



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 Faucheux,
Terrell D. Wilson, Mary Tastet, Paul J. Hogan, Larry Cochran,
Traci A. Fletcher, Julia Fisher-Perrier

Monday, May 20, 2013 **6:00 PM** **Council Chambers, Courthouse**
Final

CALL TO ORDER

PRAYER

Pastor Kendall Pierre
Mt. Zion Missionary Baptist Church, Ama

PLEDGE

Pastor Kendall Pierre
Mt. Zion Missionary Baptist Church, Ama

APPROVAL OF MINUTES

Regular Meeting - April 22, 2013

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

1 **2013-0173** (5/6/2013, St. Pierre, Jr., Bond Counsel)

An ordinance providing for the issuance and sale of Two Million Six Hundred Twenty Thousand Dollars (\$2,620,000) of Sales Tax Refunding Bonds, Series 2013 (the "Bonds"), of the Parish of St. Charles, State of Louisiana; providing for the sale and issuance of the Bonds, awarding said Bonds to the purchaser thereof; fixing certain details of the Bonds, and providing for other matters in connection therewith.

Public Hearing

Legislative History

5/6/13	Parish President	Introduced
5/6/13	Parish Council	Publish/Scheduled PH

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

2013-0191 (5/20/2013, St. Pierre, Jr.)
Parish President Remarks/Report

ORDINANCES/RESOLUTIONS INTRODUCED FOR PUBLICATION/PUBLIC HEARING

Monday, June 3, 2013, 6:00 pm, Council Chambers, Courthouse, Hahnville

(No items for the regular Agenda)

PLANNING AND ZONING PETITIONS

31 **2013-0186** (5/6/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance approving and authorizing a Home Occupation under the operation of David Griffin - "Akadian Arms" - a firearms dealer- at 385 Longview Drive, Destrehan.

Legislative History

3/27/13 Department of Planning & Zoning Received/Assigned PH

5/2/13 Department of Planning & Zoning Rcmd'd Approval w/Stip. Planning Commission

Approval with the following:

1. A stipulation that the applicant obtain the required federal license prior to obtaining an occupational license.
2. A stipulation that no transfer of firearms occur at the residence at any time. We did get a call from a neighbor and a print out that came anonymously.
3. That the firearm be stored in a secured safe or according to federal requirements at all time.
4. Approval contingent upon the stipulations.

5/2/13 Planning Commission Rcmd'd Approval w/Stip. Parish Council

Approval with the following:

5. A stipulation that the applicant obtain the required federal license prior to obtaining an occupational license.
6. A stipulation that no transfer of firearms occur at the residence at any time. We did get a call from a neighbor and a print out that came anonymously.
7. That the firearm be stored in a secured safe or according to federal requirements at all time.
8. Approval contingent upon the stipulations.

5/6/13 Parish President Introduced

5/6/13 Parish Council Publish/Scheduled PH

40 **2013-0187** (5/6/2013, 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-1A to OL at 297, 299, 301, 303, & 305 St. Marks Ave (Lots H1, H2, H3, H4 and H5), being a portion of Lot 3 of a partition between the heirs of Widow Ursin Zeringue, Town of Ama, as requested by Tracy & Dwayne Plaisance and Doris Dempsey.

Legislative History

4/2/13 Department of Planning & Zoning Received/Assigned PH

5/2/13 Department of Planning & Zoning Recommended Denial Planning Commission

5/2/13 Planning Commission Recommended Approval Parish Council

5/6/13 Parish President Introduced

5/6/13 Parish Council Publish/Scheduled PH

49 **2013-0188** (5/6/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance approving and authorizing a Home Office under the operation of Sandy Phillip - "PoohDat, Inc" - a portable sanitary facility provider- at 101 Roseland Drive, Luling.

