

MINUTES OF ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, SEPTEMBER 4, 2014 AT 6:00 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Richard Tanner, Vice-Chairman

Invocation by Mr. Smith

Pledge of Allegiance by Mr. Dean

Roll Call: Marty Dean
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.

SPECIAL ITEMS

PUBLIC HEARING: BOARD OF REVIEW

Tanner - In accordance with the provisions of La. R.S. 47:1992, the St. Tammany Parish Council hereby convenes in public session as a Board of Review to entertain complaints and/or appeals from any taxpayer(s) aggrieved by ad valorem assessments levied against his/her/their property.

The Assessor of St. Tammany Parish has duly advertised notice of this public hearing in accordance with law. The deadline for receipt of appeals by taxpayers to the Board of Review will be 11:59 p.m. September 15, 2014. If no appeals are lodged by this date, or appeals are lodged but resolved through the Parish Assessor's Office, the time will automatically expire and terminate without the need for the Parish Council to reconvene to so declare.

Louis Fitzmorris - his office has been working on settling appeals they have received since the Assessment Open Roll time period. Last year's tax bills were sent out earlier than they ever had been, and more taxes were collected than ever before. His office has been able to work with the Council to solve problems and appeals. There are 39 taxing bodies in St. Tammany Parish, and he encourages all of them to have their millage meetings as early as possible every year. This year there are still 6 taxing bodies who have not met. Since he took office, \$23 million has been added in actual tax revenue from personal property. His office has removed 100s of incorrect homestead exemptions, and they are still adding properties to the tax roll.

PRESENTATIONS

Tanner - 1. Certificate of Recognition to Patrick Mackin for being Louisiana Middle School Principal of the Year. (Gould)

Gould and Binder - presented certificate.

Patrick Mackin - he thanks the Council. He is very fortunate to work in the best school system in Louisiana, starting with Mr. Folse through his wonderful staff at Slidell Junior High.

Falconer - 2. Proclamation to declare National Suicide Prevention Week (Bellisario).

Patricia Brister, Bellisario and Falconer presented proclamation to Paul Gerone representing NAMI and Lynette Savoie and Becky Roniger with STOPS.

Falconer - 3. Presentation by The St. Tammany Parish Fair Association. (Tanner)

Tanner - they need to postpone this because the fair poster is not ready yet.

Falconer - 4. Christel Slaughter of SSA Consultants: Presentation of the Compensation Study the firm completed for the St. Tammany Parish Government. (Brister)

*Clerk's Note - the complete Compensation Study can be found in the Clerk's files.

Stefancik - SSA Consultants worked very hard to provide this study to the Parish in time for the Parish Budget to be prepared. Budget meetings are planned for October and November, and the hope is the study will be used to address salary shortfalls in the budget. The Council will also review the study to decide before the end of the year what will be done on certain issues such as mileage, sick and annual leave.

Falconer - 5. Sandra Slifer, League of Women Voters, presentation on civility during public meetings. (Brister)

Sandra Slifer - read and submitted statement into the record.

Lacey Toledano - read and submitted Resolution from the St. Tammany West Chamber of Commerce.

Jeff Schoen - Jones Fussell - he attended his first Police Jury meeting in August of 1978. So, he has had the experience of observing the government at work. He is an attorney and a citizen, and he, the audience and all citizens are all a part of the government. At last month's meeting, he has never been more disappointed in himself and everyone as to how the meeting was conducted. When things do not go well, he thinks everyone needs to take an opportunity from it. Now we can take a step forward and work toward continued excellence in all areas. Everyone needs to make sure we are all doing the best job possible to communicate and have useful dialog.

Bellisario - last month he saw dialog between people who were not agreeing to disagree. We have to learn to agree to disagree because the next day an enemy could become an ally. We should not let arrogance take control because it prevents forward movement.

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

Ord. Cal. No. 5259 Resolution C.S. No. C-4163 Resolution C.S. No. C-4170

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 August 7, 2014
Council Committee Meeting August 27, 2014

ORDINANCES FOR INTRODUCTION
(Public Hearing: October 2, 2014)

1. Ord. Cal. No. 5255 - 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. 5256 - Ordinance to extend for six (6) 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 Soult Street to I-12. (Ward 4, Districts 5 & 7) (Groby)

3. Ord. Cal. No. 5257 - 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. 5258 - Ordinance establishing a No Parking on Pavement Zone on portion of Bon Temps Roule. (Ward 4, District 4) (Falconer)

6. Ord. Cal. No. 5260 - Ordinance amending the official Parish Zoning Map to reclassify 2 acres located east of Fuschia Street, south of Harrison Avenue from A-2 (Suburban District) to PF-1 (Public Facilities District). (Ward 3, District 5) (ZC14-08-074) (ZC approved 8/5/14) (Falconer/Brister)

7. Ord. Cal. No. 5261 - Ordinance amending the official Parish Zoning Map to reclassify 2.210 acres located at the northeast corner of Highway 190 Service Road East & Bodet Lane from HC-2 (Highway Commercial District) to HC-2A (Highway Commercial District). (Ward 4, District 5) (ZC14-08-072) (ZC approved 8/5/14) (Falconer/Brister)

