

# St. Charles Parish

# **Meeting Agenda**

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

#### **Parish Council**

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

Tuesday, September 2, 2014

6:00 PM

**Council Chambers, Courthouse** 

**Final** 

#### **CALL TO ORDER**

#### PRAYER / PLEDGE

Pastor Timothy Lawson

St. Charles United Methodist Church

### **APPROVAL OF MINUTES**

Regular Meeting – August 4, 2014 Regular Meeting – August 18, 2014

#### SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

1 2014-0268 In Recognition: Katie Marie Hymel, Miss St. Charles Parish Festival

Queen LVI

Sponsors: Ms. Benedetto

2 2014-0269 In Recognition: Maya Ruffin, Teen St. Charles Parish Festival Queen

XIX

Sponsors: Ms. Benedetto

3 <u>2014-0270</u> In Recognition: Alexander Metcalf, Eagle Scout

<u>Sponsors:</u> Mr. Hogan

4 2014-0271 In Recognition: Kaleb Paul Champagne, Eagle Scout

**Sponsors:** Mr. Woodruff

5 <u>2014-0273</u> Proclamation: "National Child Passenger Safety Week" and "National

Seat Check Saturday"

Sponsors: Mr. Wilson

6 <u>2014-0272</u> Proclamation: "Gospel Fun Fair Fest Weekend"

<u>Sponsors:</u> Ms. Fletcher

7 <u>2014-0267</u> Proclamation: "Walk 4 Recovery Day"

Sponsors: Mr. St. Pierre Jr.

# REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

2014-0274 Department of Finance

2014-0275 Administration - Report on Administrations failure to provide

requested information to an Elected Official and/or the Council in a

timely manner

Sponsors: Mr. Hogan

2014-0276 Parish President Remarks/Report

**Sponsors:** Mr. St. Pierre Jr.

# ORDINANCES / RESOLUTIONS INTRODUCED FOR PUBLICATION / PUBLIC HEARING

# Monday, September 15, 2014, 6:00 pm, Council Chambers, Courthouse, Hahnville

8 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. and f.

<u>Sponsors:</u> Mr. Hogan

<u>Attachments:</u> 2010-0094 Recommendations-Skirting.doc

2010 0094 Trailer Skirting Recommendations.doc

2010-0094 Trailer Skirting Minutes.docx

2010-0094 Minutes 05 05 11 (2).docx

2010-0094 Minutes 01 16 14.docx

2010-0094 Recommendation at a Glance.doc

2010-0094 Recommendation at a Glance

2010-0094 Minutes (skirting ord.)

2010-0094 Memo - Trailer Skriting Recourse (Legal Dept)

5-14-14 PZ Comm Memo

2010-0094 PZ Itr 6-17-14

2010 0094 Recommendation at a Glance (3)

2010-0094 Minutes (Skirting foundation plantings).docx

2010-0094 PZ Itr 7-16-14

2010-0094 PZ Itr 7-24-14 Rev Ver

2010-0094 - PZ Itr 8-13-14

2010-0094 08 07 14 Recommendation at a Glance (2)

2010-0094 08 07 14 Mintues (Skirting - Councilman Hogan)

#### Legislative History

3/1/10	Legislative Committee Speakers:	Discussed.
	Ms. Kim Marousek, Planning o	& Zoning Director
3/18/11	Council Member(s)	Rcmnd'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 Reported:	Public Hearing Requirements Satisfied
	Councilman Hogan Recomm	nended: Approval
5/16/11	in "SECTION I." to change "	Amended  pposed ordinance in the "SUMMARY" and  3. Special Provisions, by amending c. and  al Provisions, by adding e." and remove  d "REVISED: c."
5/16/11	Parish Council  VOTE ON THE PROPOSED C	Approved as Amended
	Proposed ordinance failed for I	lack of a majority by the following vote
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 Speakers:	Discussed.
	Ms. Kim Marousek, Planning	
3/7/13	Department of Planning & Zoning	No Recommendation to the Planning Commission
3/7/13	Planning Commission	Recommended Denial to the Parish Council
7/15/13	Council Member(s)	Introduced
7/15/13	Parish Council	Publish/Scheduled for Public Hearing
8/5/13	Parish Council  Amendment: to accept the rev	Amended vised version of File No. 2010-0094
8/5/13	Parish Council Reported:	Public Hearing Requirements Satisfied
0/5/40	Councilman Hogan Recomm	
8/5/13	Parish Council Council Discussion	Postponed Indefinitely
	Discussion: to postpone indefi	initely File No. 2010-0094
11/13/13		Correspondence Sent he Planning & Zoning Department to have their December 5, 2013 meeting agenda.
1/16/14	Department of Planning & Zoning	No Recommendation to the Planning Commission
1/16/14	Planning Commission	Recommended Denial to the Parish Council
1/21/14	Council Member(s)	Introduced
1/21/14	Parish Council	Publish/Scheduled for Public Hearing
2/3/14	Parish Council  Amendment: to accept the rev	Amended vised version of File No. 2010-0094

