



# St. Charles Parish

## Meeting Agenda

### Parish Council

***Council Chairman Billy Raymond, Sr.  
Councilmembers Carolyn K. Schexnaydre, Terry Authement,  
Shelley M. Tastet, Wendy Benedetto, Paul J. Hogan,  
Larry Cochran, Marcus M. Lambert, Dennis Nuss***

St. Charles Parish Courthouse  
15045 Highway 18  
P.O. Box 302  
Hahnville, LA 70057  
985-783-5125  
www.stcharlesparish.gov

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Monday, April 19, 2010

6:00 PM

Council Chambers, Courthouse

Final

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### Minutes

#### CALL TO ORDER

#### PRAYER

#### PLEDGE

Reverend Monsignor Harry J. Bugler, Pastor  
St. Charles Borromeo Catholic Church

#### APPROVAL OF MINUTES

#### SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

1     [2010-0141](#)     In Recognition: Mary Bunch, Library Service District Board of Control

***Sponsors:***     Mr. Cochran

2     [2010-0142](#)     *Proclamation: "National Day of Prayer"*

***Sponsors:***     Mr. St. Pierre Jr.

3     [2010-0149](#)     Proclamation: "Youth Wetlands Week"

***Sponsors:***     Mr. St. Pierre Jr.

- 4     [2010-0137](#)     An ordinance authorizing the issuance and sale of not to exceed One Hundred Million Dollars (\$100,000,000) of Qualified Gulf Opportunity Zone Revenue Bonds (REG Destrehan, LLC Project) Series 2010, of the Parish of St. Charles, State of Louisiana, approving the form and authorizing the execution and delivery of a Financing Agreement and a Trust Indenture to secure the Bonds; authorizing the appropriate officers of the Parish to execute the aforementioned instruments and all other documents and certificates deemed necessary in connection therewith; and providing for other matters with respect to the foregoing.

**Sponsors:**     Mr. St. Pierre Jr. and Bond Counsel

**Attachments:**     [2010-0137 Final Ord 10-4-12](#)

**Legislative History**

4/5/10	Parish President	Introduced
4/5/10	Parish Council	Publish/Scheduled for Public Hearing

## REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

[2010-0127](#)     Risk Management/Safety

**Legislative History**

4/5/10	Parish Council	Not Reported
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[2010-0143](#)     Civil Service Board/Personnel Office

[2010-0144](#)     Parish President Remarks/Report

**Sponsors:**     Mr. St. Pierre Jr.

## ORDINANCES/RESOLUTIONS INTRODUCED FOR PUBLICATION/PUBLIC HEARING

[2010-0145](#)     An ordinance to approve and authorize the execution of Change Order No. 3 and Final for the East Regional Library located at 160 West Campus Drive, Destrehan in the amount of an \$18,624.37 increase and an increase of eighty three days.

**Sponsors:**     Mr. St. Pierre Jr.

**Attachments:**     [G701-2001 - Final - 003\(3\) no pressure test 2nd revised.pdf](#)

[PM0100430mp todd champagne pressure test.pdf](#)

[G701-2001 - Final - 003\(2\) revised.pdf](#)

[G701-2001 - Final - 003\(3\) no pressure test revised days revised 4.pdf](#)

[2010-0145 Change Order-F](#)

[2010-0145 Final Ord 10-5-2 with Change Order](#)

[2010-0151](#) An ordinance to amend the Zoning Ordinance to change the zoning classification from CR-1 to MS at the "James Rodney Lot," 1060 Paul Maillard Road and from R-1A to MS on Lots 29, 30, and 31 in Block "D" of Ellington Gardens, 879 Milling Ave, Luling, La as requested by St. Charles Parish Hospital.