8. Ord. Cal. No. 5262 - Ordinance amending the official Parish Zoning Map to reclassify 1.54 acres located at the southeast corner of Highway 190 Service Road East & Bodet Lane from HC-2 (Highway Commercial District) to HC-2A (Highway Commercial District). (Ward 4, District 5) (ZC14-08-071) (ZC approved 8/5/14) (Falconer/Brister)

9. Ord. Cal. No. 5263 - Ordinance amending the official Parish Zoning Map to reclassify 0.37 acres located east of Oak Avenue, south of Sycamore Street, being 57370 Oak Avenue Slidell from A-4 (Single-Family Residential District) to A-4 (Single-Family Residential District) & MHO (Manufactured Housing Overlay). (Ward 8, District 14) (ZC14-08-069) (ZC approved 8/5/14) (Falconer/Brister)

10. Ord. Cal. No. 5264 - Ordinance amending the official Parish Zoning Map to reclassify 4.87 acres located south of Willie Garrett Road, west of LA Highway 450, being 11630 Willie Garrett Road, Folsom from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 3) (ZC14-08-066) (ZC approved 8/5/14) (Falconer/Brister)

11. Ord. Cal. No. 5265 - Ordinance amending the official Parish Zoning Map to reclassify 4.906 acres located at the northwest corner of Shelby Road & Section Road from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 6) (ZC14-08-065) (ZC approved 8/5/14) (Falconer/Brister)

12. Ord. Cal. No. 5266 - Ordinance amending the official Parish Zoning Map to reclassify 4.736 acres located at the end of Okeefenokee Road, east of LA Highway 41 from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 8, District 6) (ZC14-08-064) (ZC approved 8/5/14) (Falconer/Brister)

13. Ord. Cal. No. 5267 - Ordinance amending the official Parish Zoning Map to reclassify 0.8535 acres located north of Highway 36, east of St. Landry Street, Garland's Covington & Claiborne Addition from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District). (Ward 3, District 2) (ZC14-08-062) (ZC approved 8/5/14) (Falconer/Brister)

14. Ord. Cal. No. 5268 - Ordinance establishing a speed limit of 20 MPH on all roads withing Tallow Creek Subdivision. (Ward 1, District 3) (Falconer/Brister)

15. Ord. Cal. No. 5269 - Ordinance to authorize the Parish President to accept the Act of Dedication and Donation for River Chase Drive for use as a public street, from Maurmont Properties, L.L.C. and further for the Parish to incorporate the dedicated property into the maintenance system. (Ward 1, District 1) (Falconer/Brister)

16. Ord. Cal. No. 5270 - Ordinance to correct the Road & Drainage Inventory to include Milton Craddock Road Lateral; Pheasant Lane Lateral; Highway 190 Lateral; Harrison Avenue Pond; Riverside Drive Lateral; House Road Lateral, and Rapatel Street . (Wards 3, 4 & 6) (Districts 2, 3, 5, 6 & 7) (Falconer/Brister)

17. Ord. Cal. No. 5271 - Ordinance to amend the 2014 Operating Budget - Amendment No. 8. (Falconer/Brister)

18. Ord. Cal. No. 5272 - Ordinance to establish a Geographic Information System District in St. Tammany Parish. (Falconer/Brister)

19. Ord. Cal. No. 5273 - Ordinance amending Ordinance 12-2801, adopted August 2, 2012, a Memorandum of Understanding between the Louisiana Department of State, Office of the Secretary of State, St. Tammany Parish Government, and the St. Tammany Parish Registrar of Voters Office to reflect a physical address change of the established early voting location. (Falconer)

RESOLUTIONS

2. Resolution C.S. No. C-4164 - Resolution to certify that St. Tammany Parish shall comply with all requirements of the State of Louisiana Off-System Bridge Replacement Program. (Falconer/Brister)

3. Resolution C.S. No. C-4165 - Resolution to establish load limits on bridges within the Off System Bridge Replacement Program for St. Tammany Parish as indicated on the attached Exhibit A; further directing the Department of Engineering to record same within the records of the Clerk of Court. (Falconer/Brister)

4. Resolution C.S. No. C-4166 - Resolution to amend Ordinance C.S. No. 13-3052 - Grant Awards. (Falconer/Brister)

5. Resolution C.S. No. C-4167 - Resolution to acknowledge the authority, pursuant to Home Rule Charter, Sections 1-04, 1-06, 3-01 and 3-09, of the Parish President to execute a Cooperative Endeavor Agreement with St. Tammany Parish Sheriff and Doggoneexpress, Inc. for inmate animal training of shelter dogs. (Falconer/Brister)

6. Resolution C.S. No. C-4168 - Resolution to acknowledge the authority, pursuant to Home Rule Charter, Sections 1-04, 3-01 and 3-09, of the Parish President to execute a Utility Services Agreement with Spring Haven, LLC or its affiliates for the provision of water and sewerage treatment services to Spring Haven Subdivision. (Ward 1, District 4) (Falconer/Brister)

7. Resolution C.S. No. C-4169 - Resolution to amend Ordinance C.S. No. 13-3052 the 2014-2018 to make changes to the Capital Improvements List - District 11 - (Fund 311). (Falconer/Brister)

