

St. Charles Parish

Meeting Agenda

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

Parish Council

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

Monday, December 2, 2019

6:00 PM

Council Chambers, Courthouse

Final

CALL TO ORDER

PRAYER / PLEDGE

Father John M. Ryan

St. Gertrude Catholic Church, Des Allemands

APPROVAL OF MINUTES

Regular Meeting - November 4, 2019

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

1 <u>2019-0369</u> In Recognition: Felton Parquet, Industrial Development Board

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

<u>Attachments:</u> 2019-0369 Felton Parquet

2 2019-0370 Proclamation: Toy and Gift Fund Week

Sponsors: Mr. Cochran

Attachments: 2019-0370 Toy and Gift

3 <u>2019-0371</u> Proclamation: Christmas Celebration

Sponsors: Ms. Clulee

<u>Attachments:</u> 2019-0371 Christmas Celebration

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

2019-0372 Communications District (911)

<u>Attachments:</u> 2019-0372 2019 911 Updated Presentation for Parish Council

<u>2019-0373</u> R.S.V.P. Program

<u>Attachments:</u> 2019-0373 2019 RSVP Council Presentation

ORDINANCES / RESOLUTIONS INTRODUCED FOR PUBLICATION / PUBLIC HEARING

Monday, December 16, 2019, 6:00 P.M., Council Chambers, Courthouse, Hahnville

4 2019-0374 An ordinance adopting the St. Charles Parish Council Road and

Bridges Capital Program Budget for fiscal year 2020 through 2022 in

accordance with the Parish Transportation Act.

Sponsors: Mr. Cochran and Department of Finance

Attachments: 2019-0374 Exhibit A

2019-0374 Roads Information

6 <u>2019-0375</u> An ordinance to approve and authorize the execution of a Cooperative

Endeavor Agreement with St. Charles CARE Center for the provision of

services.

Sponsors: Mr. Cochran, Ms. Benedetto, Mr. Hogan, Mr. Wilson, Ms. Clulee, Mr. Gibbs, Mr.

Woodruff, Ms. Bellock, Ms. Fletcher and Ms. Fisher-Perrier

Attachments: 2019-0375 C.A.R.E agreement

12 <u>2019-0376</u> An ordinance to approve and authorize the execution of an

Intergovernmental Agreement between St. Charles Parish and the River Parishes Transit Authority (RPTA) to provide supplemental funding for

the operation of a public transit system.

Sponsors: Mr. Cochran and Department of Economic Development and Tourism

Attachments: 2019-0376 RPTA 2020 FundingAgreement Draft2 Clean

17 <u>2019-0380</u> An ordinance to amend Ordinance No. 13-5-14, as previously amended,

to provide for the alphabetical split of Precinct 7-4 into Precinct 7-4 and

7-4A.

<u>Sponsors:</u> Ms. Fisher-Perrier

35 2019-0381 An ordinance to create prospective precincts by the split and/or merger

of precinct geography in accordance with Louisiana Revised Statutes

18:532 and 18:532.1.

Sponsors: Ms. Fisher-Perrier

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

44 2019-0347 An ordinance approving and authorizing the execution of Change Order

No. 1 for Parish Project No. P081102-8, Dunleith Canal Bank

Stabilization - Phase 7, to balance the contract quantities with actual quantities resulting in a decrease of \$27,500.00 in contract price and an

increase in the contract time by ninety-four (94) days.

Sponsors: Mr. Cochran and Department of Public Works

<u>Attachments:</u> 2019-0347 Change Order No. 1 Dunleith Phase 7.pdf

Legislative History

11/18/19 Parish President Introduced

11/18/19 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

50 <u>2019-0348</u> An ordinance approving and authorizing the execution of Change Order

No. 1 for Parish Project No. P180501, Highway 90 Sinkholes

Remediation, to balance the contract quantities with actual quantities resulting in an increase of \$20,754.00 in contract price and an increase

in the contract time by ten (10) days.

Sponsors: Mr. Cochran and Department of Public Works

Attachments: 2019-0348 Change Order No. 1 Highway 90 Sinkholes.pdf

Legislative History

11/18/19 Parish President Introduced

11/18/19 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

55 2019-0350 An ordinance to amend the St Charles Parish Code of Ordinances

Chapter 16, Nuisances to add Article V. Distribution of Printed Matter Sections 16-53 to 16-59, to establish provisions with respect to the distribution of solicited and unsolicited printed matter, and otherwise

providing with respect thereto.

