

MINUTES OF ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, MARCH 6, 2014 AT 6:00 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable R. Reid Falconer, AIA, Chairman

Invocation by Mr. Smith

Pledge of Allegiance by Mr. Stefancik

Roll Call: Marty Dean ABSENT
Dennis Sharp
James A. (Red) Thompson
Martin W. Gould, Jr.
Richard E. Tanner
Jacob (Jake) Groby
R. Reid Falconer, AIA
Chris Canulette
E. L. Gene Bellisario
Maureen O'Brien
Steve Stefancik
Jerry Binder
Richard Artigue
Thomas (T.J.) Smith, Jr.

PRESENTATIONS

Falconer - 1. Introduction of Junior Council Member for March - Kathryn Ryan. (Binder) Ms. Ryan went out of town unexpectedly, so we are going to remove this item and reschedule it at a later date.

Falconer - 2. Certificate of Recognition to the Gearheads Robotics Team from Boyet Junior High School. (Bellisario)

Bellisario, Brister and Artigue - presented certificates to the students and coaches.

Bellisario - wants to thank Winn Williams for helping to raise the money to pay for the plaques presented to these students and to help sponsor their trip to the Nationals.

Gearheads Robotics Team - presented some of their robots and showed what they were capable of doing.

Winn Williams - the Leadership Slidell Northshore Alumni Association is providing the funds to the Robotics Team, so they may attend the Nationals.

Falconer - 3. Presentation to Rolland Golden as the Visual Artist of the Year. (Falconer/Brister)

Pat Brister - Mr. Golden lives in Folsom and also in Mississippi. He has held over 100 one-man shows and tours within the United States, Russia and France. He also has works in many private collections and museums. She also wants to thank Jennifer Bushnell who coordinated the President's awards this year.

Brister and Falconer - presented certificate to Mr. Golden.

Falconer - 4. Proclamation of March as American Red Cross Month. (Falconer/Brister)

Brister - read certificate and she and Falconer presented the Proclamation to a representative from the Red Cross.

Falconer - 5. Certification of Recognition to Jimmy Lloyd on achieving the rank of Eagle Scout. (Artigue)

Falconer - we will be postponing this until next month.

Falconer - the Council has formed a Communications Work Group to discuss suggestions for improving communication between the Council and the Public. To help provide some clarity and understanding, I will speak to certain items of the Council's Operating Procedures before we begin the meeting tonight. (See Clerk's Notes for the Chairman's explanations.)

Stefancik - request to move up the -Off-the-Floor Items.

Bellisario - which one of these is an emergency item? The way I read number 1 is a follow-up of something from last month. The Moratorium may be one because it involves a zoning request, and why we have to move forward with the forensic audit is not an emergency. He is just looking for a clarification.

Stefancik - would agree that number 1 is not an emergency, but representatives from Fire District No. 12 are here, and he does not want them to have to wait until the end of the meeting. The emergency for number 2 is that they are looking to buy some property and are unable to because of the moratorium. The reason he added number 3 is the IG group has made a recommendation and if we are going to try to adopt a forensic type audit this year, we need to move rapidly. It would need to be completed along with our current audit before July.

Bellisario - number 1 is not an emergency and he thinks it should be held over until next month. The moratorium involves a zoning request which takes a minimum of 75 days, so the moratorium can be addressed next month, and he just does not see an immediate need regarding the audit.

Binder - He does not think it is good business to move up the entire Off-the-Floor Agenda above our Consent Calendar. He understands moving up a presentation to prevent them from having to sit through the whole meeting. However, these items came in after the Agenda closed, and does not know if it is good practice to start moving all of them up before the Consent Calendar. Then there is no reason to get things in before the close of the Agenda .

Canulette - on number 1 coming in from the QAP, this needs to be addressed tonight. It can effect the ambulance service of this Parish, and it needs to be answered tonight.

Gould - technical question, is the request to move up the items Off-the-Floor or open the Items Off-the-Floor.

Stefancik - this is a request to move up the items Off-the-Floor. He does not mind voting on this individually.

Stefancik - moved to move up Item No. 2 from Off-the-Floor, second by Tanner. Motion fails with 12 yeas, 1 nay (Bellisario) and 1 absent (Dean).

Stefancik - moved to move up Item No. 1 from Off-the-Floor, second by Canulette.

