

MINUTES OF ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, JANUARY 3, 2013 AT 6:00 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

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

Invocation by Mr. Binder

Pledge of Allegiance by Mr. Sharp

**Roll Call: Marty Dean
Dennis Sharp
James A. (Red) Thompson ABSENT
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. ABSENT**

ELECTION OF OFFICERS

Gould - 1. Resolution C.S. No. C-3628 - Resolution to appoint a Chairman of the Parish Council for the calendar year 2013. (All Members)

Falconer - moved to nominate Jerry Binder, second by Bellisario.

Canulette - moved to close nominations, second by Artigue.

Falconer - moved to appoint Jerry Binder, second by Bellisario. Unanimous with 2 absent (Thompson, Smith).

Binder - took over as Chairman and presented gavel to Mr. Gould. He thanks Mr. Gould for doing a good job in the last two years as Chairman by being willing to change his mind or stand his ground.

Binder - 2. Resolution C.S. No. C-3629 - Resolution to appoint a Vice-Chairman of the Parish Council for the calendar year 2013. (All Members)

Bellisario - moved to nominate Reid Falconer, second by Tanner.

Canulette - moved to close nominations, second by Artigue.

Bellisario - moved to appoint Reid Falconer, second by Tanner. Unanimous with 2 absent (Thompson, Smith).

Falconer - he thanks he colleagues for the appointment. It is an honor for him to serve. He would like to point out that his best friend, his wife, Celeste is here to support him.

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

Ord. Cal. No. 4927

Ord. Cal. No. 4936

Resolution C.S. No. C-3621

Resolution C.S. No. C-3622

Resolution C.S. No. C-3625

Resolution C.S. No. C-3626

Resolution C.S. No. C-3627

Consent Calendar less items pulled:

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

December 6, 2012

Council Committee Meeting

CANCELLED

ORDINANCES FOR INTRODUCTION

(Public Hearing: February 7, 2013)

2. Ord. Cal. No. 4934 - Ordinance amending the official Parish Zoning Map to reclassify 22,000 square feet located south side of D.G. Holley Road, west of Watts Road, being 38196 D. G. Holley Road, Pearl River from HC-2 (Highway Commercial District) to A-4 (Single-Family Residential District). (Ward 8, District 11) (ZC12-12-116) (ZC approved 12/4/12) (Gould/Brister)

3. Ord. Cal. No. 4935 - Ordinance amending the official Parish Zoning Map to reclassify 2.64 acres located east and west of 7th Street, south LA Highway 36 from A-4-A (Single-Family Residential District) to HC-2 (Highway Commercial District). (Ward 3, District 2) (ZC12-12-117) (ZC approved 12/4/12) (Gould/Brister)

5. Ord. Cal. No. 4937 - Ordinance amending the official Parish Zoning Map to reclassify 28,800 square feet located north of 4th Street, east of Edna Street, south of 3rd Street, being lot 59-B, Town of Mailleville, Covington from NC-4 (Neighborhood Institutional District) to MD-1 (Medical Residential District). (Ward 3, District 2) (ZC12-12-120) (ZC approved 12/4/12) (Gould/Brister)

6. Ord. Cal. No. 4938 - Ordinance amending the official Parish Zoning Map to reclassify 10,340 square feet located west of US Highway 11, south of Carr Drive, being 4961 Pontchartrain Drive, Slidell from CB-1 (Community Based facilities District) to HC-1 (Highway Commercial District). (Ward 9, District 13) (ZC12-12-121) (ZC approved 12/4/12) (Gould/Brister)

7. Ord. Cal. No. 4939 - 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 a portion of voting Precinct 914. (Ward 8, District 14) (Smith)

8. Ord. Cal. No. 4940 - Ordinance amending the official Parish Zoning Map to reclassify 3.48 acres located west of Patrick Lane, south of Rogers Hill Road from A-1 (Suburban District) to A-2 (Suburban District). (Ward 3, District 2) (ZC12-12-124) (ZC approved 12/4/12) (Gould/Brister)

9. Ord. Cal. No. 4941 - Ordinance amending the official Parish Zoning Map to reclassify 1.5 acres located south of LA Highway 22, east of Guste Island Road from NC-4 (Neighborhood Institutional District) to A-2 (Suburban District). (Ward 1, District 4) (ZC12-12-125) (ZC approved 12/4/12) (Gould/Brister)

