

St. Charles Parish

Meeting Minutes

Parish Council

St. Charles Parish Courthouse 15045 Highway 18 P.O. Box 302 Hahnville, LA 70057 985-783-5000 www.stcharlesgov.net

Final

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

Monday, December 1, 2014

6:00 PM

Council Chambers, Courthouse

ATTENDANCE

Present 7 - Carolyn K. Schexnaydre, Jarvis Lewis, Terrell D. Wilson, William Woodruff, Paul J. Hogan, Traci A. Fletcher, and Julia Fisher-Perrier

Absent 2 - Wendy Benedetto, and Larry Cochran

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, Assistant Parish Attorney David Moyer, Public Works/Wastewater Director Sam Scholle, Planning & Zoning Director Michael Albert, Finance Director Grant Dussom, Public Information Officer Renee Simpson, Emergency Preparedness Director Ronald J. Perry, General Government Buildings Facilities Manager Philip Dufrene, R.S.V.P. Director Michelle Higgins

CALL TO ORDER

Meeting called to order at 6:01 pm.

PRAYER / PLEDGE

Pastor Gary McCall Bible Center Church, Luling

APPROVAL OF MINUTES

A motion was made by Councilmember Wilson, seconded by Councilmember Lewis, to approve the minutes from the Special Meeting of October 28, 2014 and the Regular Meeting of November 3, 2014. The motion carried by the following vote:

Yea: 7 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Fletcher and Fisher-Perrier

Nay: 0

Absent: 2 - Benedetto and Cochran

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

2014-0395

In Recognition: Norman Singleton, Housing Authority Board of

Commissioners

Sponsors: Mr. St. Pierre Jr.

Read

2014-0396

In Recognition: Sandra Boucvalt, 2015 Budget Cover Artist and 2013

Comprehensive Annual Financial Report Cover Artist

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

Read

2014-0397

In Recognition: New Life Community Church, 2014 Fall Trash Bash

Photo Contest Winner

Sponsors: Mr. St. Pierre Jr.

Read

2014-0398

In Recognition: Lakewood Elementary 4-H Club, 2014 Fall Trash Bash

Photo Contest Winners

Sponsors: Mr. St. Pierre Jr.

Read

2014-0399

Proclamation: Toy and Gift Fund Week

Sponsors: Mr. St. Pierre Jr.

Read

2014-0400

Proclamation: Christmas Celebration

Sponsors: Mr. St. Pierre Jr.

Read

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

2014-0394

Information Technology/GIS

GIS Specialist Luis Martinez, reported on GIS and Information Technology Office.

Reported

Councilman Cochran arrived in the meeting.

2014-0393

Parish President Remarks/Report

Sponsors: Mr. St. Pierre Jr.

Chief Administrative Officer Buddy Boe introduced Mr. Benjamin Bell, Housing Authority

Director.

Housing Authority Director Benjamin Bell spoke.

Council Discussion

Parish President V.J. St. Pierre, Jr., spoke on the matter.

Reported

IN ACCORDANCE WITH ARTICLE IV, SECTION B OF THE HOME RULE CHARTER, CHAIRMAN FISHER-PERRIER 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, DECEMBER 15, 2014, 6:00 P.M., COUNCIL CHAMBERS, COURTHOUSE, HAHNVILLE, TO BE CONSIDERED FOR FINAL PASSAGE:

2012-0129

An ordinance to amend the Code of Ordinances Chapter 15 Motor Vehicles and Traffic by adding Sec. 15-25 Shrubs, trees, and plantings within Parish right of ways, easements, and servitudes.

Sponsors: Mr. Hogan

Publish/Scheduled for Public Hearing to the Parish Council on December 15,

2014

Enactment No: 14-12-11

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the land use zoning reclassification from OL to M-1 of the northern 5000 ft. of the lower 1/3 of the Mary Hotard Holmes Tract (589 CC Road) Montz, as requested by Cembell Industries.

Sponsors: Ms. Fletcher

Publish/Scheduled for Public Hearing to the Parish Council on December 15, 2014

Enactment No: 14-12-10

2014-0402

An ordinance to approve and authorize the execution of a Construction Contract with Circle Construction, LLC for Parish Project No. P081102-5, Dunleith Canal Bank Stabilization - Phase IV, in the amount of \$1,427,563.00 which includes the Base Bid, Alternate No. 1, Alternate No. 2, and Alternate No. 3.

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

Publish/Scheduled for Public Hearing to the Parish Council on December 15, 2014

Enactment No: 14-12-12

2014-0388

An ordinance to amend the 2014 Consolidated Operating and Capital Budget, Amendment No. 8, to add \$600,000 from the unrestricted fund balance of Fund 112 Roads and Drainage - Drainage (Account 112-420260) and apply this amount to Improvements Other Than Buildings - Canal Crossing Improvements - Primrose, Monsanto, Oak, and River Oaks for the completion of said project.

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

A motion was made by Councilmember Hogan, seconded by Councilmember Wilson, that File No. 2014-0388 be Postponed Indefinitely from Introduction. The motion carried by the following vote:

Yea: 8 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Cochran, Fletcher and Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Postponed Indefinitely from Intro.

An ordinance to approve and authorize the execution of a contract with Fleming Construction, for project P090201-3 Primrose Ellington Canal Road Crossing in the amount of \$1,999,453.40.

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

Publish/Scheduled for Public Hearing to the Parish Council on December 15, 2014

Enactment No: 14-12-13

2014-0403

An ordinance to amend the 2014 Consolidated Operating and Capital Budget to adjust Beginning Fund Balances to Actuals and to adjust Revenues and Expenditures in various funds.

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

Publish/Scheduled for Public Hearing to the Parish Council on December 15, 2014

Enactment No: 14-12-14

2014-0404

An ordinance to amend the Code of Ordinances, Chapter 2, Administration, Article IV. Finance, Division 1. By adding Section 2-76 Retiree Health Benefits to provide for the annual appropriation of funds necessary to provide health insurance benefits to the retired employees and their dependents of St. Charles Parish until entitled to Medicare.

<u>Sponsors:</u> Mr. St. Pierre Jr., Ms. Schexnaydre, Mr. Lewis, Mr. Wilson, Mr. Woodruff, Ms. Benedetto, Mr. Hogan, Mr. Cochran, Ms. Fletcher and Ms. Fisher-Perrier

Publish/Scheduled for Public Hearing to the Parish Council on December 15, 2014

2014-0405

An ordinance to approve and authorize the execution of an Act of Sale by Margaret Gaudet Conklin, et als to St. Charles Parish for property located on a portion 15042 River Road Hahnville, Louisiana.

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

Publish/Scheduled for Public Hearing to the Parish Council on December 15, 2014

Enactment No: 14-12-15

PLANNING AND ZONING PETITIONS

2014-0382

An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981 to approve the change in zoning from R-1AM to R-2 at 516 St. Rose Ave, St. Rose, as requested by Ricky L. Cooper.

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

Reported:

P & Z Department Recommended: Approval Planning Commission Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 14-12-1

Council Discussion

VOTE ON THE PROPOSED ORDINANCE

Yea: 8 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Cochran, Fletcher and

Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Enactment No: 14-12-1

2014-0385

An ordinance approving and authorizing a Home Occupation under the operation of Eric V. Rozycki - "Evrclr Auto Titles" - a notary service and public tag agent providing auto title services at 105 Ormond Boulevard, Destrehan.

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

Reported:

P & Z Department Recommended: Approval w/Stipulation Approval with the stipulation that customers shall not visit the residence for services

Planning Commission Recommended: Approval w/Stipulation Approval with the stipulation that customers shall not visit the residence for services Speakers:

Mr. Eric Rozycki, Destrehan

Public Hearing Requirements Satisfied

Enactment No: 14-12-2

VOTE ON THE PROPOSED ORDINANCE

Yea: 8 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Cochran, Fletcher and Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Enactment No: 14-12-2

2014-0386

An ordinance to amend the Zoning Ordinance of 1981, to change the land use zoning classification from O-L to C-2 on Lot 16A of Square 79 of New Sarpy Subdivision, as requested by Alvin Guillard.

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

Reported:

P & Z Department Recommended: Approval Planning Commission Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 14-12-3

Council Discussion

VOTE ON THE PROPOSED ORDINANCE

Yea: 8 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Cochran, Fletcher and

Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Enactment No: 14-12-3

2014-0387

An ordinance to amend the Zoning Ordinance of 1981, to change the land use zoning classification from R-1A(M) and C-2 to C-3 on various lots comprising approximately four (4) acres on or near Paul Maillard Road between River Road and Luling Avenue as requested by Joey Bosco, Gregory Mollere, Robert Monti, and Paul Muller.

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

Reported:

P & Z Department Recommended: Denial Because the request fails the three tests,

the Department recommends denial

Planning Commission Recommended: Approval

Speakers:

Mr. Alex H. Glaser, Phelps Dunbar, LLP, New Orleans

Mr. Gregory Mollere, Luling Mr. Robert Monti, Luling Mr. Joey Bosco, Luling

Public Hearing Requirements Satisfied

Enactment No: 14-12-4

Council Discussion

Mr. Bosco spoke on the matter. Mr. Monti spoke on the matter.

Planning & Zoning Director Michael Albert spoke on the matter.

VOTE ON THE PROPOSED ORDINANCE

Yea: 8 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Cochran, Fletcher and

Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Enactment No: 14-12-4

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

2010-0094

An ordinance to amend the Code of Ordinances Appendix A, St. Charles Parish Zoning Ordinance of 1981, Section VI. Zoning district criteria and regulations., B. Residential districts, [II.] R-1A(M). Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes-Medium density., 3. Special Provisions, by amending c. and adding e. and f.

Sponsors: Mr. Hogan

Reported:

Councilman Hogan Recommended: Approval

P & Z Department Recommended: No Recommendation

Planning Commission Recommended: Denial

Public Hearing Requirements Satisfied

Council Discussion

Planning & Zoning Director Michael Albert spoke on the matter. Legal Services Director Leon C. Vial, III, spoke on the matter. Chief Administrative Officer Buddy Boe spoke on the matter.

Proposed ordinance failed for lack of a majority by the following vote:

Yea: 4 - Schexnaydre, Woodruff, Hogan and Cochran

Nay: 4 - Lewis, Wilson, Fletcher and Fisher-Perrier

Absent: 1 - Benedetto

Failed

An ordinance to amend the Code of Ordinances Appendix A, Section XIV. Amendments and Petitions and Appendix A, Section XV. Amendment Procedure to modify the reporting and recommendation requirements.

Sponsors: Mr. Hogan

Reported:

Councilman Hogan Recommended: Approval

P & Z Department Recommended: No Recommendation

Planning Commission Recommended: Denial

Public Hearing Requirements Satisfied

Council Discussion

Chief Administrative Officer Buddy Boe spoke on the matter. Parish President V.J. St. Pierre, Jr., spoke on the matter.

A motion was made by Councilmember Hogan, seconded by Councilmember Schexnaydre, to Postpone Indefinitely File No. 2014-0049. The motion carried by the following vote:

Yea: 7 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Fletcher and Fisher-Perrier

Nay: 1 - Cochran

Absent: 1 - Benedetto

Postponed Indefinitely

2014-0383

An ordinance to approve a resubdivision of lots indicated on a plat by Riverlands Surveying Company, dated August 13, 2014, as Portion of Parcel A of Ridgeland Properties LLC, Mrs. Henrietta Hines, and Lot 21-A Magnolia Ridge Ranchettes Phase 2A into Lots 21-A-1, 21-A-2, and 21-A-3, located in Boutte, St Charles Parish, LA.

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

Reported:

P & Z Department Recommended: Approval Planning Commission Recommended: Approval

Speakers:

Mr. Jim Hooper, Ridgeland Properties, LLC

Public Hearing Requirements Satisfied

Enactment No: 14-12-5

Council Discussion

Planning & Zoning Director Michael Albert spoke on the matter.

Mr. Hooper spoke on the matter.

