



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

Monday, June 2, 2014

6:00 PM

Council Chambers, Courthouse

Final

CALL TO ORDER

PRAYER / PLEDGE

Pastor Wayne Taylor
Luling United Methodist Church

APPROVAL OF MINUTES

Regular Meeting – May 19, 2014

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

1 2014-0159 In Recognition: Jarvis Lewis, Library Service District Board of Control

Sponsors: Mr. Wilson

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

2014-0160 National Weather Service Hurricane Presentation

Sponsors: Ms. Fisher-Perrier

2014-0157 Emergency Preparedness Director Ronald Perry - Hurricane Preparedness

Sponsors: Ms. Fisher-Perrier

2014-0127 Parish President Remarks/Report

Sponsors: Mr. St. Pierre Jr.

Legislative History

5/5/14 Parish Council Deferred

5/19/14 Parish Council Report Deferred
Parish President St. Pierre absent.

ORDINANCES / RESOLUTIONS INTRODUCED FOR PUBLICATION / PUBLIC HEARING

Monday, June 16, 2014, 6:00 pm, Council Chambers, Courthouse, Hahnville

(No items for the regular Agenda)

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

- 2 2014-0153 An ordinance approving a Right of Way Agreement by St. Charles Parish to Entergy Louisiana, LLC its successors and assigns, on St. Marks Street, Ama, Louisiana.

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

Legislative History

5/19/14	Parish President	Introduced
5/19/14	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

ORDINANCES/RESOLUTIONS WHICH HAVE BEEN TABLED

- 6 2014-0137 An ordinance to amend the Zoning Ordinance of 1981, to change the land use zoning classification from R-1AM to C-3 on Lots 20 & 21 of the Booker T Washington Subdivision at 404 South Kinler Street, Boutte, requested Stacey Williams.

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

Legislative History

3/5/14	Department of Planning & Zoning	Received/Assigned PH
5/1/14	Department of Planning & Zoning	Recommended Denial to the Planning Commission
5/1/14	Planning Commission	Recommended Denial to the Parish Council
5/5/14	Parish President	Introduced
5/5/14	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

	5/19/14	Parish Council	Public Hearing Requirements Satisfied
		Reported:	
		P & Z Department Recommended:	Denial
		Planning Commission Recommended:	Denial
		Speakers:	
		Mr. Bradley Meyer, LaPlace, represented Stacey Williams and Blacke's Bar	
	5/19/14	Parish Council	Tabled.
		Discussion:	to table File No. 2014-0137
		Council Discussion	
34	2014-0120	An ordinance directing the Parish President to secure the permanent servitudes required for the future maintenance of the Parish maintained drainage along the western side of St. Gertrude Catholic Church from LA 631 Spur (Old U.S. 90) to the Grand Marais and to complete the installation of the subsurface drainage to the Grand Marais.	
	<u>Sponsors:</u>	Mr. Hogan and Ms. Schexnaydre	
		<u>Legislative History</u>	
	4/21/14	Special Projects/Public Safety, Health and Environmental Committee	Discussed.
		Speakers:	
		Mr. Sam Scholle, Public Works/Wastewater Director	
		Mr. V.J. St. Pierre, Jr., Parish President	
	5/5/14	Council Member(s)	Introduced
	5/5/14	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council
	5/19/14	Parish Council	Public Hearing Requirements Satisfied
		Reported:	
		Councilman Hogan Recommended:	Approval
	5/19/14	Parish Council	Tabled.
		Discussion:	to table File No. 2014-0120

PERSONS TO ADDRESS THE COUNCIL

- 35** **2014-0156** Mr. Don Woods, Jr.: Petition to lower speed limit on Killona Dr. & Post St. in Killona, LA 70057 from 25 mph to 15 mph
- 36** **2014-0158** Mr. David Wedge: Recreation, the Meeting of the Sunset Drainage District, Progress of the closing of the District, Results of the core samples from the Sunset Drainage District, Closing of Hwy. 306 for filming, and Ethics

RESOLUTIONS

- 37 2014-0155** A resolution to approve and authorize the execution of a Contract between the State of Louisiana Division of Administration and St. Charles Parish for the FY 2013-2014 Local Government Assistance Program for funding in the amount of \$124,800.00 for the Rathborne Park Restroom Facility project, LGAP File# 1314-STC-0001.

Sponsors:

Mr. St. Pierre Jr., Grants Office, Mr. Woodruff and Ms. Fisher-Perrier

APPOINTMENTS

- 47 2014-0116** A resolution to appoint a member to the Planning & Zoning Commission as the District I Representative.

Council will confirm nomination to fill the vacancy created by the expiration of the term of Ms. Dolores Pierre, District I Representative. Four (4) year term to begin May 31, 2014 and expire May 31, 2018.

Nominee: Ms. Dolores Pierre

Legislative History

6/21/10	Parish Council	Enacted Legislation
	<i>Ms. Dolores Pierre appointed to the Planning & Zoning Commission on June 21, 2010, per Resolution No. 5757</i>	
	<i>Term: May 31, 2010 - May 31, 2014</i>	
4/21/14	Parish Council	Vacancy Announced
5/5/14	Parish Council	Deferred
5/19/14	Parish Council	Nomination(s) Accepted
	Nominee:	
	Councilman Wilson nominated Ms. Dolores Pierre	
5/19/14	Parish Council	Close Nomination(s) for

- 2014-0151** A resolution to appoint a member to the Library Service District Board of Control.

Council Chairman will accept nominations to fill the vacancy caused by the resignation of the term of Mr. Jarvis Lewis. Unexpired term to begin immediately and expire April 1, 2017.

Legislative History

3/26/12	Parish Council	Enacted Legislation
	<i>Mr. Jarvis Lewis appointed to the Library Board of Control on March 26, 2012, per Resolution No. 5903</i>	
	<i>Term: April 1, 2012 - April 1, 2017</i>	
5/19/14	Parish Council	Vacancy Announced

SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

- 51 2014-0152** A resolution appointing an Official Journal to serve the Parish Council of St. Charles Parish for the period June 2014 through June 2015.

Legislative History

- 5/19/14 Parish Council Authorized
- 54 2014-0154** Calendar of Official Action for the 2015 Budget: Set Public Hearing Dates - Grant Dussom
- Sponsors: Mr. St. Pierre Jr. and Department of Finance
- 2014-0161** Executive Session: 29th JDC No. 77,809-E - Neal Clulee vs. St. Charles Parish Council, et al
- Sponsors: Mr. St. Pierre Jr. and Department of Legal Services

MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.

MEETINGS

LAFOURCHE BASIN LEVEE DISTRICT: Wednesday, 6/4/14, 6PM, Lafourche Basin Levee District Office, 21380 Highway 20, Vacherie

PLANNING & ZONING COMMISSION: Thursday, 6/5/14, 7PM, Council Chambers

911 COMMUNICATIONS DISTRICT: Monday, 6/9/14, 5PM, Council Chambers

LEGISLATIVE COMMITTEE: Tuesday, 6/10/14, 6PM, Council Chambers

Topic of Discussion: Proposed Ordinances as amendments to the St. Charles Parish Home Rule Charter: 1. Increase Parish President salary to make it better reflect the area average, 2. Increase Parish Council salary to make seeking the position more appealing, 3. Prohibit appointees serving a partial term from seeking the position in a special election, 4. Allow Parish Council to amend budget provided all members approve.

COMMUNITY ACTION ADVISORY BOARD: Wednesday, 6/11/14, 7PM, Council Chambers

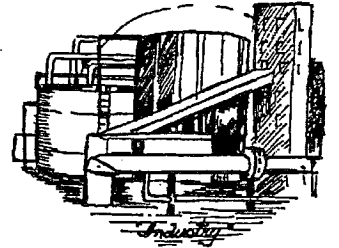
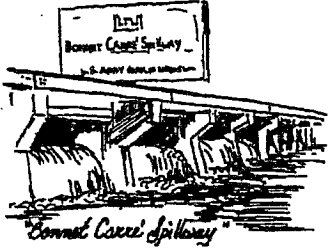
Accommodations for Disabled

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.

The Parish of St. Charles

June 2, 2014

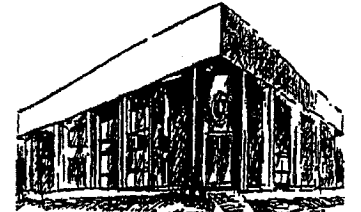
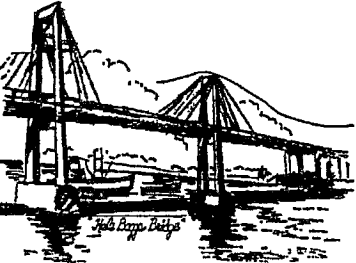
The St. Charles Parish Council
and the Parish President
Deeply Appreciate
Your Years of Service



LIBRARY SERVICE DISTRICT BOARD OF CONTROL



April 1, 2012 – May 8, 2014



JARVIS LEWIS

"PARISH OF PLENTY"
created in 1807 from the county of the
"German Coast", a parish of
unprecedented economic and social
development, known for its
hospitality, rural living and sporting
opportunities... with the added
distinction of being located
on both sides of the
Mighty Mississippi River.

V.J. ST. PIERRE, JR.
PARISH PRESIDENT

JARVIS LEWIS
COUNCILMAN AT LARGE, DIV. B

TERRELL D. WILSON
COUNCILMAN, DISTRICT I

WILLIAM BILLY WOODRUFF
COUNCILMAN, DISTRICT II

WENDY BENEDETTO
COUNCILWOMAN, DISTRICT III

CAROLYN K. SCHEXNAYDRE
COUNCILWOMAN AT LARGE, DIV. A

PAUL J. HOGAN, PE
COUNCILMAN, DISTRICT IV

LARRY COCHRAN
COUNCILMAN, DISTRICT V

TRACY A. FLETCHER
COUNCILWOMAN, DISTRICT VI

JULIA FISHER-PERRIER
COUNCILWOMAN, DISTRICT VII

2014-0153

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF LEGAL SERVICES)**

ORDINANCE NO. _____

An ordinance approving a Right of Way Agreement by St. Charles Parish to Entergy Louisiana, LLC its successors and assigns, on St. Marks Street, Ama, Louisiana.

WHEREAS, Entergy Louisiana, LLC has expressed a need to extend electrical power services on St. Marks St., Ama, Louisiana; and,

WHEREAS, Entergy Louisiana, LLC has requested a right of way on property St. Charles Parish owns and as shown in the Right of Way Instrument and survey.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Council does hereby approve the Right of Way Instrument made a part hereof as Exhibit "A" by and between Entergy Louisiana, LLC and St. Charles Parish.

SECTION II. That the Parish President is hereby authorized to execute said Right of Way Instrument on behalf of St. Charles Parish.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2014, to become effective (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

STATE OF LOUISIANA
PARISH OF ST. CHARLES

WR# 22040627917
TLN# 3282146616

RIGHT-OF-WAY INSTRUMENT
ENERGY LOUISIANA, L.L.C.

KNOW ALL MEN BY THESE PRESENTS THAT: **THE PARISH OF ST. CHARLES AND IT'S DULY APPOINTED PARISH PRESIDENT, V.J. ST. PIERRE, JR.**, Grantor(s), whose permanent mailing address is 15045 Highway 18, P.O. Box 302, Hahnville, Louisiana 70057, acting individually, and for, and on behalf of, my/our heirs, successors, assigns and any other person claiming the ownership to the property hereinafter described, collectively "Grantor" for and in consideration of One Dollar, in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, assign, convey unto and warrant and defend **Entergy Louisiana, L.L.C.**, and its successors and assigns, collectively "Grantee", a right-of-way, servitude and easement for the location, construction, reconstruction, improvements, repairs, operation, inspection, patrol, replacement and maintenance of electric power and communication facilities, or the removal thereof, now or in the future, including, but not necessarily limited to, poles, cross arms, insulators, wires, cables, conduits, hardware, transformers, switches, guy wires, anchors and other equipment, structures, material and appurtenances, now or hereafter used, useful or desired in connection therewith by Grantee over, across, under or on that land of Grantor in the Parish of St. Charles, State of Louisiana described as follows, to-wit:

PARCEL B

A CERTAIN TRACT OR PORTION OF LAND, situated in the Parish of St. Charles, State of Louisiana, in Sections 34 and 36, Township 13 South, Range 21 East, Southeast District of Louisiana, West of the Mississippi River and being a portion of Lot Three (3) as per plan of Owen McLeran, C.E., attached to and made part of Act of Partition between the Heirs of Widow Ursin Zeringue, dated November 20, 1879, registered in COB "F", folio 114.