Stefancik - they are here ready to make a presentation, if it is not moved up, he will let them go. He will not keep them here all night.

Stefancik - moved to move up Item No. 1 from Off-the-Floor, second by Canulette. Motion fails 9 yeas, 4 nays (Sharp, Thompson, Gould, Bellisario) and 1 absent (Dean).

Falconer - call to Council and Audience for items to be pulled from the Consent Calendar.

CONSENT CALENDAR

Any items not pulled from the Consent Calendar are automatically approved in whole by one vote. Items pulled from the Consent Calendar are discussed and voted upon individually. (Call to Council Members and Audience for items to pull)

MINUTES

Regular Council Meeting February 6, 2014

Council Committee Meeting February 26, 2014

ORDINANCES FOR INTRODUCTION

(Public Hearing: April 3, 2014)

1. Ord. Cal. No. 5159 - Ordinance to extend for six (6) months the moratorium on the issuance of permits for construction or placement of non-single family residential building structures on property within a portion of Voting Precinct 310, north of Abita River.(District 5) (Gould)

2. Ord. Cal. No. 5160 - Ordinance to extend for six-months the moratorium on the issuance of permits for construction, or placement of building structures on any properties within unincorporated St. Tammany Parish within five hundred (500) feet of the centerline on either side of Hwy 1088 from Soutl Street to I-12. (Ward 4, Districts 5 & 7) (Gould/Groby)

3. Ord. Cal. No. 5161 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for construction or placement of building structures on property within certain portions of Highland Park Subdivision. (District 12) (Binder)

4. Ord. Cal. No. 5162 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 2, Definitions and Section 5, Zoning Districts, relative to a new section 5.38 Advanced Manufacturing and Logistics District. (ZC14-02-017) (ZC approved 2/4/14) (Falconer/ Brister)

5. Ord. Cal. No. 5163 - Ordinance amending the Official Parish Zoning Map to reclassify 6.31 acres located east side of Howze Beach Road, south of Paul Street from a PUD (Planned Unit Development Overlay) to I-1 (Industrial District). (Ward 9, District 13) (ZC14-02-016) (ZC approved 2/4/14) (Falconer/ Brister)

6. Ord. Cal. No. 5164 - Ordinance to amend Appendix D of the Parish Code of Ordinances, otherwise known as the Building Code, to adopt and incorporate the Louisiana State Uniform Construction Code as the Building Code of St. Tammany Parish, and to remove reference to other building codes from Appendix D of the St. Tammany Parish Code of Ordinances. (Falconer/ Brister)

7. Ord. Cal. No. 5165 - Ordinance to amend Ordinance C.S. No. 12-2862 - 2013-2017 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Falconer/ Brister)

8. Ord. Cal. No. 5166 - Ordinance to amend Ordinance C.S. No. 12-2862 - 2013-2017 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Falconer/ Brister)

9. Ord. Cal. No. 5167 - Ordinance to amend the 2013 Operating Budget - Amendment No. 11. (Falconer/ Brister)

10. Ord. Cal. No. 5168 - Ordinance to amend Ordinance Council Series Numbers 00-0174, 05-1049 and 05-1199 to provide for amendments to the Personnel Policies pertaining to compensation. (Falconer/ Brister)

RESOLUTIONS

2. Resolution C.S. No. C-3994 - Resolution approving the holding of an election in St. Tammany Fire Protection District No. 6 to authorize the levy of a special tax therein. (Tanner)

3. Resolution C.S. No. C-3995 - Resolution to support the Louisiana State Legislature designation of a portion of U.S. Highway 190 as 'Tammany Parkway'. (Districts 2, 4, 5) (Falconer/Brister)

4. Resolution C.S. No. C-3996 - Resolution to support the Louisiana State Legislature designation of a portion of Louisiana Highway 21 as 'South Tyler Street/Boulevard'. (District 1) (Falconer/ Brister)

5. Resolution C.S. No. C-3997 - Resolution to vacate, in part, the six (6) month moratorium established by Ordinance C.S. No. 08-1741, and any subsequent extensions thereof, for the limited purpose of allowing the approval of rezoning applications and the issuance of plan review permits on Lot 413-D1, Flower Estates Subdivision. (Ward 1, District 1) (Dean)