9. Resolution C.S. No. C-4171 - Resolution to amend Ordinance C.S. No. 13-3052 to make changes to the Capital Improvements List - Parish Wide Drainage - Fund 300-16. (Falconer/Brister)

10. Resolution C.S. No. C-4172 - Resolution to amend Ordinance C.S. No. 13-3052 to make changes to the Capital Improvements List - Parishwide - Fund 300. (Falconer/Brister)

11. Resolution C.S. No. C-4173 - Resolution to amend Ordinance C.S. No. 13-3052 to make changes to the Capital Improvements List - Drainage - Fund 316. (Falconer/Brister)

12. Resolution C.S. No. C-4174 - Resolution to amend Ordinance C.S. No. 13-3052 to make changes to the Capital Improvements List - Mandatory Impact Fees - Funds 360, 361. (Falconer/Brister)

13. Resolution C.S. No. C-4175 - Resolution to amend Ordinance C.S. No. 13-3052 the 2014-2018 to make changes to the Capital Improvements List - Capital - Grants - CDBG Disaster Recovery Isaac (403-15). (Falconer/Brister)

14. Resolution C.S. No. C-4176 - Resolution to amend Ordinance C.S. No. 13-3052 the 2014-2018 to make changes to the Capital Improvements List - District 5 - (Fund 305). (Falconer/Brister)

15. Resolution C.S. No. C-4177 - Resolution authorizing the Director of Finance to transfer funds in the amount of \$100,000.00 from the Voluntary Developmental Agreements to District 9 Capital - Fund 309. (Falconer/Brister)

16. Resolution C.S. No. C-4178 - Resolution to amend Ordinance C.S. No. 13-3052 to make changes to the Capital Improvements List - District 9 - Fund 309. (Falconer/Brister)

17. Resolution C.S. No. C-4179 - Resolution to acknowledge the authority, pursuant to Home Rule Charter, Sections 1-04, 1-06, 3-01, and 3-09, of the Parish President to execute a Cooperative Endeavor Agreement with St. Tammany Parish Sub-Drainage District No. 5 of Gravity Drainage District No. 5 for drainage repairs and maintenance.

END OF CONSENT CALENDAR

Canulette - moved to adopt the consent calendar less items pulled, second by Groby. Unanimous with no one absent.

Falconer - 5. Ord. Cal. No. 5259 - Ordinance to amend the St. Tammany Parish Code of Ordinances, Chapter 2, Article III, Section 2-030.00 relative to Parish Council salaries. (Falconer)

Stefancik - the Finance Committee was asked to draft a clearer Ordinance (read amendment into the record). He wants everyone to understand that the Council is not changing its own salaries. This Ordinance sets the salaries for the Council beginning in January 2016. They must pass this Ordinance a year ahead because they cannot pass it during the last year of the Council term. No one on this Council is receiving an increase in salary. The Council Personnel Committee submitted a proposed Ordinance to the Finance Committee, who decided to increase the salaries by percentage rather than a dollar amount increase. This way the Council salaries will be commiserate with Parish employees, so if Parish employees do not receive an increased salary, neither will the Council.

O'Brien - this will not increase taxes.

Canulette - if the economy is down, the Council can freeze its salaries.

Council discussion ensued.

Carlo Hernandez - all this Ordinance talks about is increasing salaries, not decreasing. The salary set by the Charter in 1988 was \$1200 per month. Now, their salaries are \$2300 per month. That is a 192% increase. Now, they are talking about a COL raise and do not even mention moving the salaries backward. He thinks language should be added about the Council decreasing salaries. He would also like the language to clarify who "all employees" includes (full-time, part-time, etc).

Council discussion ensued.

Rick Franzo - he has no problem with the Council moving forward with this. The changes clarified it for him.

Dan Crowley - he is here on behalf of FPD #1. They have been trying for the last 2 years to work out the Board's meeting process, He agrees that the Council is earning their money. He thinks there are several boards whose members are not being paid. He just hopes the Council will take the fact that most board members are just volunteering into consideration when dealing with them as taxing bodies.

Stefancik - moved to amend and reintroduce as stated, second by Canulette. Unanimous with no one absent; becomes Ord. Cal. No. 5259AA.

Falconer - 1. Resolution C.S. No. C-4163 - Resolution approving the issuance of not exceeding \$60,000 of Limited Tax Certificates of Indebtedness of Fire Protection District No. 9 of the Parish of St. Tammany, State of Louisiana. (Tanner)

Jason Akers - Foley and Judell. It has been awhile since the Fire District has had to borrowed like this. It is a very short term borrowing for case flow issues. They borrowed like this last year to cover costs in case tax collections did not come in before the end of the year. This is not a debt of the Parish.

Tanner - moved to adopt, second by Gould. Unanimous with no one absent.

Falconer - 8. Resolution C.S. No. C-4170 - Resolution authorizing the budget for costs of outside counsel regarding the Parish's ability to control hydraulic fracturing activities within the Parish and provide for other matters in connection therewith. (Falconer/Brister)

Gould - moved to table until after Executive Session, second by Tanner. Unanimous with no one absent.

Gould - moved to move up Executive Session, second by Canulette. Unanimous with no one absent.

