

REGULAR MEETING OF THE KENNER CITY COUNCIL

JUNE 5, 2014 - 5:00 P.M.

COUNCIL CHAMBER - KENNER CITY HALL

POSTED < 3:00 P.M. JUNE 2, 2014

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 May 15, 2014.
2. APPROVAL OF ALCOHOLIC BEVERAGE PERMIT APPLICATIONS
 - 2-A. A resolution granting an alcoholic beverage permit to Friends of Rivertown on June 6, 2014 at 415 Williams Boulevard (being property owned by the City of Kenner), Kenner, Louisiana.

**Motion by Councilmember Branigan, Seconded by
Councilmember Black, to approve
Motion Carried 7/0
Resolution No. B-16491**
3. APPROVAL OF BINGO AND PUBLIC GATHERING APPLICATIONS
 - 3-A. Application No. 1818/14, Jefferson Convention & Visitors Bureau. Inc. to hold a public gathering for the purpose of a Convention Reception on August 26, 2014 from 6:00 p.m. to 8:00 p.m. in Rivertown, Kenner, Louisiana.

**Motion by Councilmember Branigan, Seconded by
Councilmember Black, to approve
Motion Carried 7/0
Application No. 1818/14**
 - 3-B. Application No. 1822/14, City of Kenner to hold a public gathering for the purpose of a Music in the Park/Mainstreet Kick Off on June 6, 2014 from 6:30 p.m. to 9:30 p.m. in Rivertown, Kenner, Louisiana.

**Motion by Councilmember Branigan, Seconded by
Councilmember Black, to approve
Motion Carried 7/0
Application No. 1822/14**
 - 3-C. Application No. 1813/14, AFC Enterprise Inc. Popeyes #2485 to hold a public gathering for an annual company picnic on June 11, 2014 from 10:00 a.m. to 7:00 p.m. at Veterans Park.

**Motion by Councilmember Branigan, Seconded by
Councilmember Black, to approve
Motion Carried 7/0
Application No. 1813/14**
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)

5-A. A resolution authorizing the utilization of State Contract No. 408759 for the purchase and installation of office furniture at a Kenner owned facility from Inwood Office Environment c/o DKI in the amount of \$4,722.60 for the Department of Public Works.

**Motion by Councilmember Branigan, Seconded by
Councilmember Black, to approve
Motion Carried 7/0
Resolution No. B-16492**

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

6-A. A resolution approving Change Order No. 3 to the construction contract with Capstone Builders, Inc. regarding City Hall Building B interior renovations increasing the contract amount by \$3,174.95 for the Department of Inspection and Code Enforcement.

**Motion by Councilmember Branigan, Seconded by
Councilmember Black, to approve
Motion Carried 7/0
Resolution No. B-16493**

7. ACCEPTANCE OF COMMITTEE FINDINGS (FINAL PASSAGE)

8. RESUBDIVISION ORDINANCES (FINAL PASSAGE)

8-A. Summary Ordinance No. 11,702, an ordinance approving the plan of resubdivision of Lots K-1 and K-2-A, Louisiana Trace Subdivision, Kenner, Jefferson Parish, Louisiana, into Lot K-1-A, Louisiana Trace Subdivision, Kenner, Jefferson Parish, Louisiana. Case P-3-14

**Motion by Councilmember Branigan, Seconded by
Councilmember Black, to approve
Motion Carried 7/0
Ordinance No. 10,754**

PUBLIC APPEARANCE AGENDA

9. PUBLIC HEARINGS (FINAL PASSAGE)

9-A. A PUBLIC HEARING regarding Summary Ordinance No. 11,692, an ordinance adopting the Operating Budget for the City of Kenner for the Fiscal Year beginning July 1, 2014 and ending June 30, 2015, amending Ordinance No. 7549, and providing for related matters.

**Motion by Councilmember Branigan, Seconded by
Councilmember Black, to approve
Motion Carried 7/0
Ordinance No. 10,755**

9-B. A PUBLIC HEARING regarding Summary Ordinance No. 11,704, an ordinance adopting the Capital Budget for the City of Kenner for the fiscal year beginning July 1, 2014 and ending June 30, 2015.