6. Resolution C.S. No. C-3998 - Resolution to approve and authorize the Parish President to execute a project agreement with the United States Department of Agriculture, Natural Resources Conservation Service for levee repair and debris removal from waterways. (Falconer/ Brister)

7. Resolution C.S. No. C-3999 - Resolution to authorize the appointment of local program administrator for St. Tammany Parish and to provide for related matters. (Falconer/ Brister)

8. Resolution C.S. No. C-4000 - Resolution establishing Warranty Obligations. (Falconer/ Brister)

9. Resolution C.S. No. C-4001 - Resolution to amend Ordinance C.S. No. 13-3052 the 2014 - 2018 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards. (Falconer/ Brister)

10. Resolution C.S. No. C-4002 - Resolution to amend Ordinance C.S. No. 13-3052 the 2014 - 2018 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards. (Falconer/ Brister)

END OF CONSENT CALENDAR

Smith- moved to adopt the consent calendar less items pulled, second by Groby. Unanimous with 2 absent (Dean, Stefancik).

Falconer - 1. Resolution C.S. No. C-3894 - Resolution to approve the appointment of Anthony Smith as Director of the Procurement Department for the remainder of the 2012-2015 Parish President's term of office. (Falconer/Brister) (Postponed 1/9/14 and 2/6/14)

Falconer - we need to table this item until after Ord. Cal. No. 5154, which addresses the same issue.

Smith - moved to table, second by Groby. Unanimous with 2 absent (Dean, Stefancik).

Falconer - 11. Resolution C.S. No. C-4003 - Resolution to concur/not concur with the Covington annexation and rezoning of 4.2 acres located in Section 42, Township 6 South, Range 11 East from Parish HC-2 (Highway Commercial District) to Covington CR (Regional Commercial District). (Ward 3, District 5) (Falconer/ Brister)

Gould - moved to concur, second by Thompson. Unanimous with 2 absent (Dean, Stefancik).

Falconer - 12. Resolution C.S. No. C-4004 - Resolution to set the salaries of the employees of the St. Tammany Parish Coroner's Office pursuant to Louisiana House Act No. 181 (R.S. 13:5725). (Stefancik)

Bellisario - moved to adopt, second by Binder. Unanimous with 2 absent (Dean, Stefancik).

APPEAL

Falconer - 1. Perry Rucker and Kenneth Sessions appealing the Zoning Commission APPROVAL on January 7, 2014 to rezone 1 acre located east of Carey Road, south of Sticker Road, north of Purcella Road from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay. (Ward 8, District 9) (ZC14-01-008) (Applicant: Lucien and Annette Boudreaux) (Postponed 2/6/14)

NOTE: To concur with Zoning APPROVAL, a simple majority vote is required and introduction of a ordinance.

NOTE: To override Zoning APPROVAL, a majority vote of the entire Council is required and adoption of a resolution.

Bellisario - he worked with both sides in this matter to reach an agreement, which lead to Mr. Rucker and Mr. Sessions withdrawing their appeal.

Bellisario - moved to concur with the Zoning Approval, second by Canulette. Unanimous with 2 absent (Dean, Stefancik).

Bellisario - moved to introduce, second by Canulette; becomes Ord. Cal. No. 5169.

Falconer - 2. Terri Lewis Stevens appealing the Zoning Commission APPROVAL on February 4, 2014 to amend the St. Tammany Parish Unified Development Code, Volume 1, Section 5.27 MD-1 (Medical Residential District), Section 5.28 MD-2 (Medical Clinic District), Section 5.29 MD-3 (Medical Facility District) relative to buffer, setback and height regulations. (ZC14-02-019)

NOTE: To concur with Zoning APPROVAL, a simple majority vote is required and introduction of a ordinance.

NOTE: To override Zoning APPROVAL, a majority vote of the entire Council is required and adoption of a resolution.

Falconer - Ms. Stevens withdrew her appeal.

Gould - moved to adopt, second by Artigue. Unanimous with 2 absent (Dean, Stefancik).

Gould - moved to introduce, second by Tanner; becomes Ord. Cal. No. 5170.

ORDINANCES FOR ADOPTION

Falconer - 1. Ord. Cal. No. 5109 - Ordinance to amend Code of Ordinances, Chapter 7 Drainage and Flood Control to amend and reestablish the boundaries of Drainage District No. 2. (Ward 9, District13) (Introduced 12/5/13) (Postponed 1/9/14 and 2/6/14)

Artigue - moved to adopt, second by Canulette. Unanimous with 2 absent (Dean, Stefancik); becomes Ordinance C.S. No. 14-3094.