Legislative History

3/27/13 Department of Planning & Zoning Received/Assigned PH

5/2/13 Department of Planning & Zoning Rcmd'd Approval w/Stip. Planning Commission

Approval with stipulation that at no time, ever, for any reason, shall a temporary sanitary facility or portable toilet be on the property. Approval contingent upon the applicant agreeing to the stipulation.

5/2/13 Planning Commission Rcmd'd Approval w/Stip. Parish Council

Approval with stipulation that at no time, ever, for any reason, shall a temporary sanitary facility or portable toilet be on the property. Approval contingent upon the applicant agreeing to the stipulation.

5/6/13 Parish President Introduced

5/6/13 Parish Council Publish/Scheduled PH

55 **2013-0189** (5/6/2013, 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-1A to C-2 at 15237 Hwy 90, (Lot D of the north ½ of Farm Lot 9, Town of Paradis) as requested by Piyush Maisurai.

Legislative History

2/14/13 Department of Planning & Zoning Received/Assigned PH

5/2/13 Department of Planning & Zoning Recommended Denial Planning Commission

5/2/13 Planning Commission Recommended Approval Parish Council

5/6/13 Parish President Introduced

5/6/13 Parish Council Publish/Scheduled PH

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

90 **2013-0163** (5/6/2013, St. Pierre, Jr., River Parishes Workforce Investment Act Program)

An ordinance to amend Ordinance No. 09-9-7, a Lease with D.J.V., LLC to house the River Parishes Workforce Investment Board office for St. Charles Parish, to reduce the office area leased and to approve and authorize the execution of said amendment.

Legislative History

5/6/13 Parish President Introduced

5/6/13 Parish Council Publish/Scheduled PH

97 **2013-0175** (5/6/2013, St. Pierre, Jr., Department of Waterworks)

An ordinance to approve and authorize the execution of Change Order No. 1 and final for the Eastbank C Plant Water Treatment Plant Clarifier Refurbishment (Project No. WWKS 60) to increase the contract time by 34 calendar days and to increase the contract amount by \$24,058.65.

Legislative History

5/6/13 Parish President Introduced

5/6/13 Parish Council Publish/Scheduled PH

- 103 **2013-0176** (5/6/2013, St. Pierre, Jr.)
 An ordinance to approve and authorize the execution of an Act of Revocation by St. Charles Parish for a servitude no longer needed for a public purpose on property owned by Bunge North America.
Legislative History
 5/6/13 Parish President Introduced
 5/6/13 Parish Council Publish/Scheduled PH
- 115 **2013-0177** (5/6/2013, St. Pierre, Jr., Department of Public Works)
 An ordinance approving and authorizing the execution of Change Order No. 1 for Parish Project No P111002-3, Road Maintenance 2012, to balance the contract quantities with actual quantities resulting in an increase of \$55,532.00 and an increase of contract time by forty nine (49) days.
Legislative History
 5/6/13 Parish President Introduced
 5/6/13 Parish Council Publish/Scheduled PH
- 129 **2013-0178** (5/6/2013, St. Pierre, Jr., Department of Public Works)
 An ordinance to approve and authorize the execution of a contract by and between the Parish of St. Charles and Science Applications International Corporation for Monitoring of Disaster Generated Debris & Disaster Management and Technical Services, Parish Project No. P090903.
Legislative History
 5/6/13 Parish President Introduced
 5/6/13 Parish Council Publish/Scheduled PH
- 137 **2013-0179** (5/6/2013, St. Pierre, Jr., Department of Parks and Recreation, Tastet, Fisher-Perrier, Fauchaux)
 An ordinance to approve and authorize the execution of an Engineering Services Contract with Civil and Environmental Consulting Engineers, LLC, for the design of Phase II of Rathborne Park in Luling.
Legislative History
 5/6/13 Parish President Introduced
 5/6/13 Parish Council Publish/Scheduled PH
- 159 **2013-0180** (5/6/2013, St. Pierre, Jr.)
 An ordinance to establish and define the St. Charles Parish Visible Precinct Boundaries.
Legislative History
 5/6/13 Parish President Introduced
 5/6/13 Parish Council Publish/Scheduled PH
- 182 **2013-0181** (5/6/2013, Fletcher)
 An ordinance to provide for the installation of "STOP" signs on both sides of an unnamed street which intersects with West Lawson Street and Park Street in New Sarpy.
Legislative History
 5/6/13 Council Member(s) Introduced
 5/6/13 Parish Council Publish/Scheduled PH

- 183 **2013-0182** (5/6/2013, Benedetto)
 An ordinance to provide for the installation of a "Stop" sign on the unnamed street that intersects with Ormond Boulevard and runs alongside the Ormond Park Fields and the East St. Charles Parish Volunteer Fire station in Destrehan.
Legislative History
 5/6/13 Council Member(s) Introduced
 5/6/13 Parish Council Publish/Scheduled PH
- 184 **2013-0183** (5/6/2013, St. Pierre, Jr., Department of Finance)
 An ordinance to amend the 2013 Consolidated Operating and Capital Budget, Amendment No. 4, to add donated revenues from Shell Motiva in the total amount of \$103,876.00 and the related capital expenses for which the donation has been stipulated for under Fund 001, account 001-410711 Emergency Preparedness Subsidiary, which consists of the purchase of two hybrid vehicles for the St. Charles Parish Emergency Operations Center.
 Revised Version of Ordinance and Exhibit A - Page 186
Legislative History
 5/6/13 Parish President Introduced
 5/6/13 Parish Council Publish/Scheduled PH
- 192 **2013-0184** (5/6/2013, St. Pierre, Jr., Department of Waterworks)
 An ordinance to amend the Code of Ordinances, Chapter 23 Waterworks Article I to add Section 4, St. Charles Parish Cross Connection Control Program.
Legislative History
 5/6/13 Parish President Introduced
 5/6/13 Parish Council Publish/Scheduled PH
- 200 **2013-0185** (5/6/2013, Cochran)
 An ordinance to amend Ordinance No. 13-3-14 to direct and mandate that the Parish President execute the Agreement approved therein.
Legislative History
 5/6/13 Council Member(s) Introduced
 5/6/13 Parish Council Publish/Scheduled PH
- 205 **2013-0190** (5/6/2013, St. Pierre, Jr., Department of Parks and Recreation)
 An ordinance to approve and authorize the execution of Change Order No. 1 to Ordinance No. 13-1-6, to extend for 40 days the contract with Bill Ward Builders, LLC, to construct a new restroom facility at the West Bank Bridge Park in Luling.
Legislative History
 5/6/13 Parish President Introduced
 5/6/13 Parish Council Publish/Scheduled PH
- 208 **2013-0103** (5/6/2013, 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 transfer the total amount to Fund 310 - Westbank Hurricane Protection Levee - Improvements Other than Buildings - Westbank Hurricane Protection levee for levee construction.
Legislative History

3/25/13	Parish President	Introduced	
3/25/13	Parish Council	Publish/Scheduled PH	
4/8/13	Parish Council	PH Requirements Satisfied	
<i>Reported:</i>			
<i>Finance Department Recommended: Approval</i>			
<i>Speakers:</i>			
<i>Ms. Mary Clulee, Luling</i>			
<i>Mr. David Wedge, Bayou Gauche</i>			
4/8/13	Parish Council	Tabled.	Pass
<i>Discussion: to table File No. 2013-0103</i>			
4/22/13	Parish Council	Tabled.	
5/6/13	Parish Council	Removed from the Table	Pass
<i>Discussion: to remove File No. 2013-0103 from the Table</i>			
5/6/13	Parish Council	Amended	Pass
<i>Reported:</i>			
<i>Finance Department Recommended: Approval</i>			
<i>Public Hearing previously satisfied.</i>			
<i>Amendment: to amend the proposed ordinance in the 'SUMMARY' to change '... 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.' to read '... thus increasing the beginning 2013 General Fund balance by \$1,212,000 and to transfer the total amount to Fund 310 - Westbank Hurricane Protection Levee - Improvements Other than Buildings - Westbank Hurricane Protection levee for levee construction.'</i>			
<i>Council Discussion</i>			
5/6/13	Parish Council	Postponed Indefinitely and Reintroduced	Pass
<i>Discussion: to postpone indefinitely and reintroduce File No. 2013-0103 for public hearing on May 20, 2013</i>			
5/6/13	Parish Council	Publish/Scheduled PH	