10. Ord. Cal. No. 4942 - Ordinance amending the official Parish Zoning Map to reclassify 202.43 acres located north and south of Charlene Drive, and east and west of Emily Court and Casey Court, west of Chris Kennedy Road from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 6, District 11) (ZC12-12-126) (ZC approved 12/4/12) (Gould/Brister)

11. Ord. Cal. No. 4943 - Ordinance to Amend the 2013 Operating Budget - Amendment No. 1. (Gould/Brister)

12. Ord. Cal. No. 4944 - Ordinance to ratify/amend/rescind Ordinance C.S. No. 12-2845 adopted October 4, 2012, amending the official Parish Zoning Map to reclassify 0.097 acre located south of La. Highway 1088, east of Forest Brook Blvd from A-2 (Suburban District) to NC-2 (Indoor Retail and Service District). (Ward 4, District 7) (Gould/Brister) (Ward 4, District 7) (Gould/Brister)

13. Ord. Cal. No. 4945 - 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. (Binder)

RESOLUTIONS

1. Resolution C.S. No. C-3614 - Resolution to approve and authorize the Parish President to sign and/or execute a Water Interconnection Agreement between the Parish and Guste Island Utility Co., Inc. (Ward 1, District 4) (Gould/Brister)

2. Resolution C.S. No. C-3615 - Resolution to approve and authorize the Parish President to sign and/or execute a Water Interconnection Agreement between the Parish and H2O Systems, Inc. (Ward 4, Districts 5, 10) (Gould/Brister)

3. Resolution C.S. No. C-3616 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards to make changes to the Capital Improvements List - Fixed Assets. (Gould/Brister)

4. Resolution C.S. No. C-3617 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards to make changes to the Capital Improvements List - Other. (Gould/Brister)

5. Resolution C.S. No. C-3618 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards to make changes to the Capital Improvements List - District 1 - (Fund 301). (Gould/Brister)

6. Resolution C.S. No. C-3619 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards to make changes to the Capital Improvements List - Bond Roads - (Fund 300-01). (Gould/Brister)

7. Resolution C.S. No. C-3620 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards. (Gould/Brister)

10. Resolution C.S. No. C-3623 - A Resolution establishing Performance and Warranty Obligations. (Gould/Brister)

11. Resolution C.S. No. C-3624 - Resolution to declare urgent need for the purposes of obtaining funding for removing non-hazardous items from the Green Property through the Office of Community Development. (Gould/Brister)

END OF CONSENT CALENDAR

Dean - moved to adopt the consent calendar less items pulled, second by Sharp. Unanimous with 2 absent (Thompson, Smith).

Binder - 1. Ord. Cal. No. 4927 - Ordinance to revoke a portion of Emerald Forest Boulevard right-of-way, located in Ward 3, District 2. (Rev12-11-005) (PC approved 11/13/12) (Tabled 12/6/12)

Gould - this is actually in District 5 and needs to be postponed.

Gould - moved to postpone to the next Council meeting, second by Canulette. Unanimous with 2 absent (Thompson, Smith).

Binder - 4. Ord. Cal. No. 4936 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Section 5.1004 B.3. A-4-A (Single Family Residential District), relative to side yard setbacks. (ZC12-12-119) (ZC approved 12/4/12) (Gould/Brister)

Gould - he has researched this and thinks it is appropriate to introduce it, and then work on it to make sure no harm will come from it in the future.

Gould - moved to introduce, second by Stefancik.

Binder - 8. Resolution C.S. No. C-3621 - Resolution to approve the appointment of Don Shea as Director of the Department of Economic Development for the remainder of the 2012-2015 Parish President's term of office. (Gould/Brister)

Tanner - moved to approve, second by Bellisario. Unanimous with 2 absent (Thompson, Smith).

Pat Brister - she is delighted to introduce Don Shea. He is moving here from Jacksonville, Florida and will begin work on January 28th.

Don Shea - he considers him self to be a collaborative guy and is looking forward to working with the staff and public.