Falconer - 2. Ord. Cal. No. 5130 - Ordinance to amend the Parish Code of Ordinances, Chapter 18, by adding a new article thereto creating the 'Hwy 434 Economic Development District', defining the boundaries thereof in accordance with and as Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended; and providing for other matters in connection therewith. (District 7 and District 11). (Introduced 1/9/14) (Postponed 2/6/14)

Grobby - moved to adopt, second by Artigue.

Bonnie Eades - she is here representing the Northshore Business Council, the Northshore Legislative Alliance and East St. Tammany Chamber. She would like to express their support for the development of these economic development districts. They believe strongly these districts will provide better Parish control of business growth in strategic areas along the I-12 corridor. The districts will be able to establish the standards in advance of anticipated business development to

ensure high quality business growth that is cohesive in design and thus, visually attractive. The managed economic development district standards will give St. Tammany a competitive advantage by attracting industry, business offices and retail establishments providing new high quality jobs and additional tax revenues to help reduce the high cost of infrastructure improvements within these designated areas.

Binder - he is in support of the economic development district, but he wants to make sure his vision is connected with the Parish administration's vision. He wants to see the Parish bring in businesses other than retail.

Eades - yes, we want to bring in industry.

Patricia Brister - that is our goal to attract corporate offices, industries into these areas. Hoping that with the districts having enhanced look will attract those businesses.

Andrew Gibson - he is a native of St. Tammany Parish and a member of the business community. He thanks all for the thoughtful leadership in working out the business and economic developments to provide consistency to the development of the business community. This will also help us gain economic independence.

Groby -reiterated motion to adopt, second by Artigue. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 14-3095.

Falconer - 3. Ord. Cal. No. 5131 - Ordinance to amend the Parish Code of Ordinances, Chapter 18, by adding a new article thereto creating the 'Hwy 1088 Economic Development District', defining the boundaries thereof in accordance with and as Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended; and providing for other matters in connection therewith. (District 5 and District 7) (Introduced 1/9/14) (Postponed 2/6/14)

Gould - moved to adopt, second by Groby.

Edward Poitevent - bottom line is that he thinks this is something that is very much in the best interest of the Parish, and he supports it along with the others that have been created. Read statement into the record. (See Clerk's Notes for the statement)

Carlo Hernandez - all of these districts include residential zoning. He has a map which shows this. If no residential development will occur in these districts, why not remove all residential zones from the economic development districts.

Gould - reiterated motion for adoption, second by Groby. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 14-3096.

Falconer - 4. Ord. Cal. No. 5142 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of submissions by the Parish Zoning and Planning Commissions, for rezoning or resubdivision of property, not previously applied for, located north of Interstate 12 and abutting or having access to Airport Road, within the unincorporated boundaries of Ward 9, District 11. (Ward 9, District 11) (Introduced 2/6/14)

Stefancik - moved to adopt, second by Canulette. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 14-3097.

Falconer - 5. Ord. Cal. No. 5143 - Ordinance to correct the road inventory to include Danny Rae Road. (Ward 1, District 1) (Introduced 2/6/14)

Gould - moved to adopt, second by Thompson. Unanimous with 2 absent (Dean, Bellisario); becomes Ordinance C.S. No. 14-3098.

Falconer - 6. Ord. Cal. No. 5144 - Ordinance establishing a No Parking Zone on Selbourn Street (R08-U-016). (Ward 9, District 12) (Introduced 2/6/14)

Binder - moved to adopt, second by Artigue. Unanimous with 2 absent (Dean, Bellisario); becomes Ordinance C.S. No. 14-3099.

Falconer - 7. Ord. Cal. No. 5145 - Ordinance amending the official Parish Zoning Map to reclassify 4.13 acres located west of Johnny Lane, north of JF Smith Avenue from I-1 (Industrial District) to I-2 (Industrial District). (Ward 9, District 14) (ZC14-01-013) (Introduced 2/6/14)

Smith - moved to adopt, second by Artigue. Unanimous with 2 absent (Dean, Bellisario); becomes Ordinance C.S. No. 14-3100.

Falconer - 8. Ord. Cal. No. 5146 - Ordinance amending the official Parish Zoning Map to reclassify 5.82 acres located north of Bayou Liberty Road, west of Galatas Lane, east of Faciane Road, being 34205 Bayou Liberty Road from A-2 (Suburban District) to A-2 (Suburban District) and RO (Rural Overlay). (Ward 9, District 11) (ZC14-01-012) (Introduced 2/6/14)

Stefancik - moved to adopt, second by Smith. Unanimous with 2 absent (Dean, Bellisario); becomes Ordinance C.S. No. 14-3101.

Falconer - 9. Ord. Cal. No. 5147 - Ordinance amending the official Parish Zoning Map to reclassify 40,000 square feet located south of Lakeview Drive, east of US Highway 11, being 59 Lakeview Drive, Slidell from NC-4 (Neighborhood Institutional District) to A-4A (Single-Family Residential District). (Ward 9, District 13) (ZC14-01-011) (Introduced 2/6/14)

Artigue - moved to adopt, second by Binder. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 14-3102.

Falconer - 10. Ord. Cal. No. 5148 - Ordinance amending the official Parish Zoning Map to reclassify 86.26 acres located north and south of Elm Street, south of I-12 from NC-1 (Professional Office District) to NC-1 (Professional Office District) & RO (Rural Overlay). (Ward 4, District 5) (ZC14-01-010) (Introduced 2/6/14)

Gould - moved to adopt, second by Thompson. Unanimous with 2 absent (Dean, Artigue); becomes Ordinance C.S. No. 14-3103.

Falconer - 11. Ord. Cal. No. 5149 - Ordinance amending the official Parish Zoning Map to reclassify 1.3 acres located east of Sea Spray Drive, south of Heathermist Drive, north of Smokey Hollow Drive, Avery Estates Addition from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 8, District 13) (ZC14-01-009) (Introduced 2/6/14)

Canulette - moved to adopt, second by Stefancik. Unanimous with 2 absent (Dean, Artigue); becomes Ordinance C.S. No. 14-3104.

Falconer - 12. Ord. Cal. No. 5150 - Ordinance amending the official Parish Zoning Map to reclassify 80.89 acres located along J. F. Smith Blvd. and Mechanical Drive, Johnny F. Smith Memorial Business Park from I-1 (Industrial District) to I-2 (Industrial District). (Ward 9, District 14) (ZC14-01-007)(Introduced 2/6/14)

Smith - moved to adopt, second by Binder. Unanimous with 2 absent (Dean, Artigue); becomes Ordinance C.S. No. 14-3105.

Falconer - 13. Ord. Cal. No. 5151 - Ordinance amending the official Parish Zoning Map to reclassify 3 acres located south of Gottschalk Road, west of LA Highway 1077, being 10526 Gottschalk Road, Covington from A-1 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 1, District 1) (ZC14-01-005) (Introduced 2/6/14)

Thompson - moved to adopt, second by Sharp. Unanimous with 2 absent (Dean, Artigue); becomes Ordinance C.S. No. 14-3106.

Falconer - 14. Ord. Cal. No. 5152 - Ordinance amending the official Parish Zoning Map to reclassify 1.41 acres located north of Jackson Avenue, east of 24th Street, being Lots 1-7 Sq. 179, Town of Lacombe from A-3 (Suburban District) to A-3 (Suburban District) and MHO (Manufactured

Housing Overlay). (Ward 7, District 7) (ZC14-01-003) (Introduced 2/6/14)

Groby - moved to adopt, second by Stefancik. Unanimous with 2 absent (Dean, Artigue); becomes Ordinance C.S. No. 14-3107.

Falconer - 15. Ord. Cal. No. 5153 - Ordinance amending the official Parish Zoning Map to reclassify 2.115 acres located west of LA Highway 1083, north of E. J. Oalman Road from A-1 (Suburban District) to A-2 (Suburban District). (Ward 5, District 6) (ZC14-01-001) (Introduced 2/6/14)

Tanner - moved to adopt, second by Thompson. Unanimous with 2 absent (Dean, Artigue); becomes Ordinance C.S. No. 14-3108.

Falconer - 16. Ord. Cal. No. 5154 - Ordinance to amend Ordinance Sec. 2-091.00 and Sec. 2-092.00 of the St. Tammany Parish Code of Ordinances for the reorganization of Parish Departments. (Introduced 2/6/14)

Tanner - moved to amend the Ordinance to state the Ordinance will become effective immediately upon adoption, second by Gould. Unanimous with 2 absent (Dean, Artigue); becomes Ord. Cal. No. 5154AA.