Stefancik - moved to enter Executive Session Item No. 2, second by Bellisario. Unanimous with 1 absent (Canulette).

EXECUTIVE SESSION

Stefancik - moved to exit Executive Session, second by Bellisario. Unanimous with 1 absent (Thompson).

Falconer - 2. St. Tammany Parish Government v. James H. Welsh, Commissioner of Conservation. 19th JDC for the Parish of East Baton Rouge, Docket No. 631370.

Stefancik - moved to remove Resolution C.S. No. C-4170 from the table, second by Gould. Unanimous with 1 absent (Thompson).

Falconer - 8. Resolution C.S. No. C-4170 - Resolution authorizing the budget for costs of outside counsel regarding the Parish's ability to control hydraulic fracturing activities within the Parish and provide for other matters in connection therewith. (Falconer/Brister)

Deanna Bernard - she is in favor of this increase. She would like to see the Council uses some of the money to take a trip to an active fracking site.

Terry Lewis Stevens - she submitted a speaker card to make sure this item was not just passed without any discussion. She thanks the Council for protecting the Parish.

Hy McEnry - he is a land owner in this Parish and has been a resident for 28 years. He is here in favor of fracking. Fracking has existed for over 60 years and there has not been one incident attributed to fracking. This lawsuit is wasteful spending. He does not understand why the Council would hold back the economic growth of this business. All of the signs state that this lawsuit is frivolous.

Grobby - as a point of clarification, just last week the State of Pennsylvania released reports of well pollution because of fracking. As he understands it, the pollution was not there before fracking.

McEnry - he would like to know more about how the pollution got into the wells, especially because wells can produce their own toxic gases.

Libba McEnry - read a statement from Col. Rob Maness. She thinks the Parish needs to liberate the energy sources of Louisiana, and that the Parish does not need to spend money on outside legal help to stop fracking.

Terral Evans - Desoto Parish increased its tax revenues from fracking. He is opposed to spending money on a lawsuit.

Peter McEnry - he is opposed to this Council pursuing actions to litigating this case. He was born here and has a business here. We pay taxes here, and he gladly contributes, but he does not want to contribute to a dead end pursuit of a lawsuit. Research suggests that the Council will lose. Plus, Blue Williams is not an oil and gas attorneys.

Catherine O'Haire - she knows a lot about fracking. She loves her well and her land, and she owns her mineral rights. She loves the Council for supporting her and opposing fracking. She moved here for the way of life.

Rick Franzo - he is in support of this and thanks the Council for doing this.

Cindy Brooking - she thanks the Council for taking a firm stance against fracking. She is opposed to fracking and is in favor of a lawsuit. This is about the citizens right to effect the way that rights are effected on a local level.

Binder - the Council has had this lawsuit filed in order to have the attorneys determine what rights the Parish has to fight against fracking.

Stefancik - he thanks both sides for coming. We have had a lot of people who are opposed to fracking, but very few in favor of fracking, who did not want to come because they were afraid of being harassed. He is glad they have been able to have a civil discussion and hopes it has set a precedent.

Gould - moved to adopt, second by Groby. Unanimous with no one absent.

APPEALS

Falconer - 1. Mark Jones appealing the Zoning Commission DENIAL on August 5, 2014 to rezone 1.89 acres located at the northeast corner of Highway 36 and St. Landry Street from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District).(Ward 3, District 2) (ZC14-08-073)

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.

Jeff Schoen - he represents Mark Jones. The sides have reached a compromise. His client seeks to buy the property to expand his business, which is a storage facility next door to this property. The agreement is that if the denial is overridden, then his client will change the request to NC-2. Mr. Sharp facilitated the compromise and all parties have signed a deed restriction to limit use to mini storage only. The deed restriction will be tendered into the record at the time of the adoption.

Sharp - moved to override the denial, second by Thompson. Unanimous with 1 absent (Gould).

Sharp - moved to introduce an Ordinance, second by Thompson; becomes Ord. Cal. No. 5274.

Falconer - 2. Robert Traina appealing the Zoning Commission DENIAL on August 5, 2014 to rezone 0.43 acre located at the northeast corner of Highway 40 and Highway 41 being 81717 Highway 41, Bush from NC-4 (Neighborhood Institutional District) to HC-1 (Highway Commercial District).(Ward 5, District 6) (ZC14-08-067)

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.

Robert Traina - this lot is on the corner of a major highway and has always had commercial buildings on it. The previous owners had gas stations and a grocery store. Now he had a tenant who wants to lease the building, and he cannot rent it to her unless it is rezoned. They were turned down because of square footage, but he is in the process of buying some adjacent land back from the state. The renter wants to run an emergency awareness business, and she is also trying to rent an additional part of the business next door.

DO Ellen Boudouin - she has a disaster preparedness company to provide containers with food, water and supplies in case of emergency. She is in business with International Paper to provide boxes for the supplies. She will use this building to facilitate shipping and marketing of product. She plans to expand in the future and move to a new location. This will be Phase I and in Phase 3, she may use it as a corporate headquarters. She lives in Sun and wants to create jobs in the Parish. This is a biodegradable product, and she thinks this business will be conducive to the Parish.

