



St. Charles Parish

Meeting Agenda

Parish Council

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

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

Monday, March 6, 2017

6:00 PM

Council Chambers, Courthouse

Final

CALL TO ORDER

PRAYER / PLEDGE

Reverend Dr. Danny Gleason
St. Charles Methodist Church, Destrehan

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

- 1 [2017-0062](#) In Recognition: Hahnville Volunteer Fire Department, 50 Years of Service
Sponsors: Mr. Wilson
Attachments: [2017-0062 Hahnville Fire Dept.](#)

- 2 [2017-0063](#) In Recognition: Sandra Zimmer, Personnel Officer
Sponsors: Mr. Cochran
Attachments: [2017-0063 Sandy Zimmer](#)

- 3 [2017-0064](#) Proclamation: "Disability Awareness Month in St. Charles Parish"
Sponsors: Mr. Woodruff and Mr. Wilson
Attachments: [2017-0064 Disability Awareness Month](#)

- 4 [2017-0065](#) Proclamation: "Arc Fest in St. Charles Parish"
Sponsors: Mr. Woodruff
Attachments: [2017-0065 Arc Fest](#)

- 5 [2017-0066](#) Proclamation: "Lions Month in St. Charles Parish"
Sponsors: Mr. Woodruff
Attachments: [2017-0066 Lions Month](#)

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

[2017-0067](#) Tim Bonura, All South Consulting Engineers - Bike and Pedestrian Master Plan

Sponsors: Mr. Cochran

[2017-0068](#) Department of Wastewater

[2017-0069](#) Parish President Remarks/Report

Sponsors: Mr. Cochran

ORDINANCES / RESOLUTIONS INTRODUCED FOR PUBLICATION / PUBLIC HEARING

Monday, March 20, 2017, 6:00 P.M., Council Chambers, Courthouse, Hahnville

(No items for the regular Agenda)

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

- 6 [2017-0044](#) An ordinance to approve and authorize the execution of a Contract between the State of Louisiana Division of Administration and St. Charles Parish for funding of the LA 18 Cast Iron Water Main Replacement Phase II project in Hahnville through the Louisiana Office of Community Development's FY 2015-2016 Community Water Enrichment Fund, CWEF File #1516-CWEF-STC-0001.

Sponsors: Mr. Cochran and Grants Office

Attachments: [2017-0044 Funding Contract](#)
[2017-0044 OCD Letter - 20170117 - Application Approval](#)

Legislative History

2/20/17 Parish President Introduced

2/20/17 Parish Council Publish/Scheduled for Public Hearing to the Parish Council

- 16 [2015-0370](#) An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Chapter 16 Nuisances, Article III. Weeds, Grass, Etc., Section 16-26. Notice to Abate and Section 16-27. Abatement by parish to amend the abatement procedures related to the required notification period.

Sponsors: Mr. Hogan

Attachments: [2015-0370 - House Bill No. 26](#)

Legislative History

10/5/15 Council Member(s) Introduced

10/5/15	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council
10/19/15	Parish Council	Public Hearing Requirements Satisfied
	Reported:	
	Councilman Hogan Recommended:	Approval
10/19/15	Parish Council	Approved
	Chief Administrative Officer Buddy Boe spoke on the matter.	
	Council Discussion	
	Mr. Boe spoke on the matter.	
	Planning & Zoning Director Michael Albert spoke on the matter.	
	Chairman Cochran requested Point of Order asking Councilman Hogan which ordinance he is referring to, the previous one that was adopted or the current proposed ordinance and asked him to get on with it.	
	Mr. Albert spoke on the matter.	
	Mr. Boe spoke on the matter.	
10/19/15	Parish Council	Failed
12/5/16	Legislative Committee	Discussed.
	Speakers:	
	Mr. Michael Albert, Planning & Zoning Director	
	Parish President Larry Cochran, St. Charles Parish	
	Mr. Robert Raymond, Legal Services Director	
12/12/16	Council Member(s)	Introduced
12/12/16	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council
1/9/17	Parish Council	Public Hearing Requirements Satisfied
	Reported:	
	Councilman Hogan Recommended:	Approval
	Speakers:	
	Mr. Milton Allemand, Hahnville	
1/9/17	Parish Council	Postponed Indefinitely
1/9/17	Parish Council	Postponed Indefinitely
2/20/17	Council Member(s)	Introduced
2/20/17	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

- 20** [2017-0061](#) An ordinance to amend the 2017 Consolidated Operating and Capital Budget to add grant revenues to Fund 313 - LCDBG Public Facilities Construction Fund and associated capital expenditures totaling \$731,235 for the Killona Sewer Force Main Extension Project, unexpended in 2016, and to add grant revenues totaling \$68,745 as well as capital expenditures totaling \$511,048 to Fund 401 Wastewater for the Killona Sewer Force Main Extension Project unexpended in 2016.

