

St. Charles Parish

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

Monday, June 18, 2018

6:00 PM

Council Chambers, Courthouse

Final

ORDINANCES / RESOLUTIONS INTRODUCED FOR PUBLICATION / PUBLIC HEARING

Monday, July 9, 2018, 6:00 pm, Council Chambers, Courthouse, Hahnville

(No items for the regular Agenda)

S* 1 2018-0163

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the zoning classification from R-1M, Manufactured Home - RV Park to O-L, Open Land on Lot Q, Estay Subdivision, Paradis as requested by Clyde McCully for Woodlands RV Park, LLC.

Sponsors:

Mr. Cochran and Department of Planning & Zoning

S* 3 2018-0171

An ordinance to approve and authorize the Parish President to acquire a 0.897 acre perpetual drainage servitude over property identified as Parcel No.6-4, in Sections 49 and 50, Township 12 South - Range 8 East in the Town of MONTZ, St. Charles Parish, Louisiana, which property is more particularly described in the Act of Servitude attached hereto and made a part hereof, from THE KANSAS CITY SOUTHERN RAILWAY COMPANY, and/or all other owners of record, as their interests may appear, said property to be used for drainage purposes in connection with Parish Project P080802-5 Coulee Canal Access for Maintenance - Phase II.

Sponsors:

Mr. Cochran and Department of Public Works

S* 10 2018-0172

An ordinance to approve and authorize the Parish President to purchase and/or expropriate a 1.330 acre perpetual drainage servitude over property identified as Parcel No.6-5, in Sections 49 and 50, Township 12 South - Range 8 East in the Town of MONTZ, St. Charles Parish, Louisiana from KRISTI GERSTNER SMITH, and/or all other owners of record, as their interests may appear, said property to be used for drainage purposes in connection with Parish Project P080802-5 Coulee Canal Access for Maintenance - Phase II, as shown on the attached drawing by Riverlands Surveying Co., LLC dated July 24, 2017.

Sponsors:

Mr. Cochran and Department of Public Works

MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.

S* MEETINGS

LEGISLATIVE COMMITTEE: Thursday, 6/28/18, 5PM, Council Chambers, **Discussion: Home Rule Charter-items requiring ordinances, and progression following adoption/enforcement of ordinances

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.

2018-0163

INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT (DEPARTMENT OF PLANNING & ZONING)

ORDINANCE NO.

An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the zoning classification from R-1M, Manufactured Home – RV Park to O-L, Open Land on Lot Q, Estay Subdivision, Paradis as requested by Clyde McCully for Woodlands RV Park, LLC.

WHEREAS, the property owner requests rezoning the property from R-1M to O-L; and, WHEREAS, the St Charles Parish Department of Planning and Zoning recommended approval of the rezoning; and,

WHEREAS, the St. Charles Parish Planning and Zoning Commission recommended approval of the request at its regular meeting on June 7, 2018.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. St. Charles Parish hereby approves an ordinance amending the Zoning Ordinance of 1981, to change the zoning classification from R-1M to O-L on Lot Q, Estay Subdivision, Paradis as requested by Clyde McCully for Woodlands RV Park, LLC.

SECTION II. That the Department of Planning and Zoning is authorized to amend the Official Zoning Map, St. Charles Parish, Louisiana to reflect this reclassification from R-1M to O-L on Lot Q, Estay Subdivision, Paradis as requested by Clyde McCully for Woodlands RV Park, LLC.

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

And the ordinance was declared adopted to become effective five (5) days after publication		, 2018
CHAIRMAN:	_	
SECRETARY:	_	
DLVD/PARISH PRESIDENT:	_	
APPROVED:DISAPPROVED:	· -	
PARISH PRESIDENT:	_	
RETD/SECRETARY:	-	
AT: RECD BY:		

RECOMMENDATIONS AT A GLANCE

PZR-2018-03 requested by Clyde McCully for zoning reclassification from R-1M to OL at Lot Q of Estay Subdivision, 459 Wisner St., Paradis. Council District 4.

Planning Department Recommendation:

Approval

Planning Commission Recommendation:

Approval

2018-0171

INTRODUCED BY: LARRY COCHRAN PARISH PRESIDENT (DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO.

