



St. Charles Parish

Meeting Agenda

Parish Council

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

St. Charles Parish Courthouse
15045 Highway 18
P.O. Box 302
Hahnville, LA 70057
985-783-5000
www.stcharlesparish-la.gov

Monday, October 7, 2019

6:00 PM

Council Chambers, Courthouse

Final

CALL TO ORDER

PRAYER / PLEDGE

Deacon Clyde Boutwell
Bible Center Church, Luling

APPROVAL OF MINUTES

Regular Meeting – September 23, 2019

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

- 1 [2019-0300](#) In Recognition: Bible Center Church, 50th Anniversary
Sponsors: Mr. Cochran
Attachments: [2019-0300 Bible Center Church](#)

- 2 [2019-0301](#) In Recognition: 2019 Girls Babe Ruth 8U Southwest Regional
 Champions
Sponsors: Mr. Gibbs
Attachments: [2019-0301 8U Regional Champs](#)

- 3 [2019-0302](#) In Recognition: 2019 9U Boys Biddy Basketball 10U Class A National
 Champions
Sponsors: Mr. Cochran
Attachments: [2019-0302 Basketball National Champs](#)

- 4 [2019-0303](#) Proclamation: "National 4-H Week"
Sponsors: Ms. Fletcher
Attachments: [2019-0303 4-H Week](#)

- 5 [2019-0304](#) Proclamation: “Fire Prevention Week”
 Sponsors: Mr. Cochran
 Attachments: [2019-0304 Fire Prevention](#)
- 6 [2019-0305](#) Proclamation: "National Night Out in St. Charles Parish"
 Sponsors: Mr. Cochran
 Attachments: [2019-0305 Night Out](#)
- 7 [2019-0306](#) Proclamation: World Polio Day
 Sponsors: Ms. Clulee
 Attachments: [2019-0306 World Polio Day](#)

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

- [2019-0307](#) Housing Authority
- [2019-0308](#) Presentation on the progress the Department of Public Works has made towards the identification and implementation of the Preventive Maintenance Program (AssetWorks)
 Sponsors: Mr. Cochran and Department of Public Works

ORDINANCES / RESOLUTIONS INTRODUCED FOR PUBLICATION / PUBLIC HEARING

Monday, October 21, 2019, 6:00 pm, Council Chambers, Courthouse, Hahnville

- 8 [2019-0205](#) An ordinance to amend the Code of Ordinances for the Parish of St. Charles, Chapter 5 Boats, Docks and Waterways, Section 5-5 Abandoned vessels in waters located within the Parish.

Sponsors: Mr. Hogan

Attachments: [2019-0205 Memos to Legal](#)
 [2019-0205 Failed Proposed Ord](#)

Legislative History

4/2/19	Council Member(s)	Correspondence Sent to Legal Services Director, Mr. Robert Raymond, from Councilman-At-Large, Division B, Paul J. Hogan, PE, to review the proposed ordinance and to advise of any changes that would be needed in order for the proposed ordinance to be enforceable if adopted.
7/1/19	Council Member(s)	Introduced
7/1/19	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council
7/22/19	Parish Council	Public Hearing Requirements Satisfied

Reported:
 Councilman Hogan Recommended: Approval

7/22/19	Parish Council Council Discussion Parish President Larry Cochran spoke on the matter. Legal Services Director Robert Raymond spoke on the matter. President Cochran spoke on Mr. Raymond's behalf. Public Works/Wastewater Director Clayton Fauchaux spoke on the matter.	Approved
	Chairman Fisher-Perrier stated for the record she would like to reconsider her vote from yea to nay.	
7/22/19	Parish Council	Failed

ORDINANCE INTRODUCED FOR PUBLICATION / PUBLIC HEARING

Tuesday, October 29, 2019, 9:00 am; Wednesday, October 30, 2019, 6:00 pm; and Monday, November 4, 2019, 6:00 pm, Council Chambers, Courthouse, Hahnville

- 9 [2019-0161](#) An ordinance to approve and adopt the appropriation of Funds for the St. Charles Parish Consolidated Operating and Capital Budget for Fiscal Year 2020.

