St. Charles Parish

Meeting Minutes

Parish Council

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

Final

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, August 14, 2017 | **6:00 PM** | **Council Chambers, Courthouse**

ATTENDANCE

Present 9 - Wendy Benedetto, Paul J. Hogan, Terrell D. Wilson, Mary K. Clulee, John R. 'Dick' Gibbs, William Woodruff, Marilyn B. Bellock, Traci A. Fletcher, and Julia Fisher-Perrier

Also Present

Parish President Larry Cochran, Executive Secretary Robin Delahoussaye, Legal Services Director Robert Raymond, Chief Administrative Officer Billy Raymond, Executive Director of Procurement, Personnel, and Government Buildings Darrin Duhe, Executive Director of Community Affairs Dwayne LaGrange, Executive Director of Technology and Communications Anthony Ayo, Finance Director Grant Dussom, Public Works/Wastewater Director Clayton Faucheux, Planning Administrator Earl Matherne, Public Information Officer Tristan Babin, Waterworks Director Robbie Brou, Parks and Recreation Director Duane Foret

CALL TO ORDER

PRAYER / PLEDGE

Reverend Edward Lauden
St. Mark Catholic Church, Ama

APPROVAL OF MINUTES

A motion was made by Councilmember Benedetto, seconded by Councilmember Gibbs, to approve the minutes from the regular meeting of July 31, 2017. The motion carried by the following vote:

Yea: 9 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

2017-0251

In Recognition: Denise Wilson, St. Charles Parish Library

Sponsors: Ms. Bellock

Read

2017-0252

In Recognition: Maurice A. Loupe, Jr., Planning & Zoning Commission

Sponsors: Ms. Clulee

Read

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

2017-0254

Department of Waterworks

Waterworks Director Robbie Brou

Reported

2017-0255

Parish President Remarks/Report

Sponsors: Mr. Cochran

Parish President Larry Cochran recognized Ms. Karen May for retiring, after eleven years of service, as an employee of the Planning & Zoning Department.

Reported

IN ACCORDANCE WITH ARTICLE IV, SECTION B OF THE HOME RULE CHARTER, CHAIRMAN WILSON AUTHORIZED THAT THE ORDINANCES, HAVING BEEN PRESENTED FOR INTRODUCTION, DISTRIBUTED TO COUNCIL MEMBERS AND THE PARISH PRESIDENT, AND NOT REJECTED BY TWO-THIRDS OF THE COUNCIL MEMBERS, ARE TO BE PUBLISHED IN SUMMARY FORM AS FOLLOWS IN THE OFFICIAL JOURNAL WITH NOTICE OF PUBLIC HEARING TO BE HELD ON MONDAY, AUGUST 28, 2017, 6:00 P.M., COUNCIL CHAMBERS, COURTHOUSE, HAHNVILLE, TO BE CONSIDERED FOR FINAL PASSAGE:

2017-0156

An ordinance to amend Appendix A St. Charles Parish Zoning Ordinance of 1981, Section X. Exceptions and modifications., to amend E. Outdoor Donation Bins and Collection Receptacles.

Sponsors: Mr. Hogan

Publish/Scheduled for Public Hearing to the Parish Council on August 28, 2017

2017-0258

An ordinance to approve and authorize the execution of a Contract by and between the Parish of St. Charles and Debris Tech, LLC for Storm Debris Monitoring 2017, Parish Project No. P170302.

Sponsors: Mr. Cochran and Department of Public Works

Publish/Scheduled for Public Hearing to the Parish Council on August 28, 2017

2017-0259

An ordinance to approve and authorize the execution of a Federally Funded Agreement with the State of Louisiana Governor's Office of Homeland Security and Emergency Preparedness for the Hazard Mitigation Grant Program for funding in the amount of $93,750.00 to install a permanent generator at the East Bank Regional Library in Destrehan.

Sponsors: Mr. Cochran and Grants Office

Publish/Scheduled for Public Hearing to the Parish Council on August 28, 2017

2017-0260

An ordinance to authorize the sales by St. Charles Parish for properties located at Lots 11, 12 & Pt. 13 Barreca St., Norco (Barreca Tower Site), Lot 119 Gordon St., Destrehan (Gordon Tower Site), Lot A Diane Pl., St. Rose (Dianne Place Tower Site), and Lots 45 & 47 Gordon St., Destrehan (Gordon Booster Station); and to approve and authorize the attached Listing Agreement with Sperry Van Ness/Gilmore Auction & Realty Company to act as St. Charles Parish's designated agent/auctioneer for the sales.

