

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, JANUARY 03, 2013 AT 6:00PM
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Martin W. Gould, Jr., 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.

ELECTION OF OFFICERS

1. Resolution C.S. No. C-3628 - Resolution to appoint a Chairman of the Parish Council for the calendar year 2013. (All Members)
2. Resolution C.S. No. C-3629 - Resolution to appoint a Vice-Chairman of the Parish Council for the calendar year 2013. (All Members)

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 - December 6, 2012

Council Committee Meeting - CANCELLED

ORDINANCES FOR INTRODUCTION
(Public Hearing February 7, 2013)

1. Ord. Cal. No. 4927 - Ordinance to revoke a portion of Emerald Forest Boulevard right-of-way, located in Ward 3, District 2. (Rev12-11-005) (PC approved 11/13/12) (Gould/Brister) (Tabled 12/6/12)

2. Ord. Cal. No. 4934 - Ordinance amending the official Parish Zoning Map to reclassify 22,000 square feet located south side of D.G. Holley Road, west of Watts Road, being 38196 D. G. Holley Road, Pearl River from HC-2 (Highway Commercial District) to A-4 (Single-Family Residential District). (Ward 8, District 11) (ZC12-12-116) (ZC approved 12/4/12) (Gould/Brister)

3. Ord. Cal. No. 4935 - Ordinance amending the official Parish Zoning Map to reclassify 2.64 acres located east and west of 7th Street, south LA Highway 36 from A-4-A (Single-Family Residential District) to HC-2 (Highway Commercial District). (Ward 3, District 2) (ZC12-12-117) (ZC approved 12/4/12) (Gould/Brister)

4. Ord. Cal. No. 4936 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Section 5.1004 B.3. A-4-A (Single Family Residential District), relative to side yard setbacks. (ZC12-12-119) (ZC approved 12/4/12) (Gould/Brister)

5. Ord. Cal. No. 4937 - Ordinance amending the official Parish Zoning Map to reclassify 28,800 square feet located north of 4th Street, east of Edna Street, south of 3rd Street, being lot 59-B, Town of Mailleville, Covington from NC-4 (Neighborhood Institutional District) to MD-1 (Medical Residential District). (Ward 3, District 2) (ZC12-12-120) (ZC approved 12/4/12) (Gould/Brister)

6. Ord. Cal. No. 4938 - Ordinance amending the official Parish Zoning Map to reclassify 10,340 square feet located west of US Highway 11, south of Carr Drive, being 4961 Pontchartrain Drive, Slidell from CB-1 (Community Based facilities District) to HC-1 (Highway Commercial District). (Ward 9, District 13) (ZC12-12-121) (ZC approved 12/4/12) (Gould/Brister)

7. Ord. Cal. No. 4939 - 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 a portion of voting Precinct 914. (Ward 8, District 14) (Smith)

8. Ord. Cal. No. 4940 - Ordinance amending the official Parish Zoning Map to reclassify 3.48 acres located west of Patrick Lane, south of Rogers Hill Road from A-1 (Suburban District) to A-2 (Suburban District). (Ward 3, District 2) (ZC12-12-124) (ZC approved 12/4/12) (Gould/Brister)

9. Ord. Cal. No. 4941 - Ordinance amending the official Parish Zoning Map to reclassify 1.5 acres located south of LA Highway 22, east of Guste Island Road from NC-4 (Neighborhood Institutional District) to A-2 (Suburban District). (Ward 1, District 4) (ZC12-12-125) (ZC approved 12/4/12) (Gould/Brister)

10. Ord. Cal. No. 4942 - Ordinance amending the official Parish Zoning Map to reclassify 202.43 acres located north and south of Charlene Drive, and east and west of Emily Court and Casey Court, west of Chris Kennedy Road from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 6, District 11) (ZC12-12-126) (ZC approved 12/4/12) (Gould/Brister)

