# St. Charles Parish

## Meeting Agenda

## Parish Council

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

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

**Monday, March 6, 2017** **6:00 PM** **Council Chambers, Courthouse**

**Final**

## CALL TO ORDER

## PRAYER / PLEDGE

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

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

**1** 2017-0062 In Recognition: Hahnville Volunteer Fire Department, 50 Years of Service

***Sponsors:*** Mr. Wilson

***Attachments:*** 2017-0062 Hahnville Fire Dept.

**2** 2017-0063 In Recognition: Sandra Zimmer, Personnel Officer

***Sponsors:*** Mr. Cochran

***Attachments:*** 2017-0063 Sandy Zimmer

**3** 2017-0064 Proclamation: “Disability Awareness Month in St. Charles Parish”

***Sponsors:*** Mr. Woodruff and Mr. Wilson

***Attachments:*** 2017-0064 Disability Awareness Month

**4** 2017-0065 Proclamation: “Arc Fest in St. Charles Parish”

***Sponsors:*** Mr. Woodruff

***Attachments:*** 2017-0065 Arc Fest

**5** 2017-0066 Proclamation: “Lions Month in St. Charles Parish”

***Sponsors:*** Mr. Woodruff

***Attachments:*** 2017-0066 Lions Month

## REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

2017-0067 Tim Bonura, All South Consulting Engineers - Bike and Pedestrian Master Plan

***Sponsors:*** Mr. Cochran

2017-0068 Department of Wastewater

2017-0069 Parish President Remarks/Report

***Sponsors:*** Mr. Cochran

## ORDINANCES / RESOLUTIONS INTRODUCED FOR PUBLICATION / PUBLIC HEARING

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

*(No items for the regular Agenda)*

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

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

***Sponsors:*** Mr. Cochran and Grants Office

***Attachments:*** 2017-0044 Funding Contract

2017-0044 OCD Letter - 20170117 - Application Approval

***Legislative History***

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

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

***Sponsors:*** Mr. Hogan

***Attachments:*** 2015-0370 - House Bill No. 26

***Legislative History***

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|---|---|---|
| 10/5/15 | Council Member(s) | Introduced |

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

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

***Sponsors:*** Mr. Cochran and Department of Finance

***Attachments:*** 2017-0061 Wastwater LCDBG Exhibits

***Legislative History***

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

## ORDINANCES/RESOLUTIONS WHICH HAVE BEEN TABLED

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

***Sponsors:*** Mr. Cochran and Department of Planning & Zoning

***Attachments:*** 2017-0039 Recommendation at a Glance_Destrehan Plantation Estates_Rezon

2017-0039 Minutes 02.02.17 Destrehan Plantation Estates (Rezone)

2017-0039 LUR PZR-2017-05 P_L Investments LLc

2017-0039 DRAFT REVISED Preliminary Plat

2017-0039 COUNCIL PACKET_DESTREHAN PLTN ESTATES

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

***Legislative History***

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

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|---|---|---|
| 2/6/17 | Parish Council | Publish/Scheduled for Public Hearing to the Parish Council |
| 2/20/17 | Parish Council | Public Hearing Requirements Satisfied |

Reported:
P & Z Department Recommended: Denial
Planning Commission Recommended: Approval
Speakers:
Mr. Mike Landry, Norco, General Manager ADM Growmark
Planning & Zoning Director Michael Albert spoke on the matter.
Mr. Landry spoke on the matter.
Mr. Joey Murray, Murray Architects, Inc., Destrehan, representing P & L Investments, IX

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| 2/20/17 | Parish Council | Tabled. |

Council Discussion
Mr. Albert spoke on the matter.
Parish President Larry Cochran spoke on the matter.

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| 2/20/17 | Parish Council | Tabled. |

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

***Sponsors:*** Mr. Cochran and Department of Planning & Zoning

***Attachments:*** 2017-0043 Recommendation at a Glance_Destrehan Plantation Estates_Prelim

2017-0043 Minutes_02.02.17_Destrehan Plantation Estates (Rezone)

2017-0043 ADDENDUM LUR PZS-2017-07 PRELIM PLAT Destrehan Plantatio

2017-0043 COUNCIL PACKET_DESTREHAN PLTN ESTATES

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

***Legislative History***

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|---|---|---|
| 1/5/17 | Department of Planning & Zoning | Received/Assigned PH |
| 2/2/17 | Department of Planning & Zoning | Rcmnd'd Approval w/Stip. to the Planning Commission |

Approval contingent with a waiver from the geometric standard for lot side lines.

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|---|---|---|
| 2/2/17 | Planning Commission | Rcmnd'd Approval w/Stip. to the Parish Council |

Approval with a waiver from the geometric standard for lot side lines.

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|---|---|---|
| 2/20/17 | Parish President | Introduced |
| 2/20/17 | Parish Council | Tabled. |

Reported:
P & Z Department Recommended: Approval w/Stipulation Approval contingent with a waiver from the geometric standard for lot side lines.
Planning Commission Recommended: Approval w/Stipulation
Approval contingent with a waiver from the geometric standard for lot side lines.

Public comment opened
Mr. Joey Murray, Murray Architects, Inc., Destrehan

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| 2/20/17 | Parish Council | Tabled. |

## RESOLUTIONS

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

***Sponsors:*** Mr. Cochran and Department of Finance

***Attachments:*** 2017 LA Compliance Questionnaire_Revised

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

***Sponsors:*** Mr. Cochran and Grants Office

***Attachments:*** 2017-0071 H.009763 Agreement

2017-0071 Commitment Letter

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

***Sponsors:*** Mr. Hogan

***Legislative History***

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| 10/17/16 | Council Member(s) | Introduced |
| 10/17/16 | Parish Council | Amended |

Reported:
Councilman Hogan Recommended: Approval

Public comment opened; no public comment

Council Discussion

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

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| 10/17/16 | Parish Council | Amended |
| 10/17/16 | Parish Council | Approved as Amended |

Further Council Discussion
Parish President Larry Cochran spoke on the matter.

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

**104** 2016-0414 A resolution requesting that Parish President Larry Cochran have the Parish's Legal Counsel provide a written response to the memorandum that was forwarded to his office on February 9, 2017, regarding the expenditure of budgeted funds within seven (7) business days following the consideration of this resolution.

***Sponsors:*** Mr. Hogan

***Attachments:*** 2016-0414 Backup Info

***Legislative History***

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|---|---|---|
| 11/28/16 | Council Member(s) | Introduced |

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| 11/28/16 | Parish Council | Approved |

Reported:
Councilman Hogan Recommended: Approval

Public comment opened; no public comment

Council Discussion

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

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| 11/28/16 | Parish Council | Failed |

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

***Sponsors:*** Mr. Hogan

***Attachments:*** 2016-0421 Backup Info

***Legislative History***

| | | |
|---|---|---|
| 12/5/16 | Legislative Committee | Discussed. |

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

***Sponsors:*** Mr. Hogan

***Attachments:*** 2017-0072 Backup Info

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

***Sponsors:*** Mr. Hogan

***Attachments:*** 2017-0073 Backup Info

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

***Sponsors:*** Mr. Hogan

***Attachments:*** 2017-0074 Backup Info

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

***Sponsors:*** Mr. Hogan

***Attachments:*** 2017-0075 Backup Info

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

***Sponsors:*** Mr. Hogan

***Attachments:*** 2017-0076 Backup Info

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

***Sponsors:*** Mr. Hogan

***Attachments:*** 2017-0077 Backup Info

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

***Sponsors:*** Mr. Hogan

***Attachments:*** 2017-0078 Backup Info

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

***Sponsors:*** Mr. Hogan

***Attachments:*** 2017-0079 Backup Ino

## APPOINTMENTS

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

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

***Legislative History***

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

## MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.

### MEETINGS

*COMMUNITY ACTION ADVISORY BOARD: Wednesday, 3/8/17, 7PM, Council Chambers*
*TOWN HALL MEETING: Thursday, 3/9/17, 6:30PM, Bayou Gauche Volunteer Fire Department, 410 1st Street, Des Allemands, **Discussion: Coastal Protection and Restoration Authority 2017 Draft Master Plan, Hosted by Paul J. Hogan, Councilman-At-Large, Division B*
*911 COMMUNICATIONS DISTRICT: Monday, 3/13/17, 5PM, Council Chambers*
*CIVIL SERVICE BOARD: Tuesday, 3/14/17, 6:30PM, Council Chambers*
*LAFOURCHE BASIN LEVEE DISTRICT: Wednesday, 3/15/17, 6PM, Lafourche Basin Levee District Office, 21380 Highway 20, Vacherie*
*ZONING BOARD OF ADJUSTMENT: Thursday, 3/16/17, 7PM Council Chamber*
*ST. CHARLES PARISH COUNCIL MEETING: Monday, 3/20/17, 6PM, Council Chambers*
*HURRICANE PROTECTION PROJECTS COMMITTEE MEETING: Wednesday, 3/22/17, 5PM, Council Chambers, **Discussion: Levee Update*
*SPECIAL PROJECTS/PUBLIC SAFETY, HEALTH, AND ENVIRONMENTAL COMMITTEE: Wednesday, 3/22/17, Immediately following Hurricane Committee, Council Chambers, **Discussion: LAMP & DFIRM*

### ANNOUNCEMENTS

*IMPORTANT DATES FOR THE MARCH 25, 2017 HOUSE OF REPRESENTATIVES DISTRICT 92 SPECIAL ELECTION FOR PRECINCT 5/5:*
**Tuesday March 21, 2017 - Last day to Request Absentee Mail Ballots*
**Early Voting: Saturday March 11th, Monday March 13th – Saturday March 18th: At The Registrar of Voters Office (8:30 am till 6:00 pm): Westbank - Courthouse, 15045 River Rd. Hahnville; Eastbank - Arterbury Building, 14564 River Rd. New Sarpy*
**Friday March 24, 2017 - Last Day for Registrar to receive Voted Absentee Ballot*
**Saturday March 25, 2017 - Election Day*

### Accommodations for Disabled

**St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5000 to discuss the particular accommodations needed.**