Parish President V.J. St. Pierre, Jr., spoke on the matter.

Public Works/Wastewater Director Sam Scholle spoke on the matter.

VOTE ON THE PROPOSED ORDINANCE

Yea: 8 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Cochran, Fletcher and

Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Enactment No: 14-12-5

2014-0384

An ordinance approving the Donation of Servitude by Latricia Woods White to St. Charles Parish as shown on the attached.

Sponsors: Mr. St. Pierre Jr., Department of Wastewater and Mr. Wilson

Reported:

Wastewater Department Recommended: Approval Councilman Wilson Recommended: Approval

Chief Administrative Office Buddy Boe spoke on the matter.

Public Hearing Requirements Satisfied

Enactment No: 14-12-6

Council Discussion

VOTE ON THE PROPOSED ORDINANCE

Yea: 7 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Fletcher and Fisher-Perrier

Nay: 0

Absent: 2 - Benedetto and Cochran

Enactment No: 14-12-6

An ordinance approving the Paul Maillard Road Revitalization Plan.

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

Reported:

Planning Commission Recommended: Approval Commission adopted a resolution adopting the Paul Maillard Road Revitalization Plan

Planning & Zoning Director Michael Albert spoke on the matter.

Speakers:

Ms. Reanda Pierre, Community Outreach Specialist, Luling

Public Hearing Requirements Satisfied

Enactment No: 14-12-7

Council Discussion

VOTE ON THE PROPOSED ORDINANCE

Yea: 8 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Cochran, Fletcher and

Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Enactment No: 14-12-7

2014-0390

An ordinance to approve and authorize the execution of an Act of Sale by Madere's Garage, Inc. to St. Charles Parish for property located at 15042 River Road Hahnville, Louisiana.

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

Public Hearing Requirements Not Satisfied

A motion was made by Councilmember Fletcher, seconded by Councilmember Hogan, to Table File No. 2014-0390. The motion carried by the following vote:

Yea: 8 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Cochran, Fletcher and

Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Tabled.

An ordinance adopting the St. Charles Parish Council Road and Bridges Capital Program Budget for fiscal year 2015 through 2017 in accordance with the Parish Transportation Act.

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

Reported:

Finance Department Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 14-12-8

VOTE ON THE PROPOSED ORDINANCE

Yea: 8 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Cochran, Fletcher and

Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Fnactment No: 14-12-8

2014-0392

An ordinance requesting authorization for St. Charles Parish to award a Right-of-Way Surveying Services Agreement to Riverlands Surveying Co., LLC for the Sunset Levee in St. Charles Parish from the Burlington Northern Santa Fe (BNSF) Railroad on the north to Louisiana Highway 306 (LA 306) on the south for use in acquiring Perpetual Levee Servitudes from underlying and adjoining landowners to facilitate construction of levee improvements.

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

Reported:

Public Works Department Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 14-12-9

Council Discussion

VOTE ON THE PROPOSED ORDINANCE

Yea: 8 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Cochran, Fletcher and

Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Enactment No: 14-12-9

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

Sponsors: Mr. Hogan

Reported:

Councilman Hogan Recommended: Approval

Speakers:

Mr. Wilbert Brennan, Kenner Mr. Morris Hymel, Hahnville Mr. Tim Boyle, Holden

Mr. Douglas Hymel, Ponchatoula

Mr. Gerald Madere, Luling

Captain Rodney Dufrene, Des Allemands

Mr. George Cortez, Thibodaux Captain Gary Smeed, Hahnville

Captain Rodney Boudreaux, Belle Chase

Mr. Wilbert Brennan, Kenner

Captain Rodney Boudreaux, Belle Chase

Mr. Tim Boyle, Holden

Public Hearing Requirements Satisfied

Council Discussion

Captain Boudreaux spoke on the matter.

Captain Dufrene spoke on the matter.

Parish President V.J. St. Pierre, Jr., spoke on the matter.

Councilman Lewis called for the Question.