An ordinance to approve and authorize the Parish President to acquire a 0.897 acre perpetual drainage servitude over property identified as Parcel No.6-4, in Sections 49 and 50, Township 12 South — Range 8 East in the Town of MONTZ, St. Charles Parish, Louisiana, which property is more particularly described in the Act of Servitude attached hereto and made a part hereof, from THE KANSAS CITY SOUTHERN RAILWAY COMPANY, and/or all other owners of record, as their interests may appear, said property to be used for drainage purposes in connection with Parish Project P080802-5 Coulee Canal Access for Maintenance - Phase II.

- WHEREAS, the area near Evangeline Road in Montz, St. Charles Parish, Louisiana has a history of drainage problems; and,
- WHEREAS, an Engineering Analysis was completed along the length of the Coulee Canal, which produced recommendations to improve the drainage conveyance system in said area including cleaning and reshaping the Coulee Canal; and,
- WHEREAS, the proposed drainage improvement project requires the acquisition of a perpetual drainage servitude over Parcel No.6-4, in Sections 49 and 50, Township 12 South Range 8 East in the Town of Montz, St. Charles Parish, Louisiana, described in the Act of Servitude attached hereto; and,
- **WHEREAS**, the drainage project and the acquisition of the hereinafter described servitude is in furtherance of the public's best interest and purpose, and is in satisfaction of a public need.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Parish President is hereby authorized to purchase at a price not to exceed its appraised value of \$4,550.00 the property more particularly described in the Act of Servitude attached hereto and made a part hereof, from THE KANSAS CITY SOUTHERN RAILWAY COMPANY, and/or all other owners of record, as their interests may appear, said property is to be used by St. Charles Parish for drainage purposes, including but not limited to the cleaning and reshaping the Coulee Canal.

SECTION II. That the Parish President is hereby authorized to execute any and all documents necessary to complete said purchase.

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

And the ord to become effective	dinance was declared adopted the re five (5) days after publication in the	day of e Official Journal.	, 2018,
CHAIRMAN:			
SECRETARY:			
DLVD/PARISH PRESID	ENT:		
APPROVED:	DISAPPROVED:		
PARISH PRESIDENT:_			
RETD/SECRETARY:			
AT:F	ECD BY:		

UNITED STATES OF AMERICA STATE OF LOUISIANA PARISH OF ST. CHARLES

ACT OF SERVITUDE

BE IT KNOWN, that on the dates below subscribed,

BEFORE ME, the undersigned Notaries Public, duly commissioned and qualified and in the presence of the two competent witnesses hereinafter undersigned; PERSONALLY CAME AND APPEARED:

THE KANSAS CITY SOUTHERN RAILWAY COMPANY, a Missouri Corporation, authorized to do and doing business in the State of Louisiana, to be addressed at 427 West 12th Street, Kansas City, Missouri 64105, herein appearing by and through **Ginger Adamiak**, its Vice President – Energy, Industrial Development, and Innovation, duly authorized by delegation of the Board of Directors of the Company through the Chairman of the Company, a copy hereto and made a part hereof;

Herein after referred to as "GRANTOR"

-and-

PARISH OF ST. CHARLES, a political subdivision of the State of Louisiana, herein represented by LARRY COCHRAN, its Parish President, whose mailing address is P.O. Box 302, Hahnville, Louisiana, 70057; authorized pursuant to Ordinance No. _____ adopted by St. Charles Parish Council on the ____ day of _____, 2018, a copy of which is attached hereto and made a part hereof;

Herein after referred to as "GRANTEE"

GRANTOR does hereby grant, present, dedicate, assign, transfer, deliver, and set over a - servitude, easement, and right-of-way described as Parcel No. 6-4 unto GRANTEE to - access, maintain, repair, operate, patrol and/or replace an existing drainage channel, including all appurtenances thereto, through, around, under, and/or over the following described property situated in St. Charles Parish, reserving, however, to the GRANTOR, their heirs and assigns, all such rights and privileges in the land as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements or rights of way for public roads and highways, public utilities, railroads, and pipelines, said property being more particularly described as follows:

LEGAL DESCRIPTION

THAT PORTION of the Coulee Canal Project Access for Maintenance, Phase II in Sections 49 & 50, Township 12 South — Range 8 East, Town of MONTZ, St. Charles Parish, Louisiana,

being the property of The Kansas City Southern Railway Company and is more fully described as follows:

From a point on the centerline of Coulee Canal Access for Maintenance, Phase II, at Station 173+79.26, which is the point of beginning,

proceed S36°26'06"W a distance of 53.25 feet to a point and corner;

thence proceed N48°06'05"W a distance of 1248.93 feet to a point and corner;

thence proceed N36°25'18"E a distance of 9.58 feet to a point and corner;

thence proceed S50°06'04"E a distance of 1245.53 feet to the point of beginning.