Sponsors: Mr. Cochran and Department of Finance

Attachments: [2019-0161 Exhibit A&B to Council.pdf](#)
 [2020 Proposed Budget \(includes Budget message\).pdf](#)
 [2019-0161 CALENDAR OF OFFICIAL ACTION 2020 BUDGET.pdf](#)

Legislative History

5/20/19 Parish Council Accepted
 Reported:
 Finance Department Recommended: Approval

Public Hearings scheduled for Tuesday, October 29, 2019 at 9 am, Wednesday, October 30, 2019 at 6 pm, and Monday, November 4, 2019, at 6 pm

5/20/19 Parish Council Accepted

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

- 13 [2019-0296](#) An ordinance to authorize the Parish President to make full and final settlement in the matter entitled "**St. Charles Parish v. Aegis Construction, Inc. and Duplantis Design Group, PC.**", 29th Judicial District Court, Parish of St. Charles, No. 84389.

Sponsors: Mr. Cochran and Department of Legal Services

Legislative History

9/23/19 Parish President Introduced

9/23/19 Parish Council Publish/Scheduled for Public Hearing to the Parish Council

- 14** [2019-0297](#) An ordinance to approve and authorize the Parish President to execute a Cooperative Endeavor Agreement (CEA) between Esperanza Land, L.L.C. and St. Charles Parish to access, survey, perform wetland delineation, and geotechnical testing to property owned by Esperanza Land, L.L.C., southwest of LA Highway 3127 for the possibility of a future oxidation pond.

Sponsors: Mr. Cochran and Department of Public Works

Attachments: [2019-0297 CEA.9.9.19](#)
[2019-0297 Exhibit A \(color\).pdf](#)

Legislative History

9/23/19	Parish President	Introduced
9/23/19	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

- 18** [2019-0298](#) An ordinance to approve and authorize the Parish President to execute an agreement between ELOS Environmental and St. Charles Parish to access, perform environmental impact analysis, wetland delineation, phase I environmental site assessment, and permitting services on property owned by Esperanza Land LLC southwest of Highway 3127 for the possibility of a future oxidation pond (Parish Project Number S190902).

Sponsors: Mr. Cochran and Department of Wastewater

Attachments: [2019-0298 ELOS Agreement 092119](#)
[2019-0298 StCharlesSewerTreatmentProposal](#)

Legislative History

9/23/19	Parish President	Introduced
9/23/19	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

- 35** [2019-0299](#) An ordinance to approve and authorize the Parish President to execute an Agreement between Principal Engineering, Inc. and St. Charles Parish for engineering services to rehabilitate the spillway road (Parish Project Number P190902).

Sponsors: Mr. Cochran and Department of Public Works

Attachments: [2019-0299 Principal Agreement](#)
[2019-0299 River Road Spillway Repair Proposal](#)

Legislative History

9/23/19	Parish President	Introduced
9/23/19	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

PERSONS TO ADDRESS THE COUNCIL

- 48 [2019-0311](#) Mr. Vance Scott: New Hampshire HB1778 & The right to travel being restricted due to fraud on the American Public

Attachments: [2019-0311 Petition Vance Scott.pdf](#)

RESOLUTIONS

- 63 [2019-0309](#) A resolution in support of construction services guidelines for Plantation Business Campus - Section 2, Parish Project No. P190501.

Sponsors: Mr. Cochran and Department of Public Works

Attachments: [2019-0309 SCP Construction Services for Plantation Business Campus Section](#)

- 65 [2019-0310](#) A resolution to approve a waiver of the required five hundred foot (500') distance from Louisiana Gulf Seafood, LLC to protected churches and playgrounds in order to allow the restaurant to apply for a Class A-"R" restaurant permit for alcoholic beverage sales at 1970 Ormond Boulevard, B 6 & 7, Destrehan as requested by Britney Nguyen.

