possession of Stolen Things). Upon roll call the vote was as follows:

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

ORDINANCE NO. 3149

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 7-69 OF THE THIBODAUX CITY CODE OF ORDINANCES (ILLEGAL POSSESSION OF STOLEN THINGS)

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that Section 7-69 of the Thibodaux City Code of Ordinances is hereby amended and re-enacted so as to read as follows:

Sec. 7-69 – Illegal Possession of Stolen Things.

- A. Illegal possession of stolen things is the intentional possessing, procuring, receiving, or concealing of anything of value which has been the subject of any robbery or theft, under circumstances which indicate that the offender knew or had good reason to believe that the thing was the subject of one of these offenses.**
- B. (1) Whoever commits the crime of illegal possession of stolen things, when the value of the things is twenty-five thousand dollars or more, shall be imprisoned at hard labor for not more than twenty years, or may be fined not more than fifty thousand dollars, or both.**
- (2) When the value of the stolen things is five thousand dollars or more, but less than a value of twenty-five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than ten years, or may be fined not more than ten thousand dollars, or both.**
- (3) When the value of the stolen things is one thousand dollars or more, but less than a value of five thousand dollars, the offender shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than three thousand dollars, or both.**
- (4) When the value of the stolen things is less than one thousand dollars, the offender shall be imprisoned for not more than six months or may be fined not more than one thousand dollars, or both. If the offender in such cases has been convicted of theft two or more times previously, upon any subsequent conviction, he shall be imprisoned, with or without hard labor, for not more than two years, or may be fined not more than two thousand dollars, or both.**

C. When the offender has committed the crime of illegal possession of stolen things by a number of distinct acts, the aggregate of the amount of the things so received shall determine the grade of the offense.

D. It shall be an affirmative defense to a violation of this Section committed by means of possessing, that the accused, within seventy-two hours of his acquiring knowledge or good reason to believe that a thing was the subject of robbery or theft, reports that fact or belief in writing to the district attorney in the parish of his domicile.

E. No person shall be exempt from prosecution under this Section for any act committed with fraudulent, willful, or criminal knowledge regardless of any other presumption or exemption provided by statute, including but not limited to any signed statement of ownership executed by a purported owner of property conveyed.

State Law reference – Similar provisions, R.S. 14:69

BE IT FURTHER ORDAINED that the provisions of this ordinance shall become effective immediately upon its adoption and approval by the Mayor.

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

YEAS: Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Tabor

And the above ordinance was declared adopted this 18th day of May 2021.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

On motion of Councilman Richard, seconded by Councilman Naquin, the Council voted on an ordinance to amend and re-enact Chapter 7, Article VII of the Thibodaux City Code of Ordinances so as to create Section 7-80.1 Misdemeanor Carnal Knowledge of a Juvenile. Upon roll call the vote was as follows:

YEAS: Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Tabor

ORDINANCE NO. 3150

***AN ORDINANCE TO AMEND AND RE-ENACT CHAPTER 7,
ARTICLE VII OF THE THIBODAUX CITY CODE OF
ORDINANCES SO AS TO CREATE SECTION 7-80.1
MISDEMEANOR CARNAL KNOWLEDGE OF A JUVENILE***

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that Chapter 7, Article VII of the Thibodaux City Code of Ordinances is hereby amended and re-enacted so as to create Section 7-80.1 Misdemeanor Carnal Knowledge of a Juvenile to read as follows:

Chapter 7 – Offenses and Miscellaneous Provisions

Article VII - Offenses Affecting the Public Morals

Sec. 7-80.1 – Misdemeanor Carnal Knowledge of a Juvenile

- A. Misdemeanor carnal knowledge of a juvenile is committed when a person who is seventeen years of age or older has sexual intercourse, with consent, with a person who is thirteen years of age or older but less than seventeen years of age, when the victim is not the spouse of the offender, and when the difference between the age of the victim and age of the offender is greater than two years, but less than four years.
- B. As used in this Section, “sexual intercourse” means anal, oral, or vaginal sexual intercourse.
- C. Lack of knowledge of the juvenile's age shall not be a defense. Emission is not necessary, and penetration, however slight, is sufficient to complete the crime.
- D. Whoever commits the crime of misdemeanor carnal knowledge of a juvenile shall be fined not more than one thousand dollars, or imprisoned for not more than six months, or both.
- E. The offender shall be eligible to have his conviction set aside and his prosecution dismissed in accordance with the appropriate provisions of the Code of Criminal Procedure.
- F. The offender shall not be subject to any of the provisions of law which are applicable to sex offenders, including but not limited to the provisions which require registration of the offender and notice to the neighbors of the offender.

