

PUBLISHED MARCH 31, 2011 AND POSTED AT PARISH COMPLEX BY APRIL 4, 2011

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, APRIL 07, 2011 AT 6:00PM

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

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

Invocation by _____

Pledge of Allegiance by _____

Roll Call: Marty Dean
Gary Cooper
James A. (Red)Thompson
R. Reid Falconer
Rebecca Crawford-Howell
Al Hamauei
Marty Gould
Chris Canulette
E. L. Gene Bellisario
Henry Billiot
Steve Stefancik
Jerry Binder
Richard Artigue
Ken Burkhalter

PRESENTATIONS

1. Presentation of Certificate of Recognition to the Slidell Ladies of Liberty. (Bellisario) (Tabled 3/3/11)
2. Presentation of Certificate of Recognition to Home Depot for their prompt assistance following the March 9th tornado that affected Lake Village in Slidell. (Canulette)
3. Presentation of Certificate of Recognition to the Red Cross for their prompt assistance following the March 9th tornado that affected Lake Village in Slidell. (Canulette)
4. Presentation of Certificates of Recognition to Saint Paul's School Soccer Team. (Gould)
5. Presentation of Certificates of Recognition to Northlake Christian Boys' Soccer Team for winning the State Championship. (Gould)

CONSENT CALENDAR

(PAGES 1 THROUGH 4)

Any items not pulled from the Consent Calendar are automatically approved in whole by one vote. Items pulled from the Consent Calendar are discussed are voted upon individually.

MINUTES

REGULAR COUNCIL MEETING - MARCH 3, 2011

COUNCIL COMMITTEE MEETING - MARCH 30, 2011

ORDINANCES FOR INTRODUCTION
(Public Hearing May 5, 2011)

1. Ord. Cal. No. 4486 - Ordinance to create a new section of the Parish Code of Ordinances regarding Transferable Development Rights. (Gould) (Tabled 1/6/11, 2/3/11 and 3/3/11)
2. Ord. Cal. No. 4526 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning) to delete and replace Section 6.03, SAO - Slidell Airport Overlay in its entirety. (ZC11-03-013) (Zoning Commission approved 3/1/11) (Gould/Davis)
3. Ord. Cal. No. 4527 - Ordinance amending the official Parish Zoning Map to reclassify 5.84 acres located east and west of Buckley Lane, south of LA Highway 1091 from A-4 (Single-Family Residential District) and A-3 (Suburban District) to A-4 (Single-Family Residential District) and MHO (Manufactured Housing Overlay District). (Ward 8, District 14) (ZC11-03-014) (Zoning Commission approved 3/1/11) (Gould/Davis)
4. Ord. Cal. No. 4528 - Ordinance amending the official Parish Zoning Map to reclassify 11 acres located east of Fish Hatchery Road, north of Sandy Road from A-1-A (Suburban District) to A-2 (Suburban District). (Ward 7, District 7) (ZC11-03-016) (Zoning Commission approved 3/1/11) (Gould/Davis)
5. Ord. Cal. No. 4529 - Ordinance amending the official Parish Zoning Map to reclassify 1.340 acres located on the southeast corner of LA Highway 21 & Pierce Road from A-2 (Suburban District) to HC-2 (Highway Commercial District). (Ward 5, District 6) (ZC11-03-018) (Zoning Commission approved 3/1/11) (Gould/Davis)
6. Ord. Cal. No. 4530 - Ordinance amending the official Parish Zoning Map to reclassify 4 acres located south of Morgan Road, west of LA Highway 40, being 21160 Morgan Road, Bush from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 2) (ZC11-03-019) (Zoning Commission approved 3/1/11) (Gould/Davis)
7. Ord. Cal. No. 4531 - Ordinance amending the official Parish Zoning Map to reclassify 6.075 acres located east of North Willie Road, north of Robert Willie Road, being 80472 N. Willie Road, Folsom from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 3) (ZC11-03-020) (Zoning Commission approved 3/1/11) (Gould/Davis)
8. Ord. Cal. No. 4532 - Ordinance amending the official Parish Zoning Map to reclassify 4.27 acres located east of LA Highway 1077, south of Stephanie Lane, being 76160 Highway 1077, Covington, from A-1 (Suburban District) to PF-1 (Public Facilities District). (Ward 1, District 1) (ZC11-03-022) (Zoning Commission approved 3/1/11) (Gould/Davis)
9. Ord. Cal. No. 4533 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Pine Creek Acres, Phase 1B Subdivision. (Ward 1, District 1) (Gould/Davis)
10. Ord. Cal. No. 4534 - Ordinance to correct the Road and Drainage Inventory to include Adams Avenue; Comanche Drive lateral; Sandlewood Court lateral; and an extension of Falconer Blvd., in said inventory. (Wards 3 & 5, Districts 3, 5 & 6) (Gould/Davis)
11. Ord. Cal. No. 4535 - Ordinance to correct the Road and Drainage Inventory to include North Shore Drive in said inventory. (Ward 9, District 13). (Gould/Davis)
12. Ord. Cal. No. 4536 - Ordinance to authorize the Parish President to accept donation and dedication and to accept into the Parish Road Maintenance System Stirling Boulevard Extension. (Gould/Davis)

