

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, JUNE 02, 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) Introduction of the Junior Council Member for June - Joseph Kelley. (Binder)
- 2) Presentation of Certificate of Recognition to the East St. Tammany Chamber of Commerce for receiving 5 Star Accreditation. (Hamauei)
- 3) Presentation of Certificate of Recognition to Cody Hosch for creating "Cody Cares" and distributing backpacks to the homeless.(Gould)
- 4) Presentation by Mary Toti, Executive Director of COAST, regarding the finances and activities of the Council on Aging. (Gould/Davis)
- 5) Presentation by Billy Nungesser, Plaquemines Parish President, of an update on the oil spill. (Gould/Davis)

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 - May 5, 2011

Council Committee Meeting - May 25, 2011

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ORDINANCES FOR INTRODUCTION
(Public Hearing July 7, 2011)

1. Ord. Cal. No. 4571 - Ordinance amending the Official Parish Zoning Map to reclassify 8.93 acres located north of Judge Tanner Boulevard Extension, east of Westwood Drive from A-1 (Suburban District) to CB-1 (Community Based Facilities District). (Ward 4, District 5) (ZC11-05-039) (Zoning Commission approved 5/3/11) (Gould/Davis)

2. Ord. Cal. No. 4572 - Ordinance amending the Official Parish Zoning Map to reclassify 45.20 acres located north of Judge Tanner Boulevard Extension, east of Westwood Drive from A-1 (Suburban District) to PF-1 (Public Facilities District). (Ward 4, District 5) (ZC11-05-040) (Zoning Commission approved 5/3/11) (Gould/Davis)

3. Ord. Cal. No. 4573 - Ordinance amending the Official Parish Zoning Map to reclassify 5,500 square feet located west of Oak Street, south of Sycamore Avenue, north of Birch Avenue, being lots 31 & 32, Square 6, Beverly Hills Subdivision from A-4 (Single-Family Residential District) to A-4 (Single-Family Residential District) & MHO (Manufactured Housing Overlay). (Ward 8, District 14) (ZC11-05-041) (Zoning Commission approved 5/3/11) (Gould/Davis)

4. Ord. Cal. No. 4574 - Ordinance amending the Official Parish Zoning Map to reclassify 1.84 acres located north & south of Charlene Lane, east of Carol Lane, west of Elaine Lane, being lots 70 & 76, Ramsey Estates from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 3, District 3) (ZC11-05-042) (Zoning Commission approved 5/3/11) (Gould/Davis)

5. Ord. Cal. No. 4575 - Ordinance amending the Official Parish Zoning Map to reclassify 3.33 acres located along Bayou Court, west of LA Highway 59, being Lots 1, 2, 5, 6, 7 & 8, Project 59 Subdivision from HC-3 (Highway Commercial District) to I-2 (Industrial District). (Ward 3, District 3) (ZC11-05-043) (Zoning Commission approved 5/3/11) (Gould/Davis)

6. Ord. Cal. No. 4576 - Ordinance amending the Official Parish Zoning Map to reclassify 1.65 acres located west of LA Highway 59, north of Emile Strain Road, south of Florence Road from HC-2 (Highway Commercial District) to an I-1 (Industrial District). (Ward 4, District 7) (ZC11-05-044) (Zoning Commission approved 5/3/11) (Gould/Davis)

7. Ord. Cal. No. 4577 - Ordinance amending the Official Parish Zoning Map to reclassify 8.13 acres located west of 4th Avenue, south of Helenbirg Road from A-2 (Suburban District) to A-3 (Suburban District). (Ward 3, District 5) (ZC11-05-045) (Zoning Commission approved 5/3/11) (Gould/Davis)

8. Ord. Cal. No. 4578 - Ordinance to amend the 2011 Operating Budget - Amendment No. 5. (Gould/Davis)

9. Ord. Cal. No. 4579 - Ordinance to correct the Road and Drainage Inventory to include Bivins Road, Monterey Pond, Bull Run Lateral, East Powerline Road Lateral, West Cherrywood Lane Lateral, and an extension to Bessie Booth Road. (Wards 2, 4, 8 & 9) (Districts 3, 6 & 10) (Gould/Davis)

10. Ord. Cal. No. 4580 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain parcels, rights of way and/or servitudes for Cours Carson drainage improvements. (Gould/Davis)

11. Ord. Cal. No. 4581 - Ordinance to authorize the Parish President to acquire certain parcels, rights of way and/or servitudes for the Highway 59 at Highway 1088 Right Turning Lane Project. (Gould/Davis)

