



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, June 18, 2012

6:00 PM

Council Chambers, Courthouse

Final

Minutes

ATTENDANCE

CALL TO ORDER

PRAYER

PLEDGE

Bishop Otis Kenner
Faith Praise & Deliverance Temple

APPROVAL OF MINUTES

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

- 1 [2012-0231](#) In Recognition: Honorable Charles J. Oubre, Jr., Clerk of Court

Sponsors: Mr. Cochran

Additional Data

- 2 [2012-0228](#) Proclamation: Catfish Festival

Sponsors: Mr. Hogan

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

[2012-0218](#) Department of Planning & Zoning/CZM

[2012-0219](#) Parish President Remarks/Report

Sponsors: Mr. St. Pierre Jr.

ORDINANCES/RESOLUTIONS INTRODUCED FOR PUBLICATION/PUBLIC HEARING

[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

[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.
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.

Speakers:
Ms. Kimberly Marousek, Planning & Zoning Director

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)	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

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

[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

[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

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](#)
[Airline & 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

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

[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](#)

[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

PLANNING AND ZONING PETITIONS

3 [2012-0216](#) An ordinance approving and authorizing a home occupation under the operation of Terri and Richard Tracy, Jr. - "Treasure Hunt Arms, Inc" - a firearms dealer - at 302 Davis Drive, Luling.

Sponsors: Mr. Tastet

Attachments: [LUR 2012-09 Terri & Richard Tracy.doc](#)

[Aerial.pdf](#)

[Terri & Richard Tracy, Jr. Recommendation at a Glance.doc](#)

[06.07.12 Minutes \(Tracy\)](#)

[2012-0216 Final Ord 12-6-9](#)

Legislative History

4/19/12	Department of Planning & Zoning	Received/Assigned PH
6/4/12	Parish President	Introduced
6/4/12	Parish Council	Publish/Scheduled for Public Hearing
6/7/12	Department of Planning & Zoning	Rcmd'd Approval w/Stip. to the Planning Commission

Approval with the following stipulations:

- That the applicant obtain the required federal license prior to obtaining an occupational license
- That no transfer of firearms occur at the residence at any time
- Approval is contingent on the stipulations.

6/7/12 Planning Commission Rcmnd'd Approval w/Stip. to the Parish Council

Approval with the following stipulations:

- That the applicant obtain the required federal license prior to obtaining an occupational license
- That no transfer of firearms occur at the residence at any time
- Approval is contingent on the stipulations.

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

- 4 [2012-0211](#) An ordinance approving and authorizing the execution of Change Order No. 1 (Final) for Parish Project No P081102-3, Dunleith Canal Stabilization Phase 2, to balance the contract quantities with actual quantities resulting in a decrease of \$25,399.00 and increase of 14 days.

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

Attachments: [Change Order Ordinance for Dunleith Phase 2.pdf](#)
[2012-0211 Change Order-F](#)
[2012-0211 Final Ord 12-6-10 with Change Order](#)

Legislative History

6/4/12 Parish President Introduced

6/4/12 Parish Council Publish/Scheduled for Public Hearing

- 9 [2012-0212](#) An ordinance to approve and authorize the execution of Amendment No. 2 to the Contract for Engineering Services with Environmental Engineering Services (EES), Inc. for necessary professional engineering services associated with Parish Project No. S080503 High Priority Sewer Lift Station Upgrades.

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

Attachments: [2012-0212 Amendment-F](#)
[2012-0212 Task Order](#)
[2012-0212 Final Ord 12-6-11 with Amendment](#)

Legislative History

6/4/12 Parish President Introduced

6/4/12 Parish Council Publish/Scheduled for Public Hearing

- 11 [2012-0213](#) An ordinance to amend Ordinance No. 12-1-7 to extend the temporary Moratorium on the issuance of Taxicab Licenses (Certificates of Public Need and Convenience) in St. Charles Parish through December 31, 2012.

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

Attachments: [2012-0213 Final Ord 12-6-12](#)

Legislative History

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|--|--------|------------------|--------------------------------------|
| | 6/4/12 | Parish President | Introduced |
| | 6/4/12 | Parish Council | Publish/Scheduled for Public Hearing |
- 12** [2012-0214](#) An ordinance to approve and authorize the execution of a contract with M.R. Pittman Group for the Eastbank C Plant Water Treatment Plant Clarifier Refurbishment (Project No. WWKS 60) in the amount of \$1,134,000.00.
- Sponsors:** Mr. St. Pierre Jr. and Department of Waterworks
- Attachments:** [C Plant Clarifier 00500 SCP Standard Agreement Pittman rev0.pdf](#)
[JJ259903 Bid Tab.pdf](#)
[SKMBT_60012053111310.pdf](#)
[2012-0214 Contract-F](#)
[2012-0214 Final Ord 12-6-13 with Contract](#)
[2012-0214 Completion-F](#)
- Legislative History**
- | | | | |
|--|--------|------------------|--------------------------------------|
| | 6/4/12 | Parish President | Introduced |
| | 6/4/12 | Parish Council | Publish/Scheduled for Public Hearing |
- 18** [2012-0215](#) An ordinance of the Parish of St. Charles providing that the Code of Ordinance, Parish of St. Charles, be amended by revising **Chapter 5. Boats, Docks and Waterways***, **Article I. In General**, **Section 5-3. No-Wake Zones**.
- Sponsors:** Mr. Hogan
- Attachments:** [2012-0215 Final Ord 12-6-14](#)
- Legislative History**
- | | | | |
|--|--------|-------------------|--------------------------------------|
| | 6/4/12 | Council Member(s) | Introduced |
| | 6/4/12 | Parish Council | Publish/Scheduled for Public Hearing |
- 20** [2012-0217](#) An ordinance to authorize the Parish President to acquire an additional portion of Lot 14 of Coronado Park, St. Charles Parish, Louisiana, at a price not to exceed its appraised value of \$555.50, or to expropriate such property for valuable consideration not to exceed the full extent of the owner's loss, from Jacqueline Ford Rome and/or all other owners of record, as their interests may appear, said property to be used by St. Charles Parish for drainage purposes and relocation of utilities, including but not limited to pump stations, necessary utilities, and drainage conveyance systems in connection with the project known as "Coronado Drainage Improvements, Pump Station #2 Capacity Improvements".
- Sponsors:** Mr. St. Pierre Jr. and Department of Public Works
- Attachments:** [CASH SALE Coronado Park Farm Lot 20.doc](#)
[EXHIBIT A.doc](#)
[2012-0217 Cash Sale-F](#)
[2012-0217 Final Ord 12-6-15 with Sale](#)
- Legislative History**
- | | | | |
|--|--------|------------------|------------|
| | 6/4/12 | Parish President | Introduced |
|--|--------|------------------|------------|

