

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

**THURSDAY, APRIL 4, 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 Isabella Rosi, 8<sup>th</sup> grader, Monteleone Junior High**

**Invocation by Bob Ryals, Slidell Ministers Association**

**Roll Call:**

<b>Marty Dean</b>	<b>ABSENT</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>ABSENT</b>
<b>Chris Canulette</b>	
<b>Maureen "MO" O'Brien</b>	
<b>Steve Stefancik</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 deEtte Smythe, Regulatory Manager for the Department of Development, and Spaff Goodnow, Landscape and Parkway Manager for the Department of Public Works. They worked together to implement the Adopt-a-Pond program.**

**Lorino - 2. Presentation of proclamation to the family of Colonel Murphy Neal Jones, USAF (Ret). (Brister)**

**Brister - she has the honor to honor this veteran, who was a POW, and continued to serve this country until his retirement. He passed away on January 31, 2019, and his sister-in-law and nephew are accepting this proclamation.**

**Lorino - 3. Presentation of Jean Day check to James Storehouse Charity. (Brister)**

**Brister -presented check for \$4,250 to Kim Biglier.**

**Kim Biglier - James Storehouse provides resources and improve living conditions for foster children from the crib to college.**

**Lorino - 4. Certificate of Recognition to the City of Mandeville for being named the Best Place to escape in Louisiana by Expedia. (O'Brien)**

**O'Brien - presented to Mayor Donald Villere, Executive Assistant Marlaine Peachey, and Cultural Development Director, Alia Casborne.**

**Lorino - 5. Certificate of Recognition to St. Paul's Soccer Team. (Toledano)**

**Lorino - 6. Certificate of Recognition to St. Scholastica's Soccer Team on being State Champions. (Blanchard/Brister)**

Lorino - 7. Certificate of Recognition to Northshore High School Girls' Soccer Team on being State Finalists. (Blanchard)

Lorino - 8. Certificates of Recognition to the members of the St. Tammany Parish High School All Star Girls' Soccer Team. (Blanchard)

**APPOINTMENTS**

Lorino - 1. Resolution to appoint David Talmage to fill a vacant position on the Board of Commissioners for Sewerage District No. 1. (District 4) (Lorino)

Bellisario - moved to appoint, second by Tanner. Unanimous with 2 absent (Dean, Groby); becomes Resolution C.S. No. C-6108.

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

Ord Cal No. 6155	Reso C-6089	Reso C-6090	Reso C-6091
Reso C-6101	Reso C-6104	Reso C-6105	Reso C-6106
Reso C- 6107			

**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. A majority vote of the entire Council (8) is required to adopt the Consent Calendar. (Call to Council Members and Audience for items to pull)

**MINUTES**

Regular Council Meeting	March 14, 2019
Council Committee Meeting	March 27, 2019

**ORDINANCES FOR INTRODUCTION  
(Public Hearing: May 2, 2019)**

1. Ord. Cal. No. 6154 - Ordinance amending the St. Tammany Parish Unified Development Code, Section 130-5 - Definitions to include additional language in the definition of Funeral Home. (Blanchard)

3. Ord. Cal. No. 6156 - Ordinance to officially dedicate and name the St. Tammany Parish Fairgrounds midway to "Dennis Sharp Circle" in honor of the former and late District 2 Councilman Mr. Dennis Sharp; and to implement honorary identifiers along said roadway. (Fitzgerald)

4. Ord. Cal. No. 6157 - Ordinance amending the official Parish Zoning Map to reclassify 15,000 square feet located west of Violet Street, north of Progress Street, being 72495 Violet Street, from A-4 (Single Family Residential District) to A-4 (Single Family Residential District) and MHO (Manufactured Housing Overlay). (Ward 10, District 6) (2019-1355-ZC) (ZC approved 3/6/19) (Lorino/Brister)

5. Ord. Cal. No. 6158 - Ordinance to authorize the Parish of St. Tammany, through the Office of the Parish President, to acquire certain parcels for the purpose of expanding the Slidell Branch Library. (Ward 8, District 8) (Lorino/Brister)

