

REGULAR MEETING OF THE KENNER CITY COUNCIL

APRIL 4, 2013 - 5:00 P.M.

COUNCIL CHAMBER - KENNER CITY HALL

POSTED < 3:00 P.M. APRIL 1, 2013

MEETING CALLED TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE

ROLL CALL – COUNCILMEMBERS

IN ACCORDANCE WITH COUNCIL RESOLUTION NO. B-14550, PLEASE BE ADVISED THAT ALL CELLULAR TELEPHONES, PAGERS, BEEPERS AND OTHER DEVICES OF THIS NATURE MUST BE DEACTIVATED OR SILENCED THROUGHOUT THE COUNCIL MEETING

CONSENT AGENDA

1. APPROVAL OF MINUTES the regular Council Meeting of March 21, 2013.
2. APPROVAL OF ALCOHOLIC BEVERAGE PERMIT APPLICATIONS
 - 2-A. A resolution granting an alcoholic beverage permit to Lake Pontchartrain Basin Foundation on Saturday, June 1, 2013 and Sunday, June 2, 2013 at Laketown (being property owned by the City of Kenner), Kenner, La.
**MOTION BY COUNCILMEMBER BRANIGAN, SECONDED BY
COUNCILMEMBER BLACK, TO APPROVE
MOTION CARRIED 7/0
RESOLUTION NO. B-16352**
3. APPROVAL OF BINGO AND PUBLIC GATHERING APPLICATIONS
 - 3-A. Application No. 1734/13, Jennifer M. Crouch to hold a public gathering for a graduation party on May 18, 2013 from 2:00 p.m. to 7:00 p.m. at Laketown.
**MOTION BY COUNCILMEMBER BRANIGAN, SECONDED BY
COUNCILMEMBER BLACK, TO APPROVE
MOTION CARRIED 7/0
APPLICATION NO. 1734/13**
 - 3-B. Application No. 1739/13, Susan Yancich and Carl Hope to hold a public gathering for a wedding on May 10, 2013 from 6:00 p.m. to 11:00 p.m. at Veterans Park.
**MOTION BY COUNCILMEMBER BRANIGAN, SECONDED BY
COUNCILMEMBER BLACK, TO APPROVE
MOTION CARRIED 7/0
APPLICATION NO. 1739/13**
 - 3-C. Application No. 1740/13, McDonogh #35 to hold a public gathering for a 20th High School Reunion on May 26, 2013 from 12:00 p.m. to 5:00 p.m. at Laketown.
**MOTION BY COUNCILMEMBER BRANIGAN, SECONDED BY
COUNCILMEMBER BLACK, TO APPROVE
MOTION CARRIED 7/0
APPLICATION NO. 1740/13**
 - 3-D. Application No. 1741/13, Lake Pontchartrain Basin Foundation to hold a public gathering for a Back to the Beach Festival on Saturday, June 1, 2013 from 3:00 p.m. to 11:00 p.m. and Sunday, June 2, 2013 from 8:00 a.m. to 9:00 p.m. at Laketown.
**MOTION BY COUNCILMEMBER BRANIGAN, SECONDED BY
COUNCILMEMBER BLACK, TO APPROVE
MOTION CARRIED 7/0
APPLICATION NO. 1741/13**

3-E. Application No. 1742/13, Helldiver Spearfishing Club to hold a public gathering for a fishing rodeo on June 2, 2013 from 8:00 a.m. to 5:00 p.m. at North Kenner Park.

**MOTION BY COUNCILMEMBER BRANIGAN, SECONDED BY
COUNCILMEMBER BLACK, TO APPROVE
MOTION CARRIED 7/0
APPLICATION NO. 1742/13**

3-F. Application No. 1746/13 Kenner Police Department to hold a public gathering for a National Night Out Against Crime Kick Off Party on October 13, 2013 from 2:00 p.m. to 6:00 p.m. at Laketown.

**MOTION BY COUNCILMEMBER BRANIGAN, SECONDED BY
COUNCILMEMBER BLACK, TO APPROVE
MOTION CARRIED 7/0
APPLICATION NO. 1746/13**

4. CORRESPONDENCE: REPORTS FROM MAYOR, CAO OR DEPARTMENT HEADS

5. ACCEPTANCE/REJECTION OF BIDS REQUIRING AN EXPENDITURE OF LESS THAN FIVE THOUSAND DOLLARS (\$5,000.00)

6. CHANGE ORDERS REQUIRING AN EXPENDITURE OF LESS THAN FIVE THOUSAND DOLLARS (\$5,000.00)

7. ACCEPTANCE OF COMMITTEE FINDINGS (FINAL PASSAGE)

8. RESUBDIVISION ORDINANCES (FINAL PASSAGE)

PUBLIC APPEARANCE AGENDA

9. PUBLIC HEARINGS (FINAL PASSAGE)

9-A. A PUBLIC HEARING regarding Summary Ordinance No. 11,442, an ordinance amending Chapter 16, Article I and II of the City of Kenner Code of Ordinances, regarding vehicles for hire.