**Sponsors:** Mr. St. Pierre Jr. and Department of Planning & Zoning

**Attachments:** [LUR.edited.doc](#)  
[Milling Avenue Survey.pdf](#)  
[Recommendation at a Glance.doc](#)  
[Survey.pdf](#)  
[ZONING MAP.pdf](#)  
[04.08.10 Minutes](#)  
[2010-0151 Final Ord 10-5-1](#)

**Legislative History**

3/2/10	Department of Planning & Zoning	Received/Assigned PH
4/8/10	Department of Planning & Zoning	Recommended Approval to the Planning Commission
4/8/10	Planning Commission	Recommended Approval to the Parish Council

[2010-0152](#) An ordinance to amend the 2010 Consolidated Operating and Capital Budget to add construction, architectural/engineering, and other fees for Fund 112 - Roads and Drainage - Drainage, Account No. 112-420260, in the total amount of \$16,523,166 unexpended in 2009 and to include offsetting grant revenues for these projects in the amount of \$8,140,790.

**Sponsors:** Mr. St. Pierre Jr. and Department of Finance

**Attachments:** [3rd Amendment \(03.30.2010\).xls](#)  
[2010-0152 Final Ord 10-5-3 with Exhibit](#)

[2010-0153](#) An ordinance to amend the 2010 Consolidated Operating and Capital Budget to add construction, architectural/engineering, and other fees for Fund 112 - Roads and Drainage - Sidewalks and Crosswalks, Account No. 112-420230, in the total amount of \$3,226,787 unexpended in 2009 and to include offsetting grant revenues for these projects in the amount of \$2,699,858.

**Sponsors:** Mr. St. Pierre Jr. and Department of Finance

**Attachments:** [4rd Amendment \(04.15.2010\).xls](#)  
[2010-0153 Final Ord 10-5-4 with Exhibit](#)

[2010-0154](#) An ordinance to amend Ordinance No. 02-9-20, an Agreement with the Louisiana Department of Transportation and Development for the West Bank Multi-Use Path, to provide for funding through the American Recovery and Reinvestment Act of 2009, State Project No 744-45-007, Federal Aid Project No. ARRA-4502(500), formerly known as ENH-4502(500).

**Sponsors:** Mr. St. Pierre Jr. and Grants Office

**Attachments:** [2010-0154 Agreement-F](#)  
[2010-0154 Final Ord 10-5-5 with Agreement](#)

[2010-0155](#) An ordinance to approve and authorize the execution of a contract with Sealevel Construction, Inc for the construction of Parish Project No. S050202 and S050203, Fiscal Year 2005 LCDBG Program Acorn and Sharon Street Sewer Improvements, with Bid in the amount of \$366,750.00.

**Sponsors:** Mr. St. Pierre Jr. and Department of Public Works

**Attachments:** [2010-0155 Contract-F](#)  
[2010-0155 Final Ord 10-5-6 with Contract](#)  
[2010-0155 Completion-F](#)

[2010-0156](#) An ordinance to approve and authorize the execution of a Construction Contract with LA Contracting Enterprise, LLC for Project No. P080802-1, Montz Drainage Plan Implementation - Thoroughbred Ave. Culvert Replacement Project in the amount of \$259,865.00.

**Sponsors:** Mr. St. Pierre Jr. and Department of Public Works

**Attachments:** [2010-0156 Contract-F](#)  
[2010-0156 Final Ord 10-5-7 with Contract](#)  
[2010-0156 Completion-F](#)

[2010-0157](#) An ordinance approving and authorizing the execution of Change Order No. One (1) and Final for Parish Project No. P070103, Cousins Pump Station and Bar Screen Cleaner and Deck, to decrease the contract amount by \$186,540.80.

**Sponsors:** Mr. St. Pierre Jr. and Department of Public Works

**Attachments:** [2010-0157 Change Order-F](#)  
[2010-0157 Final Ord 10-5-8 with Change Order](#)

[2010-0158](#) An ordinance to approve and authorize the expropriation of a certain parcel of property located at 15032 River Road in Hahnville from Margaret G. Conklin, et al.

**Sponsors:** Mr. St. Pierre Jr. and Department of Legal Services

**Attachments:** [2010-0158 Final Ord 10-5-9 with Exhibit](#)

## ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

- 9     [2010-0129](#)     An ordinance to approve and authorize the execution of DNR Cooperative Agreement No. 2512-10-03 with the Louisiana Office of Coastal Protection and Restoration for funding in the amount of \$1,844,530.00 for the Continuation of the Operation, Maintenance, Repair, Replacement, and Rehabilitation of the Davis Pond Freshwater Diversion Project.

