



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
985-783-5125
www.stcharlesparish.gov

Monday, June 3, 2019

6:00 PM

Council Chambers, Courthouse

Final

ATTENDANCE

PRAYER / PLEDGE

Father John M. Ryan
St. Gertrude Catholic Church, Des Allemands

APPROVAL OF MINUTES

Regular Meeting – May 20, 2019

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

- 1 [2019-0170](#) In Recognition: Mrs. Felicia Gomez-Walker, St. Charles Parish Public Schools Superintendent

Sponsors: Mr. Cochran

Attachments: [2019-0170 Felicia Gomez-Walker](#)

- 2 [2019-0171](#) Proclamation: “Weekend of the Catfish”

Sponsors: Mr. Woodruff

Attachments: [2019-0171 Catfish](#)

- [2019-0172](#) In Recognition: Trash Bash Awards
2019 Spring Trash Bash Raffle Winners
Adelaide and Leo Harms
Sanova Smith

Sponsors: Mr. Cochran

- 3 [2019-0173](#) Proclamation: “The 2020 Census Campaign in St. Charles Parish”

Sponsors: Mr. Cochran

Attachments: [2019-0173 Census 2020](#)

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

[2019-0168](#) Department of Emergency Preparedness and Hurricane Preparedness

Attachments: [2019-0168 EOC and Hurricane 2019 Council Report Final.pdf](#)

IN ACCORDANCE WITH ARTICLE IV, SECTION B OF THE HOME RULE CHARTER, CHAIRMAN FISHER-PERRIER 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, JUNE 17, 2019, 6:00 P.M., COUNCIL CHAMBERS, COURTHOUSE, HAHNVILLE, TO BE CONSIDERED FOR FINAL PASSAGE:

Monday, June 17, 2019, 6:00 pm, Council Chambers, Courthouse, Hahnville

[2019-0169](#) An ordinance providing for the issuance and sale of not exceeding Five Hundred Seventy-Five Thousand Dollars (\$575,000) of Sales Tax Revenue Refunding Bonds, Series 2019 (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.

Sponsors: Mr. Cochran and Bond Counsel

Attachments: [2019-0169 Exhibits A-D](#)
[2019-0169 Certificate](#)
[2019-0169 revised Exhibits A-D FINAL.pdf](#)
[2019-0169 revised Certificate FINAL.pdf](#)
[2019-0169 Final Ord 19-6-5 with exhibits](#)

[2019-0174](#) An ordinance to approve and authorize the execution of a Construction Contract with Pontchartrain Partners, LLC for Project No. P080905-6B, grant reference Project No. BA-0216, Magnolia Ridge Levee Project, as part of the West Bank Hurricane Protection Levee Project, in the amount of \$2,399,905.00.

Sponsors: Mr. Cochran and Department of Public Works

Attachments: [2019-0174 Magnolia Ridge Levee Contract](#)
[2019-0174 Magnolia Ridge Levee Extra info](#)
[2019-0174 Final Ord 19-6-6with contract](#)
[2019-0174 Notice to Proceed-F](#)
[2019-0174 Final Ord 19-6-6 with notice of contract](#)
[2019-0174 Completion-F](#)
[2019-0174 Final Acceptance-F](#)

[2019-0175](#)

An ordinance to amend the Code of Ordinances Chapter 15, Motor Vehicles and Traffic, Section 15-5.1. Engine brake (unmuffled compression brake) (a) to add (4) a “No Unmuffled Compression Brake” area on a stretch of Highway 90 in Boutte near I-310.

Sponsors:

Mr. Hogan

Attachments:

[2019-0175 No Unmuffled Compression Brake-Hwy 90 & I310 back-up-GoogleE.](#)

[2019-0175 back-up \(email\).pdf](#)

[2019-0175 Final Ord 19-6-7 with map](#)

[2019-0176](#) An ordinance to approve and authorize the execution of a professional service agreement with Stuart Consulting Group, Inc. for providing all necessary professional engineering services for a preliminary study for the Ormond Center project. (Parish Project Number P190505).

Sponsors: Mr. Cochran and Department of Public Works

Attachments: [2019-0176 Stuart Consulting Agreement 052919.pdf](#)
[2019-0176 Stuart Consulting Proposal Preliminary Study Ormond Center.pdf](#)
[2019-0176 Final Ord 19-6-8 with agreement](#)
[2019-0176 Cancellation Letter](#)

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

4 [2019-0151](#) An ordinance to approve and authorize the execution of a professional service agreement with Evans-Graves Engineers, Inc., for providing all necessary professional engineering services for a drainage maintenance project for Ormond Lakes Dredging (Watershed) Project No. P180806.