13. Ord. Cal. No. 4537 - Ordinance to amend Ordinance C.S. No. 09-2166 the 2010-2014 Capital Improvements Budget and Program; and to further identify Fixed Asset and Grant Award. (Gould/Davis)

14. Ord. Cal. No. 4538 - Ordinance to amend the 2011 Operating Budget - Amendment No. 2. (Gould/Davis)

15. Ord. Cal. No. 4539 - Ordinance to amend the 2011 Operating Budget - Amendment No. 3. (Gould/Davis)

16. Ord. Cal. No. 4540 - Ordinance amending the 2010 Operating Budget. (Gould/Davis)

17. Ord. Cal. No. 4541 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of submissions by the Parish Zoning and Planning Commissions for the rezoning or resubdivision of property west of Highway 11 and south of Interstate 12 within unincorporated boundaries of Ward 9 in District 14. (Burkhalter)

18. Ord. Cal. No. 4542 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building, occupancy or occupational permits or licenses by any Parish department or agency for any pain management center/clinic which is unaffiliated with any hospital, hospice and/or facility for the treatment of the terminally ill in unincorporated St. Tammany Parish. (Binder)

19. Ord. Cal. No. 4543 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of new permits for commercial excavations within unincorporated St. Tammany Parish. (Canulette)

2011 PARISH COUNCIL REDISTRICTING ORDINANCES

(Public Hearings: April 12, Towers Building Council Chambers, Slidell & April 13, Parish Council Chambers, Mandeville & April 20, Parish Council Chambers, Mandeville)

20. Ord. Cal. No. 4544 - Ordinance to provide for the Redistricting of the Representative District Boundaries for the 14 St. Tammany Parish Council Districts in conjunction with the 2010 Federal Decennial Census.(Gould)

21. Ord. Cal. No. 4545 - Ordinance to provide for Re-establishment of Precincts in conjunction with Redistricting in accordance with the 2011 Federal Decennial Census.(Gould)

RESOLUTIONS

1. Resolution C.S. No. C-3075 - Resolution ordering and calling a special election to be held in the Parish of St. Tammany, State of Louisiana, to authorize an additional homestead exemption for certain disabled veterans and surviving spouses; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith. (Gould/Davis)

2. Resolution C.S. No. C-3076 - Resolution authorizing the Parish President to execute Cooperative Endeavor Agreement with Gravity Drainage District No. 5. (Gould/Davis)

3. Resolution C.S. No. C-3077 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 0.262 acre from Parish HC-2 (Highway Commercial District) to City of Slidell C-4 (Highway Commercial District) located at the corner of Brownsitch and Clearwood Drive. (Ward 8 District 9) (SL2011-01) (Gould/Davis)

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

4. Resolution C.S. No. C-3078 - Resolution to concur/not concur with the City of Slidell Annexation and rezoning of 2.682 acres from Parish HC-2 (Highway Commercial District) to City of Slidell C-4 (Highway Commercial District) located at the Intersection of Mckinney Road and U.S. Highway 190. (Ward 8, District 12) (SL2011-02) (Gould/Davis)

5. Resolution C.S. No. C-3079 - Resolution Establishing Performance and Warranty Obligations. (Gould/Davis)

6. Resolution C.S. No. C-3080 - Resolution stating the St. Tammany Parish Council's Endorsement of Bevolo Gas & Electric Lights Inc., for participation in the benefits of the Louisiana Enterprise Zone Program. (EZ2011-0068) (Gould/Davis)

