



St. Charles Parish Meeting Minutes

St. Charles Parish Courthouse
15045 Highway 18
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<http://www.stcharlesparish-la.gov>

Parish Council

Draft

*Council Chairman Wendy Benedetto
Councilmembers Carolyn K. Schexnaydre, Snookie Faucheux,
Terrell D. Wilson, William Billy Woodruff, Paul J. Hogan,
Larry Cochran, Traci A. Fletcher, Julia Fisher-Perrier*

Tuesday, September 03, 2013

6:00 PM

Courtroom II, Courthouse

ATTENDANCE

Present: 8 - Carolyn K. Schexnaydre, Terrell D. Wilson, William Billy Woodruff, Wendy Benedetto, Paul J. Hogan, Lawrence 'Larry' Cochran, Traci A. Fletcher, Julia Fisher-Perrier
Absent: 1 - Clayton 'Snookie' Faucheux

Also Present: Parish President V.J. St. Pierre, Jr., Chief Operations Officer Bobby Donaldson, Chief Administrative Officer Buddy Boe, Legal Director Leon C. Vial, III, Public Works/Wastewater Director Sam Scholle, Planning & Zoning Director Kimberly Marousek, Finance Director Grant Dussom, Grant Officer Holly Fonseca, Public Information Officer Renee Simpson, CZM Administrator Earl Matherne

CALL TO ORDER

Chairman Benedetto announced that the meeting was being held in Courtroom II, Courthouse, Hahnville.

PRAYER

*Bishop Otis Kenner
Faith Praise & Deliverance Temple*

PLEDGE

*Bishop Otis Kenner
Faith Praise & Deliverance Temple*

APPROVAL OF MINUTES

A motion was made by Councilmember Fletcher, and seconded to approve the Minutes from the Regular Meeting of August 5, 2013. The motion carried by the following vote:

Votes: Yea: 8 - Schexnaydre, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0
Absent: 1 - Faucheux

Councilman Faucheux arrived in the meeting.

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

- 1 **2013-0307** (9/3/2013, St. Pierre, Jr.)
 Proclamation: "National Payroll Week"
 Read

- 2 **2013-0308** (9/3/2013, Wilson)
 Proclamation: "National Child Passenger Safety Week" and "National Seat Check Saturday"
 Read

- 3 **2013-0306** (9/3/2013, Woodruff)
 Proclamation: Alligator Weekend in St. Charles Parish
 In Recognition: Ms. Gail Kelley - "Ms. Alligator"
 Read

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

- 2013-0315** (9/3/2013, Fisher-Perrier)
 Dr. Suhayda, NFIP D-FIRM Map Appeal presentation to David Miller, NFIP Administrator
 Council Discussion
 Reported

- 2013-0309** (9/3/2013)
 Department of Finance
 Mr. Don Wheat, Carr, Riggs & Ingram, LLC
 Council Discussion
 Reported

- 2013-0310** (9/3/2013, St. Pierre, Jr.)
 Parish President Remarks/Report
 Reported

IN ACCORDANCE WITH ARTICLE IV, SECTION B OF THE HOME RULE CHARTER, CHAIRMAN BENEDETTO AUTHORIZED THAT THE ORDINANCES, HAVING BEEN PRESENTED FOR INTRODUCTION, DISTRIBUTED TO COUNCIL MEMBERS AND THE PARISH PRESIDENT, AND NOT REJECTED BY TWO-THIRDS OF THE COUNCIL MEMBERS, ARE TO BE PUBLISHED IN SUMMARY FORM AS FOLLOWS IN THE OFFICIAL JOURNAL WITH NOTICE OF PUBLIC HEARING TO BE HELD ON MONDAY, SEPTEMBER 16, 2013, 6:00 P.M., COURTHOUSE, HAHNVILLE, TO BE CONSIDERED FOR FINAL PASSAGE:

2013-0267 (8/5/2013, St. Pierre, Jr., Department of Finance)

An ordinance setting forth, levying and imposing taxes on all property subject to taxation in the Parish of St. Charles, State of Louisiana, as required by Section 23 of Article VII of the Constitution of Louisiana and Revised Statute 47.1705(B) for General Parochial Purposes; constructing, maintaining, and operating the Parish Road Maintenance program, Parish Recreation program, Parish Fire Protection, Mosquito Control Program, E-911 Telephone System, Health Unit and Council on Aging program; Road Lighting District No. 1; Library Service District No. 1; and for the purpose of paying the principal and interest on outstanding General Obligation Sewer Bonds for the year 2013.

Publish/Scheduled PH

2013-0311 (9/3/2013, Hogan)

An ordinance to amend the Code of Ordinances to revise Chapter 15, Section 15-9, to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to lower the speed limit on Market Street to (15) miles per hour in Paradis.

