



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.stcharlesparish-la.gov

Final

Council Chairman Wendy Benedetto
Councilmembers Paul J. Hogan,
Terrell D. Wilson, Mary K. Clulee, Dick Gibbs,
William Billy Woodruff, Marilyn B. Bellock,
Traci A. Fletcher, Julia Fisher-Perrier

Monday, April 4, 2016

6:00 PM

Council Chambers, Courthouse

ATTENDANCE

Present 9 - Wendy Benedetto, Paul J. Hogan, Terrell D. Wilson, Mary K. Clulee, John R. 'Dick' Gibbs, William Woodruff, Marilyn B. Bellock, Traci A. Fletcher, and Julia Fisher-Perrier

Also Present

Parish President Larry Cochran, Executive Secretary Robin Delahoussaye, Legal Services Director Robert Raymond, Chief Administrative Officer Billy Raymond, Executive Director of Procurement and Government Buildings Darrin Duhe, Executive Director of Community Affairs Dwayne LaGrange, Executive Director of Technology and Communications Anthony Ayo, Finance Director Grant Dussom, Interim Public Works Director Sam Scholle, Planning & Zoning Director Michael Albert, Interim Public Information Officer Tristan Babin, R.S.V.P. Director Michelle Higgins

CALL TO ORDER

Meeting called to order at 6:01 pm.

PRAYER / PLEDGE

Deacon Billy Raymond, Sr.
Mt. Airy Baptist Church, Boutte

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

[2016-0139](#)

In Recognition: James Raymond Fryoux, Port of South Louisiana Board of Commissioners

Sponsors: Ms. Benedetto

Read

[2016-0142](#)

In Recognition: Occidental Chemical Corporation (OxyChem)

Sponsors: Mr. Cochran

Read

[2016-0143](#)

Proclamation: "Sexual Assault Awareness Month and Financial Literacy Month"

Sponsors: Mr. Wilson

Read

[2016-0144](#)

Proclamation: "National Public Safety Telecommunicators Week"

Sponsors: Mr. Cochran

Read

[2016-0145](#)

Proclamation: "Little Red Church Festival Weekend"

Sponsors: Mr. Wilson

Read

[2016-0146](#)

Proclamation: "National Service Recognition Day"

Sponsors: Mr. Cochran

Read

[2016-0147](#)

Proclamation: "National Volunteer Week"

Sponsors: Mr. Cochran

Read

[2016-0148](#)

Proclamation: "Fair Housing Month in St. Charles Parish"

Sponsors: Mr. Cochran

Read

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)[2016-0140](#)

R.S.V.P. Program

R.S.V.P. Director Michelle Higgins

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, APRIL 18, 2016, 6:00 P.M., COUNCIL CHAMBERS, COURTHOUSE, HAHNVILLE, TO BE CONSIDERED FOR FINAL PASSAGE:

[2016-0141](#)

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981 to change the land use zoning classification from R-1A to C-2 at Lots 1B-1 and 1B-2, Block J of Ellington Gardens (207 Angus Drive, Luling), as requested by Ellington Swim Club, Inc. and Whitney Properties VII, LLC.

Sponsors: Mr. Hogan

Publish/Scheduled for Public Hearing to the Parish Council on April 18, 2016

Enactment No: 16-4-7

[2016-0153](#)

An ordinance to approve and authorize the execution of Department of the Army License No. DACW29-2-16-19 (Easement) to allow the continued maintenance of an existing drainage ditch parallel to the East Guide Levee of the Bonnet Carre' Spillway Norco.

Sponsors: Mr. Cochran and Chief Administrative Officer

Publish/Scheduled for Public Hearing to the Parish Council on April 18, 2016

Enactment No: 16-4-8

[2016-0154](#)

An ordinance to approve and authorize the execution of an Engineering Services Contract with Barowka and Bonura Engineers and Consultants, LLC. for the design of Parish Project No. P160302, Four-Year Road Maintenance Program (2016-19) and Subdivision Inspection.

