

**OFFICIAL MINUTES OF THE CITY COUNCIL
CITY OF THIBODAUX
CITY HALL
THIBODAUX, LOUISIANA
OCTOBER 3, 2023**

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, October 3, 2023 at 5:00 P.M.

There were present: Councilmen Richard, Naquin and Mire.

There were also present: Mayor Kevin Clement and Beau Brooks.

Absent: Councilwoman Crochet and Councilman Taylor.

The minutes of the September 19, 2023 City Council Meeting were approved as written.

The City administers the Section 8 Housing Choice Voucher Program funded through the U.S. Department of Housing and Urban Development.

HUD requires that all Section 8 Programs adopt a PHA (Public Housing Agency) 5-year Plan and Annual Plans in accordance with the provisions of the Quality Housing and Work Responsibility Act.

On motion of Councilman Richard, seconded by Councilman Naquin, the Council voted on a resolution to authorize the Mayor to sign and submit the City's FY2024 Section 8 PHA Plan and certifications to HUD. Upon roll call the vote was as follows:

YEAS: Richard, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Crochet, Taylor

RESOLUTION NO. 2508

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

WHEREAS, Section 511 of the Quality Housing and Work Responsibility Act of 1998 imposes certain requirements on public housing agencies; and

WHEREAS, the requirements include the preparation of an Annual Plan to be submitted to the U.S. Department of Housing and Urban Development; and

WHEREAS, the City of Thibodaux, Section 8 Housing Choice Voucher Program has completed the FY2024 Annual Plan

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Thibodaux does hereby adopt the Housing Choice Voucher FY2024 PHA Annual Plan and authorize the Mayor to sign all certifications and documents for submission to the U.S. Department of Housing and Urban Development.

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

YEAS: Richard, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Crochet, Taylor

And the above resolution was declared adopted this 3rd day of October 2023.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The Project Engineer, Process and Controls, has submitted Change Order No. 2 & 3 for the North Canal Blvd/MLK Water Tower Painting Project.

Change Order No. 2 is being proposed due to the need to replace the existing hatch on the MLK tower with a 30” square roof hatch, and it increases the contract time by 2 days, and the contract amount by \$5,625.00. Change Order No. 3 is being proposed in order to replace the existing outer vent screen at the North Canal Blvd. Tower, and increases the contract amount by \$1,420.00. The total contract amount including these change orders is \$940,997.00.

On motion of Councilman Naquin, seconded by Councilman Richard, the Council voted on a resolution to authorize the Mayor to sign Change Order No. 2 and Change Order No. 3 with Utility Service Co., Inc. for the North Canal Boulevard/MLK Water Tower Painting Project. Upon roll call the vote was as follows:

YEAS: Richard, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Crochet, Taylor

RESOLUTION NO. 2509

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN CHANGE ORDER NO. 2 AND CHANGE ORDER NO. 3 WITH UTILITY SERVICE CO., INC. FOR THE NORTH CANAL BOULEVARD/MLK WATER TOWER PAINTING PROJECT

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

WHEREAS, the City entered into a contract with Utility Service Co., Inc. for the North Canal Boulevard/MLK Water Tower Painting Project; and

WHEREAS, due to the need to replace the existing hatch on the MLK Tower with a 30 inch square roof hatch, and to replace existing outer vent screen at the North Canal Blvd. tower, Change Order No. 2 and Change Order no. 3 are being proposed; and

WHEREAS, proposed Change Order No. 2 increases the contract amount by \$5,625.00 and increases the contract time by 2 days for the completion of the project, and Change Order No. 3 increases the contract amount by \$1,420.00 thereby making the total contract amount \$940,997.00.

NOW, THEREFORE BE IT RESOLVED by the City Council that the Mayor be and is hereby authorized to execute Change Order No. 2 and Change Order No. 3 with Utility Service Co., Inc. as mentioned above.

BE IT FURTHER RESOLVED that a copy of the said change orders are 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, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Crochet, Taylor

And the above resolution was declared adopted this 3rd day of October 2023.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The City received bids on September 7, 2023 for the Midland Dr., Caroline St., and Hickory St. Drainage Improvement Project.

The lowest responsible bid was received from Byron E. Talbot Contractor, Inc. in the amount of \$1,961,051.00. The project engineer has recommended that the City accept the low bid as submitted, and authorize the award of the construction contract.

On motion of Councilman Richard, seconded by Councilman Naquin, the Council voted on a resolution to accept the low bid of Byron E. Talbot Contractor, Inc. for the Midland Drive, Caroline Street, and Hickory Street Drainage Improvement Project and authorizing the Mayor to execute the construction contract therewith. Upon roll call the vote was as follows:

YEAS: Richard, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Crochet, Taylor

RESOLUTION NO. 2510

A RESOLUTION ACCEPTING THE LOW BID OF BYRON E. TALBOT CONTRACTOR, INC. FOR THE MIDLAND DRIVE, CAROLINE STREET, AND HICKORY STREET DRAINAGE IMPROVEMENT PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE CONSTRUCTION CONTRACT THEREWITH

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

WHEREAS, the City received bids on September 7, 2023 for the Midland Drive, Caroline Street, and Hickory Street Drainage Improvement Project; and

WHEREAS, the low bid was received from Byron E. Talbot Contractor, Inc. in the amount of \$1,961,051.00; and

WHEREAS, the project engineer, T. Baker Smith, has recommended that the City accept the low bid as submitted by Byron E. Talbot Contractor, Inc.; and

WHEREAS, it is necessary to consider the acceptance of the low bid and authorize the Engineer to award the contract with the said contractor for the project mentioned hereinbefore.