Sponsors: Mr. Cochran and Department of Waterworks

Publish/Scheduled for Public Hearing to the Parish Council on August 28, 2017

2017-0261

An ordinance to approve and authorize the execution of a Professional Services Contract by and between St. Charles Parish and Barowka and Bonura Engineers and Consultants, L.L.C. for FEMA Public Assistance Program Services.

Sponsors: Mr. Cochran and Grants Office

Publish/Scheduled for Public Hearing to the Parish Council on August 28, 2017

2017-0262

An ordinance to approve and authorize the execution of Change Order No. 1 for the West Bank "A" Plant Clarifier Refurbishment (Project No. WWKS 90) to increase the contract time by 90 calendar days and to increase the contract amount by $117,606.01.

Sponsors: Mr. Cochran and Department of Waterworks

Publish/Scheduled for Public Hearing to the Parish Council on August 28, 2017

2017-0263

An ordinance to approve and authorize the execution of Lease Agreement between St. Charles Parish and Gator Cove Marina II, LLC for a Westbank Boat Launch.

Sponsors: Mr. Cochran and Department of Parks and Recreation

Publish/Scheduled for Public Hearing to the Parish Council on August 28, 2017

2017-0264

An ordinance approving the Donation of Servitude by Mary Keller wife of/and Neal J. Clulee to St. Charles Parish.

Sponsors: Mr. Cochran and Department of Parks and Recreation

Publish/Scheduled for Public Hearing to the Parish Council on August 28, 2017

2017-0265

An ordinance to levy an assessment on the 2017 ad valorem tax bills of property owners that are delinquent in paying outstanding invoices for removal of weeds, grass, etc. in accordance with the St. Charles Parish Code, Chapter 16, Article III, Weeds, Grass, etc. and to levy an assessment on the ad valorem tax bills of property owners that are delinquent in paying outstanding charges incurred for the removal of unsafe structures, trash and debris in accordance with Chapter 16, Article IV, Sec. 16-48(b).

Sponsors: Mr. Cochran and Department of Planning & Zoning

Publish/Scheduled for Public Hearing to the Parish Council on August 28, 2017

ORDINANCE SCHEDULED FOR PUBLIC HEARING AND ADOPTION AT THIS PUBLIC MEETING (INTRODUCED AT PREVIOUS MEETING)

2017-0233

An ordinance adopting, setting forth, levying and imposing taxes on all property subject to taxation in the Parish of St. Charles, State of Louisiana, as required by Section 23 of Article VII of the Constitution of Louisiana and Revised Statute 47.1705(B) for General Parochial Purposes; constructing, acquiring, maintaining, operating, extending and/or improving levees, facilities and structures associated with outer flood protection systems within the Parish; constructing, maintaining, and operating the Parish Road Maintenance program, Parish Recreation program, Parish Fire Protection, Mosquito Control Program, E-911 Telephone System, Health Unit and Council on Aging program; Road Lighting District No. 1; Library Service District No. 1; the ARC of St. Charles; paying any costs associated with acquiring, constructing, improving, maintaining and operating wastewater facilities and systems in the Parish; and for the purpose of paying the principal and interest on outstanding General Obligation Sewer Bonds for the year 2017.

Sponsors: Mr. Cochran and Department of Finance

A motion was made by Councilmember Clulee, seconded by Councilmember Gibbs, to accept the revised version of File No. 2017-0233. The motion carried by the following vote:

Yea: 9 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Enactment No: 17-8-1

Amended

Enactment No: 17-8-1

2017-0233

An ordinance adopting, setting forth, levying and imposing taxes on all property subject to taxation in the Parish of St. Charles, State of Louisiana, as required by Section 23 of Article VII of the Constitution of Louisiana and Revised Statute 47.1705(B) for General Parochial Purposes; constructing, acquiring, maintaining, operating, extending and/or improving levees, facilities and structures associated with outer flood protection systems within the Parish; constructing, maintaining, and operating the Parish Road Maintenance program, Parish Recreation program, Parish Fire Protection, Mosquito Control Program, E-911 Telephone System, Health Unit and Council on Aging program; Road Lighting District No. 1; Library Service District No. 1; the ARC of St. Charles; paying any costs associated with acquiring, constructing, improving, maintaining and operating wastewater facilities and systems in the Parish; and for the purpose of paying the principal and interest on outstanding General Obligation Sewer Bonds for the year 2017.

Sponsors: Mr. Cochran and Department of Finance

Reported:
Finance Department Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 17-8-1

VOTE ON THE PROPOSED ORDINANCE AS AMENDED

Yea: 9 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Nay: 0

Enactment No: 17-8-1

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

2015-0394

An ordinance of the Parish of St. Charles, providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Appendix A, the St. Charles Parish Zoning Ordinance of 1981, Section VI. Zoning district criteria and regulations., D., [l]. 1. c. Special Permit Uses in the M-1 Zoning District, by adding (10) to allow cemeteries as a Special Permit Use and shall require a supporting resolution of the Council.