2/3/14	Parish Council Reported:	Public Hearing Requirements Satisfied	
	Councilman Hogan Recomm	nended: Approval	
	P & Z Department Recomm Planning Commission Recor	ended: No Recommendation nmended: Denial	
2/3/14	Parish Council	Postponed Indefinitely	
	Council Discussion		
	Discussion: to Postpone Indet	finitely File No. 2010-0094 so that	
		cilman Hogan can get with Planning & Zoning Director Kim usek to review the home inspection procedure	
5/14/14	Council Secretary	Correspondence Sent	
Correspondence was sent to the P & Z Department to have 2010-0094 placed on the June 5, 2014 meeting agenda.			
6/5/14	Department of Planning &	No Recommendation to the Planning	
	Zoning	Commission	
6/5/14	Planning Commission	Recommended Denial to the Parish Council	
0/40/44	Council Mombor(s)	Introduced	
6/16/14	Council Member(s)	introduced	
	Devials Coursell	Dublish /Osh adulad fan Dublis Haaring As Abs	
6/16/14	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council	
6/17/14	Council Secretary	Correspondence Sent	
	-	tor to initiate the process to have the 10, 2014 Planning Commission agenda.	
7/7/14	Parish Council	Public Hearing Requirements Satisfied	
	Reported:		
	Councilman Hogan Recomm	ended: Approval	
	Speakers: Mr. Milton Allemand, Hahnville		
	Councilman Hogan spoke on t	he matter.	
7/7/14	Parish Council	Approved	
.,,,,	Council Discussion	PP	
	Land Camina Binatan Land	2 1/2-1 111	
		C. Vial, III, spoke on the matter.  n Marousek spoke on the matter.	
7/40/44			
7/10/14	Department of Planning & Zoning	No Recommendation to the Planning Commission	
7/10/14	Planning Commission	Recommended Denial to the Parish	
		Council	
7/40/44	Council Coerotan	Correspondence Cont	
7/16/14	Council Secretary	Correspondence Sent	
to the Planning & Zoning Director to initate the process to have the referenced placed on the August 7, 2014 Planning Commission Agend			
7/21/14	Council Member(s)	Introduced	
// <b>=</b> // 17			

7/21/14	Parish Council	Postponed Indefinitely from Intro.	
7/21/14	Parish Council Council Discussion Parish President V.J. St. Pierre Planning & Zoning Director Kin	Discussed. e, Jr., spoke on the matter. n Marousek spoke on the matter.	
7/24/14		Correspondence Sent tor to initate the process to have the aced on the August 7, 2014 Planning	
8/4/14	Council Member(s)	Introduced	
8/4/14	Parish Council Councilman Woodruff requer Postpone Indefinitely from Intro	Postponed Indefinitely from Intro. sted Point of Privilege to make a motion to oduction File No. 2010-0094.	
8/4/14	<del>-</del> -	Councilman Hogan requested Point of Personal Privilege advising that he will continue to Introduce File No. 2010-0094 at every meeting until he	
	Council can also continue to	Councilman Woodruff requested Point of Privilege stating that the Council can also continue to make a motion to Postpone Indefinitely from ntroduction File No. 2010-0094 at every meeting.	
	Council Discussion		
8/7/14	Department of Planning & Zoning	No Recommendation to the Planning Commission	
8/7/14	Planning Commission	Recommended Denial to the Parish Council	
8/13/14	•	Correspondence Sent tor to initate the process to have the ember 4, 2014 Planning Commission	
8/18/14	Council Member(s)	Introduced	

10 2014-0049 An ordinance to amend the Code of Ordinances Appendix A, Section

XIV. Amendments and Petitions and Appendix A, Section XV.

Amendment Procedure to modify the reporting and recommendation

requirements.

