

MINUTES OF ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, JUNE 4, 2015 AT 6:00 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Richard E. Tanner, Chairman

Invocation by Mr. Groby

Pledge of Allegiance by Eagle Scouts

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

SPECIAL ITEMS

Tanner - 1. PUBLIC HEARING - to adopt the Millage Rates to be levied for year 2015 is to be held at the Council Chambers, 21490 Koop Dr., Mandeville, LA on July 9, 2015 at 6:00 p.m.

CLERK'S NOTE: Chairman Tanner verbally announced the public hearing to be held on July 9th in Council Chambers regarding the setting of the 2015 Parish Millages.

Tanner - 2. Ord. Cal. No. 5398 - Ordinance amending the St. Tammany Parish Charter, subject to approval by the electorate of St. Tammany Parish; and otherwise providing with respect thereto. (Tanner)

Tanner - 10 yea votes are needed for an item to be placed on the ballot.

Gould - if an item gets the votes, it will remain on the Ordinance, and if not, then it will be removed from the Ordinance?

Tanner - correct.

**Proposition #1
Section 1-06 is hereby amended to read as follows:**

Section 1-06. Joint Cooperative Agreements

For a public purpose, the St. Tammany Parish Government, through the office of the parish president, shall have the right, power and authority to enter into cooperative endeavor agreements, and intergovernmental contracts agreements, and/or memoranda of understanding with local governments and regional, state and federal authorities the state, other political subdivisions, the United States or its agencies and/or with any public or private association, corporation or individual.

Stefancik - moved to add to approve for the ballot, second by Gould. Unanimous with no one absent.

Proposition #2

Section 1-07 is hereby amended to read as follows:

Section 1-07. Charter Review.

The council shall provide for the automatic review of this Charter at least once every ten (10) years through appointment of a Charter Commission consisting of at least eleven (11) members. The council by resolution shall provide for the method of appointment of members of the Charter Commission; provided, however, that at least two (2) council members shall be appointed to the then-current Charter Commission. Members of the Commission shall serve without compensation and shall submit their recommendations for Charter amendments, if any, to the council.

Stefancik - when this was presented to the Committee they proposed making the review every 15 years, but after some discussion, it was back to 10. He is okay with it being 15 years.

Council discussion ensued.

Dean - moved to amend from 10 years to 15 years, second by Gould. Motion passed with 12 yeas, 2 nays (Falconer and Groby), and no one absent.

Smith - moved to amend from a Commission to a Committee, second by Groby. Motion passed with 13 yeas, 1 nay (Bellisario), and no one absent.

Stefancik - moved to approve as amended, second by Gould. Unanimous with no one absent.

Proposition #3

Section 2-07 is hereby amended to read as follows:

Section 2-07. Council Meetings and Rules.

G. The council shall provide by ordinance a procedure whereby interested persons shall be given an opportunity to be heard at council meetings on any matter relating to Parish government and on the meeting agenda.

Brandon Hirstius - with most government agencies, he has found an open door policy on items not on the agenda. The Council only allow items on the agenda by invitation. He thinks there should be an open comment period at the end of the meeting.

Stefancik - moved to approve, second by Thompson. Unanimous with no one absent.

Proposition #4

Section 2-14 is hereby amended to read as follows:

Section 2-14. Emergency Ordinances.

~~C. Emergency ordinances shall be effective for no longer than thirty (30) consecutive days after final adoption, except that the council, by the favorable vote of two-thirds vote of its authorized membership, may extend the life of the emergency ordinance for a period not to exceed an additional thirty (30) consecutive days:~~

C. Emergency ordinances shall be effective upon adoption and remain effective until the next regularly scheduled Council meeting. At the next regular meeting of the Council, the Council, by a two-thirds vote of the authorized membership, may extend the effectiveness of the emergency ordinance for a period not to extend beyond the date of the next regular meeting of the Council.

Stefancik - the current emergency guideline states they are only 30 days long which puts the Council in a bind with possibly needing a special meeting. This change allows the Council to extend the moratorium until the next meeting and allows it to be extended once following that.

Stefancik - moved to approve, second by O'Brien. Unanimous with no one absent.

Proposition #5

Sections 2-19 and 4-03 are hereby amended to read as follows:

Section 2-19 (A), (B), (C) as follows:

A. The council shall appoint one or more attorneys who shall serve at the pleasure of the council. The Council attorney(s) shall (1) serve as legal advisor to the council, respective staff members, and boards and commissions established by council, all as directed by the council (2) represent and/or direct representation for the council and/or parish government in legal proceedings, (3) represent boards and commissions established by the council and as directed by the council in legal proceedings and (4) co-administer Parish litigation with Parish President-appointed attorneys. The council's appointment of council attorney(s) shall be completed at the first meeting of the council following a general election for one or more council districts and remain in effect for the full term of the council.

B. The operating budget for the council-appointed attorney(s) and their respective staff members shall be subject to the requirements of Article V.

C. Outside legal counsel shall only be retained by the council by written contract for a specific purpose approved by the favorable vote of a majority of the authorized membership of the council. Such authorization shall specify the compensation, if any, to be paid for such services.

Section 4-03. Legal Department.

A. The president, without the necessity of council approval, shall appoint an Executive Counsel who shall serve at the pleasure of the president. The Executive Counsel shall (1) direct the Legal Department and its respective staff members, (2) serve as legal advisor to the president, parish employees and all departments, offices and agencies comprising Parish government, (3) represent and/or direct representation for the Parish president, parish employees and/or parish government in legal proceedings and (4) co-administer Parish litigation with council-appointed attorneys. ~~The district attorney of the judicial district serving St. Tammany Parish shall serve as legal adviser to the council, president and all departments, offices and agencies and represent the Parish government in legal proceedings.~~

B. The operating budget for the Executive Counsel, Legal Department and the respective staff members of each of the foregoing shall be subject to the requirements of Article V.