State Law reference – Similar provisions, R.S. 14:80.1

BE IT FURTHER ORDAINED that the provisions of this ordinance shall become effective immediately upon its adoption and approval by the Mayor.

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

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

And the above ordinance was declared adopted this 18th day of May 2021.

/s/ Jennifer Morvant
 Jennifer Morvant, Council Adm.

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

On motion of Councilwoman Johnson, seconded by Councilman Naquin, the Council voted on an ordinance to amend and re-enact Chapter 7, Article IX, Division 2, Section 7-2000 of the Thibodaux City Code of Ordinances (Curfew for Minors-Definitions). Upon roll call the vote was as follows:

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

ORDINANCE NO. 3151

AN ORDINANCE TO AMEND AND RE-ENACT CHAPTER 7, ARTICLE IX, DIVISION 2, SECTION 7-2000 OF THE THIBODAUX CITY CODE OF ORDINANCES (CURFEW FOR MINORS-DEFINITIONS)

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that Chapter 7, Article IX, Division 2, Section 7-2000 of the Thibodaux City Code of Ordinances is hereby amended and re-enacted so as to read as follows:

**Chapter 7 – Offenses and Miscellaneous Provisions
Article IX – Miscellaneous Offenses
Division 2 – Curfew for Minors
Sec. 7-2000. - Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adult means any person who has reached the age of eighteen (18) or older.

Custodian means a parent as defined in Ch. C. art. 116, or a person with legal custody as defined in Ch. C. art. 116, to whom the care or supervision of the juvenile has been temporarily and lawfully delegated or assigned, or if the juvenile does not reside with any of such persons, then in that case the term custodian shall mean any adult with whom the juvenile resides.

Emergency means an unforeseen circumstance or the resulting state that demands immediate action, including but not limited to a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

Juvenile means any person under the age of **eighteen (18) years**.

Permit means to knowingly allow or knowingly fail to prevent, or to fail to prevent due to lack of reasonable efforts or concern or due to failure to supervise or control.

Public place means any place to which the public or a substantial group of the public has access, and includes but is not limited to streets, highways, sidewalks, corners, avenues, alleys, parks, playgrounds, public buildings, vacant lots or other public places.

Reasonable errand means the activity of a juvenile pursuant to a custodian's direction in a public place in order to accomplish an emergency mission or a legitimate family function in a normal and customary fashion considering the time of day, or going to or returning home from such an activity without any detour or stop.

Remain means to unnecessarily tarry, stay, loiter, idle, wander, stroll or play; or fail to leave premises when requested to do so by a police officer or the owner, operator or other person in control of the premises.

BE IT FURTHER ORDAINED that the provisions of this ordinance shall become effective immediately upon its adoption and approval by the Mayor.

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

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

And the above ordinance was declared adopted this 18th day of May 2021.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Council adopted Ordinance No. 2910 on June 6, 2017 in order to create a local criminal code based on the regulations included in Chapter 14 of the Louisiana State Statutes that can now be enforced in Thibodaux City Court.

The Assistant City Prosecutor has notified the Council Administrator that several Sections in our code have been repealed on the state level; therefore we need to update the code in order to rescind these sections.

