



St. Charles Parish

Meeting Agenda

Parish Council

Council Chairman Wendy Benedetto
Councilmembers Carolyn K. Schexnaydre, Snookie Faucheux,
Terrell D. Wilson, William Billy Woodruff, Paul J. Hogan,
Larry Cochran, Traci A. Fletcher, Julia Fisher-Perrier

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

Monday, July 15, 2013

6:00 PM

Council Chambers, Courthouse

Final

Minutes

ATTENDANCE

CALL TO ORDER

PRAYER

PLEDGE

APPROVAL OF MINUTES

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

- 1 [2013-0238](#) In Recognition: Reverend Allen C. LaGrange, Sr.
Sponsors: Mr. Wilson
- 2 [2013-0239](#) In Recognition: St. Charles Vipers, 2013 Louisiana U17 State
 Champions
Sponsors: Ms. Benedetto
- 3 [2013-0240](#) In Recognition: Edward Earl Reed, Jr., Super Bowl XLVII Champion
Sponsors: Ms. Benedetto

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

[2013-0243](#) Mr. Marlene Davis, Senior Resident Inspector and Mr. Chris Speer, Resident Inspector - Nuclear Regulatory Commission - 2012 Annual Assessment regarding Energy Operations/Waterford 3

[2013-0242](#) IESI/Progressive Waste Services and Department of Public Works - Report on debris problems and solutions

Sponsors: Mr. Cochran

Legislative History

7/9/13	Operations, Maintenance and Construction Management Committee	Meeting Cancelled
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[2013-0244](#) Department of Community Services

Attachments: [Community Services 2013 Report](#)

[2013-0245](#) Parish President Remarks/Report

Sponsors: Mr. St. Pierre Jr.

ORDINANCE INTRODUCED FOR PUBLICATION/PUBLIC HEARING

[2013-0249](#) An ordinance appointing and designating the St. Charles Parish Council as the governing authority of the Sunset Drainage District, establishing an effective date for such change in the governance and domicile and the delivery of records, assets, employees, accounts and monies to the Parish.

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

Attachments: [2013-0249 Final Ord 13-8-5](#)

[Per LA R.S. 38:1607(C) requirements]

Legislative History

6/7/12	Louisiana Legislature	Enacted Legislation
	<i>Act No. 683 amended and reenacted R.S. 38:1607(C) and repealed Sections 2 and 3 of Act 319 relative to the Sunset Drainage District in St. Charles Parish.</i>	

ORDINANCES/RESOLUTIONS INTRODUCED FOR PUBLICATION/PUBLIC HEARING

[2013-0247](#) An ordinance to amend the St. Charles Parish Code of Ordinances, Chapter 2, Administration, Article IV. Finance, Division 1. Generally, to add Section 2-75. Reimbursement of Legal Fees and Attorney's Fees as a result of an Ethics Complaint and/or Ethics Investigation.

Sponsors: Mr. Fauchaux

Attachments: [2013-0247 Final Ord 13-9-1](#)

[2010-0094](#)

An ordinance to amend the Code of Ordinances Appendix A, St. Charles Parish Zoning Ordinance of 1981, Section VI. Zoning district criteria and regulations., B. Residential districts, [II.] R-1A(M). Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes-Medium density., 3. Special Provisions, by amending c. and adding e.

Sponsors:

Mr. Hogan

Attachments: [2010-0094 Recommendations-Skirting.doc](#)
[2010-0094 PZ Memo 1-28-11](#)
[2010-0094 PZ Memo 3-18-11](#)
[2010 0094 Trailer Skirting Recommendations.doc](#)
[2010-0094 PZ Memo 5-24-11](#)
[2010-0094 PZ Memo 5-27-11](#)
[2010-0094 Recommendation at a Glance.doc](#)
[2010-0094 3-5-13 PZ Memo](#)
[2010-0094 Recommendation at a Glance](#)
[2010-0094 Memo to PZ 11-13-13](#)
[2010-0094 Minutes \(skirting ord.\)](#)
[2010-0094 Memo - Trailer Skirting Recourse \(Legal Dept\)](#)
[5-14-14 PZ Comm Memo](#)
[2010-0094 PZ ltr 6-17-14](#)
[2010 0094 Recommendation at a Glance \(3\)](#)
[2010-0094 Minutes \(Skirting foundation plantings\).docx](#)
[2010-0094 PZ ltr 7-16-14](#)
[2010-0094 PZ ltr 7-24-14 Rev Ver](#)
[2010-0094 - PZ ltr 8-13-14](#)
[2010-0094 08 07 14 Recommendation at a Glance \(2\)](#)
[2010-0094 08 07 14 Mintues \(Skirting - Councilman Hogan\)](#)
[2010-0094 PZ ltr 9-3-14 Rev Ver](#)
[2010-0094 Recommendation at a Glance](#)
[2010-0094 Minutes SkirtingandFoundationPlantings 09 04 14](#)
[2010-0094 PZ Memo 10-9-14](#)
[2010-0094 Minutes 05 05 11 \(2\)](#)
[2010-0094 Minutes 01 16 14](#)
[2010-0094 Trailer Skirting Minutes](#)
[2010-0094 Recommendation at a Glance](#)
[2010-0094 Minutes - 11 06 14 Skirting \(Councilman Hogan\)](#)
[2010-0094 Failed Proposed Ordinance \(05-16-11\)](#)
[2010-0094 Failed Proposed Ordinance \(07-7-14\)](#)
[2010-0094 Failed Proposed Ordinance \(12-01-14\)](#)