Publish/Scheduled PH

2013-0312 (9/3/2013, Woodruff, Schexnaydre, Hogan)

An ordinance to amend the Parish Code of Ordinances, Chapter 5-Boats, Docks, and Waterways; Article II-Airboats and all sections thereof.

Revised Version of File No. 2013-0312 was Introduced

Publish/Scheduled PH

2013-0313 (9/3/2013, Fletcher)

An ordinance to provide for the installation of "FOUR-WAY STOP" signs at the intersections of River Village Drive and Cedar Lane in Destrehan.

Publish/Scheduled PH

2013-0314 (9/3/2013, St. Pierre, Jr., Department of Parks and Recreation, Benedetto)

An ordinance to approve and authorize the execution of a Contract with Dynamic Constructors, LLC, for the Renovations to Ormond Field RE-BID Project in the amount of \$925,200.00.

Publish/Scheduled PH

2013-0324 (9/3/2013, St. Pierre, Jr., Department of Public Works)

An ordinance to approve and authorize the execution of a Construction Contract with Wainwright Construction & Maintenance, Inc. for Project No. P130103, Storm Window Retrofit - Public Works Office Building Project in the amount of \$124,432.00.

Publish/Scheduled PH

2013-0325 (9/3/2013, St. Pierre, Jr., Department of Public Works)

An ordinance to approve and authorize the execution of a Professional Services Agreement with Civil & Environmental Consulting Engineers for necessary Professional Engineering Services associated with Parish Project No. P090302 River Bend Drainage Improvement Project.

Publish/Scheduled PH

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

4 **2013-0247** (8/19/2013, Faucheux)

An ordinance to amend the St. Charles Parish Code of Ordinances, Chapter 2, Administration, Article IV. Finance, Division 1. Generally, to add Section 2-75. Reimbursement of Legal Fees and Attorney's Fees as a result of a Criminal, Civil, and/or Ethics Complaint and/or Investigation.

Reported:

Councilman Faucheux Recommended: Approval

Speakers:

Mr. David Wedge, Bayou Gauche

Mr. Milton Allemand, Hahnville

PH Requirements Satisfied

Council Discussion

Votes: Yea: 6 - Faucheux, Wilson, Benedetto, Hogan, Cochran, Fisher-Perrier

Nay: 3 - Schexnaydre, Woodruff, Fletcher

5 **2013-0296** (8/19/2013, St. Pierre, Jr., Department of Wastewater)

An ordinance to approve and authorize the execution of an Engineering Services Contract with Pivotal Engineering, LLC. for the design of Parish Project No. S130201 CC1 Lift Station.

Reported:

Wastewater Department Recommended: Approval

PH Requirements Satisfied

Council Discussion

Votes: Yea: 9 - Schexnaydre, Faucheux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier

Nay: 0

26 **2013-0297** (8/19/2013, St. Pierre, Jr., Department of Public Works)

An ordinance approving and authorizing the execution of Change Order No. 2 (Final) for Parish Project No. P091001, Drainage Improvements to KCS Canal Project to decrease the contract amount by \$102,179.44 and increase the contract time by ninety six (96) days.

Reported:

Public Works Department Recommended: Approval

PH Requirements Satisfied

Council Discussion

Votes: Yea: 9 - Schexnaydre, Fauchaux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

33 **2013-0298** (8/19/2013, Hogan)

An ordinance to amend the Code of Ordinances to revise Chapter 15, Section 15-9, to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to lower the speed limit on DeJean Street in Des Allemands to fifteen (15) miles per hour.

Reported:

Councilman Hogan Recommended: Approval

PH Requirements Satisfied

Votes: Yea: 9 - Schexnaydre, Fauchaux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

34 **2013-0299** (8/19/2013, Hogan)

An ordinance to amend the Code of Ordinances to revise Chapter 15, Section 15-9, to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to lower the speed limit on the portion of Up the Bayou Road from LA 631 to the Burlington Northern & Santa Fe Railway railroad tracks in Des Allemands to fifteen (15) miles per hour.

Reported:

Councilman Hogan Recommended: Approval

PH Requirements Satisfied

Votes: Yea: 8 - Schexnaydre, Fauchaux, Wilson, Woodruff, Benedetto, Hogan, Fletcher, Fisher-Perrier
Nay: 0
Absent: 1 - Cochran

35 **2013-0300** (8/19/2013, Hogan)

An ordinance to amend the Code of Ordinances to revise Chapter 15, Section 15-9, to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to lower the speed limit on the portion of Old Spanish Trail from Up the Bayou Road to LA Hwy 631 in Des Allemands to fifteen (15) miles per hour.

