



St. Charles Parish
Meeting Agenda
Parish Council
Agenda

St. Charles Parish Courthouse
15045 Highway 18
P.O. Box 302
Hahnville, LA 70057
985-783-5000
scpcouncil@st-charles.la.us
<http://www.stcharlesparish-la.gov>

Council Chairman Wendy Benedetto
Councilmembers Carolyn K. Schexnaydre, Snookie Fauchaux,
Terrell D. Wilson, Mary Tastet, Paul J. Hogan, Larry Cochran,
Traci A. Fletcher, Julia Fisher-Perrier

Monday, April 22, 2013 **6:00 PM** **Council Chambers, Courthouse**
Final

CALL TO ORDER

PRAYER

Reverend Gary Keene
First Baptist Church of Luling

PLEDGE

Reverend Gary Keene
First Baptist Church of Luling

APPROVAL OF MINUTES

Regular Meeting - April 8, 2013

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

- 1 **2013-0137** (4/22/2013, Cochran)
 In Recognition: Ingrid Adams, Library Service District Board of Control
- 2 **2013-0140** (4/22/2013, St. Pierre, Jr.)
 Proclamation: "National Day of Prayer"
- 3 **2013-0138** (4/22/2013, St. Pierre, Jr.)
 Proclamation: "Fair Housing Month in St. Charles Parish"
- 4 **2013-0139** (4/22/2013, Benedetto)
 Proclamation: "Youth Wetlands Week"
- 5 **2013-0143** (4/22/2013, St. Pierre, Jr.)
 Proclamation: "Older Americans Month"

- 6 **2013-0141** (4/22/2013, Wilson)
 Proclamation: "Little Red Church Festival Weekend"

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

- 2013-0145 (4/22/2013, St. Pierre, Jr.)
 Parish President Remarks/Report

ORDINANCES/RESOLUTIONS INTRODUCED FOR PUBLICATION/PUBLIC HEARING

Monday, May 6, 2013, 6:00 pm, Council Chambers, Courthouse, Hahnville

(No items for the regular Agenda)

PLANNING AND ZONING PETITIONS

- 7 **2013-0127** (4/8/2013, St. Pierre, Jr., Department of Planning & Zoning)
 An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve a change of zoning classification from R-1AM to M-1 at 818 Fox Lane (Lot 1, Square B, Almedia Plantation Subdivision of Tract 32, and a 117 linear foot section of a 16-foot wide undeveloped road), St Rose, as requested by Metro Investments LLC.

Legislative History

3/5/13	Department of Planning & Zoning	Received/Assigned PH	
4/4/13	Department of Planning & Zoning	Recommended Approval	Planning Commission
4/4/13	Planning Commission	Recommended Approval	Parish Council
4/8/13	Parish President	Introduced	
4/8/13	Parish Council	Publish/Scheduled PH	

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

- 17 **2013-0108** (4/8/2013, St. Pierre, Jr., Department of Community Services)
 An ordinance to approve and authorize the Execution of an Agreement with the St. Charles Parish Department of Community Services and the St. Charles Parish School Board for a Summer Food Service Program from June 3, 2013 through July 11, 2013.

Legislative History

4/8/13	Parish President	Introduced	
4/8/13	Parish Council	Publish/Scheduled PH	

- 22 **2013-0126** (4/8/2013, St. Pierre, Jr., Department of Public Works)
 An ordinance to approve and authorize the execution of a Contract for Engineering Services with Civil & Environmental Consulting Engineers for necessary professional engineering services associated with Parish Project No. P130301 Cortez Pump Station Capacity Increase and Upgrades.