Legislative History

3/1/10 Legislative Committee Discussed.
Speakers:
Ms. Kim Marousek, Planning & Zoning Director

1/28/11	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 March 3, 2011 Planning Commission Agenda.
3/18/11	Council Member(s)	Rcmd'ation Request Fwd'd to the Department of Planning & Zoning
5/2/11	Council Member(s)	Introduced
5/2/11	Parish Council	Publish/Scheduled for Public Hearing
5/5/11	Department of Planning & Zoning	No Recommendation to the Planning Commission
5/5/11	Planning Commission	Recommended Denial to the Parish Council
5/16/11	Parish Council	Public Hearing Requirements Satisfied <i>Reported:</i> <i>Councilman Hogan Recommended: Approval</i>
5/16/11	Parish Council	Amended <i>Amendment: to amend the proposed ordinance in the "SUMMARY" and in "SECTION I." to change "... 3. Special Provisions, by amending c. and adding e." to read "... 3. Special Provisions, by adding e." and remove sections "AS WRITTEN: c" and "REVISED: c."</i>
5/16/11	Parish Council	Approved as Amended 1 VOTE ON THE PROPOSED ORDINANCE AS AMENDED
Proposed ordinance failed for lack of a majority by the following vote		
5/24/11	Council Member(s)	Rcmd'ation Request Fwd'd to the Department of Planning & Zoning
5/27/11	Council Member(s)	Correspondence Sent to the Planning & Zoning Director to pull the referenced item from the Planning Commission Agenda scheduled for the meeting of July 7, 2011.
4/17/12	Legislative Committee	Meeting Cancelled
5/16/12	Legislative Committee	Meeting Cancelled
5/22/12	Legislative Committee	Meeting Cancelled
5/24/12	Legislative Committee	Meeting Cancelled
6/12/12	Legislative Committee	Meeting Cancelled
6/19/12	Legislative Committee	Discussed. <i>Speakers:</i> <i>Ms. Kim Marousek, Planning & Zoning Director</i>
3/7/13	Department of Planning & Zoning	No Recommendation to the Planning Commission
3/7/13	Planning Commission	Recommended Denial to the Parish Council

[2013-0251](#) An ordinance to rename Badeaux Lane West to Kerry's Pointe Lane in Des Allemands, LA.

Sponsors: Mr. Hogan

Attachments: [2013-0251 Final Ord 13-8-6](#)

[2013-0253](#) An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve a change of zoning classification from C-2 to M-1 at Lot K-2A5-1, (approx. 10,750 sq. ft.), Almedia Plantation, 335 Almedia Road, St. Rose as requested by David Folse for Christine & Richard Perniciaro.

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

Attachments: [Folse BW Aerial David Folse.pdf](#)

[Folse Recommendation at a Glance.doc](#)

[Folse Survey.pdf](#)

[Folse Minutes 07.11.13 David Fose for Perniciaro](#)

[Folse LUR PZR-2013-11 David Folse](#)

[2013-0253 Final Ord 13-8-1](#)

Legislative History

7/11/13	Department of Planning & Zoning	Received/Assigned PH
7/11/13	Department of Planning & Zoning	Recommended Approval to the Planning Commission
7/11/13	Planning Commission	Recommended Approval to the Parish Council

[2013-0254](#) An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve a change of zoning classification from OL to M-1 at portions of Lots 7, 8, 9 John Lambert Tract (approx. 23 acres) South and adjacent to the KCS Railroad, St. Rose as requested by Edward L. Renton, Jr. for McMillion Dozer Service, Inc.