Sponsors: Ms. Fisher-Perrier

Legislative History

11/18/19 Council Member(s) Introduced

11/18/19 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

57 2019-0359 An ordinance to amend the St. Charles Parish Code of Ordinances,

Appendix C, St. Charles Parish Subdivision Regulations of 1981, Section IV, Design standards, Paragraph D. Drainage. 2. Roadside Drainage. a. Subsurface Drainage to specify certain types of stormwater

inlets for roadside drainage.

Sponsors: Mr. Cochran and Department of Public Works

Attachments: 2019-0359 Recommendation at a Glance (Curb Inlets)

<u>2019-0359 LUR_2019-08_Curb Drain Inlets</u> <u>2019-0359 Minutes 11.07.19_Curb drain inlets</u> <u>2019-0359 Minutes 10.10.19_stormwater inlets</u>

Legislative History

11/7/19 Department of Planning & Recommended Approval to the Planning

Zoning Commission

11/7/19 Planning Commission Recommended Approval to the Parish

Council

11/18/19 Parish President Introduced

11/18/19 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

63 2019-0360 An ordinance to approve and authorize the execution of an agreement

between the Parish of St. Charles and ETOH Monitoring, LLC for

Juvenile electronic monitoring services.

Sponsors: Mr. Cochran and Chief Administrative Officer

<u>Attachments:</u> 2019-0360 ETOH Monitoring Agreement 11.7.19.pdf

Legislative History

11/18/19 Parish President Introduced

11/18/19 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

An ordinance to approve and authorize the execution of a Cooperative

Endeavor Agreement with the Louisiana Department of Veterans Affairs and St. Charles Parish for the provision of office space located in the St.

Charles Parish Courthouse, 15045 River Road, Hahnville.

Sponsors: Mr. Cochran

<u>Attachments:</u> 2019-0361 Cooperatve Endeavor Agreement

Legislative History

11/18/19 Parish President Introduced

11/18/19 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

73 <u>2019-0365</u> An ordinance to amend the St. Charles Parish Code of Ordinances,

Chapter 4, Animals and Fowl, Article I. In General, Section 4-1. Definitions., Section 4-4. Animals running at large., Section 4-10.

Keeping of animals not considered pets and keeping of exotic animals., Article III. Licensing, Section 4-40. Rabies inoculation required., Article IV. Impoundment, Adoption, Section 4-50. Impoundment authorized., Section 4-51. Adoption and seizure of impounded animals., Section 4-52. Public offering of animals for adoption., and Section 4-54. Animal

breeders.

Sponsors: Mr. Cochran and Department of Animal Control

Legislative History

11/18/19 Parish President Introduced

11/18/19 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

78 <u>2019-0362</u> An ordinance to revoke and abandon an unimproved street stub

extending off of S. Fashion Boulevard and adjacent to Parcel F, Fashion

Plantation Subdivision (900 S. Fashion Boulevard).

Sponsors: Mr. Cochran and Department of Planning & Zoning

<u>Attachments:</u> 2019-0362 Act of Revocation of Dedication of Stub Out

2019-0352 Recommendation at a Glance (Martin)

2019-0362 Minutes 11.07.19 Fashion Pltn. Est (REV)

20190362 LUR 2019-1-REV Fashion Plantation Estates LLC

2019-0362 FINAL PLAT Pg1 Fashion Ph II

2019-0362 FINAL PLAT Pg2 Fashion PH2

2019-0362 AERIAL

2019-0362 ZONING

2019-0362 FLUM

2019-0362 PW-WW No Objection

2019-0362 Memo to Waterworks.pdf

Legislative History

8/28/19	Department of Planning & Zoning	Received/Assigned PH
11/7/19	Department of Planning & Zoning	Recommended Approval to the Planning Commission
11/7/19	Planning Commission	Recommended Approval to the Parish Council
11/18/19	Parish President	Introduced
11/18/19	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

95 2019-0363 An ordinance to approve and authorize the execution of an Act of

Donation by Rathborne Land Company, L.L.C. to St. Charles Parish for a certain parcel of property adjacent to the Rathborne Park at 702

Lakewood Drive in Luling.

Sponsors: Mr. Cochran and Department of Parks and Recreation

Attachments: 2019-0363 Donation.Final.11.15.19

2019-0363 Survey

Legislative History

11/18/19 Parish President Introduced

11/18/19 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

102 2019-0364 An ordinance to authorize the Parish President to accept an offer from

International Matex Tank Terminals LLC ("IMTT") to purchase a perpetual pipeline servitude/easement/right-of-way for a total consideration of

\$9,260.00.

Sponsors: Mr. Cochran and Department of Legal Services

Attachments: 2019-0364 Survey Exhibit A to Ordinance

Legislative History

11/18/19 Parish President Introduced

11/18/19 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

104 2019-0366 An ordinance approving the acceptance of improvements to Barreca

Street in Norco next to Airline Highway.