7. Resolution C.S. No. C-3081 - Resolution to support Parish Government's applications for funding from the Louisiana Community Water Enrichment Fund to improve two (2) water systems. (Gould/Davis)

8. Resolution C.S. No. C-3082 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Road List - Fund 300 to include additional projects. (Gould/Davis)

9. Resolution C.S. No. C-3083 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

10. Resolution C.S. No. C-3084 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 1 Capital Improvements List. (Gould/Davis)

11. Resolution C.S. No. C-3085 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 3 Capital Improvements List. (Gould/Davis)

12. Resolution C.S. No. C-3086 - Resolution to Amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 7 Capital Improvements List. (Gould/Davis)

13. Resolution C.S. No. C-3087 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

14. Resolution C.S. No. C-3088 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

15. Resolution C.S. No. C-3089 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

16. Resolution C.S. No. C-3090 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

END OF CONSENT CALENDAR

APPEALS

1. Glen Villalobos for Fontainebleau Property Owners Association appealing the Zoning Commission APPROVAL on March 1, 2011 to rezone 9.943 acres west of North Causeway Service Road, south of LA Highway 22, being 1438 North Causeway from NC-5 (Retail and Service District) to HC-2 (Highway Commercial District). (Ward 4, District 4) (ZC11-03-012) (Applicant Matt Bennett for BB Mini Storage)

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.

2. Kit Friedrich-Baumann appealing the Zoning Commission APPROVAL on March 1, 2011 to rezone 40.087 acres south of M.P. Planche Road, west of LA Highway 25 from A-3 (Suburban District) to A-4-A (Single Family District). (Ward 3, District 3) (ZC11-03-021) (Applicant Jeff Schoen for 110 Capital Pool 2, L.L.C., Team Management, L.L.C. and Mr. & Mrs. Benjamin C. Thomas)

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.

ORDINANCES FOR ADOPTION (Public Hearing)

1. Ord. Cal. No. 4484 - Ordinance to Amend the St. Tammany Parish Unified Development Code, Volume 1 (Zoning), Section 5.2402, Subparagraph 2, and Section 5.2502, Subparagraph 30, I-1 and I-2 Industrial District Permitted Uses (Indoor Recreational Facilities), to Provide for Indoor Recreational Facilities Including a Restaurant W/o Lounge. (Introduced 1/6/11) (Tabled 2/3/11 and 3/3/11) (ZC11-03-017) (Zoning Commission approved 3/1/11)

2. Ord. Cal. No. 4485 - Ordinance to amend and reenact Chapter 9 of the St. Tammany Parish Code of Ordinances, Garbage and Trash, to provide Definitions and Criteria with respect to Solid Waste Management Facilities, Collection Facilities, Transfer Stations and Commercial Haulers, and to otherwise provide amendments with respect to Garbage and Trash. (Introduced 1/6/11) (Tabled 2/3/11 and 3/3/11)

3. Ord. Cal. No. 4511 - Ordinance amending the Official Zoning Map of St. Tammany Parish, Louisiana, to reclassify those parcels of land situated along West Porters River Road, generally between Highway 11 and I-59, located in S42, T8, R14e, all as more particularly described on attached Exhibit A, from A-4 (Single- Family Residential District) to an A-4 (Single- Family Residential District) and MHO (Manufactured Housing Overlay District). (Ward 8, District 6) (ZC11-04-030) (Introduced 3/3/11) (Zoning Commission hearing 4/5/11)

4. Ord. Cal. No. 4512 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), to add new zoning classification: Section 6.07, AAO-Abita Airport Overlay. (ZC10-08-102) (Zoning Commission approved 2/1/11) (Introduced 3/3/11)

5. Ord. Cal. No. 4513 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the south side of LA Highway 36 and which property comprises a total 16,843 acres of land more or less, from its present PF-1 (Public Facilities District) to an PF-1 (Public Facilities District) & AAO (Abita Airport Overlay District), (Ward 4, 6 & 10, District 6 & 7). (ZC10-08-103) (Zoning Commission approved 2/1/11) (Introduced 3/3/11)