Sponsors: Ms. Benedetto

Attachments: [2019-0310 waiver letter and application.pdf](#)
[2019-0310 P&Z letter and email to Ms. Nguyen.pdf](#)

- 68 [2019-0208](#) A resolution of the St. Charles Parish Council in exercising its duty and obligation in performing checks and balances, requests that Parish President Larry Cochran acknowledge receipt of and responds in writing to what was requested in the letter dated January 24, 2019, sent by Mr. Paul J. Hogan, Councilman-at-Large of Division B, having subsequently been resent thirteen (13) times over the last eight (8) months as part of a follow-up letter dated June 5, 2019 with no response or acknowledgement of receipt having ever being received, relative to the Administration allowing the misuse of public equipment on private property where a parish employee used a Parish manlift to cut down a tree in his nephews back yard in Paradis, Louisiana.

Sponsors: Mr. Hogan

Attachments: [2019-0208 #610 Memo - Public Equipment on Private Property \(06-5-19\) - 13th](#)
[2019-0208 back-up #610 Memo - Public Equipment on Private Property \(01-24-](#)
[2019-0208 Memo to PP 1-24-19](#)
[2019-0208 Memo to PP 6-5-19](#)
[2019-0208 Memo to DA and Sheriff 3-22-19](#)
[2019-0208 Memo to JP 5-22-19](#)
[2019-0208 Failed Proposed Reso](#)

Legislative History

1/24/19	Council Member(s)	Correspondence Sent
	to Parish President Larry Cochran, from Councilman-At-Large, Division B, Paul J. Hogan, PE (memo), to provide to the Parish Council a full report regarding the matter of abuse of public property for private gains.	
3/22/19	Council Member(s)	Correspondence Sent
	to St. Charles Parish District Attorney Joel T. Chaisson, II, and St. Charles Parish Sheriff Greg Champagne, from Councilman-At-Large, Division B, Paul J. Hogan, PE, to determine as to whether or not the information provided in the verbal referral results in the determination that there was criminal intent or if the previous finding of the District Attorney remains the same.	
5/22/19	Council Member(s)	Correspondence Sent
	to Council Chairman Julia Fisher-Perrier, from Councilman-At-Large, Division B, Paul J. Hogan, PE, (memo), requesting that a special meeting of the Council be called prior to the June 3, 2019 Council Meeting to discuss File No. 2019-0072-Misuse of Public Equipment on Private Property in Paradis, Louisiana.	
6/5/19	Council Member(s)	Correspondence Sent
	to Parish President Larry Cochran, from Councilman-At-Large, Division B, Paul J. Hogan, PE, (memo), to provide the report that the Administration was to have received from the St. Charles Parish Sheriff's office and the completed report from the St. Charles Parish District Attorney that is to be received.	
7/1/19	Council Member(s)	Introduced
7/1/19	Parish Council	Approved
	Reported: Councilman Hogan Recommended: Approval	
	Public comment opened; no public comment	
7/1/19	Parish Council	Failed

94 [2019-0209](#)

A resolution of the St. Charles Parish Council in exercising its duty and obligation in performing checks and balances, requests that Parish President Larry Cochran acknowledge receipt of and responds in writing to what was requested in the letter dated July 9, 2019, sent by Mr. Paul J. Hogan, Councilman-at-Large of Division B, having subsequently been resent twelve (12) times over the last two (2) months with no response or acknowledgement of receipt having ever being received, relative to the Administration performing clearing and digging a ditch for a subdivision developer in Hahnville, Louisiana, under the false pretense that the Parish had an historical servitude in the location where the work was performed.