**Sponsors:**     Mr. St. Pierre Jr. and Grants Office

**Attachments:**     [2010-0129 Agreement-F](#)  
                               [2010-0129 Amend. 1-F](#)  
                               [2010-0129 Amend. 2-F](#)  
                               [2010-0129 Final Ord 10-4-13 with Agreement](#)

**Legislative History**

4/5/10	Parish President	Introduced
4/5/10	Parish Council	Publish/Scheduled for Public Hearing

- [2009-0424](#)     An ordinance to amend the Code of Ordinances Chapter 7, Drainage and Flood Control, Article I., In General, Section 7-2 Open-swale drainage systems; construction specifications and administrative procedures (b) Administrative Procedures; Permitting.

**Sponsors:**     Mr. Hogan and Ms. Schexnaydre

**Attachments:**     [2009-0424 4-27-09 PH memo to KM](#)  
                               [2009-0424 5-4-09 KM memo to PH](#)  
                               [2009-0424 7-21-09 PH memo to KM](#)  
                               [2009-0424 8-19-09 2nd Request memo to KM](#)  
                               [2009-0424 9-14-09 3rd Request memo to KM](#)  
                               [2009-0424 Failed Proposed Ordinance](#)  
                               [2009-0424 12-8-09 PH memo KM](#)  
                               [2009-0424 1-20-10 2nd Request memo to KM](#)  
                               [2009-0424 Final Ord 10-4-14](#)

**Legislative History**

4/27/09	Council Member(s)	Correspondence Sent to Ms. Kimberly Marousek, Planning & Zoning Director, from District IV, Councilman Paul J. Hogan, PE, requesting that the Department of Planning & Zoning prepare a proposed ordinance to amend "Sec. 7-2 Open swale drainage systems; construction specifications and administrative procedures".
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5/2/09	Council Member(s)	Correspondence Received to District IV, Councilman Paul J. Hogan, PE, from Ms. Kimberly Marousek, Planning & Zoning Director, advising that the memo dated April 27, 2009 has been reviewed and has been forwarded to Mr. Sam Scholle, Public Works/Wastewater Director to review and make revisions as he determines necessary.
7/21/09	Council Member(s)	Correspondence Sent to Ms. Kimberly Marousek, Planning & Zoning Director, from District IV, Councilman Paul J. Hogan, PE, to review the proposed changes to the Code to eliminate the Swale Deposit requirement and to comment by August 5, 2009.
10/19/09	Council Member(s)	Introduced
10/19/09	Parish Council	Publish/Scheduled for Public Hearing
11/2/09	Parish Council	Tabled.
		<i>Reported:</i> <i>Councilman Hogan Recommended: Approval</i>
		<i>Discussion: to table File No. 2009-0424</i>
11/2/09	Parish Council	Public Hearing Requirements Satisfied
11/2/09	Parish Council	Approved 1 <i>Proposed ordinance failed for lack of a majority by the following vote</i>
12/7/09	Legislative Committee	Discussed.
		<i>Speakers:</i> <i>Ms. Kim Marousek, Planning &amp; Zoning Director</i> <i>Mr. Sam Scholle, Public Works/Wastewater Director</i> <i>Mr. Leon C. Vial, III, Legal Director</i>
12/8/09	Council Member(s)	Correspondence Sent to Ms. Kimberly Marousek, Planning & Zoning Director, from District IV, Councilman Paul J. Hogan, PE, to review the existing ordinance in consultation with Mr. Sam Scholle, Public Works/Wastewater Director, to determine if the ordinance is enforceable "as is" or whether it would need to be tweaked in order to make it enforceable.
4/5/10	Council Member(s)	Introduced
4/5/10	Parish Council	Publish/Scheduled for Public Hearing

[2010-0138](#)

An ordinance to rename Gregory Drive to Lakewood Drive, Lakewood Ridge Drive to Gregory Drive, and Rusty Drive to Gregory Drive in Lakewood Ridge Subdivision, Luling.

