

PUBLISHED JULY 31, 2014 AND POSTED AT PARISH COMPLEX BY AUGUST 4, 2014

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, AUGUST 07, 2014 AT 6:00PM
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable R. Reid Falconer, AIA, Chairman

Invocation by _____

Pledge of Allegiance by _____

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

SPECIAL ITEMS

PUBLIC HEARING:

1. Resolution C.S. No. C-4145 - Resolution establishing Adjusted Millage Rates and Parcel Fees for the Year 2014. (Falconer/Brister)
2. Resolution C.S. No. C-4150 - Resolution establishing Millage Rates and Parcel Fees for the Year 2014. (Falconer/Brister)

PRESENTATIONS

1. Presentation by Public Service Commissioner Eric Skrmetta. (Falconer)

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 - July 10, 2014

Council Committee Meeting - June 30, 2014

ORDINANCES FOR INTRODUCTION
(Public Hearing September 4, 2014)

1. Ord. Cal. No. 5233 - Ordinance to amend 2014 Operating Budget - Amend #7. (Falconer/Brister)
2. Ord. Cal. No. 5234 - Ordinance to impose a six (6) month 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. (Smith)
3. Ord. Cal. No. 5235 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of submissions by the Parish Zoning and Planning Commissions, for rezoning or resubdivision of property, not previously applied for, located north of Interstate 12 and abutting or having access to Airport Road, within the unincorporated boundaries of Ward 9, District 11. (Stefancik)
4. Ord. Cal. No. 5236 - Ordinance to impose a six (6) month moratorium on the issuance of permits for construction or placement of building structures on property within voting Precinct 914. (Ward 8, District 14) (Smith)
5. Ord. Cal. No. 5237 - Ordinance to amend Parish Code, Appendix B, Chapter 40 Subdivision Regulatory Ordinance No. 499, Section 40-032.04 relative to roadway elevation for residential and commercial subdivisions. (Falconer/Brister)
6. Ord. Cal. No. 5238 - Ordinance to establish a Geographic Information System District in St. Tammany Parish. (Falconer/Brister)
7. Ord. Cal. No. 5239 - Ordinance to authorize the Parish President to acquire certain parcels of immovable property for the Cloverland Acres Drainage Improvements Project. (Ward 4, District 7) (Falconer/Brister)
8. Ord. Cal. No. 5240 - Ordinance to correct the Road & Drainage Inventory to include an additional 900 feet to C. Gottie Road Lateral. (Ward 2, District 3) (Falconer/Brister)
9. Ord. Cal. No. 5241 - Ordinance to authorize the Parish President to acquire certain parcels of immovable property for the Riverwood/Covington Country Club Drainage Improvements Project. (Ward 4, District 4) (Falconer/Brister)
10. Ord. Cal. No. 5242 - Ordinance amending the Official Parish Zoning Map to reclassify 4.49 acres located at the Northeast Corner of Alamosa Lane and Carey Road, being 37325 Alamosa Lane, Pearl River from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 8, District 9). (ZC14-07-061) (ZC Approved 7/1/14) (Falconer/Brister)
11. Ord. Cal. No. 5243 - Ordinance amending the Official Parish Zoning Map to reclassify 2.91 acres located south of Highway 190 West, east of Transmitter Road, west of South Tranquility Road, being 30414 Highway 190 West, Lacombe from NC-4 (Neighborhood Institutional District) and A-4 (Single Family Residential District) to NC-4 (Neighborhood Institutional District), A-4 (Single Family Residential District), MHO (Manufactured Housing Overlay-2.91 Acres) and RO (Rural Overlay-1.32 Acres). (Ward 7, District 11) (ZC14-07-060) (ZC Approved 7/1/14) (Falconer/Brister)
12. Ord. Cal. No. 5244 - Ordinance amending the Official Parish Zoning Map to reclassify 9.73 acres located west of Green Valley Road, south of Highway 1078, being 76351 Green Valley Road,

Folsom from A-1 (Suburban District) to A-1A (Suburban District). (Ward 3, District 3). (ZC14-07-058) (ZC Approved 7/1/14) (Falconer/Brister)

13. Ord. Cal. No. 5245 - Ordinance amending the Official Parish Zoning Map to reclassify 18.44 acres located north and south of Arc Road, north of Boyd Road, east of Trincharad Road from A-1 (Suburban District) to A-1 (Suburban District) and RO (Rural Overlay). (Ward 1, District 3) (ZC14-07-057) (ZC Approved 7/1/14) (Falconer/Brister)