**MOTION BY COUNCILMEMBER DENAPOLIS, SECONDED BY
COUNCILMEMBER DEFRANCESCH, TO DEFER FOR TWO MEETINGS
MOTION CARRIED 7/0**

9-B. A PUBLIC HEARING regarding Summary Ordinance No. 11,499, an ordinance amending the 2004/2005 Capital Budget to reallocate \$7,950.00 from the Youth Baseball Field at Woodlake to Woodlake Playground Equipment for the Department of Parks and Recreation.

**MOTION BY COUNCILMEMBER DENAPOLIS, SECONDED BY
COUNCILMEMBER STAGNI, TO APPROVE
MOTION CARRIED 7/0
ORDINANCE NO. 10,556**

9-C. A PUBLIC HEARING regarding Summary Ordinance No. 11,500, an ordinance amending the 2012/2013 Capital Budget to reallocate \$32,561.00 from the Telephone Systems Upgrades and the Offsite Backup Server to purchase Kenner TV Equipment for the Department of Information Technology and Telecommunications.

**MOTION BY COUNCILMEMBER REYNAUD, SECONDED BY
COUNCILMEMBER STAGNI, TO APPROVE
MOTION CARRIED 7/0
ORDINANCE NO. 10,557**

9-D. A PUBLIC HEARING regarding Summary Ordinance No. 11,501, an ordinance amending the 2003/2004 Capital Budget to reallocate \$14,250.00 from the project to replace the Worth Street Fire Station to Fire Department Repairs for the Fire Department.

**MOTION BY COUNCILMEMBER CARROLL, SECONDED BY
COUNCILMEMBER BRANIGAN, TO APPROVE
MOTION CARRIED 7/0
ORDINANCE NO. 10,558**

- 9-E. A PUBLIC HEARING regarding Summary Ordinance No. 11,502, an ordinance authorizing a public hearing to approve Amendment No. 3 to the Fiscal Year 2009 Community Development Block Grant (CDBG) Final Action Plan i.e. Budget for the Department of Community Development.
**MOTION BY COUNCILMEMBER CARROLL, SECONDED BY
COUNCILMEMBER BRANIGAN, TO APPROVE
MOTION CARRIED 7/0
ORDINANCE NO. 10,559**
- 9-F. A PUBLIC HEARING regarding Summary Ordinance No. 11,503, an ordinance authorizing a public hearing to approve Amendment No. 1 to the Fiscal Year 2008 Community Development Block Grant Recovery (CDBG-R) Funding Award from the American Recovery and Reinvestment Act (ARRA) of 2009 and the grant close out for the Department of Community Development.
**MOTION BY COUNCILMEMBER BRANIGAN, SECONDED BY
COUNCILMEMBER BLACK, TO APPROVE
MOTION CARRIED 7/0
ORDINANCE NO. 10,560**
- 9-G. A PUBLIC HEARING regarding Summary Ordinance No. 11,504, an ordinance authorizing a public hearing to approve Amendment No. 2 to the FY 2012 Community Development Block Grant (CDBG) Final Action Plan Budget for the Department of Community Development.
**MOTION BY COUNCILMEMBER CARROLL, SECONDED BY
COUNCILMEMBER DENAPOLIS, TO APPROVE
MOTION CARRIED 7/0
ORDINANCE NO. 10,561**
- 9-H. A PUBLIC HEARING regarding Summary Ordinance No. 11,505, an ordinance authorizing a public hearing to approve Amendment No. 3 to the FY 2010 Community Development Block Grant (CDBG) Final Action Plan, i.e. Budget for the Department of Community Development.
**MOTION BY COUNCILMEMBER CARROLL, SECONDED BY
COUNCILMEMBER STAGNI, TO APPROVE
MOTION CARRIED 7/0
ORDINANCE NO. 10,562**
- 9-I. A PUBLIC HEARING regarding Summary Ordinance No. 11,506, an ordinance amending the 2007/2008 Capital Budget to reallocate \$7,894.00 from the Westgate Drainage and Street Improvements Project to the AP Clay Complex Enhancements for the Department of Community Development.
**MOTION BY COUNCILMEMBER CARROLL, SECONDED BY
COUNCILMEMBER STAGNI, TO APPROVE
MOTION CARRIED 7/0
ORDINANCE NO. 10,563**
- 9-J. A PUBLIC HEARING regarding a resolution to determine whether or not the building(s) located at 50 Granada Drive, Kenner, Louisiana, should not be repaired or demolished.
**MOTION BY COUNCILMEMBER REYNAUD, SECONDED BY
COUNCILMEMBER BLACK, TO APPROVE
MOTION CARRIED 7/0
RESOLUTION NO. B-16353**
10. OPENING OF BID
11. RECLASSIFICATION OF ZONING (FINAL PASSAGE)
12. OTHER ORDINANCES (FINAL PASSAGE)
- 12-A. Summary Ordinance No. 11,498, an ordinance authorizing the Chief of Police to create the class of Deputy Chief of Police as a competitive class.
**MOTION BY COUNCILMEMBER STAGNI, SECONDED BY
COUNCILMEMBER BLACK, TO APPROVE
MOTION CARRIED 7/0
ORDINANCE NO. 10,564**

