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AGENDA

ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, APRIL 05, 2012 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
Dennis Sharp
James A. (Red) Thompson
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.

PRESENTATIONS

1. Presentation of Parkway Pipeline Project by Allen Fore with Kinder Morgan. (Brister)
2. Presentation to introduce International Paper Company. (Brister)
3. Presentation by Tom Aicklen, Lacombe Heritage Center of the Corridor Management Plan for the Heritage Corridors, 2012 Louisiana Bicentennial Themed Trails project, and the 2013 Rouquette Bicentennial. (Groby)

CONSENT CALENDAR
(PAGES 1 THROUGH 5)

Any items not pulled from the Consent Calendar are automatically approved in whole by one vote. Items pulled from the Consent Calendar are discussed and voted upon individually.

MINUTES

Regular Council Meeting - March 1, 2012

Council Committee Meeting - March 28, 2012

ORDINANCES FOR INTRODUCTION
(Public Hearing May 3, 2012)

1. Ord. Cal. No. 4746 - Ordinance to ratify and re-adopt Ordinance Calendar No. 4638, Ordinance C.S. No. 11-2610, which amended Parish Unified Development Code, Volume I (Zoning), Sections 5.10 and 7.08, to include provisions for development of land on the south side of Lakeview Drive. (Ward 9, District 13) (Artigue)

2. Ord. Cal. No. 4747 - Ordinance establishing a No Thru Trucks zone on Surgi Drive. (4-E-90) (Ward 4, District 5)(Gould)

3. Ord. Cal. No. 4748 - Ordinance amending the Official Parish Zoning Map to reclassify 14.24 acres located north and south of Sloat Road, east of Vincent Road from A-3 (Suburban District) to I-3 (Heavy Industrial District-2.95 acres), I-2 (Industrial District- 6.5 acres), HC-1 (Highway Commercial District - 3.2 acres) and A-3 (Suburban District - 1.6 acres). (Ward 9, District 12) (ZC12-02-012) (Zoning Commission Approved 3/6/12) (Gould/Brister)

4. Ord. Cal. No. 4749 - Ordinance amending the Official Parish Zoning Map to reclassify 10.76 acres located east and west of Lee Settlement Road, north of Doris Road, south of Dudley Road from A-1 (Suburban District) to A-1-A (Suburban District-4.08 acres & 3.33 acres) and A-2 (Suburban District- 1 acre & 2.18 acres). (Ward 2, District 3) (ZC12-03-017) (Zoning Commission Approved 3/6/12) (Gould/Brister)

5. Ord. Cal. No. 4750 - Ordinance amending the Official Parish Zoning Map to reclassify 20 acres located north of LA Highway 36, west of LA Highway 1088 from A-3 (Suburban District) to I-1 (Industrial District). (Ward 6, District 6) (ZC12-03-019) (Zoning Commission Approved 3/6/12) (Gould/Brister)

6. Ord. Cal. No. 4751 - Ordinance amending the Official Parish Zoning Map to reclassify 18.677 acres located west of LA Highway 25, north of C. Gotti Road, south of Willie Road, being 78689 Highway 25, Folsom from A-1 (Suburban District) to PF-1 (Public Facilities District). (Ward 2, District 3) (ZC12-03-020) (Zoning Commission Approved 3/6/12) (Gould/Brister)

7. Ord. Cal. No. 4752 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning) Section 7.01 Landscape and Tree Preservation Regulations relative to grade of trees and credit for existing trees (ZC12-03-024) (Zoning Commission Approved 3/6/12) (Gould/Brister)

8. Ord. Cal. No. 4753 - Ordinance to authorize the Parish President to acquire, by Donation, certain rights of way and/or servitudes located at the Intersection of Hwy. 190 and N. Second Street in Covington, Louisiana. (Gould/Brister)

9. Ord. Cal. No. 4754 - Ordinance to correct the Road and Drainage Inventory to include Tee Street Lateral and two Highway 435 Laterals. (Ward 6, District 6) (Gould/Brister)