Being the same property acquired by The Parish of St. Charles from The Roman Catholic Church of the Archdiocese of New Orleans by Act of Donation dated September 28, 1981 and recorded in the public records of St. Charles Parish, Louisiana in COB 271, Page 274, under Entry No. 84658.

The right-of-way and servitude granted herein is ten (10') feet wide. The location of said right-of-way and servitude is more fully shown in red on that survey by Landmark Surveying, Inc., J.F. Ruello, PLS, entitled, "Survey of a 10' Entergy Right of Way, Parcel B in Lot 3, Sections 34 & 36, T 13S, R 21 E, Ama, St. Charles Parish, Louisiana" dated April 4, 2014, shown on Exhibit "A" attached hereto and made a part hereof;

together with the right of ingress and egress to and from the said right-of-way across the adjoining land of the Grantor and the right to attach wires and cables of any other party to Grantee's facilities

Grantee shall have the full and continuing right to clear and keep clear trees, limbs, and/or other vegetation which the Grantee considers a hazard to any of its electric power or communications facilities or a hazard to the rendering of adequate and dependable service to Grantor or any of Grantee's customers, by use of a variety of methods used in the vegetation management industry.

Grantor shall not construct or permit the construction of any structure, obstruction or other hazard within the said right-of-way, including but not limited to, house, barn, garage, shed, pond, pool or well, excepting only Grantor's fence(s) and Grantee's facilities. Grantor shall not construct or permit the construction of any buildings or other structures on land adjoining said right-of-way in violation of the minimum clearances from the lines and facilities of Grantee, as provided in the National Electric Safety code.

IN WITNESS WHEREOF, Grantor has executed this Right-of Way Instrument on the ____ day of _____, 2014.

WITNESSES:

GRANTOR(S): PARISH OF ST. CHARLES

By: _____
V.J. ST. PIERRE, JR.

Print Name: _____

Title: President

Print Name: _____

ACKNOWLEDGEMENT

STATE OF LOUISIANA
PARISH OF ST. CHARLES

BEFORE ME, the undersigned notary, personally came and appeared _____,
who being first sworn, did depose and say that he/she signed the foregoing instrument as a witness in the
presence of Grantor, and another subscribing witness, all of whom signed in my presence, each signing in
the presence of all the others, and that all of said signatures thereto are genuine and correct.

Appearer

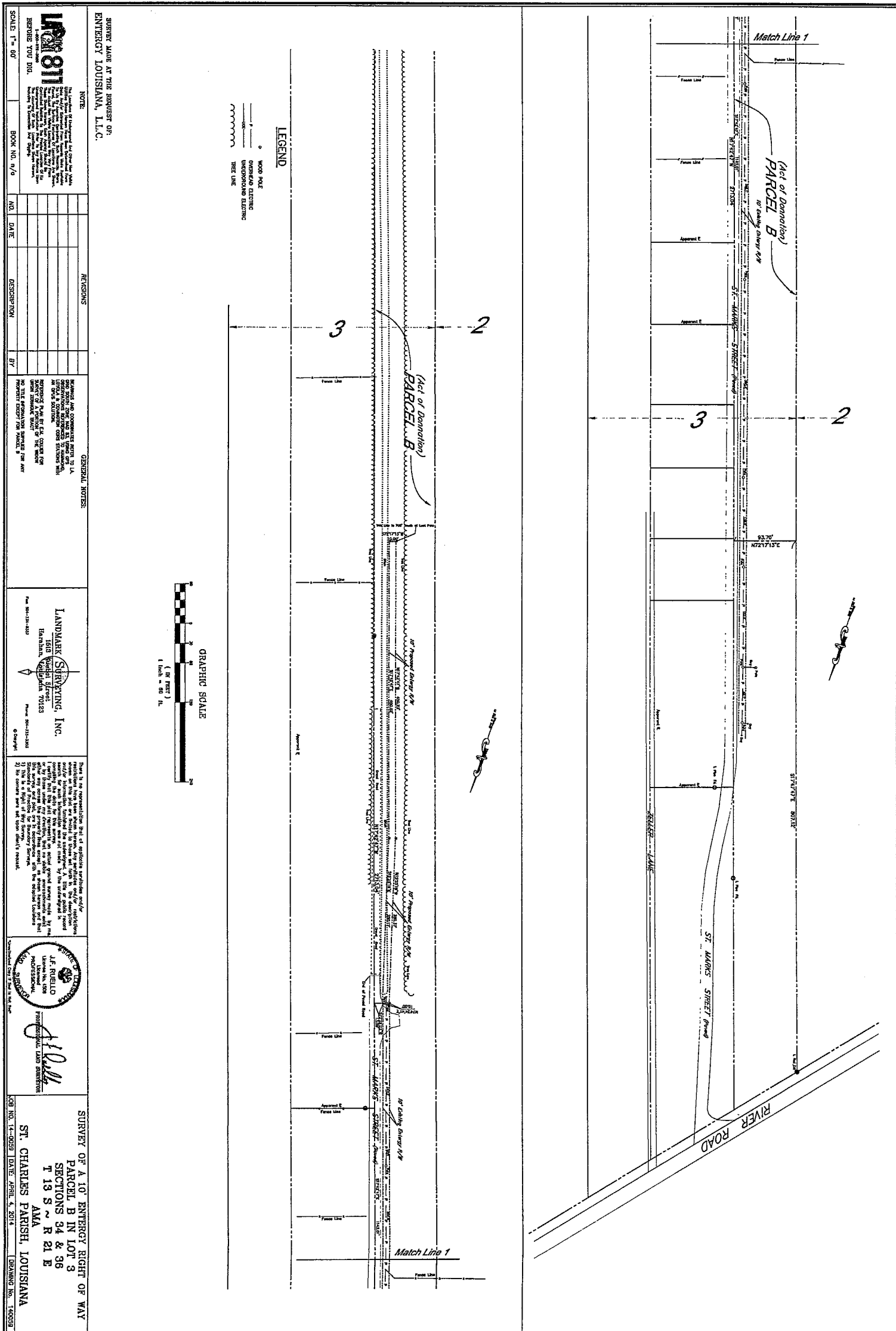
Sworn to and subscribed before me this ___ day of _____, 2014

Notary Public

Grantee's Permanent Mailing Address:
100 Alpha Dr. Ste 100, Destrehan, LA 70047

Print Name: _____
BarRoll# or Notary ID. _____

EXHIBIT "A"



2014-0137

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING AND ZONING)**

ORDINANCE NO. _____

An ordinance to amend the Zoning Ordinance of 1981, to change the land use zoning classification from R-1AM to C-3 on Lots 20 & 21 of the Booker T Washington Subdivision at 404 South Kinler Street, Boutte, requested Stacey Williams.

WHEREAS, Lots 20 & 21 of the Booker T Washington Subdivision, the "Nancy Madison Tract," Section 90; T-13-S; R-20-E at 404 South Kinler Street, Boutte are zoned R-1AM; and,

WHEREAS, the property owner has requested a rezoning from R-1AM to C-3; and,

WHEREAS, the St. Charles Parish Planning and Zoning Department recommend denial of the request; and,

WHEREAS, the St. Charles Parish Planning and Zoning Commission recommended denial of the request at its regular meeting of May 1, 2014.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. An ordinance to amend Ordinance No. 81-10-6, to approve a zoning classification change from R-1AM to C-3 on Lots 20 & 21 of the Booker T Washington Subdivision, the "Nancy Madison Tract," Section 90; T-13-S; R-20-E at 404 South Kinler Street, Boutte (PZR-2014-02), as shown on said subdivision map dated May 4, 1955.

SECTION II. To authorize the Department of Planning & Zoning to amend the official St. Charles Parish Zoning Map to reflect said change from R-1AM to C-3 on Lots 20 & 21 of the Booker T Washington Subdivision at 404 South Kinler Street, Boutte.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2014 to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZR-2014-02 requested by Stacey Williams for zoning reclassification from R-1A(M) to C-3 on lots 20 and 21 of Booker T. Washington Subdivision at 404 South Kinler Street, Boutte. Council District 1.

Planning Department Recommendation:

Denial

Planning Commission Recommendation:

Denial

Mr. Gibbs: The first two items coming before us were tabled in the April Planning & Zoning Commission meeting. We'd like to have a motion to remove both items because they are one in the same.

Mr. Booth: I so move.

Mr. Frangella: I'll second.

Mr. Gibbs: Cast your vote please.

YEAS: Pierre, Booth, Gibbs, Galliano, Loupe, Frangella
NAYS: None
ABSENT: Foster

Mr. Gibbs: That's unanimous. First item on the agenda is PZR-2014-02 requested by Stacey Williams for zoning reclassification from R-1A(M) to C-3 on lots 20 and 21 of Booker T. Washington Subdivision at 404 South Kinler Street, Boutte. Council District 1.

Ms. Marousek: Do you need staff to read the report again or you just want to open up for comment?

Mr. Gibbs: I'd like to just reopen it for public hearing. Is there anyone in the audience to speak?

Brad Meyer and I represent Ms. Williams and also Blacke's Corner Bar. We have several citizens from the community to offer comments regarding the opening of this establishment in support of this establishment, they can come forward.

Mr. Gibbs: Can I ask if it's pretty much the same opinion just to be brief, we'd like to hear it.

Mr. Meyer: Ladies and gentlemen in support of Blacke's Corner Bar we ask that you would limit your comments.

Mr. Gibbs: We just need for everyone to state their name and address for the record please.

Yolanda Gilbert, 200 Boutte Estates, Apt. 254.

Mr. Gibbs: Ms. Gilbert you have anything to add?

Ms. Gilbert: I'd just like to say I'm 42 years old and we moved out here when I was 2 years old and it was opened, it's been opened for like decades and I just hate to see it shut down for good.

Mr. Gibbs: Thank you.

My name is Wendy Scott and I live at 1744 Paul Maillard Road and I'm just here to support Berley and Tony, they are my good friends and this establishment has been opened for a long time. My mama was good friends with Ms. Helen the lady who owned it originally, it's going to be a place where older people after a hard day's work if they want to go and sit down.

Mr. Gibbs: Thank you Ms. Scott.

Sheila Pierre, 211 Bailey Street, Boutte. I don't have a problem with the club it's just that the people hanging out in front and the yard because I live right across the street from it. I just don't like all the people hanging outside. I don't have a problem with the club.

Leon Williams, Jr., 363 S. Kinler St., Boutte, I don't have any problem with them having functions, because they have functions and benefits and stuff like that in the neighborhood. That would be great if they can open it back up. I'm grateful if you all can do that for the community and for my neighbors.

Kyle White, 369 S. Kinler, Boutte

Mr. Gibbs: This is a public hearing for PZR-2014-02 anyone else in the audience care to speak for or against?

