

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, JUNE 07, 2012 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
Dennis Sharp
James A. (Red) Thompson
R. Reid Falconer
Richard E. Tanner
Jacob (Jake) Groby
Martin W. Gould, Jr.
Chris Canulette
E. L. Gene Bellisario
Maureen O'Brien
Steve Stefancik
Jerry Binder
Richard Artigue
Thomas (T.J.) Smith, Jr.

PRESENTATIONS

1. Certificates of Recognition to Mona Nasrawi, Nickolas Houston and Maria Hefte for their participation in the State of Louisiana's Poetry Out Loud Competition. (Brister) (Tabled 5/3/12)
2. Certificate of Recognition to Jay de la Houssaye for 8 years of service on the St. Tammany Parish Planning and Zoning Commissions. (Dean)
3. Certificates of Recognition to Northshore High School Robotics team for representing Louisiana at the International Robotics competition. (Bellisario)

CONSENT CALENDAR
(PAGES 1 THROUGH 5)

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.

MINUTES

Regular Council Meeting May 3, 2012

Council Committee Meeting May 30, 2012

ORDINANCES FOR INTRODUCTION
(Public Hearing July 12, 2012)

1. Ord. Cal. No. 4783 - Ordinance to amend and reenact Article VIII of the St. Tammany Parish Code of Ordinances, Permit Provisions applicable to Articles VI & VII, by repealing Sec. 3-190.05 and creating new Sec. 3-190.03, Dispensing or Selling of Alcohol Beverages via Drive-thru Windows is Prohibited. (Gould)

2. Ord. Cal. No. 4784 - Ordinance amending the Official Parish Zoning Map to reclassify 5 acres located north of Stermer Road, west of LA Highway 40 from A- 1 (Suburban District) to A-1 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 2, District 6) (ZC12-05-031) (Gould/Brister)

3. Ord. Cal. No. 4785 - Ordinance amending the Official Parish Zoning Map to reclassify 2.13 acres located at the end of Dewberry Road, west of South Fitzmorris Road from A- 1 (Suburban District) to A-1 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 2, District 2) (ZC12-05-032) (Gould/Brister)

4. Ord. Cal. No. 4786 - Ordinance amending the Official Parish Zoning Map to reclassify 25,000 square feet located east of Spanish Court, north of LA Highway 433 from A-4-A (Single-Family Residential District) to NC-1 (Professional Office District). (Ward 8, District 12) (ZC12-05-034) (Gould/Brister)

5. Ord. Cal. No. 4787 - Ordinance amending the Official Parish Zoning Map to reclassify 22,842 square feet located south of Destin Street, east of Lamarque Street, west of Foy Street from A-4 (Single Family Residential District) to A-4-A (Single-Family Residential District). (Ward 4, District 7) (ZC12-05-035) (Gould/Brister)

6. Ord. Cal. No. 4788 - Ordinance amending the Official Parish Zoning Map to reclassify 1 acre located west of LA Highway 1077, south of Dummyline Road from A-1 (Suburban District) to A-1 (Suburban District) & RO (Rural Overlay). (Ward 1, District 4) (ZC12-05-037) (Gould/Brister)

7. Ord. Cal. No. 4789 - Ordinance amending the Official Parish Zoning Map to reclassify 2.99 acres located east of LA Highway 450, south of South Road, north of Starwood Ranch Road from A-1 (Suburban District) to an A-2 (Suburban District). (Ward 2, District 3) (ZC12-05-038) (Gould/Brister)

8. Ord. Cal. No. 4790 - Ordinance amending the Official Parish Zoning Map to reclassify 0.460 acre located west of Chris Kennedy Road, north of Ted Kennedy Road from A-2 (Suburban District) to A-2 (Suburban District) & RO (Rural Overlay). (Ward 6, District 11) (ZC12-05-039) (Gould/Brister)

9. Ord. Cal. No. 4791 - 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 Keys Road North to Lalane Drive. (Ward 1, District 1) (Dean)

10. Ord. Cal. No. 4792 - Ordinance to establish a program to promote affordable/workforce housing ownership for the needy in cooperation with Habitat for Humanity. (Falconer)