NOW, THEREFORE BE IT RESOLVED that the City does hereby accept the low bid submitted by Byron E. Talbot Contractor, Inc. in the amount of \$1,961,051.00.

BE IT FURTHER RESOLVED by the City Council that the Mayor be and is

hereby authorized to execute the construction contract with Byron E. Talbot Contractor, Inc. for the project as stated herein.

BE IT FURTHER RESOLVED that a copy of the engineer's recommendation and bid tabulation 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, Naquin, Mire
NAYS: None
ABSTAINED: None
ABSENT: Crochet, Taylor

And the above resolution was declared adopted this 3rd day of October 2023.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

The State has established a Restoration Tax Abatement Program which provides property owners with incentives to restore structures which are located within Historic, Developmental, and Economic Districts.

This program provides the property owners who expand, restore, improve, or develop an existing structure, the right for five years after completion of the work, to pay ad valorem taxes based on the assessed valuation of the property prior to the commencement of the project. This program may also be extended for an additional five years by completing the renewal application process for approval.

A renewal application for the participation in this program has been filed by Nu Homes, LLC for improvements to the structure located at 710 West 3rd Street. The project which has been designated as Application #20170038-RTA does meet the criteria for renewal.

On motion of Councilman Naquin, seconded by Councilman Richard, the Council voted on a resolution to approve the renewal application for participation in the Restoration Tax Abatement Program for Nu Homes, LLC for property located at 710 West 3rd Street. Upon roll call the vote was as follows:

YEAS: Richard, Naquin, Mire
NAYS: None
ABSTAINED: None
ABSENT: Crochet, Taylor

RESOLUTION NO. 2511

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

WHEREAS, the Restoration Tax Abatement Program was created by Act 445 of the 1983 Legislature, and revised by Act 783 of 1984, Article VII, Part II, Section 21 (H) of the Louisianan Constitution and Louisiana R.S. 47: 4311-4319, to authorize the Board of Commerce and Industry, with the approval of the Governor and the local governing authority and in accordance with procedures and conditions provided by law, to enter into a contract granting property owners who propose the expansion, restoration, improvement or development of an existing structure or structures in a downtown development district, historic district, or economic development district, established in accordance with law, the right to pay ad valorem taxes based upon the assessed valuation of property prior to the commencement of the expansion, restoration, improvement or development, and

WHEREAS, the City of Thibodaux desires to promote economic activity, create and retain job opportunities, and improve the tax base through the City for the benefit of all citizens, and

WHEREAS, it is the desire of the City Council to foster the continued growth and development (and redevelopment) of the City to the continued prosperity and welfare of the City, and

WHEREAS, the Thibodaux City Council at its October 3, 2023 meeting recommended approval with regard to participation in the aforementioned tax program.

NOW, THEREFORE BE IT RESOLVED by the City of Thibodaux in due, regular and legal session convened that the City Council hereby approves Restoration Tax Abatement Program Renewal Application #20170038-RTA by Nu Homes, LLC for property located at 710 West 3rd Street, Thibodaux for participation in the Restoration Tax Abatement Program.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application/renewal application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without invalid provisions, items of application and to this end the provisions of this resolution are hereby declared severable.

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

YEAS: Richard, Naquin, Mire
NAYS: None
ABSTAINED: None
ABSENT: Crochet, Taylor

And the above resolution was declared adopted this 3rd day of October 2023.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

A renewal application for the participation in the Restoration Tax Abatement Program has also been filed by Caillouet Land, LLC for improvements to the structure located at 405 West 3rd Street. The project which has been designated as Application No. 20121173-RTA does meet the criteria for renewal.

On motion of Councilman Richard, seconded by Councilman Naquin, the Council voted on a resolution to approving the renewal application for participation in the Restoration Tax Abatement Program for Caillouet Land, LLC for property located at 405 West 3rd Street. Upon roll call the vote was as follows:

YEAS: Richard, Naquin, Mire
NAYS: None
ABSTAINED: None
ABSENT: Crochet, Taylor

RESOLUTION NO. 2512

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

WHEREAS, the Restoration Tax Abatement Program was created by Act 445 of the 1983 Legislature, and revised by Act 783 of 1984, Article VII, Part II, Section 21 (H) of the Louisianan Constitution and Louisiana R.S. 47: 4311-4319, to authorize the Board of Commerce and Industry, with the approval of the Governor and the local governing authority and in accordance with procedures and conditions provided by law, to enter into a contract granting property owners who propose the

expansion, restoration, improvement or development of an existing structure or structures in a downtown development district, historic district, or economic development district, established in accordance with law, the right to pay ad valorem taxes based upon the assessed valuation of property prior to the commencement of the expansion, restoration, improvement or development, and

WHEREAS, the City of Thibodaux desires to promote economic activity, create and retain job opportunities, and improve the tax base through the City for the benefit of all citizens, and

WHEREAS, it is the desire of the City Council to foster the continued growth and development (and redevelopment) of the City to the continued prosperity and welfare of the City, and

WHEREAS, the Thibodaux City Council at its October 3, 2023 meeting recommended approval with regard to participation in the aforementioned tax program.