C. ~~No special~~ Outside legal counsel shall only be retained by the Parish government president except by written contract for a specific purpose approved by the favorable vote of a majority of the authorized membership of the council. Such authorization shall specify the compensation, if any, to be paid for such services. Notwithstanding the foregoing, in matters involving a conflict between Parish president and council, whether direct or indirect, the Parish president shall have authority to retain outside legal counsel by written contract for the specific purpose giving rise to said conflict.

Stefancik - there was a lot of discussion on this in the Committee. The BGR (Bureau of Governmental Research) and the League of Women Voters recommended no longer having the District Attorney represent the Council. All of the Parish legal staff are Assistant District Attorneys who receive stipends from the District Attorney. The District Attorney was going to remove his representation, but then he decided he wanted to keep them. He thinks this should be one item on the ballot, and it needs to pass, so the District Attorney will no longer represent the Council.

Gould - he feels strongly that the Council needs to pick its own attorneys. He does not think our attorneys need to serve 2 masters. He thinks the District Attorney should be concentrating on criminal matters.

Council discussion ensued.

Blanchard - there was a strong sentiment to work things out with the District Attorney and reach a compromise. She thinks the way it is now makes the District Attorney serve 2 different groups. If the Council needs to file litigation, and the District Attorney was the attorney on the lawsuit, then it

makes the District Attorney the 15th member of the Council who can deny litigation. Lawsuits such as the fracking lawsuit may not have been filed because the DA could vote no.

Council discussion ensued.

Gould - moved to approve, second by Falconer. Unanimous with no one absent.

Proposition #6

Section 3-09 is hereby amended to read as follows:

Section 3-09. Powers and Duties of the President.

A. The president as chief executive officer of the Parish government shall have the following powers and duties:

(1) See that all laws, provisions of this charter and acts of the council, subject to the president's direction and supervision, are faithfully executed.

~~(2) Appoint and suspend or remove for just cause all Parish government employees and appointive administrative officers provided for by or under this charter, except as otherwise provided by this charter or other personnel rules adopted pursuant to this charter. The president may authorize any administrative officer who is subject to the president's direction and supervision to exercise these powers with respect to subordinates in the officer's department, office or agency.~~

(2)(3) Direct and supervise the administration of all departments, offices and agencies of the Parish government, except as otherwise provided by this charter.

(3)(4) Prepare and submit the annual operating budget and five (5) year capital improvement budget to the council.

(4)(5) Sign contracts for projects, equipment, professional services and materials and supplies specifically identified in the approved operating and capital improvement budgets or as specifically identified by ordinance. Contracts for projects, equipment, professional services or materials and supplies not so identified shall be submitted to the council for approval.

(5)(6) Submit to the council and make available to the public, within ninety (90) days after the end of the fiscal year, a complete report on the finances and administrative activities of the Parish government as of the end of the fiscal year.

(6)(7) Make such other reports as the council may reasonably request to enable the council to conduct its functions.

(7)(8) The president shall attend all meetings of the council and keep the council fully advised as to the financial condition and future needs of the Parish government and make such recommendations to the council concerning the affairs of the Parish government as deemed desirable.

(8)(9) Perform such other duties as are specified in this charter or may be required by the council, not inconsistent with this charter.

Stefancik - moved to approve, second by Gould. Unanimous with 1 absent (Binder).

Proposition #7

Section 4-02 is hereby amended to read as follows:

Section 4-02. Chief Administrative Officer.

A. The president shall appoint a chief administrative officer who shall serve at the pleasure of the president. The chief administrative officer shall, subject to the direction of the president, supervise all departments, offices, and agencies of the Parish government under the direction and supervision of the president except the legal department and perform such other functions as may be directed by the president., ~~including but not limited to~~

~~maintenance and upkeep of the computer informational system, building maintenance, public access TV channel, building supervision, and personnel information:~~

- B. The chief administrative officer at the time of appointment shall have a master’s degree in public administration or a related field from an accredited college or university, and at least years experience as a chief administrative officer or head of a major department, or higher, in a governmental organization.

Falconer - moved to amend to add the word 3 before years, second by Bellisario. Unanimous with no one absent.

Gould - moved to approve as amended, second by Bellisario. Unanimous with no one absent.

Proposition #8

Article 4 Sections 04, 05, 06, 07, 08, 09, 10, 11, and 12 are hereby amended to read as follows:

Article 4 Section 04, 05, 06, 07, 08, 09, 10 be amended as follows: (Clerk’s Note: Sections 04, 05, 06, 07, 08, 09 and 10 deleted)

Section 4-~~5~~11. Parish Departments

~~Other Departments:~~

Except as otherwise provided by this charter, all Parish government departments, offices and agencies and functions in existence, whether established via Parish Ordinance or discretion of Parish president on the effective date of this charter, insofar as they do not conflict with this charter, shall continue in existence as organized on that date until reorganized in accordance with the section on “Administration Reorganization.”

Section 4-~~6~~12. Administration Reorganization.

A. The president may propose to the council the creation, change, alteration, consolidation or abolition of Parish departments, offices and agencies and the reallocation of the functions, powers, duties and responsibilities of such departments, offices or agencies, including those provided for in this charter.

B. Upon receipt of the president’s proposed plan of reorganization, the presiding officer of the council shall cause to be introduced an ordinance to implement the proposed reorganization plan. The ordinance shall follow the same procedure as provided in the section on “Ordinances in General” of this charter.

C. The reorganization plan submitted by the president shall become effective if the council fails to act on the proposed reorganization within ninety (90) days of its submission to the council.

Proposition #9

Section 5-02 is hereby amended to read as follows:

Section 5-02. Operating Budget Preparation and Adoption.