Sponsors: Mr. Cochran and Department of Public Works

Attachments: 2019-0366 Barrecca St. map

Legislative History

11/18/19 Parish President Introduced

11/18/19 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

106 2019-0367 An ordinance to approve and authorize the execution of an Act of

Revocation to revoke and abandon a certain portion of property at 428

Wade Street in Luling, Louisiana.

Sponsors: Ms. Fisher-Perrier

<u>Attachments:</u> 2019-0367 Act of Revocation of Dedication Along Wade Street

Legislative History

11/18/19 Council Member(s) Introduced

11/18/19 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

115 2019-0368 An ordinance to amend the St. Charles Parish Code of Ordinances, by

revising Chapter 13, Licenses, Taxation and Miscellaneous Business Regulations, Article IX., Clean Indoor Air, Sec. 13-653. Definitions., and to add Section 13-658. - Section 13-661. for Restrictions on smoking in a business establishment known as a bar and/or gambling facility.

Sponsors: Ms. Clulee

Legislative History

11/18/19 Council Member(s) Introduced

11/18/19 Parish Council Publish/Scheduled for Public Hearing to the

Parish Council

RESOLUTIONS

117 <u>2019-0377</u> A resolution to grant permission to the Knights of Columbus, Red Church

Council No. 3634, 375 Spruce Street, Norco, LA 70079, to solicit contributions at the intersections of I-310 and River Road (Hwy 48) by the Eastbank Bridge Park, Ormond Boulevard and Airline Drive (U.S. 61), Ormond Boulevard and River Road, Greaud Fine Foods on Apple Street, Winn Dixie at 12519 Airline Drive (U.S. 61), and River Road Market at 13572 River Road, on December 6th and 7th or December 13th and 14th, 2019, between the hours of 8:00 A.M. and 7:00 P.M.

Sponsors: Ms. Fletcher

118 2019-0378 A resolution in support of the Planning and Zoning Commission's

approval of 2019-14 for an accessory dwelling unit in an R-1B zoning district at 2201 Ormond Boulevard, Destrehan as requested by Ryan &

Tina Lagarde.

Sponsors: Mr. Cochran and Department of Planning & Zoning

<u>Attachments:</u> 2019-0378 Recommendation at a Glance (Lagarde)

2019-0378 Minutes 11.07.19 Lagarde

2019-0378 LUR 2019-14-SPU (Lagarde)

2019-0378 Survey

2019-0378 2019-14-SPU Plans

2019-0378 Floor Plan 2019-0378 AERIAL 2019-0378 ZONING 2019-0378 FLUM

Legislative History

10/9/19 Department of Planning & Received/Assigned PH

Zoning

11/7/19 Department of Planning & Recommended Approval to the Planning

Zoning Commission

11/7/19 Planning Commission Recommended Approval to the Parish

Council

129 2019-0208

A resolution of the St. Charles Parish Council in exercising its duty and obligation in performing checks and balances, requests that Parish President Larry Cochran acknowledge receipt of and responds in writing to what was requested in the letter dated January 24, 2019, sent by Mr. Paul J. Hogan, Councilman-at-Large of Division B, having subsequently been resent twenty-one (21) times over the last ten (10) months as part of a follow-up letter dated June 5, 2019 with no response or acknowledgement of receipt having ever being received, relative to the Administration allowing the misuse of public equipment on private property where a parish employee used a Parish manlift to cut down a tree in his nephews back yard in Paradis, Louisiana.

Sponsors: Mr. Hogan

Attachments: 20190208 #610 Memo - Public Equipment on Private Property (06-5-19) - 21st F

2019-0208 backup (19 times).pdf

2019-0208 #610 Memo - Public Equipment on Private Property (06-5-19) - 13th

2019-0208 back-up #610 Memo - Public Equipment on Private Property (01-24-

2019-0208 Memo to PP 1-24-19

2019-0208 Memo to PP 6-5-19

2019-0208 Memo to DA and Sheriff 3-22-19

2019-0208 Memo to JP 5-22-19

2019-0208 Failed Proposed Reso

2019-0208 Postponed proposed Reso

2019-0208 Failed proposed Reso (11-18-19)

Legislative History

1/24/19 Council Member(s) Correspondence Sent

to Parish President Larry Cochran, from Councilman-At-Large, Division B, Paul J. Hogan, PE (memo), to provide to the Parish Council a full report regarding the matter of abuse of public property for private gains.