On motion of Councilman Richard, seconded by Councilwoman Johnson, the Council voted on an ordinance to amend and re-enact Chapter 7 of the Thibodaux City Code of Ordinances so as to rescind Sections 7-67.3, 7-67.6, 7-67.7, 7-67.10, 7-67.14, 7-67.17, 7-67.20, 7-67.21, and 7-67.30. Upon roll call the vote was as follows:

YEAS: Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Tabor

ORDINANCE NO. 3152

***AN ORDINANCE TO AMEND AND RE-ENACT CHAPTER 7 OF
THE THIBODAUX CITY CODE OF ORDINANCES SO AS TO
RESCIND SECTIONS 7-67.3, 7-67.6, 7-67.7, 7-67.10, 7-67.14, 7-67.17,
7-67.20, 7-67.21, AND 7-67.30***

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

WHEREAS, Chapter 7 of the Thibodaux City Code of Ordinances establishes a local Criminal Code that is enforced in City Court based on the current regulations in Chapter 14 of the Louisiana Revised Statutes; and

WHEREAS, these regulations were adopted by Ordinance No. 2910 on June 6, 2017 in accordance with Louisiana State Statutes that were in effect at that time; and

WHEREAS, due to repeal of certain State Statutes that are included in our ordinance, the Assistant City Prosecutor has requested to rescind those Sections of the Code of Ordinances as they no longer apply to the City of Thibodaux.

NOW, THEREFORE BE IT ORDAINED that the City Council of the City of Thibodaux hereby rescinds, repeals and revokes its legislation in Chapter 7 of the Thibodaux City Code of Ordinances designated as the following:

Section 7-67.3-Unauthorized use of "access card" as theft; definitions

Section 7-67.6-Theft of utility service; inference of commission of theft; penalties

Section 7-67.7-Theft of petroleum products; penalties.

Section 7-67.10-Theft of goods

Section 7-67.14-Fraudulent acquisition of a rental motor vehicle

Section 7-67.17-Theft of motor vehicle fuel

Section 7-67.20-Theft of a business record

Section 7-67.21-Theft of the assets of a person who is aged or person with a disability

Section 7-67.30-Theft of animals

BE IT FURTHER ORDAINED that the provisions of this ordinance shall become effective immediately upon its adoption and approval by the Mayor.

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

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

And the above ordinance was declared adopted this 18th day of May 2021.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Mayor has informed the Council Administrator that he has received a request to revoke a portion of an existing servitude located on the west side of Lagarde Street north of its intersection with East 2nd Street. The City has a forty foot servitude that runs through a building owned by Tate & Ory Properties, LLC. A 708 square foot portion of the servitude that affects the building is designated as a “Quit Claim Area” on the servitude plat. Due to the fact that the City has never used or maintained that area of the right-of-way, the Mayor wishes to execute a partial revocation of dedicated street in order to revert ownership that area to the property owners.

Carrie Goodrow, 304 East 2nd Street, asked the Council questions about the proposed ordinance and a brief discussion took place.

On motion of Councilman Naquin, seconded by Councilman Richard, the Council voted to amend the ordinance to correct a typo in the ordinance to read East 2nd Street instead of West 2nd Street. Upon roll call the vote was as follows:

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

On motion of Councilwoman Johnson, seconded by Councilman Richard, the Council voted on an ordinance to authorize the Mayor to execute a Partial Revocation of Dedicated Street revoking a portion of an existing servitude on the west side of Lagarde Street north of East 2nd Street as amended. Upon roll call the vote was as follows:

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

ORDINANCE NO. 3153

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PARTIAL REVOCATION OF DEDICATED STREET REVOKING A PORTION OF AN EXISTING SERVITUDE ON THE WEST SIDE OF LAGARDE STREET NORTH OF EAST 2ND STREET

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

WHEREAS, the City has a forty (40’) foot right-of-way on the west side of Lagarde Street north of East 2nd Street of which a portion runs through a building owned by Tate & Ory Properties, LLC; and

WHEREAS, the portion of the purported right-of-way which affects the building owned by Tate & Ory is a 708 square foot area designated as a “Quit Claim Area”; and

WHEREAS, due to the fact that the City has not used or maintained that Quit Claim Area as a right-of-way for Lagarde Street in over fifty (50) years, the City has elected to partially revoke the dedication of Lagarde Street north of East 2nd Street that affects the Quit Claim Area in accordance with the provisions of La. R.S. 48:701

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Thibodaux that the Mayor be and is hereby authorized to execute a partial revocation of dedicated street with Tate & Ory Properties, LLC so as to remove an encumbered portion of the original roadway servitude and revert ownership of the property to Tate & Ory Properties, LLC.

