

**MINUTES OF ST. TAMMANY PARISH COUNCIL MEETING**

**THURSDAY, MARCH 14, 2019 AT 6:00 P.M.**

**ST. TAMMANY GOVERNMENT COMPLEX**

**21490 KOOP DRIVE, MANDEVILLE, LA.**

**Call to Order by Honorable Michael R. Lorino, Jr., Chairman**

**Pledge of Allegiance by Austin Thombs, Senior, Northshore High School**

**Smith - please pray for Mr. Stefancik as he is not here this evening due to the passing of his brother.**

**Invocation by August Williams, Pastor of The Vision Church and President of The Ministerial Alliance of Greater St. Tammany**

**Roll Call:**

|                                 |               |
|---------------------------------|---------------|
| <b>Marty Dean</b>               |               |
| <b>David Fitzgerald</b>         |               |
| <b>James A. (Red) Thompson</b>  |               |
| <b>Rykert O. Toledano, Jr.</b>  |               |
| <b>Richard E. Tanner</b>        |               |
| <b>E. L. Gene Bellisario</b>    |               |
| <b>Michael R. Lorino, Jr.</b>   |               |
| <b>Jacob (Jake) Groby</b>       |               |
| <b>Chris Canulette</b>          |               |
| <b>Maureen "MO" O'Brien</b>     |               |
| <b>Steve Stefancik</b>          | <b>ABSENT</b> |
| <b>Jerry Binder</b>             |               |
| <b>S. Michele Blanchard</b>     |               |
| <b>Thomas (T.J.) Smith, Jr.</b> |               |

**PRESENTATIONS**

**Lorino - 1. Presentation of Proclamation to St. Tammany Parish Government Employee of the Month. (Brister)**

**Brister - presented to Diane Morris, Case and Outreach Worker for the Parish Community Action Agency since 2006.**

**Lorino - 2. Recognition of Mr. Winfield Ledet. (Bellisario, Blanchard, Smith, Brister)**

**Bellisario, Blanchard, Smith, Brister - presented certificate to Mr. Ledet's brother and family recognizing his year's of service to Pearl River High School and the St. Tammany Parish community.**

**Lorino - 3. Certificate of Recognition to Sean Noel winner of National Teen Impact Award. (O'Brien)**

**O'Brien, Brister - presented to Sean Noel who is well deserved of this award for all he does for hemophilia, placing a library at a mental health facility, and much more. He has a very impressive resume, and he is only a Junior.**

**Lorino -4. Certificate of Recognition to Blue Heron Bed and Breakfast for being named the Bed and Breakfast of the Year by Louisiana Travel. (O'Brien)**

**O'Brien, Brister - presented to owners, Steven and Sarah Federer. They took this historic home, which was a blighted property, and made it a beautiful B&B.**

**Lorino - 5. POINT OF PRIVILEGE by Michele Blanchard - Junior Council member, Colin Adam Matherly.**

**Blanchard - Colin is here tonight working toward a merit badge and Eagle Scout.**

**APPOINTMENTS**

**Blanchard - 1. Resolution to appoint Silton Anthony (Tony) DeVillier to replace Robert Fontcuberta (resigned) on the Board of Commissioners for Fire Protection District No. 13. (Districts 1 and 3) (Thompson)**

**Thompson - moved to appoint, second by Dean. Unanimous with 2 absent (Groby, Stefancik); becomes Resolution C.S. No. C-6084.**

**Lorino - 2. Resolution to appoint Carolyn Parker to replace Wendell Richardson (resigned) to the Planning and Zoning Commission. (Parishwide) (Tanner)**

**Tanner - moved to suspend the rules to adopt, second by Thompson. Unanimous with 2 absent (Groby, Stefancik); becomes Resolution C.S. No. C-6085.**