**Motion by Councilmember Branigan, Seconded by
Councilmember Denapolis, to approve
Motion Carried 7/0
Ordinance No. 10,756**

9-C. A PUBLIC HEARING regarding Summary Ordinance No. 11,707, an ordinance amending Ordinance 2226 and further approving a Planned Unit Development for a Best Western Hotel located on a portion of ground, Oakland Plantation Subdivision, Kenner, Jefferson Parish, Louisiana. Case PUD-1-14

**Motion by Councilmember Carroll, Seconded by
Councilmember Branigan, to approve
Motion Carried 7/0
Ordinance No. 10,757**

- 9-D. A PUBLIC HEARING regarding Summary Ordinance No. 11,708, an ordinance amending Ordinance 9074 and further approving a Planned Unit Development for a Hotel Complex located on Lot 137-A, Bainbridge Office and Industrial Park Subdivision, Kenner, Jefferson Parish, Louisiana. Case PUD-3-14
**Motion by Councilmember Carroll, Seconded by
Councilmember Branigan, to approve
Motion Carried 7/0
Ordinance No. 10,758**
- 9-E. A PUBLIC HEARING regarding Summary Ordinance No. 11,709, an ordinance approving the resubdivision of Lots X, Y, and Z, Arpents 112 and 113, Old Kenner Subdivision, Kenner, Jefferson Parish, Louisiana into Lot A-1, Arpents 112 and 113, Old Kenner Subdivision and approving a conditional use for a place of worship in a C-2, General Commercial Zoning District to be located on Lot A-1, Arpents 112 and 113, Old Kenner Subdivision, Kenner. Case P-4-14
**Motion by Councilmember Carroll, Seconded by
Councilmember Black, to approve
Motion Carried 7/0
Ordinance No. 10,759**
- 9-F. A PUBLIC HEARING regarding Summary Ordinance No. 11,710, an ordinance authorizing a public hearing and approving the proposed fiscal year 2014 Annual Action Plan for the Community Development Block Grant (CDBG) Program in the amount of \$496,233.00 and the Home Investment Partnership Program in the amount of \$154,260.00.
**Motion by Councilmember Carroll, Seconded by
Councilmember Stagni, to approve
Motion Carried 7/0
Ordinance No. 10,760**
10. OPENING OF BID
11. RECLASSIFICATION OF ZONING (FINAL PASSAGE)
12. OTHER ORDINANCES (FINAL PASSAGE)
- 12-A. Summary Ordinance No. 11,703, an ordinance amending article XIII, Section 13.02(A)(15) of the Comprehensive Zoning Ordinance of the City of Kenner, Louisiana, relative to the construction and use of billboards in the C-2 General Commercial District.
**Motion by Councilmember DeFrancesch, Seconded by
Councilmember Black, to approve
Motion Carried 7/0
Ordinance No. 10,761**
- 12-B. Summary Ordinance No. 11,706, an ordinance authorizing the City of Kenner to hold a public auction on July 10, 2014 to sell surplus movable property no longer needed for public purposes and setting the terms and disposition of proceeds from the sale.
**Motion by Councilmember Reynaud, Seconded by
Councilmember DeFrancesch, to approve
Motion Carried 7/0
Ordinance No. 10,762**
13. RESOLUTIONS AND MOTIONS BY COUNCILMEMBERS
- 13-A. A resolution selecting the New Orleans Advocate as the Official Journal for the City of Kenner for Fiscal Year 2014-2015.
**Motion by Councilmember Branigan, Seconded by
Councilmember Reynaud, to approve
Motion Carried 4/3 Carroll, Stagni, Denapolis opposed
Resolution No. B-16494**
- 13-B. A resolution accepting for maintenance a street within a dedicated right-of-way which is formerly known as 41st Street or Lake Avenue and now known as Vintage Drive from the western property line of Lot 10-A to Toby Lane, and related matters.
**Motion by Councilmember Reynaud, Seconded by
Councilmember DeFrancesch, to approve
Motion Carried 7/0
Resolution No. B-16495**

13-C. A resolution selecting the Official Journal for the City of Kenner for the Fiscal Year 2014/2015.

**Motion by Councilmember Stagni, Seconded by
Councilmember Branigan, to remove
Motion Carried 7/0
TDD No. 2014-09**

14. ITEMS REMOVED FROM THE CONSENT AGENDA

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

15-A. Summary Ordinance No. 11,697, an ordinance accepting the responsive bid received from John Deere Landscapes LLC for an annual contract to supply diatomaceous soil drying agent for sports fields in accordance with Sealed Bid No. 13-6186 in an amount not to exceed \$10,000.00 per year for the Department of Parks and Recreation.

**Motion by Councilmember Branigan, Seconded by
Councilmember Denapolis, to approve
Motion Carried 7/0
Ordinance No. 10,763**

15-B. Summary Ordinance No. 11,698, an ordinance accepting the responsive bid received from Vulcan, Inc. for the supply of aluminum sign blanks on an as needed basis in accordance with Sealed Bid No. 16-6214 in an amount not to exceed \$80,000.00 per year for the Department of Public Works.