Mr. Meyer: I have a brief comment specifically in regards to Rule 3, regarding buffering. It is possible that this property can be buffered from the surrounding properties, there is adequate space between the properties specifically as you're facing the street and from right to left on the right side there is enough space, there's approximately 19 inches between the structure of the building and the property line, that is sufficient space to buffer the property from the adjacent home owner. On the left side is Ms. Stacy Williams's property the current property owner of the bar, on the left side there's a lot that can be buffered as well. I'd like to also address the paperwork that as presented to me at last month's hearing regarding the potential encroachment of that building on an adjacent property owners land. I think that the Board would be wise to pay attention and give credence to what is filed on the public record regarding the structures and as they presently exist and as they have always exist. What was presented was a photo provided by Google Earth tens of thousands of feet in the air which should not be relied on. I think that this Board should rely on what is filed in the public record which is currently accurate and to do so otherwise would be irresponsible and additionally I would go ahead and I'd like to lend my support again for the opening of Blacke's Corner Bar, grant Ms. Stacy Williams what she originally requested. The surrounding community is economically depressed at present, there are no others ideas being put forward to go ahead and enhance the surrounding community. I think that we have demonstrated that there is overwhelming public support from the immediate community for this bar to open and just grant her request.

Mr. Gibbs: Thank you Mr. Meyer. This is a public hearing for PZR-2014-02 is there anyone in the audience care to speak for or against?

Barry Charles, I really be looking for somewhere to go in the afternoon and try to get a little drink or something after spending 32 years in the military I find it hard to be going consistently back and forth into the city to consume something to drink, so I'm very supportive of Mr. Gilbert and whoever wants to open the place that used to be called Helen.

Mr. Gibbs: Thank you Mr. Charles, thank you for your service. I'm sorry I need to get your address Mr. Charles.

Mr. Charles, 1112 Paul Frederick St.

Mr. Gibbs: Thank you. This is a public hearing for PZR-2014-02 anyone else in the audience care to speak for or against?

Ryan Robinson, 216 Bailey St., Boutte, I'm very supportive of this club being opened. I noticed that in just about every neighborhood they have a local bar where everybody can socialize, fellowship and watch football games and this would be a great idea with helping us open it up, because I don't want to go all the way to Hahnville when I can get a drink by my house, or go all the way to Killona or Luling, it's more convenient for the people in the neighborhood. I definitely support this. Thank you.

Mr. Gibbs: Thank you Mr. Robinson. Anyone in the audience care to speak for or against PZR-2014-02?

Good Evening, I'm Patricia Baptiste, I live right next door to the bar and I support the bar also. Sometimes when I come from work, I need a drink so I would appreciate if you all agree and let it pass.

Mr. Gibbs: Can I have your address one more time Ms. Baptiste.

Ms. Baptiste: 378 S. Kinler St., Boutte.

Mr. Gibbs: Thank you.

Mr. Meyer: Also, Ms. Baptiste, I spoke of the property to the right, there is approximately a foot and a half between the structure of the building and the property line. This is the property owner and she is also in support of the bar.

Mr. Gibbs: Thank you Mr. Meyer. Anyone else in the audience care to speak for or against PZR-2014-02? Commission members.

Mr. Booth: At our last meeting Planning & Zoning went through the investigation and description of what they did to look into this matter. Under the Planning & Zoning rules they need to meet at least one of the three criteria and this particular project fails all 3. I have a problem with just doing away with the rules and regulations because it's a nice thing to happen. Mr. Meyer could you come back up. The last meeting you said that you had spoken to the Sheriff about this and he didn't have a problem with it?

Mr. Meyer: I absolutely spoke to the Sheriff approximately in the fourth week of December of last year. I did so specifically to find out what his thoughts were regarding the bar and he told me that he would go ahead and not oppose the bars opening, however, that he would strenuously supervise the going ons over there and I called and I asked the Sheriff about this some 5 months ago because of the costly nature of this endeavor because every month that passes it costs my principle thousands of dollars and we didn't want to just keep throwing good money down a rat hole. If there wasn't a likelihood of this being approved then we would have ended it there. All I can say is perhaps the Sheriff has had a change of opinion but I would urge you to please support us. He also said the same thing to my principle, Ms. Berley Gilbert.

Mr. Booth: That was the Sheriff of this parish?

Mr. Meyer: Yes.

Mr. Booth: I went and spoke to the Sheriff out of concern because I too look at the public record and when it was opened as a bar on one particular night every patrol unit on the west bank responded to a disturbance there and made 17 arrests. So that was a problem for me, so I called the Sheriff and I said what do you think about this and he said I've reconsidered after people have called me and brought up the fact that it's been a problem in the past and now the Sheriff is telling me that he opposes this and he would recommend that we not do this in the interest of public safety in St. Charles Parish.

Mr. Meyer: My response to that would be that, that event which occurred which was one incident, it was one incident over decades, literally decades of operation. Also, we are a different set of people, we are not the people who previously operated that bar. Like one of the witnesses who came up to testify, I too am a 10 year veteran of the Armed Forces of the United States, haven't been getting involved in any knuckle headedness or criminal activities. The one gentleman who came forward in opposition to this establishment opening a month ago talked about how the elderly people were afraid to go and venture throughout the community, that's totally unacceptable to me. I don't know people and I don't associate with people who act that way. Years ago when I acted out, my grandmother made me go to the tree and get the switch, we don't tolerate that kind of foolishness, I again I would say this is only one incident over decades of operation at Helen's Bar and we're not even those people. This bar/establishment is intended for adults, people who have responsibilities, people with children, people with jobs and certainly nobody below the age of 28, because we don't tolerate that kind of going ons either and haven't conducted our lives in such a manner.

Mr. Gibbs: Mr. Meyer do you live in the neighborhood?

Mr. Meyer: No. I don't. I no longer live in the neighborhood, I live in LaPlace right now, but I was born and raised in Hahnville, I grew up approximately one mile from here on the corner of Pine and Lincoln Streets across from the fire house, so I have deep roots, Hahnville High School, Class of '89. So I too have roots in the community, I too care about the community.

Mr. Booth: Thank you sir. I feel that I believe the people who want to open and manage this establishment are reputable people, but I don't see how they can restrict anyone from coming in there, unless they make it a private club with membership, which they are not doing. I have a signed letter from the Sheriff of this parish saying that he opposes this project that's all I want to let you know.

Mr. Meyer: Yes sir. Thank you.

Mr. Gibbs: Thank you any other questions or concerns Commission?

Ryan Robinson, 216 Bailey St., The people who had the bar at first did not take care of it. They didn't care what was going on, the owner of the bar he used to get drunk all of the time and how are you going to get drunk in your own business? They didn't take care of it and I know these people will take of this bar. I was there during the incident and they didn't take care of it, they never ID and they will ID. They have my full support and I'm a witness that the former owners did not take care of it. I know these people, they will take care of it. Thank you.

Mr. Gibbs: Thank you Mr. Robinson. This is a public hearing for PZR-2014-02 anyone else in the audience care to speak for or against?

Mr. Frangella: I have a question for Planning & Zoning, since you cannot have that buffer put in, would that have to be a variance that would be put in there or how would that work?

Ms. Stein: The process as far as to go through this body and if it's approved, then it would go forward to the Parish Council for any waivers to any of those specific site requirements. There's also the Special Permit Use, so it's going to forward to the Parish Council for a decision on the rezoning and then the Special Permit Use would also have to go forward, and it's not likely that it fully meets the requirements.

Mr. Gibbs: Any other questions from the Commission? Seeing none.

Mr. Meyer: If it requires buffering it is possible that it can be buffered.

Mr. Gibbs: Right.

Mr. Meyer: If you order it to be buffered, we will buffer it, we want to comply with the rules.

Mr. Gibbs: Thank you Mr. Meyer. Any other questions or concerns? Seeing none, cast your vote please.

YEAS: Pierre
NAYS: Booth, Gibbs, Galliano, Loupe, Frangella
ABSENT: Foster

Mr. Gibbs: That fails with Ms. Pierre voting yea. That is considered the second item on the agenda as well. We don't need to go through that one as well.

Ms. Marousek: That was the rezone you still need to hold the public hearing on the Special Permit Use.

Mr. Gibbs: Next item on the agenda is PZR-2014-02 requested by Stacey Williams for zoning reclassification from R-1A(M) to C-3 on lots 20 and 21 of Booker T. Washington Subdivision at 404 South Kinler Street, Boutte. Council District 1. Ms. Stein.

Ms. Stein: Thank you Mr. Chair. The applicant requests a rezone from R-1A(M) (Single-family Residential mobile homes permitted) to C-3 (Highway Commercial) on two lots that total 8,340 square feet as the first step in reestablishing a nonconforming barroom that was closed in the first quarter of 2013 due to inadequate liquor licensing. Since the building has been closed for a period greater than six months, the establishment lost its nonconforming status. The process to reestablish a barroom at this location is a rezone to C-3 and approval of a Special Permit Use (PZSPU-2014-03). The Sheriff's Office is opposed to rezoning the property and granting the Special Permit.

In order to receive a recommendation for approval, a rezoning request must meet all of the criteria of at least one of three tests. This request **fails all three.**

The first test is designed to provide relief when land use character has changed to the extent that no reasonable use of the property exists under the current zoning which is defined by similar surrounding land uses, consideration of unique land characteristics, and consideration of changes in land value or other aspects that limit the usefulness of vacant land or buildings. The surrounding buildings are comparable in size and occupied with residential uses. The surrounding neighborhood is an established residential area which seems to be holding its land value. The property and/or building at 404 South Kinler could be converted for residential use. Therefore, the current R-1A(M) zoning is not obsolete and the request fails the first test.

The second test is designed to protect the public interest by preventing traffic congestion and overburdening public infrastructure and utilities, to ensure compatible land uses, and to maintain a balance of particular zoning districts in proportion to the population. C-3 zoning permits a number of uses that are not compatible with the residential zoning and uses that surround this site in a dense development pattern. Many permitted C-3 uses would cause congestion on South Kinler Street because it is a narrow residential street that is not designed to handle commercial traffic. Furthermore, it is unlikely that the site as established can be upgraded to meet current fencing and buffering requirements where the proposed C-3 zoning abuts a residence on the northwest. Because of the potential for incompatible land uses, the request fails the second test.

The third test is designed to evaluate the proposed request with zoning law and precedent and to review existing zoning patterns. This site is entirely surrounded by R-1AM zoning and residential uses on three sides. Rezoning to C-3 is likely to adversely affect the reliance these neighboring property owners have placed on existing zoning patterns. Therefore, the request is for a spot zone, and it fails the third test.

This analysis considers the effect that rezoning property that is surrounded by single-family zoning and residences to highway commercial may have on the neighborhood. While the stated intent of the property owner is to reestablish a barroom that operated for many years, changing the zoning to highway commercial in the middle of a residential neighborhood creates the potential for negative impacts on the neighborhood and is not recommended. The Department recommends denial.

Mr. Gibbs: Thank you Ms. Stein. This is a public hearing for PZR-2014-02 is there anyone in the audience care to speak in favor or against?

Bradley D. Meyer, 2617 Virginia Colony, LaPlace, La. I'm also the agent for Blacke's Corner Bar, Inc. and here urging your approval. First I would like to say that I personally spoke to the Sheriff in December of last year and he said that so long as we satisfy all of the requirements and all the procedural requirements they have to get approval that he would indeed support this. Also, I have my principle Ms. Berley Gilbert who also personally spoke to the Sheriff at his office approximately 9 months ago and which he also assured her that he would support this endeavor. Also have a petition from people in the community, primarily from Boutte all within a block or two of the proposed bar and more than a dozen of them are from S. Kinler Street where the bar is proposed at 404 S. Kinler St. I'd like to present that to Ms. Stein. Would any of the board members like to review said petition? I have several copies. I also have the original as well.

Mr. Gibbs: Mr. Meyer the proposed barroom are these the original owners or new owners want to re-establish it?