Sponsors: Mr. Hogan

Reported:
Councilman Hogan Recommended: Approval
P & Z Department Recommended: No Recommendation Potential outcomes: 1. The proposed ordinance change would affect little developable acreage.
Planning Commission Recommended: ~~Approval~~ Denial (Approval was a typo)

Public Hearing Requirements Satisfied

Council Discussion
Planning Administrator Earl Matherne spoke on the matter.

Mr. Matherne stated for the record that the "Recommendations at a Glance" is incorrect; the Planning Commission's Recommendation is Denial.
Councilman Hogan motioned to amend the "Recommendations at a Glance" to change “Approval” to “Denial”.
Chairman Wilson requested a legal opinion from Legal Services Director Robert Raymond.
Mr. Raymond stated that the "Recommendations at a Glance" are from the meeting minutes of the Planning Commission and that he does not believe the council has the authority to change the Commission's minutes.
Councilman Hogan asked if the file should be postponed indefinitely until the minutes could be corrected or just leave it as is.
Mr. Raymond stated that it can be left as is because the discussion by the council tonight indicates evidence of the mistake.

Proposed ordinance failed for lack of a majority by the following vote:

Yea: 3 - Hogan, Wilson and Clulee

Nay: 6 - Benedetto, Gibbs, Woodruff, Bellock, Fletcher and Fisher-Perrier

Failed

Councilwoman Fisher-Perrier departed the meeting.

2017-0239

An ordinance approving and authorizing the execution of Change Order No. 1 (Final) for the construction of Federal Project No. 22-00929, Rathborne Park Development, Phase II, to decrease the contract amount by $2,078.04 and increase the contract time 40 days.

Sponsors: Mr. Cochran and Department of Parks and Recreation

Reported:
Parks & Recreation Department Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 17-8-2

Council Discussion
Parks & Recreation Director Duane Foret spoke on the matter.

VOTE ON THE PROPOSED ORDINANCE

Yea: 8 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fletcher

Nay: 0

Absent: 1 - Fisher-Perrier

Enactment No: 17-8-2

2017-0240

An ordinance to approve and authorize the execution of an Intergovernmental Agreement with the State of Louisiana Department of Transportation and Development for the Federal Off-System Bridge Rehabilitation and Replacement Program.

Sponsors: Mr. Cochran and Department of Public Works

Reported:
Public Works Department Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 17-8-3

Council Discussion
Public Works/Wastewater Director Clayton Faucheux spoke on the matter.

VOTE ON THE PROPOSED ORDINANCE

Yea: 8 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fletcher

Nay: 0

Absent: 1 - Fisher-Perrier

Enactment No: 17-8-3

2017-0244

An ordinance to approve and authorize the execution of a lease with the East Side St. Charles Parish Volunteer Fire Department, Inc. for the use of property at 14522 River Road in New Sarpy.

Sponsors: Mr. Cochran

Reported:
Parish President Recommended: Approval
Chief Administrative Officer Billy Raymond spoke on the matter.

Public Hearing Requirements Satisfied

Enactment No: 17-8-4

VOTE ON THE PROPOSED ORDINANCE

Yea: 8 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fletcher

Nay: 0

Absent: 1 - Fisher-Perrier

Enactment No: 17-8-4

2017-0245

An ordinance to amend the 2017 Consolidated Operating and Capital Budget to add revenues totaling $28,126,737 and related expenses to Fund's 123 - Flood Protection Fund for construction, architectural/engineering, and other fees totaling $17,607,485 unexpended in 2016 for levee projects.

Sponsors: Mr. Cochran and Department of Finance

Reported:
Finance Department Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 17-8-5

Council Discussion
Finance Director Grant Dussom spoke on the matter.

VOTE ON THE PROPOSED ORDINANCE

Yea: 8 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fletcher

Nay: 0

Absent: 1 - Fisher-Perrier

Enactment No: 17-8-5

2017-0246

An ordinance to approve and authorize the execution of a Contract for Engineering Services with AIMS Group, Inc. for necessary professional engineering services associated with Parish Project No. S170701 Hahnville Wastewater Plant UV Upgrades.

Sponsors: Mr. Cochran and Department of Wastewater

Reported:
Wastewater Department Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 17-8-6

VOTE ON THE PROPOSED ORDINANCE

Yea: 8 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fletcher

Nay: 0

Absent: 1 - Fisher-Perrier

Enactment No: 17-8-6

2017-0247

An ordinance to approve and authorize the execution of a Cooperative Endeavor Agreement with the Pontchartrain Levee District (PLD) for the LaBranche Salinity Control Structure Project to be funded by the Pontchartrain Levee District and St. Charles Parish.

