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AGENDA

ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, MAY 02, 2013 AT 6:00PM
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Jerry Binder, Chairman

Invocation by _____

Pledge of Allegiance by _____

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

PRESENTATIONS

1. Introduction of Junior Council Member for May - Joshua Stevenson. (Binder)
2. Certificates of Recognition to the St. Tammany Parish Public School System Students of the Year. (Gould, Groby, Bellisario)

CONSENT CALENDAR
(PAGES 1 THROUGH 4)

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.

MINUTES

Regular Council Meeting - April 4, 2013

Council Committee Meeting - April 24, 2013

ORDINANCES FOR INTRODUCTION
(Public Hearing June 6, 2013)

1. Ord. Cal. No. 4966 - Ordinance to amend Parish Unified Development Code, Volume I (Zoning), Section 2 relative to defining various terms for laundries and Section 5.02, I-1 (Light Industrial District) relative to adding industrial laundry as a permitted use. (ZC13-02-004) (ZC approved 2/5/13) (Binder/Brister) (Postponed 3/7/13 & 4/4/13)

2. Ord. Cal. No. 4990 - Ordinance amending the Official Parish Zoning Map to reclassify 1.97 acres located south of Lowe Davis Road, east of United Church Road, being 21288 Lowe Davis Road, Covington from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 3, District 6) (ZC13-03-012) (ZC approved 4/2/13) (Binder/Brister)

3. Ord. Cal. No. 4991 - Ordinance amending the Official Parish Zoning Map to reclassify 5.31 acres located east of Atwood Road, west of Lee Road, being 19423 Atwood Road, Covington from A-1A (Suburban District) to A-2 (Suburban District). (Ward 2, District 2) (ZC13-04-016) (ZC approved 4/2/13) (Binder/Brister)

4. Ord. Cal. No. 4992 - Ordinance amending the Official Parish Zoning Map to reclassify 3.285 acres located at the southeast corner of Sharp Chapel Road & LA Highway 40 from A-1 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 2, District 6) (ZC13-04-017) (ZC approved 4/2/13) (Binder/Brister)

5. Ord. Cal. No. 4993 - Ordinance amending the Official Parish Zoning Map to reclassify 2.64 acres located south of Jakes Road, west of LA Highway 450, north of Hart Road from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 3) (ZC13-04-018) (ZC approved 4/2/13) (Binder/Brister)

6. Ord. Cal. No. 4994 - Ordinance amending the Official Parish Zoning Map to reclassify 0.570 acres located on the northeast corner of LA Highway 36 & Bullard Street from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District). (Ward 3, District 2) (ZC13-04-020) (ZC approved 4/2/13) (Binder/Brister)

7. Ord. Cal. No. 4995 - Ordinance amending the Official Parish Zoning Map to reclassify 16.811 located at the end of Andrew Drive, east of Hollycrest Lane from NC-2 (Indoor Retail and Service District) and PBC-1 (Planned Business Center) to A-4A (Single-Family Residential District). (Ward 3, District 5) (ZC13-04-021) (ZC approved 4/2/13) (Binder/Brister)

8. Ord. Cal. No. 4996 - Ordinance amending the Official Parish Zoning Map to establish a PUD (Planned Unit Development Overlay) for 16.811 acres located at the end of Andrew Drive, east of Hollycrest Lane. (Ward 3, District 5). (ZC13-04-022) (ZC approved 4/2/13) (Binder/Brister)

9. Ord. Cal. No. 4997 - Ordinance to declare Lots 69 and 70, Mandeville Subdivision, as surplus tax-adjudicated property and authorize the donation of said property to Habitat for Humanity St. Tammany West. (Ward 4, District 10) (Binder/Brister)

10. Ord. Cal. No. 4998 - Ordinance to correct the Road and Drainage Inventory to include Rue Acadian Lateral; 4 Sycamore Place Laterals; River Road Lateral; and Bonnie Lane Lateral. (Wards 3, 4 & 8) (Districts 2, 3, 7 & 13) (Binder/Brister)

11. Ord. Cal. No. 4999 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically entering the right-of-way of 5th Avenue within Town of Alton Subdivision; and The Birg Boulevard Subdivision, Phase 1-B-1. (Wards 3 & 8) (Districts 5 & 14) (Binder/Brister)

