

MINUTES OF ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, APRIL 6, 2017 AT 6:00 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Steve Stefancik, Chairman

Invocation by Mr. Smith

Pledge of Allegiance by Mr. Sharp

**Roll Call: Marty Dean
Dennis Sharp
James A. (Red) Thompson ABSENT
Michael R. Lorino, Jr.
Rykert O. Toledano, Jr.
S. Michele Blanchard
Steve Stefancik
Richard E. Tanner
Jacob (Jake) Groby
Chris Canulette
E. L. Gene Bellisario
Maureen "MO" O'Brien
Jerry Binder
Thomas (T.J.) Smith, Jr.**

PRESENTATIONS

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

Brister - presented to Dwight Smith - Department of Health and Human Services, Housing Repair and Weatherization.

Stefancik - 2. Presentation of donation check to Fairhaven Ministry of Faith. (Brister)

Brister - presented check for \$5000 to Director John Hoffman

Stefancik - 3. Presentation to discuss 22nd Judicial District Court Speciality Court. (Brister)

John Lidner - Public Defender's Office. Gave Power Point Presentation.

Smith- moved to open the Off-the-Floor Agenda and move up presentation No. 1, second by Canulette. Unanimous with 1 absent (Thompson).

Stefancik - 1. Presentation by Tourist Commission Consultant, Judy Randall of Randall Marketing. (Smith)

Judy Randall - distributed informational flyer.

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

**Ord. Cal. No. 5792
Reso. No. C-4795**

**Ord. Cal. No. 5796
Reso. No. C-4798**

Reso. No. C-4788

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 March 2, 2017

Council Committee Meeting March 29, 2017

ORDINANCES FOR INTRODUCTION

(Public Hearing: May 4, 2017)

1. Ord. Cal. No. 5788 - Ordinance to revoke a portion of Hickory Street Right-of-Way, located in Ozone Park Subdivision. (Ward 4, District 5) (REV17-03-001) (Stefancik/Brister)

2. Ord. Cal. No. 5789 - Ordinance to establish a No Parking Zone on McIntyre Road and on Stella Lane. (Wards 6 & 10, District 6) (Stefancik/Brister)

3. Ord. Cal. No. 5790 - Ordinance to authorize St. Tammany Parish Government, through the Office of the Parish President, to purchase or otherwise acquire certain servitudes and/or rights of way for the benefit of the Lake Village Drainage Improvements Project. (Ward 8, District 8) (Stefancik/Brister)

4. Ord. Cal. No. 5791 - Ordinance amending the official Parish Zoning Map to reclassify 14.86 acres located south of Highway 435 and east of Peg Keller Road from A-1 (Suburban District) to A-1A (Suburban District). (Ward 6, District 6) (2017-542-ZC) (Zoning Commission Approved 3/7/17)(Stefancik/Brister)

6. Ord. Cal. No. 5793 - Ordinance amending the official Parish Zoning Map to reclassify 3.7 acres located at the southwest corner of Coci Road & Jack Crawford Road, east of LA Highway 41 from A-2 (Suburban District) to HC-2 (Highway Commercial District). (Ward 6, District 6)(2017-551-ZC)(Zoning Commission Approved 3/7/17)(Stefancik/Brister)

7. Ord. Cal. No. 5794 - Ordinance to amend the 2017 Operating Budget-Amendment No. 5. (Stefancik/Brister)

8. Ord. Cal. No. 5795 - Ordinance to Amend the 2016 Operating Budget-Amendment No. 16. (Stefancik/Brister)

10. Ord. Cal. No. 5797 - Ordinance to amend St. Tammany Parish Council Series No. 17-3689 and St. Tammany Parish Code of Ordinances, Sec. 8-050.00 to adopt the most current edition of the National Fire Protection Life Safety Code (NFPA 101) and the National Fire Protection Association Fire Code (NFPA 1) and to permit St. Tammany Parish Fire District 2 to adopt the most current edition of NFPA 101 and NFPA 1. (Lorino)

RESOLUTIONS

2. Resolution C.S. No. C-4789 - Resolution to approve and authorize the Parish President (Patricia P. Brister) to sign a proclamation acknowledging April as Fair Housing Month of the Year 2017. (Stefancik/Brister)

3. Resolution C.S. No. C-4790 - Resolution to acknowledge the authority, pursuant to Home Rule Charter, Sections 1-04, 1-06, 3-01 and 3-09, for the Parish of St. Tammany, through the Office of the Parish President, to execute a Cooperative Endeavor Agreement with the City of Covington for resurfacing of East 32nd Avenue. (Ward 3, District 3) (Stefancik/Brister)

