

PUBLISHED JULY 28, 2011 AND POSTED AT PARISH COMPLEX BY AUGUST 1, 2011

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, AUGUST 04, 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) Rusty Batty, LSU Agricultural Center, Extension Service, presentation of Annual Report.
(Gould/Davis)
- 2) Presentation of certificates of recognition to six Girl Scouts for achieving the Girl Scout Gold Award. (Binder)
- 3) Proclamation by President Kevin Davis of August 7 - 13, 2011 as National Heath Center Week.
(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 - July 7, 2011

Council Committee Meeting - July 27, 2011

ORDINANCES FOR INTRODUCTION
(Public Hearing SEPTEMBER 1, 2011)

1. Ord. Cal. No. 4614 - 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. (Bellisario)

2. Ord. Cal. No. 4615 - Ordinance amending the Official Parish Zoning Map to reclassify 618.78 acres located south of Fairhaven Road, east of Ben King Road, east of LA Highway 1129 from A-1 (Suburban District), A-1-A (Suburban District), A-2 (Suburban District) & MHO (Manufactured Housing Overlay) to A-1 (Suburban District), A-1-A (Suburban District) & A-2 (Suburban District). (Ward 2, District 2) (ZC11-07-060) (Zoning Commission approved 7/5/11) (Gould/Davis)

3. Ord. Cal. No. 4616 - Ordinance amending the Official Parish Zoning Map to reclassify 16,200 square feet located east of Beech Street, south of Birch Street, being lots 1,2,3,4,5 & 6, Square 1, 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) (ZC11-07-063) (Zoning Commission approved 7/5/11) (Gould/Davis)

4. Ord. Cal. No. 4617 - Ordinance amending the Official Parish Zoning Map to reclassify 6.8 acres located east of LA Highway 1077, south of Tantella Ranch Road from A-1 (Suburban District) to A-1 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 1, District 1) (ZC11-07-065) (Zoning Commission approved 7/5/11) (Gould/Davis)

5. Ord. Cal. No. 4618 - Ordinance amending the Official Parish Zoning Map to reclassify 10 acres located west of LA Highway 41, north of Julia Drive, south of Willis O'berry Road from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 6, District 6) (ZC11-07-066) (Zoning Commission approved 7/5/11) (Gould/Davis)

6. Ord. Cal. No. 4619 - Ordinance to authorize the Parish President to acquire certain parcels, rights of way and/or servitudes for the expansion of US Highway 11. (Gould/Davis)

7. Ord. Cal. No. 4620 - Ordinance accepting act of dedication and donation of an eighty (80') foot wide right-of-way and servitude for the future improvement and construction of Learning Center Boulevard. (Gould/Davis)

8. Ord. Cal. No. 4621 - Ordinance revoking the dedication of the unopened, unnamed street right-of-way which is located on a parcel of ground identified as Lot 6, 5 acre farm lots, in the SW 1/4 of Section 14, Township 8 South, Range 14 East. (Gould/Davis)

9. Ord. Cal. No. 4622 - Ordinance to correct the Road and Drainage Inventory to include N. White Chapel Lateral; Tammany Trace Lateral; and an extension to Strain Road Lateral. (Wards 1, 4 & 7) (Districts 1 & 7) (Gould/Davis)

10. Ord. Cal. No. 4623 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Riverview Townhomes Subdivision. (Ward 3, District 3) (Gould/Davis)

11. Ord. Cal. No. 4624 - 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)

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12. Ord. Cal. No. 4625 - 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 any properties within unincorporated St. Tammany Parish abutting, in whole or part, the east side of Tantela Ranch Road and Highway 1077 from Boyd Road to Mcgee Road and which properties use said roadways for purposes of ingress to and egress from said properties. (Ward 1, District 1) (Dean)

RESOLUTIONS

1. Resolution C.S. No. C-3168 - Resolution declaring that it is 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) (Tabled 7/7/11)

2. Resolution C.S. No. C-3172 - Resolution approving the holding of an election in St. Tammany Parish Recreation District No. 4 to authorize the renewal of a special tax therein. (Gould/Davis)

3. Resolution C.S. No. C-3173 - Resolution establishing Performance and Warranty Obligations. (Gould/Davis)

4. Resolution C.S. No. C-3174 - Resolution approving and authorizing the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish the 22nd Judicial District Court for the creation of a Community Resource Court Behavioral Health Program. (Gould/Davis)

5. Resolution C.S. No. C-3175 - Resolution approving and authorizing the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and Access Health Louisiana, Inc. d/b/a St. Tammany Community Health Center regarding the use of office space in the Slidell Memorial Hospital Wellness Pavilion. (Gould/Davis)

6. Resolution C.S. No. C-3176 - 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)

7. Resolution C.S. No. C-3177 - 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 3 Capital Improvements List. (Gould/Davis)