Tanner - he does not have a problem with the rezoning request, but it is not going to give her what she needs for a very respectable product which he feels will be an asset during disasters. He has talked with Planning, and she will not have room to do all that she wants to do, but he does not have a problem with rezoning it.

Boudouin - this is just a startup facility to start pulling it all together. They are going to have STARC and other people facilitate the product. She plans to enter into a 2-year lease. The building can be used as a drop off area after the business moves to a bigger facility.

Sidney Fontenot - the difficulty is not the type of use. The property is less than ½ acre and most of that is the building. The problem will arise with parking requirements. Ms. Boudouin has stated she is working on addressing that issue.

Tanner - moved to override the denial, second by Thompson. Unanimous with 1 absent (Gould).

Tanner - moved to introduce an ordinance, second by Thompson; becomes Ord. Cal. No. 5275.

Falconer - 3. Claude Sanders, Jr. and Nolan Trosclair appealing the Zoning Commission DENIAL on August 5, 2014 to rezone 4.83 acres located east of Apple Pie Ridge Road, south of Highway 190 East being 54262 Apple Pie Ridge Road, Slidell from A-1 (Suburban District) to I-2 (Industrial District).(Ward 8, District 13) (ZC14-08-068)

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.

Nolan Trosclair - he owns the property with Mr. Sanders. Last year they were approached by a reality show, who rent the property. The producer told him they could have rented the property if it had been zoned commercial. Apple Pie Road is very dense, but the maintain the property. The show would have created jobs and brought business to the area. They originally asked for industrial, but they have decided they are willing to take CB-1.

Stevens - she was opposed to the change to I-2, but since they are willing to accept CB-1, she is okay with it, but she thinks the staff should explain what would be allowable in CB-1.

Fontenot - movie production would not be allowed in CB-1.

Artigue - he is not sure why they would have needed industrial?

Fontenot - industrial allows for movie sets, etc. For this show, they wanted to build a building and pull a permit for it.

Artigue - CB will allow them to film in the woods, etc., just not build a building?

Fontenot - yes.

Canulette - this road used to have some beautiful homes. Now, since Katrina, people just use it to dump their garbage. We need to get something out there. It is not good for a neighborhood, but something is needed. The movie idea would be great.

Artigue - if we delay this, can we create something to allow this?

Fontenot - yes, he thinks they can come up with some language to accommodate filming.

Council discussion ensued.

Brister - suggests they allow them to move to CB-1 now and make changes later.

Artigue - moved to override the Zoning Denial and rezone the property to CB-1, second by Canulette. Unanimous with 1 absent (Gould).

Artigue - moved to introduce an ordinance, second by Stefancik; becomes Ord. Cal. No. 5276.

ORDINANCES FOR ADOPTION

Falconer - 1. Ord. Cal. No. 5170 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume 1 (Zoning) Section 5.27 MD-1 (Medical Residential District), Section 5.28 MD-2 (Medical Clinic District), and Section 5.29 MD-3 (Medical Facility District) relative to buffer, setback, and height regulation. (ZC-14-02-019) (Introduced 3/6/14) (Postponed 4/3/14, 5/1/14 and 6/5/14) (Postponed to September 7/10/14)

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

Falconer - 2. Ord. Cal. No. 5172 - Ordinance to amend and reenact Section 3-164.00 Location Restrictions of the Alcoholic Beverage Regulations under Article VII - All Wards. (Introduced 4/3/14) (Postponed 5/1/14 and 6/5/14) (Postponed to September 7/10/14)

Thompson - moved to postpone, second by Tanner. Unanimous with 3 absent (Gould, Canulette, Artigue).

Falconer - 3. Ord. Cal. No. 5199 - Ordinance to amend the Parish Code, Appendix C, Unified Development Code, Article 7 Supplemental District Regulations, Section 7.06 Accessory Buildings and Structures, 7.0602 Boat Houses and Boat Slips to increase the permitted size of boat houses. (Introduced 6/5/14) (Postponed to September 7/10/14)

Terry Hand - the Zoning Commission recommended amending this to state "no boat house shall exceed sixteen hundred (1,600) square feet". This case was also appealed at the Zoning Commission meeting and cannot be voted on tonight. (ZC14-09-077)

Artigue - moved to amend, second by Smith. Unanimous with 2 absent (Gould, Binder).

Artigue - moved to reintroduce as amended, second by Stefancik; becomes Ord. Cal. No. 5199AA.

Falconer - 4. Ord. Cal. No. 5200 - Ordinance to amend the Parish Code, Appendix C, Unified Development Code, Article 2, Definitions, relative to Community Home. (Introduced 6/5/14) (Postponed to September 7/10/14)

Hand - this was heard by the Zoning Commission and recommended for approval.

Bellisario - moved to adopt pending the Zoning Commission appeal period, second by Canulette; Unanimous with 2 absent (Gould, Artigue); becomes Ordinance C.S. No. 14-3182.