3/22/19 Council Member(s) Correspondence Sent

to St. Charles Parish District Attorney Joel T. Chaisson, II, and St. Charles Parish Sheriff Greg Champagne, from Councilman-At-Large, Division B, Paul J. Hogan, PE, to determine as to whether or not the information provided in the verbal referral results in the determination that there was criminal intent or if the previous finding of the District Attorney remains the

same.

5/22/19 Council Member(s) Correspondence Sent

to Council Chairman Julia Fisher-Perrier, from Councilman-At-Large, Division B, Paul J. Hogan, PE, (memo), requesting that a special meeting of the Council be called prior to the June 3, 2019 Council Meeting to discuss File No. 2019-0072-Misuse of Public Equipment on Private

Property in Paradis, Louisiana.

6/5/19	Paul J. Hogan, PE, (memo), to was to have received from the	Correspondence Sent ran, from Councilman-At-Large, Division B, provide the report that the Administration St. Charles Parish Sheriff's office and the Charles Parish District Attorney that is to be	
7/1/19	Council Member(s)	Introduced	
7/1/19	Parish Council Reported: Councilman Hogan Recomm	Approved ended: Approval	
	Public comment opened; no public comment		
7/1/19	Parish Council	Failed	
10/7/19	Council Member(s)	Introduced	
10/7/19 Parish Council Postponed Indefinitely Reported: Councilman Hogan Recommended: Approval			
	Public comment opened Mr. Milton Allemand, Hahnville		
	Council Discussion Parish President Larry Cochran spoke on the matter.		
10/7/19	Parish Council	Postponed Indefinitely	
11/18/19	Council Member(s)	Introduced	
11/18/19	Parish Council Approved Reported: Councilman Hogan Recommended: Approval Public comment opened; no public comment		
11/18/19	Parish Council	Failed	

155 2019-0209

A resolution of the St. Charles Parish Council in exercising its duty and obligation in performing checks and balances, requests that Parish President Larry Cochran acknowledge receipt of and responds in writing to what was requested in the letter dated July 9, 2019, sent by Mr. Paul J. Hogan, Councilman-at-Large of Division B, having subsequently been resent twenty (20) times over the last four (4) months with no response or acknowledgement of receipt having ever being received, relative to the Administration performing clearing and digging a ditch for a subdivision developer in Hahnville, Louisiana, under the false pretense that the Parish had an historical servitude in the location where the work was performed.

Sponsors: Mr. Hogan

Attachments: 2019-0209 #610 - Memo - Misuse of Public Equipment on Private Property - Ha

2019-0209 backup (18 times).pdf

2019-0209 #610 - Memo - Misuse of Public Equipment on Private Property - Ha

2019-0208 Memo to JP 5-22-19

2019-0209 Failed Proposed Reso

2019-0209 Postponed proposed Reso

2019-0209 Failed proposed Reso (11-18-19)

Legislative History

5/22/19 Council Member(s) Correspondence Sent

to Council Chairman Julia Fisher-Perrier, from Councilman-At-Large, Division B, Paul J. Hogan, PE, (memo), requesting that a special meeting of the Council be called prior to the June 3, 2019 Council Meetin to discuss File No. 2019-0145-Misuse of Public Equipment on Private

Property in Hahnville, Louisiana.

7/1/19 Council Member(s) Introduced7/1/19 Parish Council Approved

Reported:

Councilman Hogan Recommended: Approval

Public comment opened; no public comment

7/1/19 Parish Council Failed

10/7/19 Council Member(s) Introduced

10/7/19 Parish Council Postponed Indefinitely

Reported:

Councilman Hogan Recommended: Approval

Public comment opened

Mr. Milton Allemand, Hahnville

Council Discussion

Parish President Larry Cochran spoke on the matter.

Public Works/Wastewater Director Clayton Faucheux spoke on the

matter.

10/7/19 Parish Council Postponed Indefinitely

11/18/19 Council Member(s) Introduced
11/18/19 Parish Council Approved

Reported:

Councilman Hogan Recommended: Approval

Public comment opened

Mr. Milton Allemand, Hahnville

Council Discussion

11/18/19 Parish Council Failed

157 2019-0322

A resolution of the St. Charles Parish Council requesting that Parish Legal Advisor Robert Raymond acknowledge receipt of and responds in writing within five (5) days of the effective date of this resolution to the request for a legal opinion that was requested in a letter dated August 2, 2019, sent by Mr. Paul J. Hogan, Councilman-at-Large of Division B, having subsequently been resent thirty (30) times over the last three (3) months with no response or acknowledgement of receipt having ever being received, whether or not it is the duty and obligation of the Parish Legal Advisor to provide legal advice to Councilmembers when requested, relative to the wording of proposed ordinances so as to help produce draft ordinances, that if adopted, would be enforceable and able to withstand legal challenges if adopted.