Sponsors: Mr. Cochran and Department of Public Works

Publish/Scheduled for Public Hearing to the Parish Council on April 18, 2016

Enactment No: 16-4-9

[2016-0155](#)

An ordinance to approve and authorize the Parish President to acquire a 5,950.83 SF perpetual drainage servitude over property identified as Parcel DS6-2, and a 109.81 SF perpetual drainage servitude over property identified as Parcel DS6-4 both in Section 7, Township 12 South - Range 7 East, Town of MONTZ, St. Charles Parish, Louisiana, which property is more particularly described in the Act of Servitude attached hereto and made a part hereof, from Michelle Ann Kusy Brady and Wayne A. Brady Jr., and/or all other owners of record, as their interests may appear, said property to be used for drainage purposes in connection with Parish Project P080802 Coulee Canal Improvements.

Sponsors: Mr. Cochran and Department of Public Works

Publish/Scheduled for Public Hearing to the Parish Council on April 18, 2016

Enactment No: 16-4-10

2016-0149

An ordinance to approve the resubdivision of Lot K-2A4-1 into Lot K-2A4-1A, Lot K-2A4-1-B, Lot K-2A4-1-B and Lot K-2A4-1-C, Almedia or Patterson Plantation, Section 40, T12S, R9E, all located at 279, 299, and 311 Almedia Road, St. Rose, as requested by William Kingsmill, Almedia Business Park LLC.

Sponsors: Ms. Bellock

Councilwoman Fisher-Perrier requested Point of Privilege to make a motion to postpone indefinitely from introduction File No. 2016-0149.

Councilman Hogan spoke without being recognized by Chairman Benedetto; wanted to review what Point of Privilege is and began to explain it.

Councilwoman Fisher-Perrier questioned if this was appropriate.

Chairman Benedetto informed Councilman Hogan that he was not recognized to speak.

Councilman Hogan stated that this was a Point of Order and a Point of Order supersedes a Point of Privilege.

Councilwoman Fisher-Perrier resumed with her motion to postpone indefinitely from Introduction File No. 2016-0149; Councilman Hogan interrupted and stated that Councilwoman Fisher-Perrier is out of order, that Point of Privilege does not allow that and proceeded to explain what Point of Privilege is, stated that it is improper what Councilwoman Fisher-Perrier is doing and informed Chairman Benedetto that it is up to her to look up the rules and regulations and take this into account.

Councilwoman Fisher-Perrier requested Point of Order to make a motion to postpone indefinitely from introduction File No. 2016-0149; Councilman Hogan interrupted and stated that Point of Order is not used for that and proceeded to explain what Point of Order is.

Chairman Benedetto stated that there is a second to the motion on the floor while Councilman Hogan continued to explain what Point of Order is. Chairman Benedetto proceeded with the motion; Councilman Hogan stated that she cannot move forward with the motion until the issue is addressed; she better read Robert's Rules of Order because she is out of order.

Chairman Benedetto proceeded to look into Robert's Rules and asked Legal Services Director Robert Raymond if he was looking into this issue also; he said yes.

For the record, Councilwoman Fisher-Perrier withdrew her Point of Order and withdrew her Point of Privilege; there is a motion on the floor to postpone indefinitely from introduction File No. 2016-0149.

Chairman Benedetto stated that there is a motion on the floor to postpone indefinitely File No. 2016-0149; motioned by Councilwoman Fisher-Perrier, 2nd by Councilman Gibbs to postpone indefinitely from introduction File No. 2016-0149, please cast your votes.

Councilman Hogan said Madame Chair, this is out of order, cannot make up a motion for something that is not on the agenda.

Chairman Benedetto stated it is on the agenda.

Councilman Hogan stated it is not and it has been introduced and there is no way a Councilmember can address the Chair to make such a motion.

Chairman Benedetto stated that she believes that this had been done before; Mr. Raymond is looking into it; Chairman Benedetto attempted to continue with casting votes on the motion.