12. Ord. Cal. No. 4582 - Ordinance to authorize the Parish President to acquire certain parcels, rights of way and/or servitudes for Project Icebox Infrastructure-84 Lumber Road Connector. (Gould/Davis)

13. Ord. Cal. No. 4583 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain parcels, rights of way and/or servitudes for Project Icebox Infrastructure-Old Military Road Turning Lane. (Gould/Davis)

14. Ord. Cal. No. 4584 - Ordinance to amend Ordinance C.S. No. 10-2357, adopted October 7, 2010, which established and validated rates and fees for sewerage and water services provided by systems owned and operated by the Parish. (Gould/Davis)

15. Ord. Cal. No. 4585 - Ordinance to authorize the Parish President to enter into an inter-governmental agreement with the St. Tammany Parish School Board for the transfer of property in and around The Learning Center. (Gould/Davis)

16. Ord. Cal. No. 4586 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire all certain parcels and/or rights of way for Learning Center Boulevard. (Gould/Davis)

17. Ord. Cal. No. 4587 - Ordinance establishing the placement of a "Do Not Enter" Sign on Westwood Drive at its intersection with Dove Park Road, and the entrance to Westwood Estates Subdivision. (Ward 4, District 5) (Gould)

18. Ord. Cal. No. 4588 - Ordinance establishing the placement of a "Do Not Enter" Sign on Westwood Drive at its intersection with Sharp Road, and the entrance to Westwood Estates Subdivision. (Ward 4, District 5) (Gould)

19. Ord. Cal. No. 4589 - Ordinance to extend for an additional six (6) months the moratorium on the approval of rezoning, issuance of conditional use permits and issuance of plan review permits, not previously received, for property abutting the Louisiana Highway 21 Planned Corridor from Keys Road North to Azalea Drive. (Ward 1, District 1) (Dean)

20. Ord. Cal. No. 4590 - Ordinance providing for the incurring of debt and issuance of Not Exceeding \$ 2,000,000 in Parish Sales Tax Bonds, Series 2011 (Jail). (Gould/Davis)

RESOLUTIONS

1. Resolution C.S. No. C-3126 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 12.6 acres from Parish HC-2 (Highway Commercial District) to City of Slidell C-4 (Highway Commercial District) located adjacent to I-10 Service Road (Lindberg Drive) and Mckinney Road (Ward 8, District 14) (SL2011-03) (Gould/Davis)

2. Resolution C.S. No. C-3127 - Resolution to concur/not concur with the Town of Pearl River annexation and rezoning of 0.82 acre from Parish A-2 (Suburban District) to Town of Pearl River R-1 (Residential District) located at 40012 Old Highway 11. (Ward 8, District 6) (PR2011-02) (Gould/Davis)

3. Resolution C.S. No. C-3128 - Resolution to concur/not concur with the Town of Pearl River annexation and rezoning of 1.1939 acres from Parish A-2 (Suburban) and PF-2 (Public Facilities District) to Town of Pearl River R-1 (Residential District) located at 40008 Old Highway 11. (Ward 8, District 6) (PR2011-03) (Gould/Davis)

4. Resolution C.S. No. C-3129 -Resolution Establishing Performance and Warranty Obligations. (Gould/Davis)

5. Resolution C.S. No. C-3130 - 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)

6. Resolution C.S. No. C-3131 - 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 5 Capital Improvements List. (Gould/Davis)

7. Resolution C.S. No. C-3132 - 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)

8. Resolution C.S. No. C-3133 - 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 8 Capital Improvements List. (Gould/Davis)

9. Resolution C.S. No. C-3134 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Facilities) (Gould/Davis)

10. Resolution C.S. No. C-3135 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

11. Resolution C.S. No. C-3136 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Facilities) (Gould/Davis)

12. Resolution C.S. No. C-3137 - Resolution to approve and authorize the Parish President to sign and/or execute a wastewater utility service agreement between the Parish and Utilities, Inc. of Louisiana for the purpose of providing sewerage capacity and improvements to the west half of the intersection of Interstate 12 and Louisiana Highway 21. (Gould/Davis)

13. Resolution C.S. No. C-3138 - Resolution to approve and authorize the Parish President to sign and/or execute a cooperative endeavor agreement between the parish and St. Tammany Humane Society. (Gould/Davis)

14. Resolution C.S. No. C-3139 - Resolution to approve and authorize the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and the City of Covington. (Gould/Davis)

15. Resolution C.S. No. C-3140 - Resolution to approve and authorize the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and the Northshore Harbor Convention Center. (Gould/Davis)

16. Resolution C.S. No. C-3141 - Resolution to approve and authorize the Parish President to advertise for bids for the construction of the drainage improvements for Huntwyck Village Subdivision, Phase I. (Gould/Davis)