Legislative History

4/8/13	Parish President	Introduced	
4/8/13	Parish Council	Publish/Scheduled PH	

- 44 **2013-0129** (4/8/2013, St. Pierre, Jr., Department of Planning & Zoning)
 An ordinance to amend the Code of Ordinances Appendix A, Sections X.G.1.c and X.G.3.a to change the permit type and to clarify the General Design Requirements for the installation of telecommunication towers and related equipment to reflect the International Building Code Wind Load Requirements.
- Legislative History
- | | | | |
|--------|---------------------------------|--------------------------|---------------------|
| 4/4/13 | Department of Planning & Zoning | Recommended Approval | Planning Commission |
| 4/4/13 | Planning Commission | Rcmnd'd Approval w/Stip. | Parish Council |
- Approval with amendments*
- | | | | |
|--------|------------------|----------------------|--|
| 4/8/13 | Parish President | Introduced | |
| 4/8/13 | Parish Council | Publish/Scheduled PH | |
- 48 **2013-0130** (4/8/2013, St. Pierre, Jr., Department of Parks and Recreation, Tastet, Fisher-Perrier, Fauchaux)
 An ordinance to approve and authorize the execution of a Mitigation Participation Agreement by and between Chevron U.S.A, Inc. and the Parish of St. Charles in the amount of \$60,000.00 for wetlands mitigation required to further develop Rathborne Park in Luling.
- Legislative History
- | | | | |
|--------|------------------|----------------------|--|
| 4/8/13 | Parish President | Introduced | |
| 4/8/13 | Parish Council | Publish/Scheduled PH | |
- 60 **2013-0131** (4/8/2013, St. Pierre, Jr., Department of Public Works)
 An ordinance approving and authorizing the execution of Change Order No. 1 for Parish Project No. P091001, Drainage Improvements to KCS Canal Project to increase the contract amount by \$63,521.20 and increase the contract time by eighty three (83) days.
- Legislative History
- | | | | |
|--------|------------------|----------------------|--|
| 4/8/13 | Parish President | Introduced | |
| 4/8/13 | Parish Council | Publish/Scheduled PH | |
- 70 **2013-0132** (4/8/2013, St. Pierre, Jr., Coastal Zone Management Section)
 An ordinance to approve and authorize the execution of a Professional Services Agreement with Dr. Joseph Suhayda to perform consulting services during the Flood Insurance Rate Map appeal process currently being proposed by FEMA.
- Legislative History
- | | | | |
|--------|------------------|----------------------|--|
| 4/8/13 | Parish President | Introduced | |
| 4/8/13 | Parish Council | Publish/Scheduled PH | |
- 77 **2013-0133** (4/8/2013, St. Pierre, Jr., Department of Finance)
 An ordinance to amend the 2013 Consolidated Operating and Capital Budget, Amendment No. 3, to roll forward from the 2012 budget construction, architectural/engineering, and other fees for Fund 112 - Roads and Drainage for various parish projects that were not completed in 2012.
Revised Version of Exhibit A - Page 79
- Legislative History
- | | | | |
|--------|------------------|----------------------|--|
| 4/8/13 | Parish President | Introduced | |
| 4/8/13 | Parish Council | Publish/Scheduled PH | |

92 **2013-0134** (4/8/2013, St. Pierre, Jr., Department of Finance)

An ordinance to amend the 2013 Consolidated Operating and Capital Budget, Amendment No. 4, to add from the 2012 unexpended Roads and Drainage Fund Balance, construction, architectural/engineering, and other fees for Fund 112 - Roads and Drainage for various parish projects that were not completed in 2012.

Revised Version of Exhibit A - Page 94

Legislative History

4/8/13	Parish President	Introduced
4/8/13	Parish Council	Publish/Scheduled PH

109 **2013-0135** (4/8/2013, Fisher-Perrier, Wilson)

An ordinance to approve and authorize the execution of Amendment No. 1 to Ordinance No. 13-3-14 to change the term of the Agreement, which approved an Agreement between Tauzin Consultants, LLC and St. Charles Parish for governmental affairs representation.

Legislative History

4/8/13	Council Member(s)	Introduced
4/8/13	Parish Council	Publish/Scheduled PH

112 **2013-0128** (4/8/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance to revoke and abandon a portion of the right-of-way for an undeveloped, unnamed street located between Lot 1, Square B, Almedia Plantation Subdivision of Tract 32 and Tract 30 of Almedia Plantation Subdivision, St. Rose in favor of the abutting property owners.