Sponsors: Mr. Hogan

Attachments: [2019-0209 #610 - Memo - Misuse of Public Equipment on Private Property - Ha](#)
[2019-0208 Memo to JP 5-22-19](#)
[2019-0209 Failed Proposed Reso](#)

Legislative History

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|-----------|----------------------------|--|---|
| | 5/22/19 | Council Member(s) | Correspondence Sent
to Council Chairman Julia Fisher-Perrier, from Councilman-At-Large,
Division B, Paul J. Hogan, PE, (memo), requesting that a special meeting
of the Council be called prior to the June 3, 2019 Council Meetin to
discuss File No. 2019-0145-Misuse of Public Equipment on Private
Property in Hahnville, Louisiana. |
| | 7/1/19 | Council Member(s) | Introduced |
| | 7/1/19 | Parish Council | Approved
Reported:
Councilman Hogan Recommended: Approval |
| | | | Public comment opened; no public comment |
| | 7/1/19 | Parish Council | Failed |
| 96 | 2019-0312 | | A resolution to amend the Parish Council Rules to revise Rule 8. - #14.
to specify actionable or non-actionable items. |
| | <u>Sponsors:</u> | Mr. Hogan | |
| | | | <i>[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action
Monday, October 21, 2019.]</i> |
| 97 | 2019-0313 | | A resolution to amend the Parish Council Rules to revise Rule 11. to
specify members shall not speak more than twice following initial council
discussion. |
| | <u>Sponsors:</u> | Mr. Hogan | |
| | | | <i>[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action
Monday, October 21, 2019.]</i> |
| 98 | 2019-0070 | | A resolution to amend the Parish Council Rules to revise Rule 14. to be
specific when recognizing members to speak in order on the electronic
voting system with exceptions of questions of Points of Order, Personal
Privilege, and/or Motions to Deviate. |
| | <u>Sponsors:</u> | Mr. Hogan | |
| | <u>Attachments:</u> | 2019-0070 Failed proposed Reso | |
| | | | <i>[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action
Monday, October 21, 2019.]</i> |
| | | | <u>Legislative History</u> |
| | 3/11/19 | Council Member(s) | Introduced |
| | 3/11/19 | Parish Council | Held Over
Council Rule 19. The rules may be repealed, altered, or amended by
concurrence of a majority of all Councilmen, but motion for this purpose
must be in writing, and lie over for at least one week after introduction
before final passage. |

3/25/19 Parish Council Approved
 Reported:
 Councilman Hogan Recommended: Approval

Public comment opened; no public comment

Council Discussion

3/25/19 Parish Council Failed

- 99 [2019-0314](#) A resolution to amend the Parish Council Rules to revise Rule 15. to clarify the Chairman's allowance to make a motion.

Sponsors: Mr. Hogan

[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action Monday, October 21, 2019.]

- 100 [2019-0071](#) A resolution to amend the Parish Council Rules to delete and reserve Rule 16. regarding the electronic voting system when inoperable or unavailable.

Sponsors: Mr. Hogan

Attachments: [2019-0071 Postponed Proposed Reso](#)

[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action Monday, October 21, 2019.]

Legislative History

3/11/19 Council Member(s) Introduced

3/11/19 Parish Council Held Over
 Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Councilmen, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.

3/25/19 Parish Council Postponed Indefinitely
 Councilman Hogan spoke on the matter.

3/25/19 Parish Council Postponed Indefinitely

- 101 [2019-0315](#) A resolution to amend the Parish Council Rules to revise Rule 23. to specify that the Chairman ask if there is any more Council discussion prior to calling for a vote.

Sponsors: Mr. Hogan

[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action Monday, October 21, 2019.]

- 102 [2019-0316](#) A resolution to amend the Parish Council Rules to revise Rule 36. to call for a non-objectionable 10 minute recess prior to any Council member being continually ruled out of order for any disorderly conduct during Council meetings.

Sponsors: Mr. Hogan

[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action Monday, October 21, 2019.]

- 103** [2019-0069](#) A resolution to amend the Parish Council Rules to add Rule 40. The microphone system within the council chambers shall remain on prior to Call to Order and until the meeting is adjourned with the exception of a recess, executive session, or the unceasing use of foul language being used during a meeting.

Sponsors: Mr. Hogan

Attachments: [2019-0069 Failed proposed Reso](#)
[2019-0069 Postponed proposed Reso](#)

[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action Monday, October 21, 2019.]