ORDINANCES/RESOLUTIONS WHICH HAVE BEEN TABLED

216 **2013-0156** (4/22/2013, St. Pierre, Jr., Department of Public Works)

An ordinance to approve and authorize the execution of a Contract by and between the Parish of St. Charles and HHP Construction Group, LLC for 5th Street Sidewalk Extension Norco, Parish Project No. P091101, in the amount of \$148,250.00.

Legislative History

4/22/13	Parish President	Introduced	
4/22/13	Parish Council	Publish/Scheduled PH	
5/6/13	Parish Council	PH Requirements Not Satisfied	

Department of Public Works recommended that File No. 2013-0156 be Tabled.

5/6/13	Parish Council	Tabled.	Pass
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Discussion: to Table File No. 2013-0156

222 **2013-0172** (5/6/2013, Hogan, Schexnaydre, Faucheux, Wilson)

A resolution to request the Parish President and the members of the St. Charles Parish Civil Service Board amend Rule 6.0 Hiring Practices; Section 6.03. Employment Offers: a. to add "If financial hardship is born by an employee(s) as a result of the adoption of updated Flood Insurance Rate Maps for St. Charles Parish and the Employee(s) is forced to relocate to another Parish due to the financial hardship, the Civil Service Board shall "Grandfather" the Employee(s) with respect to employment by St. Charles Parish."

Legislative History

5/6/13	Council Member(s)	Introduced	
5/6/13	Parish Council	Amended	Pass

Amendment: to accept the revised version of File No. 2013-0172

5/6/13	Parish Council	Tabled.	Pass
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Reported:

Councilman Hogan Recommended: Approval
 Councilwoman Schexnaydre Recommended: Approval
 Councilman Faucheux Recommended: Approval
 Councilman Wilson Recommended: Approval

Council Discussion

Discussion: to Table File No. 2013-0172

RESOLUTIONS

223 **2013-0193** (5/20/2013, St. Pierre, Jr., Department of Planning & Zoning)

A resolution providing mandatory supporting authorization to Frickey Brothers to endorse the Planning and Zoning Commission positive recommendation for a R-3 use in a C-2 zoning district, to construct a four unit complex, at 15101 Hwy 90 (Lot 5A, Square 26), Paradis.

Legislative History

3/26/13	Department of Planning & Zoning	Received/Assigned PH	
5/2/13	Department of Planning & Zoning	Rcmd'd Approval w/Stip. Planning Commission	

Approval with the following stipulations:

1. No more than 4 units be approved on the site.
2. A lighting plan must be submitted with the permit application to show that off-site glare produced by the complex will not be generated, thereby causing problems with the neighboring properties

5/2/13 *Planning Commission* *Remnd'd Approval w/Stip. Parish Council*

Approval with the following stipulations:

1. No more than 4 units be approved on the site.

2. A lighting plan must be submitted with the permit application to show that off-site glare produced by the complex will not be generated, thereby causing problems with the neighboring properties

5/20/13 *Parish President* *Introduced*

233 **2013-0195** (5/20/2013, Hogan)

A resolution requesting that the Parish President prepare and submit to the Parish Council an ordinance to amend the 2013 Consolidated Operating and Capital Budget, to transfer \$510,000.00 allocated for the Westbank Boat Launch, to dedicate \$282,307.00 for the Sunset Drainage District 2013 subsidy and to dedicate \$227,693.00 for the Westbank Hurricane Protection Levee.