Sponsors: Mr. Hogan

Attachments: 2019-0322 backup 30 times

2019-0322 backup (26 times).pdf

2019-0322 backup.pdf

2019-0322 Postponed Reso

2019-0322 Failed proposed Reso (11-18-19)

Legislative History

10/21/19 Council Member(s) Introduced

10/21/19 Parish Council Postponed Indefinitely

Reported:

Councilman Hogan Recommended: Approval

Public comment opened

Mr. Milton Allemand, Hahnville

Council Discussion

Legal Services Director Robert Raymond spoke on the matter.

10/21/19 Parish Council Postponed Indefinitely

11/18/19 Council Member(s) Introduced11/18/19 Parish Council Approved

Reported:

Councilman Hogan Recommended: Approval Public comment opened; no public comment

11/18/19 Parish Council Failed

162 2019-0068

A resolution of the St. Charles Parish Council requesting that Parish Legal Advisor Robert Raymond acknowledge receipt of and responds in writing within five (5) days of the effective date of this resolution to the request for a legal opinion that was requested in a letter dated March 27, 2019, sent by Mr. Paul J. Hogan, Councilman-at-Large of Division B, having subsequently been resent eighteen (18) times over the last eight (8) months with no response or acknowledgement of receipt having ever being received, relative to whether or not a public hearing must be held prior to tabling an agenda item, in light of R.S. 42:14.

Sponsors: Mr. Hogan

Attachments: 2019-0068 backup 18 times

2019-0068 backup (17 times).pdf

2019-0068 backup.pdf

2019-0068 Failed proposed resolution

2019-0068 Postponed Reso

2019-0068 Failed proposed Reso (11-18-19)

Legislative History

3/11/19	Council Member(s)	Introduced
3/11/19	Parish Council Reported: Councilman Hogan Reco	Approved
	Public comment opened Mr. Milton Allemand, Hah	nnville
	Council Discussion Parish President Larry Cod	hran spoke on the matter.
3/11/19	Parish Council	Failed
10/21/19	Council Member(s)	Introduced
10/21/19	Parish Council Reported: Councilman Hogan Reco Public comment opened Mr. Milton Allemand, Hah	
10/21/19	Parish Council	Postponed Indefinitely
11/18/19	Council Member(s)	Introduced
11/18/19	Parish Council Reported: Councilman Hogan Reco Public comment opened Mr. Milton Allemand, Hah	
11/18/19	Parish Council	Failed

APPOINTMENTS

2019-0379

A resolution appointing a member to the South Central Louisiana Human Services Authority Board.

Council Chairman will accept nominations to fill the vacancy created by the expiration of the term of Ms. Alvina Matherne. Three (3) year term to begin January 1, 2020 and expire January 1, 2023. (Louisiana Revised Statute 28:913.4)

Legislative History

1/23/17 Parish Council Enacted Legislation

Alvina Matherne appointed to the South Central Louisiana Human Services

Authority Board on January 23, 2017 per Resolution No. 6266

Term: January 1, 2017 - January 1, 2020

MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.

MEETINGS

PLANNING & ZONING COMMISSION: Thursday, 12/5/19, 7PM, Council Chambers COMMUNICATIONS DISTRICT (911): Monday, 12/9/19, 5PM, Council Chambers LAFOURCHE BASIN LEVEE DISTRICT: Wednesday, 12/11/19, 6PM, Lafourche Basin Leves District Office, 21/280 Highway 20, Vesberie

Levee District Office, 21380 Highway 20, Vacherie

COMMUNITY ACTION ADVISORY BOARD: Wednesday, 12/11/19, 7PM, Courthouse

Annex

PONTCHARTRAIN LEVEE DISTRICT: Monday, 12/16/19, 6PM, Pontchartrain Levee

District Headquarters Complex, 2069 Railroad Avenue, Lutcher

ST. CHARLES PARISH COUNCIL: Monday, 12/16/19, 6PM, Council Chambers

ANNOUNCEMENTS

Christmas on the Bayou Boat Parade: Saturday, 12/7/19, 6PM, Bayou Gauche

Christmas Tree Lighting Ceremony: Thursday, 12/12/19, 5:30PM, Edward A. Dufresne

Community Center, Luling

SPECIAL MATTERS TO BE CONSIDERED BY COUNCIL

164 2019-0358 Adopt 2020 Parish Council Meeting Schedule

Attachments: 2020 PC Schedule.pdf

2020 Color Coded Calendar with explan.pdf

Legislative History

11/18/19 Parish Council Review

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.