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

Attachments: [McMillion Act of Predial Servitude.pdf](#)
[McMillion BW Aerial McMillion Dozer.pdf](#)
[McMillion Google map.pdf](#)
[McMillion KCS CROSSING.pdf](#)
[McMillion ModSpace Fact Sheet.pdf](#)
[McMillion photo.pdf](#)
[McMillion Project Permit.pdf](#)
[McMillion Recommendation at a Glance.doc](#)
[McMillion site plan.pdf](#)
[McMillion Survey.pdf](#)
[McMillion REVISED LUR PZR-2013-10 Ed Renton & McMillion Dozer km](#)
[2013-0254 Final Ord 13-8-2](#)

Legislative History

5/21/13	Department of Planning & Zoning	Received/Assigned PH
7/11/13	Department of Planning & Zoning	Recommended Denial to the Planning Commission
7/11/13	Planning Commission	Recommended Approval to the Parish Council

[2013-0255](#) An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve a change of zoning classification from W and R-1M to C-3 on approx. 4 acre portion of a tract of land located at 10093 Hwy 90, Luling, as requested by Courtney Mongrue for Joe Marcello / Marsh Investments Corp.

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

Attachments: [Mongrue BW Aerial Joe Marcello.pdf](#)
[Mongrue Recommendation at a Glance.doc](#)
[Mongrue Survey Courtney Mongrue Pier 90.pdf](#)
[Mongrue Minutes 07.11.13 March Investment - Courtney Mongrue](#)
[Mongrue LUR PZR-2013-07 Marsh Investment \(Courtney Mongrue\)](#)
[2013-0255 Final Ord 13-8-3](#)

Legislative History

4/16/13	Department of Planning & Zoning	Received/Assigned PH
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7/11/13	Department of Planning & Zoning	Recommended Approval to the Planning Commission
7/11/13	Planning Commission	Recommended Approval to the Parish Council

[2013-0256](#)

An ordinance approving and authorizing a Home Occupation under the operation of Walter Stevens, Jr. -"River Parish Investigations"- private investigations- at 213 Mockingbird, St. Rose.

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

Attachments: [Walter Aerial_BW_PZHO 2013-10.pdf](#)
[McMillion BW Aerial McMillion Dozer.pdf](#)
[McMillion Google map.pdf](#)
[Walter LUR 2013-10 Walter Stevens.doc](#)
[Walter Mr & Mrs. Frederick Smith Sr. opposition.pdf](#)
[Walter Recommendation at a Glance.doc](#)
[Walter Minutes 07.11.13 Walter Stevens](#)
[2013-0256 Final Ord 13-8-4](#)

Legislative History

5/20/13	Department of Planning & Zoning	Received/Assigned PH
7/11/13	Department of Planning & Zoning	Recommended Approval to the Planning Commission
7/11/13	Planning Commission	Recommended Approval to the Parish Council

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

- 4 [2013-0228](#) 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: [2013-0228 Lease-F](#)
[2013-0228 Final Ord 13-7-10 with Lease](#)
[2013-0228 Lease Renewal-F](#)
[2013-0228 Agreement-F](#)

Legislative History

7/1/13	Parish President	Introduced
7/1/13	Parish Council	Publish/Scheduled for Public Hearing

[2013-0241](#) An ordinance to amend the 2013 Consolidated Operating and Capital Budget to recognize the 2012/2013 revenues relating to the Airport Expansion Agreement in the amount of \$465,525 into the General Fund and to then transfer the total amount to Roads and Drainage, Fund 112 - Drainage - Improvements Other than Buildings - Sunset Drainage District Pump Station Improvements.

Sponsors: Mr. St. Pierre Jr., Department of Finance, Ms. Schexnaydre and Ms. Fisher-Perrier

Attachments: [6th Amendment - General Fund Airport to PW 6.27.2013.xls](#)
[2013-0241 Final Ord 13-7-11 with Exhibit](#)

Legislative History

7/1/13	Parish President	Introduced
7/1/13	Parish Council	Publish/Scheduled for Public Hearing

ORDINANCES/RESOLUTIONS WHICH HAVE BEEN TABLED

[2013-0209](#) An ordinance directing the Parish President to execute an Intergovernmental Agreement with the Sunset Drainage District to provide for an operating subsidy for fiscal year 2013 for the operation and maintenance of the District's drainage system in the amount of \$282,307.00 with funding from the General Fund.