14. Ord. Cal. No. 5246 - Ordinance amending the Official Parish Zoning Map to reclassify 4.614 acres located east of Delaune Road, south and east of Albert Thompson Road, being 79493 Delaune Road, Folsom from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 3) (ZC14-07-056) (ZC Approved 7/1/14) (Falconer/Brister)

15. Ord. Cal. No. 5247 - Ordinance amending the Official Parish Zoning Map to reclassify 2.31 acres located north of Galatas Road, east of Revere Road from A-2 (Suburban District) to A-4 (Single-family Residential District) and MHO (Manufactured Housing Overlay). (Ward 1, District 1) (ZC14-07-055) (ZC Approved 7/1/14) (Falconer/Brister)

16. Ord. Cal. No. 5248 - Ordinance amending the Official Parish Zoning Map to reclassify 3.7288 acres located west of Crawford Road, north of Highway 41 from A-2 (Suburban District) to A-2 (Suburban District) and RO (Rural Overlay). (Ward 6, District 6) (ZC14-07-054) (ZC Approved 7/1/14) (Falconer/Brister)

17. Ord. Cal. No. 5249 - Ordinance amending the Official Parish Zoning Map to reclassify 10,680 square feet located west of Highway 11, north of Second Street, being Lots 9 & 10, Square 40 and 62065 Highway 11, Slidell from A-4 (Single Family Residential District) to HC-1 (Highway Commercial District). (Ward 8, District 14). (ZC14-07-053) (ZC Approved 7/1/14) (Falconer/Brister)

18. Ord. Cal. No. 5250 - Ordinance amending the Official Parish Zoning Map to reclassify 17.362 located south of Meadowlark Drive, west of Rousseau Road, being 15258 Meadowlark Drive, Covington from A-1 (Suburban District) to A-1 (Suburban District) and RO (Rural Overlay). (Ward 1, District 3) (ZC14-07-052) (ZC Approved 7/1/14) (Falconer/Brister)

19. Ord. Cal. No. 5251 - Ordinance to amend Parish Code, Chapter 20, Article 1, Section 20-011.01 Procedures and Standards for Granting Permission to enter Parish Right of Way for Gaining access to property, to provide central water and community sewerage requirements within unincorporated St. Tammany Parish. (Gould)

RESOLUTIONS

1. Resolution C.S. No. C-4129 - Resolution to create a Charter Review Committee to review the St. Tammany Parish Government Home Rule Charter and to provide recommendations to the Parish Council and Administration. (Falconer/Brister)

2. Resolution C.S. No. C-4130 - Resolution to acknowledge and confirm nominations the Parish President and Parish Council will submit to the Governor of Louisiana for the St. Tammany Levee, Drainage, and Conservation District Board. (Falconer/Brister)

3. Resolution C.S. No. C-4132 - Resolution to acknowledge and confirm the administration appointments of Chief Administrative Officer and Deputy Chief Administrative Officer. (Falconer/Brister)

4. Resolution C.S. No. C-4133 - 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 execute an Amended and Restated Cooperative Endeavor Agreement

with Colonial Pinnacle Nord Du Lac Economic Development District, State of Louisiana; CPNDL Joint Venture; and Cypress Equities (Ward 1, District 1). (Falconer/Brister)

5. Resolution C.S. No. C-4134 - 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 execute a Cooperative Endeavor Agreement with the City of Mandeville for contribution of funds towards design, engineering and construction of the Mandeville Bypass Road (Ward 4, Districts 5, 7 and 10). (Falconer/Brister)

6. Resolution C.S. No. C-4135 - Resolution to Rescind Resolution C.S. No. C-2126 and to Return Said Funds to the Grand Maison Voluntary Development Escrow Account. (Falconer/Brister)

7. Resolution C.S. No. C-4136 - Resolution to Amend Ordinance C.S. No. 13-3052 to Make Changes to the Capital Improvements List - Capital - Fishing Pier Phase II (Capital (327-00) and Grant Funding (403-XX)) (Falconer/Brister)

8. Resolution C.S. No. C-4137 - Resolution Establishing Warranty Obligations. (Falconer/Brister)

9. Resolution C.S. No. C-4138 - Resolution stating the St. Tammany Parish Council's endorsement of OX LOT 9 LLC, for participation in the benefits of the Louisiana Enterprise Zone Program. (Falconer/Brister)