Sponsors: Mr. Hogan

2014-0049 Recommendation at a Glance.doc Attachments:

2014-0048 and 2014-0049 P&Z Minutes PZO-2014-04 and PZO-2014-05.docx

1-14-14 PZ Comm Memo 2014-0049 Memo to PZ

2014-0049 Recommendation at a Glance (2)

2014-0049 Minutes (Reporting and Recommendation Requirements)

2014-0049 - PZ Itr 8-13-14

#### Legislative History

•		
1/14/14		Correspondence Sent ector to initiate the process to have the bruary 6, 2014 Planning Commission
2/6/14	Department of Planning & Zoning	No Recommendation to the Planning Commission
2/6/14	Planning Commission	Recommended Denial to the Parish Council
2/17/14	Council Member(s)	Introduced
2/17/14	Parish Council	Publish/Scheduled for Public Hearing
3/10/14	Parish Council Reported: Councilman Hogan Recom Speakers:	Public Hearing Requirements Satisfied  mended: Approval

Mr. Milton Allemand, Hahnville

Parish Council Approved 3/10/14

Council Discussion

Planning & Zoning Director Kim Marousek spoke on the

matter.

Proposed ordinance failed for lack of a majority by the

following vote

Council Secretary

5/8/14

3/12/14	Legislative Committee	Meeting Cancelled
4/7/14	Legislative Committee	Meeting Cancelled
4/21/14	Legislative Committee	Discussed.

to the Planning & Zoning Director to initiate the process to have the referenced placed on the June 5, 2014 Planning Commission Agenda.

Correspondence Sent

7/10/14	Department of Planning & Zoning	No Recommendation to the Planning Commission
7/10/14	Planning Commission	Recommended Denial to the Parish Council
7/21/14	Council Member(s)	Introduced
7/21/14	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council
8/4/14	Parish Council Public Hearing Requirements Satisfied Reported: Councilman Hogan Recommended: Approval Speakers: Mr. Milton Allemand, Hahnville Mr. Billy Booth, Planning Commission Vice-Chairman, St. Rose	
8/4/14	Parish Council Postponed Indefinitely Council Discussion  Planning & Zoning Director Kim Marousek spoke on the matter. Mr. Billy Booth spoke on the matter. Legal Services Director Leon C. Vial, III, spoke on the matter. Chief Administrative Officer Buddy Boe spoke on the matter.	
8/13/14		Correspondence Sent actor to initiate the process to have the otember 4, 2014 Planning Commission
An ordinance to approve and authorize the execution of an Intergovernmental Cooperative Endeavor Agreement with the		

12 2014-0266

Jefferson Parish Finance Authority to Implement the Home Mortgage

Down Payment Assistance Program.

Sponsors: Mr. St. Pierre Jr. and Department of Community Services

2014-0266 Coop. Endeavor Agreement Final Draft Attachments:

#### PLANNING AND ZONING PETITIONS

17 2014-0257 An ordinance to amend the Zoning Ordinance of 1981, to change the

land use zoning classification from R-1A to R-1AM at Part of Farm Lots 34 & 35, Ellington Plantation) at 138 Schmill Street, Boutte as

requested by Linda & Curtis Dufrene.

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

<u>Attachments:</u> 2014-0257 Recommendation at a Glance.doc

<u>2014-0257 08 07 14 Mintues (Linda Curtis Dufrene)</u> 2014-0257 PZR 2014 11 LUR Linda and Curtis Dufrene

2014-0257 Survey

2014-0257 PZR 2014-11 Aerial Dufrene

#### Legislative History

7/1/14 Department of Planning & Received/Assigned PH Zoning

8/7/14 Department of Planning & Recommended Approval to the Planning

Zoning Commission

8/7/14 Planning Commission Recommended Approval to the Parish

Council

8/18/14 Parish President Introduced

8/18/14 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

26 2014-0258 An ordinance approving and authorizing a Home Occupation under

the operation of Heath Folse - "Bayou Bounty Crawfish" - a residential seafood retail and wholesale transporter - at 907 Magnolia Ridge

Road.