8. Resolution C.S. No. C-3178 - 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)

9. Resolution C.S. No. C-3179 - 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 6 Capital Improvements List. (Gould/Davis)

10. Resolution C.S. No. C-3180 - 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 11 Capital Improvements List. (Gould/Davis)

11. Resolution C.S. No. C-3181 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

12. Resolution C.S. No. C-3182 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

13. Resolution C.S. No. C-3183 - Resolution approving the holding of an election in St. Tammany Fire Protection District No. 12 to authorize the renewal of a special tax therein. (Gould/Davis)

14. Resolution C.S. No. C-3184 - Resolution of no objection to amendment of deed restrictions of Varuso Enterprises, Inc., St. Tammany Parish Clerk of Court Instrument No. 1480284. (ZC06-04-029) (Ward 1, District 1) (Dean)

END OF CONSENT CALENDAR

APPEALS

1. Jeffery Schoen on behalf of Reed Ingram appealing the Zoning Commission DENIAL on July 5, 2011 to rezone 7.091 acres located on the southwest corner of US Highway 11 and Fricke Road from HC-3 (Highway Commercial District) to I-1 (Industrial District). (Ward 8, District 14) (ZC11-06-057)

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. Lillian Johnson appealing the Zoning Commission DENIAL on July 5, 2011 to rezone 20,000 square feet located west of 13th Street, east of 14th Street, south of 3rd Avenue from A-4 (Single Family Residential District) to NC-2 (Indoor Retail and Service District). (Ward 8, District 14) (ZC11-06-062)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and introduction of an ordinance.

3. Gayle Betz appealing the Zoning Commission DENIAL on July 5, 2011 to rezone 2.15 acres located on the southwest corner of US Highway 190 and Bremerman Road from A-1-A (Suburban District) to HC-1 (Highway Commercial District). (Ward 7, District 7) (ZC11-06-064)

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. 4486 - Ordinance to amend the Parish Unified Development Code, Volume 1(Zoning) by amending Article 2, Definitions and create a Section 6.07 Transfer of Development 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 & 7/7/11)

2. 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) (Tabled 7/7/11)

3. Ord. Cal. No. 4594 - Ordinance amending the Official Parish Zoning Map to reclassify 14 acres located north side of Dauphine Street and Brownswitch 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) (Introduced 7/7/11)

4. 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)

5. 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) (Introduced 7/7/11)

6. 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) (Introduced 7/7/11)

7. 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) (Introduced 7/7/11)

8. 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) (Introduced 7/7/11)

9. 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. (Introduced 7/7/11) (Planning Commission Approved 7/12/11)

10. Ord. Cal. No. 4601 - Ordinance to revoke a portion of Iberville Street right-of-way, located in Chinchuba Subdivision. (Ward 4, District 10) (Introduced 7/7/11)

11. 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) (Introduced 7/7/11)

12. 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) (Introduced 7/7/11)

13. 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. (Introduced 7/7/11)

14. 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. (Introduced 7/7/11)

15. 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) (Introduced 7/7/11)

16. Ord. Cal. No. 4608 - Ordinance to extend for an additional six (6) months the moratorium on the submission and review of zoning and conditional use permit 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. (Introduced 7/7/11)

17. 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) (Introduced 7/7/11)

18. Ord. Cal. No. 4610 AA - Ordinance to amend the Parish 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). (ZC11-05-035) (Council concurred with Zoning Commission approval and amended - Introduced 7/7/11)

19. Ord. Cal. No. 4611 - Ordinance amending the Official Parish Zoning Map to reclassify 19,633.95 square feet located north of Surgi Drive, east of LA Highway 59, west of Carmen Lane, being 1933 Surgi Drive, Mandeville from NC-4 (Neighborhood Institutional District) to HC-1 (Highway Commercial District). (Ward 4, District 5) (ZC11-06-048) (Council overrode Zoning Commission denial - Introduced 7/7/11)

20. Ord. Cal. No. 4612 - Ordinance amending the Official Parish Zoning Map to reclassify 0.966 acre located the north of LA Highway 36, west of Manor Street, east of St. Landry Street, being 20409 Highway 36, Covington from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District). (Ward 3, District 3) (ZC11-06-049) (Council overrode Zoning Commission denial - Introduced 7/7/11)

21. Ord. Cal. No. 4613 - Ordinance amending the Official Parish Zoning Map to reclassify 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) (Council overrode Zoning Commission denial - Introduced 7/7/11)

NOMINATIONS

1. Resolution to appoint six (6) members to the Board of Commissioners of St. Tammany Recreation District No. 16. (Burkhalter)

DISCUSSIONS AND OTHER MATTERS

1. Motion to refer to Zoning Commission for recommendation the proposed rezoning of 11 acres located in Section 16, Township 5 South, Range 11 East from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 2) (Cooper)

EXECUTIVE SESSION

1. Freeland v. Parish of St. Tammany, 22nd JDC No. 2010-12882.