

PUBLISHED JUNE 30, 2011 AND POSTED AT PARISH COMPLEX BY JULY 1, 2011

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, JULY 07, 2011 AT 6:00PM
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.

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

Invocation by _____

Pledge of Allegiance by _____

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

PRESENTATIONS

1) PUBLIC HEARING: Resolution C.S. No. C-3148 - Resolution establishing millage rates for the year 2011. (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 and voted upon individually.

MINUTES

Regular Council Meeting - June 2, 2011

Council Committee Meeting - June 29, 2011

ORDINANCES FOR INTRODUCTION
(Public Hearing August 4, 2011)

1. Ord. Cal. No. 4594 - Ordinance amending the Official Parish Zoning Map to reclassify 14 acres located north side of Dauphine Street and Brownsitch Road from CB-1 (Community Based Facilities District) to MD-1 (Medical Residential District). (Ward 8, District 9) (ZC11-06-046) (Zoning Commission approved 6/7/11) (Gould/Davis)

2. Ord. Cal. No. 4595 - Ordinance amending the Official Parish Zoning Map to reclassify 0.492 acre located on the southwest corner of US Highway 90 and Middle Pearl River from PF-2 (Public Facilities District) to CB-1 (Community Based Facilities District). (Ward 8, District 13) (ZC11-06-047) (Zoning Commission approved 6/7/11) (Gould/Davis)

3. Ord. Cal. No. 4596 - Ordinance amending the Official Parish Zoning Map to reclassify 33.37 acres located west of LA Highway 40, north of Sams Branch Lane from A-1 (Suburban District) to A-1 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 2, District 2) (ZC11-06-050) (Zoning Commission approved 6/7/11) (Gould/Davis)

4. Ord. Cal. No. 4597 - Ordinance amending the Official Parish Zoning Map to reclassify 7 acres located south of Gottschalk Road, west of LA Highway 1077, being 10396 Gottschalk Road, Covington from A-1 (Suburban District) to A-2 (Suburban District). (Ward 1, District 1) (ZC11-06-052) (Zoning Commission approved 6/7/11) (Gould/Davis)

5. Ord. Cal. No. 4598 - Ordinance amending the Official Parish Zoning Map to reclassify 16.041 acres located north of J. F. Smith Avenue, west of US Highway 11 from I-1 (Industrial District) to I-2 (Industrial District). (Ward 9, District 14) (ZC11-06-058) (Zoning Commission approved 6/7/11) (Gould/Davis)

6. Ord. Cal. No. 4599 - Ordinance amending the Official Parish Zoning Map to reclassify 50 acres located east of LA Highway 21, north of Cleland Road, from A-1-A (Suburban District) to MD-1 (Medical Residential District). (Ward 10, District 2) (ZC11-06-059) (Zoning Commission approved 6/7/11) (Gould/Davis)

7. Ord. Cal. No. 4600 - Ordinance to amend Parish Code of Ordinances, Appendix B, Chapter 40 Subdivision Regulatory Ordinance No. 499, Section 40-010.7.1 Driveway, to provide for the replacement of a residence on a contiguous parcel being accessed by a private driveway. (Howell)

8. Ord. Cal. No. 4601 - Ordinance to revoke a portion of Iberville Street right-of-way, located in Chinchuba Subdivision. (Ward 4, District 10) (Gould/Davis)

9. Ord. Cal. No. 4602 - Ordinance to correct the Road and Drainage Inventory to remove a portion of Darby Drive; and to rename 84 Lumber Road as Schneider Parkway. (Wards 2 & 8, Districts 3 & 9) (Gould/Davis)

10. Ord. Cal. No. 4603 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Villages at Bocage, Phase 1; Montgomery Terrace, Phase 1; and Normandy Oaks, Phase 5 Subdivisions. (Ward 1, District 1) (Gould/Davis)

11. Ord. Cal. No. 4604 - Ordinance to authorize the Parish President to acquire certain parcels and dispose of certain parcels for Veteran's Cemetery Road Project. (Gould/Davis)

12. Ord. Cal. No. 4605 - A third supplemental bond ordinance authorizing the issuance of Parish Utilities Revenue Bonds, Series 2011, in accordance with the terms of a General Bond Ordinance adopted on February 4, 2010. (Gould/Davis)

13. Ord. Cal. No. 4606 - Emergency Ordinance to impose a 30-day Moratorium on the issuance of building permits for the construction or placement of building structures on property within Dove Park Subdivision. (Ward 4, District 5) (Gould)

14. Ord. Cal. No. 4607 - Ordinance to impose a six (6) month moratorium on the issuance of building permits for the construction or placement of building structures on property within Dove Park Subdivision. (Ward 4, District 5) (Gould)