Reported:

Councilman Hogan Recommended: Approval

PH Requirements Satisfied

Votes: Yea: 8 - Schexnaydre, Fauchaux, Wilson, Woodruff, Benedetto, Hogan, Fletcher, Fisher-Perrier
Nay: 0
Absent: 1 - Cochran

36

2013-0301 (8/19/2013, St. Pierre, Jr., Department of Public Works)

An ordinance to approve and authorize the execution of a contract with Barriere Construction Co., LLC for the construction of Parish Project No. P111002-12, Road Maintenance 2013, with Base Bid and Alternate No. 1, in the amount of \$1,442,367.25.

Reported:

Public Works Department Recommended: Approval

Council Discussion

Speakers:

Mr. Milton Allemands, Hahnville

PH Requirements Satisfied

Council Discussion

Votes: Yea: 9 - Schexnaydre, Faucheux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier

Nay: 0

2013-0302 (8/19/2013, St. Pierre, Jr., General Government Buildings)

An ordinance to approve and authorize the execution of a Contract with A.D.S. Systems, LLC, for the Courthouse Fire Alarm System Project P130528 in the amount of \$165,000.00.

Reported:

General Government Buildings Department Recommended: Approval

Speakers:

Mr. Steven Thornton, Alarm Protection Services, Metairie

PH Requirements Satisfied

Council Discussion

Per Councilman Hogan's request, Mr. Matt Fluter with Vanguard Technologies spoke on the matter.

Mr. Leon C. Vial, III, spoke on the matter.

Discussion: to Table File No. 2013-0302 until the Legal Services Department can review the bids to justify their selection process

A motion was made by Councilmember Hogan, and seconded that this matter be Tabled.. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Faucheux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier

Nay: 0

PERSONS TO ADDRESS THE COUNCIL

2013-0316 (9/3/2013)

Mr. David G. Wedge: 2/3 cent sewage sale tax, information flow, FEMA visit and other matters

A motion was made by Council Chairman Benedetto, and seconded to extend Mr. Wedge's time an additional three minutes. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Fauchaux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

Heard

RESOLUTIONS

42 **2013-0317** (9/3/2013, Fisher-Perrier, St. Pierre, Jr.)

A resolution to re-organize the St. Charles Parish Children and Youth Planning Board.

Reported:

Councilwoman Fisher-Perrier Recommended: Approval

Parish President Recommended: Approval

Votes: Yea: 9 - Schexnaydre, Fauchaux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

43 **2013-0322** (9/3/2013, St. Pierre, Jr., Grants Office)

A resolution to approve and authorize the execution of a Contract between the State of Louisiana Division of Administration and St. Charles Parish for funding of the West Bank B Plant Clarifier Refurbishment in Luling through the Louisiana Office of Community Development's FY 2012-2013 Community Water Enrichment Fund, CWEF File #1213-CWEF-STC-0001.

Reported:

Grants Office Recommended: Approval

Votes: Yea: 9 - Schexnaydre, Fauchaux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

2013-0321 (9/3/2013, Woodruff)

A resolution authorizing the Chairman or the Secretary to offer no objection to Bunge North America, Inc., CUP #P20130949 for a permit to construct a shiploading system which will include a new dock, access bridge, conveyors and drive tower from the existing plant to the new dock, Section 6 T13S-R08E and Section 41 T13S-R09E, 12442 River Road, Destrehan, in St. Charles Parish, Louisiana.

Reported:

Councilman Woodruff Recommended: Approval

Mr. Earl Matherne, CZM Administrator, presented this file on behalf of Councilman Woodruff. Mr. Matherne recommended that the offer of no objection should be modified to be a letter of objection.

Council Discussion

Amendment: to amend the proposed resolution as follows: to change 'no objection' to read 'a letter of objection' throughout; change 'SECTION II.' to read 'That the letter of objection shall be issued until all zoning issues are resolved'; and to include the entire parish council as co-sponsors

A motion was made by Councilmember Cochran, and seconded that this matter be Amended. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Fauchaux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

53

2013-0321 (9/3/2013, Woodruff, Schexnaydre, Fauchaux, Wilson, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier)

A resolution authorizing the Chairman or the Secretary to offer a letter of objection to Bunge North America, Inc., CUP #P20130949 for a permit to construct a shiploading system which will include a new dock, access bridge, conveyors and drive tower from the existing plant to the new dock, Section 6 T13S-R08E and Section 41 T13S-R09E, 12442 River Road, Destrehan, in St. Charles Parish, Louisiana.

VOTE ON THE PROPOSED RESOLUTION AS AMENDED

Votes: Yea: 9 - Schexnaydre, Fauchaux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

54

2013-0323 (9/3/2013, Hogan)

A resolution requesting the Administration provide the Parish Council through the Council Secretary with a bi-weekly report to begin on September 6, 2013 as to the activities the Administration is planning, undertaking, and/or has undertaken with regards to repairs, improvements, proposed improvements, and/or work within the Sunset Drainage District which was previously undertaken, addressed, or was the responsibility of the Board of Commissioners.

Reported:

Councilman Hogan Recommended: Approval

Council Discussion

Votes: Yea: 7 - Faucheux, Wilson, Woodruff, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 2 - Schexnaydre, Benedetto

APPOINTMENTS

2012-0332 (8/5/2013)

A resolution to appoint a member to the St. Charles Parish Children and Youth Planning Board representing the criminal justice community.

Deferred

2012-0335 (8/5/2013)

A resolution to appoint a member to the St. Charles Parish Children and Youth Planning Board representing the faith-based community.

Deferred

2013-0271 (8/5/2013)

A resolution to appoint a member to the St. Charles Parish Children and Youth Planning Board representing the social services community.

Deferred

2013-0272 (8/5/2013)

A resolution to appoint a member to the St. Charles Parish Children and Youth Planning Board representing the social services community.

Deferred

2013-0273 (8/5/2013)

A resolution to appoint a member to the St. Charles Parish Children and Youth Planning Board representing the faith-based community.

Deferred

2013-0274 (8/5/2013)

A resolution to appoint a member to the St. Charles Parish Children and Youth Planning Board representing the business and labor community.

Deferred

2013-0275 (8/5/2013)

A resolution to appoint a member to the St. Charles Parish Children and Youth Planning Board representing the legal community.

Deferred

2013-0292 (8/19/2013)

A resolution to appoint a member to the St. Charles Parish Children and Youth Planning Board representing the education community.

Deferred

2013-0293 (8/19/2013)

A resolution to appoint a member to the Industrial Development Board.

Nominee:

Councilwoman Benedetto nominated Mr. Charlie Wilson, Jr.

Nomination(s) Accepted

A motion was made by Councilmember Fisher-Perrier, and seconded to Close Nomination(s) for this file. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Fauchaux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

2013-0294 (8/19/2013)

A resolution to appoint a member to the Industrial Development Board.

Nominee:

Councilman Cochran nominated Mr. Felton Parquet

Nomination(s) Accepted

A motion was made by Councilmember Fisher-Perrier, and seconded to Close Nomination(s) for this file. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Fauchaux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

55

2013-0327 (9/3/2013, St. Pierre, Jr., Schexnaydre, Fauchaux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier)

A resolution requesting the Louisiana United States Congressional delegation, Louisiana State Delegation, and the U.S. Army Corps of Engineers to consider and support the Alignment D alternative contained in the West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Study.

A motion was made by Councilmember Schexnaydre, and seconded to deviate from the regular order of the agenda to take up File No. 2013-0327; a matter not on the Agenda. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Fauchaux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

Reported:

- Parish President Recommended: Approval*
- Councilwoman Schexnaydre Recommended: Approval*
- Councilman Faucheux Recommended: Approval*
- Councilman Wilson Recommended: Approval*
- Councilman Woodruff Recommended: Approval*
- Councilwoman Benedetto Recommended: Approval*
- Councilman Hogan Recommended: Approval*
- Councilman Cochran Recommended: Approval*
- Councilwoman Fletcher Recommended: Approval*
- Councilwoman Fisher-Perrier Recommended: Approval*

Votes: Yea: 9 - Schexnaydre, Faucheux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

A motion was made by Councilmember Cochran, and seconded to return to the regular order of the agenda. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Faucheux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

2013-0318 (9/3/2013)

A resolution to appoint a member to the St. Charles Parish Children and Youth Planning Board representing the business and labor community.

Vacancy Announced

2013-0319 (9/3/2013)

A resolution to appoint a member to the St. Charles Parish Children and Youth Planning Board representing the health care community.

Vacancy Announced

2013-0320 (9/3/2013)

A resolution to appoint a member to the St. Charles Parish Children and Youth Planning Board representing the health care community.

Vacancy Announced

SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

2013-0055 (8/19/2013, Benedetto)

Executive Session: Mayor Mitchell J. Landrieu vs. St. Charles Parish Council, Et Al; Civil District Court for the Parish of Orleans, Case Number 2012-08721

Discussion: to defer File No. 2013-0055

A motion was made by Councilmember Fletcher, and seconded that this matter be Deferred for September 16, 2013. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Faucheux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

ADJOURNMENT

A motion was made by Councilmember Schexnaydre, and seconded to adjourn the meeting at approximately 7:59 pm. The motion carried by the following vote:

Votes: Yea: 9 - Schexnaydre, Fauchaux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier
Nay: 0

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE.



Tiffany K. Clark
Council Secretary