

REGULAR MEETING OF THE KENNER CITY COUNCIL

MAY 4, 2023 – 5:30 P.M.

KENNER HERITAGE HALL, 303 WILLIAMS BOULEVARD, KENNER, LA 70062

POSTED < 3:00 P.M. MAY 1, 2023

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

MEETING CALLED TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE

ROLL CALL – COUNCILMEMBERS

CORRESPONDENCE: REPORTS FROM MAYOR, CAO OR DEPARTMENT HEADS

At the request of the Administration and Police Chief, executive sessions regarding the following:

1. *Veolia Water North America Operating Services, LLC and Professional Services Group, Inc. v. the City of Kenner, Eastern District of LA No. 2:21-cv-00327.*

2. *Danks v. Phillip Grayson, et al., Case No. 2:21-cv-1806.*

**Motion by Councilmember Branigan, Seconded by
Councilmember Brennan, to defer fo one meeting
Motion Carried 7/0**

RESOLUTIONS, MOTIONS, AND OTHER ITEMS FROM THE FLOOR

CONSENT AGENDA

1. APPROVAL OF MINUTES, the regular Council Meeting of April 21, 2023.

2. APPROVAL OF ALCOHOLIC BEVERAGE PERMIT APPLICATIONS

3. APPROVAL OF BINGO AND PUBLIC GATHERING APPLICATIONS

3-A. Application No. 2328-23 Taco Ton K, LLC, to hold a public gathering on May 5, 2023 from 5:00 p.m. to 11:00 p.m. for the purpose of a Cinco de Mayo at 1205 Airline Highway, Kenner, Louisiana.

**Motion by Councilmember Willmott, Seconded by
Councilmember McKinney, to approve
Motion Carried 7/0
Application No. 2328-23**

3-B. Application No. 2330-23 El Paso Mexican Grill, to hold a public gathering on May 5, 2023 from 4:00 p.m. to 10:00 p.m. for the purpose of a Cinco de Mayo Celebration at 2305 W. Esplanade Avenue, Suite L Kenner, Louisiana.

**Motion by Councilmember Willmott, Seconded by
Councilmember McKinney, to approve
Motion Carried 7/0
Application No. 2330-23**

3-C. Application No. 2335-23 Mariana LLC dba Don Jose’s Grill to hold a public gathering on May 5, 2023 from 11:00 a.m. to 11:00 p.m. for the purpose of a Cinco de Mayo Celebration at 2722 Williams Boulevard, Kenner, Louisiana.

**Motion by Councilmember Willmott, Seconded by
Councilmember McKinney, to approve
Motion Carried 7/0
Application No. 2335-23**

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

5. CHANGE ORDERS REQUIRING AN EXPENDITURE OF LESS THAN FIVE THOUSAND DOLLARS (\$5,000.00)
 6. ACCEPTANCE OF COMMITTEE FINDINGS (FINAL PASSAGE)
 7. RESUBDIVISION ORDINANCES (FINAL PASSAGE)
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PUBLIC APPEARANCE AGENDA

8. PUBLIC HEARINGS AND FINAL PASSAGE
 - 8-A. A PUBLIC HEARING AND FINAL PASSAGE regarding Summary Ordinance No. 13,241, an ordinance authorizing a public hearing and approving the proposed Fiscal Year 2023-2024 Consolidated Plan and the proposed Fiscal Year 2023-2024 Annual Action Plan of the Community Development Block Grant (CDBG) Program and the Home Investment Partnership (HOME) Program Grant for the Community Development Department.

**Motion by Councilmember Dunn, Seconded by
Councilmember Scharwath, to approve
Motion Carried 7/0
Ordinance No. 12,239**
9. ORDINANCES FOR THE SALE, PURCHASE, TRANSFER, LEASE, AND/OR ALIENATION OF IMMOVABLE PROPERTY
 - 9-A. A PUBLIC HEARING AND FINAL PASSAGE regarding Summary Ordinance No. 13,206, an ordinance approving the sale of Lots 13, 14, and 15, Square 21, Old Kenner Subdivision, Kenner, Jefferson Parish, Louisiana, which lots are owned by the City of Kenner. Case P-9-23

**Motion by Councilmember LaHatte, Seconded by
Councilmember Dunn, for a two meeting deferral
Motion Carried 7/0**
10. OPENING OF BID
11. RECLASSIFICATION OF ZONING (FINAL PASSAGE)
 - 11-A. A PUBLIC HEARING AND FINAL PASSAGE regarding Summary Ordinance No. 13,204, an ordinance approving the Plan of Resubdivision of Lots 15A, 23-A, 25, 26, 28A, 30A, 33A, 35A, 40A, and 95-D, Square 133, Veterans Heights Subdivision, Kenner, Jefferson Parish, Louisiana, into Lot 95-E, and amending Ordinance No. 11,062, adopted by the City of Kenner, Louisiana, on March 17, 2016, entitled Unified Development Code of the City of Kenner, Louisiana, more particularly amending the Official Zoning Map of the City of Kenner, and rezoning Lot 95-E, Square 133, Veterans Heights Subdivision, Kenner, Jefferson Parish, Louisiana, from C-1, Neighborhood Commercial and R-3, Three and Four Family Residential to C-2, General Commercial. Case Z-1-23

**Motion by Councilmember Dunn, Seconded by
Councilmember Scharwath, to approve
Motion Carried 7/0
Ordinance No. 12,240**
12. OTHER ORDINANCES (FINAL PASSAGE)
 - 12-A. Summary Ordinance No. 13,227, an ordinance repealing Resolution No. B-17293, adopted October 6, 2022, and implementing requirements for the approval of the settlement of lawsuits against the City of Kenner.

**Motion by Councilmember Willmott, Seconded by
Councilmember Branigan, for a one meeting deferral
Motion Carried 7/0**
 - 12-B. Summary Ordinance No. 13,242, an ordinance amending Ordinance No. 7549 which dedicated revenues received from the Treasure Chest Casino.

**Motion by Councilmember Brennan, Seconded by
Councilmember McKinney, to approve
Motion Carried 7/0
Ordinance No. 12,241**

13. RESOLUTIONS AND MOTIONS BY COUNCILMEMBERS

13-A. A resolution authorizing a settlement in the lawsuit entitled Veolia Water North America Operating Services, LLC and Professional Services Group, Inc. v. the City of Kenner, Eastern District of LA No.: 2:21-cv-00327.

Motion by Councilmember Branigan, Seconded by
Councilmember LaHatte, for a one meeting deferral
Motion Carried 7/0

13-B. A resolution authorizing a settlement in the lawsuit entitled Danks v. Phillip Grayson, et al., Case No. 2:21-cv-1806.

Motion by Councilmember Branigan, Seconded by
Councilmember LaHatte, for a one meeting deferral
Motion Carried 7/0

13-C. A resolution reappointing Keith R. Credo to the City of Kenner Civil Service Board in accordance with the Charter of the City of Kenner.

Motion by Councilmember Brennan, Seconded by
Councilmember McKinney, to approve
Motion Carried 7/0

Resolution No. B-17326

13-D. A resolution naming the basketball court in the gym at Muss Bertolino Playground "The Barbara Giarratano Court".

Motion by Councilmember Branigan, Seconded by
Councilmember McKinney, to approve
Motion Carried 7/0

Resolution No. B-17327

14. ITEMS REMOVED FROM THE CONSENT AGENDA

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

15-A. Summary Ordinance No. 13,231, an ordinance authorizing an agreement with DRC Emergency Services, LLC to provide post-disaster services and support in accordance with RFP No. 23-6717.