Mr. Meyer: These are new owners. It's presently owned by Ms. Stacey Gilbert she purchased the property through a succession approximately 6-7 years ago, about 2006 or 2007. Also, she can give you additional information on it in that she is here in person. I'd like to speak to specifically requirement 3 that Ms. Stein mentioned concerning fencing. Obviously there is some truth, some merit in what she said that it can't be wholly satisfied but I have one of the neighbors that live directly next to the bar and she's here and will urge your approval for the bar being opened. Also Ms. Stacey Williams who lives on the other side of the bar, she's the bar owner, the property owner and she's here to urge that. Although Rule 3 isn't satisfied by the letter of the law, we do have people here who are in support of, whose homes would have to be buffered if it was approved. We do have people here that say hey I want it, I'd like to have a corner bar that I can walk to I don't have to get in my car, I don't have to risk drinking and driving and all of the bad things that go along with that. Also, I would like to go ahead and reserve the rest of my statement until after you hear from the several people from the neighborhood and surrounding community that would also urge their support.

Mr. Gibbs: Thank you Mr. Meyer.

Mr. Booth: You have anything in writing from the Sheriff or just a verbal report.

Mr. Meyer: Just his verbal report. However, if it would satisfy the board, I would be more than willing to prepare an affidavit and submit my statement in sworn testimony.

Mr. Gibbs: Thank you sir. This is a public hearing for PZR-2014-02 is there anyone in the audience care to speak in favor or against?

My name is Ulysses Green, I live at 402 E. Heather Drive, Luling. I own a house right there across the street from where the bar at and when the bar was operating we couldn't even sleep at night. People parked and blocked our driveway. Emergency vehicles had a problem trying to get in there and I had a family that was living in my house and they moved out because they said that they just couldn't take it no more because it was just too bad, the traffic and kids don't have nowhere to play, we're scared for our kids and we got elderly people, that live on that street. A lot of us was able to move and so we moved but then there's others that were not as fortunate as we so they can't move, they're trapped. I wish you'd consider how they're being trapped and victim in their homes. Thank you.

Mr. Gibbs: Thank you Mr. Green. Again, this is a public hearing for PZR-2014-02 anyone care to speak in favor or against?

Ryan Robinson, 216 Bailey Street and I support this owner. The previous owners they didn't take care of this place and I know these people and my granddaddy built this place. So I give them our support.

Mr. Gibbs: Were you around when they had the old bar? It was pretty wild?

Mr. Robinson: Yes the previous owners they didn't take care of it. I recently went inside and it looks nice and I support it.

Mr. Gibbs: Thank you Mr. Robinson. Public hearing for PZR-2014-02.

Good evening I'm Patricia Baptist and I live right next door to the bar and a lot people ask me if the noise worry me and I said no. I've been there for maybe 10 years or longer and I've never had any problem.

Mr. Gibbs: Were you there with the prior bar?

Ms. Baptiste: I lived there. I think it would be okay to have another bar open. When I get off from work I want to go walk next door and get me drink.

Mr. Gibbs: Can I have your address one more time please we didn't get that.

Ms. Baptiste: 378 S. Kinler Boutte

Mr. Gibbs: Thank you ma'am. Anyone else care to speak in favor or against PZR-2014-02?

Bradley D. Meyer, 2617 Virginia Colony, LaPlace, La. Also, I'm formerly from Hahnville, LA I grew up a mile away from here on the corner of what was Smith and Pine Street, Hahnville High School Class of '89, I have deep roots within the community. I am concerned about the safety and welfare of the citizens as the gentleman spoke against opening the bar. You've heard from 2 people from the community, the gentleman and the lady lives directly adjacent the proposed bar. The lady mentioned that she had no problem whatsoever and this is the lady that I mentioned concerning the buffering issue and also I would like to point out in the inconsistencies of conflicts of what Ms. Stein presented. She mentioned that the property could be renovated so that it could be a residential building, but if Ms. Stacey Williams is going to be required to take on the expense of converting into a residential building, she could fully dedicate those funds, those resources to buffering. Additionally I would like to tell you a little bit about what my principle has planned for the bar. I did a little bit of research on Helen's Bar and its previous occupant at this location. The owner before Ms. Williams and they didn't run it correctly, they had a lot of young people in it, knuckleheads, run amuck and this is not at all what my principle have planned for it. She plans to have people 28 or above, we will check ID's. The issue of the sound, excessive noise, we have a noise ordinances here in the parish and again I went to our Sheriff who said that if you go ahead and approve it he would be in support, however he mentioned that he would vigorously check the place out and make sure that things were consistent with the local rules and laws and that everything was as it should be. Also, we've already mentioned that this was a bar previously it's been operating as a bar for decades and although the zoning laws are frustrated by it being operated as a bar, it's not inconsistent with what's gone on in the community for years and years and years. It's been closed since 2013 that's just a year ago. So if we opened it would not be inconsistent with what has been going on there in the community thus far and again, I would like to mention I have a petition from approximately 55 people in the community in support of the bar opening and I'd like you to take that into consideration. Also, regarding Rule 3, if my client, Ms. Williams, can go ahead and recondition that building to residential, she should be afforded an opportunity to spend those resources on conforming to satisfy Rule 3 and Rule 1.

Mr. Gibbs: Are we to assume that she is going to do that then? Is she going to spend the resources to renovate?

Mr. Meyer: I don't want to answer for her because she's right here, but right now she has the property leased to my principle and right now she is enjoying an income from the proposed facility and not having it approved frustrates that, it frustrates her ability to go ahead and engage in commerce as well as my principle. I think that maybe we should have her come and speak for herself.

Mr. Gibbs: Let me ask you one more question about your petition. These are all residents of this area on the streets around the proposed bar?

Mr. Meyer: I reviewed some of the addresses about a dozen or 12 of 55 are people that live on S. Kinler Street and then you have people from Bailey Street, people from Boutte Estates, people from Good Children, all of these streets, if I were standing in front of the bar right now, walking I can get to most of these addresses except for the ones in Luling within a 10 minute walk. So we're talking 95% of these names are all within walking distance of the bar.

Mr. Gibbs: Thank you Mr. Meyer. Do you know the hours of business?

Mr. Meyer: Yes. The hours of business we're closed on Monday-Thursday, it would be from noon to midnight and then on weekends Thursday, Friday and Saturday it would be from noon to 2 o'clock.

Mr. Gibbs: You're closed when did you say?

Mr. Meyer: It would be closed on Monday.

Mr. Gibbs: Oh just Monday.

Mr. Meyer: Mondays I believe, but I will say this the hours of operation as far as the days are a little influx but the hours of operation are noon to midnight and then noon to 2 o'clock on the weekends.

Mr. Gibbs: Thank you Mr. Meyer.

Mr. Meyer: You're welcome. Ms. Williams

Mr. Gibbs: Mr. Meyer, Mr. Foster wants a question please.

Mr. Foster: Mr. Meyer did you see the letter from Lucien Gassen, Surveyor?

Mr. Meyer: No sir, I'm not familiar with that.

Mr. Foster: Would you like to comment on it?

Mr. Meyer: Can I see it? Regarding this, if it's encroaching upon that gentleman's property I think that's a legal issue and I don't know how old that building is and when that was put there and obviously if this is in fact the case, then the property owner and Mr. Gassen would have to go ahead and negotiate something to alleviate this, but if it's a problem let's work it out. Ms. Williams.

My name is Stacey Williams I live at 414 S. Kinler Street right on the other side of the property. Ms. Berley has been renting the bar from me for a year now, this month and if you all allow her to open I think she would be a good tenant, she's not going to go in the same order that Mr. Leroy Hensley did. I think we been having some problems before this, but I think we had got to an understanding where it's going to be her that's running the bar and she understand the policies and I think she's going to follow the rules. I hope you all agree to let her open.

Mr. Gibbs: Ms. Williams seeing this correspondence from Mr. Gassen I'm compelled to request or maybe recommend that you table this for a month until the next meeting because this could have some repercussions that I don't think you really want to have to come back and deal with if this is approved or disapproved. I don't know if a month would upset your calendar but I think you might want to address this before we and it's just a recommendation, I'm not telling you that you should or shouldn't do this, but it might be a good idea.

Ms. Williams: Address the property, I mean the building?

Mr. Gibbs: Where the encroachment, he's recommending maybe a new survey be done. It's just a recommendation you do not have to

Ms. Williams: It's on my property line because there is a fence right by the bar, the neighbor, the lady right here she has a fence on her property line and the building is way before her fence.

Mr. Gibbs: No problem.

Ms. Williams: But he's saying that you could table this for one month.

Mr. Gibbs: That would be your call. That would be totally up to you.

Ms. Williams: Yes you can table it.

Mr. Gibbs: Ok. Do we have a motion to table?

Mr. Foster: Motion.

Mr. Meyer: May we request that it be held open and we be allowed if necessary to make further comment ?

Mr. Gibbs: On the public hearing?

Mr. Meyer: Yes

Mr. Gibbs: Sure, we're going to table this though.

Mr. Foster: I have a question for Ms. Kim, is this considered a spot zoning?

Ms. Marousek: That was part of the recommendation.

Mr. Foster: For a spot zoning we've had problems in the past this would be considered a spot zoning.

Mr. Gibbs: Thank you Ms. Williams. We have to vote to table but I don't want to close the hearing if they still want to have people to speak. We have a motion.

Mr. Foster: I withdraw my motion to table

Mr. Gibbs: We only had one motion we don't have two, so the public hearing is still opened and this is a public hearing for PZR-2014-02 is there anyone else in the audience to speak for or against? Seeing none.

Ms. Marousek: You either have to move to table, move to approve it or move to deny it because the motion to table was withdrawn.

Mr. Gibbs: That's correct we don't have a motion to table any longer.

Mr. Booth: This fails all 3 and it almost passed the 3rd one, I really can't see how we can circumvent all the rules that we have and go against this denial that has been recommended, personal opinion.

Mr. Gibbs: Thank you Mr. Booth. The public hearing is still opened Mr. Meyer.

Mr. Meyer: With what's been presented to me by the board, I urge you to please table the matter for a month in the interest of equity.

Mr. Gibbs: Thank you Mr. Meyer.

Mr. Galliano: I motion to table it.

Ms. Pierre: Second.

Mr. Gibbs: Cast your votes please, this is the motion to table PZR-2014-02 Cast your votes please.

YEAS: Pierre, Loupe, Gibbs, Booth, Frangella, Galliano

NAYS: Foster

ABSENT: None

Mr. Gibbs: And that passes with Mr. Foster voting nay.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZR-2014-02

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant/Owner:** **Application date: March 5, 2014**
Stacey Williams
PO Box 656
Luling, LA 70070
- ◆ **Location of Site:**
Lots 20 and 21 of Booker T. Washington Subdivision, 404 S. Kinler Ave, formerly Helen Bar.
- ◆ **Requested Action:**
Rezone from R-1A(M) to C-3

SITE – SPECIFIC INFORMATION

- ◆ **Size of Parcels:**
Each lot is 50' x 83.4' or 4,170 square feet for a total of 8,340 square feet. Should the request to rezone be approved, the two lots would have to be combined into one lot and developed as one site in order to permit any C-3 use in the building.
- ◆ **Existing Land Use and zoning:**
Lot 21 is developed with a site-built structure on a slab that most recently was occupied by Helen Bar. Lot 20 is graded to allow car parking and other activity. Neither is developed to current code requirements. Helen Bar was closed in early 2013 as a non-compliant alcoholic beverages business that did not maintain state and local liquor licenses as required by law.
- ◆ **Surrounding Land Uses and Zoning:**
The site is surrounded by R1A(M) zoning and residential uses except in the rear or west where adjacent property is vacant and wooded (but zoned R-1A(M)).
- ◆ **Plan 2030 Future Land Use Category on the property:**
Mixed Use Corridor
- ◆ **Utilities:**
Standard utilities serve the site with the exception of drainage.
- ◆ **Traffic Access:**
The site has 100' of frontage on South Kinler Street, a substandard local road. The driveway and parking is gravel.