Falconer - 5. Ord. Cal. No. 5208 - Ordinance amending the official Parish Zoning Map to reclassify 2.03 acres located on the northwest corner of Meadows Blvd. & Airport Road from A-4 (Single-Family Residential District) to PF-1 (Public Facilities District). (Ward 9, District 11). (ZC14-05-042) (ZC approved 5/6/14) (Introduced 6/5/14) (Postponed 7/10/14 and 8/7/14)

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

Falconer - 6. Ord. Cal. No. 5233 - Ordinance to amend 2014 Operating Budget - Amend #7. (Introduced 8/5/14)

Stefancik - moved to adopt, second by Binder. Unanimous with 3 absent (Gould, Bellisario, Artigue); becomes Ordinance C.S. No. 14-3183.

Falconer - 7. Ord. Cal. No. 5234 - Ordinance to impose a six (6) month moratorium on the receipt of submissions by the Parish Zoning and Planning Commissions for the rezoning or resubdivision of property and/or on the issuance of permits for construction or placement of any building structures on property south of Interstate 12, north of Highway 190, west of Highway 11, and east of the Precinct S19 boundary line within unincorporated boundaries of Ward 9 in District 14. (Introduced 8/5/14)

Smith - moved to adopt, second by Binder. Unanimous with 3 absent (Gould, Bellisario, Artigue); becomes Ordinance C.S. No. 14-3184.

Falconer - 8. Ord. Cal. No. 5235 - 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. (Introduced 8/5/14)

Stefancik - moved to adopt, second by Canulette. Unanimous with 3 absent (Gould, Bellisario, Artigue); becomes Ordinance C.S. No. 14-3185.

Falconer - 9. Ord. Cal. No. 5236 - Ordinance to impose a six (6) month moratorium on the issuance of permits for construction or placement of building structures on property within voting Precinct 914. (Ward 8, District 14) (Introduced 8/5/14)

Smith - moved to adopt, second by Stefancik. Unanimous with 2 absent (Gould, Artigue); becomes Ordinance C.S. No. 14-3186.

Falconer - 10. Ord. Cal. No. 5237 - Ordinance to amend Parish Code, Appendix B, Chapter 40 Subdivision Regulatory Ordinance No. 499, Section 40-032.04 relative to roadway elevation for residential and commercial subdivisions. (Introduced 8/5/14)

Tanner - this needs to be heard by the Planning Commission next week.

Tanner - moved to postpone, second by Thompson. Unanimous with 2 absent (Gould, Artigue).

Falconer - 11. Ord. Cal. No. 5239 - Ordinance to authorize the Parish President to acquire certain parcels of immovable property for the Cloverland Acres Drainage Improvements Project. (Ward 4, District 7) (Introduced 8/5/14)

Groby - moved to adopt, second by Tanner. Unanimous with 2 absent (Gould, Artigue); becomes Ordinance C.S. No. 14-3187.

Falconer - 12. Ord. Cal. No. 5240 - Ordinance to correct the Road & Drainage Inventory to include an additional 900 feet to C. Gottie Road Lateral. (Ward 2, District 3) (Introduced 8/5/14)

Thompson - moved to adopt, second by Tanner. Unanimous with 2 absent (Gould, Artigue); becomes Ordinance C.S. No. 14-3188.

Falconer - 13. Ord. Cal. No. 5241 - Ordinance to authorize the Parish President to acquire certain parcels of immovable property for the Riverwood/Covington Country Club Drainage Improvements Project. (Ward 4, District 4) (Introduced 8/5/14)

Canulette - moved to adopt, second by Thompson. Unanimous with 1 absent (Gould); becomes Ordinance C.S. No. 14 -3189.

Falconer - 14. Ord. Cal. No. 5242 - Ordinance amending the Official Parish Zoning Map to reclassify 4.49 acres located at the Northeast Corner of Alamosa Lane and Carey Road, being 37325 Alamosa Lane, Pearl River from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 8, District 9). (ZC14-07-061) (ZC Approved 7/1/14) (Introduced 8/5/14)

Bellisario - moved to adopt, second by Canulette. Unanimous with 1 absent (Gould); becomes Ordinance C.S. No. 14 -3190.

Falconer - 15. Ord. Cal. No. 5243 - Ordinance amending the Official Parish Zoning Map to reclassify 2.91 acres located south of Highway 190 West, east of Transmitter Road, west of South Tranquility Road, being 30414 Highway 190 West, Lacombe from NC-4 (Neighborhood Institutional District) and A-4 (Single Family Residential District) to NC-4 (Neighborhood Institutional District), A-4 (Single Family Residential District), MHO (Manufactured Housing Overlay-2.91 Acres) and RO (Rural Overlay-1.32 Acres). (Ward 7, District 11) (ZC14-07-060) (ZC Approved 7/1/14) (Introduced 8/5/14)

Stefancik - moved to adopt, second by Smith. Unanimous with 1 absent (Gould); becomes Ordinance C.S. No. 14 -3191.

Falconer - 16. Ord. Cal. No. 5244 - Ordinance amending the Official Parish Zoning Map to reclassify 9.73 acres located west of Green Valley Road, south of Highway 1078, being 76351 Green Valley Road, Folsom from A-1 (Suburban District) to A-1A (Suburban District). (Ward 3, District 3) (ZC14-07-058) (ZC Approved 7/1/14) (Introduced 8/5/14)

Thompson - moved to adopt, second by Tanner. Unanimous with 1 absent (Gould); becomes Ordinance C.S. No. 14 -3192.