Legislative History

5/20/13 *Council Member(s)* *Introduced*

APPOINTMENTS

234 **2013-0113** (4/8/2013)

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

Council will confirm nomination 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.

Nominee: Ms. Barbara Smith

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*

4/22/13 *Parish Council* *Nomination(s) Accepted*

*Nominee:
Councilman Wilson nominated Ms. Barbara Smith*

4/22/13 *Parish Council* *Close Nomination(s) for* *Pass*

5/6/13 *Parish Council* *Nomination(s) Accepted*

*Nominee:
Councilman Wilson nominated Ms. Barbara Smith*

5/6/13 *Parish Council* *Close Nomination(s) for* *Pass*

2013-0146 (4/22/2013)

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

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. [Deferred from the May 6, 2013 Parish Council Meeting]

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*

4/22/13 *Parish Council* *Vacancy Announced*

5/6/13 *Parish Council* *Deferred*

2013-0147 (4/22/2013)

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

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. [Deferred from the May 6, 2013 Parish Council Meeting]

Legislative History

5/18/09	Parish Council	Enacted Legislation
<i>Mr. John R. Gibbs appointed to the Planning & Zoning Commission on May 18, 2009, per Resolution No. 5646</i>		
<i>Term: May 31, 2009 - May 31, 2013</i>		
4/22/13	Parish Council	Vacancy Announced
5/6/13	Parish Council	Deferred

SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

238 **2013-0192 (5/20/2013)**

Official Journal Appointment - Authorize Advertisement for Acceptance of Proposals

243 **2013-0194 (5/20/2013, St. Pierre, Jr., Department of Finance)**

Calendar of Official Action for the 2013 Budget: Set Public Hearing Dates - Grant Dusson

2013-0055 (5/20/2013, 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
<i>to go into Executive Session</i>			
2/18/13	Parish Council	Heard in Executive Session	
2/18/13	Parish Council	Motion	Pass
<i>to return to the regular order of the agenda</i>			
3/11/13	Parish Council	Motion	Pass
<i>to go into Executive Session</i>			
3/11/13	Parish Council	Heard in Executive Session	
3/11/13	Parish Council	Motion	Pass
<i>to return to the regular order of the agenda</i>			
3/25/13	Parish Council	Motion	Pass
<i>to go into Executive Session</i>			
3/25/13	Parish Council	Heard in Executive Session	
3/25/13	Parish Council	Motion	Pass
<i>to return to the regular order of the agenda</i>			
4/8/13	Parish Council	Motion	Pass
<i>to go into Executive Session</i>			
4/8/13	Parish Council	Heard in Executive Session	

4/8/13	Parish Council	Motion	Pass
<i>to return to the regular order of the agenda</i>			
4/22/13	Parish Council	Motion	Pass
<i>to go into Executive Session</i>			
4/22/13	Parish Council	Heard in Executive Session	
4/22/13	Parish Council	Motion	Pass
<i>to return to the regular order of the agenda</i>			
5/6/13	Parish Council	Motion	Pass
<i>to go into Executive Session</i>			
5/6/13	Parish Council	Heard in Executive Session	
5/6/13	Parish Council	Motion	Pass
<i>to return to the regular order of the agenda</i>			

MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.

MEETINGS

LIBRARY BOARD: Tuesday, 5/21/13, 6PM, Council Chambers

COASTAL ZONE ADVISORY COMMITTEE: Thursday, 5/23/13, 6:30PM, Council Chambers

HOUSING AUTHORITY: Tuesday, 5/28/13, 6PM, Council Chambers

HOSPITAL BOARD: Wednesday, 5/29/13, 9AM, Council Chambers

ANNOUNCEMENTS

PARISH HOLIDAY: Monday, 5/27/13 - Memorial 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.