Sponsors: Mr. Hogan

Attachments: [INTERGOVERNMENTAL AGREEMENT 2013 \(06-01-13\)](#)

Legislative History

6/3/13	Council Member(s)	Introduced
6/3/13	Parish Council	Publish/Scheduled for Public Hearing
6/17/13	Parish Council	Motioned 1 <i>to deviate from the regular order of the agenda to take up File No. 2013-0209</i>
6/17/13	Parish Council	Public Hearing Requirements Satisfied

Reported:

Councilman Hogan Recommended: Approval

Speakers:

*Mr. David Wedge, Bayou Gauche
 Mr. Rick Hogan, Paradis
 Ms. Debra Hogan, Paradis
 Mr. Clyde McCully, Paradis
 Ms. Catherine Porthouse, Bayou Gauche
 Mr. Myra Baudoin, Bayou Gauche
 Mr. Paul Candies, II, Des Allemands
 Ms. Holly Fonseca, Luling
 Mr. James Fish, Bayou Gauche
 Mr. Greg Ferguson, Bayou Gauche*

6/17/13	Parish Council <i>Council Discussion</i>	Tabled.
	<i>Mr. Eric Matherne, Sunset Drainage District President, spoke on the matter.</i>	
	<i>Councilman Hogan motioned to Table File No. 2013-0209. Motion failed for the lack of a second.</i>	
	<i>Further Council Discussion</i>	
	<i>Discussion: to Table File No. 2013-0209</i>	
6/17/13	Parish Council	Motioned 1 to return to the regular order of the agenda
7/1/13	Parish Council	Tabled. <i>Councilman Hogan motioned to remove File No. 2013-0209 from the Table. Motion failed for the lack of a second.</i>

- 9 [2013-0226](#) An ordinance to amend the Code of Ordinances Appendix A, Zoning, Section VI.(D)[II].M-2 Heavy manufacturing and industry 1.a. to allow towing yards.

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

Attachments: [Towing Yards Recommendation at a Glance.doc](#)

[Towing Yards 06.06.13 minutes](#)

[2013-0226 Final Ord 13-7-12](#)

Legislative History

6/6/13	Department of Planning & Zoning	Recommended Approval to the Planning Commission
6/6/13	Planning Commission	Recommended Approval to the Parish Council
6/17/13	Parish President	Introduced
6/17/13	Parish Council	Publish/Scheduled for Public Hearing
7/1/13	Parish Council	Public Hearing Requirements Satisfied

Reported:

P & Z Department Recommended: Approval

Planning Commission Recommended: Approval

Speakers:

Mr. David Wedge, Bayou Gauche

Ms. Katherine Porthouse, Bayou Gauche

7/1/13	Parish Council	Tabled. <i>Council Discussion</i>
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Discussion: to Table File No. 2013-0226

RESOLUTIONS

- 10 [2013-0246](#) A resolution to enact a Sales Tax Holiday in St. Charles Parish on August 2, 2013, and August 3, 2013.

Sponsors: Ms. Benedetto

Attachments: [2013-0246 Final Reso 6001 with Exhibit](#)

- [2013-0248](#) A resolution requesting that the Parish President authorize the reimbursement of legal expenses in the amount of \$8,589.26 to Mr. Neal Clulee; incurred in defense of the ethics complaint and investigation initiated by the Parish Administration.

Sponsors: Mr. Fauchaux

APPOINTMENTS

- [2013-0213](#) Council Appointment to the River Region Caucus.

Council will confirm nomination to fill the vacancy caused by the expiration of the term of Councilwoman Wendy Benedetto. One (1) year term to begin July 31, 2013 and expire July 31, 2014.

Nominee: Councilwoman Wendy Benedetto

Legislative History

6/17/13	Parish Council	Vacancy Announced
7/1/13	Parish Council	Nomination(s) Accepted

Nominee:

Councilman Cochran nominated Councilwoman Benedetto

7/1/13	Parish Council	Close Nomination(s) for
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- [2013-0214](#) Council Appointment to the River Region Caucus.

Council will confirm 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, 2013 and expire July 31, 2014.

Nominee: Councilwoman Traci A. Fletcher

Legislative History

6/17/13	Parish Council	Vacancy Announced
7/1/13	Parish Council	Nomination(s) Accepted

Nominee:

Councilman Hogan nominated Councilwoman Fletcher

7/1/13	Parish Council	Close Nomination(s) for
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- [2013-0215](#) Council Alternate Appointment to the River Region Caucus.

Council will confirm 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, 2013 and expire July 31, 2014.