10. Resolution C.S. No. C-4139 - Resolution stating the St. Tammany Parish Council's endorsement of Eatel Directories, L.L.C., for participation in the benefits of the Louisiana Enterprise Zone Program. (Falconer/Brister)

11. Resolution C.S. No. C-4140 - Resolution to vacate in part, the six (6) month moratorium established by Ordinance C.S. No. 08-1741, and any subsequent extensions thereof, for the limited purpose of allowing the approval of rezoning applications and the issuance of plan review permits on 3.87 acres of land more or less, located at the southeast corner of LA Highway 21 and Christwood Blvd, as more particularly described in Exhibit A attached. (Ward 1, District 1) (Dean)

12. Resolution C.S. No. C-4141 - Resolution to acknowledge authority pursuant to the Home Rule Charter sections 1-04, 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 Habitat for Humanity St. Tammany West, Inc. for home rehabilitation of Katrina/Rita damaged properties. (Falconer/Brister)

13. Resolution C.S. No. C-4142 - Resolution to amend Ordinance C.S. No. 13-3052 - Grant Awards. (Falconer/Brister)

14. Resolution C.S. No. C-4143 - 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 execute a Cooperative Endeavor Agreement with St. Tammany Parish Gravity Drainage District No. 5 for reimbursement of design costs for drainage improvements. (Ward 3, Districts 2, 5) (Falconer/Brister)

15. Resolution C.S. No. C-4144 - 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 execute a Cooperative Endeavor Agreement with the St. Tammany Parish Drainage District No. 2 for repair and improvements to the Lakefront Pump Station. (Ward 9, District 13) (Falconer/Brister)

16. Resolution C.S. No. C-4146 - Resolution to amend Ordinance C.S. No. 13-3052 to make changes to the Capital Improvements List - District 10. (Fund 310) (Falconer/Brister)

17. Resolution C.S. No. C-4147 - Resolution to amend Ordinance C.S. No. 13-3052 to make changes to the Capital Improvements List - District 11. (Fund 311) (Falconer/Brister)

18. Resolution C.S. No. C-4148 - Resolution to amend Ordinance C.S. No. 13-3052 to make changes to the Capital Improvements List - District 12. (Fund 312) (Falconer/Brister)
19. Resolution C.S. No. C-4149 - Resolution to Amend Ordinance C.S. No. 13-3052 to make changes to the Capital Improvements List - District 13. (Fund 313) (Falconer/Brister)
20. Resolution C.S. No. C-4151 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 0.33 acres, from Parish A-4 (Single-Family Residential District) to Slidell C-2 (Neighborhood Commercial District) located at Rosaline Street, Lot 9, Square 8 of Robert Park Subdivision, Annex #1. (Ward 8, District 13) (Falconer/Brister)
21. Resolution C.S. No. C-4152 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 6.458 acres from Parish I-2 (Industrial District) to Slidell M-2 (Light Industrial District) located at Ben Thomas Road, Tract 1 (2.661 acres), Tract 2 (2.797 acres) and Tract 3 (1.00 acre). (Ward 9, District 14) (Falconer/Brister)
22. Resolution C.S. No. C-4153 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 3.8015 acres from Parish I-2 (Industrial District) to Slidell M-2 (Light Industrial District) located at 261 Stone Road. (Ward 9, District 14) (Falconer/Brister)
23. Resolution C.S. No. C-4154 - Resolution to amend Ordinance C.S. No. 13-3052 to make changes to the Capital Improvements List - Parishwide - Fund 300. (Falconer/Brister)
24. Resolution C.S. No. C-4155 - Resolution to amend Ordinance C.S. No. 13-3052 to make changes to the Capital Asset List - Grants - Homeland Security (404-36 and 404-37). (Falconer/Brister)
25. Resolution C.S. No. C-4156 - Resolution to amend Ordinance C.S. No. 13-3052 to make changes to the Capital Improvements List - District 5. (Fund 305) (Falconer/Brister)
26. Resolution C.S. No. C-4157 - Resolution to amend Ordinance C.S. No. 13-3052 to make changes to the Capital Improvements List - District 6. (Fund 306) (Falconer/Brister)
27. Resolution C.S. No. C-4158 - Resolution to amend Ordinance C.S. No. 13-3052 to make changes to the Capital Improvements List - District 9. (Fund 309) (Falconer/Brister)
28. Resolution C.S. No. C-4159 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 1.5 acres located at 2002 Faith Drive from Parish A-4 (Single Family District) to Slidell A-8 (High Density Urban District). (Falconer/Brister)