Sponsors: Mr. Cochran and Department of Public Works

Attachments: [2019-0151 Evans-Graves Engineering Agreement](#)
[2019-0151 Evans-Graves Proposal](#)
[2019-0151 fee schedule 2017](#)
[2019-0151 Final Ord 19-6-1 with agreement](#)

Legislative History

5/20/19	Parish President	Introduced
5/20/19	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

15 [2019-0152](#) An ordinance to approve and authorize the execution of a professional service multi-phase project agreement with Evans-Graves Engineers, Inc., for providing all necessary professional engineering services for a project that replaces an existing 30-inch pump with a 48-inch pump at the Schexnaydre Pump Station (P.S.). (Parish Project Number P190502).

Sponsors: Mr. Cochran and Department of Public Works

Attachments: [2019-0152 Evans-Graves Engineering Agreement](#)
[2019-0152 Manhour and Fee Proposal - Schexnaydre PS Improvements - 5-1-1](#)
[2019-0152 Final Ord 19-6-2 with agreement](#)

Legislative History

5/20/19	Parish President	Introduced
5/20/19	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

- 26** [2019-0163](#) An ordinance approving and authorizing the execution of Change Order No. 1 for the Ellington Drainage Pump Station Project No. P080905-5D, grant reference Project No. H.013148, as part of the West Bank Hurricane Protection Levee Project, to increase the contract amount by \$36,252.00 and increase the contract time by fifty nine (59) days.

Sponsors: Mr. Cochran and Department of Public Works

Attachments: [2019-0163 Ellington DPS- Change Order #1 Completed](#)
[2019-0163 Ellington Drainage PS -P080905-5D-Work Change Directive No.1_E](#)
[2019-0163 Ellington PS WCD #2 Executed](#)
[2019-0163 Work Change Directive No. 3 Executed](#)
[2019-0163 Work Directive 4](#)
[2019-0163 Work Directive 5](#)
[2019-0163 Ord. 18-11-1 additional info](#)
[2019-0163 Final Ord 19-6-3 with change order](#)

Legislative History

5/20/19	Parish President	Introduced
5/20/19	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

- 30** [2019-0164](#) An ordinance approving and authorizing the execution of a Professional Services Agreement for Parish Project No P080802 Montz Master Drainage Plan Implementation with GCR Inc. to provide professional services regarding the acquisitions of servitude, fee simple parcels, and permitting.

Sponsors: Mr. Cochran and Department of Public Works

Attachments: [2019-0164 GCR Permitting Prof Service Contract MONTZ -Revised](#)
[2019-0164 Exhibit A](#)
[2019-0164 Final Ord 19-6-4 with agreement](#)
[2019-0164 Email 4-12-23](#)

Legislative History

5/20/19	Parish President	Introduced
5/20/19	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

- 35** [2019-0165](#) An ordinance to amend the Code of Ordinances for the Parish of St. Charles, Chapter 1 General Provisions, Section 1-2. Rules of construction and definitions by adding the following after the 3rd section paragraph: “Upon ordinances being constructed and made part of this Code, the manifest intent of the parish council expressed by the ordinance shall be liberally construed in order that the true intent and meaning of the parish council shall be fully carried out in all cases by the Administration through its interpretation and application of the Code of Ordinances. In cases where the parish council takes actions which are contradictory to the Code of Ordinances, the Parish President has the duty and obligation to not approve and not enforce such actions”.

Sponsors: Mr. Hogan

Attachments: [2019-0165 Legal Memo 5-17-19](#)
[2019-0165 Failed Proposed Reso](#)

Legislative History

5/17/19	Council Secretary	Correspondence Received from Legal Services Director Robert Raymond, to Council Secretary, Michelle Impastato, regarding Memo-Rules of Construction and Definition, Chapter 1, Sec. 1-2. Mr. Raymond reviewed the proposed amendment to Sec. 1-2 Rules of Construction and Definition and found it to be an abridgement of the power and authority granted to the Parish President by the Charter, and has found that as such, it is contrary to law and therefore illegal and unenforceable.
5/20/19	Council Member(s)	Introduced
5/20/19	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

RESOLUTIONS

- 36** [2019-0166](#) A resolution calling for the Chairman of the Council to appoint a Special Committee in accordance with Council Rule No. 32 to investigate the matters noted in the two “Special Matters To Be Considered By Council” which have appeared in the March 11 and May 20, 2019 council meeting agendas, both pertaining to the apparent Misuse of Public Equipment on Private Property.

Sponsors: Mr. Hogan

Attachments: [2019-0166 Failed Proposed Reso](#)

- 37 [2019-0167](#) A resolution authorizing and calling for the Parish Council to conduct a formal investigation into the two “Special Matters To Be Considered By Council” which have appeared on the May 20, 2019 council meeting agenda regarding the misuse of public equipment on private property, pursuant to the Home Rule Charter, Article III. Organizations, Structure & Distribution of Powers and Functions, A. The Governing Authority, 7. Powers & Duties of the Parish Council, c. iv.

Sponsors: Mr. Hogan

Attachments: [2019-0167 Failed Proposed Reso](#)

APPOINTMENTS

- [2019-0129](#) A resolution to appoint a member to the St. Charles Parish Planning & Zoning Commission as the District V Representative.

Attachments: [2019-0129 Final Reso 6415](#)
[2019-0129 - Oath](#)

Council will confirm nomination from the District V Councilmember to fill the vacancy created by the expiration of the term of Mr. Billy B. Booth. Four (4) year term to begin immediately and expire May 31, 2023.

Nominee: Mr. Michael J. Dunn

Legislative History

5/18/15	Parish Council	Enacted Legislation
	Mr. Billy B. Booth appointed to the Planning & Zoning Commission on May 18, 2015, per Resolution No. 6160	
	Term: May 31, 2015 - May 31, 2019	
4/22/19	Parish Council	Vacancy Announced
5/6/19	Parish Council	Deferred 1
5/6/19	Parish Council	Deferred 1
5/20/19	Parish Council	Nomination(s) Accepted
	Nominee:	
	Councilwoman Bellock nominated Mr. Michael J. Dunn	
5/20/19	Parish Council	Close Nomination(s) for
5/20/19	Parish Council	Nomination(s) Closed

MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.

MEETINGS

LAFOURCHE BASIN LEVEE DISTRICT: Wednesday, 6/5/19, 6PM, Lafourche Basin Levee District Office, 21380 Highway 20, Vacherie

PLANNING & ZONING COMMISSION: Thursday, 6/6/19, 7PM, Council Chambers

COMMUNICATIONS DISTRICT (911): Monday, 6/10/19, 5PM, Council Chambers

COMMUNITY ACTION ADVISORY BOARD: Wednesday, 6/12/19, 7PM, Council Chambers

PONTCHARTRAIN LEVEE DISTRICT: Monday, 6/17/19, 6PM, Pontchartrain Levee District Headquarters Complex, 2069 Railroad Avenue, Lutcher

ST. CHARLES PARISH COUNCIL: Monday, 6/17/19, 6PM, Council Chambers

SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

- 40** [2019-0156](#) A resolution appointing an Official Journal to serve the Parish Council of St. Charles Parish for the period June 2019 through June 2020.

Attachments: [2019-0156 for Agenda Official Journal Selection Process.2019 .pdf](#)
[2019-0156 letter from State.pdf](#)
[2019-0156 opened bid at pc mtg. Herald-Guide-2019.pdf](#)
[RS 43 141 - 43 149 Official Journal.pdf](#)
[2019-0156 Final Reso 6416](#)

Legislative History

5/20/19	Parish Council	Authorized 1
5/20/19	Parish Council	Authorized 1

- [2019-0072](#) Misuse of Public Equipment on Private Property on July 1, 2018 in Paradis, Louisiana, was referred by the Legal Department to the District Attorney, who has since advised in a meeting held on May 8, 2019, his position remains that after careful review, he finds no criminal intent, would decline to prosecute and refuse any charges brought against the individuals involved, and it was his understanding this matter was referred to St. Charles Parish officials, which he believes is the appropriate agency to deal with this particular matter and its policies and procedure for employees going forward.

Sponsors: Mr. Hogan

Attachments: [2019-0072 #609 Memo - Public Equipment on Private Property \(01-24-19\).pdf](#)

Legislative History

5/20/19	Parish Council	Read
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[2019-0145](#)

Misuse of Public Equipment on Private Property in early 2018, when the Parish performed clearing and ditch work that was to be done by the developer of River Road Estates Subdivision shown on the construction plans, done by the Parish under the false pretense that it had a historical servitude in the work area, which documents obtained through normal channels and through public records request confirmed that the Parish has no historical servitude and that the first time the Parish ever performed work in this area was when it performed the illegal work in 2018, which is supported by a conversation had with two of the family members whose family owned the property from 1936 until sold for subdivision development in 2004, who stated that they have no knowledge of the Parish ever having worked on their property.

Sponsors:

Mr. Hogan

Legislative History

5/20/19

Parish Council

Read

ADJOURNMENT

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.