11. Ord. Cal. No. 4943 - Ordinance to Amend the 2013 Operating Budget - Amendment No. 1. (Gould/Brister)

12. Ord. Cal. No. 4944 - Ordinance to ratify, amend or rescind Ordinance C.S. No. 12-2845 adopted October 4, 2012, amending the official Parish Zoning Map to reclassify 0.097 acre located south of La. Highway 1088, east of Forest Brook Blvd from A-2 (Suburban District) to NC-2 (Indoor Retail and Service District). (Ward 4, District 7) (Gould/Brister)

13. Ord. Cal. No. 4945 - Ordinance to extend for an additional six (6) months the moratorium on the submission and review of Zoning permit applications and Planning Commission review and on the issuance of building permit applications, for the purpose of construction or placement of multi-family structures on property within unincorporated areas of Council District 12. (Binder)

RESOLUTIONS

1. Resolution C.S. No. C-3614 - Resolution to approve and authorize St. Tammany Parish through the Office of the Parish President to sign and/or execute a Water Interconnection Agreement between the Parish and Guste Island Utility Co., Inc. (Ward 1, District 4) (Gould/Brister)

2. Resolution C.S. No. C-3615 - Resolution to approve and authorize St. Tammany Parish through the Office of the Parish President to sign and/or execute a Water Interconnection Agreement between the Parish of St. Tammany and H2O Systems, Inc. (Ward 4, Districts 5, 10) (Gould/Brister)

3. Resolution C.S. No. C-3616 - 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 - Fixed Assets. (Gould/Brister)

4. Resolution C.S. No. C-3617 - 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 - Other. (Gould/Brister)

5. Resolution C.S. No. C-3618 - 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 1 - (Fund 301). (Gould/Brister)

6. Resolution C.S. No. C-3619 - Resolution to amend Ordinance C.S. No. 12-2862 - 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards to make changes to the Capital Improvements List - Bond Roads - (Fund 300-01). (Gould/Brister)

7. Resolution C.S. No. C-3620 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards. (Gould/Brister)

8. Resolution C.S. No. C-3621 - Resolution to approve the appointment of Don Shea as Director of the Department of Economic Development for the remainder of the 2012-2015 Parish President's term of office. (Gould/Brister)

9. Resolution C.S. No. C-3622 - Resolution to approve the appointment of Beverly Gariepy as Chief Financial Officer for the remainder of the 2012-2015 Parish President's term of office. (Gould/Brister)

10. Resolution C.S. No. C-3623 - A Resolution Establishing Performance and Warranty Obligations. (Gould/Brister)

11. Resolution C.S. No. C-3624 - Resolution to declare urgent need for the purposes of obtaining funding for removing non-hazardous items from the green property through the Office of Community Development. (Gould/Brister)

12. Resolution C.S. No. C-3625 - Resolution to approve and authorize St. Tammany Parish through the Office of the Parish President to sign and/or execute a Cooperative Endeavor Agreement by and between the Parish of St. Tammany and the Archdiocese of New Orleans (ANO). (Infrastructure Improvements for Judge Tanner Drive Extension/Holy Trinity Drive, and ANO Projects) (Gould/Brister)

13. Resolution C.S. No. C-3626 - Resolution limiting the Parish Council from referring re-zoning cases to the Zoning Commission. (Gould/Brister)

14. Resolution C.S. No. C-3627 - Resolution authorizing Sales Tax District No. 3 of the Parish of St. Tammany, State of Louisiana to proceed with the issuance of not to exceed Forty-Four Million Three Hundred Fifty Thousand Dollars (\$ 44,350,000) of Sales Tax Refunding Bonds; providing certain terms of said bonds; making application to the State Bond Commission for approval of said Bonds; employing professionals in connection therewith; and providing for other matters in connection therewith. (Bellisario and Binder)

END OF CONSENT CALENDAR

APPEALS

1. Ronald Goux appealing the Zoning Commission DENIAL on December 4, 2012 to rezone 10 acres located north of Brewster Road, south of I-12, west of LA Highway 21 from CB-1 (Community Based Facilities District) to HC-3 (Highway Commercial District).(Ward 1, District 1) (ZC12-11-106)

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.

2. Michael Delaney appealing the Zoning Commission DENIAL on December 4, 2012 to rezone 1.057 acres located west of Thompson Road, south of Wesley Road from A-2 (Suburban District) and NC-2 (Indoor Retail and Service District) to HC-2 (Highway Commercial District). (Ward 9, District 11) (ZC12-12-115)

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. 4914AA - Ordinance establishing a "No Parking Zone" on a portion of Dove Park Road (4-D-001) (Ward 4, District 5) (Introduced 11/1/12) (Amended and reintroduced 12/6/12)

2. Ord. Cal. No. 4915AA - Ordinance to amend the St. Tammany Parish Code of Ordinances, Section 2-009.00 Parish Fees and Service Charges, (B) Development, IV. Mandatory Impact Fees. (Introduced 11/1/12) (Amended and reintroduced 12/6/12)

3. Ord. Cal. No. 4916 - Ordinance amending the Official Parish Zoning Map to reclassify 15.55 acres located north of Emerald Forest Blvd, East of Falconer Drive to a PUD (Planned Unit Development Overlay). (Ward 3, District 5) (ZC12-08-076) (ZC approved 11/7/12) (Introduced 12/6/12)

4. Ord. Cal. No. 4917 - Ordinance amending the Official Parish Zoning Map to reclassify 15.55 acres located north of Emerald Forest Blvd, East of Falconer Drive from NC-4 (Neighborhood Institutional District), NC-1 (Professional Office District) and A-7 (Multiple Family Residential District) to A-4-A (Single-family Residential District). (Ward 3, District 5) (ZC12-08-077) (ZC approved 11/7/12) (Introduced 12/6/12)

5. Ord. Cal. No. 4918 - Ordinance amending the Official Parish Zoning Map to reclassify 1.5 acres located east of LA Highway 450, north of Starwood Ranch Road from A-1 (Suburban District) to A-1 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 2, District 3) (ZC12-11-105) (ZC approved 11/7/12) (Introduced 12/6/12)

6. Ord. Cal. No. 4919 - Ordinance amending the Official Parish Zoning Map to reclassify 5 acres located east of Jim Loyd Road, south of LA Highway 40 from A-1 (Suburban District) to A-1 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 2, District 3) (ZC12-11-107) (ZC approved 11/7/12) (Introduced 12/6/12)

7. Ord. Cal. No. 4920 - Ordinance amending the Official Parish Zoning Map to reclassify 1.4 acres located on the southeast corner of Harrison Avenue and Fuchsia Street from A-2 (Suburban District) to PF-1 (Public Facilities District). (Ward 3, District 5) (ZC12-11-109) (ZC approved 11/7/12)(Introduced 12/6/12)

8. Ord. Cal. No. 4921 - Ordinance amending the Official Parish Zoning Map to reclassify 2.40 acres located west of LA Highway 434, South of I-12 from A-1 (Suburban District) and PF-2 (Public Facilities District) to SWM-1 (Solid Waste Management District). (Ward 7, District 7) (ZC12-11-110) (ZC approved 11/7/12) (Introduced 12/6/12)

9. Ord. Cal. No. 4922 - Ordinance amending the Official Parish Zoning Map to reclassify 20.66 acres located west of LA Highway 434, South of I-12 from A-1 (Suburban District) and I-2 (Industrial District) to HC-3 (Highway Commercial District). (Ward 7, District 7) (ZC12-11-111) (ZC approved 11/7/12) (Introduced 12/6/12)

10. Ord. Cal. No. 4923 - Ordinance amending the Official Parish Zoning Map to reclassify 2.4 acres located north of LA Highway 1088, west of Sout Street from A-3 (Suburban District) to PF-1 (Public Facilities District). (Ward 4, District 5) (ZC12-11-112) (ZC approved 11/7/12)(Introduced 12/6/12)

11. Ord. Cal. No. 4924 - Ordinance amending the Official Parish Zoning Map to reclassify 0.424 acre located on the northwest corner of US Highway 190 and Richardson Street from PUD (Planned Unit Development Overlay) to PF-1 (Public Facilities District). (Ward 1, District 3) (ZC12-11-113) (ZC approved 11/7/12) (Introduced 12/6/12)