**Motion by Councilmember DeFrancesch, Seconded by
Councilmember Branigan, to approve
Motion Carried 7/0
Ordinance No. 10,764**

15-C. Summary Ordinance No. 11,699, an ordinance accepting the responsive bid received from Carlo Ditta, Inc. for the supply of ready mix concrete on an as needed basis in accordance with Sealed Bid No. 14-6209 in an amount not to exceed \$125,000.00 per year for the Department of Public Works.

**Motion by Councilmember Reynaud, Seconded by
Councilmember Branigan, to approve
Motion Carried 7/0
Ordinance No. 10,765**

15-D. Summary Ordinance No. 11,700, an ordinance accepting the responsive bid received from Barriere Construction Co., L.L.C. for the supply of asphaltic paving material on an as needed basis in accordance with Sealed Bid No. 14-6208 in an amount not to exceed \$200,000.00 per year for the Department of Public Works.

**Motion by Councilmember Stagni, Seconded by
Councilmember Branigan, to approve
Motion Carried 7/0
Ordinance No. 10,766**

15-E. Summary Ordinance No. 11,701, an ordinance authorizing the utilization of State Contract No. 408247 for the purchase and installation of office furniture at the Kenner owned facility located at 1801 Williams Boulevard from the Hon Company c/o DKI in the amount of \$7,010.84 for the Inspection and Code Enforcement Department.

**Motion by Councilmember DeFrancesch, Seconded by
Councilmember Branigan, to approve
Motion Carried 7/0
Ordinance No. 10,767**

15-F. Summary Ordinance No. 11,705, an ordinance ratifying the proposal from Ace American Insurance Company, with an AM Best Rating of A++XV, for Commercial Package Liability Insurance at a cost not to exceed \$348,376.00 for the period of July 1, 2014 through July 1, 2015.

**Motion by Councilmember Branigan, Seconded by
Councilmember DeFrancesch, to approve
Motion Carried 7/0
Ordinance No. 10,768**

15-G. A resolution approving Change Order No. 1 (Final) to the contract with Diamond Electrical Co., regarding Esplanade Mall Signal Improvements, which reduces the contract amount by \$37,779.75, and accepting the project as complete.

**Motion by Councilmember DeFrancesch, Seconded by
Councilmember Branigan, to approve
Motion Carried 6/1 Black Absent
Resolution No. B-16495**

15-H. A resolution approving Change Order No. 2 to the contract with Frischhertz Electric Company, Inc. regarding the replacement of playground lighting at Susan Park Playground, which increases the contract amount by \$41,509.85 and increases the contract time by seventy (70) days.

**Motion by Councilmember Carroll, Seconded by
Councilmember Branigan, to approve
Motion Carried 6/1 Black- Absent
Resolution No. B-16496**

16. ORDINANCES/RESOLUTIONS IN SUMMARY (FIRST READING)

16-A. **Summary Ordinance No. 11,711**, an ordinance approving the use of State Contract No. 408849 with Bits Technical, LLC for the purchase and installation of security cameras and a recording server at a cost of \$14,996.00 at the A.P. Clay Resource Center/Splash Park for the Department of Community Development.

16-B. **Summary Ordinance No. 11,712**, an ordinance authorizing the utilization of Jefferson Parish Contract No. 55-13322 with Beverly Construction Co., L.L.C. for the purchase of limestone aggregate on an as needed basis in an amount not to exceed \$125,000.00 annually for the Department of Public Works.

16-C. **Summary Ordinance No. 11,713**, an Ordinance accepting the responsive bid received from Silver Screen Supply LLC in the amount of \$19,616.70 for the purchase of fourteen (14) outdoor tents and ten (10) roller bags to be used at special events in accordance with Telephone Bid No. T14-2171 for the Department of Parks and Recreation.

16-D. **Summary Ordinance No. 11,714**, an ordinance accepting the responsive bid received from Hall Signs, Incorporated for the supply of sign poles, brackets and miscellaneous sign supplies on an as needed basis in accordance with Sealed Bid No. 14-6215 in an amount not to exceed \$100,000.00 per year for the Department of Public Works.

16-E. **Summary Ordinance No. 11,715**, an ordinance accepting the lowest responsive bid received for an annual contract to provide asphalt street maintenance and small jobs in an amount not to exceed \$1,000,000.00 annually in accordance with Sealed Bid No. 14-6221 for the Department of Public Works.

16-F. **Summary Ordinance No. 11,716**, an ordinance accepting the responsive bid received from Beverly Construction Company, L.L.C. for an annual contract to provide concrete flat work on an as needed basis in accordance with Sealed Bid No. 14-6213 in an amount not to exceed \$300,000.00 per year for the Department of Public Works.