4. Resolution C.S. No. C-4791 - Resolution to acknowledge the authority, pursuant to Home Rule Charter, Sections 1-04, 1-06, 3-01 and 3-09, for the Parish of St. Tammany, through the Office of the Parish President, to execute a Cooperative Endeavor Agreement with the City of Slidell for resurfacing of Brownsitch Road.(Ward 8, Districts 8 & 9) (Stefancik/Brister)

5. Resolution C.S. No. C-4792 - Resolution to acknowledge the receipt and review of the 2016 Municipal Water Pollution Prevention Environmental Audit Report for the Tallow Creek Sewage Treatment Facility. (Ward 1, District 3) (Stefancik/Brister) (Stefancik/Brister)

6. Resolution C.S. No. C-4793 - Resolution to establish Performance and Warranty Obligations. (Stefancik/Brister)

7. Resolution C.S. No. C-4794 - Resolution to establish Load Limits on Bridges within the Off-System Bridge Replacement Program for St. Tammany Parish, as indicated on the attached Exhibit 'A'; further directing the Department of Engineering to record same within the records of the Clerk of Court. (Stefancik/Brister)

9. Resolution C.S. No. C-4796 - Resolution to acknowledge the authority, pursuant to Home Rule Charter, Sections 1-04, 3-01 and 3-09 for St. Tammany Parish Government, through the Office of the Parish President, to enter into a Cooperative Endeavor Agreement for the construction and extension of Christwood Boulevard, and related transactions and improvements. (Dist 1, Ward 1) (Stefancik/Brister)

10. Resolution C.S. No. C-4797 - Resolution to acknowledge the authority, pursuant to Home Rule Charter, Sections 1-04, 3-01 and 3-09 for St. Tammany Parish Government, through the Office of the Parish President, to enter into a Cooperative Endeavor Agreement with the Children's Advocacy Center - Hope House, Inc. for the provision of forensic interview, counseling and/or other related services. (Stefancik/Brister)

12. Resolution C.S. No. C-4799 - Resolution to amend Ordinance C.S. No. 16-3653 to make changes to the 2017 Capital Improvement Budget and Capital Assets. (Stefancik/Brister)

13. Resolution C.S. No. C-4800 - Resolution to amend Ordinance C.S. No. 17-3673 the 2017 Grant Budget. (Stefancik/Brister)

END OF CONSENT CALENDAR

Canulette - moved to adopt the consent calendar less items pulled, seconded by O'Brien. Unanimous with 1 absent (Thompson) June 15, 2017.

Stefancik - 5. Ord. Cal. No. 5792 - Ordinance amending the official Parish Zoning Map to reclassify 1.45 acres located north of Cusimano Road, west of 24th Street, south of Pichon Road, being 27073 Cusimano Road, Lacombe from A-1A (Suburban District) to A-3 (Suburban District). (Ward 7, District 7)(2017-544-ZC)(Zoning Commission Approved 3/7/17)(Stefancik/Brister)

Charles Sheppard - he has lived here since 1963 and wants to rezone his property.

Stefancik - 9. Ord. Cal. No. 5796 - Emergency Ordinance to Amend St. Tammany Parish Council Series No. 17-3689 and St. Tammany Parish Code of Ordinances, Sec. 8-050.00 to adopt the most current edition of the National Fire Protection Life Safety Code (NFPA 101) and the National Fire Protection Association Fire Code (NFPA 1) and to permit St. Tammany Parish Fire District 2 to adopt the most current edition of NFPA 101 and NFPA 1. (Lorino)

Lorino - moved to introduce, second by Toledano.

Lorino - moved to suspend the rules to adopt, second by Toledano. Unanimous with 1 absent (Thompson); becomes Ordinance C.S. No. 17-3713.

Stefancik- 1. Resolution C.S. No. C-4788 - Resolution to vacate, in part, the six (6) month moratorium on receipt of submissions by the Parish Planning and Zoning Commission for the re-subdivision or re-zoning 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 building structures on property within a portion 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 table until after Ordinance for Adoption No. 5758, second by Blanchard. Unanimous with 1 absent (Thompson).

8. Resolution C.S. No. C-4795 - Resolution to acknowledge the authority, pursuant to Home Rule Charter, Sections 1-04, 1-06, 3-01 and 3-09, for St. Tammany Parish Government, through the Office of the Parish President, to enter into a Cooperative Endeavor Agreement with St. Tammany Parish Coroner's Office and Leadership Northshore, Inc. for the acquisition of a Mausoleum for Indigent Cremains. (Stefancik/Brister)

Blanchard - recused herself because she serves on the Leadership Board.