Motion by Councilmember McKinney, Seconded by
Councilmember Scharwath, to approve
Motion Carried 7/0

Ordinance No. 12,242

15-B. Summary Ordinance No. 13,232, an ordinance approving an agreement with Servpro of Metairie, North Kenner, Harahan for remediation and restoration services in an amount not to exceed \$90,000.00 for the Department of Finance.

Motion by Councilmember Brennan, Seconded by
Councilmember Branigan, to approve
Motion Carried 7/0

Ordinance No. 12,243

15-C. Summary Ordinance No. 13,233, an ordinance accepting the lowest responsive bid received from Gold Rush Signs, LLC to furnish and install one (1) sign at Veterans Park in accordance with Letter Bid 23-2059 in the amount of \$7,410.00 for the Department of General Services.

Motion by Councilmember Willmott, Seconded by
Councilmember Scharwath, to approve
Motion Carried 7/0

Ordinance No. 12,244

15-D. NO SUMMARY NUMBER ISSUED, an ordinance accepting the lowest responsive bid received from J & C Marks Enterprise LLC to provide carpentry services (labor only) on an as needed basis in accordance with Sealed Bid 23-6740 in an amount no to exceed \$200,000.00 annually for the Department of General Services. REMOVED AT THE REQUEST OF THE LEGAL DEPARTMENT AT THE 4/21/2023 MEETING.

Motion by Councilmember Branigan, Seconded by
Councilmember Willmott, to remove

Motion Carried 7/0

TDD No. 2023-03

15-E. Summary Ordinance No. 13,234, an ordinance accepting the lowest responsive bid received from Technology International, Inc. to purchase one (1) battery backup for Starmaster at the Planetarium in accordance with Letter Bid 23-2060 in an amount not to exceed \$21,645.00 for the Department of General Services.

**Motion by Councilmember McKinney, Seconded by
Councilmember Dunn, to approve
Motion Carried 7/0
Ordinance No. 12,245**

15-F. Summary Ordinance No. 13,235, an ordinance accepting the lowest responsive bid received from B & H Photo Video Pro Audio LLC for the purchase of City Cameras in accordance with Fax Bid No. T23-2917 in an amount not to exceed \$13,839.72.

**Motion by Councilmember McKinney, Seconded by
Councilmember Dunn, to approve
Motion Carried 7/0
Ordinance No. 12,246**

15-G. Summary Ordinance No. 13,236, an ordinance approving the use of State Contract No. 4400023194 with A & L Sales, Inc. for the purchase of various types of trash bags and can liners on an as needed basis at a cost not to exceed \$20,000.00 for the Kenner Police Department.

**Motion by Councilmember Branigan, Seconded by
Councilmember LaHatte, to approve
Motion Carried 7/0
Ordinance No. 12,247**

15-H. Summary Ordinance No. 13,237, an ordinance approving the use of State Contract No. 4400023312 with Precision Delta Corporation for the purchase of various types of ammunition on an as needed basis at a cost not to exceed \$50,000.00 for the Kenner Police Department.

**Motion by Councilmember Brennan, Seconded by
Councilmember McKinney, to approve
Motion Carried 7/0
Ordinance No. 12,248**

15-I. Summary Ordinance No. 13,238, an ordinance approving an agreement with Vanderbrook & Co., LLC certified public accountants for financial consulting in an amount not to exceed \$90,000.00 for the Kenner Police Department.

**Motion by Councilmember Brennan, Seconded by
Councilmember McKinney, to approve
Motion Carried 7/0
Ordinance No. 12,249**

15-J. Summary Ordinance No. 13,239, an ordinance approving an increase to the not to exceed amount established to furnish and install Light Bars and Sirens from Vehicle Parts and Equipment, Inc. utilizing State Contract Nos. 4400005417, 4400018761 and 4400022051 for the Departments of Fleet Management, Police and Fire.