16-G. **Summary Ordinance No. 11,717**, an ordinance accepting the lowest responsive bid received from MST Enterprises, L.L.C. in the amount of \$39,950.00 for the landscaping and related construction including retainer wall irrigation and lighting for the Gateway sign located at the Williams Boulevard I-10 exit in accordance with Sealed Bid No. 14-6202 for the Department of Public Works.

16-H. **Summary Ordinance No. 11,718**, an ordinance accepting the responsive bid received from National Polyfab Company, Inc., for the supply of mesh, roll wire, rebar, metal keyway and chairs on an as needed basis in accordance with Sealed Bid No. 14-6212 in an amount not to exceed \$135,000.00 per year for the Department of Public Works.

16-I. **Summary Ordinance No. 11,719**, an ordinance accepting the responsive bid received from Nu-Lite Electrical Wholesalers, L.L.C. for the supply of electrical supplies on an as needed basis in accordance with Sealed Bid No. 14-6216 in an amount not to exceed \$200,000.00 per year for the Department of Public Works.

16-J. **Summary Ordinance No. 11,720**, an ordinance approving the purchase of one (1) Ford F-150, one (1) Ford F-350, and one (1) Ford Explorer from Lamarque Ford in the amount of \$89,805.00 utilizing Jefferson Parish Contract No. 55-00013770 for the Department of Fleet Management.

- 16-K. **Summary Ordinance No. 11,721**, an ordinance accepting the responsive bid received from Beverly Construction Company, L.L.C. for an annual contract to provide concrete maintenance and small jobs on an as needed basis in accordance with Sealed Bid No. 14-6210 in an amount not to exceed \$1,400,000.00 per year for the Department of Public Works.
- 16-L. **Summary Ordinance No. 11,722**, an ordinance amending the Kenner Code of Ordinances Chapter 2, Article 1, relative to providing for holidays and providing for related matters.
- 16-M. **Summary Ordinance No. 11,723**, an ordinance adopting a six (6) month moratorium on the acceptance of permit applications for the installation, erection, construction, replacement, modification of electronic message signs within the City of Kenner, excepting vested applications and applications for the repair of existing electronic message signs, pending consideration and adopting of new or revised zoning ordinance provisions that the City of Kenner may deem advisable for the promotion of public health, safety, and welfare, and providing for related matters.
- 16-N. **Summary Ordinance No. 11,724**, an ordinance amending Ordinance No. 10,747, which approved Amendment No. 1 to the engineering agreement with Linfield, Hunter & Junius, Inc., in order to correct a typographical error in Section One concerning the maximum contract amount.
- 16-O. **Summary Ordinance No. 11,725**, an ordinance amending the 2013/2014 Operating Budget and the 2006/2007 and 2011/2012 Capital Budget to make necessary year-end budget adjustments.
- 16-P. **Summary Ordinance No. 11,726**, an ordinance approving the First Amendment to Lease Agreement by and between City of Kenner and New Cingular Wireless PCS, LLC concerning a portion of arpent Lot 120, Old Kenner Subdivision, Kenner, Jefferson Parish, Louisiana, which is adjacent to the Arthur P. Clay Community Resource Center.
- 16-Q. **Summary Ordinance No. 11,727**, an ordinance approving the First Amendment to Option and Lease Agreement by and between City of Kenner and New Cingular Wireless PCS, LLC concerning a portion of Parcel D4-B, Highway Park Subdivision, Kenner, Jefferson Parish, Louisiana, which is adjacent to the Pontchartrain Convention and Civic Center.
- 16-R. **Summary Ordinance No. 11,728**, an ordinance approving the First Amendment to PCS Site Agreement by and between City of Kenner and STC Five LLC concerning a portion of Parcel D4-B, Highway Park Subdivision, Kenner, Jefferson Parish, Louisiana, which is adjacent to the Pontchartrain Convention and Civic Center.
- 16-S. **Summary Ordinance No. 11,729**, an ordinance authorizing the purchase of one (1) Bobcat 3400 XL STD Diesel Utility Vehicle at the cost of \$12,218.20 utilizing State of Louisiana Contract No. 409085 with Clark Equipment Company d/b/a Bobcat Company for the Department of Fleet Management.
- 16-T. **Summary Ordinance No. 11,730**, an ordinance establishing the policy of Notification to the Governing Authority of all lawsuits and financial settlements by the City of Kenner.

17. REPORTS FROM THE COUNCIL AND/OR SPECIAL COMMITTEES

18. NEW BUSINESS

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