11. Ord. Cal. No. 4793 - Ordinance to authorize the Parish President to acquire by Donation and/or Quitclaim certain movable and immovable assets from 5196 Corporation, Inc., Tatty Company, L.L.C. and Thomas A. Dutel. (Gould/Brister)

12. Ord. Cal. No. 4794 - Ordinance to authorize the Parish President to acquire by Donation certain parcels, rights-of-way, and/or servitudes located in Parcels A-2-A and A-2-B, Section 3, Township 7 South, Range 10 East. (Gould/Brister)

13. Ord. Cal. No. 4795 - Ordinance to authorize the Parish President to acquire certain parcels, rights-of-way, and/or servitudes from M Properties, L.L.C. for future road expansion. (Gould/Brister)
14. Ord. Cal. No. 4796 - Ordinance to amend Parish Code of Ordinances, Section 2-091.00 and Section 2-092.00 for the Reorganization of Parish Departments. (Gould/Brister)
15. Ord. Cal. No. 4797 - Ordinance to correct the Road and Drainage Inventory to include Kissena Park Lateral; Wildwood Drive Lateral; Patrick Road Lateral; Green Hill Drive Lateral; and an extension to Rosedown Way Lateral. (Wards 1, 2, 5 & 10) (Districts 2, 3 & 6) (Gould/Brister)
16. Ord. Cal. No. 4798 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Grande Maison, Phase 1; entering the right-of-way of Lenard Street in Jones Picket Addition to Town of Ramsey Subdivision; and an addition to entering the right-of-way of Fay Street in Town of Mandeville Subdivision. (Wards 3 & 4) (Districts 3, 5 & 7) (Gould/Brister)
17. Ord. Cal. No. 4799 - Ordinance to Amend the 2012 Operating Budget - Amendment No. 5 (Gould)
18. Ord. Cal. No. 4800 - Ordinance to amend Parish Code of Ordinances, Chapter 9, Article XIII, Section 9-071.00 Garbage District No. 1, Boundaries, and Section 9-072.01, Service Area, to expand the boundaries of said District. (Bellisario)
19. Ord. Cal. No. 4801 - Ordinance establishing a speed limit of 35 MPH on Krentel Road (7-A-4). (Ward 7, District 7) (Groby)
20. Ord. Cal. No. 4802 - Ordinance to revoke a portion of an unopened unnamed right-of-way, located south of Cherrywood Subdivision. (Ward 9, District 9) (REV12-05-004) (Bellisario)
21. Ord. Cal. No. 4803 - Ordinance to amend Ordinance Council Series No. 09-2114, adopted August 7, 2012, to approve location change for (1) one polling location to include Precincts CO1, CO2, CO3, C10, and C11. (Dean)

RESOLUTIONS

1. Resolution C.S. No. C-3390 - Resolution to approve the appointment of Mark Ferrer as Director of Human Resources for the remainder of the 2012-2015 Parish President's Term of Office. (Gould/Brister) (Tabled 5/3/2012)
2. Resolution C.S. No. C-3406 - Resolution authorizing the Parish President to enter into an agreement with the Louisiana Department of Transportation and Development stating our understanding of our obligation for the Parish to pay 10% of the construction cost, and assume all legal liability for, and all maintenance and operating cost, of the subject lighting system, subject to funding being available from a Parish Lighting District. (Stefancik)
3. Resolution C.S. No. C-3407 - Resolution authorizing the Parish President to enter into an agreement with the Louisiana Department of Transportation and Development stating our understanding of our obligation for the Parish to pay 10% of the construction cost, and assume all legal liability for, and all maintenance and operating cost, of the subject lighting system, subject to funding being available from a Parish Lighting District. (Stefancik)
4. Resolution C.S. No. C-3408 - Resolution authorizing the Parish President to enter into an agreement with the Louisiana Department of Transportation and Development stating our understanding of our obligation for the Parish to pay 10% of the construction cost, and assume all legal liability for, and all maintenance and operating cost, of the subject lighting system, subject to funding being available from a Parish Lighting District. (Stefancik)

5. Resolution C.S. No. C-3409 - Resolution authorizing the Parish President to enter into an agreement with the Louisiana Department of Transportation and Development stating our understanding of our obligation for the Parish to pay 10% of the construction cost, and assume all legal liability for, and all maintenance and operating cost, of the subject lighting system, subject to funding being available from a Parish Lighting District. (Stefancik)