Binder - 9. Resolution C.S. No. C-3622 - Resolution to approve the appointment of Beverly Gariepy as Chief Financial Officer for the remainder of the 2012-2015 Parish President's term of office. (Gould/Brister)

Groby - moved to approve, second by Falconer. Unanimous with 2 absent (Thompson, Smith).

Brister - it is an honor to introduce Beverly Gariepy who will be replacing Kim Salter in October. This is a new position which is a combination of Ms. Salter's job and taking on some of the responsibilities regarding Finance.

Beverly Gariepy - she is delighted to serve this Parish. She is looking forward to working with Ms. Salter and is ready to start.

Binder - 12. Resolution C.S. No. C-3625 - Resolution to approve and authorize the Parish President to sign and/or execute a Cooperative Endeavor Agreement by and between the Parish of St. Tammany and the Archdiocese of New Orleans (ANO). (Infrastructure Improvements for Judge Tanner Drive Extension/Holy Trinity Drive, and ANO Projects) (Gould/Brister)

Terry Stevens - he is there representing Dove Park Road and concerned citizens of the area. They would like this to be tabled, so they can review the agreement to make some clarifications. They are concerned the Archdiocese has some rental units that should be zoned as multifamily and are actually zoned medical. The MD-1 zoning classification does not all the Planning Director to make any changes in that zoning. They feel the area needs to be rezoned as multifamily or the matter needs to be tabled until clarification can be made.

Jeff Schoen - this agreement is the result of the hard work of the Archdiocese and many discussions as it relates to this property and safety. This resolution only provides the president may sign the agreement. It does not make it incumbent that she sign it. The agreement can be adjusted if necessary. The infrastructure which will be built on this property will improve the entire area, including the expansion of Judge Tanner Blvd.

Sidney Fontenot - the Zoning Commission approved the rezoning to MD-1. When it comes time to issue a building permit, the Archdiocese will have to provide a business plan to the Planning Department for review.

Kelly Kreminski - she lives on Brookstone Drive. With all the confusion surrounding this property, wouldn't it be better to table it for one month to allow the citizens time to review the agreement?

Gould - all this agreement does is lock down the buffers, the property set aside for conservancy, and the allowed hours of construction. It puts all of the agreements from the public hearings of the last 2 years on paper. This is not a zoning case. The zoning is set and the archdiocese will have to provide the Department of Development with the land uses for each area of the property before anything can be developed. Then the Department of Development will review the plans for the uses and only approve them if they comply with the particular zoning.

Schoen - the Archdiocese had a few steps to go through to reach this point: 1. They created a minor subdivision which created these lots of record. The subdivision was approved by the Planning Commission, so they will not have to go before the Commission again, but they still have to comply with all of the planning and subdivision regulations. 2. They had the zoning classifications changed to show what the intended land uses would be and 3. Now they are confirming all of their commitments to the Public and the Parish in a written endeavor agreement. Once the agreement is signed, they can go ahead with the project, but a shovel cannot be put in the ground without procuring permits first and all of the lots have to be in compliance with the law.

Bob McDaniel - he lives at 500 Dove Park - the Archdiocese made an agreement with Westwood, but they did not give him or any of his neighbors a buffer, and he feels once everything is build, it will hurt his property values. He would like a 50 foot no cut buffer. They essentially forgot about the residents on the eastside.

Gould - moved to adopt, second by Canulette. Unanimous with 2 absent (Thompson, Smith).

Binder - 13. Resolution C.S. No. C-3626 - Resolution limiting the Parish Council from referring rezoning cases to the Zoning Commission. (Gould/Brister)

Bellisario - as far as he is concerned, something needs to be done to stop Council referrals to the Zoning and Planning Commissions. However, he feels that exceptions to the rule need to be added in case something is found to be in conflict with Comprehensive Rezoning.

Gould - he wanted to get this topic out there and open for discussion.

Bellisario - moved to refer to the Council Agenda Review Committee. Unanimous with 2 absent (Thompson, Smith)

Binder - 14. Resolution C.S. No. C-3627 - Resolution authorizing Parish Sales Tax District No. 3 to proceed with the issuance of not to exceed Forty-Four Million Three Hundred Fifty Thousand Dollars (\$44,350,000) of Sales Tax Refunding Bonds; providing certain terms of said bonds; making application to the State Bond Commission for approval of said Bonds; employing professionals in connection therewith; and providing for other matters in connection therewith. (Bellisario and Binder)

Binder - regarding this refinancing, he, Mrs. Brister and Mr. Bellisario meet with Jim Ryan of Government Consultants to discuss the benefits of refinancing and in this case, there is an opportunity to save a lot of money. Mr. Ryan also met 6 other Council Members in two additional meetings.

Jim Ryan - this proposal is to wok on refinancing the sales tax bonds for Sales Tax District No. 3, which could save the Parish \$1.2 Million. Adopting this resolution allows him and Jason Akers of Foley Judell to apply to the Bond Commission for the approval to refinance. If the market changes and the savings disappear, then the refinance will not happen. There are savings threshold laws that prevent them from refinancing if doing so falls below a certain savings level.

Bellisario - moved to adopt, second by Gould. Unanimous with 2 absent (Thompson, Smith).

APPEALS

Binder - 1. Ronald Goux appealing the Zoning Commission DENIAL on December 4, 2012 to rezone 10 acres located north of Brewster Road, south of I-12, west of LA Highway 21 from CB-1 (Community Based Facilities District) to HC-3 (Highway Commercial District).(Ward 1, District 1) (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.

Terry Hand - he has been notified by the property attorney that litigation will be filed in this matter asking for a declaratory judgment. Once it is filed, a district judge will rule on how this matter will be handled. Because of the litigation, no further action may be taken by the Council and he recommends postponing this matter indefinitely.

Dean - he is recusing himself from this matter due to his employment by a member of the Goux family.

Gould - moved to postpone indefinitely, second by Falconer. Motion passes with 11 yeas, 2 absent (Thompson, Smith) and 1 abstention (Dean).

Binder - 2. Michael Delaney appealing the Zoning Commission DENIAL on December 4, 2012 to rezone 1.057 acres located west of Thompson Road, south of Wesley Road from A-2 (Suburban District) and NC-2 (Indoor Retail and Service District) to HC-2 (Highway Commercial District). (Ward 9, District 11) (ZC12-12-115)

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.

Stefancik - is there anyone here in opposition to this?

Chris Nogas - with the Bayou Liberty Homeowner's association. He spoke to Mr. Delany before the meeting and is not sure if they are opposed to this or not. They just heard of it last night and wanted to understand what is happening to the existing building. They would not be opposed to neighborhood commercial zoning. He would like to let Mr. Delany speak.

Michael Delany - when he first appealed this, he was asking for HC-2 zoning because that what is was before comprehensive rezoning. He saw the advertisements for the comprehensive rezoning but did not understand that it included rezoning individual properties.

Nogas - they want to make sure this rezoning request is just for Mr. Delany's existing structure and will not allow any new construction on Thompson Road.

Stefancik and Fontenot - yes, it is just the existing building.

Fontenot - this clearly an office/retail facility, but the Zoning Commission was not comfortable with the possibility of a liquor store or alcohol sales which are allowed in HC-2.

Stefancik - this property is 500 feet from a church which would prevent a bar from operating there.

Fontenot - as long as the Parish does not change their regulations because the State regulation is only 300 feet.

Nogas - he would like this to be tabled so he may discuss it with the homeowners' association.

Delany - he is willing to drop to HC-1 as long as it happens quickly.

Stefancik - if the property is dropped to HC-1 will it accommodate the current business?

Fontenot - without knowing definitely, he would say yes.

Stefancik - moved to override the Zoning Commission denial and amending the Zoning to HC-1 instead of HC-2. Unanimous with 2 absent (Thompson, Smith).

Stefancik - moved to introduce, second by Canulette; becomes Ord. Cal. No. 4946.

ORDINANCES FOR ADOPTION

Binder - 1. Ord. Cal. No. 4914AA - Ordinance establishing a "No Parking Zone" on a portion of Dove Park Road (4-D-001) (Ward 4, District 5) (Introduced 11/1/12) (Amended and reintroduced 12/6/12)

Gould - this needs to be amended so the No Parking Zone extends from Little Creek Lane to 1050 Dove Park Road.