**Motion by Councilmember Scharwath, Seconded by
Councilmember LaHatte, to approve
Motion Carried 7/0
Ordinance No. 12,250**

15-K. Summary Ordinance No. 13,240, an ordinance accepting the lowest responsible bid received from Bayou State to purchase electrical supplies for the sewer lift station at Veterans Boulevard and the Parish line in accordance with Sealed Bid No. 23-6743 in the amount of \$36,317.85 for the Department of Public Works.

**Motion by Councilmember Dunn, Seconded by
Councilmember Brennan, to approve
Motion Carried 7/0
Ordinance No. 12,251**

16. ORDINANCES/RESOLUTIONS IN SUMMARY (FIRST READING)

16-A. Summary Ordinance No. 13,243, an ordinance adopting the Capital Budget for the City of Kenner for the Fiscal Year beginning July 1, 2023 and ending June 30, 2024.

- 16-B. Summary Ordinance No. 13,244, an ordinance accepting the lowest responsive bid received from Barriere Construction Company, LLC to supply asphalt materials on as needed basis in accordance with Sealed Bid No. 23-6752 in an amount not to exceed \$60,000.00 annually for the Department of Field Services.
- 16-C. Summary Ordinance No. 13,245, an ordinance accepting the lowest responsive bid received from Armstrong's Supply Company, Inc. to supply electrical supplies on an as needed basis in accordance with Sealed Bid No. 23-6742 in an amount not to exceed \$200,000.00 annually for the Department of Field Services.
- 16-D. Summary Ordinance No. 13,246, an ordinance accepting the lowest responsive bid received from Automated Control Systems, Inc. to purchase Generator Load Testing supplies in accordance with Letter Bid No. 23-2063 in the amount of \$19,872.00 for the Department of Public Works.
- 16-E. Summary Ordinance No. 13,247, an ordinance approving Change Order No. 3 (FINAL) to the agreement with Hard Rock Construction, LLC dated May 23, 2019 regarding West Esplanade Avenue Bridges at Duncan Canal, State Project No. H.011731.6, Federal Aid Project H011731, Kenner Public Works Project No. 2014-001A-CIP for a decrease of \$113,234.00 and to accept the completion of the project as constructed for the Department of Public Works.
- 16-F. Summary Ordinance No. 13,248, an ordinance ratifying the policy and rates for Commercial Property Insurance for the City of Kenner for the policy year June 1, 2023, through May 31, 2024.
- 16-G. Summary Ordinance No. 13,249, an ordinance accepting the lowest responsive bid received from DPC Enterprises, L.P. for a contract to provide Sodium Hypochlorite on an as needed bases in accordance with Sealed Bid No. 23-6746 in an amount not to exceed \$130,410.00 annually for the Department of Wastewater.
- 16-H. Summary Ordinance No. 13,250, an ordinance amending Chapter 2 "Administration" to add Article VII, - Requirements for HUD Section 3 "Covered Projects" to the Kenner Code of Ordinances.
- 16-I. Summary Ordinance No. 13,251, an ordinance authorizing the City of Kenner to hold a public auction on June 8, 2023 to sell surplus movable property no longer needed for public purpose and setting the terms and disposition of proceeds from the sale.
- 16-J. Summary Ordinance No. 13,252, an ordinance approving the lease of the building and land located on a portion of Lot 17-C, Square 40, Old Kenner Subdivision bearing the municipal address 409 Williams Boulevard and commonly referred to as the Observatory.
- 16-K. Summary Ordinance No. 13,253, an ordinance amending Ordinance No. 11,062, adopted by the City of Kenner, Louisiana, on March 17, 2016, entitled Unified Development Code of the City of Kenner, Louisiana, more particularly amending and rezoning Lots 7 through 14, Lots 19 through 26: and lots 29 through 42, Square 460, Highway Subdivision, Kenner, Jefferson Parish, Louisiana, from RR-1 Single Family Residential to S-I Special Industrial, and directing, authorizing and empowering the Planning Director for the City of Kenner to alter and amend the Official Zoning Map of the City of Kenner, Louisiana, which property is owned by Jefferson Wholesale, LLC.

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