

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, JULY 12, 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. Certificate of recognition to Spencer Donovan Bogran for earning the rank of Eagle Scout. (Stefancik)
2. Proclamation by the Parish President in recognition of the 40th Anniversary of the State Committee for Employer Support of the Guard and Reserve which was established by the Department of Defense. (Brister)
3. Presentation by Secretary Lane Carson on the progress of the planned Veterans' Cemetery in St. Tammany Parish. (Brister)

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 - June 7, 2012

Council Committee Meeting - June 27, 2012

ORDINANCES FOR INTRODUCTION
(Public Hearing August 2, 2012)

1. Ord. Cal. No. 4807 - Ordinance amending the Official Parish Zoning Map to reclassify 37,270 square feet located north of LA Highway 36, east of St. Landry Street, being 20339 Highway 36, Covington from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District). (Ward 3, District 2) (ZC12-05-036) (Gould/Brister)

2. Ord. Cal. No. 4808 - Ordinance amending the Official Parish Zoning Map to reclassify 2.179 acres located west of LA Highway 25, north of Thompson Road, south of C. Gotti Road from A-1 (Suburban District) to A-1 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 2, District 3) (ZC12-06-041) (Gould/Brister)

3. Ord. Cal. No. 4809 - Ordinance amending the Official Parish Zoning Map to reclassify 15.14 acres located north & south of Lone Oak Drive, west of US Highway 11 from A-4-A (Single Family Residential District) to A-4-A (Single Family Residential District) & MHO (Manufactured Housing Overlay). (Ward 8, District 14) (ZC12-06-043) (Gould/Brister)

4. Ord. Cal. No. 4810 - Ordinance amending the Official Parish Zoning Map to reclassify 12,500 square feet located north of Donnis Drive, west of Donya Street, being 36237 Donnis Drive, Slidell from A-3 (Suburban District) to A-3 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 9, District 14) (ZC12-06-044) (Gould/Brister)

5. Ord. Cal. No. 4811 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Section 5.19A, PBC-1 (Planned Business Campus), relative to Height Regulations. (ZC12-06-045) (Gould/Brister)

6. Ord. Cal. No. 4812 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning) Section 5.29, MD-3 (Medical Facility District), relative to Height Regulations & Section 5.29A, MD-4 (Medical Research District), relative to Buffer, Setback and Height Regulations. (ZC12-06-046) (Gould/Brister)

7. Ord. Cal. No. 4813 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning) Section 5.2702, MD-1 (Medical Residential District), and Section 5.2802 MD-2 (Medical Clinic District) relative to Permitted Uses (ZC12-06-047). (Gould/Brister)

8. Ord. Cal. No. 4814 - Ordinance amending the Official Parish Zoning Map to reclassify 1 acre located west of Pearl Street, north of Coral Avenue, being Lot 5, Square 14, Pearl Acres Subdivision, from A-3 (Suburban District) to NC-1 (Professional Office District). (Ward 8, District 8) (ZC12-06-048) (Gould/Brister)

9. Ord. Cal. No. 4815 - Ordinance amending the Official Parish Zoning Map to reclassify 1.970 acres located south of McKinney Road, north of Shortcut Highway, west of I-10, being 1750 McKinney Road, Slidell from HC-2 (Highway Commercial District) to A-2 (Suburban District) & RO (Rural Overlay). (Ward 8, District 14) (ZC12-06-049) (Gould/Brister)

10. Ord. Cal. No. 4816 - Ordinance amending the Official Parish Zoning Map to reclassify 0.5108 acre located north of US Highway 190 East, east of Military Road, being 41233 Highway 190 E, Slidell from A-3 (Suburban District) to A-3 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 8, District 13) (ZC12-06-051) (Gould/Brister)

11. Ord. Cal. No. 4817 - Ordinance amending the Official Parish Zoning Map to reclassify 1 acre located north of Ronald Reagan Highway, west of Penn Mill Road, being 15319 Ronald Reagan

Highway, Covington from A-1A (Suburban District) to HC-2 (Highway Commercial District). (Ward 3, District 3) (ZC12-06-052) (Gould/Brister)

12. Ord. Cal. No. 4818 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), to add a new zoning classification: Section 5.21A HC-2A Highway Commercial District. (ZC12-06-042) (Gould/Brister)

13. Ord. Cal. No. 4819 - Ordinance to rescind Ordinance C.S. No. 11-2631, adopted November 3, 2011, authorizing the placement of no parking signs on both sides of the entrance to John Smith Road (R08-I-025). (Ward 8, District 14) (Smith)

14. Ord. Cal. No. 4820 - 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)

15. Ord. Cal. No. 4821 - 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) (Smith)

16. Ord. Cal. No. 4822 - An Ordinance amending the St. Tammany Parish Code of Ordinances, Appendix B, Chapter 40 of Subdivision Regulatory Ordinance No. 499, specifically, Section 40-070.0 Final Subdivision Review, relative to the approval of the final subdivision plat. (Gould/Brister)

17. Ord. Cal. No. 4823 - Ordinance to correct the Road and Drainage Inventory to include an extension of Max Jude Lane. (Ward 4, District 5) (Gould/Brister)

18. Ord. Cal. No. 4824 - Ordinance to amend Parish Code, Chapter 20, Roads and Bridges, Article III, Road Lighting Districts, Section 20-204.00 District No. 4 to amend the boundaries thereof. (Gould/Brister)