- A. ~~At least ninety (90) days prior to the beginning of each fiscal year the president shall submit to the council ,~~ at the regularly scheduled Council meeting held in the month of October, a proposed operating budget in the form required by this charter. At the meeting of the council at which the operating budget is submitted, the council shall order a public hearing and shall cause to be published in the official journal, at least ten (10) days prior to the date of such hearing, the time and place thereof, a general summary of the proposed budget and the times and places where copies of the proposed budget are available for inspection. At the time and place so advertised, the council shall hold a public hearing on the budget as submitted. Changes in the proposed operating budget by the council shall be by the favorable vote of at least a majority of the authorized membership of the council. Upon final adoption, the budget shall be in effect for the budget year and copies shall be filed with the clerk of the council. The budget as final adopted shall be reproduced and sufficient copies shall be made available for use by all offices, departments and agencies of

the Parish government. Copies shall be available for public use in the office of the clerk of the council. Additional copies may be purchased at cost by the public.

B. Upon failure of the council to adopt a budget before the end of the current fiscal year, the budget for the prior year shall continue in effect until amended by the council.

Stefancik - this is similar to the Emergency ordinance change. This change is to eliminate the need for a special meeting to introduce the budget.

Stefancik - moved to approve, second by Bellisario. Unanimous with 1 absent (Gould).

Recommendation - Term Limits

For discussion purposes only, the following amendment to Article 2 Section 01(A) is proposed to read as follows. this was not a proposition of the Charter Review Committee.

- A. The legislative power of the Parish government shall be vested in a council consisting of fourteen (14) members, or such other number of council members as may be determined by the electorate, elected from single-member districts for four (4) year terms, one from and by the qualified electors in each district as defined in section "Election of Officials." A person who has served as a council member for more than two and one-half terms in three (3) consecutive terms shall not be eligible to qualify as a candidate for a member of the council for the succeeding term

Carlo Hernandez - he attended the Charter Committee meetings, and the Committee could not get the 8 votes necessary to make this a proposition. The vast majority of the people who spoke to the Committee supported term limits. He thinks it is going to be difficult to get 10 votes of the Council to approve this, but he is asking that the Council allow this issue to go out for a public vote.

Rick Franzo - he represents CCST, and they are in full support of term limits and hope that the Council gives the people the chance to vote.

Falconer - he believes there is a sentiment out there in favor of term limits and believes there is a great power in incumbency. He thinks that the people should be given the opportunity to choose or not to choose term limits. There is a lot of apathy out there.

Groby - the power that the Council has is on the behalf of the people. He thinks they will be remiss in their duties if they do not give the people the chance to vote on this.

Stefancik - he has been reelected 6 times. He thinks there is enough turnover of the Council members every four years. An incumbent council member can be beat. With term limits by the time a new member understands what they need to do, they will be out of office. You lose institutional knowledge. He thinks that term limits restricts the public's right to vote for who they wish. At his monthly public meetings, very few people are in support of term limits.

Council discussion ensued.

Terry Hand - when this ordinance comes back for adoption the strike-through and underlines will be gone.

Falconer - moved to put this as a proposition on the ballot, second by Groby. Motion fails with 3 yeas (Falconer, Groby, O'Brien), 11 nays, and no one absent.

Hand - Section 4.10 was not properly addressed in the Proposition No. 8, read it into the record.

Stefancik - moved to reconsider Proposition No. 8, second by Gould. Unanimous with 2 absent (Thompson, Artigue).

Gould - moved to amend Proposition No. 8 with the items left out, second by Stefancik. Unanimous with 1 absent (Artigue).

Gould - moved to approve as amended, second by Stefancik. Unanimous with 1 absent (Artigue).

EXECUTIVE SESSION

Tanner - 1. St. Tammany Parish Government v. James H. Welsh, Commissioner of Conservation. 19th JDC for the Parish of East Baton Rouge, Docket No. 631370.

Canulette - moved to leave Executive Session, second by Bellisario. Unanimous with no one absent.

Gould - moved to adopt a Resolution to direct Legal Counsel to proceed with the filing of an appeal in the matter of St. Tammany Parish Government V. James H. Welsh, Commissioner of Conservation. 19th Judicial District Court for the Parish of East Baton Rouge, Docket No. 631370, second by Falconer. Unanimous with no one absent; becomes Resolution C.S. No. C-4369.

PRESENTATIONS

Tanner - 1. Presentation by YEA! Northshore. (Tanner)

Carla Mouton - gave presentation and passed out brochure.

Tanner - 2. Certificates of Recognition to seven (7) Eagle Scouts. (Gould)

Falconer, Gould, Sharp, Groby, O'Brien- present certificates to Scouts and recognized Daniel Smith - Scout Master for Troop 85.

Tanner - 3. Presentation of Proclamation to St. Tammany Parish Government Employee of the Month. (Brister)

Brister - made presentations to employees of the month.

Tanner - 4. Certificates of Recognition to the members of the Fuel Youth Soccer Team U-13. (Bellisario)

Bellisario, Tanner, Brister - presented certificates.

APPEALS

Tanner - 1. Brian Intravia appealing the Zoning Commission DENIAL on April 7, 2015 to rezone 71 acres located south of Highway 22, west of Trepangier Road, east of Helen Drive to a PUD (Planned Unit Development Overlay). (Ward 1, District 4) (ZC15-04-035) (Postponed 5/7/15)

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.

Paul Mayronne for Intravia - this is a sister case with Appeal No. 2. The Zoning Commission denied the PUD plan due to the density. He and his client have worked with the staff and Mr. Falconer to address all of the concerns raised. They would like to amend the request to A-3 (from A-4), which reduces the number of units. The density will be 133 lots, which less than A-3 allows. There will be green space over 32% of the property. Forty-eight of the lots are impacted by wetlands. They are also adding a new access road and have set aside room for the road to be expanded if necessary. They are requesting consideration of the new plan.

Paula Camp - she lives on the south side of Highway 22 and this development will come up behind and beside her property. Since the hurricane, the lake has moved inland. Her yard will not drain. This is not a safe situation and hopes the Council will consider the flooding issue when deciding on this.

Falconer - he reminds his colleagues that this appeal was postponed from last month, so he could work with Mr. Mayronne and the homeowners. He respects the work of the Zoning Commission, but thinks there is a different project before us tonight. This plan will have less impact than the first one.

Falconer - moved to override the Zoning denial, second by Gould. Unanimous with no one absent.

Falconer - moved to introduce an Ordinance with the new PUD plan, second by Gould; becomes Ord. Cal. No. 5417.

Tanner - 2. Brian Intravia appealing the Zoning Commission DENIAL on April 7, 2015 to rezone 71 acres located south of Highway 22, west of Trepangier Road from A-2 (Suburban District) and HC-1 (Highway Commercial District) to A-4 (Single Family Residential District. (Ward 1, District 4) (ZC15-04-036) (Postponed 5/7/15)

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.

Falconer - moved to override the Zoning denial, second by Gould. Unanimous with no one absent.

Falconer - moved to introduce an ordinance to rezone to A-3 instead of A-4, second by Gould; becomes Ord. Cal. No. 5418.

Tanner - 3. Carlo Hernandez appealing the Zoning Commission APPROVAL on May 5, 2015 of an Ordinance to amend St. Tammany Parish Unified Development Code, Volume 1 (Zoning), Section 2 Definitions, to add the definitions of Entertainment Venue and creating Section 6.09 Entertainment Overlay. (ZC15-03-019)

NOTE: To concur with Zoning APPROVAL, a simple majority vote is required and adoption of Ord. Cal. No. 5322AA. (Item #2 Ordinances for Adoption)

NOTE: To override Zoning APPROVAL, a majority vote of the entire Council is required and adoption of a resolution and removal of Ord. Cal. No. 5322AA. (Item #2 Ordinances for Adoption)

Hernandez - the ordinance states that an event can happen in a residential area and have high alcohol content drinks. This overlay does not have any requirements or additional protections provided.

Gould - no one can obtain this overlay without going in front of the Zoning Commission. For businesses who abut residential property and would like to serve more than wine or beer.

Gould - moved to concur with the Zoning Approval, second by Falconer. Unanimous with no one absent.

Gould - moved to move up Ord. Cal. No. 5322AA, second by Thompson. Unanimous with no one absent.

Tanner - 2. Ord. Cal. No. 5322AA - Ordinance to amend St. Tammany Parish Uniform Development Code by creating Section 6.09 Entertainment Overlay. (Introduced 12/4/14) (Postponed from 1/8/15 until 4/2/15) (ZC15-03-019) (ZC postponed 4/7/15Z) (ZC Hearing scheduled for 5/5/15) (Postponed 4/2/15) (ZC Approved with amendments 5/5/15) (Amended and Reintroduced 5/7/15) (Needs to be considered with Appeal No. 3)

Gould - moved to amend, second by Bellisario. Unanimous with no one absent.

Gould - moved to adopt as amended, second by Falconer. Unanimous with no one absent; becomes Ordinance C.S. No. 15-3322.

Tanner - 4. Rachel Schuler appealing the Planning Commission APPROVAL on May 12, 2015 of a Preliminary Subdivision Review of Planche Estates (Resubmitted). (Ward 3, District 3) (SD12-06-003P)(Applicant MCK Associates, Corp.)

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

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

Thompson - this was approved in 2012 but the approval expired, nothing has changed?

Jeff Schoen - nothing has changed.

Thompson - moved to concur with the Planning Approval, second by Sharp. Unanimous with 2 absent (Gould, Groby).

Thompson - moved to adopt a resolution, second by Sharp. Unanimous with no one absent; becomes Resolution C.S. No. C-4367.

Tanner - 5. Applicant Matthew Ladner appealing the Planning Commission DENIAL on May 12, 2015 for a Minor Subdivision request to create two 1/2 acre lots from a 1.188 acre parcel located north of Scenic Drive and west of Airport Road. (Ward , District 11) (MS15-04-015)

NOTE: To concur with Planning Denial, a simple majority vote is required and adoption of a Resolution.

NOTE: To override the Planning Denial, a 2/3 vote (9) is required and adoption of a resolution.

Matthew Ladner -this land has been in the family for a little over 2 years. It is a little over an acre. He currently lives in Mississippi, but he wants to move back here.

Stefancik - moved to override the Planning denial, second by Bellisario. Unanimous with no one absent.

Stefancik - moved to adopt a Resolution, second by Bellisario. Unanimous with no one absent; becomes Resolution C.S. No. C-4368.

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

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|----------------------------|----------------------------|----------------------------|
| Ord. Cal. No. 5365 | Ord. Cal. No. 5403 | Ord. Cal. No. 5405 |
| Ord. Cal. No. 5406 | Ord. Cal. No. 5407 | Resolution C.S. No. C-4349 |
| Resolution C.S. No. C-4350 | Resolution C.S. No. C-4355 | Resolution C.S. No. C-4359 |
| Resolution C.S. No. C-4360 | | |

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 | May 7, 2015 |
| Council Committee Meeting | May 28, 2015 |

ORDINANCES FOR INTRODUCTION
(Public Hearing: July 9, 2015)

2. Ord. Cal. No. 5399 - Ordinance to extend for an additional six (6) months the moratorium on the opening of new streets in Angelic Estates. (Ward 3, District 5) (Gould)

3. Ord. Cal. No. 5400 - 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) (Dean)

4. Ord. Cal. No. 5401 - Ordinance to amend and reenact the St. Tammany Parish Code of Ordinances, Chapter 14, Nuisances, Article IV, Noise and Sound, to provide for changes, and clarifications consistent with the Parish Unified Development Code. (Tanner)

5. Ord. Cal. No. 5402 - Ordinance to amend Parish Code of Ordinances, Chapter 20, Article III, Road Lighting Districts, to add a new section creating Lighting District No. 17 for a portion of Ward 3, District 5. (Tanner/Brister)

7. Ord. Cal. No. 5404 - Ordinance to correct the Road & Drainage Inventory to include Casey Court Lateral and Downing Street. (Wards 6 & 9, Districts 11 & 12) (Tanner/Brister)

11. Ord. Cal. No. 5408 - Ordinance amending the official Parish Zoning Map to reclassify 1.834 acres located at the southwest corner of LA Highway 1077 and Gottschalk Road from A-1A (Suburban District) to A-3 (Suburban District). (Ward 1, District 3) (ZC15-05-043) (ZC approved 5/5/15) (Tanner/Brister)

12. Ord. Cal. No. 5409 - Ordinance amending the official Parish Zoning Map to reclassify 20,000 square feet located west of Green Street, south of Ted Ray Drive, being 73053 Green Street, from A-3 (Suburban District) to A-3 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 6, District 6) (ZC15-05-044) (ZC approved 5/5/15) (Tanner/Brister)

13. Ord. Cal. No. 5410 - Ordinance amending the official Parish Zoning Map to reclassify 15,000 square feet located at the northeast corner of Mashie Street & Flight Street, being 73104 Mashie Street from A-3 (Suburban District) to A-3 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 10, District 6) (ZC15-05-045) (ZC approved 5/5/15) (Tanner/Brister)

14. Ord. Cal. No. 5411 - Ordinance amending the official Parish Zoning Map to reclassify 3.885 acres located south of Highway 1078, east of Donnie Road from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 3) (ZC15-05-046) (ZC approved 5/5/15) (Tanner/Brister)

15. Ord. Cal. No. 5412 - Ordinance amending the official Parish Zoning Map to reclassify 10,500 square feet located north of Preachers Oak Road, east of Carroll Road, Avondale Subdivision from A-3 (Suburban District) to A-3 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 9, District 14) (ZC15-05-048) (ZC approved 5/5/15) (Tanner/Brister)

16. Ord. Cal. No. 5413 - Ordinance to amend 2015 Operating Budget - Amendment No. 5. (Tanner/Brister)

17. Ord. Cal. No. 5414 - Ordinance establishing the placement of all-way stop signs at the intersection of Rapatel Street (R04-E-125) and Caroline Street (R04-E-034). (Ward 4, District 7) (Groby)

18. Ord. Cal. No. 5415 - Ordinance to authorize the Parish President to officially change the name of Pelican Boulevard that runs northeast in Sections 37 and 43, Township 8 South, Range 12 East, from Pelican Boulevard to Safe Haven Parkway and further for the Parish to incorporate Safe Haven Parkway into the Parish Road and Maintenance System. (Ward 4, District 7) (Tanner/Brister)

19. Ord. Cal. No. 5416 - Ordinance to authorize the Parish President, to acquire certain rights of way and/or servitudes for the Ben Thomas Detention Pond Project. (Ward 9, District 14) (Tanner/Brister)

RESOLUTIONS

1. Resolution C.S. No. C-4349 - Resolution ordering and calling a special election to be held in Parish Road Lighting District No. 9 on November 21, 2015, for the purpose of authorizing the levy and collection of an annual service charge of not to exceed \$50.00 per structure or lot for a period of ten (10) years, for the purpose of paying utility charges for road lighting and maintaining and operating road lighting facilities and equipment within the District. (Bellisario)

2. Resolution C.S. No. C-4350 - Resolution approving the issuance of not exceeding \$1,500,000 of Limited Tax Certificates of Indebtedness of Parish Recreation District No. 1. (Tanner/Brister)

3. Resolution C.S. No. C-4351 - 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 1A, Highland Park Center, Covington. (Ward 1, District 1) (Dean)

4. Resolution C.S. No. C-4352 - Resolution to establish Performance and Warranty Obligations. (Tanner/Brister)

5. Resolution C.S. No. C-4353 - Resolution to authorize Parish Department of Animal Services to submit a guide sign application to the Louisiana Department of Transportation and Development for placement of signage on state highways to direct the public to the facility. (Tanner/Brister)

6. Resolution C.S. No. C-4354 - Resolution requesting the Louisiana Congressional delegation to support and endeavor to preserve and retain the current provisions of the Gulf of Mexico Energy Security Act (GOMESA); and, specifically, to retain and preserve the provisions of that Act relative to the sharing of Outer Continental Shelf coastal-production revenues with the Gulf Producing States and their Coastal Political Subdivisions.. (Tanner/Brister)

8. Resolution C.S. No. C-4356 - Resolution to amend Ordinance C.S. No. 14-3246 - to make changes to the Capital Improvements List - District Projects - Funds 301 Through 314. (Tanner/Brister)

9. Resolution C.S. No. C-4357 - Resolution to amend Ordinance C.S. No. 14-3246 - Grant Awards. (Tanner/Brister)

10. Resolution C.S. No. C-4358 - Resolution to amend Ordinance C.S. No. 14-3246 to make changes to the Capital Asset List - Capital Assets. (Tanner/Brister)

11. Resolution C.S. No. C-4359 - Resolution to Concur/not Concur with Covington annexation and rezoning of 87.06 acres located at Tract A-1, Section 29, Township 6 South, Range 11 East, Swett Family Subdivision from Parish A-1A (Suburban with Rural Overlay District) to Covington RS-1 (Single Family Residential) and CR (Regional Commercial District). (Ward 3, District 3)(Tanner/Brister)

12. Resolution C.S. No. C-4360 - Resolution to Concur/not Concur with the Mandeville annexation and rezoning of 0.69 acres described as Lot "X" located in Square 113, Township 8 south, Range 11 east from Parish HC-2 (Highway Commercial District) to Mandeville B-2 (Highway Commercial District). (Ward 4, District 10) (Tanner/Brister)

13. Resolution C.S. No. C-4361 - Resolution to amend Ordinance C.S. No. 14-3246 to make changes to the Capital Improvements List - Parishwide (Fund 300). (Tanner/Brister)

14. Resolution C.S. No. C-4362 - Resolution to amend Ordinance C.S. No. 14-3246 to make changes to the Capital Improvements List - Bond Roads. (Fund 300-01) (Tanner/Brister)

15. Resolution C.S. No. C-4363 - Resolution to amend Ordinance C.S. No. 14-3246 to make changes to the Capital Improvements List - Parishwide (Fund 300). (Tanner/Brister)

16. Resolution C.S. No. C-4364 - Resolution to amend Ordinance C.S. No. 14-3246 - to make changes to the Capital Improvements List - Drainage (Fund 316). (Tanner/Brister)

17. Resolution C.S. No. C-4365 - Resolution to amend Ordinance C.S. No. 14-3246 to make changes to the Capital Asset List - Facilities - Fund 321 Koop Dr. Capital. (Tanner/Brister)

18. Resolution C.S. No. C-4366 - Resolution to amend Ordinance C.S. No. 14-3246 to make changes to the Capital Asset List - Capital Assets. (Tanner/Brister)

END OF CONSENT CALENDAR

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

Tanner - 1. Ord. Cal. No. 5365 - Ordinance to amend the St. Tammany Parish Code of Ordinances, Chapter 2, Article Parish VIII, Parish Buildings, to prohibit the possession, use and/or discharge of weapons and/or firearms on Parish owned property. (Tanner/Brister) (Postponed 4/2/15 and 5/7/15)

Sharp - moved to remove, second by Groby. Unanimous with 1 absent (Artigue).

Tanner - this item has been removed from the Agenda, but since you have all waited so long to speak, you may do so.

Emil Johansen - he is against this because the ordinance is very oblique and misleading, and it does not cover things the average person will understand. The term Parish Owned properties is frightening.

Eric Johansen - it is the right of everyone in this room to self defense, and that cannot be taken away by the government, but it can be violated by the government. He asks that the Council act on this by defeating it.

Michael Norman - this Ordinance as written is as broad as the Pacific Ocean. You cannot defeat the bad guys by disarming the good guys.

Tanner - 6. Ord. Cal. No. 5403 - Ordinance to impose a six-month moratorium on the re-zoning or re-subdivision and/or issuance of permits for construction or placement of building structures on property within a portion of voting precinct 914. (Ward 8, District 14) (Smith)

Smith - moved to amend, second by Canulette. Unanimous with no one absent.

Smith - moved to introduce as amended, second by Canulette; becomes Ord. Cal. No. 5403AA.

Tanner - 8. Ord. Cal. No. 5405 - Ordinance to amend Parish Unified Development Code, Volume 1 (Zoning), Section 2 Definitions, to add the definition of Agricultural Products related to farm winery and for farm winery, Section 6.06 R (Rural) District relative to adding farm winery as an Administrative Permit, and Section 8.01 Minimum Standards for specific uses relative to adding paragraph BA. Farm winery. (ZC15-04-025) (ZC approved 5/5/15) (Tanner)

Gould - moved to introduce, second by Falconer.

Tanner - 9. Ord. Cal. No. 5406 - Ordinance amending the official Parish Zoning Map to reclassify 1.32 acres located east of 7th Street, south of 36, from A-4 (Single Family Residential District) to A-4 (Single Family Residential District) and MHO (Manufactured Housing Overlay). (Ward 3, District 2). (ZC15-05-041) (ZC approved 5/5/15) (Tanner/Brister)

Sharp - moved to remove, second by Thompson. Unanimous with no one absent.

Tanner - 10. Ord. Cal. No. 5407 - Ordinance amending the official Parish Zoning Map to reclassify 7.08 acres located south side of Pine Acres Road, east of LA Highway 437 from A-1 (Suburban District) to A-2 (Suburban District [Parcel A 2.55 acres]) and A-1A (Suburban District [Parcel B 4.53 acres]). (Ward 2, District 6) (ZC15-05-042) (ZC approved 5/5/15) (Tanner/Brister)

Lovelle Blitch - she represents one of the sellers. This process began on February 1. The buyers are trying to move people here from New York. During the process, it was discovered that a survey was not filed. Then the property was re-subdivided. They are asking that this item not be postponed.

Gould - moved to introduce, second by Thompson.

Tanner - 7. Resolution C.S. No. C-4355 - Resolution to support and authorize the Parish President to sign and/or execute a Cooperative Endeavor Agreement with the St. Tammany Levee, Drainage, and Conservation District to support the St. Tammany Levee, Drainage, and Conservation District in fulfilling its statutory mandate. (Tanner/Brister)

Rykert Toledano - he is the interim Chairman of the Levee Board and with this Resolution being passed tonight, Mr. Hand will be able to finish the agreement. The Board has adopted a budget, prepared a strategic plan, and addressed some issues with infrastructure.

Bellisario - moved to adopt, second by Gould. Unanimous with 1 absent (Canulette).

ORDINANCES FOR ADOPTION

Tanner - 1. Ord. Cal. No. 5206 - Ordinance amending the official Parish Zoning Map to reclassify 3.02 acres located on the northwest corner of Highway 11 & Frickie Road, South of Johnny F. Smith Blvd. Being a portion of Lot 48-A-1, Johnny F. Smith Memorial Business Park from HC-3 (Highway Commercial District) to I-1 (Industrial District). (Ward 8, District 14) (ZC14-05-044) (ZC approved 5/6/14) (Introduced 6/5/14) (Postponed from 7/10/14 meeting) (Postponed from February 5, 2015)

Jeff Schoen - he represents Chris Jean - they are working on deed restrictions and do not want the zoning to change until the restrictions are in place.

Smith - moved to postpone to December meeting, second by Artigue. Unanimous with no one absent.

Gould - moved to adopt, second by Falconer. Unanimous with no one absent; becomes Ordinance 15-3322.

Tanner - 3. Ord. Cal. No. 5372 - Ordinance to impose a six (6) month moratorium on the issuance of permits for construction or placement of building structures on property within any portion of Highland Park Subdivision. (District 12) (Introduced 5/7/15)

Binder - moved to adopt, second by Artigue. Unanimous with no one absent; becomes Ordinance 15-3323.

Tanner - 4. Ord. Cal. No. 5373 - Ordinance to amend Parish Code, Volume I, Section 2 Definitions, to add the definition of breezeway. (ZC15-01-009) (ZC approved 4/7/2015) (Introduced 5/7/15)

Bellisario - moved to adopt, second by Binder. Unanimous with no one absent; becomes Ordinance 15-3324.

Tanner - 5. Ord. Cal. No. 5374 - Ordinance amending the Official Parish Zoning Map to reclassify 31,680 square feet located on south of West Main Street, West of Transmitter Road from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 7, District 7). (ZC15-04-040) (ZC approved 4/7/2015) (Introduced 5/7/15)

Groby - moved to adopt, second by Gould. Unanimous with no one absent; becomes Ordinance 15-3325.

Tanner - 6. Ord. Cal. No. 5375 - Ordinance amending the Official Parish Zoning Map to reclassify 163.45 acres located at the end of Joiner Wymer Road, west of La Highway 1077 from A-1 (Suburban District) to A-1A (Suburban District). (Ward 1, District 3) (ZC15-04-038) (ZC approved 4/7/2015) (Introduced 5/7/15)

Thompson - moved to adopt, second by Sharp. Unanimous with no one absent; becomes Ordinance 15-3326.

Tanner - 7. Ord. Cal. No. 5376 - Ordinance amending the Official Parish Zoning Map to reclassify 2.812 acres located on north of Voters Road, west of Allen Road, being 850 Voters Road, Slidell from AT-1 (Animal Training/Housing District) to CB-1 (Community Based Facilities District). (Ward 8, District 14) (ZC15-04-033) (ZC approved 4/7/2015) (Introduced 5/7/15)

Smith - moved for adoption, second by Bellisario. Unanimous with no one absent; becomes Ordinance 15-3327.

Tanner - 8. Ord. Cal. No. 5377 - Ordinance amending the Official Parish Zoning Map to reclassify 2.152 acres located north of Herwig Bluff Road, east of Herwig Road, being 41449 Herwig Bluff Rd., Slidell from A-4 (Single Family Residential District) to AT-1 (Animal Training/Housing District). (Ward 8, District 9) (ZC15-04-032) (ZC approved 4/7/2015) (Introduced 5/7/15)

Bellisario - moved to adopt, second by Stefancik. Unanimous with no one absent; becomes Ordinance 15-3328.

Tanner - 9. Ord. Cal. No. 5378 - Ordinance amending the Official Parish Zoning Map to reclassify 1.33 acres located north of Little Fawn Run, north of Choctaw Drive from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 7, District 7) (ZC15-04-030) (ZC approved 4/7/2015) (Introduced 5/7/15)

Groby - moved to adopt, second by Gould. Unanimous with no one absent; becomes Ordinance 15-3329.

Tanner - 10. Ord. Cal. No. 5379 - Ordinance amending the Official Parish Zoning Map to reclassify 4.12 acres located at the end of Normandie Drive, south of Marguerite Street from A-1 (Suburban District) and RO (Rural Overlay) to A-1A (Suburban District) and RO (Rural Overlay). (Ward 2, District 6) (ZC15-04-029) (ZC approved 4/7/15) (Introduced 5/7/15)

Thompson - moved to adopt, second by Falconer. Unanimous with no one absent; becomes Ordinance 15-3330.

Tanner - 11. Ord. Cal. No. 5380 - Ordinance amending the Official Parish Zoning Map to reclassify 0.361 acre located west of N. Collins Blvd, south of N. Columbia Street, being 1930 N. Collins, Covington from HC-2 (Highway Commercial District) to I-1 (Industrial District). (Ward 3, District 2) (ZC15-04-028) (ZC approved 4/7/2015) (Introduced 5/7/15)

Sharp - moved to adopt, second by Thompson. Unanimous with no one absent; becomes Ordinance 15-3331.

Tanner - 12. Ord. Cal. No. 5381 - Ordinance amending the Official Parish Zoning Map to reclassify 40,000 square feet located west of Avery Drive, South of Heathermist Drive, being 209 Avery Drive, Slidell from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 8, District 13) (ZC15-04-026) (ZC approved 4/7/2015) (Introduced 5/7/15)

Artigue - moved to adopt, second by Bellisario. Unanimous with no one absent; becomes Ordinance 15-3332.

Tanner - 13. Ord. Cal. No. 5382 - Ordinance amending the Official Parish Zoning Map to reclassify 27.39 acres located east of Bunny Lane, South of Joiner Wymer Road, being 72195 Bunny Lane, Covington from A-3 (Suburban District) to A-3 (Suburban District) and RO (Rural Overlay). (Ward 1, District 3) (ZC15-04-024) (ZC approved 4/7/2015) (Introduced 5/7/15)

Thompson - moved to adopt, second by Falconer. Unanimous with no one absent; becomes Ordinance 15-3333.

Tanner - 14. Ord. Cal. No. 5383 - Ordinance amending the Official Parish Zoning Map to reclassify 7.47 acres located south of Powell Drive, west of Grace Drive from A-4 (Single Family Residential District) to A-4 (Single Family Residential District) and MHO (Manufactured Housing Overlay). (Ward 9, District 14) (ZC15-01-007) (ZC approved 4/7/2015) (Introduced 5/7/15)

Smith - moved to adopt, second by Bellisario. Unanimous with no one absent; becomes Ordinance 15-3334.

Tanner - 15. Ord. Cal. No. 5384 - Ordinance establishing a No Parking Zone on Cross Creek Drive (R08-N-089) and Clayton Court (R08-N-093). (Ward 8, District 9) (Introduced 5/7/15)

Bellisario - moved to adopt, second by Canulette. Unanimous with no one absent; becomes Ordinance 15-3335.

Tanner - 16. Ord. Cal. No. 5385 - Ordinance Establishing a No Parking Zone on Buckingham Court (R08-N-009) and Bradford Drive (R08-N-008). (Ward 8, District 9) (Introduced 5/7/15)

Bellisario - moved to adopt, second by Stefancik. Unanimous with no one absent; becomes Ordinance 15-3336.

Tanner - 17. Ord. Cal. No. 5386 - Ordinance to authorize the Parish President to declare 113.5 acres as surplus property to authorize the private sale and disposal of said property to St. Tammany Parish Recreation District No. 1. (Ward 4, District 7) (Introduced 5/7/15)

Groby - moved to adopt, second by Gould. Unanimous with no one absent; becomes Ordinance 15-3337.

Tanner - 18. Ord. Cal. No. 5387 - Ordinance to authorize the Parish President to Grant a 32' Wide Utility Servitude to the St. Tammany Parish School Board. (Ward 8, District 8) (Introduced 5/7/15)

Canulette - moved to adopt, second by Stefancik. Unanimous with no one absent; becomes Ordinance 15-3338.

Tanner - 19. Ord. Cal. No. 5388 - Ordinance to declare Condo Unit 47, Chamale Cove Condominiums (47 Chamale Drive, Slidell) as surplus Tax-adjudicated property and authorize the donation of said property to the Chamale Cove Condominium Association, Inc. (Ward 9, District 12) (Introduced 5/7/15)

Binder - moved to adopt, second by Stefancik. Unanimous with no one absent; becomes Ordinance 15-3339.

Tanner - 20. Ord. Cal. No. 5389 - Ordinance to authorize the Parish President to declare a 60' Wide strip of undeveloped property as surplus property and to authorize the private sale and disposal of said property to the St. Tammany Parish School Board. (Ward 8, District 8) (Introduced 5/7/15)

Canulette - moved to adopt, second by Bellisario. Unanimous with no one absent; becomes Ordinance 15-3340.

Tanner - 21. Ord. Cal. No. 5390 - Ordinance to declare multiple tax adjudicated properties as surplus property and authorize the parish to proceed with the process for the advertising and sale of such adjudicated properties. (Introduced 5/7/15)

Stefancik - moved to adopt, second by Binder. Unanimous with no one absent; becomes Ordinance 15-3341.

Tanner - 22. Ord. Cal. No. 5391 - Ordinance amending the Official Parish Zoning Map to reclassify 1.32 acres located in Square 35 on 7th Street Covington in New Claiborne Subdivision from A-4

(Single Family Residential District) to A-4 (Single Family Residential District) and MHO (Manufactured Housing Overlay). (Ward 3, District 2) (Introduced 5/7/15)

Sharp - moved to adopt, second by Thompson. Unanimous with no one absent; becomes Ordinance 15-3342.

Tanner - 23. Ord. Cal. No. 5392 - Ordinance to amend the 2015 Operating Budget - Amendment No. 4. (Introduced 5/7/15)

Binder - moved to adopt, second by Bellisario. Unanimous with no one absent; becomes Ordinance 15-3343.

Tanner - 24. Ord. Cal. No. 5393 - Ordinance to amend the Parish Code of Ordinances, Chapter 13, to add new sections providing for Operation of Motorized Vehicles and Enforcement of Traffic Controls on private streets within Natchez Trace Subdivision. (Ward 1, District 1) (Introduced 5/7/15)

Dean - moved to adopt, second by Thompson. Unanimous with no one absent; becomes Ordinance 15-3344.

Tanner - 25. Ord. Cal. No. 5394 – Ordinance amending the official Parish Zoning map to reclassify 11.68 acres located east of Highway 59, north of Grande Maison Blvd, west of Fontainebleau Schools from NC-4 (Neighborhood Industrial District) to PF-1 (Public Facilities District), HC-1 (Highway Commercial District) & HC-2 (Highway Commercial District). (Ward 4, District 5) (ZC15-04-031) (Introduced 5/7/15)

Gould - moved to adopt, second by Falconer. Unanimous with no one absent; becomes Ordinance 15-3345.

Tanner - 26. Ord. Cal. No. 5395 - Ordinance amending the official Parish Zoning map to reclassify 15.612 acres located south of Brewster Road, east of River Chase Drive, south of Interstate 12 from A-4 (Single Family Residential District) and A-6 (Multiple Family Residential District) to A-7 (Multiple Family Residential District). (Ward 1, District 1) (ZC15-04-034) (Introduced 5/7/15)

Dean - moved to adopt, second by Thompson. Unanimous with no one absent; becomes Ordinance 15-3346.

Tanner - 27. Ord. Cal. No. 5396 - Ordinance amending the official Parish Zoning map to reclassify 23.37 acres located at the southwest intersection of Interstate 12 and Highway 1085, across from Perrilloux Road from A-2 (Suburban District) and HC-1 (Highway Commercial District) to A-5 (Two Family Residential District). (Ward 1, District 1) (ZC15-04-037) (Introduced 5/7/15)

Dean - moved to adopt, second by Thompson. Unanimous with no one absent; becomes Ordinance 15-3347.

Tanner - 28. Ord. Cal. 5397 - Ordinance amending the official Parish Zoning map to reclassify 1.327 acres located south of Galatas Road, west of C.S.Owens Road from A-2 (Suburban District) to CB-1 (Community Based Facilities District) and RO (Rural Overlay). (Ward 1, District 1) (ZC15-04-039) (Introduced 5/7/15)

Dean - moved to postpone, second by Thompson. Unanimous with no one absent.

Gould - moved to enter Executive Session, second by Stefancik. Unanimous with 3 absent (Binder, Artigue, Smith).

AWARD OF BIDS

BID ITEM: Parish Official Journal, July 1, 2015 - June 30, 2016

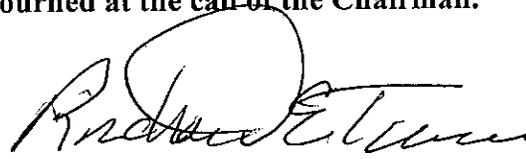
BID NUMBER: 502-02-15-14-2

Lowest Responsible Bidder at \$1.05 per column inch - The St. Tammany Farmer

Stefancik - move to accept St. Tammany Farmer's Bid, second by Bellisario. Unanimous with no one absent.

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

A handwritten signature in cursive script, appearing to read "Richard Tanner", written over a horizontal line.

RICHARD TANNER, COUNCIL CHAIRMAN

A handwritten signature in cursive script, appearing to read "Theresa L. Ford", written over a horizontal line.

THERESA L. FORD, COUNCIL CLERK