Revised Version of Act of Revocation - Page 114

Legislative History

3/5/13	Department of Planning & Zoning	Received/Assigned PH
4/4/13	Department of Planning & Zoning	Recommended Approval Planning Commission
4/4/13	Planning Commission	Recommended Approval Parish Council
4/8/13	Parish President	Introduced
4/8/13	Parish Council	Publish/Scheduled PH

ORDINANCES/RESOLUTIONS WHICH HAVE BEEN TABLED

128 **2013-0103** (3/25/2013, St. Pierre, Jr., Department of Finance)

An ordinance to amend the 2013 Consolidated Operating and Capital Budget to recognize revenues received prior to year end 2012 relating to the Airport Expansion Agreement, thus increasing the beginning 2013 General Fund balance by \$1,212,000 and to add revenues of \$300,000 under General Fund Account 001-313020 - Airport Expansion Agreement for 2013 Airport Expansion Agreement Revenues.

Legislative History

3/25/13	Parish President	Introduced
3/25/13	Parish Council	Publish/Scheduled PH
4/8/13	Parish Council	PH Requirements Satisfied

Reported:
Finance Department Recommended: Approval

Speakers:
Ms. Mary Clulee, Luling
Mr. David Wedge, Bayou Gauche

4/8/13 Parish Council Tabled. Pass
 Discussion: to table File No. 2013-0103

PERSONS TO ADDRESS THE COUNCIL

- 134 **2013-0148** (4/22/2013)
 Mr. David G. Wedge: Levees, Sunset Drainage District, and Requirements to address the council article 7 sections 1
- 135 **2013-0149** (4/22/2013)
 Ms. Telesia Batte: Fema maps lobbying
- 136 **2013-0150** (4/22/2013)
 Ms. Catherine Porthouse: Proposed FEMA maps, appeal, seclusion & science
- 137 **2013-0151** (4/22/2013)
 Mr. Milton J. Allemand, Jr.: Role of law, civility, and respect
- 138 **2013-0152** (4/22/2013)
 Ms. Ann Marie Morvant: Bayou Gauche area
- 139 **2013-0153** (4/22/2013)
 Mr. Frank Whiteside: Biggert-Waters Act of 2012 - Suggestions for dealing with proposed new flood zones and extreme flood rates

RESOLUTIONS

- 141 **2013-0142** (4/22/2013, St. Pierre, Jr., Department of Planning & Zoning)
 A resolution providing mandatory supporting authorization to Brennen Friloux to endorse the Planning and Zoning Commission positive recommendation for a R-3 use in a C-2 zoning district, to construct a duplex residence, at 10628 River Road (Lot B-2, portion of Lot 5 of Part of the Baptiste St. Amant Tract), Ama.
- Legislative History
- 2/22/13 Department of Planning & Zoning Received/Assigned PH
- 4/4/13 Department of Planning & Zoning Rcmnd'd Approval w/Stip. Planning Commission
 Approval with stipulation that no more than 2 units are approved.
- 4/4/13 Planning Commission Rcmnd'd Approval w/Stip. Parish Council
 Approval with stipulation that no more than 2 units are approved.
- 4/22/13 Parish President Introduced
- 150 **2013-0144** (4/22/2013, St. Pierre, Jr., Department of Wastewater)
 A resolution notifying the Louisiana Department of Environmental Quality that the St. Charles Parish Department of Wastewater has reviewed the Municipal Water Pollution Prevention Environmental Audit Report for LA0032131 - Luling Oxidation Pond, and set forth the required action.
- Legislative History
- 4/22/13 Parish President Introduced

- 160 **2013-0154** (4/22/2013, Wilson)
 A resolution to amend Resolution No. 5984 requesting the Louisiana Department of Transportation and Development to install "NO PARKING" signs on both sides of LA 3160 where it intersects with Hwy. 18 (River Road), on the west side of LA 3160 install sign within 75 feet from the intersection of Hwy. 18, in Hahnville.
- Legislative History
- 4/22/13 Council Member(s) Introduced
- 162 **2013-0155** (4/22/2013, St. Pierre, Jr., Department of Planning & Zoning, Schexnaydre, Fauchaux, Tastet, Hogan)
 A resolution requesting that the Federal Emergency Management Agency (FEMA) delay the start of the 90 appeal period on the current St. Charles Parish Preliminary DFIRM Maps until FEMA has released the new insurance premium rate chart as developed for the implementation of the Biggert-Waters Act of 2012, and St. Charles Parish has had time to evaluate their effects on its citizens.
- Legislative History
- 4/22/13 Parish President Introduced

APPOINTMENTS

2013-0117 (4/8/2013)

Council Appointment to the St. Charles Parish Retiree Benefits Funding Trust - Board of Trustees. *Council Chairman will accept nominations for appointment to the St. Charles Parish Retiree Benefits Funding Trust - Board of Trustees in accordance with the United States Internal Revenue Code, Section 115 Retiree Benefits Trust. The Board shall be comprised of five (5) initial members; one (1) member of the St. Charles Parish Council to be designated by the Council. Term to begin immediately and expire January 10, 2016. [Term is concurrent with the Governing Authority.] [Deferred from the April 8, 2013 Parish Council Meeting.]*

Legislative History

3/25/13 Parish Council Enacted Legislation

Approved Ordinance No. 13-3-12, creating the SCP Retiree Benefits Funding Trust, including the establishment of the Board of Trustees, in accordance with the United States Internal Revenue Code, Section 115 Retiree Benefits Trust for GASB 45 Compliance, term is concurrent with the Governing Authority.

4/8/13 Parish Council Deferred Pass

Discussion: to defer File No. 2013-0117

2013-0118 (4/8/2013)

Council Appointment to the St. Charles Parish Retiree Benefits Funding Trust - Board of Trustees. *Council Chairman will accept nominations for appointment to the St. Charles Parish Retiree Benefits Funding Trust - Board of Trustees in accordance with the United States Internal Revenue Code, Section 115 Retiree Benefits Trust. The Board shall be comprised of five (5) initial members; one (1) member of the St. Charles Parish Council to be designated by the Council. Term to begin immediately and expire January 10, 2016. [Term is concurrent with the Governing Authority.] [Deferred from the April 8, 2013 Parish Council Meeting.]*

Legislative History

3/25/13 Parish Council Enacted Legislation

Approved Ordinance No. 13-3-12, creating the SCP Retiree Benefits Funding Trust, including the establishment of the Board of Trustees, in accordance with the United States Internal Revenue Code, Section 115 Retiree Benefits Trust for GASB 45 Compliance, term is concurrent with the Governing Authority.

4/8/13 Parish Council Deferred Pass

Discussion: to defer File No. 2013-0118

163 **2013-0113** (4/8/2013)

A resolution to appoint a member to the St. Charles Parish Hospital Service District Board of Commissioners.

Council Chairman will accept nominations to fill the vacancy created by the expiration of the term of Ms. Barbara Smith. Six (6) year term to begin May 22, 2013 and expire May 22, 2019.

Legislative History

5/21/07 Parish Council Enacted Legislation

*Ms. Barbara Smith appointed to the Hospital Service District on May 21, 2007, per Resolution No. 5440
Term: June 5, 2007 - May 22, 2013*

4/8/13 Parish Council Vacancy Announced

164 **2013-0114** (4/8/2013)

A resolution to appoint a member to the St. Charles Parish Hospital Service District Board of Commissioners.

Council Chairman will accept nominations to fill the vacancy created by the expiration of the term of Ms. Betty Portera. Six (6) year term to begin May 22, 2013 and expire May 22, 2019.

Legislative History

5/21/07 Parish Council Enacted Legislation

*Ms. Betty Portera appointed to the Hospital Service District on May 21, 2007, per Resolution No. 5441
Term: June 5, 2007 - May 22, 2013*

4/8/13 Parish Council Vacancy Announced

165 **2013-0045** (2/18/2013)

A resolution appointing a member to the Sunset Drainage District.

Council Office did not receive Petition Signatures by April 3, 2013 deadline.

Authorize advertisement of vacancy and authorize the forwarding of Petition Signatures to the Sunset Drainage District Board for verification. Term of Mr. Curlis J. Matherne to expire May 9, 2013. Five (5) year term to begin May 9, 2013 and expire May 9, 2018.

Legislative History

5/5/08 Parish Council Enacted Legislation

*Mr. Curlis J. Matherne appointed to the Sunset Drainage District on May 5, 2008, per Resolution No. 5545
Term: May 9, 2008 - May 9, 2013*

2/18/13 Parish Council Authorized

2013-0146 (4/22/2013)

A resolution to appoint a member to the Planning & Zoning Commission as the District II Representative.

On May 6, 2013, the Council Chairman will accept nomination from the District II Councilmember to fill the vacancy created by the expiration of the term of Mr. Neal Clulee. Four (4) year term to begin May 31, 2013 and expire May 31, 2017.

Legislative History

5/18/09 Parish Council Enacted Legislation

*Mr. Neal Clulee appointed to the Planning & Zoning Commission on May 18, 2009, per Resolution No. 5645
Term: May 31, 2009 - May 31, 2013*

2013-0147 (4/22/2013)

A resolution to appoint a member to the Planning & Zoning Commission as the District III Representative.

On May 6, 2013, the Council Chairman will accept nomination from the District III Councilmember to fill the vacancy created by the expiration of the term of Mr. John R. Gibbs. Four (4) year term to begin May 31, 2013 and expire May 31, 2017.

Legislative History

5/18/09 Parish Council Enacted Legislation

*Mr. John R. Gibbs appointed to the Planning & Zoning Commission on May 18, 2009, per Resolution No. 5646
Term: May 31, 2009 - May 31, 2013*

SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

2013-0055 (4/22/2013, 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

Legislative History

2/18/13 Parish Council Motion Pass

to go into Executive Session

2/18/13 Parish Council Heard in Executive Session

2/18/13 Parish Council Motion Pass

to return to the regular order of the agenda

3/11/13 Parish Council Motion Pass

to go into Executive Session

3/11/13 Parish Council Heard in Executive Session

3/11/13 Parish Council Motion Pass

to return to the regular order of the agenda

3/25/13 Parish Council Motion Pass

to go into Executive Session

3/25/13 Parish Council Heard in Executive Session

3/25/13 Parish Council Motion Pass

to return to the regular order of the agenda

4/8/13 Parish Council Motion Pass

to go into Executive Session

4/8/13 Parish Council Heard in Executive Session

4/8/13 Parish Council Motion Pass

to return to the regular order of the agenda

MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.

MEETINGS

HOSPITAL BOARD: Wednesday, 4/24/13, 9AM, Council Chambers

COASTAL ZONE ADVISORY COMMITTEE: Thursday, 4/25/13, 6:30PM, Council Chambers

HOUSING AUTHORITY: Tuesday, 4/30/13, 6PM, Council Chambers

PLANNING & ZONING: Thursday, 5/2/13, 7PM, Council Chambers

ANNOUNCEMENTS

IMPORTANT DATES FOR THE SATURDAY, MAY 4, 2013 SPECIAL COUNCIL DISTRICT II ELECTION

**Early Voting - Tuesday April 23rd, Wednesday April 24th, Thursday April 25th, Friday April 26th, Saturday April 27th, 2013 at the Registrar of Voters Office (8:30 am till 6:00 pm); Westbank: Courthouse, 15045 River Road, Hahnville, Eastbank: Arterbury Building, 14564 River Road, New Sarpy. Election Day Polling Locations Open 7:00 am until 8:00 pm. Please view the Registrar of Voters Website for more Information.*

**Tuesday April 30, 2013 - Last day to Request Absentee Mail Ballots*

**Friday May 3, 2013 - Last Day for Registrar to receive Voted Absentee Ballot*

**Saturday May 4, 2013 - Election Day*

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) 783-5000 to discuss the particular accommodations needed.