Tanner - moved to adopt as amended, second by Gould. Unanimous with 2 absent (Dean, Artigue); becomes Ordinance C.S. No. 14-3109.

Gould - moved to remove Resolution C.S. No. C-3894 from the table, second by Thompson. Unanimous with 2 absent (Dean, Artigue).

Falconer - 1. Resolution C.S. No. C-3894 - Resolution to approve the appointment of Anthony Smith as Director of the Procurement Department for the remainder of the 2012-2015 Parish President's term of office. (Falconer/Brister) (Postponed 1/9/14 and 2/6/14)

Tanner - moved to adopt, second by Sharp. Unanimous with 2 absent (Dean, Artigue).

Falconer - 17. Ord. Cal. No. 5155 - Ordinance to Amend the 2014 Operating Budget - Amendment No. 2. (Introduced 2/6/14)

Stefancik - moved to adopt, second by Groby. Unanimous with 2 absent (Dean, Artigue); becomes Ordinance C.S. No. 14-3110.

Falconer - 18. Ord. Cal. No. 5156 - Ordinance to amend the Parish Unified Development Code, Volume 1 (Zoning), Section 5.14: NC-1 (Professional Office District) relative to adding Single Family Dwelling, Private Garages and Accessory Structures and Garage Apartment or Guest House under 1,000 square feet of habitable floor space, as Permitted Uses. (ZC14-02-018) (Introduced 2/6/14) (ZC Approved 2/4/14)

Falconer - on advice of Counsel, I need to recuse myself from this item, I am going to pass the gavel to the Vice-Chairman, Mr. Tanner.

O'Brien - moved to amend this to make it effective immediately upon adoption, second by Stefancik.

Terry Hand - need an additional amendment to permit Mr. Tanner as the Vice-Chairman to sign in replacement of the Chairman.

Tanner - add that as an additional amendment to the amendment.

O'Brien - reiterated Motion to amend ordinance to make it effective immediately upon adoption and to permit Mr. Tanner as the Vice-Chairman to sign in replacement of the Chairman, second by Stefancik. Motion passes with 12 yeas, 1 recusal (Falconer) and 1 absent (Dean); becomes Ord. Cal. No. 5156AA.

Gould - moved to adopt as amended, second by Thompson. Motion passes with 12 yeas, 1 recusal (Falconer) and 1 absent (Dean); becomes Ordinance C.S. No. 14-3111.

Falconer - 19. Ord. Cal. No. 5157 - Ordinance to amend Ord. C.S. No. 01-0303, adopted May 3, 2001, regarding a major amendment to the PUD (Planned Unit Development Overlay) for 161 acres located at the northwest corner of intersection of I-12 and LA Highway 1088. (Ward 4, Districts 5 & 7) (ZC01-03-028) (Introduced 2/6/14)

Carlo Hernandez - what is shown online for this ordinance is from a previous approval. However, it should be an earlier covenant proposal and ordinance which were amended and are much different from what he appealed.

Sidney Fontenot - at the hearing of the Appeal last month, the correct list of permitted uses was included, but the packet from this month has an older version.

Gould - does it state no heavy industrial?

Fontenot - it does not prohibit heavy industrial, but the permitted uses do not include heavy industrial uses.

Hand - he feels it is best to postpone this until next month in order to ensure the correct information is included before it is adopted.

Gould - moved to postpone, second by Thompson. Unanimous with 1 absent (Dean).

Falconer - 20. Ord. Cal. No. 5158 - Ordinance amending the Official Parish Zoning Map to reclassify 5 acres located south of Press Sharp Road, across from Joseph Revere Road from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 6) (ZC14-01-002) (Introduced 2/6/14)

Tanner - moved to adopt, second by Thompson. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 14-3112.

APPOINTMENTS

Falconer - 1. Resolution to appoint Robbie Robinson to Parish Sewerage District No. 4 to replace David Haines (retiring). (Falconer)

Tanner - moved to appoint, second by Thompson. Unanimous with 1 absent (Dean); becomes Resolution C.S. No. C-4005.