Gould - moved to amend, second by Artigue. Unanimous with 2 absent (Thompson, Smith); becomes Ord. Cal. No. 4914AA(2).

Gould - moved to postpone to the next Council meeting, second by Artigue. Unanimous with 2 absent (Thompson, Smith).

Binder - 2. Ord. Cal. No. 4915AA - Ordinance to amend the St. Tammany Parish Code of Ordinances, Section 2-009.00 Parish Fees and Service Charges, (B) Development, IV. Mandatory Impact Fees. (Introduced 11/1/12) (Amended and reintroduced 12/6/12)

Stefancik - he discussed this with Mr. Fontenot and feels the service area description needs to be amended to clarify it as unincorporated areas in Items C and D.

Sandra Slifer - she is glad to see drainage is mentioned a lot in this ordinance. She would like to get a copy of the referenced study showing how the fees were determined. At a Smart Growth conference she recently attended, there was a discussion on the real cost of development, and she wants to be sure this ordinance captures all of the costs.

Carlo Hernandez - he would also like a copy of the study, as he thinks it will answer many of his questions. Also, he believes industrial needs to be mentioned under the commercial designation.

Fontenot - they can provide copies of the study.

Tanner - this ordinance was introduced in November, which was enough time for anyone to obtain a copy of and review the study. He thinks it has been tabled enough and the Council needs to move forward with it. A lot of people have been waiting to build until this ordinance passed, and he thinks once it has been adopted, it will generate more jobs and money.

Carol Foss - from Pearl River, she wants to know why professional offices have bigger impact fees than industrial businesses.

Fontenot - because offices have a larger traffic impact. Industrial businesses have less parking lots and use aggregate materials in those lots.

Gould - offices also cause more drainage impact.

Stefancik - moved to amend, second by Tanner. Unanimous with 3 absent (Thompson, Artigue, Smith).

Bellisario - moved to adopt as amended, second by Tanner. Unanimous with 3 absent (Thompson, Artigue, Smith); becomes Ordinance C.S. No. 13-2876.

Binder - introduced Mandeville City Council Member David Ellis.

David Ellis - he is a member of the newly created oversight committee and they have a significant agenda for there next meeting. He encourages everyone to attend the meeting and call him with questions. He represents District 1, West Mandeville.

Binder - 3. Ord. Cal. No. 4916 -Ordinance amending the Official Parish Zoning Map to reclassify 15.55 acres located north of Emerald Forest Blvd, East of Falconer Drive to a PUD (Planned Unit Development Overlay). (Ward 3, District 5) (ZC12-08-076) (ZC approved 11/7/12) (Introduced 12/6/12)

Gould - moved to postpone to the next Council meeting, second by Falconer. Unanimous with 3 absent (Thompson, Artigue, Smith).

Binder - 4. Ord. Cal. No. 4917 - Ordinance amending the Official Parish Zoning Map to reclassify 15.55 acres located north of Emerald Forest Blvd, East of Falconer Drive from NC-4 (Neighborhood Institutional District), NC-1 (Professional Office District) and A-7 (Multiple Family Residential District) to A-4-A (Single-family Residential District). (Ward 3, District 5) (ZC12-08-077) (ZC approved 11/7/12) (Introduced 12/6/12)

Gould - moved to postpone to the next Council meeting, second by Falconer. Unanimous with 3 absent (Thompson, Artigue, Smith).

Binder - 5. Ord. Cal. No. 4918 - Ordinance amending the Official Parish Zoning Map to reclassify 1.5 acres located east of LA Highway 450, north of Starwood Ranch Road from A-1 (Suburban District) to A-1 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 2, District 3) (ZC12-11-105) (ZC approved 11/7/12) (Introduced 12/6/12)

Dean - moved to adopt, second by Gould. Unanimous with 4 absent (Thompson, Canulette, Artigue, Smith); becomes Ordinance C.S. No. 13-2877.

Binder - 6. Ord. Cal. No. 4919 - Ordinance amending the Official Parish Zoning Map to reclassify 5 acres located east of Jim Loyd Road, south of LA Highway 40 from A-1 (Suburban District) to A-1 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 2, District 3) (ZC12-11-107) (ZC approved 11/7/12) (Introduced 12/6/12)

Gould - moved to adopt, second by Sharp. Unanimous with 4 absent (Thompson, Canulette, Artigue, Smith); becomes Ordinance C.S. No. 13-2878.

Binder - 7. Ord. Cal. No. 4920 - Ordinance amending the Official Parish Zoning Map to reclassify 1.4 acres located on the southeast corner of Harrison Avenue and Fuchsia Street from A-2 (Suburban District) to PF-1 (Public Facilities District). (Ward 3, District 5) (ZC12-11-109) (ZC approved 11/7/12)(Introduced 12/6/12)

Gould - moved to adopt, second by Falconer. Unanimous with 4 absent (Thompson, Canulette, Artigue, Smith); becomes Ordinance C.S. No. 13-2879.

Binder - 8. Ord. Cal. No. 4921 - Ordinance amending the Official Parish Zoning Map to reclassify 2.40 acres located west of LA Highway 434, South of I-12 from A-1 (Suburban District) and PF-2 (Public Facilities District) to SWM-1 (Solid Waste Management District). (Ward 7, District 7) (ZC12-11-110) (ZC approved 11/7/12) (Introduced 12/6/12)

Groby - Mr. Schoen - has construction begun on this project?

Jeff Schoen - not yet, but they hope to start construction by the end of the first quarter once the infrastructure has been built.

Groby - moved to adopt, second by Stefancik. Unanimous with 4 absent (Thompson, Canulette, Artigue, Smith); becomes Ordinance C.S. No. 13-2880.

Binder - 9. Ord. Cal. No. 4922 - Ordinance amending the Official Parish Zoning Map to reclassify 20.66 acres located west of LA Highway 434, South of I-12 from A-1 (Suburban District) and I-2 (Industrial District) to HC-3 (Highway Commercial District). (Ward 7, District 7) (ZC12-11-111) (ZC approved 11/7/12) (Introduced 12/6/12)

Grobby - moved to adopt, second by Stefancik. Unanimous with 4 absent (Thompson, Canulette, Artigue, Smith); becomes Ordinance C.S. No. 13-2881.

Binder - 10. Ord. Cal. No. 4923 - Ordinance amending the Official Parish Zoning Map to reclassify 2.4 acres located north of LA Highway 1088, west of Soutl Street from A-3 (Suburban District) to PF-1 (Public Facilities District). (Ward 4, District 5) (ZC12-11-112) (ZC approved 11/7/12)(Introduced 12/6/12)

Gould - moved to adopt, second by Tanner. Unanimous with 4 absent (Thompson, Canulette, Artigue, Smith); becomes Ordinance C.S. No. 13-2882.

Binder - 11. Ord. Cal. No. 4924 - Ordinance amending the Official Parish Zoning Map to reclassify 0.424 acre located on the northwest corner of US Highway 190 and Richardson Street from PUD (Planned Unit Development Overlay) to PF-1 (Public Facilities District). (Ward 1, District 3) (ZC12-11-113) (ZC approved 11/7/12) (Introduced 12/6/12)

Dean - moved to adopt, second by Sharp. Unanimous with 4 absent (Thompson, Canulette, Artigue, Smith); becomes Ordinance C.S. No. 13-2883.

Binder - 12. Ord. Cal. No. 4925 -Ordinance amending the Official Parish Zoning Map to reclassify 0.99 acre located east of Wilkinson Road, north of McGee Road from A-1 (Suburban District) to A-1 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 1, District 3) (ZC12-11-114) (ZC approved 11/7/12) (Introduced 12/6/12)

Dean - moved to adopt, second by Gould. Unanimous with 4 absent (Thompson, Canulette, Artigue, Smith); becomes Ordinance C.S. No. 13-2884.

Binder - 13. Ord. Cal. No. 4926 - 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 Lalanne Road North to Azalea Drive. (Ward 1, District 1) (Introduced 12/6/12)

Dean - moved to adopt, second by Sharp. Unanimous with 4 absent (Thompson, Canulette, Artigue, Smith); becomes Ordinance C.S. No. 13-2885.

Binder - 14. Ord. Cal. No. 4928 - Ordinance accepting finalized subdivisions into the Road and Drainage Inventories, specifically entering the right-of-way of Abita Avenue within Abita Terrace Subdivision. (Ward 3, District 5) (Introduced 12/6/12)

Gould - moved to postpone to the next Council meeting, second by Sharp. Unanimous with 4 absent (Thompson, Canulette, Artigue, Smith).

Binder - 15. Ord. Cal. No. 4929 - Ordinance to correct the Road and Drainage Inventory to include River Bend Drive; C. Gottie Road Lateral; and Highway 437 Lateral. (Wards 1, 2 & 3; Districts 2 & 3) (Introduced 12/6/12)

Sharp - moved to adopt, second by Dean. Unanimous with 4 absent (Thompson, Canulette, Artigue, Smith); becomes Ordinance C.S. No. 13-2886.

Binder - 16. Ord. Cal. No. 4930 - Ordinance to amend the Parish Code of Ordinances, Chapter 15, Article II, Watercraft Speed Limits, to establish a "Dead Slow, No Wake" Zone on the Highway 11 Canal, a portion of the Morgan River and a portion of the Bogue Falaya River. (Wards 3, 8, 9; Districts 5, 9, 13) (Introduced 12/6/12)

Bellisario - moved to adopt, second by Canulette. Unanimous with Unanimous with 4 absent (Thompson, Gould, Artigue, Smith); becomes Ordinance C.S. No. 13-2887.

Binder - 17. Ord. Cal. No. 4931 - Ordinance to amend the 2012 Operating Budget - Amendment No. 10. (Introduced 12/6/12)

Canulette - moved to adopt, second by Groby. Unanimous with Unanimous with 4 absent (Thompson, Gould, Artigue, Smith); becomes Ordinance C.S. No. 13-2888.

Binder - 18. Ord. Cal. No. 4932 - Ordinance amending the official Parish Zoning Map to reclassify 8.901 located on the southeast corner of LA Highway 1077 & LA Highway 1085 from HC-2 (Highway Commercial District) to HC-2A (Highway Commercial District). (Ward 1, District 1) (ZC12-10-099) (Introduced 12/6/12)

Dean - moved to adopt, second by Tanner. Unanimous with Unanimous with 4 absent (Thompson, Gould, Artigue, Smith); becomes Ordinance C.S. No. 13-2889.

Binder - 19. Ord. Cal. No. 4933 - Ordinance amending the official Parish Zoning Map to reclassify 1.66 acres located east of 8th Street & west of 9th Street, south of LA Highway 36 from A-4A (Suburban District) to HC-2 (Highway Commercial District), (Ward 3, District 2). (ZC12-11-108) (Introduced 12/6/12)

Sharp - moved to adopt, second by Tanner. Unanimous with Unanimous with 4 absent (Thompson, Gould, Artigue, Smith); becomes Ordinance C.S. No. 13-2890.

NOMINATIONS

Binder - 1. Appoint one (1) individual to the Board of Commissioners of St. Tammany Recreation District No. 16. (Districts 8, 9, 11, 12, 13, 14) (Tabled 12/6/12) (Smith)

Bellisario - moved to postpone to the next Council meeting, second by Canulette. Unanimous with Unanimous with 4 absent (Thompson, Gould, Artigue, Smith).

Binder - 2. Appoint two (2) individuals to the Board of Commissioners of St. Tammany Recreation District No. 10. (Districts 1, 2, 3, 4, 5) (Gould)

Dean - moved to appoint Trey Blackall and Payse Williams, second by Sharp. Unanimous with 4 absent (Thompson, Gould, Artigue, Smith); becomes Resolution C.S. No. C-3637.

APPOINTMENTS

Binder - 1. Resolution to reappoint David Root (term expired) to St. Tammany Parish Fire Protection District No. 8. (Tanner)

Tanner - moved to reappoint, second by Groby. Unanimous with 4 absent (Thompson, Gould, Artigue, Smith); becomes Resolution C.S. No. C-3638.

Binder - 2. Resolution to appoint Matt Dennis to replace Harvey Hayden (moved out of district) to St. Tammany Parish Fire Protection District No. 9. (Tanner)

Tanner - moved to appoint, second by Stefancik. Unanimous with 4 absent (Thompson, Gould, Artigue, Smith); becomes Resolution C.S. No. C-3630.