Councilman Hogan stated that's the point, it has been done before; the Council Secretary researched the rules and regulations because a lot of things we have been doing as a Council have been out of order and improper.

Chairman Benedetto asked the Council to cast their votes.

Councilwoman Fisher-Perrier stated that the motion was at the request of the

Administration.

Councilman Hogan stated just to be clear, I have nothing against postponing indefinitely from introduction File No. 2016-0149, the rules and regulations must be followed; in order to keep the meeting moving a nay vote will be cast. Mr. Raymond was asked to provide the Council with clarification as to this issue and inform the Council of the meanings of these particular rules and when they can and can't use them.

A motion was made by Councilmember Fisher-Perrier, seconded by Councilmember Gibbs, to Postpone Indefinitely from Introduction File No. 2016-0149. The motion carried by the following vote:

Yea: 7 - Benedetto, Wilson, Clulee, Gibbs, Woodruff, Fletcher and Fisher-Perrier

Nay: 2 - Hogan and Bellock

Postponed Indefinitely from Intro.

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

[2015-0222](#)

An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by removing in its entirety Chapter 5. Boats, Docks and Waterways, Article II. Airboats, Section 5-14. through Section 5-20. and replace with Sections 5-14. - 5-20. Reserved.

Sponsors: Mr. Hogan

Reported:

Councilman Hogan Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 16-4-1

Council Discussion

Legal Services Director Robert Raymond spoke on the matter.

VOTE ON THE PROPOSED ORDINANCE

Yea: 6 - Hogan, Wilson, Clulee, Gibbs, Woodruff and Bellock

Nay: 3 - Benedetto, Fletcher and Fisher-Perrier

Enactment No: 16-4-1

[2016-0133](#)

An ordinance to amend the 2016 Consolidated Operating and Capital Budget, Amendment No. 3, to add expenses for the Roads and Drainage Fund - Fund 112 for construction, architectural/engineering, and other fees in the total amount of \$23,450,111 unexpended in 2015 for various parish projects that were not completed in 2015.

Sponsors: Mr. Cochran and Department of Finance

Reported:

Finance Department Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 16-4-2

VOTE ON THE PROPOSED ORDINANCE

Yea: 9 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Enactment No: 16-4-2

[2016-0134](#)

An ordinance to amend the 2016 Consolidated Operating and Capital Budget, Amendment No. 4, to add from the 2015 unexpended Roads and Drainage Fund Balance, construction, architectural/engineering, and other fees totaling \$2,539,907 for Fund 112 - Roads and Drainage for various parish projects that were not completed in 2015.

Sponsors: Mr. Cochran and Department of Finance

Reported:

Finance Department Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 16-4-3

VOTE ON THE PROPOSED ORDINANCE

Yea: 9 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Enactment No: 16-4-3

[2016-0135](#)

An ordinance to approve and authorize the Parish President to acquire a 5,179.33 SF perpetual drainage servitude over property identified as Parcel DS2-3 & a 3,617.70 SF perpetual drainage servitude over property identified as Parcel DS2-4 both in Section 7, Township 12 South - Range 7 East, Town of MONTZ, St. Charles Parish, Louisiana, which property is more particularly described in the Act of Servitude attached hereto and made a part hereof, from Yvonne & Sarah Chester, and/or all other owners of record, as their interests may appear, said property to be used for drainage purposes in connection with Parish Project P080802-10 Coulee Canal Improvements.