BE IT FURTHER ORDAINED that a copy of the revocation document and plat is attached hereto and thereby made a part hereof.

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

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

And the above ordinance was declared adopted this 18th day of May 2021.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

In order to meet the Lafourche Parish Assessor's deadlines, it is time to consider the adoption of an ordinance to levy the City's ad valorem tax millages for the year 2021.

The millage assessments were adjusted for 2020 based on the statewide reassessment that was conducted this year. Due to an increase in the City's Taxable Property Valuation, our millage rates were rolled back so that we collect the same revenue as the previous year. We will have the option to roll forward to our prior year's maximum millage rate before the next reassessment is conducted.

On motion of Councilman Naquin, seconded by Councilman Richard, the Council voted on an ordinance to adopt the Ad Valorem Tax Millages for the Year 2021. Upon roll call the vote was as follows:

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

ORDINANCE NO. 3154

**AN ORDINANCE ADOPTING THE AD VALOREM TAX
MILLAGES FOR THE YEAR 2021**

BE IT ORDAINED, by the City of Thibodaux of the Parish of Lafourche, Louisiana, in a public meeting held on May 18, 2021, 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 2021, for the purpose of raising revenue:

TAX DESCRIPTION

MILLAGE

General Alimony

4.50 mills

Special Improvements – Streets

2.46 mills

Special Improvements - Fire Department

1.64 mills

Special Improvements – Fire Department

4.48 mills

BE IT FURTHER ORDAINED that the Assessor of the Parish of Lafourche, shall extend upon the assessment roll for the year 2021 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: Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Tabor

And the above ordinance was declared adopted this 18th day of May 2021.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Mayor has declared a public emergency for the condition of the Olive Street Sewer Lift Station due to the breakdown of one of the pumps and the condition of the one remaining pump, as this could create a hazard to the health and safety of the residents in that area in the remaining pump fails.

We advertised to receive public bids on May 4th, and received no responses to our request; therefore, in order to comply with the emergency provisions of state public bid law and our Home Rule Charter, the City can expedite this purchase through the declaration of an emergency situation.

On motion of Councilman Richard, seconded by Councilman Naquin, the Council voted on an ordinance to declare a public emergency for the condition of the Olive Street Sewer Lift Station. Upon roll call the vote was as follows:

YEAS: Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Tabor

ORDINANCE NO. 3155

**AN ORDINANCE DECLARING A PUBLIC EMERGENCY FOR THE
CONDITION OF THE OLIVE STREET SEWER LIFT STATION**

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

WHEREAS, the Mayor has declared the condition of the Olive Street Sewer Lift Station as a public emergency due to the breakdown of one of the station’s pumps, and the poor condition of the one remaining pump, as this could create a hazard to the health and safety of the residents in that area if the remaining pump fails; and

WHEREAS, the City advertised to receive public bids to replace the broken pump on May 4, 2021, with no responses being received to the bid request; and

WHEREAS, in order to prevent a complete shutdown of the sewer lift station, the City must acquire a new pump in the most expeditious manner allowed by State and local laws;

NOW, THEREFORE BE IT ORDAINED that the City Council of the City of Thibodaux does hereby declare a public emergency in the City of Thibodaux as a result of the condition of the Olive Street Sewer Lift Station in conjunction with the provisions of Article V, Section 4 of the Thibodaux City Charter.

BE IT FURTHER ORDAINED that public bid requirements relative to the aforesated emergency shall be waived in accordance with the provisions of LA R.S. 38:2212.1 (K) and LA R.S. 38:2212 (P).

BE IT FURTHER ORDAINED that the provisions of this ordinance shall become effective immediately upon adoption and shall continue in full force and effect for a period of thirty (30) days.

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

YEAS: Richard, Johnson, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Tabor

And the above ordinance was declared adopted this 18th day of May 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.

There being no further business the meeting was adjourned.

Jennifer Morvant, Council Adm.

Chad J. Mire, President