12. Ord. Cal. No. 4925 - Ordinance amending the Official Parish Zoning Map to reclassify 0.99 acre located east of Wilkinson Road, north of McGee Road from A-1 (Suburban District) to A-1 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 1, District 3) (ZC12-11-114) (ZC approved 11/7/12) (Introduced 12/6/12)

13. Ord. Cal. No. 4926 - Ordinance to extend for an additional six (6) months the moratorium on the approval of rezoning and issuance of plan review permits, not previously received, for property abutting the Louisiana Highway 21 Planned Corridor from Lalanne Road North to Azalea Drive. (Ward 1, District 1) (Introduced 12/6/12)

14. Ord. Cal. No. 4928 - Ordinance accepting finalized subdivisions into the Road and Drainage Inventories, specifically entering the right-of-way of Abita Avenue within Abita Terrace Subdivision. (Ward 3, District 5) (Introduced 12/6/12)

15. Ord. Cal. No. 4929 - Ordinance to correct the Road and Drainage Inventory to include River Bend Drive; C. Gottie Road Lateral; and Highway 437 Lateral. (Wards 1, 2 & 3; Districts 2 & 3) (Introduced 12/6/12)

16. Ord. Cal. No. 4930 - Ordinance to amend the Parish Code of Ordinances, Chapter 15, Article II, Watercraft Speed Limits, to establish a "Dead Slow, No Wake" Zone on the Highway 11 Canal, a portion of the Morgan River and a portion of the Bogue Falaya River. (Wards 3, 8, 9; Districts 5, 9, 13) (Introduced 12/6/12)

17. Ord. Cal. No. 4931 - Ordinance to amend the 2012 Operating Budget - Amendment No. 10. (Introduced 12/6/12)

18. Ord. Cal. No. 4932 - Ordinance amending the official Parish Zoning Map to reclassify 8.901 located on the southeast corner of LA Highway 1077 & LA Highway 1085 from HC-2 (Highway Commercial District) to HC-2A (Highway Commercial District). (Ward 1, District 1) (ZC12-10-099) (Introduced 12/6/12)

19. Ord. Cal. No. 4933 - Ordinance amending the official Parish Zoning Map to reclassify 1.66 acres located east of 8th Street & west of 9th Street, south of LA Highway 36 from A-4A (Suburban District) to HC-2 (Highway Commercial District), (Ward 3, District 2). (ZC12-11-108) (Introduced 12/6/12)

NOMINATIONS

1. Appoint one (1) individual to the Board of Commissioners of St. Tammany Recreation District No. 16. (Districts 8, 9, 11, 12, 13, 14) (Tabled 12/6/12) (Smith)
2. Appoint two (2) individuals to the Board of Commissioners of St. Tammany Recreation District No. 10. (Districts 1, 2, 3, 4, 5) (Gould)

APPOINTMENTS

1. Resolution to reappoint David Root (term expired) to St. Tammany Parish Fire Protection District No. 8. (Tanner)
2. Resolution to appoint Matt Dennis to replace Harvey Hayden (moved out of district) to St. Tammany Parish Fire Protection District No. 9. (Tanner)
3. Resolution to appoint George Cascino to St. Tammany Parish Drainage District No. 5. (Binder)

DISCUSSIONS AND OTHER MATTERS

1. Motion to refer to the Zoning Commission for recommendation the proposed rezoning of 0.924 acre bearing physical address 38184 D.G. Holley Road, Pearl River, from HC-2 (Highway Commercial District) to A-4 (Single Family Residential). (Ward 8, District 11) (Stefancik)

EXECUTIVE SESSION

1. Suevelma Alexander vs. St. Tammany Parish, 22nd JDC No. 2010-13197.
2. Sarah Jambon vs. St. Tammany Parish, 22nd JDC No. 2009-16745.
3. Brittney Johnson vs. St. Tammany Parish, 22nd JDC No. 2012-13792.
4. Wallace Ruiz vs. St. Tammany Parish, 22nd JDC No. 2007-14243.
5. George and Christy Bloom, Henry & Melanie Billiot, Mike & Laura Massey and Ross & Lynette Davis vs. JPE, Inc., The Parish of St. Tammany and Allied Insurance Group, 22nd JDC No. 2007-12334. (Legal Department)