15. Ord. Cal. No. 4608 - Ordinance to extend for an additional six (6) months the moratorium on the submission and review of zoning applications, Planning Commission review, and on the issuance of building permits for the purpose of construction or placement of multi-family structures on property within unincorporated areas of Council District 12. (Binder)

16. Ord. Cal. No. 4609 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of building permits for construction or placement of building structures on property within a portion of unincorporated Town of Alton Subdivision. (Ward 9, District 14) (Burkhalter)

RESOLUTIONS

1. Resolution C.S. No. C-3141 - Resolution to approve and authorize the Parish President to advertise for bid the construction of the drainage improvements for the Huntwyck Village Subdivision, Phase I. (Gould/Davis) (Tabled 6/2/11)
2. Resolution C.S. No. C-3149 - Resolution approving the holding of an election in St. Tammany Parish Recreation District No. 2 to authorize the levy of a special tax therein. (Gould/Davis)
3. Resolution C.S. No. C-3150 - Resolution approving the holding of an election in St. Tammany Parish Fire Protection District No. 3 to authorize the renewal of a special tax therein. (Gould/Davis)
4. Resolution C.S. No. C-3151 - Resolution concurring with Planning Commission's waiver of detention requirements for Rollin Pastures Subdivision and authorizing waiver of detention fee. (SD11-04-001P)(Ward 2, District 2) (Cooper)
5. Resolution C.S. No. C-3152 - Resolution to vacate in part, the moratorium established by Ordinance C.S. No. 11-2465 on the issuance of building permits for construction or placement of building structures on property within a portion of unincorporated Alton Subdivision to release Lots 8 and 9, Square 38, Alton Subdivision, Slidell. (Ward 8, District 14) (Burkhalter)
6. Resolution C.S. No. C-3153 - Resolution to concur/not concur with the City of Covington annexation and rezoning of 15.5 acres from Parish PUD (Planned Unit Development District) to City of Covington PRD (Planned Residential District) which property being a 14.3 acre parcel bounded by Mile Branch Creek, North Filmore, West 29th Avenue and Polders Lane and a 1.2 acre parcel located across a portion of Squares 2908 and 2909 and a portion of Pierce Street. (Ward 3, District 3) (Gould/Davis)
7. Resolution C.S. No. C-3154 - Resolution to Establish Warranty and Performance Obligations. (Gould/Davis)
8. Resolution C.S. No. C-3155 - 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 Drainage Capital Improvements List. (Bellisario/Artigue)
9. Resolution C.S. No. C-3156 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Fund 326) (Gould/Davis)
10. Resolution C.S. No. C-3157 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 1 Capital Improvements List. (Gould/Davis)
11. Resolution C.S. No. C-3158 -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)
12. Resolution C.S. No. C-3159 - 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 10 Capital Improvements List. (Gould/Davis)
13. Resolution C.S. No. C-3160 - 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)
14. Resolution C.S. No. C-3161 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

15. Resolution C.S. No. C-3162 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

16. Resolution C.S. No. C-3163 - Resolution approving and authorizing the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and the Governor's Office of Elderly Affairs regarding the use and maintenance of office space in the Towers Building. (Gould/Davis)

17. Resolution C.S. No. C-3164 - Resolution to approve and authorize the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and the Louisiana Department of Natural Resources for the purpose of annual renewal of the Parish local Coastal Management Program. (Gould/Davis)

18. Resolution C.S. No. C-3165 - Resolution to approve and authorize the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish of St. Tammany and the City of Covington regarding pedestrian access between the Justice Center and parking areas to be constructed. (Gould/Davis)

19. Resolution C.S. No. C-3166 - Resolution to approve and authorize the Parish President to enter into a cooperative endeavor agreement between the Parish and St. Tammany Recreation District Number 7 for a Park and Ride Facility upon Poitevent Park. (Gould/Davis)

20. Resolution C.S. No. C-3167 - Resolution to approve and authorize the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and St. Tammany Parish Fire District No. 13. (Gould/Davis)

21. Resolution C.S. No. C-3168 - Resolution declaring the intention of the Parish Council to provide a limitation on the number of Bond and Tax Elections held each year by taxing authorities requiring Council approval to hold elections. (Gould/Davis)

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) (Tabled 5/5/11 and 6/2/11)

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) (Tabled 6/2/11)

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. David F. Waguespack, counsel for Richard S. Waguespack and Henryetta R. Waguespack, appealing the Zoning Commission DENIAL on June 7, 2011 to rezone 19,633.95 square feet located north of Surgi Drive, east of LA Highway 59, west of Carmen Lane, being 1933 Surgi Drive, from NC-4 (Neighborhood Institutional District) to HC-1 (Highway Commercial District). (Ward 4, District 5) (ZC11-06-048)

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. Linda O'Regan appealing the Zoning Commission DENIAL on June 7, 2011 to rezone 0.966 acre located west of north of LA Highway 36, west of Manor Street, east of St. Landry, being 20409 Highway 36, from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District). (Ward 3, District 3)(ZC11-06-049)

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.