Sponsors: Mr. Cochran and Department of Public Works

Reported:

Public Works Department Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 16-4-4

VOTE ON THE PROPOSED ORDINANCE

Yea: 9 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Enactment No: 16-4-4

[2016-0136](#)

An ordinance to approve and authorize the Parish President to acquire a 7,564.35 SF perpetual drainage servitude over property identified as Parcel DS5-3, a 2,776.32 SF perpetual drainage servitude over property identified as Parcel DS5-4, and a 945.32 SF perpetual drainage servitude over property identified as Parcel DS5-5 all in Section 7, Township 12 South - Range 7 East, Town of MONTZ, St. Charles Parish, Louisiana, which property is more particularly described in the Act of Servitude attached hereto and made a part hereof, from GPBC, LLC, and/or all other owners of record, as their interests may appear, said property to be used for drainage purposes in connection with Parish Project P080802 Coulee Canal Improvements.

Sponsors: Mr. Cochran and Department of Public Works

Reported:

Public Works Department Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 16-4-5

VOTE ON THE PROPOSED ORDINANCE

Yea: 9 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Enactment No: 16-4-5

[2016-0137](#)

An ordinance to provide for the reestablishment of the Board of Commissioners of the Sunset Drainage District to serve as the governing authority of the said District as previously existed prior to the St. Charles Parish Council becoming the governing authority.

Sponsors: Mr. Hogan

Reported:

Councilman Hogan Recommended: Approval

Public Hearing Requirements Satisfied

Council Discussion

Parish President Larry Cochran spoke on the matter.

Interim Public Works Director Sam Scholle spoke on the matter.

A motion was made by Councilmember Woodruff, seconded by Councilmember Fisher-Perrier, to Table File No. 2016-0137. The motion carried by the following vote:

Yea: 9 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Tabled.

[2016-0138](#)

An ordinance to provide for the installation of an “**ALL WAY STOP**” sign at the intersection of Asphodel Drive and Rosedown Drive in Destrehan.

Sponsors: Ms. Benedetto

Reported:

Councilwoman Benedetto Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 16-4-6

Amendment: to amend the proposed ordinance by adding Councilman Gibbs as a co-sponsor

A motion was made by Councilmember Gibbs, seconded by Councilmember Woodruff, to Amend File No. 2016-0138. The motion carried by the following vote:

Yea: 9 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Enactment No: 16-4-6

Amended

Enactment No: 16-4-6

[2016-0138](#)

An ordinance to provide for the installation of an “**ALL WAY STOP**” sign at the intersection of Asphodel Drive and Rosedown Drive in Destrehan.

Sponsors: Ms. Benedetto and Mr. Gibbs

VOTE ON THE PROPOSED ORDINANCE AS AMENDED

Yea: 9 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Enactment No: 16-4-6

RESOLUTIONS

[2016-0150](#)

A resolution urging the Federal Congressional Committees to include local and state stakeholders in the process of drafting legislation to craft an affordable and sustainable reauthorization of the National Flood Insurance Program and that St. Charles Parish be provided with a copy of the draft legislation upon it being produced, copies of the draft legislation upon each of its subsequent amendments, and a copy of the final version of the draft legislation once complete.

Sponsors: Mr. Hogan, Ms. Benedetto, Mr. Wilson, Ms. Clulee, Mr. Gibbs, Mr. Woodruff, Ms. Bellock, Ms. Fletcher, Ms. Fisher-Perrier and Mr. Cochran

Reported:

Councilman Hogan Recommended: Approval
Councilwoman Benedetto Recommended: Approval
Councilman Wilson Recommended: Approval
Councilwoman Clulee Recommended: Approval
Councilman Gibbs Recommended: Approval
Councilman Woodruff Recommended: Approval
Councilwoman Bellock Recommended: Approval
Councilwoman Fletcher Recommended: Approval
Councilwoman Fisher-Perrier Recommended: Approval
Parish President Recommended: Approval

Councilman Hogan spoke on the matter.

Public comment opened; no public comment

Council Discussion

Amendment: to amend the proposed resolution in the "SUMMARY" to delete ... "and that St. Charles Parish be provided with a copy of the draft legislation upon it being produced, copies of the draft legislation upon each of its subsequent amendments, and a copy of the final version of the draft legislation once complete."