13. RESOLUTIONS AND MOTIONS BY COUNCILMEMBERS

- 13-A. A resolution making application to the State Bond Commission for consent and authority to issue, sell and deliver sales tax revenue bonds and sales tax revenue and refunding bonds of the City of Kenner, in the total aggregate principal amount of not to exceed \$47,000,000.00; setting for the security therefor; and other matters in connection therewith.

**MOTION BY COUNCILMEMBER BRANIGAN, SECONDED BY
COUNCILMEMBER BLACK, TO APPROVE
MOTION CARRIED 5/2 OPPOSED:COUNCILMEMBERS STAGNI & CARROLL
RESOLUTION NO. B-16354**

- 13-B. A resolution requesting the Louisiana Local Government Environmental Facilities and Community Development Authority to refund its outstanding revenue bonds (Kenner Road Project) Series 2003; authorizing the incurring of debt; and other matters in connection therewith.

**MOTION BY COUNCILMEMBER DEFRANCESCH, SECONDED BY
COUNCILMEMBER REYNAUD, TO APPROVE
MOTION CARRIED 7/0
RESOLUTION NO. B-16355**

14. ITEMS REMOVED FROM THE CONSENT AGENDA

15. ACCEPTANCE OF CONTRACTS AND SIMILAR MATTERS APPROVED BY THE MAYOR

- 15-A. Summary Ordinance No. 11,495, an ordinance authorizing the purchase of office furniture from The Hon Company in the amount of \$12,995.35 through State Contract No. 408247 for the Department of Community Development.

**MOTION BY COUNCILMEMBER BRANIGAN, SECONDED BY
COUNCILMEMBER BLACK, TO APPROVE
MOTION CARRIED 7/0
ORDINANCE NO. 10,565**

- 15-B. Summary Ordinance No. 11,496, an ordinance accepting the responsive bid received from Lamarque Ford, an authorized dealer, in the amount of \$6,900.00 to replace the long block assembly and motor for 2008 Ford F-250 Unit 5069 for the Department of Parks and Recreation.

**MOTION BY COUNCILMEMBER STAGNI, SECONDED BY
COUNCILMEMBER CARROLL, TO APPROVE
MOTION CARRIED 7/0
ORDINANCE NO. 10,566**

- 15-C. Summary Ordinance No. 11,497, an ordinance accepting the responsive bid received from Hahn Enterprises, Inc. in the amount of \$20,650.00 to remove the existing rubber safety surfacing and to furnish and install new pour-in-place safety surfacing at Laketown Tot Lot in accordance with Sealed Bid No. 12-6127 for the Department of Parks and Recreation.

**MOTION BY COUNCILMEMBER REYNAUD, SECONDED BY
COUNCILMEMBER BRANIGAN, TO APPROVE
MOTION CARRIED 7/0
ORDINANCE NO. 10,567**

- 15-D. Summary Ordinance No. 11,507, an ordinance authorizing the purchase of nine hundred fifty (950) D.A.R.E. t-shirts at a cost of \$6,293.75 from Creative Product Sourcing, Inc. sole source provider for the Kenner Police Department.

**MOTION BY COUNCILMEMBER DEFRANCESCH, SECONDED BY
COUNCILMEMBER REYNAUD, TO APPROVE
MOTION CARRIED 7/0
ORDINANCE NO. 10,568**

- 15-E. Summary Ordinance No. 11,508, an ordinance authorizing the acceptance of the lowest responsive bid of Barriere Construction Company, LLC received March 13, 2013, by the Louisiana Department of Transportation & Development in the amount of \$458,251.56 for Veterans Boulevard Overlay (Phase I) (Sharon Street to Salem Street), State Project No. H007213 Kenner Public Works No. 2011-003-ST.

**MOTION BY COUNCILMEMBER CARROLL, SECONDED BY
COUNCILMEMBER BRANIGAN, TO APPROVE
MOTION CARRIED 7/0
ORDINANCE NO. 10,569**

- 15-F. Summary Ordinance No. 11,509, an ordinance authorizing a cost-per-copy lease agreement with U.S. Copy, Inc. for photocopy/fax/printing equipment, maintenance, parts, labor and supplies for a term of three (3) years and ratifying necessary interim charges for the Kenner Police Department.