12. Ord. Cal. No. 5000 - An Ordinance to correct the Road and Drainage Inventory to include Military Heights Drive Lateral. (Ward 3, District 2) (Sharp)

13. Ord. Cal. No. 5001 - Ordinance to amend Parish Code of Ordinances, Chapter 13, Division 1, Motor Vehicles, Section 13-009.00, compression brakes, to prohibit the use of compression brakes on Hwy 437 between River Road and Hwy 1081 (a.k.a. Stafford Road). (Ward 3, District 2) (Sharp)

14. Ord. Cal. No. 5002 - Ordinance to amend Parish Code of Ordinances, Chapter 9, article XIII, Section 9-071-00 - Garbage District No. 1, Boundaries, and Section 9-072.01, Service Area, to amend the boundaries thereof to include Hidden Oaks Lane (8-L-012). (Ward 8, District 8) (Canulette)

RESOLUTIONS

1. Resolution C.S. No. C-3706 - Resolution to approve the appointment of Jeanne Betbeze as Director of the Grants Department for the remainder of the 2012-2015 Parish President's term of office. (Binder/Brister)

2. Resolution C.S. No. C-3707 - Resolution to approve the appointment of Vera Clay as Director of the Department of Health and Human Services for the remainder of the 2012-2015 Parish President's term of office. (Binder/Brister)

3. Resolution C.S. No. C-3708 - Resolution to support and authorize the Parish President to sign and/or execute an intergovernmental agreement with the State of Louisiana regarding coordination of the Coastal Wetlands Planning, Protection, and Restoration Act (CWPPRA) Bayou Bonfouca Marsh Creation Project (PO-104) and the Parish's Northshore Beach Marsh Creation/Restoration Coastal Impact Assistance Program (CIAP) Project. (Binder/Brister)

4. Resolution C.S. No. C-3709 - Resolution to support and authorize the Parish President to sign and/or execute a cooperative endeavor agreement with the State of Louisiana Department of Wildlife and Fisheries to obtain funds for the planning, construction and/or renovation of the St. Tammany Fishing Pier Phase II. (Binder/Brister)

5. Resolution C.S. No. C-3710 - Resolution to support and authorize the Parish President's formal request to the Louisiana Office of State Parks' Recreational Trails Program to provide funds for an extension of the Tammany Trace. (Binder/Brister)

6. Resolution C.S. No. C-3711 - Resolution to concur/not concur with the Slidell annexation and rezoning of 2.075 acres located at 60328 Powell Drive, Slidell Ozone Heights, from Parish HC-2 (Highway Commercial District) to Slidell C-4 (Highway Commercial District). (Ward 9, District 14) (SL2013-02) (Binder/Brister)

7. Resolution C.S. No. C-3712 - Resolution to concur/not concur with the Slidell annexation and rezoning of 2.30 acres located at Lucille Street, Frank J. Pichon Drive, Cleveland Street, and Interstate 10 from Parish HC-2 (Highway Commercial District) to Slidell C-4 (Highway Commercial District). (Ward 9, District 12) (SL2013-03) (Binder/Brister)

8. Resolution C.S. No. C-3713 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards. (Binder/Brister)

9. Resolution C.S. No. C-3714 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards to make changes to the Capital Improvements List - District 4 - (Fund 304). (Binder/Brister)

10. Resolution C.S. No. C-3715 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards to make changes to the Capital Improvements List - District 9 - (Fund 309). (Binder/Brister)

11. Resolution C.S. No. C-3716 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards to make changes to the Capital Improvements List - Capital Assets. (Binder/Brister)

12. Resolution C.S. No. C-3717 - Resolution establishing Performance Obligations. (Binder/Brister)

13. Resolution C.S. No. C-3718 - Resolution requesting legislators approve House Bill No. 233 instructing the State to accept federal funds available to Louisiana through the Medicaid expansion provisions of the American Affordable Care Act. (Smith)

14. Resolution C.S. No. C-3719 - Resolution granting approval to Parish Fire Protection District No. 11 to call and hold an election on October 19, 2013, to authorize the levy and collection of an eight (8) mill ad valorem tax for a period of twenty (20) years for the purposes of acquiring, constructing, improving, maintaining and operating fire protection facilities, vehicles and equipment, including both movable and immovable property; and further providing for other matters in connection therewith. (Bellisario)

END OF CONSENT CALENDAR

APPEALS

1. Robert Bolin appealing the Zoning Commission DENIAL on February 5, 2013 to rezone 1.01 acres located north of Highway 1088, east of Viola Street from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District).(Ward 4, District 5) (ZC13-02-008) (Postponed 3/7/13 and 4/4/13)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and introduction of an ordinance.