The above described portion of ground contains 39,058.70 square feet or 0.897 acres. All in accordance with sheets #6 & 9 of the Right of Way Map of Coulee Canal Project Access for Maintenance, Phase II by registered land surveyor Stephen P. Flynn, P.L.S. of Riverlands Surveying Co., LLC, dated July 24, 2017.

TO HAVE AND TO HOLD said servitudes, easements, and rights-of-way unto said GRANTEE, and its successors and assigns forever. The consideration for the herein described servitude is the price and sum of FOUR THOUSAND FIVE HUNDRED FIFTY AND 00/100 (\$4,550.00) DOLLARS, which GRANTEE has paid cash in hand, in current money, to said GRANTOR, who acknowledges the receipt thereof and grant full acquittance and discharge thereof.

GRANTOR grants unto GRANTEE the right of ingress and egress over the lands described above to maintain, repair, operate, and patrol the existing drainage channel, including all appurtenances thereto. When exercising its rights of ingress and egress, or the other rights granted herein, GRANTEE, and any of GRANTEES equipment, personnel, agents, employees, or contractors, shall, at all times cross all railroad tracks at existing crossings and remain at least 25 feet away from any railroad track. If GRANTEE desires to exercise any of the rights (other than using existing crossings) granted by this Act of Servitude within 25 feet of any railroad track, then GRANTEE shall, at their sole cost and expense, hire a certified Roadway Worker In Charge from RailPros field services, who shall remain on site while the work is performed. GRANTEE, shall restore and repair the property described above after each entry by GRANTEE. GRANTOR retains the rights to fully use and enjoy the above-described property, except as to the rights here and above granted. GRANTEE agrees to indemnify and hold harmless GRANTOR from any and all damages, which GRANTOR may suffer, caused either wholly or in part, by reason of the negligence of the Parish of St. Charles, its agents or employees, in the installation, operation, and/or maintenance of this drainage servitude.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

THUS done, read	d and passed in	,County
State of	, in the pr	esence of undersigned competent witnesses who
have hereunto signed	their names with the	parties and me, said Notary, on this day
of,	in the year two thousa	and and eighteen (2018).
WITNESSES:		GRANTOR: THE KANSAS CITY SOUTHERN RAILWAY COMPANY
PRINT		BY: Ginger Adamiak ITS: Vice President – Energy, INDUSTRIAL DEVELOPMENT, AND INNOVATION
PRINT		
•		
	NOTA	RY PUBLIC
THUS done,	read and	passed at in
F	Parish, State of	, in the presence of undersigned
competent witnesses v	who have hereunto s	igned their names with the parties and me, said
		, in the year two thousand and eighteen (2018).
WITNESSES:		GRANTEE: PARISH OF ST. CHARLES
PRINT		BY: LARRY COCHRAN ITS: PARISH PRESIDENT
PRINT		
	NOT#	ARY PUBLIC