Nominee: Councilman Larry Cochran - Alternate

Legislative History

6/17/13	Parish Council	Vacancy Announced
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7/1/13 Parish Council Nomination(s) Accepted
Nominee:
Councilwoman Benedetto nominated Councilman Cochran

7/1/13 Parish Council Close Nomination(s) for

[2013-0216](#)

Council Alternate Appointment to the River Region Caucus.

Council will confirm 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, 2013 and expire July 31, 2014.

Nominee: Councilman Paul J. Hogan, PE - Alternate

Legislative History

6/17/13 Parish Council Vacancy Announced

7/1/13 Parish Council Nomination(s) Accepted
Nominee:
Councilwoman Benedetto nominated Councilman Hogan

7/1/13 Parish Council Close Nomination(s) for

[2013-0217](#)

A resolution to appoint a member to the Civil Service Board.

Attachments:

[2013-0217 Final Reso 6007](#)

Council Chairman will accept nominations to fill the vacancy created by the expiration of the term of Mr. Ralph M. Wilderson. Three (3) year term to begin August 1, 2013 and expire August 1, 2016. [Deferred from the July 1, 2013 Parish Council Meeting]

Legislative History

7/26/10 Parish Council Enacted Legislation
Mr. Ralph M. Wilderson appointed to the Civil Service Board on July 26, 2010, per Resolution No. 5761
Term: August 1, 2013 - August 1, 2016

6/17/13 Parish Council Vacancy Announced

7/1/13 Parish Council Deferred 1
Discussion: to defer File No. 2013-0217

11 [2013-0250](#)

A resolution to appoint a member to the Southeast Louisiana Task Force for Growth and Opportunity (SEL-GO Group).

Attachments:

[2013-0250 Final Reso 6002](#)

Council Chairman will accept nomination and confirm appointment to the Southeast Louisiana Task Force for Growth and Opportunity (SEL-GO Group) in accordance with Senate Resolution No. 97 which was enacted on June 6, 2013, to access the required development and enhancement of human resources, transportation, health care, law enforcement, housing, education, and infrastructure in the region. The Board shall be comprised of ten (10) members; one (1) member designated by the St. Charles Parish Council who shall reside on the Eastbank of St. Charles Parish. Term to begin immediately.

Legislative History

6/6/13 Louisiana Legislature Enacted Legislation
Senate Resolution No. 97, creating the Southeast Louisiana Task Force for Growth and Opportunity (SEL-GO Group) to access the required development and enhancement of human resources, transportation, health care, law enforcement, housing, education, and infrastructure in the region. The Board shall be comprised of ten (10) members two representatives from each Parish (Ascension, Iberville, St. Charles, St. James, and St. John) appointed so that each Parish shall be represented by a person residing within the Parish on the west bank and one residing within the Parish on the east bank.

SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

[2013-0056](#)

Executive Session: United States District Court No. 10-1557, Section B - Bayou Fleet Partnership, LLP vs. St. Charles Parish

Sponsors:

Ms. Fisher-Perrier

Legislative History

2/18/13	Parish Council	Motioned 1 <i>to go into Executive Session</i>
2/18/13	Parish Council	Heard in Executive Session
2/18/13	Parish Council	Motioned 1 <i>to return to the regular order of the agenda</i>

ADJOURNMENT

MEETINGS

LIBRARY BOARD: Tuesday, 7/16/13, 6PM, Council Chambers, Courthouse
ZONING BOARD OF ADJUSTMENT: Thursday, 7/18/13, 7PM, Council Chambers, Courthouse
ST. CHARLES PARISH COUNCIL SPECIAL MEETING: Thursday, 7/25/13, 6PM, in the Sunset Drainage District at the Bayou Gauche Volunteer Fire Department, 410 1st Street [Per LA R.S. 38:1607(C) requirements]
COASTAL ZONE ADVISORY COMMITTEE: Thursday, 7/25/13, 6:30PM, Council Chambers, Courthouse
HOUSING AUTHORITY: Tuesday, 7/30/13, 6PM, Council Chambers, Courthouse
HOSPITAL BOARD: Wednesday, 7/31/13, 9AM, Council Chambers, Courthouse
PLANNING & ZONING COMMISSION: Thursday, 8/1/13, 7PM, Council Chambers, Courthouse

ANNOUNCEMENTS

*****PLEASE NOTE THAT THERE WILL BE A THREE (3) WEEK LAPSE BETWEEN COUNCIL MEETINGS. THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, AUGUST 5, 2013.**

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.