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

<u>Attachments:</u> 2014-0258 Recommendation at a Glance

2014-0258 08 07 14 Mintues (Heath Folse)

2014-0258 HO 2014-04 LUR Folse

2014-0258 PZHO 2014-04 Aerial Folse

Legislative History

6/19/14 Department of Planning & Received/Assigned PH

Zoning

8/7/14 Department of Planning & Rcmnd'd Approval w/Stip. to the Planning

Zoning Commission

Approval with two stipulations: 1. No seafood will be stored at the residence other than for personal consumption. 2. If odors associated with the business are found to be emanating from the site, zoning

compliance for the home occupation will be revoked.

8/7/14 Planning Commission Rcmnd'd Approval w/Stip. to the Parish

Council

Approval with two stipulations: 1. No seafood will be stored at the residence other than for personal consumption. 2. If odors associated with the business are found to be emanating from the site, zoning

compliance for the home occupation will be revoked.

8/18/14 Parish President Introduced

8/18/14 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

# ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

32 2012-0129 An ordinance to amend the Code of Ordinances Chapter 15 Motor

Vehicles and Traffic by adding Sec. 15-25 Shrubs, trees, and plantings within Parish right of ways, easements, and servitudes.

Sponsors: Mr. Hogan

### Legislative History

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	
7/21/14	Council Member(s)	Introduced	
7/21/14	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council	
8/4/14	Parish Council	Public Hearing Requirements Satisfied	
	Reported: Councilman Hogan Recommended: Approval		
8/4/14	Parish Council	Approved	
	Council Discussion		
	Public Works/Wastewater Director Sam Scholle spoke on the matter. Planning & Zoning Director Kim Marousek spoke on the matter.		
8/18/14	Council Member(s)	Introduced	
8/18/14	Parish Council	Publish/Scheduled for Public Hearing to the	

Parish Council

33 <u>2014-0259</u> An ordinance to amend the 2014 Consolidated Operating and Capital

Budget, Amendment No. 7, to add additional revenues collected from the Airport Expansion Agreement in the amount of \$200,192, and apply this full balance together with \$35,108 from the Unrestricted Fund balance of the General Fund, a total of \$235,300 for use as the Parish match to the St. Charles Parish Riverpark Railspur EDA Grant

Award #08-79-04437.

**Sponsors:** Mr. St. Pierre Jr. and Department of Finance

<u>Attachments:</u> 2014-0259 Copy of 7th Amendment - EconDev Grant 8 13 2014

Legislative History

8/18/14 Parish President Introduced

8/18/14 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

**39** 2014-0261 An ordinance approving and authorizing the execution of Change

Order No. 2 (final) for the Renovations to Ormond Field RE-BID

Project to add 30 additional days to the contract.

**Sponsors:** Mr. St. Pierre Jr. and Department of Parks and Recreation

<u>Attachments:</u> 2014-0261 Ormond Park Change Ord 2 FINAL

Legislative History

8/18/14 Parish President Introduced

8/18/14 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

42 2014-0262 An ordinance approving and authorizing the execution of Change

Order No. 1 (Final) for Parish Project No. LGAP File #

1213-STC-0001for the St. Charles Parish Courthouse Security Entrance Project to decrease the contract amount by \$22,076.50.

**Sponsors:** Mr. St. Pierre Jr. and General Government Buildings

<u>Attachments:</u> 2014-0262 Change Order Number 1 (Final)

2014-0262 Map of Floor Plan

Legislative History

8/18/14 Parish President Introduced

8/18/14 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

48 2014-0263 An ordinance to approve and authorize the execution of a contract

with BLD Services, LLC, for the construction of Parish Project No. S130201, Murray Hill (CC-1) Lift Station, with a Bid (Base and

Alternate 1) in the amount of \$772,800.00.

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

Attachments: 2014-0263 Contract Agreement cc1 Parish Project No S130201.doc

Legislative History

8/18/14 Parish President Introduced

8/18/14 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

61 2014-0264 An ordinance to approve and authorize the execution of a Contract

with Battco Construction & Maintenance, Inc. of Kenner, LA for the St. Charles Parish Courthouse 3rd Floor Renovation Project # P080402,

in the amount of \$4,075,000.00.

**Sponsors:** Mr. St. Pierre Jr. and General Government Buildings

Attachments: 2014-0264 Contract Documents for Parish Project No. P080402 3rd Floor

Legislative History

8/18/14 Parish President Introduced

8/18/14 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

65 2014-0265 An ordinance to approve and authorize the execution of a

Intergovernmental Agreement with the Sheriff and Law Enforcement

District for the provision of security at the St. Charles Parish

Courthouse.