6. Ord. Cal. No. 4514 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the west side of Allen Road, south of US Highway 190, Slidell and which property comprises a total 1.99 acres of land more or less, from its present A-3 (Suburban District) to a CB-1 (Community Based Facilities District), (Ward 8, District 14). (ZC11-02-008) (Introduced 3/3/11)
7. Ord. Cal. No. 4515 - Ordinance amending the official zoning map of St. Tammany Parish to reclassify a certain parcel located on the north side of Jackson Avenue, west of Fish Hatchery Road, being 27275 Jackson Street, Lacombe and which property comprises a total 0.898 acres of land more or less, from its present A-3(Single Family Residential District) to an A-4 (Single Family Residential District) & MHO (Manufactured Housing Overlay District), (Ward 7, District 7). (ZC11-02-009) (Introduced 3/3/11)
8. Ord. Cal. No. 4516 - Ordinance amending the official zoning map of St. Tammany Parish to reclassify a certain parcel located on the west side of North factory Road , north of LA Highway 40, being 83329 North Factory Road, Folsom and which property comprises a total 6.996 acres of land more or less, from its present A-1 (Suburban District) to an A-1A (Suburban District), (Ward 2, District 2). (ZC11-02-010) (Introduced 3/3/11)
9. Ord. Cal. No. 4517 - Ordinance amending the official zoning map of St. Tammany Parish to reclassify a certain parcel located on the north side of Robert Road, east of LA Highway 59, west of the Tammany Trace and which property comprises a total 2.67 acres of land more or less, from its present HC-2 (Highway Commercial District) to an A-2 (Suburban District), (Ward 4, District 7). (ZC11-02-011) (Introduced 3/3/11)
10. Ord. Cal. No. 4518 - Ordinance restating and reenacting Section 23-402.00 of the Parish Code of Ordinances regarding the procedures to compel sewer connections. (Introduced 3/3/11)
11. Ord. Cal. No. 4519 - Ordinance approving and authorizing the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and Covington Housing Authority. (Introduced 3/3/11)
12. Ord. Cal. No. 4520 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories specifically entering the right of way on Emerald Forest Boulevard (Extension). (Ward 3, District 5) (Introduced 3/3/11)
13. Ord. Cal. No. 4521 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for construction or placement of building structures on property within certain portions of Highland Park Subdivision. (District 12) (Introduced 3/3/11)
14. Ord. Cal. No. 4522 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on property within a portion of Tammany Hills Subdivision and a portion of Ingram Estates Subdivision. (Ward 3, District 5) (Introduced 3/3/11)
15. Ord. Cal. No. 4523 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on Eola, Jordan and Elmer Streets, located west of Soult Street, and on the submission of any application to enter the parish rights of way for the purpose of extending, opening and/or constructing any unopened portion of said streets. (Ward 4, District 5) (Introduced 3/3/11)
16. Ord. Cal. No. 4524 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of building permits for construction or placement of building structures on property within portions of Beverly Hills and Kingspoint Subdivisions. (Ward 8, District 14) (Introduced 3/3/11)
17. Ord. Cal. No. 4525 - Ordinance establishing a load limit of 8 tons and a "No Thru Truck" zone on Oak Harbor Boulevard from Interstate 10 West to Highway 11. (Ward 9, District 12) (Introduced 3/3/11)

APPOINTMENTS

1. Resolution to reappoint Sue B. Osbon (term expires April 7, 2011) to St. Tammany Parish Hospital Service District No. 1 (St. Tammany Parish Hospital). (Ward 1) (Dean)
2. Resolution to appoint Dr. Peter Galvan to replace Ray Canada (term expired) on St. Tammany Parish Community Action Agency Advisory Board. (Gould/Davis)

DISCUSSIONS AND OTHER MATTERS

1. Motion to refer to Zoning Commission for consideration and recommendation of the proposed rezoning of two certain parcels of land, being a 5.63 acre parcel located at 3rd Avenue and Dore Street and a 2.50 acre parcel situated at 4th Avenue and Dore Street located in Section 14, Township 7 South, Range 11 East, from A-2 (Single-Family Residential District) to A-3 (Single Family Residential). (Ward 3, District 5) (Gould)
2. Motion to refer to zoning the realignment of the current MHO (Manufactured Housing Overlay) on west side of Hwy 40 between Sam's Branch and Bills Creek, Sections 17 and 20, Township 7 South, Range 11 East, from its present 500' set back to a 150' set back. (Ward 2, District 2) (Cooper)

EXECUTIVE SESSION

1. Discussion of filing suit against British Petroleum and other parties regarding the April 20, 2010 Oil Spill Disaster. (Gould/Davis)