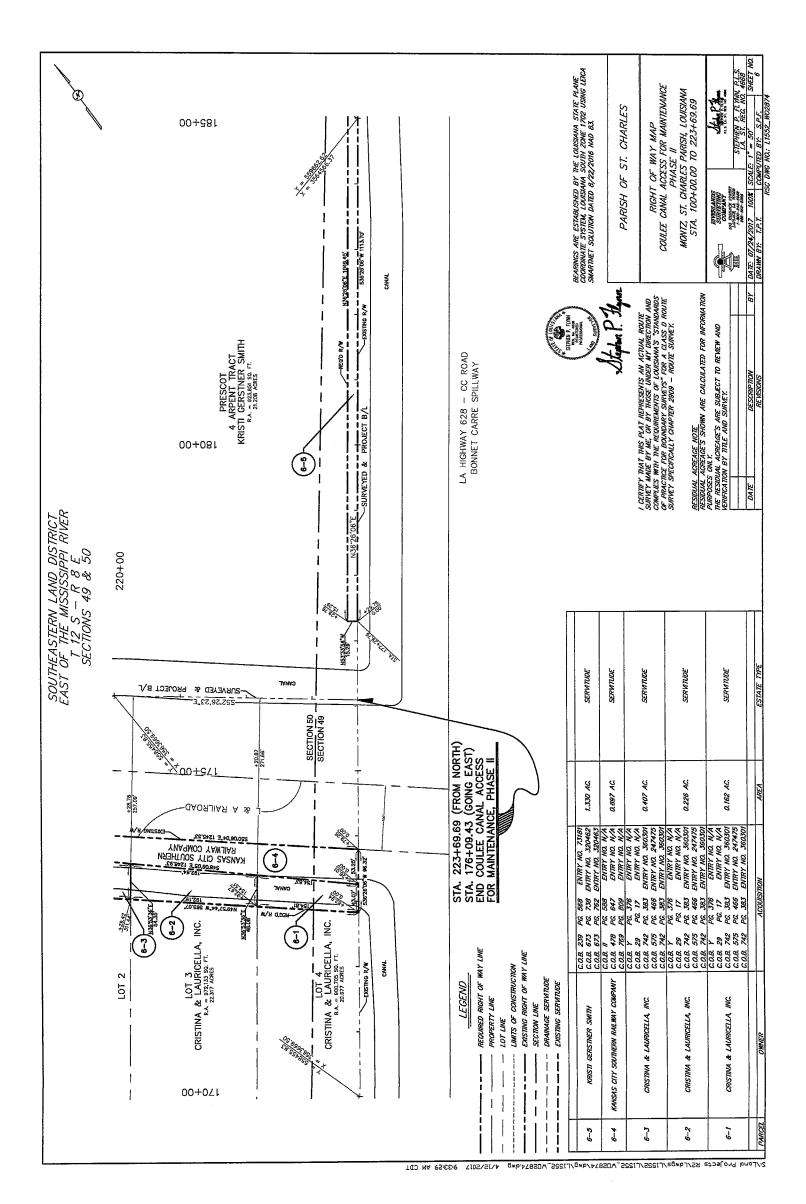
I, Julie D. Powell, the duly qualified and elected Assistant Secretary of The Kansas City Southern Railway Company, do hereby certify that Ginger L. Adamiak, Vice President - Energy, Industrial Development and Commercial Innovation, by delegation of the Board of Directors of the Company through the CEO of the Company, is authorized and empowered to form binding commitments and execute operating agreements/contracts up to \$100,000 on behalf of the Corporation, for the conduct of the Corporation's business.