17. Resolution C.S. No. C-3142 - Resolution to request the President of the United States to consider Commander John B. Wells, USN (Retired), for the appointment as Chairman of the Board of Veterans' Appeals. (Burkhalter)

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18. Resolution C.S. No. C-3143 - Resolution to vacate in part, the moratorium established by Ordinance C.S. No. 11-2465 on issuance of building permits for construction or placement of building structures on property within a portion of unincorporated Alton Subdivision. (Ward 9, District 14) (Burkhalter)

END OF CONSENT CALENDAR

APPEALS

1. John and Rayelyn Cerniglia for the Platinum Holding Group appealing the Zoning Commission DENIAL on April 5, 2011 to rezone 56,959 square feet located west of Coffee Street, north of Florida Street from HC-2 (Highway Commercial District) to A-8 (Multiple Family Residential District). (Ward 4, District 10) (ZC11-04-031)

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.

2. Rick Wilke appealing the Zoning Commission APPROVAL, as amended, of a proposed Ordinance to amend the Unified Development Code, Volume I (Zoning), Section 5.1704A (NC-4 Maximum Building Size), Section 5.1804A (NC-5 Maximum Building Size) and Section 5.1904A (NC-6 Maximum Building Size). (NOTE: Amendment changed maximum building size to 15,000 feet in NC-6 only)(ZC11-05-035)

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. Anthony and Laurie Margiotta appealing the Zoning Commission DENIAL on May 3, 2011 to rezone 2 acres located north of Brewster Road, west of Powerline Road from A-2 (Suburban District) to A-5 (Two Family Residential District). (Ward 1, District 1) (ZC11-05-038)

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. 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, 3/3/11, 4/7/11 & 5/5/11)

2. 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) (Introduced 4/7/11) (Tabled 5/5/11)

3. Ord. Cal. No. 4540 - Ordinance amending the 2010 Operating Budget. (Introduced 4/7/11) (Reintroduced 5/5/11)

4. Ord. Cal. No. 4549 - Ordinance amending the Official Parish Zoning Map to reclassify 1 acre located east and west of Lazy R. Road, north of Gottschalk Road, being 76133 Lazy R. Road, Covington from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Mobile Home Overlay District). (Ward 1, District 1) (ZC11-04-023) (Gould/Davis)

5. Ord. Cal. No. 4550 - Ordinance amending the Official Parish Zoning Map to reclassify 13,050 square feet located north of Napoleon Road, east of Emma Street from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay District). (Ward 7, District 7) (ZC11-04-024) (Introduced 5/5/11)
6. Ord. Cal. No. 4551 - Ordinance amending the Official Parish Zoning Map to reclassify 1.09 acres located north of LA Highway 36, east of Homestead Street, being 21041 Highway 36, Covington from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District). (Ward 10, District 3) (ZC11-04-025) (Introduced 5/5/11)
7. Ord Cal. No. 4552 - Ordinance amending the Official Parish Zoning map to reclassify 35,000 square feet located north of LA Highway 22, east of Kathmann Drive, west of LA Highway 1085, being 1922 Highway 22, Madisonville from A-3 (Suburban District) to HC-1 (Highway Commercial District). (Ward 1, District 1) (ZC11-04-026) (Introduced 5/5/11)
8. Ord. Cal. No. 4553 - Ordinance amending the Official Parish Zoning map to reclassify 1.59 acres located west of Solar Court, east of LA Highway 59, south of South Lane from HC-2 (Highway Commercial District) to I-2 (Industrial District). (Ward 4, District 7) (ZC11-04-027) (Introduced 5/5/11)
9. Ord. Cal. No. 4554 - Ordinance amending the Official Parish Zoning map to reclassify 5.66 acres located west of Albert Thompson Road, south of La Highway 40 from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 3) (ZC11-04-028) (Introduced 5/5/11)
10. Ord. Cal. No. 4555 - Ordinance amending the Official Parish Zoning Map to reclassify 3.0 acres located west of LA Highway 437, south of K. Sharp Lane from A-1A (Suburban District) to A-2 (Suburban District). (Ward 3, District 2) (ZC11-04-029) (Introduced 5/5/11)
11. Ord. Cal. No. 4556 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Section 5, Zoning Districts, amending Section 5.2102 to provide for the inclusion of outdoor storage yards as an associated use to existing mini-warehouses. (ZC11-04-032) (Introduced 5/5/11)
12. Ord. Cal. No. 4557 - Ordinance to amend St. Tammany Parish Code of Ordinances, Chapter 7 Drainage and Flood Control, Article 1 Section 7-002.00 Use of Fill Materials Prohibited to provide for additional areas of special concern and regulations related thereto. (Introduced 5/5/11)
13. Ord. Cal. No. 4558 - Ordinance to authorize the Parish President to acquire certain parcels and dispose of certain parcels for North Shore Drive. (Introduced 5/5/11)
14. Ord. Cal. No. 4559 - Ordinance to enact Article XVI, Section 16-131.04 of the Parish Code of Ordinances setting up rates for the use of Tammany Trace Facilities. (Introduced 5/5/11)
15. Ord. Cal. No. 4560 - Ordinance to authorize the Parish President to acquire from Road Home Corporation, certain parcels, rights of way and/or servitudes. (Introduced 5/5/11)
16. Ord. Cal. No. 4561 - Ordinance restating and reenacting Section 2-007.01 and Section 02-007.02 of the Parish Code of Ordinances regarding the procedures to sell adjudicated property. (Introduced 5/5/11)
17. Ord. Cal. No. 4562 - Ordinance to correct the Road and Drainage Inventory to include Marina Drive Lateral; an extension to Royal Oak Street Lateral; and two (2) additional Royal Oak Street Laterals. (Ward 9, District 13). (Introduced 5/5/11)
18. Ord. Cal. No. 4563 - Ordinance to amend the 2011 Operating Budget - Amendment 4. (Introduced 5/5/11)
19. Ord. Cal. No. 4564 - Ordinance to extend for an additional six (6) months the moratorium on the placement of fill and on the issuance of permits for construction, renovation, improvement or placement of any building or structures on property within the boundaries of the subdivision known as Serenity Oaks. (Ward 9, District 14) (Introduced 5/5/11)