NOW, THEREFORE BE IT RESOLVED by the City of Thibodaux in due, regular and legal session convened that the City Council hereby approves Restoration Tax Abatement Program Renewal Application Number 20121173-RTA by Caillouet Land, LLC for property located at 405 West 3rd Street, Thibodaux for participation in the Restoration Tax Abatement Program.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application/renewal application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without invalid provisions, items of application and to this end the provisions of this resolution are hereby declared severable.

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

YEAS: Richard, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Crochet, Taylor

And the above resolution was declared adopted this 3rd day of October 2023.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

Councilman Naquin introduced an ordinance to ratify the Mayor's execution of a Grant Agreement with the Federal Aviation Administration for Airport Improvement Program (AIP) Funds for the Thibodaux Municipal Airport.

Councilman Richard introduced an ordinance to ratify the Mayor's execution of a grant agreement with the Louisiana Highway Safety Commission for the Thibodaux Police Department's FY2024 Traffic Safety Enforcement Grant.

Councilman Richard introduced an ordinance to amend and re-enact Section 20-13 of the Thibodaux City Code of Ordinances so as to create Sub-Section (ggg) – No Parking on Rue Betancourt.

The Public Hearing on these ordinances will be held at the Council meeting on October 17, 2023.

The Planning and Zoning Commission has recommended that the City Council consider the introduction of an ordinance to approve the final plat for the division of property located on the south side of LA Hwy 1 at the intersection of

Lagarde Street and E. 2nd Street. This division is of the one lot of record into Lots 1, 2, and 3.

On motion of Councilman Richard, seconded by Councilman Naquin, the Council voted on an ordinance to approve the division of property owned by L.M.P. Enterprises, Inc. located at 305 E. 2nd Street. Upon roll call the vote was as follows:

YEAS: Richard, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Crochet, Taylor

ORDINANCE NO. 3305

***AN ORDINANCE APPROVING THE DIVISION OF
PROPERTY OWNED BY L.M.P. ENTERPRISES, INC.
LOCATED AT 305 E. 2ND STREET***

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

WHEREAS, the Planning and Zoning Commission of the City of Thibodaux has reviewed a request by Matt Ledet with Crescent Engineering & Mapping on behalf of L.M.P. Enterprises, Inc. final plat approval of the division of property located on the south side of LA Hwy 1 at the intersection of Lagarde Street and E. 2nd Street; and

WHEREAS, the proposed request involves the division of that Tracts into Lots 1, 2, and 3; and

WHEREAS, the said commission has approved the aforesaid request at their September 6, 2023 meeting, and is recommending that the City Council concur with their recommendation; and

WHEREAS, in accordance with the provisions of Section 18-53 of the Thibodaux Subdivision Regulations, this division should be accepted by the adoption of an appropriate ordinance.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that the division of property located at 305 E. 2nd Street, as recommended by the Planning and Zoning Commission, is hereby accepted and approved as requested.

BE IT FURTHER ORDAINED that a copy of the plat illustrating the said division 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: Richard, Naquin, Mire

NAYS: None

ABSTAINED: None

ABSENT: Crochet, Taylor

And the above ordinance was declared adopted this 3rd day of October 2023.

/s/ Jennifer Morvant
Jennifer Morvant, Council Adm.

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

Councilman Naquin requested that the Planning and Zoning Commission consider amending Section 307 (D) (1) in order to include language that would establish the proper procedure to follow when submitting information to the City Council in the event that a requested special exception is approved by the Planning & Zoning Commission with conditions. This amendment would have required certification from the Zoning Administrator that the conditions have been met upon submitting the item to the Council for approval. After much discussion at the August 2, 2023 P & Z meeting, the Commission voted to deny the requested amendment.

Councilman Naquin stated that after requesting this change, he attended the Planning and Zoning meeting. During the meeting, he realized that this change could cause a significant time delay and asked that the Council consider a vote against.

On motion of Councilman Naquin, seconded by Councilman Richard, the Council voted on an ordinance to amend and re-enact Section 307 of the Thibodaux Zoning Ordinance so as to create Sub-Section D (1) (a) – Special Exceptions. Upon roll call the vote was as follows:

YEAS: None

NAYS: Richard, Naquin, Mire

ABSTAINED: None

ABSENT: Crochet, Taylor

This item failed with a vote 0-3.

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

The Mayor also acknowledged Anthony Miller, Bruce Gautreaux and everyone that had a part in repairing the damaged main water line in the City. He expressed his gratitude for all of their hard work and the many hours that it took to complete this repair.

There being no further business the meeting was adjourned.

Jennifer Morvant, Council Adm.

Chad Mire, President