Bellisario - moved to postpone, second by Smith. Unanimous with 1 absent (Thompson).

11. Resolution C.S. No. C-4798 - Resolution to Concur/Not concur with the City of Slidell annexation and rezoning of 3 acres located at 138 Chamale Drive, Lot 49, Chamale Subdivision, Addition Number One from Parish A-3 (Suburban District) to City of Slidell A6 (Suburban District) (Ward 9, District 12) (Stefancik/Brister)

Binder - moved to postpone, Smith. Unanimous with 1 absent (Thompson).

APPEALS

Stefancik - 1. Ross Christian appealing the Zoning Commission APPROVAL on February 7, 2017 for Major Amendments to the PUD (Planned Unit Development) of 92.61 acres located north of Interstate 12, west of Holiday Square Boulevard, south of Versailles Subdivision. (Ward 3, District 5) (ZC08-01-007) (Applicant: Mike Saucier/Gulf State Services; Owner: Lucky 7 Trust, Versailles Business Park, LLC, Versailles Land and Development Co.)

NOTE: To concur with Zoning APPROVAL, a simple majority vote is required and introduction of an ordinance.

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

Toledano - moved to postpone, second by Canulette. Unanimous with 1 absent (Thompson).

Stefancik - 2. Tom Snyder, Jr. appealing the Zoning Commission APPROVAL on March 7, 2017 for Plan Review of Use: Driveways, Parking Lots and Outdoor Lighting for the Running Track, Football Field and Tennis Courts on 13.15 acres located on the southeast corner of Highway 21 and Christwood Boulevard. (Ward 1, District 1) (PR15-04-003) (Applicant: John Pousson; Owner: Christ Episcopal Church)

NOTE: To concur with Zoning APPROVAL, a simple majority vote is required and introduction of an ordinance.

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

Tom Snyder - he is Counsel for Natchez Trace Homeowners' Association. Last month, the Zoning Commission approved the action of Christ Episcopal who installed field lighting at the school and then discovered after the fact that they needed permits and to provide a lighting plan. Natchez Trace does not feel that the lights meet the Code regulation 7.308 - Recreational Field Lighting

Gary Giordano - president of Natchez Trace Property owners. These lights impact the value of properties and their way of life.

Vincent Wynn - he represents the 3 homeowners whose houses face the lights. He thinks everyone needs more time to review all of the facts. The school has been somewhat compliant, but this is a case of them installing the lights, and then asking for permission to install them.

Chip Leyens - representing Christ Episcopal - installing the lighting was as not included in the original sit plan due to lack of funds. They filed for a permit and installed the lights, but then learned that they should have revise the site plan as well. They stopped work immediately and filed the application to revise the site plan.

Gerrard Hansen - his house faces the school and the glare coming through the windows effects his watching television.

Steven Croxton - he is the Chairman of the School Board of Trustees. This project is the culmination of projects started in 2012. Showed slides of the lighting at other area schools who do not have the same shielding as Christ Episcopal.

Blanchard - do the lights comply with the Code requirements?

Sidney Fontenot - yes they do because the shielding is 90 degrees. Also, there is an exemption regarding sports lighting which allows higher poles, and he feels the increased height takes away from some of the effects of the shielding.

Council Discussion ensued.

Tanner - moved to concur with the Zoning Approval, second by Sharp. Motion passed with 9 yeas, 3 nays (Toledano, O'Brien, Smith), 1 recusal (Dean - has a family member who works for Christ Episcopal) and 1 absent (Thompson)

Toledano - moved to introduce, second by Bellisario; becomes Ord. Cal. No. 5798.

Stefancik - 3. Jeffery Schoen for Hazel Fogg appealing the Zoning Commission DENIAL on March 2, 2017 to reclassify 2.879 acres located south of Highway 435, east of Murphy Singletary Road from NC-6 (Public, Cultural and Recreational District) and A-2 (Suburban District) to NC-6 (Public, Cultural and Recreational District). (Ward 6, District 6) (2017-545-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.

Jeff Schoen - this is parcel in the middle of Talesheik. A portion of the inside of the property was rezoned to NC-6 during comprehensive rezoning. They submitted proposed amendments to make sure the correct zoning is applied. This is not about there not being a place for another business in the area. If this is approved, they will provide a new survey and site plan to Planning.