20. Ord. Cal. No. 4565 - Ordinance establishing a No Parking Zone on a portion of Glendale Heights Drive (4-D-183) (Ward 4, District 5) (Introduced 5/5/11)
21. Ord. Cal. No. 4567 - Ordinance amending the Official Parish Zoning Map to reclassify 9.059 acres located west of North Causeway Service Road, south of LA Highway 22, being 1438 North Causeway, Mandeville from NC-5 (Retail and Service District) to HC-2 (Highway Commercial District). (Ward 4, District 4) (ZC11-03-012) (Introduced 5/5/11)
22. Ord. Cal. No. 4568 - Ordinance to impose a six (6) month moratorium on the issuance of building permits for placement of manufactured homes and mobile homes on property situated in Section 14, Township 5 South, Range 11 East. (Ward 2, District 2) (Introduced 5/5/11)
23. Ord. Cal. No. 4569 - Ordinance amending the Official Parish Zoning Map to reclassify 3.4 acres located west of Cleo Road, north of Schneider Pkwy, being 63355 Cleo Road, Pearl River from A-4 (Single-Family Residential District) to I-2 (Industrial District). (Ward 8, District 9) (ZC11-05-037) (Introduced 5/5/11)
24. Ord. Cal. No. 4570 - Ordinance amending the Official Parish Zoning Map to reclassify 1.4 acres located east of Cleo Road, north of Schneider Pkwy, being 63031 Cleo Road, Pearl River from A-4 (Single-Family Residential District) to I-2 (Industrial District). (Ward 8, District 9) (ZC11-05-036) (Introduced 5/5/11)

APPOINTMENTS

1. Resolution to reappoint Hannah Rucker (term expired) to the Northshore Harbor Center District for Ward 8. (Burkhalter)

AWARD OF BIDS

BID ITEM: Parish Official Journal, July 1, 2011 - June 30, 2012

BID NUMBER: 502-03-11-18-2

DISCUSSIONS AND OTHER MATTERS

1. Motion to refer to the Zoning Commission for recommendation of proposed rezoning of 4.035 acres located in Section 30, Township 8 South, Range 15 East from A-1 (Suburban District) to NC-6 (Public, Cultural and Recreational District. (Ward 8, District 9) (Bellisario)
2. Motion to refer to the Zoning Commission for recommendation of a MHO (Manufactured Home Overlay) on 6.8 acres located at the end of Achee Road off Tantella Ranch Road and fronting LA Highway 1077. (Ward 1, District 1) (Dean)
3. Motion to refer to the Zoning Commission for recommendation of a MHO (Manufactured Home Overlay) on 10.0 acres located in Sections 26 and 27, Greensburg District. (Ward 6, District 6) (Howell)

EXECUTIVE SESSION

1. John L. Hendrix and Jean Marie Wolfe Hendrix v. St. Tammany Parish and the St. Tammany Parish Zoning Commission, 22nd Judicial District Court No. 2010-16976 "J".