Falconer - 17. Ord. Cal. No. 5245 - Ordinance amending the Official Parish Zoning Map to reclassify 18.44 acres located north and south of Arc Road, north of Boyd Road, east of Trinchar Road from A-1 (Suburban District) to A-1 (Suburban District) and RO (Rural Overlay). (Ward 1, District 3) (ZC14-07-057) (ZC Approved 7/1/14) (Introduced 8/5/14)

Thompson - moved to adopt, second by Dean. Unanimous with 2 absent (Gould, O'Brien); becomes Ordinance C.S. No. 14 -3193.

Falconer - 18. Ord. Cal. No. 5246 - Ordinance amending the Official Parish Zoning Map to reclassify 4.614 acres located east of Delaune Road, south and east of Albert Thompson Road, being 79493 Delaune Road, Folsom from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 3) (ZC14-07-056) (ZC Approved 7/1/14) (Introduced 8/5/14)

Thompson - moved to adopt, second by Dean. Unanimous with 2 absent (Gould, O'Brien); becomes Ordinance C.S. No. 14 -3194.

Falconer - 19. Ord. Cal. No. 5247 - Ordinance amending the Official Parish Zoning Map to reclassify 2.31 acres located north of Galatas Road, east of Revere Road from A-2 (Suburban District) to A-4 (Single-family Residential District) and MHO (Manufactured Housing Overlay). (Ward 1, District 1) (ZC14-07-055) (ZC Approved 7/1/14) (Introduced 8/5/14)

Dean - moved to adopt, second by Sharp. Unanimous with 2 absent (Gould, O'Brien); becomes Ordinance C.S. No. 14 -3195.

Falconer - 20. Ord. Cal. No. 5248 - Ordinance amending the Official Parish Zoning Map to reclassify 3.7288 acres located west of Crawford Road, north of Highway 41 from A-2 (Suburban District) to A-2 (Suburban District) and RO (Rural Overlay). (Ward 6, District 6) (ZC14-07-054) (ZC Approved 7/1/14) (Introduced 8/5/14)

Tanner - moved to adopt, second by Thompson. Unanimous with 3 absent (Gould, O'Brien, Binder); becomes Ordinance C.S. No. 14-3196.

Falconer - 21. Ord. Cal. No. 5249 - Ordinance amending the Official Parish Zoning Map to reclassify 10,680 square feet located west of Highway 11, north of Second Street, being Lots 9 & 10, Square 40 and 62065 Highway 11, Slidell from A-4 (Single Family Residential District) to HC-1 (Highway Commercial District). (Ward 8, District 14). (ZC14-07-053) (ZC Approved 7/1/14) (Introduced 8/5/14)

Smith - moved to adopt, second by Artigue. Unanimous with 3 absent (Gould, Binder); becomes Ordinance C.S. No. 14-3197.

Falconer - 22. Ord. Cal. No. 5250 - Ordinance amending the Official Parish Zoning Map to reclassify 17.362 located south of Meadowlark Drive, west of Rousseau Road, being 15258 Meadowlark Drive, Covington from A-1 (Suburban District) to A-1 (Suburban District) and RO (Rural Overlay). (Ward 1, District 3) (ZC14-07-052) (ZC Approved 7/1/14) (Introduced 8/5/14)

Thompson - moved to adopt, second by Dean. Unanimous with 2 absent (Gould, Binder); becomes Ordinance C.S. No. 14-3198.

Falconer - 23. Ord. Cal. No. 5251 - Ordinance to amend Parish Code, Chapter 20, Article 1, Section 20-011.01 Procedures and Standards for Granting Permission to enter Parish Right of Way for Gaining access to property, to provide central water and community sewerage requirements within unincorporated St. Tammany Parish. (Introduced 8/5/14)

Canulette - moved to adopt, second by Bellisario. Unanimous with 1 absent (Gould); becomes Ordinance C.S. No. 14-3199.

Falconer - 24. Ord. Cal. No. 5252 - Ordinance amending the official Parish Zoning Map to reclassify 2.52 acres located north of Herwig Bluff Road, east of Military Road, being 41449 Herwig Bluff Road, Slidell from A-4 (Single-Family Residential District) to AT-1 (Animal Training/Housing District). (Ward 8, District 9) (ZC14-06-047) (Introduced 8/5/14)

Rykert Toledano - he represents the homeowners in the area. He would like the Council to consider tabling this, so that a compromise may be reached. He was only engaged by his clients shortly before the appeal, and therefore, his appeal was denied. The Applicant asked to rezone the property to AT-1, which would allow commercial stables and kennels. She says she is not building a commercial endeavor, but that is wrong. The Planning Commission saw this as commercial. His clients would like to table this in order to implore the Applicant to do what should have done, try to convince her to do what is fair. All the applicant wants to do is equine therapy, but there is no zone for that. This is a stately area. If this is tabled, they will engage Mr. Bellisario's help to negotiate with the Applicant. The zoning as it is designed is not appropriate for this area.

Terry Lewis Stevens - the kennel would be the biggest problem here, but in a moment it could change zoning. She thinks Mr. Toledano's request should be considered.