6. Resolution C.S. No. C-3410 - Resolution requesting the Governor and the State of Louisiana, Division of Administration, Office of Community Development, to grant the Finance Authority of St. Tammany Parish \$ 2,625,000.00 in CDBG funds directly for the use in the "Pathway to Home Ownership-LLT" Program. (Stefancik)

7. Resolution C.S. No. C-3411 - Resolution appointing Government Consultants, Inc. (a.k.a. Government Consultants of Louisiana, Inc.) as independent financial advisor to the Parish of St. Tammany, and any entity that requires approval of the St. Tammany Parish Council to incur indebtedness or hold an election that also requires State Bond Commission approval, and otherwise providing with respect thereto. (Gould/Binder)

8. Resolution C.S. No. C-3412 - Resolution to request the Water Safety Committee consider establishing a No-wake Zone on the Hwy 11 Canal. (Artigue)

9. Resolution C.S. No. C-3413 - Resolution ordering and calling a special election to be held in the Parish of St. Tammany, State of Louisiana, to authorize the renewal of a special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith. (Gould/Brister)

10. Resolution C.S. No. C-3414 - Resolution to concur/ not concur with the Town of Pearl River annexation and rezoning of 2.08 acres from Parish PF-2 (Public Facilities) and A-2 (Suburban District) to Town of Pearl River R-1 District situated in Section 31, Township 7 South, Range 15 East, St Tammany Parish. (Ward 8, District 6) (PR2011-04) (Gould/Brister)

11. Resolution C.S. No. C-3415 - Resolution to concur/not concur with the Town of Pearl River annexation and rezoning of 1 acre from Parish HC-2 (Highway Commercial District) to Town of Pearl River B2 (Commercial District) with municipal address of 64681 Hwy 41, Pearl River. (Ward 8, District 9) (PR2012-02) (Gould/Brister)

12. Resolution C.S. No. C-3416 - Resolution establishing Performance and Warranty Obligations. (Gould/Brister)

13. Resolution C.S. No. C-3417 - Resolution to award the contract for Associated Wholesale Grocers, Inc. Road Improvements Project to the low bidder. (Gould/Brister)

14. Resolution C.S. No. C-3418 - Resolution approving and authorizing the Parish President to sign and/or execute a water/wastewater Utility Service Agreement between the Parish, Place 1077, L.L.C. and Coquille 1077, L.L.C. (and/or its affiliates) for the purpose of providing water and sewerage services to the northwest intersection of Highway 1085 and Highway 1077. (Gould/Brister)

15. Resolution C.S. No. C-3419 - Resolution stating the Parish Council's endorsement of JAMJOMAR XII, for participation in the benefits of the Louisiana Enterprise Zone Program. (EZ#20120759) (Gould/Brister)

16. Resolution C.S. No. C-3420 - Resolution stating the Parish Council's endorsement of Slidell Power Sports, LLC, for participation in the benefits of the Louisiana Enterprise Zone Program. (EZ#20120784) (Gould/Brister)

17. Resolution C.S. No. C-3421 - Resolution stating the Parish Council's endorsement of Mele Printing Company, LLC., for participation in the benefits of the Louisiana Enterprise Zone Program. (EZ#20100733) (Gould/Brister)

18. Resolution C.S. No. C-3422 - Resolution stating the Parish Council's endorsement of Ochsner Medical Center-NorthShore, LLC., for participation in the benefits of the Louisiana Enterprise Zone Program. (EZ#20100883). (Gould/Brister)

19. Resolution C.S. No. C-3423 - Resolution to approve and authorize the Parish President to prepare and submit an application to the Louisiana Department of Wildlife and Fisheries through the Sport Fish Restoration (Wallop-Breaux) Program for Assistance in the implementation of construction of the St. Tammany Parish Fishing Pier Public Access Facility, Phase II; providing for necessary documentation of the need for the construction and providing other matters in connection therewith. (Gould/Brister)

20. Resolution C.S. No. C-3424 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Brister)

21. Resolution C.S. No. C-3425 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Improvements List - Drainage Fund 316. (Gould/Brister)

22. Resolution C.S. No. C-3426 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Brister)

23. Resolution C.S. No. C-3427 - Resolution to amend Ordinance C.S. No. 11-2638 2012 the 2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Improvements List - District No. 1. (Gould/Brister)