APPLICABLE REGULATIONS

Appendix A., Zoning Ordinance, Section IV.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
 - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
 - a. Undue congestion of streets and traffic access.
 - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
 - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
 - d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
3. The proposed zoning change is in keeping with zoning law and precedent, in that:

- a. It is not capricious or arbitrary in nature or intent.
- b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
- c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
- d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

AND

[IV.] [IV.] C-3. *Highway commercial district*— Wholesale and retail sales:

1. Use Regulations:

a. A building or land shall be used for the following purposes.

- (1) All uses allowed in the C-2 District. (Ord. No. 88-5-5, 5-16-88)
- (2) Commercial auditoriums, coliseums or convention halls
- (3) Retail manufacturing
- (4) Motor vehicle sales and service
- (5) Wholesale uses
- (6) Warehouses (less than 10,000 sq. ft.)
- (7) Bus, railroad, passenger and truck terminals (without video poker gaming facilities)
- (8) Bottling works
- (9) Dog pound
- (10) Building supply
- (11) Heating and air conditioning service
- (12) Plumbing shops
- (13) Motor vehicle repair
- (14) Glass installation
- (15) Fabrication of gaskets and packing of soft metal material
- (16) Creameries
- (17) Parcel delivery service
- (18) *Reserved*. (Ord. No. 97-7-4, § VIII, 7-7-97)
- (19) Frozen food lockers
- (20) Public stables
- (21) Bulk dairy products (retail)
- (22) Animal hospitals
- (23) Gymnasiums
- (24) Sheet metal shops
- (25) Upholstery
- (26) Other uses of similar intensity
- (27) Customary accessory uses incidental to the above uses when located on the same lot.

b. Special exception uses and structures:

- (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director. (Ord. No. 88-9-9, 9-6-88)

c. Special permit uses and structures include the following:

- (1) Barrooms, night clubs, lounges, and dancehalls.
- (2) R-1A and R-1B uses upon review and approval by the Planning Commission.
- (3) R-3 uses upon review and approval by the Planning Commission and supporting resolution of the Council.
- (4) *Reserved*. (Ord. No. 01-5-18, § II, 5-21-01)
- (5) Cellular installations and PCS (personal communication service) installations.
- (6) *Reserved*. (Ord. No. 01-5-18, § III, 5-21-01)
- (7) Warehouses (non-hazardous materials) over ten thousand (10,000) square feet.
- (8) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street.
- (9) Bingo Halls, Video Bingo Parlors, and Off-Track Betting Establishments upon review of the Planning Commission and Ordinance of the Parish Council.
- (10) Outdoor storage, when accessory to an otherwise permitted use in the district.
(Ord. No. 92-9-14, 9-8-92; Ord. No. 94-1-9, § IV, 1-10-94; Ord. No. 94-6-6, § II, 6-6-94; Ord. No. 97-7-4, § IV, 7-7-97; Ord. No. 98-4-17, § III, 4-20-98; Ord. No. 99-12-24, § I, 12-20-99; Ord. No. 03-1-12, § IV, 1-21-03; Ord. No. 07-10-10, § II, 10-15-07; Ord. No. 09-2-6, § 1, 2-16-09)

2. Spatial Requirements:

a. Minimum lot size: Seven thousand (7,000) square feet, minimum width - seventy (70) feet.

b. Minimum yard sizes:

- (1) Front - twenty (20) feet

- (2) Side - five (5) feet
- (3) Rear - ten (10) feet
- (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § XII, 8-18-08)

3. Transportation System: Arterial, local industrial, rail, water.

4. Special Provisions:

- a. Where any commercial use in a C-3 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater or lesser buffer strip.

ANALYSIS

The applicant requests a rezone from R-1A(M) (Single-family Residential mobile homes permitted) to C-3 (Highway Commercial) on two lots that total 8,340 square feet as the first step in reestablishing a nonconforming barroom that was closed in the first quarter of 2013 due to inadequate liquor licensing. Since the building has been closed for a period greater than six months, the establishment lost its nonconforming status. The process to reestablish a barroom at this location is a rezone to C-3 and approval of a Special Permit Use (PZSPU-2014-03). The Sheriff's Office is opposed to rezoning the property and granting the Special Permit.

In order to receive a recommendation for approval, a rezoning request must meet all of the criteria of at least one of three tests. This request **fails all three.**

The first test is designed to provide relief when land use character has changed to the extent that no reasonable use of the property exists under the current zoning which is defined by similar surrounding land uses, consideration of unique land characteristics, and consideration of changes in land value or other aspects that limit the usefulness of vacant land or buildings. The surrounding buildings are comparable in size and occupied with residential uses. The surrounding neighborhood is an established residential area which seems to be holding its land value. The property and/or building at 404 South Kinler could be converted for residential use. Therefore, the current R-1A(M) zoning is not obsolete and the request fails the first test.

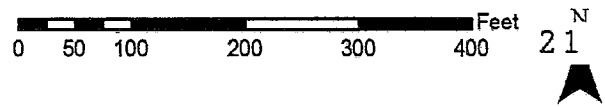
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The third test is designed to evaluate the proposed request with zoning law and precedent and to review existing zoning patterns. This site is entirely surrounded by R-1AM zoning and residential uses on three sides. Rezoning to C-3 is likely to adversely affect the reliance these neighboring property owners have placed on existing zoning patterns. Therefore, the request is for a spot zone, and it fails the third test.

This analysis considers the effect that rezoning property that is surrounded by single-family zoning and residences to highway commercial may have on the neighborhood. While the stated intent of the property owner is to reestablish a barroom that operated for many years, changing the zoning to highway commercial in the middle of a residential neighborhood creates the potential for negative impacts on the neighborhood and is not recommended.

DEPARTMENTAL RECOMMENDATION

Denial.





ST. CHARLES PARISH

DEPARTMENT OF PLANNING & ZONING

14996 RIVER ROAD • P. O. BOX 302 • HAHNVILLE, LOUISIANA 70057

(985) 783-5060 • FAX (985) 783-6447

Website: www.stcharlesparish-la.gov

V.J. ST. PIERRE, JR.
PARISH PRESIDENT

KIM MAROUSEK, AICP
PLANNING DIRECTOR

April 7, 2014

Stacey Williams
PO Box 656
Luling, LA 70070

Dear Stacey Williams,

On Thursday, April 3, 2014 the St. Charles Parish Planning Board of Commissioners tabled PZR-2014-02 requested by Stacey Williams for zoning reclassification from R-1A(M) to C-3 on lots 20 and 21 of Booker T. Washington Subdivision at 404 South Kinler Street, Boutte. Council District 1

The next Planning Board of Commissioners public hearing will be on May 1, 2014. Formal notification will follow.

Sincerely,

Kim Marousek, AICP
Director

KM/ww

Petition

I support the proposed opening of Blacque's Corner Bar Inc. at 404 South Kinler Street, Boutte, Louisiana.

Name	Address	Signature	Date
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Carl Dorsey	351 S. Kinler	<i>Carl Dorsey</i>	4/1/14
Leon Gabe Williams Jr.	363 S. Kinler	<i>Leon Williams Jr.</i>	4/1/14
Leon Williams Sr.	River Parks Apt.	<i>Leon Williams Sr.</i>	4/1/14
ANITA WHITE	370 S. Kinler	<i>Anita White</i>	4/1/14
Leon Williams Sr.	351 S. Kinler	<i>Leon Williams Sr.</i>	4/1/14
Paulite Thomas	289 Goodchildren	<i>Paulite Thomas</i>	4-1-14
Wilfred Dyer	111 Bailey St Boutte	<i>Wilfred Dyer</i>	4-1-14
Matthew Coleman	105 Bailey St	<i>Matthew Coleman</i>	4/1/14
S. Lee Brown	119 Bailey St	<i>S. Lee Brown</i>	4-1-14
Jephane Brown	287 Goodchildren St	<i>Jephane Brown</i>	4-1-2014
Lushi Williams	262 Good Children St	<i>Lushi Williams</i>	4-1-2014
Rashad Joseph	262 Good Children St	<i>Rashad Joseph</i>	4-1-2014
David Lackey	240 Goodchildren St-	<i>David Lackey</i>	4-1-2014
Christopher Major	237 Goodchildren St	<i>Christopher Major</i>	4-1-2014
Carolyn Robertson	304 Goodchildren St	<i>Carolyn Robertson</i>	4-1-2014
Shirley Lee	11415 317 Good Children St	<i>Shirley Lee</i>	4-1-14
Winnam Dorsey	351 south Kinler Street Boutte LA 70039	<i>Winnam Dorsey</i>	4-1-14
Cheryl Singleton	349 Boutte Goodchildren St	<i>Cheryl Singleton</i>	4-1-14
Calvin Badlow	349 Boutte Goodchildren	<i>Calvin Badlow</i>	4-1-14
ACGUNC + AWILSON	341 Good Children St	<i>ACGUNC + AWILSON</i>	4-1-14
Angel Dewey	268 Goodchildren	<i>Angel Dewey</i>	4-1-14
Joan White	329 Goodchildren	<i>Joan White</i>	4-1-14
Matthew Brown	118 Bailey St Boutte, La	<i>Matthew Brown</i>	4/1/14
Ryan Robertson	216 Bailey St Boutte La	<i>Ryan Robertson</i>	4/1/14
Raven Baptiste	379 S. Kinler St. Boutte LA	<i>Raven Baptiste</i>	4/01/14
Leona Calloway	533 South Kiler Street Boutte LA	<i>Leona Calloway</i>	4/01/14
Kyle White	363 S. Kinler Boutte LA	<i>Kyle White</i>	4/1/14

Petition

I support the proposed opening of Blacke's Corner Bar Inc. at 404 South Kinler Street, Boutte, Louisiana.

<u>Name</u>	<u>Address</u>	<u>Signature</u>	<u>Date</u>
Pamela Lane	357 South Kinler Boutte La 70039	Pamela Lane	4-1-2014
Michelle Jean	411 S. Kinler St.	Michelle Jean	4-1-2014
Tarik Flot	339 Alexander St. Boutte, LA 70039	Tarik Flot	4-1-2014
Elizabeth Dorsey	Boutte, La 70039	Elizabeth Dorsey	4-1-2014
Ronald Dorsey	Boutte, La 70039	Ronald Dorsey	4-1-2014
Allen Alexander	361 Alexander Boutte La 70039	Allen Alexander	4-1-2014
Leonard White	358B	Leonard White	4-1-14
Georgia Kelly	Boutte Estate	Georgia Kelly	4-1-14
Olivia Lucas	358B Alexander St. Boutte La	Olivia Lucas	4-1-2014
Wilma Lucas	448 Boutte Est. Dr. Boutte (LA 70039)	Wilma Lucas	4-1-2014
Lawrence Lucas	448 Boutte Est. Dr. Boutte (LA 70039)	Lawrence Lucas	4-1-2014
Inez Evans	325 Alexander St.	Inez Evans	4/1/14
Janice Sundolph	326 Boutte Est Drive	Janice Sundolph	4-1-14
Karman Hill	326 Boutte Est Drive	Karman Hill	4-1-14
Theresa Hill	326 Boutte Est Drive	Theresa Hill	4-1-14
Brian Hill	326 Boutte estate Drive	Brian Hill	4-1-14
Shanice Hill	326 Boutte Estates Drive	Shanice Hill	4-1-14
Jacqueline Lewis	312 Luling Ave	Jacqueline Lewis	4-1-14
Alita Lewis	312 Luling Ave	Alita Lewis	4-1-14
Katiana Smith	395 S Kinler St. Boutte La	Katiana Smith	4-2-14
Calandra Tona	342 Kinler St. Boutte La	Calandra Tona	4-2-14
Patricia Baptista	378 S Kinler	Patricia Baptista	4-2-14
Vivian Scott	219 Boutte, La 70039	Vivian Scott	4-2-14
Sherman Scott	Boutte, La 70039	Sherman Scott	4-2-14
Wendy M. Scott	Boutte, LA 70039	Wendy M. Scott	4-2-14
Tiffaney Dee	378 S. Kinler St. Boutte	Tiffaney Dee	4-2-14
Yolanda Gilbert	200 Boutte Estate Apt 252 Boutte LA 70039	Yolanda Gilbert	4-2-14

Boutte, La
70039



April 1, 1964

To Whom It May Concern:

Due to my busy schedule I cannot attend the meeting. My number is 410. I am in opposition to the request of opening the public bar or any other establishment. The majority of us are people all and sick that live on South Linden St. Get it stay residential only. I am at peace right now because of the bar being closed. I haven't been robbed. It feels good to live on the street because I don't have to argue with folks driving or walking on the street. I don't have to be frightened every weekend with gun shots, fights, cussing, breaking bottles or pulling things up every corner and home invasion.