Tracy Moore - she owns the existing Talisheek General Store and is not arguing against another business opportunity, but they are trying to get the surrounding properties and cemetery to be declared archeological sites. The community is very poor, often people have no food, are living without utilities or are homeless. This is a small town and they would like to leave it that way. She tries to offer food, rides to the courthouse, and jobs to recovering drug addicts.

Amy Ladner - they got 160 names on a petition against this. Everyone on the Zoning Commission voted against this. The town is just a blink of an eye. Tracey Moore allows people to buy on credit. She just wants peace and quiet when she sits on her porch to relax.

Schoen - the staff report did not completely object to the rezoning. They amended the petition according to the staff's request to leave the back of the property as A-2.

Council discussion ensued.

Tanner - he appreciates the concerns of the citizens, but progress is happening and this store will provide jobs to those who have to borrow money or are disabled.

Tanner - moved to override the zoning denial with the amendments made, second by Sharp. Unanimous with 1 absent (Thompson).

Tanner - moved to introduce, second by Bellisario; becomes Ord. Cal. No. 5799.

ORDINANCES FOR ADOPTION

Stefancik - 1. Ord. Cal. No. 5735 - Ordinance amending the Parish Code of Ordinances, Chapter 12 Licenses, Taxation, and Regulations, to exempt from local tax any and all sales at or for an event or events occurring at a public facility located in St. Tammany Parish, pursuant to authority granted by Louisiana Revised Statute 39:468. (Introduced 1/5/17) (Postponed 2/2/17 and 3/2/17)

Groby - moved to remove, second by Bellisario. Unanimous with 1 absent (Thompson).

Stefancik - 2. Ord. Cal. No. 5776 - Ordinance to amend the 2017 Operating Budget - Amendment No. 4. (Introduced 3/2/17)

Tanner - moved to adopt, second by Dean. Unanimous with 1 absent (Thompson); becomes Ordinance C.S. No. 17-3714.

Stefancik - 3. Ord. Cal. No. 5777 - Ordinance to amend Ordinance C.S. No. 16-3457 the 2016 Grant Budget. (Introduced 3/2/17)

Tanner - moved to adopt, second by Lorino. Unanimous with 1 absent (Thompson); becomes Ordinance C.S. No. 17-3715.

Stefancik - 4. Ord. Cal. No. 5778 - Ordinance to authorize St. Tammany Parish Government, through the Office of the Parish President, to accept the dedication and donation of certain infrastructure situated within the Landings of Cross Gates Subdivision, Phases 1, 2, 3 and 4, and to provide for other related matters.(District 9, Ward 8) (Introduced 3/2/17)

Bellisario - moved to adopt, second by Canulette. Unanimous with 1 absent (Thompson); becomes Ordinance C.S. No. 17-3716.

Stefancik - 5. Ord. Cal. No. 5779 - Ordinance to amend the 2017 Operating Budget - Amendment No. 3. (Introduced 3/2/17)

Tanner- moved to adopt, second by Bellisario. Unanimous with 1 absent (Thompson); becomes Ordinance C.S. No. 17-3717.

Stefancik - 6. Ord. Cal. No. 5780 - Ordinance to amend the 2016 Operating Budget - Amendment No. 15. (Introduced 3/2/17)

Tanner - moved to adopt, second by Lorino. Unanimous with 1 absent (Thompson); becomes Ordinance C.S. No. 17-3718.

Stefancik - 7. Ord. Cal. No. 5781 - Ordinance amending the official Parish Zoning Map to reclassify 0.67 acre located on east Highway 434, south of Berry Todd Road, north of Highway 190, being 61700 Highway 434, Lacombe from A-2 (Suburban District) to NC-5 (Retail and Service District). (Ward 7, District 7) (2016-506-ZC) (Introduced 3/2/17)

Groby - moved to adopt, second by Blanchard. Unanimous with 1 absent (Thompson); becomes Ordinance C.S. No. 17-3719.

Stefancik - 8. Ord Cal. No. 5782 - Ordinance amending the official Parish Zoning Map to reclassify 7.56 acres located south of Highway 90, west of Honey Island Marina Road and the Pearl River from A-1 (Suburban District) to an HC-2 (Highway Commercial District). (Ward 8, District 13) (2016-516-ZC) (Introduced 3/2/17)

Blanchard - moved to adopt, second by Tanner. Unanimous with 1 absent (Thompson); becomes Ordinance C.S. No. 17-3720.

Stefancik - 9. Ord. Cal. No. 5783 - Ordinance to amend Ordinance Sec. 2-092.00 of the Parish Code of Ordinances for the reorganization of the Department of Public Works, Sub-department of Engineering. (Introduced 3/2/17)

Canulette - moved to adopt, second by O'Brien. Unanimous with 1 absent (Thompson); becomes Ordinance C.S. No. 17-3721.