10. Ord. Cal. No. 4755 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Tuscany West; Pine Creek Acres, Phase 2A; Guste Island, Parcel C, Phase 2; and Entering the Right of Way of Fay Street in Town of Mandeville Subdivision. (Wards 1 & 4) (Districts 1 & 7) (Gould/Brister)

11. Ord. Cal. No. 4756 - Ordinance to revoke a portion of 19th Avenue and E. Street rights-of-way, located west of U. S. Highway 190, south of Covington. (Ward 1, District 1) (Gould/Brister)

12. Ord. Cal. No. 4757 - Ordinance to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Brister)

13. Ord. Cal. No. 4758 - Ordinance to amend the 2011 Operating Budget - Amendment No. 7. (Gould/Brister)

14. Ord. Cal. No. 4759 - Ordinance to amend the 2011 Operating Budget - Amendment No. 8. (Gould/Brister)

15. Ord. Cal. No. 4760 - Ordinance to amend the 2012 Operating Budget - Amendment No. 2. (Gould/Brister)

16. Ord. Cal. No. 4761 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of submissions by the Parish Zoning and Planning Commissions for the rezoning or resubdivision of property west of Highway 11 and south of Interstate 12 within unincorporated boundaries of Ward 9 in District 14. (Smith)

17. Ord. Cal. No. 4762 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building, occupancy or occupational permits or licenses by any Parish department or agency for any pain management center/clinic whose primary focus or concentration is the prescribing and/or dispensing of pain medication to individuals with complaints of chronic pain which is unaffiliated with any hospital, hospice and/or facility for the treatment of the terminally ill in unincorporated St. Tammany Parish. (Binder)

18. Ord. Cal. No. 4763 - Ordinance to amend and reenact Parish Code of Ordinances, Chapter 2, Article III, Section 2-031.03, Parish Council Committees, to make changes relative thereto. (Gould)

19. Ord. Cal. No. 4764 - Ordinance to amend Parish Ordinance C. S. No. 08-1752 relative to the revocation/alienation of a portion of Marigny Avenue right-of-way, located in Mandeville Subdivision, and to authorize an Act of Exchange and acceptance of a servitude in connection therewith. (Gould)

20. Ord. Cal. No. 4765 - Ordinance to amend Parish Code, Chapter 20 Roads and Bridges, Article III, Road Lighting Districts, Section 20-006.00 District No. 6, to amend the boundaries thereof. (Groby)

RESOLUTIONS

1. Resolution C.S. No. C-3328 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 0.586 acre being Lot 3A, Square 1, Slidell Manor Subdivision from Parish HC-2 (Parish Highway Commercial District) to City of Slidell C-4 (City Highway Commercial District). (Gould/Brister) (Ward 9, District 11) (SL2012-01) (Gould/Brister) (Tabled 3/1/2012)

2. Resolution C.S. No. C-3348 - Resolution approving the issuance of not exceeding \$ 5,600,000 of General Obligation Refunding Bonds, Series 2012 of Parish Recreation District No. 1. (Gould/Brister)

3. Resolution C.S. No. C-3349 - Resolution approving and authorizing the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish of St. Tammany and Maritime Pilots' Institute, Inc. to provide educational services. (Gould/Brister)

4. Resolution C.S. No. C-3350 - Resolution approving and authorizing the Parish President to sign and/or execute an intergovernmental agreement between the Parish and the Town of Pearl River for the purpose of granting right-of-way access for provision of water and sewerage services to the Project Icebox - Associated Wholesale Grocers' Site. (Gould/Brister)