Sponsors: Mr. Cochran and Department of Planning & Zoning

A motion was made by Councilmember Gibbs, seconded by Councilmember Benedetto to accept the revised version of the Agreement. The motion carried by the following vote:

Yea: 8 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fletcher

Nay: 0

Absent: 1 - Fisher-Perrier

Enactment No: 17-8-7

Amended

Enactment No: 17-8-7

Reported:
P & Z Department Recommended: Approval
Planning Administrator Earl Matherne spoke on the matter.

Public Hearing Requirements Satisfied

Enactment No: 17-8-7

Council Discussion
Mr. Matherne spoke on the matter.

VOTE ON THE PROPOSED ORDINANCE AS AMENDED

Yea: 8 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fletcher

Nay: 0

Absent: 1 - Fisher-Perrier

Enactment No: 17-8-7

2017-0248

An ordinance to approve and authorize the execution of an Agreement with the State of Louisiana Department of Transportation and Development and New Orleans Regional Planning Commission for the construction of US 61: RR Overpass-LA 50.

Sponsors: Mr. Cochran and Department of Public Works

Reported:
Public Works Department Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 17-8-8

Council Discussion
Public Works/Wastewater Director Clayton Faucheux spoke on the matter.

VOTE ON THE PROPOSED ORDINANCE

Yea: 8 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fletcher

Nay: 0

Absent: 1 - Fisher-Perrier

Enactment No: 17-8-8

2017-0249

An ordinance to approve and authorize the Lafourche Basin Levee District to expropriate the necessary real estate interest to a portion of land designated as Parcel 19-7 for the Sunset Drainage District Levee in St. Charles Parish, Louisiana, and to authorize the transfer of the necessary funding thereof.

Sponsors: Mr. Cochran and Department of Public Works

Reported:
Public Works Department Recommended: Approval

Public Hearing Requirements Satisfied

Enactment No: 17-8-9

VOTE ON THE PROPOSED ORDINANCE

Yea: 8 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fletcher

Nay: 0

Absent: 1 - Fisher-Perrier

Enactment No: 17-8-9

RESOLUTIONS

2017-0250

A resolution providing mandatory supporting authorization for approval of a Special Permit Use for an accessory dwelling unit (ADU) on land zoned R-1A 578 Pine Street, Norco as requested by John Hamilton.

Sponsors: Mr. Cochran and Department of Planning & Zoning

Reported:
P & Z Department Recommended: Approval
Planning Commission Recommended: Approval
Planning Administrator Earl Matherne spoke on the matter.

Public comment opened; no public comment

Council Discussion

VOTE ON THE PROPOSED RESOLUTION

Yea: 8 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fletcher

Nay: 0

Absent: 1 - Fisher-Perrier

Enactment No: 6299

APPOINTMENTS

2017-0242

A resolution to appoint a member to the Library Service District Board of Control as the District III Representative.

A motion was made by Councilmember Gibbs, seconded by Councilmember Woodruff, to defer File No. 2017-0242. The motion carried by the following vote:

Yea: 8 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fletcher

Nay: 0

Absent: 1 - Fisher-Perrier

Deferred

2017-0253

A resolution to appoint Mr. Johnny Bourgeois to the St. Charles Parish Communications District representing the Firemen's Association.

VOTE ON THE APPOINTMENT OF MR. JOHNNY BOURGEOIS

Yea: 8 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fletcher

Nay: 0

Absent: 1 - Fisher-Perrier

Enactment No: 6300

2017-0256

Accept resignation of Councilwoman Traci A. Fletcher - Council Ex-Officio - Board of Directors of the Arc of St. Charles

Resignation Accepted by the following vote:

Yea: 8 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fletcher

Nay: 0

Absent: 1 - Fisher-Perrier

Resignation Accepted

2017-0257

Council Ex-Officio Appointment to the Board of Directors of the Arc of St. Charles.

A motion was made by Councilmember Fletcher, seconded by Councilmember Hogan, to defer File No. 2017-0257. The motion carried by the following vote:

Yea: 8 - Benedetto, Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fletcher

Nay: 0

Absent: 1 - Fisher-Perrier

Deferred

Councilwoman Benedetto departed the meeting.

ADJOURNMENT

A motion was made by Councilmember Fletcher, seconded by Councilmember Clulee, to adjourn the meeting at approximately 6:58 pm. The motion carried by the following vote:

Yea: 7 - Hogan, Wilson, Clulee, Gibbs, Woodruff, Bellock and Fletcher

Nay: 0

Absent: 2 - Benedetto and Fisher-Perrier

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE.

Tiffany K. Clark
Council Secretary