**Sponsors:**

Mr. Tastet

**Attachments:**[2010-0138 Final Ord 10-5-10](#)**Legislative History**

4/5/10	Council Member(s)	Introduced
4/5/10	Parish Council	Publish/Scheduled for Public Hearing

- 25    [2010-0139](#)    An ordinance to provide for the installation of "**STOP**" signs on St. Charles Street at the intersection of Terrace Street and on Terrace Street on the south side of the Terrace Street Railroad Crossing in New Sarpy.

**Sponsors:**    Mr. Lambert

**Attachments:**    [2010-0139 Final Ord 10-4-15](#)

**Legislative History**

4/5/10	Council Member(s)	Introduced
4/5/10	Parish Council	Publish/Scheduled for Public Hearing

- 26    [2010-0140](#)    An ordinance to approve and authorize the execution of a contract with Lamar Contractors, Inc. for the construction of the Paradis Library at 307 Audubon Street in Paradis.

**Sponsors:**    Mr. Authement

**Attachments:**    [100330\\_Lamar Bid Confirmation.pdf](#)

[A101-2007 - Final.pdf](#)

[Cvs100326 bid results.pdf](#)

[NOTICE TO PROCEED.pdf](#)

[2010-0140 Contract-F](#)

[2010-0140 Final Ord 10-4-16 with Contract](#)

[2010-0140 Completion-F](#)

**Legislative History**

4/5/10	Council Member(s)	Introduced
4/5/10	Parish Council	Publish/Scheduled for Public Hearing

- 38    [2010-0084](#)    An ordinance to approve and authorize the execution of Agreement between Sizeler Thompson Brown Architects - Regional Design Group, LLC, and St. Charles Parish to provide architectural services for the new community center, located at 274 Sugarland Parkway in Luling, in the implementation of the Parish's Hurricane Gustav/Ike Community Development Block Grant (CDBG) Disaster Recovery Program.

**Sponsors:**    Mr. St. Pierre Jr. and Grants Office

**Attachments:**    [2010-0084 Agreement-F](#)

[2010-0084 Failed Proposed Ordinance](#)

**Legislative History**

3/1/10	Parish President	Introduced
3/1/10	Parish Council	Publish/Scheduled for Public Hearing
3/22/10	Parish Council	Amended

*Discussion: to accept both revised versions in the Agreement*

3/22/10	Parish Council	Public Hearing Requirements Satisfied
	<i>Reported:</i>	
	<i>Grants Office Recommended:</i>	<i>Approval</i>
	<i>Mr. Thomas Brown, Principal/President of Sizeler Thompson Brown Architects, answered questions.</i>	
3/22/10	Parish Council	Approved as Amended 1
	<i>Proposed ordinance failed for lack of a majority by the following vote</i>	
4/5/10	Parish President	Introduced
4/5/10	Parish Council	Publish/Scheduled for Public Hearing

## ORDINANCES/RESOLUTIONS WHICH HAVE BEEN TABLED

[2010-0117](#) An ordinance to amend the Code of Ordinances by adding Section 5-5. Abandoned Vessels to Chapter 5 Boats, Docks and Waterways to address the removal of abandoned vessels in parish waterways.

**Sponsors:** Mr. Hogan, Ms. Schexnaydre, Mr. Tastet, Ms. Benedetto, Mr. Cochran, Mr. Lambert and Mr. Nuss

**Attachments:** [2010-0117 Final Ord 10-5-12](#)

### Legislative History

3/22/10	Council Member(s)	Introduced
3/22/10	Parish Council	Publish/Scheduled for Public Hearing
4/5/10	Parish Council	Public Hearing Requirements Satisfied
	<i>Reported:</i>	
	<i>Councilman Hogan Recommended:</i>	<i>Approval</i>
	<i>Councilwoman Schexnaydre Recommended:</i>	<i>Approval</i>
	<i>Councilman Tastet Recommended:</i>	<i>Approval</i>
	<i>Councilwoman Benedetto Recommended:</i>	<i>Approval</i>
	<i>Councilman Cochran Recommended:</i>	<i>Approval</i>
	<i>Councilman Lambert Recommended:</i>	<i>Approval</i>
	<i>Councilman Nuss Recommended:</i>	<i>Approval</i>
4/5/10	Parish Council	Tabled.
	Discussion: to table File No. 2010-0117	