5. Resolution C.S. No. C-3351 - Resolution approving and authorizing the Parish President to sign and/or execute an intergovernmental agreement between the Parish and the Town of Pearl River for the purpose of granting access to Pearl River's right-of-way for provision of drainage to the Schneider Road Extension. (Gould/Brister)
6. Resolution C.S. No. C-3352 - Resolution to support Parish Government's application for assistance from the Recreational Trails Program for the purpose of constructing a bike path from the Tammany Trace through the Green Property in Lacombe. (Gould/Brister)
7. Resolution C.S. No. C-3353 - Resolution to concur/not concur with the City of Mandeville annexation and rezoning of 1.339 acres from Parish HC-2 (Highway Commercial District) to City of Mandeville B-2 (Highway Business District) being a portion of Lots 1- A and 2- A, Square 109, Town of Mandeville, Sections 48 and 49. (Ward 1, District 10) (MN2012-01) (Gould/Brister)
8. Resolution C.S. No. C-3354 - Resolution establishing Performance and Warranty Obligations. (Gould/Brister)
9. Resolution C.S. No. C-3355 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Facilities) (Gould/Brister)
10. Resolution C.S. No. C-3356 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012 - 2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Improvements List - Fund 300. (Gould/Brister)
11. Resolution C.S. No. C-3357 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012 - 2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 3 Capital Improvements List.(Gould/Brister)
12. Resolution C.S. No. C-3358 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012 - 2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 8 Capital Improvements List.(Gould/Brister)
13. Resolution C.S. No. C-3359 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012 - 2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 9 Capital Improvements List.(Gould/Brister)
14. Resolution C.S. No. C-3360 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Brister)
15. Resolution C.S. No. C-3361 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards.(Gould/Brister)
16. Resolution C.S. No. C-3362 - Resolution certifying the population census counts for the Fire Protection Districts of St. Tammany Parish. (Gould/Brister)
17. Resolution C.S. No. C-3363 - Resolution to support St. Tammany Parish Government's application for funding from the Louisiana Community Water Enrichment Fund to improve the Alton Water System. (Gould/Brister)
18. Resolution C.S. No. C-3364 - Resolution to authorize Patricia Brister, President of St. Tammany Parish, to submit applications for two drainage projects for the Hurricane Katrina Allocation under the Hazard Mitigation Grant Program. (Canulette)
19. Resolution C.S. No. C-3365 - Resolution to declare urgent need for the purposes of obtaining funding for a Parish interoperable communications tower through the Office of Community Development. (Stefancik)

20. Resolution C.S. No. C-3366 - Resolution to authorize Patricia Brister, President of St. Tammany Parish, to submit applications for drainage projects to Office of Community Development, to Access Hurricanes Katrina/Rita Community Block Grant Program Funds for Disaster Recovery. (Gould)

21. Resolution C.S. No. C-3367 - Resolution requesting the Water Safety Committee approve a No Wake Zone for a distance of 1500 feet along the West Pearl River as specified herein. (Bellisario)

22. Resolution C.S. No. C-3368 - Resolution requesting charitable and religious organizations in the Parish familiarize themselves with the Blooming Tree Program and consider offering it assistance. (Smith)

END OF CONSENT CALENDAR

APPEALS

1. Applicants Sam and Louise Woods appealing the Zoning Commission DENIAL on March 6, 2012 to rezone 49,210 square feet located on the southeast corner of Highway 190 and Oaklawn Drive from NC-1 (Professional Office District) to HC-2 (Highway Commercial District). (Ward 7, District 7) (ZC12-03-018)

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. Applicant William Michael Sims appealing the Zoning Commission DENIAL on March 6, 2012 to rezone 1 acre located on the southwest corner of Carroll Road and Devon Street from NC-2 (Indoor Retail and Service District) to NC-5 (Retail and Service District). (Ward 9, District 12) (ZC12-03-022)

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. Maurice LeGardeur appealing the Zoning Commission APPROVAL on March 6, 2012 to rezone 4.1 acres located north of Defries Road, east of Highway 25 from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 3) (ZC12-01-002) (Applicant: Parish Council by Motion 11/3/11)

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.