Binder - 3. Resolution to appoint George Cascino to St. Tammany Parish Gravity Drainage District No. 5. (Binder)

Dean - moved to appoint, second by Stefancik. Unanimous with 4 absent (Thompson, Gould, Artigue, Smith); becomes Resolution C.S. No. C-3631.

DISCUSSIONS AND OTHER MATTERS

Binder - 1. Motion to refer to the Zoning Commission for recommendation the proposed rezoning of 0.924 acre bearing physical address 38184 D.G. Holley Road, Pearl River, from HC-2 (Highway Commercial District) to A-4 (Single Family Residential). (Ward 8, District 11) (Stefancik)

Stefancik - moved to refer, second by Canulette. Unanimous with 4 absent (Thompson, Gould, Artigue, Smith).

Bellisario - moved to open the Off-the-Floor Agenda, second by Dean. Unanimous with 4 absent (Thompson, Gould, Artigue, Smith).

Binder - this item needs to be included in the Executive Session.

ITEMS OFF-THE-FLOOR

Binder - 1. Executive Session: Oil Spill by the Oil Rig "Deepwater Horizon"; Case No. 2:10-CV-09999-CJB-SS; USDC Eastern District. (Gould)

Falconer - moved to enter Executive Session, second by Tanner. Unanimous with 4 absent (Thompson, Gould, Artigue, Smith).

EXECUTIVE SESSION

Bellisario - moved to come out of Executive Session, second by Groby. Unanimous with 4 absent (Thompson, Gould, Artigue, Smith).

Binder - 1. Suevelma Alexander vs. St. Tammany Parish, 22nd JDC No. 2010-13197.

Canulette - moved to adopt a Resolution accepting the recommendation of the Assistant District Attorney, second by Groby. Unanimous with 4 absent (Thompson, Gould, Artigue, Smith); becomes Resolution C.S. No. C-3632.

Binder - 2. Sarah Jambon vs. St. Tammany Parish, 22nd JDC No. 2009-16745.

Binder - no action is necessary in this matter.

Binder - 3. Brittney Johnson vs. St. Tammany Parish, 22nd JDC No. 2012-13792.

Tanner - moved to adopt a Resolution accepting the recommendation of the Assistant District Attorney, second by Canulette. Unanimous with 4 absent (Thompson, Gould, Artigue, Smith); becomes Resolution C.S. No. C-3633.

Binder - 4. Wallace Ruiz vs. St. Tammany Parish, 22nd JDC No. 2007-14243.

Gould - moved to adopt a Resolution accepting the recommendation of the Assistant District Attorney, second by Falconer. Unanimous with 4 absent (Thompson, Gould, Artigue, Smith); becomes Resolution C.S. No. C-3634.

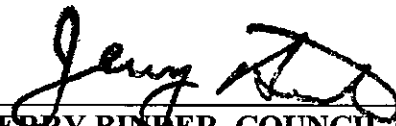
Binder - 5. George and Christy Bloom, Henry & Melanie Billiot, Mike & Laura Massey and Ross & Lynette Davis vs. JPE, Inc., The Parish of St. Tammany and Allied Insurance Group, 22nd JDC No. 2007-12334. (Legal Department)

Gould - moved to adopt a Resolution accepting the recommendation of the Assistant District Attorney, second by Dean. Unanimous with 4 absent (Thompson, Gould, Artigue, Smith); becomes Resolution C.S. No. C-3635.

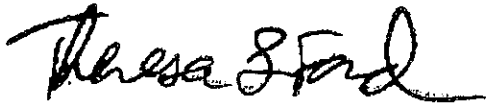
Binder - 1. Executive Session: Oil Spill by the Oil Rig "Deepwater Horizon"; Case No. 2:10-CV-09999-CJB-SS; USDC Eastern District. (Gould)

Tanner - moved to adopt a Resolution accepting the recommendation of the Assistant District Attorney, second by Canulette. Unanimous with 4 absent (Thompson, Gould, Artigue, Smith); becomes Resolution C.S. No. C-3636.

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



JERRY BINDER, COUNCIL CHAIRMAN



THERESA L. FORD, COUNCIL CLERK