A motion was made by Councilmember Fisher-Perrier, seconded by Councilmember Gibbs, to Amend File No. 2016-0150. The motion carried by the following vote:

Yea: 9 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Enactment No: 6216

Amended

Enactment No: 6216

2016-0150

A resolution urging the Federal Congressional Committees to include local and state stakeholders in the process of drafting legislation to craft an affordable and sustainable reauthorization of the National Flood Insurance Program.

Sponsors: Mr. Hogan, Ms. Benedetto, Mr. Wilson, Ms. Clulee, Mr. Gibbs, Mr. Woodruff, Ms. Bellock, Ms. Fletcher, Ms. Fisher-Perrier and Mr. Cochran

Further Council Discussion

Chief Administrative Officer Billy Raymond spoke on the matter.

Amendment: to amend the proposed resolution in the "NOW, THEREFORE, BE IT RESOLVED SECTION" to delete ... "and that St. Charles Parish be provided with a copy of the draft legislation upon it being produced, copies of the draft legislation upon each of its subsequent amendments, and a copy of the final version of the draft legislation once complete."

A motion was made by Councilmember Hogan, seconded by Councilmember Fisher-Perrier, to Amend File No. 2016-0150. The motion carried by the following vote:

Yea: 9 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Enactment No: 6216

Amended

Enactment No: 6216

2016-0150

A resolution urging the Federal Congressional Committees to include local and state stakeholders in the process of drafting legislation to craft an affordable and sustainable reauthorization of the National Flood Insurance Program.

Sponsors: Mr. Hogan, Ms. Benedetto, Mr. Wilson, Ms. Clulee, Mr. Gibbs, Mr. Woodruff, Ms. Bellock, Ms. Fletcher, Ms. Fisher-Perrier and Mr. Cochran

VOTE ON THE PROPOSED RESOLUTION AS AMENDED

Yea: 9 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Enactment No: 6216

2016-0151

A resolution requesting that District Attorney Joel Chaisson make and provide the St. Charles Parish Council with a written determination as to the "reasonableness" of the appropriate steps that were taken by former Parish President V.J. St. Pierre, Jr. to resolve his violating La. Const. art. VII, Sec. 14(A) when he misspent \$150,000 of public funds in providing dumpsters to private individuals in light of Louisiana Attorney General Opinions No. 13-0171, No. 14-0083, and No. 14-0045 which advised that the Parish must make a reasonable attempt to collect debts owed to it, and that the written determination include the basis upon which the determination is made.

Sponsors: Mr. Hogan

Public comment opened; no public comment

A motion was made by Councilmember Hogan, seconded by Councilmember Clulee, to Table File No. 2016-0151. The motion carried by the following vote:

Yea: 8 - Benedetto, Hogan, Wilson, Clulee, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 1 - Gibbs

Tabled.

2016-0152

A resolution of the St. Charles Parish Council calling for the governing authority of the Sunset Drainage District, which has failed in its duties and obligations ever since the time the Council removed the former governing authority and appointed and designated a new governing authority on August 5, 2013, to schedule and hold meetings of the District and to perform all duties and obligations incumbent upon it as required by law.

Sponsors: Mr. Hogan

Reported:

Councilman Hogan Recommended: Approval

Public comment opened; no public comment

Council Discussion

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

Yea: 2 - Hogan and Bellock

Nay: 7 - Benedetto, Wilson, Clulee, Gibbs, Woodruff, Fletcher and Fisher-Perrier

Failed

APPOINTMENTS[2016-0086](#)

A resolution to appoint Ms. Deborah A. Raziano to the Library Service District Board of Control as the District II Representative.

VOTE ON THE APPOINTMENT OF MS. DEBORAH A. RAZIANO

Yea: 9 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Enactment No: 6217

ADJOURNMENT

A motion was made by Councilmember Fletcher, seconded by Councilmember Wilson, to adjourn the meeting at approximately 7:20 pm. The motion carried by the following vote:

Yea: 9 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE.

Tiffany K. Clark
Council Secretary