ORDINANCES FOR ADOPTION (Public Hearing)

1. Ord. Cal. No. 4710AA - Ordinance to amend the Parish Unified Development Code, Volume 1 (Zoning), Section 7.02, Sign Regulations, relative to residential subdivision and center median entrance signs to add Community Bulletin Board Signs. (ZC12-02-014) (Tabled 1/12/12 & 2/2/12) (Zoning Commission approved 2/7/12) (Introduced 3/1/2012)

2. Ord. Cal. No. 4731 - Ordinance amending the official Parish Zoning map to reclassify 0.607 acre located west of Chris Kennedy Road, south of LA Highway 41 from HC-2 (Highway Commercial District) to HC-2 (Highway Commercial District) & MHO (Manufactured Housing Overlay). (Ward 6, District 6) (ZC12-02-008) (Zoning Commission approved 2/7/12) (Introduced 3/1/2012)

3. Ord. Cal. No. 4732 - Ordinance amending the official Parish Zoning map to reclassify 0.7 acre located south of Crawford Road, east of LA Highway 21, south of LA Highway 36 from A-3 (Suburban District) to MD-1 (Medical Residential District). (Ward 3, District 2) (ZC12-02-013) (Zoning Commission approved 2/7/12) (Introduced 3/1/2012)

4. Ord. Cal. No. 4733 - Ordinance amending the official Parish Zoning map to reclassify 1.88 acres located south of Crawford Road, east of LA Highway 21, south of LA Highway 36 from A-3 (Suburban District) to MD-1 (Medical Residential District). (Ward 3, District 2) (ZC12-02-015) (Zoning Commission approved 2/7/12) (Introduced 3/1/2012)

5. Ord. Cal. No. 4734 - Ordinance to amend Ordinance C.S. No. 10-2406, 2011-2015 Capital Improvements Budget and Program; and to further identify changes to the Capital Improvement List for 2011-2015. (Introduced 3/1/2012)

6. Ord. Cal. No. 4735 - Ordinance to amend the 2012 Operating Budget-Amendment No. 1. (Introduced 3/1/2012)

7. Ord. Cal. No. 4736 - Ordinance to amend the 2011 Operating Budget-Amendment No. 6. (Introduced 3/1/2012)

8. Ord. Cal. No. 4737 - Ordinance to authorize the Parish President to acquire certain conservation servitudes from Delta Land Holding Company, L.L.C. for River Club Conservation Area. (Introduced 3/1/2012)

9. Ord. Cal. No. 4738 - Ordinance to amend the Parish Code of Ordinances, Chapter 3 Alcoholic Beverages, Article VI, Wards 2 and 6, Section 3-124 Qualifications of Applicants for Permits Generally and Chapter 3 Alcoholic Beverages, Article VII Other Wards, Section 3-161 Qualifications of Applicants for Permits Generally to amend residency restrictions in accordance with Louisiana Revised Statute Title 26, Section 80. (Introduced 3/1/2012)

10. Ord. Cal. No. 4739 - Ordinance to amend Ordinance C.S. No. 11-2645, adopted December 1, 2011, which established and validated rates and fees for Sewerage and Water Services provided by systems owned and operated by the Parish. (Introduced 3/1/2012)

11. Ord. Cal. No. 4740 - Ordinance to correct the Road and Drainage Inventory to include Raehyo Lane Lateral; 2 Gottschalk Road Laterals; Blue Crane No. 1 Lateral; an extension of McDonald Road Lateral; and an extension of Highway 190 Lateral. (Wards 1, 3 & 8) (Districts 3 & 9) (Introduced 3/1/2012)

12. Ord. Cal. No. 4741 - 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 certain portions of Highland Park Subdivision. (District 12) (Introduced 3/1/2012)

13. Ord. Cal. No. 4742 - 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 portions of Beverly Hills and Kingspoint Subdivisions. (Ward 8, District 14) (Introduced 3/1/2012)