**CONSENT CALENDAR**

**\*NOTE - this Agenda does not qualify for the use of a Consent Calendar according to LA RS 42:19(A)(1)(b)(ii)(dd)**

**MINUTES**

|                                  |                         |
|----------------------------------|-------------------------|
| <b>Regular Council Meeting</b>   | <b>February 7, 2019</b> |
| <b>Council Committee Meeting</b> | <b>March 7, 2019</b>    |

**ORDINANCES FOR INTRODUCTION  
(Public Hearing: April 4, 2019)**

**Lorino - 1. Ord. Cal. No. 6143 - Ordinance providing for the sale of not exceeding Thirty Million Dollars (\$30,000,000) of Sales Tax Bonds, in one or more series, of Sales Tax District No. Three of St. Tammany Parish and providing for other matters in connection therewith. (Lorino/Brister)**

**Jason Akers - Foley and Judell - this ordinance is a sale ordinance to allow the Parish President to accept the lowest bid for the bond sale.**

**Patricia Brister - the sale of these bonds are a way to do projects quicker. Also, last month the Parish's Bond rating was raised to AA+.**

**Toledano - moved to introduce, second by Bellisario.**

**Lorino - 2. Ord. Cal. No. 6144 - Ordinance to amend the 2019 Operating Budget - Amendment No. 3. (Lorino/Brister)**

**Toledano - moved to introduce, second by Bellisario.**

**Lorino - 3. Ord. Cal. No. 6145 - Ordinance to impose a six (6) month moratorium on receipt of submissions by the Parish Planning and Zoning Commission for the resubdivision or rezoning of property and/or on the issuance of permits by the Parish Department of Planning and Development/Permits for the construction or placement of any commercial building structures on property having access to and/or fronting on Brewster Road, all as more particularly described herein and on the attached map.(Ward 1, District 1) (Dean)**

**Dean - moved to introduce, second by Thompson.**

**Lorino - 4. Ord. Cal. No. 6146 - Ordinance to authorize the Parish of St. Tammany, through the Office of the Parish President, to acquire by donation Lot 69, Square 10, Palm Plaza Subdivision. (Ward 3, District 2) (Lorino/Brister)**

**Fitzgerald - moved to introduce, second by Dean.**

Lorino - 5. Ord. Cal. No. 6147 - Ordinance to declare Lots 9 and 10, Square 2604, Division of New Covington as surplus property and to authorize the private sale, public auction and/or disposal of said property described herein. (Ward 3, District 3) (Lorino/Brister)

Thompson - moved to introduce, second by Dean.

Lorino - 6. Ord. Cal. No. 6148 - Ordinance to declare multiple tax adjudicated properties as surplus property and to authorize St. Tammany Parish to proceed with the process for the advertising and sale of such adjudicated properties.(Lorino/Brister)

Bellisario - moved to introduce, second by Toledano.

Lorino - 7. Ord. Cal. No. 6149 - Ordinance amending the St. Tammany Parish Unified Development Code, Section 130-55 Notice Requirements to include additional abutter notice provisions. (2018-1134-ZC) (Toledano/Brister)

Toledano - moved to introduce, second by Bellisario.

Lorino - 8. Ord. Cal. No. 6150 - Ordinance amending the official Parish Zoning Map to reclassify 5.049 acres located east of Highway 90, north of Highway 433, south of Apple Pie Ridge Road from A-1 (Suburban District) to I-2 (Industrial District) and RO (Rural Overlay). (Ward 8, District 13). (2018-1232-ZC) (Lorino/Brister)

Blanchard - moved to introduce, second by Binder.

Lorino - 9. Ord. Cal. No. 6151 - Ordinance amending the official Parish Zoning Map to reclassify 0.552 acre located west of Highway 11, south of Ben Thomas Road, being 60059 US Highway 11 from A-4 (Single-Family Residential District) to PF-1 (Public Facilities District). (Ward 9, District 14). (2018-1265-ZC) (Lorino/Brister)

Smith - moved to introduce, second by Blanchard.

Lorino - 10. Ord. Cal. No. 6152 - Ordinance amending the St. Tammany Parish Unified Development Code, Chapter 130, Section 130-5. Definitions, to add Continuing Care Retirement Community (CCRC) and to amend Section 130-1159 relative to permitted uses in MD-1 (Medical Residential District) to add a new permitted use: Continuing Care Retirement Community. (2018-1304-ZC) (Lorino/Brister)

Bellisario - moved to introduce, second by Tanner.

Lorino - 11. Ord. Cal. No. 6153 -Ordinance amending the official Parish Zoning Map to reclassify 6256 square feet located east of Behrman Avenue, north of Coast Blvd, being Lots 9 and 10, Central Park from A-4A (Single Family Residential District) to A-4A (Single Family Residential District) and MHO (Manufactured Housing Overlay).(Ward 8, District 12) (2018-1306-ZC)

Binder - moved to introduce, second by Smith.

## RESOLUTIONS

Lorino - 1. Resolution C.S. No. C-6073 - Resolution to vacate in part, the six (6) month moratorium on property located within a portion of the Bayou De Zaire Basin and a portion of the Flowers Bayou Basin, south of I-12, being the storm sewer system that flows into the Flowers Bayou Basin. (Ward 1, District 1) (Dean)

Dean - moved to adopt, second by Thompson. Unanimous with 1 absent (Stefancik).

Lorino - 2. Resolution C.S. No. C-6074 - Resolution authorizing the advertising for bids for the purchase of Thirty Million Dollars (\$30,000,000) of Sales Tax Bonds, Series 2019, of Sales Tax District No. Three of St. Tammany Parish and providing for other matters in connection therewith. (Lorino/Brister)

Tanner - moved to adopt, second by Bellisario. Unanimous with 1 absent (Stefancik).

Lorino - 3. Resolution C.S. No. C-6075 - Resolution giving preliminary approval to the issuance of not to exceed Thirty Million Dollars (\$30,000,000) of Sales Tax Bonds, in one or more series; of Sales Tax District No. Three of St. Tammany Parish making application to the State Bond Commission for approval of said Bonds; and providing for other matters in connection therewith.(Lorino/Brister)

Bellisario - moved to adopt, second by Toledano. Unanimous with 1 absent (Stefancik).

Lorino - 4. Resolution C.S. No. C-6076 - Resolution supporting the dedication to the Harbor Center of a one dollar (\$1.00) increase to the current hotel occupancy tax in support of the operational budget of the Harbor Center.(Blanchard/Bellisario)

Blanchard - moved to adopt, second by Bellisario. Unanimous with 1 absent (Stefancik).

Lorino - 5. Resolution C.S. No. C-6077 - Resolution to establish Warranty and Performance Obligations. (Lorino/Brister)

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

Lorino - 6. Resolution C.S. No. C-6078 - Resolution to acknowledge the authority pursuant to Chapter 40 of the Parish Code of Ordinances, for St. Tammany Parish Government, through the Office of the Parish President, to execute a Utility Services Agreement with Dove Park Estates, LLC or its affiliates for the provision of water and sewerage treatment services to Dove Park Subdivision. (Ward 4, District 5) (Lorino/Brister)

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

Lorino - 7. Resolution C.S. No. C-6079 - Resolution to acknowledge the appointment of Director of the Department of Environmental Services. (Lorino/Brister)

Bellisario - moved to appoint Tim Brown, second by Canulette. Unanimous with 2 absent (Stefancik, Binder).

Lorino - 8. Resolution C.S. No. C-6080 - Resolution to approve agreement with Louisiana Housing Corporation to provide utility assistance through the Low Income Home Energy Assistance Program for fiscal year 2019 with the Director of Grants (Jeanne Marino) and CAA Office Manager (Tanja Hill) to authorize weekly reports for reimbursement. (Lorino/Brister)

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

Lorino - 9. Resolution C.S. No. C-6081 - Resolution to Concur/not Concur with the Town of Abita Springs annexation and rezoning of 0.82 acres located at 21331 Heintz St., Section 1, Township 7 South, Range 11 East from Parish A-3 (Suburban District) to the Town of Abita Springs R (Residential District). (Ward 10, District 2) (Lorino/Brister)

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

Lorino - 10. Resolution C.S. No. C-6082 - Resolution to amend Ordinance C.S. No. 19-4050 the 2019 Grant Budget. (Lorino/Brister)

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

Lorino - 11. Resolution C.S. No. C-6083 - Resolution to amend Ordinance C.S. 18-3977 to make changes to the 2019 Capital Improvement Budget and Capital Assets. (Lorino/Brister)

Toledano - moved to adopt, second by Tanner. Unanimous with 1 absent (Stefancik).

**END OF CONSENT CALENDAR**

Toledano - he would like to take a moment of personal privilege and mention the passing of Israel Batiste, Sr., who was a principal at Chahta Ima Elementary in Lacombe. He was a great leader in the community and a great loss.

**APPEALS**

Lorino - 1. Guy W. Olano representing the Millennium Group appealing the Zoning Commission DENIAL on December 4, 2018 to rezone 6.873 acres located west of Harbor View Court, north of Lakeview Drive from A-6 (Multiple Family Residential District) to PUD (Planned Unit Development Overlay).(Ward 9, District 13) (2018-1251-ZC) (Postponed 2/7/19)

**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.

Joe Iscani - representing The Millennium Group - the property was originally zoned as a PUD, but when Oak Harbor was developed and was changed to A-6. It is operating as a boater service. They need to have this property rezoned, so they are able to build. They don't want industrial zoning, they just want the original PUD zoning. They want to give Oak Harbor a place to bring their boats closed to their homes.

Glen Clements - he researched what the Zoning Commission looks at when hearing an appeal, and learned that they look at property values, the effect on the surrounding residents, and the future use of the property. This property has become a trash yard with people living in boats and trailers located on the property. It was a PUD in 1988, but the area is no longer a fishing village. The area now has \$500,000 homes and is mostly residential. They don't need a commercial boater's service. The residents are okay with multi-family zoning. The corporation that owns this property is from Florida, they mainly run strip clubs in New Orleans, and owe \$90,000 on the property.

Harold Lambert - the property is a mud pit with weeds that have overgrown the boat trailers on the property. It would be very difficult to find and remove a trailer, much less, reach the water. The owners do not seem at all concerned with maintaining this property. They say they want to be good neighbors, but the property and equipment has been abandoned.

Kyle Bowser - he has lived in here since he was a child. He owns a business here and has a home in Clipper Estates. The surrounding canals are beautiful, but this area is ugly. There is a Jack-up barge which sticks out into the water from the property. It is not lit, so it would be easy to hit in the dark. He is also worried about property value.

Iscani - they've been at this location since 2002. They painted a horrible picture of their company. They are not talking about the Clipper Estates and Oak Harbor communities, they are just there about the property on Lakeshore/Rat's Nest Road. They tried to build residences on this property, but they were blocked by Oak Harbor. They have improved the property by rebuilding all of the docks on the front side of the property and putting out floating docks, and they built volleyball courts for the community.

Ken Troncoso - he and his two partners sold this property to the Millennium Group. They were trying to build multi-family, but the PUD was preventing them. He implores the Council to allow this property to remain A-5 or A-6 because of the changes in the area now indicate it should be mainly residential, not industrial or commercial. The still hold the first mortgage on this property and The Millennium Group is in default and does not have a clear title.

Iscani - when they started to build this a multi-property, they received a cease and desist from Oak Harbor because of the PUD that was in place.

Council Discussion ensued.

Blanchard - she went out this morning and took pictures of the property (she described the pictures). She held a community meeting and has informed the Millennium Group that they did not do their due diligence before they bought this property by checking on what the PUD would allow them to build.

Blanchard - moved to concur with the denial, second by Binder. Unanimous with 1 absent (Stefancik).

Blanchard - moved to adopt a Resolution, second by Binder. Unanimous with 1 absent (Stefancik); becomes Resolution C.S. No. C-6086.

Lorino - 2. Darrell Fussell, Arrow Engineering and Consulting, appealing the Planning Commission DENIAL on February 12, 2019 of a waiver [of Ord. 125-86 (d)(2)] to not be required to install fire hydrants within the right-of-way of Joiner-Wymer Road due to the limited width of the current right-of-way.(District 3) (2016-252-PP)

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

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

Jay Holcombe - he is the Fire Prevention Officer for Fire Protection District No. 13. They are requesting that the Council denial this request because of the regulations regarding fire suppression. They are hoping that the home owners in this case will give a little more room to allow the placement of the hydrant.

Thompson - there is just not enough right-of-way on these small country roads.

Thompson - moved to concur with the denial, second by Dean. Unanimous with 1 absent (Stefancik).

Thompson - moved to adopt a resolution, second by Tanner. Unanimous with 1 absent (Stefancik); becomes Resolution C.S. No. C-6087.

#### ORDINANCES FOR ADOPTION

Lorino -1. Ord. Cal. No. 6065AA - Ordinance to amend St. Tammany Parish Code of Ordinances to add new Sections 14-33 to 14-36 to regulate fire alarm systems and provide for penalties for repeat false fire alarms and to permit St. Tammany fire districts to elect to adopt the regulations set forth herein. (Canulette) (Introduced 11/1/18) (Postponed 12/6/18, 1/3/19) (Amended and reintroduced 2/7/19)

Canulette - moved to adopt, second by Bellisario. Motion passed with 12 yeas, 1 nay (Bellisario), and 1 absent (Stefancik); becomes Ordinance C.S. No. 19-4053.

Lorino -2. Ord. Cal. No. 6134 - Ordinance amending the Parish Code of Ordinances, Chapter 115, Drainage and Flood Control, Section 115-31- Definitions to incorporate a definition for low cost structure and Section 115-106 - Specific Standards to establish construction criteria in the flood zone for manufactured homes and low cost small accessory structures. (Introduced 2/7/19)

Bellisario - moved to adopted, second by Toledano. Unanimous with 1 absent (Stefancik); becomes Ordinance C.S. No. 19-4054.

Lorino -3. Ord. Cal. No. 6135 - Ordinance to authorize the Parish of St. Tammany, through the Office of the Parish President, to enter into a cooperative endeavor agreement with Family Promise of St. Tammany, Inc. for usage of a portion of the Parish's undeveloped property situated on the Safe Haven Campus. (Ward 4, District 7) (Introduced 2/7/19)

Groby - moved to adopt, second by Bellisario. Unanimous with 1 absent (Stefancik); becomes Ordinance C.S. No. 19-4055.

Lorino -4. Ord. Cal. No. 6136 -Ordinance to revoke a portion of Albert Street, Nelson Street, and Armand Street right-of-way, located in Town of Mandeville (unincorporated) Subdivision, north of Mandeville, Louisiana. (Ward 4, District 7) (Rev 18-12-005) (ZC approved 1/2/19) (Introduced 2/7/19)

Michelle Stanton - she is asking that we grow the Parish properly and is asking that clear cutting be restricted on this property. This Parish needs to be responsible and balance growth and nature. She asks that the residents around this property be offered the first opportunity to buy property in this area.

Lovelle Blich - lives in Marigny Trace Subdivision. The property being discussed is adjacent to a retention pond and the developer's property. She represents the homeowners. The Parish is already depleting wildlife and natural drainage. When considering what is going on, please consider future development density and the surrounding neighbors. Please consider restricting development to no more than two houses per acre.

Jeff Schoen - he represents the owner/developer who petition for this revocation of rights-of way, which was recommended by staff and the Zoning Commission. There will be many additional opportunities to attend public meetings to ensure that this development is compatible with the people and the area.

Grobby - when this first came up, he met with the owners/developer and addressed the drainage issues, but he feels the developer has gone beyond the regular requirements for drainage.

Grobby - moved to adopt, second by O'Brien. Unanimous with 1 absent (Stefancik); becomes Ordinance C.S. No. 19-4056.

Lorino -5. Ord. Cal. No. 6137 - Ordinance amending the official Parish Zoning Map to reclassify 1.65 acres located west of Leru Lane, north of Highway 1081 from A-1A (Suburban District), MHO (Manufactured Housing Overlay) and RO (Rural Overlay) to A-2 (Suburban District), MHO (Manufactured Housing Overlay) and RO (Rural Overlay).(Ward 2, District 6) (2018-1262-ZC) (ZC approved 1/2/19) (Introduced 2/7/19)

Tanner - moved to adopt, second by Thompson. Unanimous with 1 absent (Stefancik); becomes Ordinance C.S. No. 19-4057.

Lorino -6. Ord. Cal. No. 6138 - Ordinance amending the official Parish Zoning Map to reclassify 2 acres located at the end of Jim Willie Road, west of Highway 1077 from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay).(Ward 1, District 3) (2018-1299-ZC) (ZC approved 1/2/19) (Introduced 2/7/19)

Thompson - moved to adopt, second by Fitzgerald. Unanimous with 1 absent (Stefancik); becomes Ordinance C.S. No. 19-4058.

Lorino -7. Ord. Cal. No. 6139 - Ordinance amending the official Parish Zoning Map to reclassify 7209 square feet located north of Lakeview Drive, being Lot 72, Eden Isles Subdivision, Unit 2, from A-6 (Multiple Family Residential District) to A-4A (Single-family Residential District). (Ward 9, District 13) (2018-1300-ZC) (ZC approved 1/2/19) (Introduced 2/7/19)

Lorino - moved to adopt, second by Smith. Unanimous with 1 absent (Stefancik); becomes Ordinance C.S. No. 19-4059.

Lorino -8. Ord. Cal. No. 6140 - Ordinance amending the official Parish Zoning Map to reclassify 3.5 acres located east of Highway 25, north of Livaudais Road from A-1 (Suburban District) and RO (Rural Overlay) to A-2 (Suburban District), RO (Rural Overlay) and MHO (Manufactured Housing Overlay). (Ward 2, District 3) (2018-1302-ZC) (ZC approved 1/2/19) (Introduced 2/7/19)

James Willie - he is the owner of this property and is here if they have any questions.

Thompson - moved to adopt, second by Fitzgerald. Unanimous with 1 absent (Stefancik); becomes Ordinance C.S. No. 19-4060.

Lorino -9. Ord. Cal. No. 6141 - Ordinance to amend Ordinance C.S. 17-3823 the 2018-2022 Capital Improvement Budget and Capital Assets; and to further identify changes to the Capital Improvements and/or Capital Assets List for 2018-2022. (Introduced 2/7/19)

Toledano - moved to adopt, second by Tanner. Unanimous with 1 absent (Stefancik); becomes Ordinance C.S. No. 19-4061.

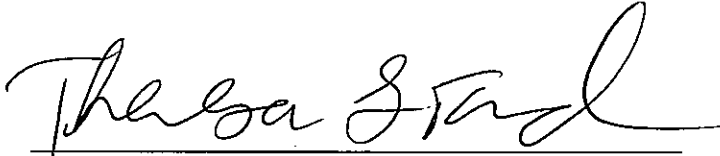
Lorino -10. Ord. Cal. No. 6142 - Ordinance to extend for six (6) months the moratorium on the receipt of submissions by the Parish Zoning and Planning Commissions for the rezoning or re-subdivision of property and/or on the issuance of permits for construction or placement of any building structures 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. (Ward 9, District 14) (Smith) (Introduced 2/7/19)

Smith - moved to adopt, second by Dean. Unanimous with 1 absent (Stefancik); becomes Ordinance C.S. No. 19-4062.

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



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MICHAEL R. LORINO, JR., COUNCIL CHAIRMAN



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THERESA L. FORD, COUNCIL CLERK