Falconer - 2. Resolution to appoint Mike Gambrell and Shawn Doll to Parish Recreation District No. 16. (Districts 7, 8, 9, 11, 12, 13 & 14) (Bellisario)

Bellisario - these are two gentleman who have been participating in meetings but unable to vote.

Smith - moved to appoint, second by Bellisario. Unanimous with 1 absent (Dean); becomes Resolution C.S. No. C-4006.

DISCUSSIONS AND OTHER MATTERS

Falconer - 1. Discussion on the formation of a Council Workgroup to address establishing criteria for passing motions to rezone property from the Council to the Zoning Commission. (Bellisario)
Bellisario - moved to postpone, second by Canulette. Unanimous with 1 absent (Dean).

Falconer - 2. Motion to refer to Zoning Commission for recommendation the proposed re-zoning of 11.466 acres located in Section 21, Township 5 South, Range 11 East located at the intersection of Section Road and King Road from A-1 (Suburban District) to A-1-A (Suburban District). (Ward 2, District 6) (Tanner)

Tanner - moved to refer, second by Gould. Unanimous with 1 absent (Dean).

Falconer - 3. Motion to refer to the Zoning Commission for consideration to include the use of Farm

Winery under Administrative permits under the Rural Overlay for allowing the sale in bulk of wine from the premises where the products are manufactured pursuant to such permit, the offering and tasting of free samples of such wine to visitors and prospective retail customers for consumption on the premises of the farm winery, the sale at retail from the premises of sealed bottles or other sealed containers of such wine for consumption off the premises. (Tanner)

Tanner - moved to refer, second by Thompson. Unanimous with 1 absent (Dean).

ITEMS OFF-THE-FLOOR

Bellisario - during the meeting, he spoke to Fire Protection District No. 1 on Item No. 2. The District is buying some land and only has 60 days to make a decision on it, and I feel if we delay this by 30 days, it could jeopardize the whole process. I was also advised that with the moratorium lifted they can move forward in the Zoning process.

Falconer - he appreciates Mr. Bellisario's eagerness to move to number 2, but he would like to keep in line with the agenda and discuss Item No. 1.

Falconer - 1. Presentation by Fire Protection District No. 12 to answer questions as a follow-up to Resolution C.S. C- 3922 adopted at the February 6, 2014 Council Meeting. (Stefancik)

Canulette - moved to open Item No. 1 on the Off-the-Floor Agenda, second by Stefancik. Motion fails with 9 yeas, 4 nays (Thompson, Gould, Tanner, Bellisario) and 1 absent (Dean).

Stefancik - asks this item to be reconsidered, so he can remove it from the Agenda.

Tanner - moved to reconsider opening the floor for Item No. 1, second by Bellisario. Motion passes with 10 yeas, 3 nays (Thompson, Gould, Smith) and 1 absent (Dean).

Falconer - now we will vote again on the Motion to open the floor on Item No. 1 Presentation by Fire Protection District No. 12.

Stefancik - we just opened the floor. The vote to reconsider puts the Motion on the floor and does not have to pass unanimously. He just wants to get rid of it.

Falconer - it is a two-thirds vote to reconsider. He is not sure what the answer to Mr. Stefancik is. He is going to consider it as an appeal of the ruling of the Chair. He needs to have a sense of the body whether or not the Chair's decision, that the item is on the floor now for consideration is the Motion to open the item on the agenda, is sustained or overturned. As Chair, I have ruled, as a point of order, that we just voted to reconsider the item that we voted on previously. Now in my opinion, we should be voting on whether or not to open that item off the floor. We can clarify that with a majority vote of the group.

Binder - he completely agrees with what he is saying because if it was reconsidered with 3 or 4 nays, if we allow this to come off the floor now, then you could get a positive vote to hear it when Mr. Gould and others blocked it from coming off-the-floor to begin with.

Falconer - would like to have a vote to sustain the ruling of the chair. A yes vote sustains the Chair's decision. Unanimous with 1 absent (Dean). Thank you. The ruling is sustained. Now we will vote whether to take this item off the floor.

Stefancik - the way this vote has gone, this will come up next month, and that is the only choice we have at this stage. We have voted down everything else to hear this thing tonight to move it off the Agenda. I was going to remove it off the Agenda, but now we have put it in a position where we can not even discuss it.

Falconer - We have just voted to reconsider this item. On the table right now is whether we are going to open the Off-the-Floor Agenda for Item No. 1. We need a motion.