Legislative History

3/11/19	Council Member(s)	Introduced
3/11/19	Parish Council	Held Over
	Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Councilmen, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.	
3/25/19	Parish Council	Approved
	Reported: Councilman Hogan Recommended: Approval	
	Public comment opened; no public comment	
	Council Discussion	
3/25/19	Parish Council	Failed
4/8/19	Council Member(s)	Introduced
4/8/19	Parish Council	Held Over
	Council Rule 19. The rules may be repealed, altered, or amended by concurrence of a majority of all Councilmen, but motion for this purpose must be in writing, and lie over for at least one week after introduction before final passage.	
4/22/19	Parish Council	Postponed Indefinitely
	Councilman Hogan requested File No. 2019-0069 be postponed indefinitely in light of the prior discussion.	
	Public comment not opened	
4/22/19	Parish Council	Postponed Indefinitely

APPOINTMENTS[2019-0256](#)

A resolution to appoint a member to The Industrial Development Board of the Parish of St. Charles.

Council Chairman will accept nominations to fill the vacancy created by the expiration of the term of Mr. Felton Parquet. Six (6) year term to begin October 1, 2019 and expire October 1, 2025. [Deferred from the September 23, 2019 Parish Council Meeting]

Legislative History

10/7/13	Parish Council	Enacted Legislation
	Mr. Felton Parquet appointed to the Industrial Development Board of the Parish of St. Charles on October 7, 2013, per Resolution No. 6037	
	Term: October 1, 2013 - October 1, 2019	
8/19/19	Parish Council	Vacancy Announced
9/9/19	Parish Council	Deferred
9/23/19	Parish Council	Deferred

MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.

MEETINGS

COMMUNITY ACTION ADVISORY BOARD: Wednesday, 10/9/19, 7PM, Council Chambers
PLANNING & ZONING COMMISSION: Thursday, 10/10/19, 7PM, Council Chambers
COMMUNICATIONS DISTRICT (911): Monday, 10/14/19, 5PM, Council Chambers
BOARD OF ADJUSTMENT (ZBA): Thursday, 10/17/19, 7PM, Council Chambers
PONTCHARTRAIN LEVEE DISTRICT: Monday, 10/21/19, 6PM, Pontchartrain Levee District Headquarters Complex, 2069 Railroad Avenue, Litcher
ST. CHARLES PARISH COUNCIL: Monday, 10/21/19, 6PM, Council Chambers

ANNOUNCEMENTS

IMPORTANT DATES FOR THE OCTOBER 12, 2019 STATE & PARISHWIDE PRIMARY ELECTION:

- *Tuesday October 8, 2019 - Last day to Request Absentee Mail Ballots
- *Friday October 11, 2019 - Last Day for Registrar to receive Voted Absentee Ballot
- *Saturday October 12, 2019 - Election Day – 7:00 am – 8:00 pm

IMPORTANT DATES FOR THE NOVEMBER 16, 2019 STATE & PARISHWIDE GENERAL (RUN-OFF) ELECTION:

- *Wednesday October 16, 2019 - Last Day to Register (In Person) to Vote
- *Saturday October 26, 2019 - Last Day to Register (Online) to Vote
- *Early Voting: Saturday November 2, Monday November 4 - Saturday November 9, 2019: 8:30 am - 6:00 pm - Westbank – Suite 189 Courthouse, 15045 River Rd. Hahnville; Eastbank – Allen Arterbury Building, 14564 River Rd. New Sarpy
- *Tuesday November 12, 2019 - Last day to Request Absentee Mail Ballots
- *Friday November 15, 2019 - Last Day for Registrar to receive Voted Absentee Ballot
- *Saturday November 16, 2019 - Election Day – 7:00 am – 8:00 pm

Public Hearings to consider the Proposed 2020 Capital and Consolidated Operating Budget:

- Tuesday, October 29, 2019, 9AM
- Wednesday, October 30, 2019, 6PM
- Monday, November 4, 2019, 6PM

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.