**Sponsors:** Mr. St. Pierre Jr. and General Government Buildings

Attachments: 2014-0265 Intergovernmental Agreement SCP and Sheriff

Legislative History

8/18/14 Parish President Introduced

8/18/14 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

#### **RESOLUTIONS**

**70** 2014-0244

A resolution to amend the Parish Council Rules to revise Rule 21 to allow only the authoring council member or a council member upon request of the author of a proposed ordinance to postpone indefinitely said ordinance from introduction.

Sponsors: Mr. Hogan

[Per Parish Council Rule 19. – amending the Council Rules must lie over. Final Action Tuesday, September 2, 2014.]

Legislative History

8/18/14 Council Member(s) Introduced

8/18/14 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.

**71** <u>2014-0277</u>

A resolution petitioning Parish President V.J. St. Pierre, Jr., to provide the Parish Council with the procedure that he will implement to secure the repayment of all cost associated with the Parish President authorizing and approving the providing of dumpsters with public funds to private individuals for their use in demolishing derelict structures, of which the repayment is required in order for the Parish President to not place himself in violation of the State Constitution which prohibits this type of use of public funds, and that the procedure be provided to the Parish Council within two (2) weeks of this resolution becoming effective, in order to avoid the Parish Council from having to consider any and all measures at its disposal to have the Parish President secure the repayment of the public funds improperly expended or to have the proper authorities address any violation relative to the Constitution of the State of Louisiana.

Sponsors: Mr. Hogan

**73** 2014-0278

A resolution requesting that the Attorney General review File No. 2013-0312, a proposed ordinance to amend the Parish Code of Ordinances, Chapter 5-Boats, Docks, and Waterways; Article II-Airboats and all sections thereof and provide an opinion as to whether or not St. Charles Parish has the authority to adopt the proposed amendments in light of any laws of the State of Louisiana which may prohibit such adoption, including but not limited to R.S. 34:851.27.

Sponsors: Mr. Hogan

<u>Attachments:</u> 2014-0278 backup information

#### SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

2013-0502 Executive Session: Mayor Mitchell J. Landrieu vs. St. Charles Parish

Council, Et Al; Civil District Court for the Parish of Orleans, Case

Number 2012-08721

Sponsors: Ms. Fisher-Perrier

#### Legislative History

1/6/14	Parish Council to go into Executive Session	Motion
1/6/14	Parish Council	Heard in Executive Session
1/6/14	Parish Council to return to the regular order of	Motion the agenda
1/21/14	Parish Council  Discussion: to defer File No. 2	Deferred 013-0502
2/3/14	Parish Council  Discussion: to defer File No. 2	Deferred 013-0502
2/17/14	Parish Council Discussion: to postpone indefin	Postponed Indefinitely nitely File No. 2013-0502
7/7/14	Parish Council	to go into Executive Session
7/7/14	Parish Council	Heard in Executive Session
7/7/14	Parish Council	to return to the regular order of the agenda

# MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.

#### **MEETINGS**

LAFOURCHE BASIN LEVEE DISTRICT: Wednesday, 9/3/14, 6PM, Lafourche Basin Levee District Office, 21380 Highway 20, Vacherie PLANNING & ZONING COMMISSION: Thursday, 9/4/14, 7PM, Council Chambers 911 COMMUNICATIONS DISTRICT: Monday, 9/8/14, 5PM, Council Chambers CIVIL SERVICE BOARD: Tuesday, 9/9/14, 6:30PM, Council Chambers COMMUNITY ACTION ADVISORY BOARD: Wednesday, 9/10/14, 7PM, Council Chambers HURRICANE PROTECTION PROJECTS COMMITTEE: Monday, 9/15/14, 5PM,

Council Chambers

#### **ANNOUNCEMENTS**

Board of Review: Parish Council will be sitting as a Board of Review September 12 – September 26, 2014

2014 Assessment Lists

Written or Oral Protests must be received by the Parish Council Office by September 15, 2014 – 4:00 pm

September 22, 2014, 6:00 pm - Special St. Charles Parish Council Meeting: Board of Review

Public Hearings to consider the Proposed 2015 Capital and Consolidated Operating Budget:

Tuesday, October 21, 2014, 8AM Thursday, October 23, 2014, 6PM Tuesday, October 28, 2014, 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.