6/4/12

Parish Council

Publish/Scheduled for Public Hearing

PERSONS TO ADDRESS THE COUNCIL

[2012-0222](#)

Mr. Joseph Beal: Overgrown weeds & high grass on KCS RR property adjacent to his at 350 Eisenhower Street, St. Rose

Attachments:

[2012-0222 Petition](#)

[2012-0223](#)

Mr. John F. Bryant: Public Works

Attachments:

[Approximate Chronology 322 River Point Dr.doc](#)

[325-24 river point](#)

[asst direct](#)

[152-153 annex](#)

[300 river point](#)

[2012-0223 Petition](#)

RESOLUTIONS

- 26 [2012-0220](#) A resolution adopting the St. Charles Parish Residential Antidisplacement and Relocation Assistance Plan for usage in the implementation of the FY2012 St. Charles Parish Louisiana Community Development Block Grant (LCDBG) Program, Sewer System Improvements.

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

Attachments: [2012-0220 Final Reso 5919 with Certification](#)

- 28 [2012-0221](#) A resolution to approve and authorize the execution of an Agreement between the State of Louisiana Department of Transportation and Development and St. Charles Parish for the funding of the St. Charles East Bank Levee Multi-Use Path, Phase VI, State Project No. H. 009763, Federal Aid Project No. H009763.

Sponsors: Mr. St. Pierre Jr., Ms. Fletcher and Grants Office

Attachments: [E. B. Path - Phase 6.pdf](#)

[2012-0221 Agreement-F](#)

[2012-0221 Final Reso 5920 with Agreement](#)

- 44 [2012-0232](#) A resolution requesting the Louisiana Attorney General's Office provide an opinion concerning the relative authority of the St. Charles Parish President and the St. Charles Parish Council, under the St. Charles Parish Home Rule Charter with regards to the selection of firms for professional services and the hiring of said firms for professional services.

Sponsors: Mr. Hogan

Attachments: [Reso. 5921 opinion ltr.pdf](#)

[Opinion.pdf](#)

[2012-0232 Final Reso 5921](#)

APPOINTMENTS

- [2012-0092](#) A resolution appointing a member to the Sunset Drainage District.

Attachments: [Sunset Drainage.2012.doc](#)

[Sunset Drainage.2012 second.doc](#)

[2012-0092 Final Reso 5922](#)

Council will confirm appointment of Mr. Glenn F. Gros. Five (5) year term to begin May 9, 2012 and expire May 9, 2017.

Legislative History

5/7/07	Parish Council	Enacted Legislation <i>Mr. Ronald Dufrene appointed to the Sunset Drainage District on May 7, 2007, per Resolution No. 5338 Term: May 10, 2007 - May 9, 2012</i>
2/27/12	Parish Council	Authorized 1
4/23/12	Parish Council	Authorized 1
6/11/12	Parish Council	Correspondence Received <i>from Mr. L. J. Frickey, signatures for Mr. Glenn F. Gros have been reviewed and confirmed to have enough signatures to meet the requirements - Section 1608 of Title 38 of the Louisiana Revised Statutes</i>

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

On July 2, 2012, 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.

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

On July 2, 2012, 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.

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

On July 2, 2012, 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.

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

On July 2, 2012, 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.

ADJOURNMENT

MEETINGS

SPECIAL PROJECTS/PUBLIC SAFETY, HEALTH, AND ENVIRONMENTAL COMMITTEE: Tuesday, 6/19/12, 6PM, Council Chambers
LEGISLATIVE COMMITTEE: Tuesday, 6/19/12, immediately following Special Projects Committee, Council Chambers
ZONING BOARD OF ADJUSTMENT: Thursday, 6/21/12, 7PM, Council Chambers
HOUSING AUTHORITY: Tuesday, 6/26/12, 6PM, Council Chambers
HOSPITAL BOARD: Wednesday, 6/27/12, 9AM, Council Chambers
HURRICANE PROTECTION PROJECTS COMMITTEE: Thursday, 6/28/12, 6PM, Council Chambers

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.