5. Christine Foster of EBS appealing the Zoning Commission DENIAL on June 7, 2011 to rezone 5.86 acres located south of Surgi Drive east of LA Highway 59 from NC-4 (Neighborhood Institutional District) to HC-1 (Highway Commercial District). (Ward 4, District 5)(ZC11-06-051)

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.

6. Michael Hopman appealing the Zoning Commission DENIAL on June 7, 2011 to rezone 19.972 acres located at 75368 Moonshadow Lane, east of Jack Lloyd Road from A-2 (Suburban District) to NC-6 (Public, Cultural and Recreational District). (Ward 10, District 6)(ZC11-06-055)

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. 4485AA - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning) Article 2 Definitions, to create Section 5.36 - SWM-1 Solid Waste Management District, Section 5.37 - SWM-2 Solid Waste Management District, Section 5.38 - SWM-3 Solid Waste Management District and amend Section 8.01 - Minimum Standards. (Introduced 1/6/11) (Tabled 2/3/11, 3/3/11, 4/7/11 & 5/5/11) (Reintroduced 6/2/11)
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 & 6/2/11)
3. 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) (Introduced 6/2/11)
4. 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) (Introduced 6/2/11)
5. 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) (Introduced 6/2/11)
6. 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) (Introduced 6/2/11)
7. 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) (Introduced 6/2/11)
8. Ord. Cal. No. 4576 - Ordinance amending the Official Parish Zoning Map to reclassify 1.65 acres located west side of LA Highway 59, north of Emile Strain, 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) (Introduced 6/2/11)
9. 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) (Introduced 6/2/11)

10. Ord. Cal. No. 4578 - Ordinance to amend the 2011 Operating Budget - Amendment No. 5. (Introduced 6/2/11)
11. 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) (Introduced 6/2/11)
12. 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. (Introduced 6/2/11)
13. 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. (Introduced 6/2/11)
14. 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. (Introduced 6/2/11)
15. 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. (Introduced 6/2/11)
16. 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. (Introduced 6/2/11)
17. 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. (Introduced 6/2/11)
18. 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. (Introduced 6/2/11)
19. Ord. Cal. No. 4587 - Ordinance establishing the placement of a "Do Not Enter" Sign on Westwood Drive with its intersection with Dove Park Road at the entrance to Westwood Estates Subdivision. (Ward 4, District 5) (Introduced 6/2/11)
20. Ord. Cal. No. 4588 - Ordinance establishing the placement of a "Do Not Enter" Sign on Westwood Drive with its intersection with Sharp Road at the entrance to Westwood Estates Subdivision. (Ward 4, District 5) (Introduced 6/2/11)
21. Ord. Cal. No. 4589AA - Ordinance to amend and 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) (Introduced 6/2/11)
22. 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). (Introduced 6/2/11)
23. Ord. Cal. No. 4591 - Ordinance amending the Official Parish Zoning Map to reclassify 2 acres located north of Brewster Road, west of Powerline Road, being parcels A & B from A-2 (Suburban District) to A-5 (Two Family Residential District). (Ward 1, District 1) (ZC11-05-038) (Council overrode Zoning Commission denial - Introduced 6/2/11)
24. Ord. Cal. No. 4592 - Ordinance amending Ordinance C.S. No. 10-2399 and the Official Parish Zoning Map to reclassify 14.09 acres located east of Slaughter Road, south of LA Highway 36 and west of Reed Road from the present zoning districts to A-2 (Suburban District - 1.45 acres) HC-2 (Highway Commercial District - 0.37 acres) and I-2 (Industrial District- 12.27 acres). (Ward 6, District 6) (ZC10-07-069) (Introduced 6/2/11)

25. Ord. Cal. No. 4593 - Ordinance to confirm and re-establish polling locations for precincts re-established by Ordinance C.S. No. 11-2503 and in conjunction with redistricting according to the 2010 Federal Decennial Census and in compliance with the requirements of the Voting Rights Act of 1965 and LA. R.S. 18:532 et. Seq. (Introduced 6/2/11)

DISCUSSIONS AND OTHER MATTERS

1. Motion to refer to the Zoning Commission for recommendation a proposed Manufactured Home Overlay (MHO) on Lot 16, Ponderosa Subdivision, Phase I, located in Section 15, Township 8 South, Range 14 East. (Ward 9, District 6) (Howell)
2. Motion to refer to the Zoning Commission for recommendation the proposed rezoning of a portion of land located in Section 13, Township 8 South, Range 11 East from its present A-3 (Suburban District) to HC-2 (Highway Commercial District) more specifically that portion of land that fronts Highway 190 to a depth of 200 feet. (Ward 7, District 7) (Hamauei)