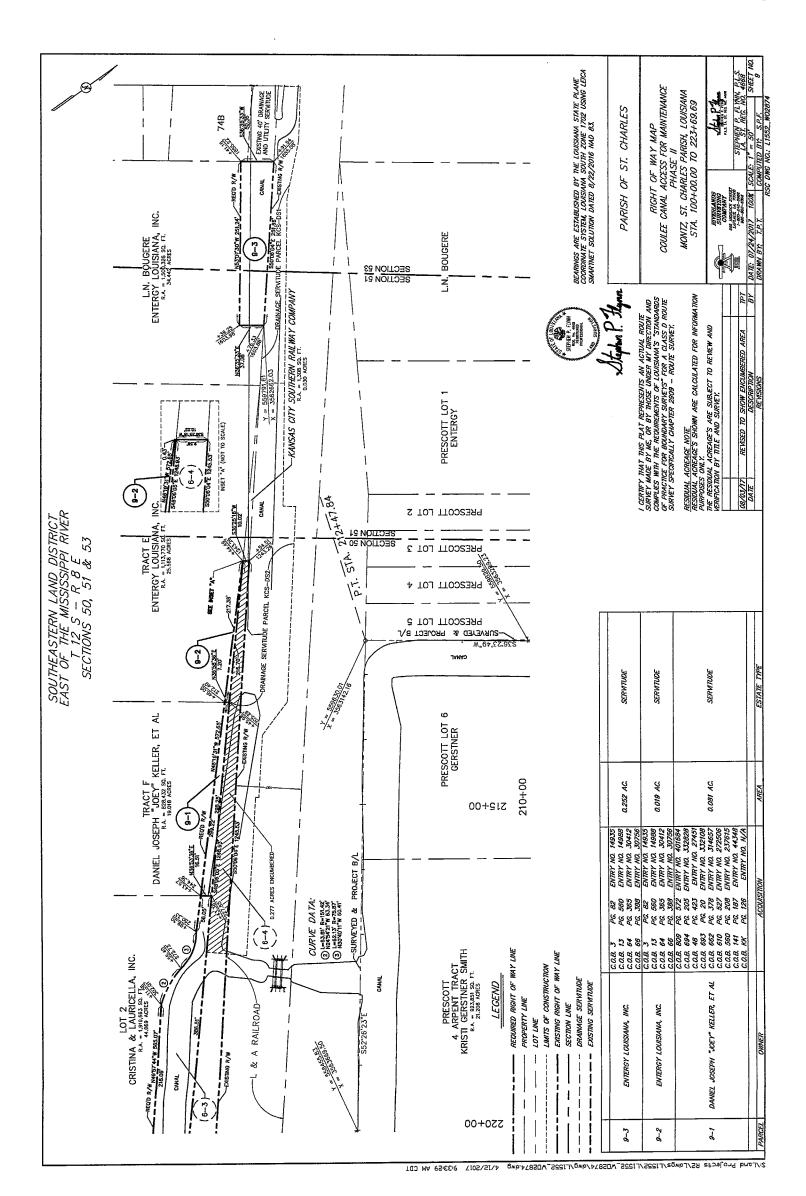
I further certify that Ginger L. Adamiak has been so empowered to legally bind The Kansas City Southern Railway Company as prescribed above continuously since May 24, 2018.

Julie D. Powell, Assistant Secretary
The Kansas City Southern Railway Company

STATE OF MISSOURI)
(SOUNTY OF JACKSON)

The above described Julie D. Powell personally appeared before me, this 30th day of May, 2018, and made oath that the foregoing statements are true and correct according to the best of her knowledge and white the best of her knowledge and the best of her kno





2018-0172

INTRODUCED BY: LARRY COCHRAN PARISH PRESIDENT (DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO.

An ordinance to approve and authorize the Parish President to purchase and/or expropriate a 1.330 acre perpetual drainage servitude over property identified as Parcel No.6-5, in Sections 49 and 50, Township 12 South – Range 8 East in the Town of MONTZ, St. Charles Parish, Louisiana from KRISTI GERSTNER SMITH, and/or all other owners of record, as their interests may appear, said property to be used for drainage purposes in connection with Parish Project P080802-5 Coulee Canal Access for Maintenance - Phase II, as shown on the attached drawing by Riverlands Surveying Co., LLC dated July 24, 2017.

- WHEREAS, the area near Evangeline Road in Montz, St. Charles Parish, Louisiana has a history of drainage problems; and,
- WHEREAS, an Engineering Analysis was completed along the length of the Coulee Canal, which produced recommendations to improve the drainage conveyance system in said area including cleaning and reshaping the Coulee Canal; and,
- WHEREAS, the proposed drainage improvement project requires the acquisition of a perpetual drainage servitude over Parcel No.6-5, in Sections 49 and 50, Township 12 South Range 8 East in the Town of Montz, St. Charles Parish, Louisiana, described in the Act of Servitude attached hereto; and,
- **WHEREAS**, the drainage project and the acquisition of the hereinafter described servitude is in furtherance of the public's best interest and purpose, and is in satisfaction of a public need.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Parish President is hereby authorized to purchase and/or expropriate at a price not to exceed its appraised value of \$7,611.00 the property more particularly described on the drawing by Riverlands Surveying Co., LLC dated July 24, 2017 attached hereto and made a part hereof, from KRISTI GERSTNER SMITH, and/or all other owners of record, as their interests may appear, said property is to be used by St. Charles Parish for drainage purposes, including but not limited to the cleaning and reshaping the Coulee Canal.

SECTION II. That the Parish President is hereby authorized to execute any and all documents necessary to complete said purchase.

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

	ordinance was declared adopted the ctive five (5) days after publication in the	, 2018,
CHAIRMAN:		
	SIDENT:	
APPROVED:	DISAPPROVED:	
PARISH PRESIDEN	T:	
RETD/SECRETARY:		
AT:	RECD BY:	