VOTE ON THE PROPOSED ORDINANCE

Yea: 5 - Schexnaydre, Wilson, Woodruff, Hogan and Fisher-Perrier

Nay: 3 - Lewis, Cochran and Fletcher

Absent: 1 - Benedetto

A motion was made by Councilmember Cochran, seconded by Councilmember Wilson, to reconsider the vote on File No. 2013-0312. The motion carried by the following vote:

Yea: 8 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Cochran, Fletcher and Fisher-Perrier

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Nay: 0

Absent: 1 - Benedetto

RE-VOTE ON THE PROPOSED ORDINANCE

Proposed ordinance failed for lack of a majority by the following vote:

Yea: 4 - Schexnaydre, Wilson, Woodruff and Hogan

Nay: 4 - Lewis, Cochran, Fletcher and Fisher-Perrier

Absent: 1 - Benedetto

Failed

ORDINANCES/RESOLUTIONS WHICH HAVE BEEN TABLED

2014-0374

A resolution requesting that the Parish President have the plantings and root structures located in the parish right-of-way between 153 and 181 Wisner Street in Paradis removed.

Sponsors: Mr. Hogan

A motion was made by Councilmember Hogan, seconded by Councilmember Schexnaydre, to remove File No. 2014-0374 from the Table. The motion carried by the following vote:

Yea: 6 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan and Fisher-Perrier

Nay: 1 - Cochran

Absent: 2 - Benedetto and Fletcher

Reported:

Councilman Hogan Recommended: Approval

Council Discussion

Parish President V.J. St. Pierre, Jr., spoke on the matter. Assistant Parish Attorney David Moyer spoke on the matter.

Proposed resolution failed for lack of a majority by the following vote:

Yea: 4 - Schexnaydre, Hogan, Cochran and Fisher-Perrier

Nay: 4 - Lewis, Wilson, Woodruff and Fletcher

Absent: 1 - Benedetto

Failed

APPOINTMENTS

2014-0378

Council Ex-Officio Appointment to the Housing Authority.

Nominee: Councilman Cochran nominated Councilwoman Fisher-Perrier

Nomination(s) Accepted

A motion was made by Councilmember Hogan, seconded by Councilmember Fletcher, to Close Nomination(s) for File No. 2014-0378. The motion carried by the following vote:

Yea: 8 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Cochran, Fletcher and

Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

Nomination(s) Closed

Councilman Wilson requested Point of Privilege stating that the council needs to be sincere and give the Housing Authority their full support and that he does not have any problem filling in at the board meetings whenever Councilwoman Fisher-Perrier cannot make it.

SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

2014-0379

Adopt 2015 Parish Council Meeting Schedule

VOTE ON THE ADOPTION OF THE 2015 PARISH COUNCIL MEETING SCHEDULE

Yea: 8 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Cochran, Fletcher and

Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

2014-0380

Confirm Nomination - Presiding Officer for 2015; Chairman, St. Charles Parish Council

VOTE ON THE APPOINTMENT OF COUNCILMAN LARRY COCHRAN

Yea: 7 - Lewis, Wilson, Woodruff, Hogan, Cochran, Fletcher and Fisher-Perrier

Nay: 1 - Schexnaydre

Absent: 1 - Benedetto

2014-0381

Confirm Nomination - Presiding Officer for 2015; Vice-Chairman, St. Charles Parish Council

VOTE ON THE APPOINTMENT OF TRACIA. FLETCHER

Yea: 7 - Schexnaydre, Wilson, Woodruff, Hogan, Cochran, Fletcher and Fisher-Perrier

Nay: 1 - Lewis

Absent: 1 - Benedetto

Councilman Cochran requested Point of Privilege to thank Councilman Wilson for helping with the selection of the new Housing Authority Director.

ADJOURNMENT

A motion was made by Councilmember Woodruff, seconded by Councilmember Wilson, to adjourn the meeting at approximately 8:31 pm. The motion carried by the following vote:

Yea: 8 - Schexnaydre, Lewis, Wilson, Woodruff, Hogan, Cochran, Fletcher and Fisher-Perrier

Nay: 0

Absent: 1 - Benedetto

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE.

Tiffany K. Clark Council Secretary