END OF CONSENT CALENDAR

APPEALS

1. Antonia Polizzi, Rodney Holman and Cynthia McDonald, et al appealing the Zoning Commission APPROVAL on June 3, 2014 to rezone 4.46 acres located north of Herwig Bluff Road, east of Military Road from A-4 (Single-Family Residential District) to AT-1 (Animal Training/Housing District). (Ward 8, District 9) (ZC14-06-047) (Applicant: Tori Guidry) (Postponed 7/10/14)

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. Rita McDonald, et al appealing the Zoning Commission APPROVAL on July 1, 2014 to rezone 1 acre located south of Bomoka Road, west of Highway 25, being 17140 Bomoka Road, Covington from A-1 (Suburban District) to A-1 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 3, District 3) (ZC14-06-051) (Applicant: Alfred Young)

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.

3. Jeffery Schoen, on behalf of Mark and Kasey, LLC, appealing the Zoning Commission DENIAL on July 1, 2014 to rezone 1.5 acres located at the southeast corner of Mill Road and Josephine Road from A-2 (Suburban District) to A-4 (Single-Family Residential District). (Ward 3, District 2) (ZC12-11-106)

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.

4. Applicant Jeffery Schoen, on behalf of BCS Development, LLC, appealing the Planning Commission DENIAL on June 10, 2014 for a proposed minor subdivision located west of Highway 1077, south of I-12 and southwest of Covington. (Ward , District 2) (MS1405-028)

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

NOTE: To override the Planning Denial, a 2/3 vote (9) is required and adoption of a resolution.

ORDINANCES FOR ADOPTION
(Public Hearing)

1. Ord. Cal. No. 5168 - Ordinance to amend Ordinance Council Series Numbers 00-0174, 05-1049 and 05-1199 to provide for amendments to the Personnel Policies pertaining to compensation. (Introduced 3/6/14) (Postponed and referred to Finance Committee 4/3/14 and 5/1/14) (Postponed to August meeting 6/5/14)
2. Ord. Cal. No. 5201 - Ordinance to amend Ordinance Council Series No. 03-0723, adopted July 10, 2003 and Ordinance Council Series No. 11-2569, adopted July 15, 2011, to include all previously adopted ordinances regarding election precincts, locations and boundaries, and to approve precinct splits for polling locations approaching the Louisiana Secretary of State's maximum voter numbers, to approve necessary precinct mergers due to minimum capacity regulations, to approve necessary polling site location changes and all precinct boundaries contained herein. (Introduced 6/5/14) (Postponed 7/10/14)
3. Ord. Cal. No. 5207 - Ordinance amending the official Parish Zoning Map to reclassify 30.1348 acres located north of Northpark Blvd., west of Lake Drive, east of Park Place from HC-3 (Highway Commercial District) & PBC-1 (Planned Business Center) to an PBC-1 (Planned Business Center). (Ward 3, District 5) (ZC14-05-043) (ZC approved 5/6/14) (Postponed 6/5/14) (Introduced 7/10/14)
4. Ord. Cal. No. 5208 - Ordinance amending the official Parish Zoning Map to reclassify 2.03 acres located on the northwest corner of Meadows Blvd. & Airport Road from A-4 (Single-Family Residential District) to PF-1 (Public Facilities District). (Ward 9, District 11). (ZC14-05-042) (ZC approved 5/6/14) (Introduced 6/5/14) (Postponed 7/10/14)
5. Ord. Cal. No. 5221 - Ordinance to extend for an additional six (6) months the moratorium on the submission and review of zoning permit applications and Planning Commission review and on the issuance of building permit applications, for the purpose of construction or placement of multi-family structures on property within unincorporated areas of Council District 12. (Introduced 7/10/14)
6. Ord. Cal. No. 5222 - Ordinance to amend St. Tammany Parish Code of Ordinances, Appendix B, Chapter 40 Subdivision Regulatory Ordinance No. 499, Section 40-032.01 and Section 40-032.04 relative to roadway testing and inspection standards for residential and commercial subdivisions. (Introduced 7/10/14)
7. Ord. Cal. No. 5223 - Ordinance amending the Official Parish Zoning Map to reclassify 12,500 square feet located at the northeast corner of Coast Blvd and Behrman Street, Central Park from A-4A (Single-Family Residential District) to NC-2 (Indoor Retail and Service District). (Ward 8, District 12) (ZC14-06-049) (ZC Approved 6/3/14) (Introduced 7/10/14)
8. Ord. Cal. No. 5224 - Ordinance amending the Official Parish Zoning Map to reclassify 0.81 acre located at the end of Oak Crest Drive, East of Lee Road, North of Stafford Road, Barker's Corner Estates from A-3 (Suburban District) to A-6 (Multiple Family Residential District). (Ward 2, District 2). (ZC14-06-048) (ZC Approved 6/3/14) (Introduced 7/10/14)
9. Ord. Cal. No. 5225 - Ordinance amending the Official Parish Zoning Map to reclassify 1.6 acres located north of Fremeaux, east of Beth Drive, west of Nellie Drive, being Lots 7 to 17, Square 4, Pine Shadows Subdivision from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District). (Ward 8, District 12) (ZC14-06-046) (ZC Approved 6/3/14) (Introduced 7/10/14)
10. Ord. Cal. No. 5226 - Ordinance amending the Official Parish Zoning Map to reclassify 3.91 acres located on the northwest corner of C. S. Owens Road & LA Highway 1077 from A-2 (Suburban District) to ED-1 (Primary Education District). (ZC14-06-045) (ZC Approved 6/3/14) (Introduced 7/10/14)
11. Ord. Cal. No. 5227 - Ordinance amending the Official Parish Zoning Map to reclassify 3.87 acres located at the southeast corner of LA Highway 21 & Christwood Blvd. From NC-4 (Neighborhood

Institutional District) to ED-2 (Higher Education District). (Ward 1, District 1) (ZC14-05-039) (ZC Approved 6/3/14) (Introduced 7/10/14)

12. Ord. Cal. No. 5228 - Ordinance amending the Official Parish Zoning Map to reclassify 1.27 acres located at the southeast corner of LA Highway 437 & Knights Road, being 78392 Highway 437, Covington from A-1A (Suburban District) to an NC-2 (Indoor Retail and Service District). (Ward 2, District 2) (ZC14-05-035) (ZC Approved 6/3/14) (Introduced 7/10/14)

13. Ord. Cal. No. 5229 - Ordinance to correct the Road & Drainage Inventory to include Crawford Cemetery Lane and Highway 41 Lateral. (Ward 5, District 6) (Introduced 7/10/14)

14. Ord. Cal. No. 5230 - Ordinance to amend Ordinance P.J.S. No. 94-1995, adopted June 16, 1994, which established the Parish logo as the official seal/trademark. (Introduced 7/10/14)

15. Ord. Cal. No. 5231 - Ordinance to amend the 2014 Operating Budget - Amendment No. 6. (Introduced 7/10/14)

16. Ord. Cal. No. 5232 - Ordinance amending the Official Parish Zoning Map to reclassify 3.5 acres located north of Nina Drive, west of Transmitter Road, Oaklawn East Subdivision from A-4 (Single-Family Residential District) to A-4 (Single-Family Residential District) and MHO (Manufactured Housing Overlay). (Ward 7, District 7) (ZC14-04-029) (Introduced 7/10/14)

DISCUSSIONS AND OTHER MATTERS

1. Motion to refer to the Zoning Commission the proposed creation of a new zoning classification entitled AT-2 Animal Training/Housing District to provide for the location of small scale animal related functions to minimize the conflict with nearby residential uses. (Bellisario) (Postponed 7/10/14)

2. Motion to refer to Zoning Commission for recommendation on the proposed rezoning of 3.457 acres situated in Section 20, Township 5 South, Range 11 East from A-1 (Suburban District), MHO (Manufactured Housing Overly) and RO (Rural Overlay) to A-2 (Suburban District), MHO (Manufactured Housing Overlay) and RO (Rural Overlay). (Ward 8, District 6) (Tanner)

3. Motion to refer to Zoning Commission for recommendation the proposed re-zoning of 11 acres located in Section 26, Township 8 South, Range 14 East from its current zoning HC-3 (Highway Commercial District) to A-8 (Multiple Family Residential District) Ward 9, District 14. (Smith)

4. Motion to refer to Zoning Commission for recommendation the proposed re-zoning of 32.95 acres located in Section 26, Township 8 South, Range 14 East from its current zoning HC-3 (Highway Commercial District) to A-4 (Single Family Residential District) Ward 9, District 14. (Smith)

EXECUTIVE SESSION

1. Lawsuit entitled: De Val, Inc. v. St. Tammany Parish, 22nd JDC, Case No. 2013-11552, Division "H".

2. Lawsuit entitled: Succession of Lawence Murray Arthur v. St. Tammany Parish, 22nd Judicial District Court, No. 2014-10624, Division "J".