Please put no parking signs up in front of my house if they

Write on yes.

*Thank you,
Ms Betty W Foster*

RECEIVED
APR 3 2014

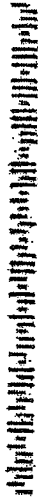
Ms. Betty W. Foster
P.O. Box 1333
Boutte, LA 70039



NEW ORLEANS LA 70011
01 APR 2014 PM 2 L

St. Charles Parish Dept of
Planning & Zoning
14996 River Rd. P.O. Box 302
Hahnville, LA 70057

ATTN: Kim Marusek
05721005E



March 28, 2014

St. Charles Parish Department of Planning and Zoning

14996 River Road

P.O. Box 302

Hahnville, LA 70057

APR 1 2014

To whom it may concern:

My name is Ulyses Green and I am a property owner of a residence on 211 Bailey Street in Boutte, Louisiana. I am writing this letter to express my sincerest opposition to the possible zoning reclassification from R-1A (M) to C-3 on lots 20 and 21 of Booker T. Washington Subdivision at 404 South Kinler Street, Boutte, Council District 1. I am also writing this letter to formally oppose the Special Use Permit requested by Blacke's Corner Bar, Inc. to operate at 404 South Kinler Street, Boutte.

Changing the zoning from residential to commercial zoning will negatively impact the neighborhood and should not be considered. The residents of our area range in ages from young children to the elderly. The home owners are all hard working individuals that deserve to raise their families in a peaceful and safe neighborhood. I beg you to please research the police reports and records when there was a bar room open for business in our neighborhood. I can assure you that crime was on the rise, more police reports were made, there was an abundant amount of trash and littering, constant fighting, and no ability to sleep due to the constant chaos that was the norm. Keep in mind that the size of the lots determines the size of the establishment, and due to "maximum occupancy" individuals that can't be accommodated within the establishment will only create loitering outside of the establishment. Overtime, there will be no where to park and kids won't be able to play outside and ride their bikes. Remember that when you decide to change a residential neighborhood into a business community you have decided that "families don't come first." Eventually the bar room that I am referencing was forced to close by our Parish. Unfortunately, we had to endure years of hearing gun shots, loud music, traffic problems due to the lack of parking and loitering before the establishment was shut down. Opening a commercial business such as a bar room/night club will put the residents' safety and well-being at risk. I thank you in advance for ensuring that my written comments be accepted and placed into the record and hope that you all strongly consider opposing the request for zoning reclassification and oppose the request for the Special Use Permit.

Sincerely,



Mr. Ulyses Green

Wendy Watkins

From: Kimberly Marousek
Sent: Wednesday, April 02, 2014 3:31 PM
To: Wendy Watkins
Subject: FW: 404 South Kinler Street

From: lgassen [mailto:lgassen22@cox.net]
Sent: Wednesday, April 02, 2014 3:09 PM
To: Marny Stein; Steve Romano; Rhys Kinler; Kimberly Marousek
Subject: 404 South Kinler Street

I just received the letter dated March 31, 2014 about PZR-02014-02 and PZSPU-2014-03. I went out to have a look. Just by looking and not taking any measurements I think the rear of the building may be encroaching onto the Gassen property. I think in this particular situation a current survey should be required. Looking at Google Earth I'm sure other properties in that area are encroaching.

I suggest a new survey be done by another surveyor. It would be a conflict of interest for me to do one. Please consider this suggestion.

I can understand the neighbors not wanting a bar in the neighborhood.

Thanks

Lucien

LUCIEN C. GASSEN
SURVEYING SERVICES
SINCE 1971
1026 GASSEN STREET
LULING, LA. 70070
PHONE 985-785-0745

Wendy Watkins

From: Marny Stein
Sent: Monday, April 21, 2014 12:37 AM
To: Kimberly Marousek
Cc: Wendy Watkins
Subject: FW: May 1, 2014 P&Z Commission Meeting

Please add this comment to PZSPU 2014-03 _____

From: r.richoux@cox.net <r.richoux@cox.net>

Sent: Thursday, April 17, 2014 6:50 PM

To: Marny Stein

Subject: May 1, 2014 P&Z Commission Meeting

Dear Planning and Zoning Commissioners:

In reviewing P&Z Commission's upcoming agenda, I read that

PZSPU-2014-03 will be reviewed by Commission, which requests a waiver of required hard surface parking, loading, buffer fence and landscaping.

I would like to go on record as opposing these waivers as they will be detrimental in protecting the comprehensive land use plan and quality of life for our parishioners. These waivers do not meet criteria of hardship and Land Use Code expressly states that these regulations be enforced. Jefferson and St. John Parishes are strongly enforcing these requirements and the results are quite obvious. Both aesthetics and infrastructure need to be safe-guarded and enhanced. If aesthetics are compromised, the Code is not being followed and the parish will suffer.

Saying no to these waivers will result in a more attractive business location and will improve the landscape of the business community.

Please say no to these waivers.

Thank you for your kind consideration.

Marilyn Richoux

April 8, 2014 12:28 pm

Anonymous Caller

We don't need a barroom on the corner. There are kids in the neighborhood. It was better when the older people had it, now the younger people have it will be worse.

April 9, 2014 9:35 am

Rutha Griffin

We don't need a barroom. There are gun fights and fighting. We're concerned about our children.



GREG CHAMPAGNE
ST. CHARLES PARISH SHERIFF

Post Office Box 426
Hahnville, LA 70057-0426

Telephone (985) 783-6237
Facsimile (985) 783-1008

April 29, 2014

Ms. Kim Marousek
Director, Planning & Zoning
P. O. Box 302
Hahnville, LA 70057

RE: Rezoning of Property at 404 South Kinler Street in Boutte formerly known as Helen's Bar

Dear Ms. Marousek:

It is my understanding that at a meeting of the Planning and Zoning Commission held recently, it was represented that I support the rezoning of this property so that it can again be used as a bar.

Please be advised and make it known to the commissioners that I am **OPPOSED** to this rezoning. This is a residential area and I do not feel that allowing this facility to be again opened as a bar is in the best interests of this neighborhood. In fact I have heard from residents in the immediate area who do not wish to be publicly known that the neighborhood has improved greatly since we shut the bar down quite some time ago. It is no longer a haven for drug use and for convicted felons to hang out. These neighbors are fearful that all of that will return if this place is allowed to re-open as a bar. Frankly, I am concerned as well.

Thank you and the Commission for your consideration.

Sincerely,

Greg Champagne
Sheriff - St. Charles Parish

MAY 1 2014

SC1-2014-693

2014-0120

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
CAROLYN K. SCHEXNAYDRE, COUNCILWOMAN-AT-LARGE, DIVISION A**

ORDINANCE NO. _____

An ordinance directing the Parish President to secure the permanent servitudes required for the future maintenance of the Parish maintained drainage along the western side of St. Gertrude Catholic Church from LA 631 Spur (Old U.S. 90) to the Grand Marais and to complete the installation of the subsurface drainage to the Grand Marais.

WHEREAS, the Parish has historically maintained the drainage along the western side of St. Gertrude Catholic Church from LA 631 Spur (Old U.S. 90) to the Grand Marais upon requesting and receiving permission from the property owners to access the property in order to clean the drainage; and,

WHEREAS, the ditch has been widened over the years as a result of the Parish maintenance and is now causing erosion of the adjacent property into the ditch; and,

WHEREAS, the acquisition and acceptance of the drainage servitude is in the public's best interest in that it will provide for permanent Parish access to the drainage which removes runoff from along the north side of LA 631 Spur (Old U.S. 90), from Kosher Lane, and adjacent properties and it will prevent the continued erosion of the adjacent property; and,

WHEREAS, the property owners of the land on which the Parish maintained drainage is located, have agreed to provide permanent servitudes as needed to create a 20' wide drainage servitude required for the installation and maintenance of the subsurface drainage; and,

WHEREAS, on October 29, 2013, the Parish Council approved a budget amendment to provide funding, based upon the cost estimate at the time provided by the Public Works Department, for the subsurfacing of the ditch; and,

WHEREAS, on January 30, 2014, February 17, 2014, and March 6, 2014, a memorandum was sent to the Parish President requesting that the Administration initiate the steps needed to secure the required servitudes and subsequently install the subsurface drainage; and,

WHEREAS, to date, the Administration has not moved forward to secure the servitudes for installation of the subsurface drainage; and,

WHEREAS, it is the desire of the Parish Council to have the servitudes secured and the subsurfacing of the ditch completed.

NOW, THEREFORE BE IT ORDAINED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby direct the Parish President to secure the permanent servitudes required for the future maintenance of the Parish maintained drainage along the western side of St. Gertrude Catholic Church from LA 631 Spur (Old U.S. 90) to the Grand Marais and to complete the installation of the subsurface drainage to the Grand Marais.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2014, to become effective five (5) days after publication in the Official Journal.

2014-0120 ORD-DRAFT-SUBSURFACE DRAINAGE - revised

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

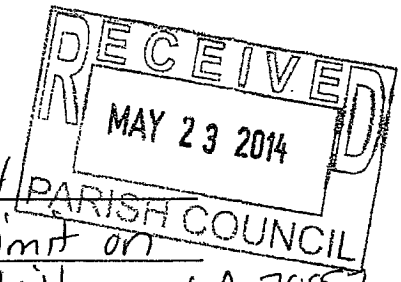
PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

St. Charles Parish Council Chairman
P. O. Box 302
Hahnville, LA 70057
(985) 783-5000

Today's Date:



Dear Chairman:

Please place my name to address the Council on:

DATE: May 23, 2014 June 2, 2014
SPECIFIC TOPIC: Petition to lower Speed Limit on Killona, Dr & Post St. in Killona, LA 70057 from 25mph to 15 mph

(*See specific guidelines on the reverse side and refer to Parish Charter Article VII Sec. I)

DOCUMENTS, IF ANY: YES / NO

NAME: Don Woods Jr.

COMPANY/ ORGANIZATION: N/A

MAILING ADDRESS: P.O. Box 987 Hahnville, LA 70057

PHONE: 504-201-5910

SIGNATURE: Don L. Woods Jr.