14. Ord. Cal. No. 4743 - Ordinance to amend St. Tammany Parish Code of Ordinances, Appendix B, Chapter 40 Subdivision Regulatory Ordinance No. 499, Section 40-074.01 Parish Enforced Subdivision Restrictions and/or Covenants, to prohibit rear access to lots within an approved subdivision via a driveway to or from any street or road that is not dedicated within the boundaries of the approved subdivision plat. (Planning Commission approved 2/14/12) (Introduced 3/1/2012)

15. Ord. Cal. No. 4744 - Ordinance amending and reenacting Section 40-034.01, Contiguous Lot Rule, of St. Tammany Parish Subdivision Regulatory Ordinance 499, to require a minimum building site of seventy-five feet front on the setback line within Dove Park Subdivision. (Planning Commission approved 2/14/12) (Introduced 3/1/2012)

16. Ord. Cal. No. 4745 - Ordinance amending the Official Parish Zoning Map to reclassify 6.171 acres located at the northwest corner of U.S. Highway 190 & Dixie Ranch Road from A-2 (Suburban District) to A-2 (Suburban District-0.57 acre) and HC-2 (Highway Commercial District-5.6 acres). (Ward 9, District 11) (ZC12-02-011)

NOMINATIONS

1. Resolution to appoint three (3) members to the Board of Commissioners of St. Tammany Recreation District No. 16. (Smith)
2. Resolution to appoint one member to replace Peter Link (Term Expired) on the Finance Authority of St. Tammany Parish. (Stefancik) (Tabled 3/1/12)

APPOINTMENTS

1. Resolution to appoint William Hathaway, Dr. Peter Gerone, Anthony Alfred and Eugene Garcia (All nominated 3/1/12) to St. Tammany Parish Mosquito Abatement District No. 2. (Stefancik)
2. Resolution to appoint/reappoint members to St. Tammany Parish Board of Zoning Adjustments. (Council has 4 regular appointments and 2 alternate appointments) (Gould)
3. Resolution to reappoint Rosalie Boudreaux (term expired) to St. Tammany Parish Fire Protection District No. 2. (Falconer)
4. Resolution to reappoint Alvin Roussell, Jr. (term expired) to St. Tammany Parish Fire Protection District No. 5. (Thompson)
5. Resolution to appoint John Garner and John Burden to St. Tammany Parish Sewer District No. 1. (Falconer)
6. Resolution to reappoint Lloyd Ostendorf, Stephen Dwyer, Paul Melancon, David Pittman and Chuck Daniels and to appoint Jay de la Houssaye to St. Tammany Parish Recreation District No. 14. (Dean)

DISCUSSIONS AND OTHER MATTERS

1. Motion to refer to Zoning Commission for recommendation the proposed re-zoning of a parcel of land in Section 33, Township 8 South, Range 14 East, bearing the physical address of 36237 Donnis Drive currently zoned A-3 (Suburban District) to A-3 (Suburban District) and MHO (Manufactured Housing Overly) Ward 9, District 14. (Smith)
2. Motion to refer to Zoning Commission to consider changing permitted uses in MD-1 (Medical Residential District) and MD-2 (Medical Clinic District). (Gould)
3. Motion to refer to Zoning Commission to consider setting the maximum building height to seventy feet (70') in zoning classifications MD-3 (Medical Facility District) and MD-4 (Medical Research District). (Gould)
4. Motion to refer to Zoning Commission to consider setting the maximum building height to seventy feet (70') in zoning classifications PBC-1 (Planned Business Campus). (Gould)

5. Motion to refer to Zoning Commission for recommendation the proposed re-zoning of 15.14 acres of land on Lone Oak drive in Section 14, Township 8 South, Range 14 from its current zoning A-4A (Single Family Residential District), to A-4A (Single Family Residential) and MHO (Manufactured Housing Overlay) Ward 8, District 14. (Smith)