6. Ord. Cal. No. 6159 - Ordinance to declare Lot 5, Square 2, Crestmont Vista Subdivision as surplus tax-adjudicated property and to authorize the donation of said property to East St. Tammany Habitat for Humanity, Inc. (Ward 8, District 13) (Lorino/Brister)

7. Ord. Cal. No. 6160 - Ordinance amending the official Parish Zoning Map to reclassify 1.562 acres located south of Highway 22, east of Mitcham Street, west of Indian Trace Boulevard from A-2 (Suburban District) to HC-2 (Highway Commercial District). (Ward 4, District 4). (2019-1353-ZC) (ZC approved 3/6/19) (Lorino/Brister)

#### RESOLUTIONS

1. Resolution C.S. No. C-6088 - Resolution to vacate, in part, the six (6) month moratorium established by Ordinance C.S. No.17-3671, and any subsequent extension thereof, on the issuance of permits for construction or placement of building structures on property within a defined area north of North Street, south of Harrison Avenue, west of Ravine Street, and east of Eike Street and Fuschia Street within unincorporated boundaries of Ward 3, District 5. (Toledano)

5. Resolution C.S. No. C-6092 - Resolution to approve recommendations and authorize the Civil Division Assistant District Attorney to proceed with the settlement of a lawsuit entitled Phyllis D. Reifke, et al versus Onebeacon Insurance Group, LLC, et al. (Lorino/Brister)

6. Resolution C.S. No. C-6093 - Resolution to acknowledge the receipt and review of the 2018 Municipal Water Pollution prevention Environmental Audit Report for the Westwood Sewage Treatment Facility. (Ward 4, District 5) (Lorino/Brister)

7. Resolution C.S. No. C-6094 - Resolution to acknowledge the receipt and review of the 2018 Municipal Water Pollution Prevention Environmental Audit Report for the West St. Tammany Sewage Treatment Facility. (Ward 1, District 3) (Lorino/Brister)

8. Resolution C.S. No. C-6095 - Resolution to acknowledge the receipt and review of the 2018 Municipal Water Pollution Prevention Environmental Audit Report for the Timber Branch II Regional Sewage Treatment Facility. (Ward 1, District 1) (Lorino/Brister)

9. Resolution C.S. No. C-6096 - Resolution to acknowledge receipt and review of the 2018 Municipal Water Pollution Prevention Environmental Audit Report for the Tallow Creek Sewage Treatment Facility. (Ward 1, District 3) (Lorino/Brister)

10. Resolution C.S. No. C-6097 - Resolution to acknowledge the receipt and review of the 2018 Municipal Water Pollution Prevention Environmental Audit Report for the Preferred Equities Sewage Treatment Facility. (Ward 4, District 5)(Lorino/Brister)

11. Resolution C.S. No. C-6098 - Resolution to acknowledge the receipt and review of the 2018 Municipal Water Pollution Prevention Environmental Audit Report for the Northlake Behavioral Sewage Treatment Facility. (Ward 4, District 7)(Lorino/Brister)

12. Resolution C.S. No. C-6099 - Resolution to acknowledge the receipt and review of the 2018 Municipal Water Pollution Prevention Environmental Audit Report for the Highway 22 Sewage Treatment Facility. (Ward 4, District 4)(Lorino/Brister)

13. Resolution C.S. No. C-6100 - Resolution to acknowledge receipt and review of the 2018 Municipal Water Pollution Prevention Environmental Audit Report for the Goodbee Regional Sewage Treatment Facility. (Ward 3, District 3)(Lorino/Brister)

15. Resolution C.S. No. C-6102 - Resolution to take action on Warranty and Performance Obligations. (Lorino/Brister)

16. Resolution C.S. No. C-6103 - Resolution to acknowledge the receipt and review of the 2018 Municipal Water Pollution Prevention Environmental Audit Report for the Castine Regional Sewage Treatment Facility. (Ward 4, District 7) (Lorino/Brister)

#### END OF CONSENT CALENDAR

Canulette - moved to adopt the consent calendar less items pulled, seconded by O'Brien. Unanimous with 2 absent (Dean, Groby).

Lorino - 2. Ord. Cal. No. 6155 - Ordinance providing for the sale of Thirty Million Dollars (\$30,000,000) of Sales Tax Bonds, Series 2019 of Sales Tax District No. Three of the Parish of St. Tammany, State of Louisiana, prescribing the form, terms and conditions of such bonds and providing for the payment thereof; authorizing an agreement with the paying agent; and providing for other matters in connection therewith. (Lorino/Brister)

Jason Ackers - Foley and Judell - this Ordinance is to be filled in at the next meeting after the bid is accepted.

Lorino - 2. Resolution C.S. No. C-6089 - Resolution to approve/reject a board approved application for an Industrial Tax Exemption by Dependable Glass Works. (Toledano)

Toledano - these are before us because State Legislation decided that local government should have some say in these matters. The Council Finance Committee and St. Tammany Corporation vetted these businesses and recommend approval.

Chris Massingil - St. Tammany Corp - handout submitted and file with Clerk's notes. He is speaking as to all 3 requests at once. This process is an 80 year old economic tool to help companies bring money to the Parish and employment opportunities. This program allows businesses an 80 percent property tax exemption for new construction/expansion for five to ten years. Oversight and review are included in this process and the State levels, and St. Tammany Corp is adding an additional level of review because of the short timing of the review process. They hired independent finance expert and from their findings, St. Tammany Corp encourages approval of all three companies.

Norman Foxworthy - he owns Dependable Glass - he has been in business for 56 years. He has 36 employees who all live in St. Tammany Parish. He has been approached by several groups asking him to relocate out of state, but he wants to keep his business here.

Council discussion ensued.

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

Lorino - 3. Resolution C.S. No. C-6090 - Resolution to approve/reject a board approved application for an Industrial Tax Exemption by Diversified Foods & Seasonings, LLC. (Toledano)

Toledano - big and small companies can benefit from this program. Diversified Foods is now relocating and section of its company from another state back to St. Tammany Parish.

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

Lorino - 4. Resolution C.S. No. C-6091 - Resolution to approve/reject a board approved application for an Industrial Tax Exemption by Mechanical Equipment Company, Inc. (Toledano)

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

Lorino - 14. Resolution C.S. No. C-6101 - Resolution to acknowledge receipt and review of the 2018 Municipal Water Pollution Prevention Environmental Audit Report for the Cross Gates Sewage Treatment Facility. (Ward 8, District 9)(Lorino/Brister)

Bellisario - he reviewed this report and compared it to previous years. He compliments Time Brown on producing a comprehensive report and addressing all issues and questions.

Bellisario - moved to adopt, second by Canulette. Unanimous with 2 absent (Dean, Groby)

Lorino - 17. Resolution C.S. No. C-6104 - Resolution supporting legislation granting Justice of the Peace Courts and Constables in St. Tammany Parish jurisdiction regarding the enforcement of the Parish Code of Ordinances relative to property standards and nuisance violations. (Lorino/Brister)

Smith - he has questions on how this process is going to happen and its impact on the Parish?

Terry Hand - Senator Donahue introduced a bill in the legislature because the Parish had to cut its budget, resulting in fewer Code Enforcement office. This bill is based on Caddo Parish who is doing the same thing. This will give Justices of the Peace the ability to hear our Code violations and allow the magistrates to issue citations. Ward 9 does not have a Justice of the Peace, so the bill is written to allow Slidell City Court to hear the cases, and the Court will also share the cases with the Ward 8 Justice. This bill gives another tool for the Parish to enforce its Code, and the further define property standards and nuisances.

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

Lorino - 18. Resolution C.S. No. C-6105 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 2.09 acres located at 320 East Howze Beach Road from Parish HC-3 (Highway Commercial District) to Slidell C-4 (Highway Commercial District).(Ward 9, District 13) (Lorino/Brister)

Blanchard - moved to adopt, second by Smith.

Michael Myers - he represents the owner of the property, and they are asking the Council to approve the rezoning which will allow him to build a used car dealership, which fits into the surrounding areas, and allows his to avoid Parish regulations on landscaping.

Blanchard - she would like to change her motion to a motion to postpone, second by Canulette. Unanimous with 2 absent (Dean, Groby).

Lorino - 19. Resolution C.S. No. C-6106 - Resolution acknowledging presentation of the 2018 Louisiana Audit Compliance Questionnaire. (Lorino/Brister)

Bellasario - moved to adopt, second by Canulette. Unanimous with 2 absent (Dean, Groby).

Lorino - 20. Resolution C.S. No. C-6107 - Resolution to amend Ordinance C.S. No. 18-3977 to make changes to the 2019 Capital Improvement Budget and Capital Assets. (Lorino/Brister)

Toledano - moved to adopt, second by Bellisario. Unanimous with 3 absent (Dean, Groby, Blanchard).

#### APPEALS

Lorino - 1. John Moores, Jr. appealing the Zoning Commission DENIAL on March 6, 2019 to rezone 32,338 square feet located north of Highway 36, east of Manor Street, west of Plantation Street from NC-4 (Neighborhood Institutional District) to I-1 (Industrial District). (Ward 3, District 2) (2019-1343-ZC)

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.

John Moores - he represents his wife whose family has owned this property for the last 60 years. They are hoping that being on the Highway will help move their business forward. They plan to build a climate controlled RV Storage facility. There will be very little traffic. They met with Mr. Fitzgerald and are in agreement with him.

Fitzgerald - he met with Mr. Moores and thinks his plan will improve the area.

Fitzgerald -moved to override the denial, second by Thompson. Unanimous with 3 absent (Dean, Groby, Canulette).

Fitzgerald - moved to adopt, second by Thompson; becomes Ord. Cal. 6161.

budget, resulting in fewer Code Enforcement office. This bill is based on Caddo Parish who is doing the same thing. This will give Justices of the Peace the ability to hear our Code violations and allow the magistrates to issue citations. Ward 9 does not have a Justice of the Peace, so the bill is written to allow Slidell City Court to hear the cases, and the Court will also share the cases with the Ward 8 Justice. This bill gives another tool for the Parish to enforce its Code, and the further define property standards and nuisances.

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

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Fitzgerald - he met with Mr. Moores and thinks his plan will improve the area.

Fitzgerald -moved to override the denial, second by Thompson. Unanimous with 3 absent (Dean, Groby, Canulette).

Fitzgerald - moved to adopt, second by Thompson; becomes Ord. Cal. 6161.

**ORDINANCES FOR ADOPTION**

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. (Introduced 3/14/19)

Jason Ackers - this ordinance authorizes the Parish President to accept the bids for the sale of the bond.

Toledano - moved to adopt, second by Bellisario. Unanimous with 2 absent (Dean, Groby); becomes Ordinance C.S. No. 19-4063.

Lorino - 2. Ord. Cal. No. 6144 - Ordinance to amend the 2019 Operating Budget - Amendment No. 3. (Introduced 3/14/19)

Toledano - moved to adopt, second by Bellisario. Unanimous with 2 absent (Dean, Groby); becomes Ordinance C.S. No. 19-4064.

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) (Introduced 3/14/19)

Thompson - moved to adopt, second by Canulette. Unanimous with 2 absent (Dean, Groby); becomes Ordinance C.S. No. 19-4065.

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) (Introduced 3/14/19)

Fitzgerald - moved to adopt, second by Thompson. Unanimous with 2 absent (Dean, Groby); becomes Ordinance C.S. No. 19-4066.

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) (Thompson)(Introduced 3/14/19)

Thompson - moved to adopt, second by Fitzgerald. Unanimous with 2 absent (Dean, Groby); becomes Ordinance C.S. No. 19-4067.

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. (Introduced 3/14/19)

Bellisario - moved to adopt, second by Canulette. Unanimous with 2 absent (Dean, Groby); becomes Ordinance C.S. No. 19-4068.

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)(Introduced 3/14/19)

Toledano - moved to adopt, second by Canulette. Unanimous with 2 absent (Dean, Groby); becomes Ordinance C.S. No. 19-4069.

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) (Introduced 3/14/19)

Blanchard - moved to adopt, second by Stefancik. Unanimous with 2 absent (Dean, Groby); becomes Ordinance C.S. No. 19-4070.

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) (Introduced 3/14/19)

Smith - moved to adopt, second by Blanchard. Unanimous with 2 absent (Dean, Groby); becomes Ordinance C.S. No. 19-4071.

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) (Introduced 3/14/19)

Bellisario - moved to adopt, second by Canulette. Unanimous with 2 absent (Dean, Groby); becomes Ordinance C.S. No. 19-4072.

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) (Binder) (2018-1306-ZC) (Introduced 3/14/19)

Binder - moved to adopt, second by O'Brien. Unanimous with 2 absent (Dean, Groby); becomes Ordinance C.S. No. 19-4073.

#### DISCUSSIONS AND OTHER MATTERS

Lorino - 1. Motion to refer to the Zoning Commission for recommendation an Ordinance to Amend and Reenact the St. Tammany Parish Code of Ordinances, Chapter 22 Licenses, and Chapter 130 Unified Development Code, to provide definitions and regulations regarding short term rentals, to add short term rentals as a permitted use in certain commercial and mixed use zoning districts within unincorporated St. Tammany Parish, and to provide for penalties and fines for violations. (Stefancik)

Stefancik - he has been working with Legal for a long time to try and address Short Term Rental problems. He feels it will still be another four to six months before this Ordinance will be complete.

Lorino - he would like to amend to include the requirement of the owner of short term rental in a residential area must have a valid homestead exemption.

Council Discussion ensued.

Evan Plauche - he is opposed to this going to the Zoning Commission because he and the homeowners he represents have not been given a voice in this matter. This Short Term rental ban is not regulatory.

Binder - moved to postpone to June to allow more discussion time, second by O'Brien.

Council Discussion ensued.

Eric Lewko - he feels that Short Term rentals are actually violations of noise, trespassing, etc. ordinances, and there needs to be specific rules and regulations in effect.

Suzy McDaniel - She is a real estate broker and lives on 8 acres, which she rents out short term. She is in a rural area and does not think Short Term rentals should be considered commercial. Allowing rentals can bring revenue into the Parish. She thinks this ordinance should be looked at more closely.



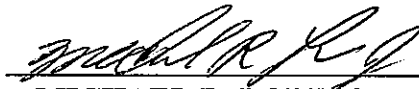
Nick Delonde - he met with Mr. Stefancik and his staff about this issue and he is looking forward to positive progress. He has rental property and owns a house in a neighborhood where he would not appreciate extra noise by his house. The Government needs to regulate Short Term rentals.

Lorino - please vote on Mr. Binder's motion to postpone to June with the second by Ms. O'Brien.

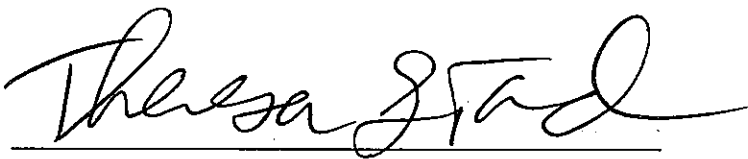
Motion failed with 5 yeas (Toledano, Tanner, O'Brien, Binder, Smith), 6 nays and 3 absent (Dean, Groby, Canulette).

Stefancik - moved to refer to Zoning Commission with the amendment, second by Bellisario. Unanimous with 3 absent (Dean, Groby, Canulette).

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



MICHAEL R. LOBNO, JR., COUNCIL CHAIRMAN



THERESA L. FORD, COUNCIL CLERK