Dear Constituent:

Thank you for your active participation. Your views and comments will be considered by the Council in making our decisions. The Council has a considerable amount of business to conduct in a limited amount of time, therefore, please note the following items that are expected of you:

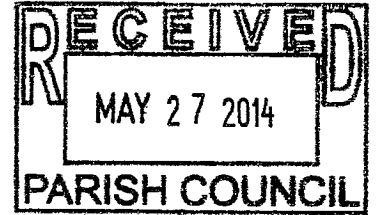
- The Home Rule Charter provides for citizens to address the Council. It makes no provision for initiating debate, discussion, or question and answer sessions with Councilmembers or Administration Officials. Your right is also guaranteed to examine public documents as you prepare your presentation. Should you have any questions for Councilmembers and/or Department Heads as you prepare, please forward such inquiries to the Council Office to insure a timely response. Should you wish to speak to any Official or Department personally, a complete list of contact information will be furnished at your request.
- Please be brief and limit your comments to the specific subject matter on which you have requested to address the Council. Please reference the Council guidelines for time limit specifications.
- Please forward supporting documents to the Council Secretary for distribution to the Parish Council **BEFORE** your scheduled appearance in order for the Council to prepare themselves, if necessary.
- Upon completion of your allotted time to address the Council, please respect the time given to Councilmembers to respond to your comments by not interrupting or interjecting remarks.
- **Slanderous remarks and comments will not be tolerated.** If slanderous remarks or comments are made, your opportunity to address the Council will end, regardless of the remaining time left to address the Council.
- **Repetitious comments and subject matter will be strictly limited.**

A confirmation letter will follow when your name is placed on the agenda.

Sincerely,
Julia Fisher-Perrier
JULIA FISHER-PERRIER
COUNCIL CHAIRMAN

(OVER)

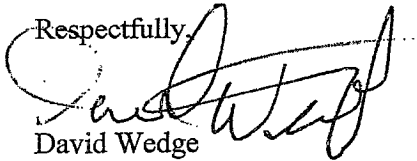
David G. Wedge
307 Second Street, Des Allemands, LA 70030
Phone: (504) 481 0719
Email: wedgeda@aol.com



May 25, 2014

Councilmen and Women,

I write to excute my right to address the Council . My topics will be as follow, Recreation, The meeting of the as the Sunset Drainage District, Progress of the closing of the District, Results of the core samples from the Sunset Drainage District, Closing of Hwy 306 for filming. Ethics

Respectfully,

David Wedge

2014-0155

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(GRANTS OFFICE)**

**WILLIAM BILLY WOODRUFF, COUNCILMAN, DISTRICT II
JULIA FISHER-PERRIER, COUNCILWOMAN, DISTRICT VII**

RESOLUTION NO. _____

A resolution to approve and authorize the execution of a Contract between the State of Louisiana Division of Administration and St. Charles Parish for the FY 2013-2014 Local Government Assistance Program for funding in the amount of \$124,800.00 for the Rathborne Park Restroom Facility project, LGAP File# 1314-STC-0001.

WHEREAS, St. Charles Parish submitted an application for funding to construct a new restroom facility at Rathborne Park in Luling; and,

WHEREAS, on December 2, 2013, the St. Charles Parish Council adopted Resolution No. 6054 in support of said application; and,

WHEREAS, the Parish was notified by way of a letter from the Governor dated April 14, 2014 that the Parish's application for said project was approved for funding in the amount of \$124,800.00; and,

WHEREAS, the State has prepared a Contract to provide funding for said project and it is the desire of the St. Charles Parish Council to approve said Contract.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, do hereby approve and authorize the execution of a Contract between the State of Louisiana Division of Administration and St. Charles Parish for the FY 2013-2014 Local Government Assistance Program for funding in the amount of \$124,800.00 for the Rathborne Park Restroom Facility project, LGAP File# 1314-STC-0001.

BE IT FURTHER RESOLVED that the Parish President is hereby authorized to execute said Contract and to act on behalf of St. Charles Parish in all matters pertaining to this project.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted this _____ day of _____, 2014, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED : _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

CONTRACT BY AND BETWEEN
 THE DIVISION OF ADMINISTRATION
 AND
THE ST. CHARLES PARISH GOVERNMENT

UNITED STATES OF AMERICA
 STATE OF LOUISIANA
 SOURCE OF FUNDING - FY 2013-2014
 State Appropriated Funds
 TYPE OF CONTRACT - FY 2013-2014 LGAP
 FEDERAL EMPLOYER I.D. #72-6001208
 AMOUNT OF CONTRACT - \$ 124,800.00
 LGAP Format #1 (revised, 2011)
 LGAP File # 1314-STC-0001

THIS AGREEMENT, is made and entered into as of this _____ day of _____, 20____
 by and between the Division of Administration, hereinafter called "Division" represented by Carol M. Newton,
 Office of Community Development and the St. Charles Parish Government, hereinafter called "Contractor"
 represented by V.J. St. Pierre, President.

1. CONTRACT WITH CONTRACTOR: The Division hereby agrees to contract with the
 Contractor and the Contractor hereby agrees to perform the services under this agreement in accordance with
 LGAP/Division/applicable regulations to the establishing of programs and activities. All exhibits or regulations
 referred to in this contract or attached hereto are by reference made part of this contract.

2. DURATION OF CONTRACT: This contract shall be for a period commencing on the date
 entered above and ending not more than three years later.

3. RECORDS, REPORTS, AND EVALUATIONS: The Contractor agrees to prepare, retain,
 report and allow Division inspection for purposes of evaluation, records as may be required by the Division for
 program management purposes.

Upon completion of this contract, or if terminated earlier, all records, reports, worksheets or any other
 materials related to this contract shall become the property of the Division. All such books, records and other
 documents shall be available at the offices of the Contractor (except that books, records, and other documents of
 a Participating Party may be maintained at the offices of such Participating Party) for inspection, copying, audit
 and examination at all reasonable times by any duly authorized representative of the State, including the
 Legislative Auditor. Any duly authorized representative of the State shall, at all reasonable times, have access
 to all portions of the Project.

The rights of access and inspection provided in this paragraph shall continue until completion of
 all close-out procedures respecting this contract and until the final settlement and conclusion of all
 issues arising out of this contract. The records shall be kept for a minimum of three years from the date
 of final close-out.

4. AUDITS and/or FINANCIAL REPORTS: State requirements mandate that local governments and Parish Police Juries must still submit financial statements in compliance with financial and compliance audit requirements established by R.S. 24:513 through 514.

Failure to comply with all financial report requirements may cause loss of participation in this program and reimbursement of contract funds.

5. CHANGES: The Division may, from time to time, request changes in the scope of services of the Contractor to be performed hereunder. Such changes, including an increase or decrease in the amount of the Contractor's allocation, must be incorporated as written amendments to this contract. These changes may include the waiver of certain rules and regulations where the Division deems it appropriate.

6. TERMINATION OR SUSPENSION FOR CAUSE OR CONVENIENCE: The Division may, after giving thirty (30) days written notice terminate this contract and payment in whole or part for convenience or cause. Cause shall include but not be limited to:

- (1) failure, for any reason, of the Contractor to fulfill in a timely and proper manner its obligations under this contract, including compliance with approved programs and attached conditions, exhibits, and such statutes and Executive Orders as may become generally applicable at any time;
- (2) submission by the Contractor to the Division or its Auditors, of reports that are incorrect or incomplete in any material respect;
- (3) ineffective or improper use of funds provided under this contract;
- (4) suspension or termination of the program from the State Legislature to the Division, under which this contract is made, or the portion thereof delegated by this contract.

The Division, where appropriate, may suspend the contract or payment from time to time in lieu of termination based on reasons indicated above. There may be a suspension of payment when a term of the contract has not been resolved by the next payment request.

The Division may also assign and transfer this contract when required.

If the Contractor is unable or unwilling to comply with such additional conditions as may be lawfully applied to the grant received from the Division, the Contractor shall terminate the contract by giving reasonable written notice to the Division, signifying the effective date thereof. In the event of any termination, or suspension, all property and finished or unfinished documents, data, studies, and reports purchased or prepared by the Contractor under this contract shall become the property of the Division. The Contractor shall be entitled to compensation for any unreimbursed expenses reasonably and necessarily incurred in satisfactory performance of the contract. Notwithstanding the above, the

Contractor shall not be relieved of liability to the Division for damages sustained by the Division by virtue of any breach of the contract by the Contractor and the Division may withhold any reimbursement to the Contractor for the purposes of setoff until such time as the exact amount of damages due the Division from the Contractor is agreed upon or otherwise determined. The Division may authorize the Contractor to continue with its own funds for the project until a question is resolved with the understanding that a satisfactory resolution will cause the Division to reimburse funds.

7. PROHIBITION AGAINST ASSIGNMENT: Contractor shall not assign any interest in this agreement, and shall not transfer any interest in the same (whether by assignment or novation), without the prior written consent of the Division thereto, provided however, that claims for money due or to become due to the Contractor from the Division under this agreement may be assigned to a bank, trust company or other financial institution without such prior written consent. Notice of any such assignment or transfer shall be furnished promptly to the Division.

8. LEGAL AUTHORITY: The Contractor assures and guarantees that it possesses the legal authority, pursuant to any proper, appropriate and official motion, resolution or action passed or taken, giving the Contractor legal authority to enter into this agreement, receive funds, authorized by this agreement and to perform the services the Contractor has obligated itself to perform under this agreement.

9. COMPLIANCE WITH FEDERAL, STATE AND LOCAL GUIDELINES: The Contractor hereby binds itself, certifies, and gives its assurance that it will comply with all applicable federal and State regulations, policies, guidelines and requirements, as they relate to the application, acceptance and use of state resources for the State assisted project.

The Contractor further agrees to comply with applicable laws, ordinances, and codes of the State federal, and local governments, including the State Ethics Law, Act 17 of 1996, Section 15C (which sets criteria for transfer of state appropriated funds), State Bid Laws, Local Government Assurances listed in the grant application(s), and all policies and guidelines of the LGAP program as established by the Office of Community Development.

The Contractor has obtained, or has reasonable assurances that it will obtain, all federal, State and local government approvals and reviews required by law to be obtained by the Contractor for the Project; and all Participating Parties have obtained, or the Contractor has reasonable assurances that such Participating Parties will obtain, all such approvals and reviews required by law to be obtained by the Participating Parties for the Project.

Contractor hereby agrees that the responsibility for payment of taxes from the funds thus received under this agreement and/or legislative appropriation shall be said Contractor's obligation and identified under tax identification number 72-6001208.

10. NONDISCRIMINATION: Contractor assures that it is in compliance with all applicable State Civil Rights Legislation and Executive Orders.

11. COMPLIANCE WITH APPROVED PROGRAM: All activities authorized by this agreement will be performed in accordance with the approved work program as described in the grant application(s), (including any amendments which have occurred), Exhibits A, B, and C, the grant conditions and relevant LGAP directives. If any activities authorized by this agreement are not performed in accordance with any part of this agreement or if unauthorized activities are performed, the DOA LGAP Representative may require that any or all grant funds paid-out to Contractor be returned to the Division. Dollar amounts expended for each activity may not exceed those specified in Exhibit B. The release of funds for this contract is conditioned upon approval of the contract conditions listed in Exhibit A.

12. COVENANT AGAINST CONTINGENT FEES AND CONFLICT OF INTEREST: The Contractor warrants that no person or selling agency or other organization has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee. For breach or violation of this warrant the Division shall have the right to annul this contract without liability or, in its discretion, to deduct from the contract or otherwise recover the full amount of such commission, percentage, brokerage or contingent fee, or to seek such other remedies as legally may be available.

No member, officer, or employee of the Contractor, or its designees, or agents, no consultant, no member of the governing body of the Contractor or the locality in which the program is situated, and no other public official of the Contractor or such locality or localities, who exercises or has exercised any functions or responsibilities with respect to the project during his or her tenure, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the Project or in any activity or benefit, which is part of this Project.

However, upon written request of the Contractor, the State may agree in writing to waive a conflict otherwise prohibited by this provision whenever there has been full public disclosure of the conflict of interest, and the State determines that undue hardship will result either to the Contractor or the person affected by applying the prohibition and that the granting of a waiver is in the public interest. No such request for waiver shall be made by Contractor which would, in any way, permit a violation of State or local law or any charter provision of the Contractor.

13. SCHEDULE OF PAYMENT: In consideration of the various obligations undertaken by the Contractor pursuant to this contract, and in consideration of the obligations to be undertaken by Participating Parties, as represented by the Contractor in the Application, the State agrees, subject to the terms and conditions set forth herein, to provide the Contractor with contract funds in the amount of \$ 124,800.00.