Stefancik - 10. Ord. Cal. No. 5784 - Ordinance to declare multiple tax adjudicated properties as surplus property and to authorize the Parish to proceed with the process for the advertising and sale of such adjudicated properties. (Introduced 3/2/17)

Blanchard - moved to adopt, second by Toledano. Unanimous with 1 absent (Thompson); becomes Ordinance C.S. No. 17-3722.

Stefancik -11. Ord. Cal. No. 5786 - Ordinance to impose a six (6) month moratorium on receipt of submissions by the Parish Planning and Zoning Commission for the re-subdivision or re-zoning 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 building structures on property 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, all as more particularly described herein and on the attached map. (Ward 1, District 1) (Introduced 3/2/17)

Dean - moved to adopt, second by Lorino. Unanimous with 1 absent (Thompson); becomes Ordinance C.S. No. 17-3723.

Dean - moved to remove Resolution C-4788 from the table, second by Canulette. Unanimous with 1 absent (Thompson).

Stefancik- 1. Resolution C.S. No. C-4788 - Resolution to vacate, in part, the six (6) month moratorium on receipt of submissions by the Parish Planning and Zoning Commission for the re-subdivision or re-zoning 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 building structures on property within a portion 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 Canulette. Unanimous with 1 absent (Thompson).

Stefancik - 12. Ord. Cal. No. 5787 - Ordinance amending the official Parish Zoning Map to reclassify 12.8 acres located east of Cabiran Drive, east of Camp Villere Road, south of Fleetwood Drive, and from A-3 (Suburban District), I-1(Industrial District) and I-2 (Industrial District) to I-2 (Industrial District). (Ward 9, District 11) (2016-399-ZC) (Introduced 3/2/17)

Binder - moved to adopt, second by Bellisario. Unanimous with 1 absent (Thompson); becomes Ordinance C.S. No. 17-3724.

APPOINTMENTS

Stefancik - 1. Resolution to appoint Justin Lotz to replace George Cascino (resigned) to the Board of Directors for Drainage District No. 5. (Binder)

Binder - moved to appoint, second by Bellisario. Unanimous with 1 absent (Thompson); becomes Resolution C.S. No. C-4801.

Stefancik - 2. Resolution to reappoint Sue Osbon to the Board of Directors for St. Tammany Parish Hospital Service District No. 1 (St. Tammany Parish Hospital). (Dean)

Dean - moved to appoint, second by Sharp. Unanimous with 1 absent (Thompson); becomes Resolution C.S. No. C-4802.

Stefancik - 3. Resolution to appoint Mike Franklin to fill a vacancy on the Board of Directors for Sewerage District No. 1(Country Club). (Lorino)

Lorino - moved to appoint, second by Dean. Unanimous with 1 absent (Thompson); becomes Resolution C.S. No. C-4803.

Stefancik - 4. Resolution to appoint 1 member to replace Daniel Schaus (resigned) to the Board of Directors for the Tourist and Convention Commission. (Marlaine Peachy has requested appointment) (Parishwide)

Smith - moved to appoint, second by Groby. Unanimous with 1 absent (Thompson); becomes Resolution C.S. No. C-4804.

DISCUSSIONS AND OTHER MATTERS

Stefancik - 1. Recommendation of the Parish Engineer that Madison Villas Subdivision's roadways and roadside drainage be taken into the Parish Maintenance System in accordance with Ordinance C.S. No. 16-3563.

Dean - moved to accept recommendation, second by Sharp. Unanimous with 1 absent (Thompson).

Toledano - moved to open the Off-the-Floor Agenda, second by Canulette. Unanimous with 2 absent (Thompson, Binder).

OFF-THE-FLOOR

Stefancik - 2. 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 Elke Street and Fuschia Street within unincorporated boundaries of Ward 3, Dist 5. (Toledano)

Toledano - moved to adopt, second by Smith. Unanimous with 1 absent (Thompson); becomes Resolution C.S. No. C-4805.

Stefancik - 3. Resolution to appointment 2 members to fill the vacancies on St. Tammany Parish Sub-Drainage District No. 4 of Gravity Drainage District No. 5. (Toledano)

Toledano - moved to appoint Barbara Hebert and Alexander Tipton, second by Canulette, Unanimous with 1 absent (Thompson); becomes Resolution C.S. No. C-4806.

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

STEVE STEFANCIK, COUNCIL CHAIRMAN

THERESA L. FORD, COUNCIL CLERK