19. Ord. Cal. No. 4825 - Ordinance to authorize the Parish President to acquire by donation, certain water lines, sewer lines, a sewer force main, a lift station and all related equipment located in the Parish's right-of-way on Norval Street, located between Molitor Street and Dupree Street and on Molitor Street, located between Norval Street and Nelson Street. (Gould/Brister)

20. Ord. Cal. No. 4826 - Ordinance to authorize the Parish of St. Tammany, through the Office of the Parish President, to purchase or otherwise acquire certain parcels, rights-of-ways, and/or servitudes for the Grand Avenue Bridge Project. (Gould/Brister)

21. Ord. Cal. No. 4827 - Ordinance to authorize the Parish President to purchase and/or otherwise acquire certain parcels, rights-of-way, and/or servitudes for the Oak Street Bridge Project. (Gould/Brister)

22. Ord. Cal. No. 4828 - Ordinance to authorize the Parish President to purchase or otherwise acquire certain servitudes for drainage improvements for the Country Club Drive Project. (Gould/Brister)

23. Ord. Cal. No. 4829 - Ordinance to authorize the Parish President to transfer the property and improvements for the interchange improvements at LA-US 11 Project to the Louisiana Department of Transportation and Development (LADOTD). (Gould/Brister)

24. Ord. Cal. No. 4830 - Ordinance to amend the Code of Ordinances, Chapter 16, providing for the amendment of the boundaries of Recreation District No. 1 and Recreation District No. 10, and to provide for repeal, severability, and date of enactment. (Gould)

25. Ord. Cal. No. 4831 - Ordinance to authorize the Parish President to acquire by donation certain movable and immovable assets from Hi-Rollers Investments, LLC. (Gould/Brister)

26. Ord. Cal. No. 4832 - Ordinance to authorize the Parish President to transfer a portion of the Slidell Levee a/k/a Schneider Canal Levee and improvements to the City of Slidell. (Gould/Brister)

27. Ord. Cal. No. 4833 - Ordinance to authorize the Parish President to accept the act of dedication and donation for Westshore Drive for use as a Public Street from CP NORD DU LAC JV, L.L.C. and further for the Parish to incorporate the dedicated property into the maintenance system. (Gould/Brister)

28. Ord. Cal. No. 4834 - Ordinance to amend Ordinance Council Series No. 10-2384, Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain parcels, rights-of-way and/or servitudes for the Huntwyck Village Drainage Improvement Project. (Gould/Brister)

RESOLUTIONS

1. Resolution C.S. No. C-3414 - Resolution to concur/ not concur with the Town of Pearl River annexation and rezoning of 2.08 acres from Parish PF-2 (Public Facilities) and A-2 (Suburban District) to Town of Pearl River R-1 District situated in Section 31, Township 7 South, Range 15 East, St Tammany Parish. (Ward 8, District 6) (PR2011-04) (Gould/Brister) (Tabled 6/7/12)

2. Resolution C.S. No. C-3447 - Resolution approving the holding of an election in Parish Waterworks District No. 2 on Tuesday, November 6, 2012 to authorize the incurring of debt and issuance of bonds therein. (Gould/Brister)

3. Resolution C.S. No. C-3448 - Resolution stating the Council's endorsement of Hornbeck Offshore Services, Inc. for participation in the benefits of the Louisiana Enterprise Zone Program. (EZ#20120329) (Gould/Brister)

4. Resolution C.S. No. C-3449 - Resolution stating the Council's endorsement of Bulk Systems & Services, Inc, for participation in the benefits of the Louisiana Enterprise Zone Program. (EZ#20120764) (Gould/Brister)

5. Resolution C.S. No. C-3450 - Resolution to Concur/Not Concur with the Town of Abita Springs annexation of an unopened portion of Carnation Street located between Highway 36 and Independence Street in unincorporated St. Tammany Parish. (AB2012-02) (Gould/Brister)

6. Resolution C.S. No. C-3451 - Resolution to Concur/Not Concur with the City of Slidell annexation and rezoning of 0.276 acre located at 189 Commercial Square Drive from Parish I-1 (Industrial District) to City of Slidell C-4 (Highway Commercial District). (Ward 8, District 8) (SL2012-02) (Gould/Brister)

7. Resolution C.S. No. C-3452 - Resolution establishing Performance and Warranty Obligations. (Gould/Brister)

8. Resolution C.S. No. C-3453 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Brister)

9. Resolution C.S. No. C-3454 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Assets and Grant Awards to make changes to the Capital Improvements List - District No. 2. (Gould/Brister)

10. Resolution C.S. No. C-3455 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Assets and Grant Awards to make changes to the Capital Improvements List - District No. 6. (Gould/Brister)

11. Resolution C.S. No. C-3456 - Resolution in support of the creation of the St. Tammany Parish President's Veterans and Military Affairs Advisory Council. (Gould/Brister)

12. Resolution C.S. No. C-3457 - Resolution to declare certain assets as surplus and authorize sale, transfer or donation of same. (Gould/Brister)

13. Resolution C.S. No. C-3458 - Resolution to approve and authorize the Parish President to sign and/or execute a Cooperative Endeavor Agreement with Epworth Project Ministries for emergency sheltering. (Gould/Brister)

14. Resolution C.S. No. C-3459 - