



St. Charles Parish

Meeting Agenda

Parish Council

Council Chairman Larry Cochran
Councilmembers Carolyn K. Schexnaydre, Snookie Fauchaux,
Terrell D. Wilson, Shelley M. Tastet, Wendy Benedetto,
Paul J. Hogan, Traci A. Fletcher, Dennis Nuss

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

Monday, July 2, 2012

6:00 PM

Council Chambers, Courthouse

Final

Minutes

ATTENDANCE

CALL TO ORDER

PRAYER

PLEDGE

APPROVAL OF MINUTES

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

- 1 [2012-0239](#) Proclamation: "236th Anniversary of American Independence"

Sponsors: Mr. St. Pierre Jr.

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

[2012-0243](#) Ms. Lisa M. Watson, Ph.D., Vice Chancellor for Institutional Advancement and Effectiveness - River Parishes Community College

Sponsors: Mr. Cochran

[2012-0244](#) Department of Emergency Preparedness

[2012-0245](#) Parish President Remarks/Report

Sponsors: Mr. St. Pierre Jr.

G Monday, July 23, 2012, 6:00 pm, Council Chambers, Courthouse, Hahnville

[2012-0241](#) An ordinance to approve and authorize the execution of a Lease with the St. Charles Parish School Board for office space at the Eual J. Landry Alternative Center in Hahnville to house the Department of Parks & Recreation.

Sponsors: Mr. St. Pierre Jr. and Department of Parks and Recreation

Attachments: [2012-0241 Lease-F](#)
[2012-0241 Final Ord 12-7-6 with Lease](#)

[2012-0057](#) An ordinance to amend the Code of Ordinances Appendix A, Section VI. E. Batture Districts to revise (II) from B-2. Industrial batture district to B-2(M) Moderate Industrial batture district and to add (III) B-2. Industrial batture district.

Sponsors: Mr. Hogan

Attachments: [2012-0057 Recommendation at a Glance \(3\).doc](#)
[2012-0057 Batture Districts minutes \(Councilman Hogan's ordinance\)](#)
[2012-0057 Batture Recommendation at a Glance](#)
[Batture Amend Batture Recommendation at a Glance.doc](#)
[2012-0057 Batture Recommendation at a Glance.doc](#)
[2012-0057 Memo to PZ](#)
[2012-0057 Minutes 01 16 14 \(3\)](#)
[2012-0057 Minutes 11 07 13 Industrial Batture District](#)
[Batture 06.07.12 Minutes \(Batture\)](#)
[2012-0057 10-3-11 P memo Legal](#)
[2012-0057 10-10-11 P memo PZ](#)
[2012-0057 11-7-11 B memo PZ](#)
[2012-0057 2-10-12 C memo PZ](#)
[2012-0057 5-4-12 P memo PZ](#)
[2012-0057 6-27-12 P memo PC](#)
[2012-0057 Failed Proposed Ordinance \(8-19-13\)](#)
[2012-0057 10-18-13 T memo PZ](#)
[2012-0057 12-2-13 T memo PZ](#)
[2012-0057 Failed Proposed Ordinance \(2-3-14\)](#)

Legislative History

10/3/11	Council Member(s)	Correspondence Sent to the Legal Services Director, from District IV Councilman, Paul J. Hogan, PE, to review the proposed ordinance to revise the Batture Zoning District Code and advise on the Parish Council taking this up for consideration in light of the lawsuit the Parish is involved in regarding batture rezoning.
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10/10/11	Council Member(s)	Correspondence Sent to the Planning & Zoning Director, from District IV Councilman, Paul J. Hogan, PE, to review and provide your comments, concerns, and/or suggestions regarding the proposed ordinance no later than Monday, October 24, 2011.
11/7/11	Council Secretary	Correspondence Sent to the Planning & Zoning Director to initiate the process to have the referenced placed on the December 1, 2011 Planning Commission Agenda.
2/7/12	Legislative Committee	Discussed. <i>Speakers:</i> <i>Ms. Kimberly Marousek, Planning & Zoning Director</i>
2/10/12	Council Secretary	Correspondence Sent to the Planning & Zoning Director to initiate the process to have the referenced placed on the February 10, 2012 Planning Commission Agenda.
5/4/12	Council Member(s)	Rcmnd'ation Request Fwd'd to the Department of Planning & Zoning to the Planning & Zoning Director to initiate the process to have the referenced placed on the June 7, 2012 Planning Commission Agenda.
6/7/12	Department of Planning & Zoning	No Recommendation to the Planning Commission
6/7/12	Planning Commission	Recommended Denial to the Parish Council
6/18/12	Council Member(s)	Introduced
6/18/12	Parish Council	Publish/Scheduled for Public Hearing
6/18/12	Parish Council	Postponed Indefinitely from Intro. 1 Discussion: to postpone indefinitely File No. 2012-0057 from introduction
6/27/12	Council Member(s)	Correspondence Sent to the Parish Council, from District IV Councilman, Paul J. Hogan, PE, to ask for support in this common sense proposed ordinance to provide protection to residents in future batture rezoning requests. If felt in not in the citizens or Parish's best interests to do so, then a vote in opposition of the proposed ordinance is in order.

2012-0246

An ordinance to approve and authorize a servitude acquisition of property owned by Ashton Plantation Estates, L.L.C. and more fully described in the Donation of Servitude attached hereto, for the construction and maintenance of a sewer force main from Luling to Boutte.

Sponsors:

Mr. St. Pierre Jr. and Department of Public Works/Wastewater

Attachments:

[ASHTON PLANTATION SERVITUDE 4-20-12.pdf](#)

[DONATION OF SERVITUDE 6.25.12\(Deleted 17\)](#)

[2012-0246 Donation of Servitude-F](#)

[2012-0246 Final Ord 12-7-7 with Donation](#)

[2012-0247](#)

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 **Hale Street in Paradis to Fifteen (15) Miles Per Hour.**

Sponsors:

Mr. Hogan

Attachments:[2012-0247 Final Ord 12-7-8](#)[2012-0248](#)

An ordinance to amend the St. Charles Parish Flood Damage Prevention Ordinance, Section XX.C.2., to exempt the area encompassed by the Sunset Drainage District and the portion of Des Allemands lying outside the district and south of the Burlington Northern Railroad from having to meet the requirements of the Advisory Base Flood Elevations.

Sponsors:

Mr. Hogan

[2012-0249](#) An ordinance of the Parish of St. Charles, providing that the Code of Ordinances, Parish of St. Charles, Chapter 2 Administration, Article I. In General, be amended by adding Section 2-16.7. Complainant Non-Disclosure.

Sponsors: Mr. Hogan

Attachments: [2012-0249 10-4-11 VJ memo PZ](#)
[Veto Msg 12-7-9.pdf](#)
[2012-0249 7-30-12 P memo VJ](#)
[2012-0249 Final Ord 12-7-9](#)

PLANNING AND ZONING PETITIONS

2 [2012-0234](#) An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981 to approve the change of zoning classification from R-1M to C-3 on Portion of Tract 1 located in Section 118, T13S R20E at 13801 Old Spanish Trail, Boutte LA as requested by Cypress Land Development.

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

Attachments: [Cypress Land AERIAL PZR-2012-02.pdf](#)
[Cypress Land Rec at a Glance PZR-2012-02.doc](#)
[Cypress Land site plan.pdf](#)
[Cypress Land Survey.pdf](#)
[Cypress Land 06.07.12 Minutes](#)
[Cypress Land C-3 LUR pzs-2012-02 to C-3 for 6.7.12](#)
[2012-0234 Final Ord 12-7-1](#)

Legislative History

2/8/12	Department of Planning & Zoning	Received/Assigned PH
6/7/12	Department of Planning & Zoning	Recommended Denial to the Planning Commission
6/7/12	Planning Commission	Recommended Approval to the Parish Council
6/18/12	Parish President	Introduced
6/18/12	Parish Council	Publish/Scheduled for Public Hearing

- 3 [2012-0235](#) An ordinance to amend the Zoning Ordinance of 1981, to the change of zoning classification from C-1 to C-3 on Lot 16 and the North 1/2 of Lot 15, Block I of Lot "E" subdivision, and Lot 16, Block 19 of Lot "D" subdivision, Good Hope Subdivision, Norco (formerly 859 Apple St.) as requested by Airline and Apple, LLC.

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

Attachments: [Airline and Apple Aerial.pdf](#)
[Airline and Apple LUR_2012-03 KM.doc](#)
[Airline and Apple Survey.pdf](#)
[Airline and Apple Zoning Map.pdf](#)
[Ariline & Apple Recommendation at a Glance.doc](#)
[Airline and Apple 06.07.12 Minutes](#)
[2012-0235 Final Ord 12-7-2](#)

Legislative History

5/7/12	Department of Planning & Zoning	Received/Assigned PH
6/7/12	Department of Planning & Zoning	Recommended Approval to the Planning Commission
6/7/12	Planning Commission	Recommended Approval to the Parish Council
6/18/12	Parish President	Introduced
6/18/12	Parish Council	Publish/Scheduled for Public Hearing

- 4 [2012-0236](#) An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981 to approve the change of zoning classification from R-1AM to R-2 Lots 36 & 37, Square 42, New Sarpy Subdivision located in Section 8, T12S R8E at 811 E. Easy St, New Sarpy. as requested by Rueben T. Vinnett.

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

Attachments: [Vinnett CLOSE UP Aerials.pdf](#)
[Vinnett Rec at a Glance PZR-2012-04.doc](#)
[Vinnett Survey.pdf](#)
[Vinnett 06.07.12 Minutes](#)
[Vinnett LUR](#)
[2012-0236 Final Ord 12-7-3](#)

Legislative History

1/31/12	Department of Planning & Zoning	Received/Assigned PH
6/7/12	Department of Planning & Zoning	Recommended Denial to the Planning Commission
6/7/12	Planning Commission	Recommended Approval to the Parish Council

6/18/12	Parish President	Introduced
6/18/12	Parish Council	Publish/Scheduled for Public Hearing

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

[2012-0229](#) An ordinance to amend the Code of Ordinances, Appendix A. St. Charles Parish Zoning Ordinance of 1981, Section XX. Flood Damage Prevention, D. Administration, 5. Variance Procedures, b. Conditions for Variances, by interjecting an additional subsection as *Subsection 8*, and renumbering existing *Subsection 8* as *Subsection 9*.

Sponsors: Mr. Hogan

Attachments: [Variances BFE to require Council Res Recommendation at a Glance.doc](#)
[Variances 06.07.12 Minutes \(ABFE sup. resol.\)](#)
[2012-0229 5-3-12 Memo to PZ](#)
[2012-0229 6-28-12 P memo Legal](#)

Legislative History

5/3/12	Council Member(s)	Rcmd'ation Request Fwd'd to the Department of Planning & Zoning to the Planning & Zoning Director to initiate the process to have the referenced placed on the June 7, 2012 Planning Commission Agenda.
6/7/12	Department of Planning & Zoning	No Recommendation to the Planning Commission
6/7/12	Planning Commission	Recommended Denial to the Parish Council
6/18/12	Council Member(s)	Introduced
6/18/12	Parish Council	Publish/Scheduled for Public Hearing
6/28/12	Council Member(s)	Correspondence Sent to Legal Services Director, Mr. Leon C. Vial, III, from District IV Councilman Paul J. Hogan, PE, to provide an opinion as to the legality of the proposed ordinance by the end of the day on Friday, June 29, 2012, if not, no later than noon on Monday, July 2, 2012.

- 5 [2012-0230](#) An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, State of Louisiana be amended by revising Appendix A, St. Charles Parish Zoning Ordinance of 1981 by revising the following subsections of Section VI.: C. [III.] 1. b. **(6)**; C. [IV.] 1. b. **(1)**; D. [I.] 1. b. **(1)**; and D. [II.] 1. b. **(2)**, by inserting additional verbiage.

Sponsors: Mr. Hogan

Attachments: [Fencing Temp. Const. Facilities \(Fencing\) Recommendation at a Glance.doc](#)

[Fencing 06.07.12 Minutes \(Fencing tem const. facilities\)](#)

[2012-0230 4-9-12 C memo PZ](#)

[2012-0230 5-4-12 P memo KM](#)

[2012-0230 5-9-12 P memo Legal](#)

[2012-0230 5-29-12 Legal memo 2nd](#)

[2012-0230 5-31-12 Legal memo](#)

[2012-0230 Failed Proposed Ordinance](#)

Legislative History

4/9/12	Council Secretary	Correspondence Sent to the Planning & Zoning Director to initiate the process to have the referenced placed on the May 3, 2012 Planning Commission Agenda.
5/4/12	Council Member(s)	Rcmd'ation Request Fwd'd to the Department of Planning & Zoning to the Planning & Zoning Director to initiate the process to have the referenced placed on the June 7, 2012 Planning Commission Agenda.
5/9/12	Council Member(s)	Correspondence Sent to the Legal Services Director, from District IV Councilman, Paul J. Hogan, PE, to review the information provided and provide an opinion regarding whether or not Commissioners should recuse themselves in these types of situations.
5/31/12	Council Member(s)	Correspondence Received to District IV Councilman, Paul J. Hogan, PE, from the Legal Services Director, regarding the request for an opinion pertaining to recusals by members of the Planning Commission. The Legal Department find no legal method to enforce voting.
6/7/12	Department of Planning & Zoning	No Recommendation to the Planning Commission
6/7/12	Planning Commission	Recommended Denial to the Parish Council
6/18/12	Council Member(s)	Introduced
6/18/12	Parish Council	Publish/Scheduled for Public Hearing

- 6 [2012-0233](#) An ordinance to amend the Code of Ordinances Appendix A, Section III. Definitions., 1. Accessory building and Appendix A Section VI., Zoning district criteria and regulations; to prohibit the placement of storage containers in residential zoning districts.

Sponsors: Ms. Schexnaydre

Attachments: [Cargo containers Recommendation at a Glance.doc](#)
[Cargo Containers 06.07.12 Minutes](#)
[2012-0233 Final Ord 12-7-4](#)

Legislative History

6/7/12	Department of Planning & Zoning	No Recommendation to the Planning Commission
6/7/12	Planning Commission	Recommended Approval to the Parish Council
6/18/12	Council Member(s)	Introduced
6/18/12	Parish Council	Publish/Scheduled for Public Hearing

- 8 [2012-0237](#) An ordinance to approve and authorize the execution of a Contract for Engineering Services between Civil & Environmental Consulting Engineers, LLC, and St. Charles Parish for necessary professional engineering services associated with the proposed Des Allemands Boat Launch.

Sponsors: Mr. St. Pierre Jr., Grants Office and Mr. Hogan

Attachments: [Standard Single Project Contract 02-16-09.doc](#)
[2012-0237 Contract-F](#)
[2012-0237 Final Ord 12-7-5 with Contract](#)

Legislative History

6/18/12	Parish President	Introduced
6/18/12	Parish Council	Publish/Scheduled for Public Hearing

- [2012-0238](#) An ordinance to repeal Ordinance No. 06-10-13, the St. Charles Parish Flood Damage Prevention Ordinance, Section XX.C.2., to adopt the Advisory Base Flood Elevations (ABFE) issued by the Federal Emergency Management Agency (FEMA) after Hurricanes Katrina and Rita.

Sponsors: Mr. Hogan

Legislative History

6/18/12	Council Member(s)	Introduced
6/18/12	Parish Council	Publish/Scheduled for Public Hearing

RESOLUTIONS

- 30 [2012-0240](#) A resolution to enact a Sales Tax Holiday in St. Charles Parish on August 3, 2012, and August 4, 2012.

Sponsors: Ms. Benedetto

Attachments: [2012-0240 Final Reso 5923](#)

- 31 [2012-0242](#) A resolution of a commitment in joining the servicing district for St. James Youth Detention Center in St. James Parish.

Sponsors: Mr. St. Pierre Jr.

Attachments: [2012-0242 Final Reso 5924](#)

APPOINTMENTS

[2012-0224](#) Appoint a member to the River Region Caucus.

Council Chairman will accept nomination to fill the vacancy caused by the expiration of the term of Councilwoman Wendy Benedetto. One (1) year term to begin July 31, 2012 and expire July 31, 2013.

Legislative History

6/18/12 Parish Council Vacancy Announced

[2012-0225](#) Appoint a member to the River Region Caucus.

Council Chairman will accept nomination to fill the vacancy caused by the expiration of the term of Councilwoman Traci A. Fletcher. One (1) year term to begin July 31, 2012 and expire July 31, 2013.

Legislative History

6/18/12 Parish Council Vacancy Announced

[2012-0226](#) Council Alternate Appointment to the River Region Caucus.

Council Chairman will accept nomination to fill the vacancy caused by the expiration of the term of Councilman Paul J. Hogan, PE, - Alternate. One (1) year term to begin July 31, 2012 and expire July 31, 2013.

Legislative History

6/18/12 Parish Council Vacancy Announced

[2012-0227](#) Council Alternate Appointment to the River Region Caucus.

Council Chairman will accept nomination to fill the vacancy caused by the expiration of the term of Councilman Larry Cochran - Alternate. One (1) year term to begin July 31, 2012 and expire July 31, 2013.

Legislative History

6/18/12 Parish Council Vacancy Announced

MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.

ADJOURNMENT

PLANNING & ZONING COMMISSION: Thursday, 7/5/12, 7PM, Council Chambers
911 COMMUNICATIONS DISTRICT: Monday, 7/9/12, 5PM, Council Chambers
COMMUNITY ACTION ADVISORY BOARD: Wednesday, 7/11/12 7PM, Council Chambers
SUNSET DRAINAGE DISTRICT: Thursday, 7/12/12, 7PM, Council Chambers
LIBRARY BOARD: Tuesday, 7/17/12, 6PM, Council Chambers
ZONING BOARD OF ADJUSTMENT: Thursday, 7/19/12, 7PM, Council Chambers

ANNOUNCEMENTS

Twenty-Second Annual Independence Day Celebration: Tuesday, 7/3/12, 6PM - 9PM, Luling Bridge Park - Fireworks Display at Dark

PARISH HOLIDAY: Wednesday, 7/4/12 - Independence Day

*****PLEASE NOTE THAT THERE WILL BE A THREE (3) WEEK LAPSE BETWEEN COUNCIL MEETINGS. THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JULY 23, 2012.*

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.