## ORDINANCES FOR RECONSIDERATION BY REASON OF THE PARISH PRESIDENT'S VETO

[2010-0150](#) VETO MESSAGE - File No. 2010-0120

**Sponsors:** Mr. St. Pierre Jr.

**Attachments:** [10-4-9 Veto Message.pdf](#)

### Legislative History

4/14/10	Parish President	Forwarded Veto Message to the Parish Council
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- 62    [2010-0120](#)    An ordinance to clarify that Breaux Lane (Des Allemands) is a public street for maintenance purposes only by the Parish of St. Charles.

**Sponsors:**            Mr. Hogan

**Attachments:**        [2010-0120 3-2-10 PH memo SV](#)  
[2010-0120 3-3-10 SV memo PH](#)  
[2010-0120 3-22-10 PH memo SV](#)  
[10-4-9 Veto Message](#)  
[2010-0120 Final Ord 10-4-9](#)

ORDINANCE NO. 10-4-9

**Legislative History**

3/2/10	Council Member(s)	Correspondence Sent <i>from Councilman Hogan to Legal Services Director Leon C. Vial, III, to review Breaux Lane in Des Allemands and provide a response that Breaux Lane is a public street; Breaux Lane is scheduled to be repaved in the 2009 Road Maintenance plan.</i>
3/3/10	Council Member(s)	Correspondence Received <i>from Legal Services Director Leon C. Vial, III, to Councilman Hogan; where a private street is repaired and maintained by the Parish and materials for those purposes are supplied by the Parish for a period in excess of three years it becomes a public street for maintenance.</i>
3/22/10	Council Member(s)	Introduced
3/22/10	Council Member(s)	Correspondence Sent to Mr. Leon C. Vial, III, Legal Services Director, from District IV, Councilman Paul J. Hogan, PE, to review and advise if there are any modifications are in order to the proposed ordinance in reference to Breaux Lane.
3/22/10	Parish Council	Publish/Scheduled for Public Hearing
4/5/10	Parish Council	Public Hearing Requirements Satisfied <i>Reported:</i> <i>Councilman Hogan Recommended:    Approval</i>
4/5/10	Parish Council	Approved 1
4/12/10	Parish President	Vetoed by the Par. Pres. <i>Council consideration April 19, 2010 or May 3, 2010</i>
4/14/10	Parish Council	Correspondence Received <i>from Parish President St. Pierre stating reasons for his veto; President St. Pierre request that the Parish Council sustain the veto</i>

## RESOLUTIONS

- 63**    [2010-0146](#)    A resolution authorizing the issuance of a Special License to St. John The Baptist Catholic Church to conduct a Super Bingo.

**Sponsors:**    Ms. Schexnaydre, Mr. Authement, Mr. Raymond, Mr. Tastet, Ms. Benedetto, Mr. Hogan, Mr. Cochran, Mr. Lambert and Mr. Nuss

**Attachments:**    [2010-0146 Final Reso 5740](#)

## APPOINTMENTS

- [2010-0070](#)    A resolution appointing a member to the South Central Louisiana Solid Waste District.

**Attachments:**    [2010-0070 Final Reso 5748](#)

*Chairman will accept nominations to fill the unexpired term created by the resignation of the term of Councilman Marcus M. Lambert. Term to begin immediately and expire January 9, 2012. [Deferred from the April 5, 2010 Parish Council Meeting]*

**Legislative History**

2/8/10	Parish Council	Deferred 1
3/1/10	Parish Council	Deferred 1
3/22/10	Parish Council	Deferred 1
4/5/10	Parish Council	Deferred 1

*Councilman Nuss asked that this vacancy for appointment be placed on the Parish website asking if anyone is interested.*

- 64**    [2010-0093](#)    A resolution appointing Mr. Ellis A. Alexander as the minority Elected Official Representative to the South Central Planning and Development Commission.