ORDINANCES FOR ADOPTION (Public Hearing)

1. Ord. Cal. No. 4981 - Ordinance amending the Official Parish Zoning Map to reclassify 0.504 acre located south of D.G.Holley Road, west of Watts Road from HC-2 (Highway Commercial District) to A-4 (Single Family Residential District). (Ward 8, District 11) (ZC13-02-009) (ZC Approved 3/5/13) (Introduced 4/4/13)

2. Ord. Cal. No. 4982 - Ordinance amending the Official Parish Zoning Map to reclassify 5.34 acres located west Highway 437, south of North Fitzmorris Road from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District). (Ward 3, District 2) (ZC13-03-013) (ZC Approved 3/5/13) (Introduced 4/4/13)

3. Ord. Cal. No. 4983 - Ordinance amending the Official Parish Zoning Map to reclassify 4 acres located west of Winward Drive, north of Highway 1085, being lots 4 & 5, Northpointe Subdivision from I-2 (Industrial District) to CB-1 (Community Based Facilities District). (Ward 1, District 3) (ZC13-03-015) (ZC Approved 3/5/13) (Introduced 4/4/13)

4. Ord. Cal. No. 4984 - Ordinance establishing a No Parking on Pavement zone on Malter Lane (4-G-66). (Ward 9, District 14) (Introduced 4/4/13)

5. Ord. Cal. No. 4985 - Ordinance establishing a No Thru Trucks zone on Labarre Street (4-E-26) and Rapatel Street (4-E-25). (Ward 4, District 7) (Introduced 4/4/13)

6. Ord. Cal. No. 4986 - Ordinance to amend the 2012 Operating Budget -Amendment No. 11. (Introduced 4/4/13)

7. Ord. Cal. No. 4987 - Ordinance to amend the 2013 Operating Budget -Amendment No. 3. (Introduced 4/4/13)

8. Ord. Cal. No. 4988 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building, occupancy or occupational permits or licenses by any Parish department or agency for any pain management center/clinic whose primary focus or concentration is the prescribing and/or dispensing of pain medication to individuals with complaints of chronic pain which is unaffiliated with any hospital, hospice and/or facility for the treatment of the terminally ill in unincorporated St. Tammany Parish. (Introduced 4/4/13)

9. Ord. Cal. No. 4989 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Section 2 relative to defining the term Assisted Living Facility. (ZC13-03-014) (Introduced 4/4/13)

APPOINTMENTS

1. Resolution to appoint one (1) member to the board for the St. Tammany Parish Tourist and Convention Commission to represent the west side of the Parish. (Binder) (Nominations: Laura Cressy and Paul Hollis)

2. Resolution to appoint Martha Cazaubon to replace Clarence Romage, Jr. (Resigned) on St. Tammany Parish Recreation District No. 10. (Thompson)

3. Resolution to reappoint Jerry Mullett, Jane Whitty, Ken Miller and Larry Small to St. Tammany Parish Sewerage District No. 2. (Artigue)

4. Resolution to reappoint Arthur Weller, Mark Aylor, Jack Templeman and Craig Mullett. (Canulette)

DISCUSSIONS AND OTHER MATTERS

1. Motion to refer to Zoning Commission for recommendation the proposed re-zoning of Lot 21 in Section 28, Township 9 South, Range 15 East, bearing the Physical Address of 42249 Highway 190 East, from A-1A (Suburban District) to A-1A (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 8, District 13) (Artigue)

EXECUTIVE SESSION

1. Lawsuit entitled: Krine, et ux vs. St. Tammany Parish, et al.", 22nd JDC Docket No. 2006-10680