Canulette - moved to take Item No. 1 off the floor, second by Gould.

Falconer - we voted to reconsider Item No. 1. We are reconsidering it now, and the question is do we move it off the floor. We do not have to move it off the floor. We can go on to Item No. 2 at this point, but on the table right now is whether or not we are going to open the Off-the-Floor Agenda for Item No. 1.

Binder - it seems to him, Mr. Stefancik wants to open the off the floor to take it off the Agenda. So that opening it off the floor does not result in different vote, can we open Off-the-floor for the purpose of removing it from the Agenda.

Falconer - it is a separate Motion and will require a unanimous vote.

Binder - moved to open Item No. 1 solely for the purpose of removing it from the Agenda.

Falconer - is there a second for that motion?

Gould - that is presupposing that we are going to vote to remove it from the Agenda.

Binder - removed his motion.

Stefancik - moved to open Item No. 2, second by Canulette.

Gould - Besides, we have a motion to open the item. We have to vote on it.

Canulette - removed his motion.

Falconer - 2. Resolution to vacate, in part, the six (6) month moratorium established by Ordinance C.S. No. 06-1238, adopted February 2, 2006, on the receipt of submissions by the Parish Zoning and Planning Commissions, for rezoning or resubdivision of property, not previously applied for, located north of Interstate 12 and abutting or having access to Airport Road, within the unincorporated boundaries of Ward 9, District 11. (Stefancik)

Stefancik - reiterate motion to open Item No. 2, second by Canulette. Unanimous with 1 absent (Dean).

Stefancik - moved to adopt, second by Bellisario.

Chris Kaufmann - Chief of Fire District No. 1. The District wants to build a fire station on Airport Road, which is in dire need of a fire station. They found the property they would like to use, but part of the agreement is to have the property rezoned to Public Facilities. They were advised by their attorney that the moratorium would need to be lifted in order for them to apply to rezone. The plan is to have and property appraised and purchased in a 60 day window.

Stefancik-reiterated motion to adopt, second by Bellisario. Unanimous with 1 absent (Dean); becomes Resolution C.S. No. C-4007.

Falconer - 3. Resolution to adopt the recommendation of the St. Tammany Parish Inspector General Task Force and develop a procedure to implement a random forensic type audit. (Stefancik)

Stefancik - moved to open Item No. 3, second by O'Brien.

Stefancik -would like to say this is a timeliness issue in order to have this kind of audit done on the financials for this year and thinks it would set a very good precedent for the rest of the Parish.

Bellisario - he thinks they should wait for until the Legislative process is completed, and then do a forensic audit for 2014.

Stefancik - moved to open Item No. 3, second by O'Brien. Motion fails with 8 yeas, 3 nays (Thompson, Gould, Bellisario) and 3 absent (Dean, Canulette, Artigue).

Verbal Items Off-the-Floor

Binder - would like to offer a resolution thanking all of the members of the Louisiana Congressional Government Delegation for their efforts on amending the Biggert-Waters Act to stop the pending drastic increases in flood insurance rates.

Binder - moved to bring this item off the floor, second by Smith. Unanimous with 3 absent (Dean, Canulette, Artigue).

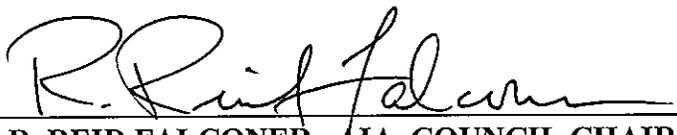
Binder - this could have destroyed our economy, not only in Louisiana, but all border states around the country. We think of floods only on the coast, but there was recently some snow melt which overflowed a river and flooded houses which had never been flooded before. This was true bipartisanship. Should thank all the members of our delegation for doing the right thing.

Binder - moved to adopt, second by Stefancik.

Brister - thinks we should be especially proud because Southeast Louisiana started this conversation. Also need to thank GNO, Inc.'s Michael Hecht and Caitlin Berni for building this national coalition and taking this on as an issue.

Binder - reiterated motion to adopt, second by Stefancik. Unanimous with 3 absent (Dean, Canulette, Artigue).

There being no further business, meeting adjourned at the call of the Chairman.



R. REID FALCONER, AIA, COUNCIL CHAIRMAN



THERESA L. FORD, COUNCIL CLERK