Sponsors: Mr. Cochran and Department of Finance

Attachments: [2017-0061 Wastewater LCDBG Exhibits](#)

Legislative History

2/20/17	Parish President	Introduced
2/20/17	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

ORDINANCES/RESOLUTIONS WHICH HAVE BEEN TABLED

- 30** [2017-0039](#) An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the zoning classification from M-1/C-2 to R-1B on Tract 4-II-A-2A (6.27 acres), a 7,298 sq. ft. portion of a parcel designated as The Whirlpool Property, and a large portion of Undesignated Tract C of Plantation Business Campus all totaling approximately 12.75 acres as requested by Paul Joey Murray, III on behalf of P & L Investments, IX.

Sponsors: Mr. Cochran and Department of Planning & Zoning

Attachments: [2017-0039 Recommendation at a Glance_Destrehan Plantation Estates_Rezon](#)
[2017-0039 Minutes 02.02.17 Destrehan Plantation Estates \(Rezone\)](#)
[2017-0039 LUR PZR-2017-05 P L Investments LLC](#)
[2017-0039 DRAFT REVISED Preliminary Plat](#)
[2017-0039 COUNCIL PACKET_DESTREHAN PLTN ESTATES](#)

[This proposed ordinance was tabled on February 20, 2017; public hearing requirements were satisfied.]

Legislative History

1/5/17	Department of Planning & Zoning	Received/Assigned PH
2/2/17	Department of Planning & Zoning	Recommended Denial to the Planning Commission
2/2/17	Planning Commission	Recommended Approval to the Parish Council
2/6/17	Parish President	Introduced

2/6/17	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council
2/20/17	Parish Council	Public Hearing Requirements Satisfied Reported: P & Z Department Recommended: Denial Planning Commission Recommended: Approval Speakers: Mr. Mike Landry, Norco, General Manager ADM Growmark Planning & Zoning Director Michael Albert spoke on the matter. Mr. Landry spoke on the matter. Mr. Joey Murray, Murray Architects, Inc., Destrehan, representing P & L Investments, IX
2/20/17	Parish Council	Tabled. Council Discussion Mr. Albert spoke on the matter. Parish President Larry Cochran spoke on the matter.
2/20/17	Parish Council	Tabled.

- 45 [2017-0043](#) A resolution in support of a Preliminary Plat approval for Lots 1-30 of Destrehan Plantation Estates with a waiver from the geometric standard for lot side lines as requested by P & L Investments IX, LLC.

Sponsors:

Mr. Cochran and Department of Planning & Zoning

Attachments:

[2017-0043 Recommendation at a Glance Destrehan Plantation Estates Prelim](#)
[2017-0043 Minutes 02.02.17 Destrehan Plantation Estates \(Rezone\)](#)
[2017-0043 ADDENDUM LUR PZS-2017-07 PRELIM PLAT Destrehan Plantatio](#)
[2017-0043 COUNCIL PACKET DESTREHAN PLTN ESTATES](#)

[This proposed resolution was tabled on February 20, 2017.]

Legislative History

1/5/17	Department of Planning & Zoning	Received/Assigned PH
2/2/17	Department of Planning & Zoning	Rcmd'd Approval w/Stip. to the Planning Commission Approval contingent with a waiver from the geometric standard for lot side lines.
2/2/17	Planning Commission	Rcmd'd Approval w/Stip. to the Parish Council Approval with a waiver from the geometric standard for lot side lines.
2/20/17	Parish President	Introduced
2/20/17	Parish Council	Tabled. Reported: P & Z Department Recommended: Approval w/Stipulation Approval contingent with a waiver from the geometric standard for lot side lines. Planning Commission Recommended: Approval w/Stipulation Approval contingent with a waiver from the geometric standard for lot side lines. Public comment opened Mr. Joey Murray, Murray Architects, Inc., Destrehan

2/20/17 Parish Council Tabled.

RESOLUTIONS

- 71 [2017-0070](#) A resolution adopting a Louisiana Compliance Questionnaire as a required part of St. Charles Parish's annual financial and compliance audit.

Sponsors: Mr. Cochran and Department of Finance

Attachments: [2017 LA Compliance Questionnaire Revised](#)

- 79 [2017-0071](#) A resolution to approve and authorize the execution of a superseding Agreement between the State of Louisiana Department of Transportation and Development and St. Charles Parish for the funding of the St. Charles Parish East Bank Multi-Use Path, Phase VI, State Project No. H.009763, Federal Project No. H009763.