Bellisario - this is an exhausting process. They want me to table this for another month to talk about deed restrictions. The applicant offered deed restrictions during the rezoning process, but Mr. Toledano's clients did not want them. He does not want to table this. The Council heard the appeal and approved the zoning case with an amendment. One reason he does not want to do this is because someone call the Assessor and claimed the applicant owned additional property. Also, someone came onto her property and moved a sign. He thinks it would be a major hurdle to table this again. Mrs. Guidry has already been hit more ways than she should.

Bellisario - moved to adopt, second by Canulette. Motion passed with 11 yeas, 1 abstention (Groby), and 2 absent (Gould, Binder); becomes Ordinance C.S. No. 14-3200.

Falconer - 25. Ord. Cal. No. 5253 - Ordinance amending the official Parish Zoning Map to reclassify 1 acre located south of Bomoka Road, west of LA Highway 25, being 17140 Bomoka Road, Covington from A-1 (Suburban District) to A-1 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 3, District 3) (ZC14-06-051) (Introduced 8/5/14)

Terri Louis Stevens - she thought this lot was not big enough to accommodate a second home?

Sidney Fontenot - they discussed this at the appeal. He informed the appellant that the second home would have to meet the requirements for a second home, such as being under 1000 square feet.

Thompson - this went through the Zoning Commission and the Appeal. He wants to move on.

Thompson - moved to adopt, second by Tanner. Unanimous with 1 absent (Gould); becomes Ordinance C.S. No. 14-3201.

Falconer - 26. Ord. Cal. No. 5254 - Ordinance amending the official Parish Zoning Map to reclassify 1.5 acres located at the southeast corner of Mill Road & Josephine Road from A-2 (Suburban District) to A-4 (Single-Family Residential District). (Ward 3, District 2) (ZC14-07-059) (Introduced 8/5/14)

Jeff Schoen - at last month's appeal, there was a discussion about subdividing this into 4 lots. He wanted to report that this afternoon, they filed for resubdivision into 4 lots. Mr. Keller approved it, and it does not have to go before the Planning Commission because it can be approved administratively.

Sharp - moved to adopt, second by Dean. Unanimous with 1 absent (Gould); becomes Ordinance C.S. No. 14-3202.

APPOINTMENTS

Falconer - 1. Resolution to appoint Dennis Sharp to the 911 Communications District. (Bellisario)

Falconer - 2. Resolution to appoint Beau Lawson and R.D. "Skip" Batiste to the Board for St. Tammany Parish Gravity Drainage District No. 6. (Sharp)

Falconer - 3. Resolution to appoint two (2) members to the Charter Review Committee.

Smith - he served on the last Home Rule Charter Committee and thinks he would be qualified to offer nominations for this Commission.

Smith - moved to nominate Steve Stefancik and Richard Tanner, second by Artigue.

Binder - moved to nominate David Broughton, second by Groby.

Rick Franzo - he thinks it is necessary to appoint a citizen as well.

Cindy Brooking - she thinks it is disappointing that they are discussing voting without waiting a month.

Brister - these are only 2 members of the Committee, there are still 7 others to be appointed by different entities, and they will be appointing citizens.

Council Discussion ensued.

Sharp - moved to suspend the rules and vote, second by Thompson. Motion passed with 8 yeas, 4 nays (Groby, Bellisario, O'Brien, Binder) and 2 absent (Groby, Canulette).

Stefancik - moved to appoint Steve Stefancik and Richard Tanner, second by Dean. Unanimous with 4 absent (Gould, Canulette, Binder, Artigue); becomes Resolution C-4182.

Stefancik - moved to open the Off-the-Floor Agenda, second by Smith. Unanimous with 3 absent (Gould, Canulette, Smith)

OFF-THE-FLOOR

Falconer - 1. Resolution of the St. Tammany Parish Council to recognize and confirm Administration appointment. (Falconer/Brister)

Brister - Alan Black stepped down from this position, and it is necessary to appoint a new Hearing Officer to hear cases already scheduled. Their appointment is Hillary Crain.

Tanner - moved to adopt, second by Thompson. Unanimous with 2 absent (Gould, Canulette); becomes Resolution C.S. No. C-4183.

Falconer - 2. Discussion regarding forensic audits: To require the Parish and any agency reporting to the Parish requesting funds in excess of \$1,000,000.00 have a forensic audit every four (4) years. (Gould)

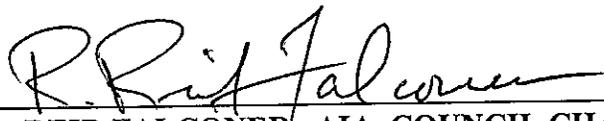
Stefancik - Mr. Gould has asked that this item be referred to the Agenda Review and Finance Committee for discussion.

Stefancik - moved to refer and postpone, second by Smith. Unanimous with 2 absent (Gould, Canulette).

Falconer - 1. Donald Keller v. St. Tammany Parish. Worker's Compensation Claim No. 12D90C732264.

Stefancik - moved to adopt a Resolution authorizing settlement by the Assistant District Attorney, second by Artigue. Unanimous with 4 absent (Gould, Canulette, Binder, Artigue); becomes Resolution C.S. No. C-4184.

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



R. REID FALCONER, AIA, COUNCIL CHAIRMAN



THERESA L. FORD, COUNCIL CLERK