**Attachments:**    [2010-0093 Final Reso 5741](#)

*Chairman will confirm nomination to fill the unexpired term created by the resignation of the term of Councilman Billy Raymond, Sr. Term to begin immediately and expire January 9, 2012. [Council Minority Appointment - Term is concurrent with the Governing Authority.]*

*Nominee: Mr. Ellis A. Alexander*

**Legislative History**

3/1/10	Parish Council	Deferred 1
3/22/10	Parish Council	Deferred 1
4/5/10	Parish Council	Nomination(s) Accepted

*Nominee:*

*Councilman Raymond nominated Mr. Ellis A. Alexander*

4/5/10	Parish Council	Close Nomination(s) for
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[2010-0110](#) A resolution to appoint a member to the Planning & Zoning Commission as the District VII Representative.

**Attachments:** [2010-0110 Final Reso 5742](#)

*Council will confirm nomination to fill the vacancy created by the expiration of the term of Mr. Morris Becnel, District VII Representative. Four (4) year term to begin May 3, 2010 and expire May 31, 2014.*

*Nominee: Mr. Scott M. Galliano*

**Legislative History**

5/15/06	Parish Council	Enacted Legislation
	<i>Mr. Morris Becnel appointed to the Planning &amp; Zoning Commission as the District VII Representative on May 15, 2006, per Resolution No. 5346</i>	
	<i>Term: May 3, 2010 - May 31, 2014</i>	
3/22/10	Parish Council	Vacancy Announced
4/5/10	Parish Council	Nomination(s) Accepted
	<i>Nominee:</i>	
	<i>Councilman Nuss nominated Mr. Scott M. Galliano</i>	
4/5/10	Parish Council	Close Nomination(s) for

[2010-0147](#) A resolution to appoint a member to the Planning & Zoning Commission as the District I Representative.

**Attachments:** [2010-0147 Final Reso 5757](#)

*On May 3, 2010, Council Chairman will accept nominations to fill the vacancy created by the expiration of the term of Ms. Yvonne Wolfe, District I Representative. Four (4) year term to begin May 31, 2010 and expire May 31, 2014.*

**Legislative History**

5/15/06	Parish Council	Enacted Legislation
	<i>Ms. Yvonne Wolfe appointed to the Planning &amp; Zoning Commission on May 15, 2006, per Resolution No. 5347</i>	
	<i>Term: May 31, 2006 - May 31, 2010</i>	

[2010-0148](#) A resolution to appoint a member to the St. Charles Parish Hospital Service District Board of Commissioners.

**Attachments:** [Legal letter for R Bosco.pdf](#)

[2010-0148 Final Reso 5754](#)

*On May 3, 2010, Council Chairman will accept nominations to fill the vacancy created by the expiration of the term of Ms. Kathleen Landry. Six (6) year term to begin May 21, 2010 and expire May 22, 2016.*

**Legislative History**

5/17/04	Parish Council	Enacted Legislation
	<i>Ms. Kathleen Landry appointed to the Hospital Service District Board of Commissioners on May 17, 2004, per Resolution No. 5197</i>	
	<i>Term: May 21, 2004 - May 21, 2010</i>	

## ADJOURNMENT

**MEETINGS**

*COASTAL ZONE ADVISORY COMMITTEE: Thursday, 4/22/10, 7PM, Council Chambers*

*HOUSING AUTHORITY: Tuesday, 4/27/10, 6PM, Council Chambers*

*HOSPITAL BOARD: Wednesday, 4/28/10, 9AM, Council Chambers*

*CHILDREN & YOUTH PLANNING BOARD: Wednesday, 4/28/10, 1PM, Council Chambers*

**ANNOUNCEMENTS**

*ST. CHARLES PARISH RECYCLING DROP OFF EVENT: Saturday, May 1, 2010, 9AM - 12Noon; Locations: Westbank - St. Charles Plaza, Highway 90, Luling; Eastbank - New Sarpy Annex, Highway 48, New Sarpy*

**Accommodations for Disabled**

**St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5125 to discuss the particular accommodations needed.**