**MOTION BY COUNCILMEMBER DEFRANCESCH, SECONDED BY
COUNCILMEMBER DENAPOLIS, TO APPROVE
MOTION CARRIED 7/0
ORDINANCE NO. 10,570**

16. ORDINANCES/RESOLUTIONS IN SUMMARY (FIRST READING)

- 16-A. **SUMMARY ORDINANCE NO. 11,510**, an ordinance granting to TW Telecom of Louisiana, LLC a non-exclusive, revocable license to install, operate, maintain, repair and replace fiber optic cable and/or coaxial cable and associated equipment for voice, data and video transmission service in and around city buildings located at 500 Veterans Boulevard (KPD Headquarter Complex); 1939 Reverend Richard Wilson Drive (KPD Training Facility); and 1801 Williams Boulevard (City Hall Complex) and providing for related matters.
- 16-B. **SUMMARY ORDINANCE NO. 11,511**, an ordinance authorizing the borrowing of funds from the Louisiana Local Government Environmental Facilities and Community Development Authority ("LCDA") to provide for refinancing by the LCDA of its outstanding Revenue Bonds (Kenner Road Project) Series 2003; prescribing the form, fixing the details and providing for the payment thereof, entering into certain covenants and agreements in connection with the security and payment of said debt; authorizing and approving the execution of a loan agreement with LCDA; and providing for other matters in connection therewith.
- 16-C. **SUMMARY ORDINANCE NO. 11,512**, an ordinance amending and supplementing Ordinance No. 5848 adopted on May 7, 1987, as amended, and restated and readopted on July 7, 1994 (The "General Bond Ordinance"); providing for the issuance of Sales Tax Bonds, Series 2013, of the City of Kenner, State of Louisiana, pursuant to the General Bond Ordinance; prescribing the form, fixing the details and providing for the payment of principal of and interest on such bonds and the application of the proceeds thereof; and providing for other matters in connection therewith.
- 16-D. **SUMMARY ORDINANCE NO. 11,513**, an ordinance accepting the lowest bid received from Cimsco, Inc., for a two (2) year contract not to exceed \$100,000.00 per year to supply P.V.C. pipe and fittings for the City of Kenner on an as needed basis for the City of Kenner.
- 16-E. **SUMMARY ORDINANCE NO. 11,514**, an ordinance ratifying the agreement with SMG to provide Management Services for the Pontchartrain Convention and Civic Center.
- 16-F. **SUMMARY ORDINANCE NO. 11,515**, an ordinance ratifying an engineering agreement with Hartman Engineering, Inc. (Consultant) for professional engineering services associated with the design and construction administration of improvements to the Kenner/Hanson City Sewer Lift Station No.'s 4102 and 4103 (Task No. 1) and design/construction administration of a new force main extension from Lift Station No. 4103 to Lift Station No. 4106 (10th and Maria) (Task No. 2) for a total fee of \$204,515.00 (Council District Nos. 1 and 2).
- 16-G. **SUMMARY ORDINANCE NO. 11,516**, an ordinance ratifying proposals from AMRISC LP with certain underwriters at Lloyds of London, Indian Harbor Insurance Company, QBE Specialty Insurance Company Steadfast Insurance Company for commercial property insurance at a cost not to exceed \$423,150.00 and from Landmark American Insurance Company for the excess property insurance at a cost not to exceed \$115,500.00 for the period of June 1, 2013 through June 1, 2014.
- 16-H. **SUMMARY ORDINANCE NO. 11,517**, an ordinance ratifying the United Health Care Policy and Rates for Health Insurance Coverage for the City of Kenner employees/retirees/dependents for the fiscal year July 1, 2013 through June 30, 2014 as set forth in their proposal.
- 16-I. **SUMMARY ORDINANCE NO. 11,518**, an ordinance amending Ordinance 9554 regarding Athletic Facility Booking Policies.

17. REPORTS FROM THE COUNCIL AND/OR SPECIAL COMMITTEES

18. NEW BUSINESS

18-A. At the request of the Administration, Ms. Lacey Bordelon for a brief presentation of economic development activities in Kenner.

18-B. At the request of the Administration, Mr. Thomas Caragliano, Kenner Fire Department and Ms. Lynn Spearman with the Muscular Dystrophy Association to address the Council regarding the Kenner Fire Department's Boot Shake May 16th thru 18th, 2013 from 10:00 a.m. till 1:00 p.m. each day.

19. UNFINISHED BUSINESS AND/OR MOTIONS TO RECONSIDER OR REMOVE FROM A TABLED POSITION

20. PERSONS WISHING TO ADDRESS THE COUNCIL ON SPECIAL SUBJECT MATTERS

21. MOTION TO ADJOURN