Sponsors: Mr. Cochran and Grants Office

Attachments: [2017-0071 H.009763 Agreement](#)

[2017-0071 Commitment Letter](#)

- 103 [2016-0360](#) A resolution requesting that the Parish President and all Department heads respond within ten (10) business days to all Parish Council letters, memos, emails, and/or any other form of communication prepared by and/or on behalf of Council Members requesting information, production of documents, input when requested on proposed ordinances or resolutions, responses to letters, or anything else that may be asked of the administration, all referred to herein as items, with the initial response providing what was requested, or at a minimum, providing 1) acknowledgment that the communication was received, and 2) a date by which the requested items will be provided.

Sponsors: Mr. Hogan

Legislative History

10/17/16 Council Member(s) Introduced

10/17/16 Parish Council Amended

Reported:

Councilman Hogan Recommended: Approval

Public comment opened; no public comment

Council Discussion

Amendment: to amend the proposed resolution in the "SUMMARY" and in the "NOW, THEREFORE, BE IT RESOLVED Section" to change "...five (5) business days ..." to read "...ten (10) business days ...".

10/17/16 Parish Council Amended

10/17/16 Parish Council Approved as Amended

Further Council Discussion

Parish President Larry Cochran spoke on the matter.

10/17/16	Parish Council	Failed
11/14/16	Council Member(s)	Introduced
11/14/16	Parish Council	Approved
	Reported:	
	Councilman Hogan Recommended:	Approval
	Public comment opened; no public comment	
11/14/16	Parish Council	Failed
11/28/16	Parish Council	Approved
	Reported:	
	Councilman Hogan Recommended:	Approval
	Public comment opened; no public comment	
11/28/16	Parish Council	Failed
11/28/16	Council Member(s)	Introduced
2/20/17	Council Member(s)	Introduced
2/20/17	Parish Council	Approved
	Reported:	
	Councilman Hogan Recommended:	Approval
	Public comment opened; no public comment	
	Council Discussion	
	Parish President Larry Cochran spoke on the matter.	
2/20/17	Parish Council	Failed

104 [2016-0414](#)

A resolution requesting that Parish President Larry Cochran have the Parish's Legal Counsel provide a written response to the memorandum that was forwarded to his office on February 9, 2017, regarding the expenditure of budgeted funds within seven (7) business days following the consideration of this resolution.

Sponsors: Mr. Hogan

Attachments: [2016-0414 Backup Info](#)

Legislative History

11/28/16	Council Member(s)	Introduced
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11/28/16 Parish Council Approved
 Reported:
 Councilman Hogan Recommended: Approval

Public comment opened; no public comment

Council Discussion

Councilman Hogan called Point of Order stating that the Parish Legal Attorney works for the Parish Council.
 Further Council Discussion

11/28/16 Parish Council Failed

- 108** [2016-0421](#) A resolution requesting that Parish President Larry Cochran have the Parish's Legal Counsel provide a written response to the memorandum that was forwarded to his office on December 7, 2016, regarding a proposed ordinance regarding problem properties within seven (7) business days following the consideration of this resolution.

Sponsors: Mr. Hogan

Attachments: [2016-0421 Backup Info](#)

Legislative History

12/5/16 Legislative Committee Discussed.

- 110** [2017-0072](#) A resolution requesting that Parish President Larry Cochran provide a written response to the email he received on January 29, 2017, requesting that he provide an update on where things stand with Legal's discovery and other pretrial matters relating to the Magnolia Ridge Compliance Docket # 79141 and advise on when it is anticipated that a suit will be filed with respect to this matter, within seven (7) business days following the consideration of this resolution.

Sponsors: Mr. Hogan

Attachments: [2017-0072 Backup Info](#)

- 131** [2017-0073](#) A resolution requesting that Parish President Larry Cochran provide a written response to the email he received on January 29, 2017 requesting that he advise on if the Parish Legal Counsel is good with the wording in ordinance to amend relating to enforcement of the burning codes, within seven (7) business days following the consideration of this resolution.

Sponsors: Mr. Hogan

Attachments: [2017-0073 Backup Info](#)

- 133 [2017-0074](#) A resolution requesting that Parish President Larry Cochran provides a written response to all of the questions asked in the memorandum that was forwarded to his office on August 8, 2016, regarding the Animal Shelter and the Humane Society within seven (7) business days following the consideration of this resolution.

Sponsors: Mr. Hogan

Attachments: [2017-0074 Backup Info](#)

- 136 [2017-0075](#) A resolution requesting that Parish President Larry Cochran provide a written response to the email he received on January 29, 2017, regarding code provisions relating to shrubs, trees, and plantings within seven (7) business days following the consideration of this resolution.

Sponsors: Mr. Hogan

Attachments: [2017-0075 Backup Info](#)

- 143 [2017-0076](#) A resolution requesting that Parish President Larry Cochran provide a written response to the email he received on January 29, 2017, requesting he hire an engineering firm to conduct a study with respect as to what constitutes a blocked line of sight so that it can be incorporate into our codes, within seven (7) business days following the consideration of this resolution.

Sponsors: Mr. Hogan

Attachments: [2017-0076 Backup Info](#)

- 145 [2017-0077](#) A resolution requesting that Parish President Larry Cochran provide a written response to the email he received on January 29, 2017, requesting that he check up on the Public Works Department's review of proposed sewer code amendments referenced in an e-mail dated January 29, 2017, within seven (7) business days following the consideration of this resolution.

Sponsors: Mr. Hogan

Attachments: [2017-0077 Backup Info](#)

- 149 [2017-0078](#) A resolution requesting that Parish President Larry Cochran provide a written response to the email he received on January 31, 2017, requesting a legal review and input regarding a proposed ordinance pertaining to regulating donation boxes, within seven (7) business days following the consideration of this resolution.

Sponsors: Mr. Hogan

Attachments: [2017-0078 Backup Info](#)

- 152 [2017-0079](#) A resolution requesting an Attorney General's Opinion with respect to the executive power of the Parish President to execute the budget not being absolute in accordance with the St. Charles Parish Home Rule Charter Article IV, Section A (7) which specifically requires an ordinance from the Council to incur a debt in any manner, the Charter controlling over La. RS 39:1301, *et seq*, the Louisiana Local Government Budget Act, and the application of this Charter provision noted in a judgment rendered in Case No. 82,015 by the 29th Judicial Court for the Parish of St. Charles taking into account the Charter provision and the Charter controlling over La. RS 39:1301, in addition to advising on which budgeted funds, when spent, results in the incurring of debt which requires and ordinance.

Sponsors: Mr. Hogan

Attachments: [2017-0079 Backup Ino](#)

APPOINTMENTS

- [2017-0059](#) A resolution to appoint a member to the Library Service District Board of Control as the District VI Representative.

Council Chairman will accept nominations for the District VI appointment to the board to fill the vacancy created by the expiration of the term of Mr. Larry LaBorde. Five (5) year term to begin April 1, 2017 and expire April 1, 2022.

Legislative History

7/21/14	Parish Council	Enacted Legislation
	Mr. Larry LaBorde appointed to the Library Board of Control on July 21, 2014, per Resolution No. 6093	
	Term: July 21, 2014 - April 1, 2017	
2/20/17	Parish Council	Vacancy Announced

MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.**MEETINGS**

COMMUNITY ACTION ADVISORY BOARD: Wednesday, 3/8/17, 7PM, Council Chambers

*TOWN HALL MEETING: Thursday, 3/9/17, 6:30PM, Bayou Gauche Volunteer Fire Department, 410 1st Street, Des Allemands, **Discussion: Coastal Protection and Restoration Authority 2017 Draft Master Plan, Hosted by Paul J. Hogan, Councilman-At-Large, Division B*

911 COMMUNICATIONS DISTRICT: Monday, 3/13/17, 5PM, Council Chambers

CIVIL SERVICE BOARD: Tuesday, 3/14/17, 6:30PM, Council Chambers

LAFORCHE BASIN LEVEE DISTRICT: Wednesday, 3/15/17, 6PM, Lafourche Basin Levee District Office, 21380 Highway 20, Vacherie

ZONING BOARD OF ADJUSTMENT: Thursday, 3/16/17, 7PM Council Chamber

ST. CHARLES PARISH COUNCIL MEETING: Monday, 3/20/17, 6PM, Council Chambers

*HURRICANE PROTECTION PROJECTS COMMITTEE MEETING: Wednesday, 3/22/17, 5PM, Council Chambers, **Discussion: Levee Update*

*SPECIAL PROJECTS/PUBLIC SAFETY, HEALTH, AND ENVIRONMENTAL COMMITTEE: Wednesday, 3/22/17, Immediately following Hurricane Committee, Council Chambers, **Discussion: LAMP & DFIRM*

ANNOUNCEMENTS

IMPORTANT DATES FOR THE MARCH 25, 2017 HOUSE OF REPRESENTATIVES DISTRICT 92 SPECIAL ELECTION FOR PRECINCT 5/5:

**Tuesday March 21, 2017 - Last day to Request Absentee Mail Ballots*

**Early Voting: Saturday March 11th, Monday March 13th – Saturday March 18th: At The Registrar of Voters Office (8:30 am till 6:00 pm): Westbank - Courthouse, 15045 River Rd. Hahnville; Eastbank - Arterbury Building, 14564 River Rd. New Sarpy*

**Friday March 24, 2017 - Last Day for Registrar to receive Voted Absentee Ballot*

**Saturday March 25, 2017 - Election Day*

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.