24. Resolution C.S. No. C-3428 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Improvements List - District No. 2. (Gould/Brister)

25. Resolution C.S. No. C-3429 - Resolution to amend Ordinance C.S. No. 11-2638 2012 - 2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to Make Changes to the Capital Improvements List - District No. 3. (Gould/Brister)

26. Resolution C.S. No. C-3430 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012 - 2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Improvements List - District No. 5. (Gould/Brister)

27. Resolution C.S. No. C-3431 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012 - 2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Improvements List - District No. 6. (Gould/Brister)

28. Resolution C.S. No. C-3432 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012 - 2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Improvements List - District No. 11. (Gould/Brister)

29. Resolution C.S. No. C-3433 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012 - 2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Improvements List - District No. 14. (Gould/Brister)

END OF CONSENT CALENDAR

APPEALS

1. Maurice LeGardeur appealing the Zoning Commission APPROVAL on March 6, 2012 to rezone 4.1 acres located north of Defries Road, east of Highway 25 from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 3) (ZC12-01-002) (Applicant: Parish Council by Motion 11/3/11) (Tabled 4/5/12 & 5/3/12)

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. Applicant Paul Mayronne representing James Simpson appealing the Zoning Commission DENIAL on May 1, 2012 to rezone 51.27 acres located north of Penn Mill Road, west of Quave Road, north of US Highway 190 from A-1-A (Suburban District) to A-4 (Single Family Residential District) (Ward 3, District 3) (ZC12-03-016)

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.

3. Applicant Paul Mayronne representing James Simpson appealing the Zoning Commission DENIAL on May 1, 2012 to rezone 51.27 acres located north of Penn Mill Road, west of Quave Road, north of US Highway 190 from A-1-A (Suburban District) to PUD (Planned Unit Development Overlay) (Ward 3, District 3) (ZC12-03-023)

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.

ORDINANCES FOR ADOPTION (Public Hearing)

1. Ord. Cal. No. 4770 - Ordinance to impose a six (6) month moratorium on the issuance of Agricultural Use Permits within the boundaries of St. Tammany Parish Council District No. 5. (Introduced 5/3/12)

2. Ord. Cal. No. 4771 - Ordinance to amend the Parish Unified Development Code, Section 8.01 Minimum Standards for Specific Uses, Subsection U, Outdoor Advertising (Billboards) to restrict the location of new billboards to within the same highway corridor from which a billboard credit was issued. (Introduced & referred to Zoning Commission 5/3/12)

3. Ord. Cal. No. 4772 - Ordinance amending the Official Parish Zoning Map to reclassify 2 acres located west of South Fitzmorris Road, north of Eagle Road, south of Bennett Drive, being 76473 S. Fitzmorris Road from A-1 (Suburban District) to A-2 (Suburban District). (Ward 3, District 2) (ZC12-04-025) (Zoning Commission approved 4/3/12) (Introduced 5/3/12)

4. Ord. Cal. No. 4773 - Ordinance amending the Official Parish Zoning Map to reclassify 1.088 acres located south of LA Highway 22, west of Indian Trace Blvd. from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 1, District 1). (ZC12-04-026) (Zoning Commission approved 4/3/12) (Introduced 5/3/12)

5. Ord. Cal. No. 4774 - Ordinance amending the Official Parish Zoning Map to reclassify 15,900 square feet located west of St. Landry Street, north of LA Highway 36, Garland Addition to the Town of Claiborne from NC-4 (Neighborhood Institutional District) to A-2 (Suburban District). (Ward 3, District 2) (ZC12-04-029) (Zoning Commission approved 4/3/12) (Introduced 5/3/12)

6. Ord. Cal. No. 4775 - Ordinance amending the St. Tammany Parish Code of Ordinances to add Preamble, amend Chapter 1 General Provisions, create Revision Appendix, and relocate portions of Chapter 1 to Revision Appendix. (Introduced 5/3/12)

7. Ord. Cal. No. 4777 - Ordinance to authorize the Parish President to purchase or otherwise acquire certain parcels, rights-of-way, and/or servitudes for Bayou Castine and Bayou Cane Drainage Management Area Project. (Introduced 5/3/12)