14. FISCAL FUNDING: The continuation of this contract is contingent upon the appropriation of funds to fulfill the requirements of the contract by the legislature. If the legislature fails to appropriate sufficient monies to provide for the continuation of the contract, or if such appropriation is reduced by the veto of the Governor or by any means provided in the appropriations act to prevent the total appropriation for the year from exceeding revenues for that year, or for any other lawful purpose, and the effect of such reduction is to provide insufficient monies for the continuation of the contract, the contract shall terminate on the date of the beginning of the first fiscal year for which funds are not appropriated.

15. REMEDIES FOR DEFAULT: Any claim or controversy arising out of this contract shall be resolved by the provisions of R.S. 39:1524 through 1525.

Incurring Costs for Project Activities

The use of grant funds is conditioned upon the Contractor incurring costs in accordance with this contract or as otherwise approved by the State in writing. The incurring of costs to be paid out of contract funds shall be governed by the following:

(1) No costs to be paid out of contract funds may be incurred by the Contractor or any Participating Party until the following conditions are met: (a) a written approval by the State is received of required documentation as specified in Paragraph 11 and Exhibit A of this contract, if any, and (b) written authorization from the State is received to draw funds.

(2) After the Contractor has satisfied all of the contract conditions specified in Paragraph 11 and Exhibit A and the State has transmitted a fully executed contract and released funds for the project activities, the Contractor and the Participating Parties may incur any and all eligible costs to be paid out of grant funds.

(3) If the Contractor's grant application(s) included other funds for the purpose of receiving rating points, include a firm letter of commitment with Exhibit A.

(4) All work under the terms of this contract must have been completed by midnight of that day occurring three years from the date of this contract. Any work taking place more than three years after the date of this contract will not be paid for out of the LGAP funds awarded in this contract unless

this contract has been amended with the approval of the Division of Administration. All lien contingencies must be liquidated ninety (90) days from contract termination date.

Procedures for Requisitioning Payments

There will be only one requisition per month allowed for all grants.

Unobligated funds remaining at the completion of the contract period specified on page 1, paragraph 2 of this contract shall revert to the State for reuse for other eligible projects.

IN WITNESS THEREOF, the parties hereto have executed this agreement this _____ day of _____, 20____.

WITNESSES:

DIVISION OF ADMINISTRATION
OFFICE OF COMMUNITY DEVELOPMENT

CAROL M. NEWTON, DIRECTOR,
Local Government Assistance Program

WITNESSES:

CHIEF ELECTED OFFICIAL

Exhibit A

GENERAL INFORMATION, CONTRACT CONDITIONS

GENERAL INFORMATION

1. LGAP CONTRACT AMOUNT	2. OTHER FUNDS AMOUNT
\$124,800.00	\$36,196.00

3. MAILING ADDRESS OF CONTRACTOR

St. Charles Parish Government
P. O. Box 302
Hahnville, La 70057

4. CONTRACTOR AUTHORIZED REPRESENTATIVE	5. PHONE
V.J. St. Pierre	985-783-5170

6. CONTRACT CONDITIONS

Funds will not be released until the following items have been submitted to and approved in accordance with Program requirements by the State's Office of Community Development.

1. Revisions to the application, if requested by the Office of Community Development.
2. Firm commitments for other project funds, if applicable.
3. Any other documentation, if requested.

EXHIBIT CGeneral Definitions

Unless specifically provided otherwise or the context otherwise requires, when used in this contract:

1. "Application" means the Application for LGAP Assistance.
2. "Contract Funds" means those funds to be provided by the State to Contractors pursuant to the terms of this contract, as specified in Exhibit A.
3. "Contractor" means the local government entity receiving contract funds pursuant to this contract, as more particularly identified on the cover page of this contract.
4. "Contractor Activities" means those activities of the Project to be carried out by the Contractor, or an agent or agency of the Contractor, which activities are described in Exhibit A of this contract.
5. "Eligible Costs" means costs for the activities specified and for which grant funds are budgeted as specified in Exhibit A of this contract, provided that such costs are not incurred in connection with any activity which may be from time to time amended, are ineligible under the LGAP Program.
6. "Final Approval Date" – The date that the contract is fully executed, all conditions listed in Exhibit A has been satisfied and the State has issued an authorization to the Contractor to proceed with the project activities.
7. "Incurred Costs" – Any monies expended on allowable expenditures relating to the application and/or contract.
8. "LGAP Program" means the Local Government Assistance Program, established by the State pursuant to House Bill 2 – Act 27 of the 2006 Regular Legislative Session and in accordance with the provisions of the Administrative Procedures Act, R.S. 49:950.
9. "LGAP Regulations" means the regulations set forth in the Louisiana Administrative Code, Title 4, Part VII, Chapter 23, as the same may, from time to time, be amended and the regulations described in the LGAP Application Package.
10. "Project" means the activities described in the Application and in Exhibits A and B of this contract which are to be carried out to meet the objectives of the LGAP Program.
11. "State" means the State of Louisiana or any official of the State to whom the State has delegated authority to act with respect to matters covered by this Contract Agreement.
12. "Unobligated Funds" means all funds for which no liability exists at the expiration of the contract.

2014-0116

RESOLUTION NO. _____

A resolution to appoint a member to the Planning & Zoning Commission as the District I Representative.

WHEREAS, There exists a vacancy on the PLANNING & ZONING COMMISSION; due to the expiration of the term of Ms. Dolores Pierre on May 31, 2014; and,

WHEREAS, it is the desire of the Parish Council to fill this vacancy; and,

NOW, THEREFORE, BE IT RESOLVED, that _____

is hereby appointed to the PLANNING & ZONING COMMISSION as the District I Representative; and,

BE IT FURTHER RESOLVED that said appointment shall be effective MAY 31, 2014 shall expire MAY 31, 2018.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted this _____ day of _____, 2014, to become effective five (5) days after publication in the Official Journal.

APPOINT P & Z. Dist. 1

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2014-0152

RESOLUTION NO. _____

A resolution appointing an Official Journal to serve the Parish Council of St. Charles Parish for the period June 2014 through June 2015.

WHEREAS, the Parish Council of the Parish of St. Charles, State of Louisiana, is required to select a newspaper to serve as Official Journal to publish the Official Proceedings of the Council.

NOW, THEREFORE, BE IT RESOLVED, BY THE PARISH COUNCIL OF THE PARISH OF ST. CHARLES, STATE OF LOUISIANA, ACTING AS THE GOVERNING AUTHORITY OF SAID PARISH:

SECTION I. That the Parish Council hereby appoints

as the Official Journal for the period of June 2014 through June 2015.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

And the resolution was declared adopted this _____ day of _____, 2014, to become effective five (5) days after publication in the Official Journal.

OFFICIAL JOURNAL APPT.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

May 30, 2013

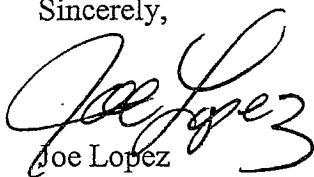
To: St. Charles Parish Council

The St Charles Herald-Guide hereby offers a firm rate for providing the advertising service as your Official Journal for twelve months beginning July, 2013. The rates are as follows:

\$2.96 per column inch for advertising the newspaper must set into type
\$2.46 per column inch for advertising the newspaper can scan

These rates comply with the maximum \$6 per 100-word rate set forth by the law of the State of Louisiana for Official Journals. It has been a pleasure to serve as your Official Journal, and we look forward for the opportunity to continue our relationship.

Sincerely,



Joe Lopez
Advertising Director
St. Charles Herald-Guide



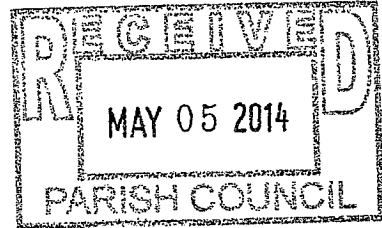
TOM SCHEDLER
SECRETARY OF STATE

Secretary of State
State of Louisiana

P.O. Box 94125
BATON ROUGE, LA 70804-9125
www.sos.louisiana.gov

May 1, 2014

Tiffany K. Clark
Council Secretary
St. Charles Parish Council
P. O. Box 302
Hahnville, LA 70057



Dear Sir or Madam,

According to the records of this office, the appointment of the official journal in your parish will expire soon. Below is the pertinent data:

Official Journal:	St. Charles Herald-Guide
Parish:	St. Charles
Date of Expiration:	6/30/2014

Please execute the enclosed Official Parish Journal Certificate with regard to the newly-appointed Official Journal of your parish and return it to this office before **June 25, 2014**.

A self-addressed envelope is enclosed for your convenience.

Please feel free to contact me at (225) 922-0309 if you have any questions, or you may send an e-mail to shawn.kitts@sos.la.gov.

Sincerely,

Shawn Kitts
Publications Division

/sk
Enclosures

**CALENDAR OF OFFICIAL ACTION
FOR THE 2015 BUDGET**

<u>DATE</u>	<u>ACTION</u>
06-09-14	Memos to Department Directors to set meeting dates for the Proposed Budget Requests.
06-09-14	Mail Budget Request Memos to Departments and Agencies and compile revenue and expense data.
07-01-14 Thru 07-31-14	Conduct Department Budget Meetings and formulate Proposed 2015 Parish Budget Requests.
07-21-14	District and Agency Proposed Budgets due.
08-04-14	Begin inputting Proposed 2015 Consolidated Operating and Capital Budget data into the computer system.
08-27-14	Present Preliminary Budget Draft to Parish President.
09-19-14	Fax Notice of Availability of Proposed 2015 Budget for Public Inspection, Ordinance and Budget Summary to Paper. , (Publish Thursday, 09-25-14)
09-19-14 4 P.M.	Budget Ordinance to Council Secretary for introduction, 10-06-14. Provide a PDF copy of the proposed budget to Council for review. Official budget books to come at a later date once printed.
09-25-14	Publish Notice of Availability of Proposed 2015 Budget for Public Inspection, Ordinance and Budget Summary. (Required Time Lapse – 10 days from Published Notice of 09-25-14 to the first Public Hearing.) Make copy of advertisement. (First Public Hearing has to be after 10-08-14)

**CALENDAR OF OFFICIAL ACTION
FOR THE 2015 BUDGET**

<u>DATE</u>	<u>ACTION</u>
10-10-14	Proposed Parish Budget books to Council Secretary for Council. Send Budget to East and West Regional Library Branches and place in Council Chamber. Make copies of Budget Message for the Press and Council.
10-21-14	President formally presents the 2015 Proposed Parish Budget to Council. Send Proposed Budget to Directors and Outside Agencies.
*10-21-14	8 A.M. – Tuesday
*10-23-14	6 P.M. – Thursday
*10-28-14	6 P.M. – Tuesday Suggested Public Hearings on ordinance to appropriate funds for the 2015 Parish Budget. (Pursuant to the Home Rule Charter)
11-03-14	Draft Roads & Bridges and Waterworks Capital Budgets.
11-05-14	Mail any amended budgets to Departments and/or Agencies affected. Note that the Council has until December 01, 2014 to adopt the 2015 Budget.
11-17-14	Introduce Ordinance to adopt the Roads & Bridges and Waterworks Capital Budgets.
11-21-14	Mail Public Notice of 11-27-14 to Official Journal.
11-27-14	Publish Notice of Availability of Enacted Budget including Certification of Budget Completion. Make copy of advertisement.
12-01-14	Adoption of the Roads & Bridges and Waterworks Capital Budgets.
*NOTE:	The Parish Council shall schedule the actual dates for the Budget Public Hearings. The first Hearing has to be scheduled after October 08, 2014.

Prepared by: Department of Finance, May 14, 2014