8. Ord. Cal. No. 4778 - Ordinance to revoke a portion of Ada Street, located between Lots 8 & 9, Barbara Place Subdivision, west of Covington. (Ward 1, District 3) (REV12-04-003) (Introduced 5/3/12)

9. Ord. Cal. No. 4779 - Ordinance to amend the Parish Code of Ordinances, Appendix B, Chapter 40 of Subdivision Regulatory Ordinance No. 499, Section 40-050.0 Tentative Subdivision Review, specifically, Section 40-050.04 Essential Utilities Disclosure Requirements. (Introduced 5/3/12)

10. Ord. Cal. No. 4780 - Ordinance to correct the Road and Drainage Inventory to include Short Street Lateral and Alexandre Street Lateral. (Wards 2 & 3, Districts 2 & 3) (Introduced 5/3/12)

11. Ord. Cal. No. 4781 - Ordinance to amend the 2012 Operating Budget - Amendment No. 4. (Introduced 5/3/12)

12. Ord. Cal. No. 4782 - Ordinance to amend Parish Code of Ordinances, Chapter 13, Division 1, Motor Vehicles, Section 13-009.00, Compression Engine Brakes, to prohibit the use of compression brakes within one-half mile of the Intersection of Highway 1077 and Highway 1078. (Introduced 5/3/12)

NOMINATIONS

1. Nominate three (3) members to appoint to the Board of Commissioners of St. Tammany Recreation District No. 16. (Smith) (Tabled 4/5/12 & 5/3/12)

2. Nominate six (6) members to appoint/reappoint to the St. Tammany Parish Library Board of Control (All terms expired). (Recommendations: John Danjean, Dr. Argiro Morgan, Barbara Morgan, Silvia Muller, Rebecca Taylor, Dave Stefferud and Mary Reneau) (Bellisario)

3. Nominate twelve (12) members to appoint/reappoint to the Community Action Agency Advisory Board. (Recommendations: Louis Fitzmorris, Dr Peter Galvan, Terri Gage, William Stadler, Carol Gillio, Keith Green, Kathleen Bacon, Nuetta Javery, Kimberly Hamilton) (Bellisario)

4. Nominate members to the Parish Communications District No. 1. (Gould)

5. Nominate Thomas J. Smith, Jr. to replace Don Speegle (term expired, moved out of parish) to the St. Tammany Parish Tourist & Convention Commission, re-appoint Danny Schaus (term expired), and designate Pablo Melendez as the Commissioner-Member of the St. Tammany Hotel-Motel Association / Louisiana Hotel & Lodging Association (current term expires 12/31/2013). (Gould)

APPOINTMENTS

1. Resolution to reappoint John Sammons, Richard Singletary and to appoint Albert Holley and Wade Singletary to Parish Fire Protection District No. 7. (Tabled 5/3/12)
2. Resolution to reappoint Thomas D. "Chance" Wood, Phillip P. More, Bradley Crompt, and to appoint Kema Meiners to Parish Recreation District No. 2. (Tanner)
3. Resolution to reappoint Andrew Failla, Floyd Trascher and Peter Finger to Parish Recreation District No. 5. (Tanner)
4. Resolution to reappoint John C. Bennett, Sharon Roy, George Polk, Bryan Frierson, Greg Crawford and to appoint Earl Graves to Parish Recreation District No. 7. (Tanner)
5. Resolution to reappoint Clayton Foreman, Jeffery Barker, Austin Dawsey and appoint Kenneth Fussell to Parish Fire Protection District No. 6. (Tanner)
6. Resolution to appoint Joseph Goodwin to replace David Brauner (resigned) to Parish Sub-drainage District No. 3 of Gravity Drainage District No. 5. (Gould)
7. Resolution to reappoint Willie Richardson, Jr., Antoine Bromfield, and James Rogers and to appoint Peter Cannizaro to replace Fred Oswald (resigned) to Recreation District No. 12. (Thompson)
8. Resolution to reappoint Steven Meyer, M.D., Bill Matthews, Robert Whelan, Warren Montgomery and appoint Majure Savell and Jeffrey R. Blackman to Recreation District No. 1. (Gould & Falconer)

AWARD OF BIDS

BID ITEM: Parish Official Journal, July 1, 2012 - June 30, 2013

BID NUMBER: 502-03-12-12-2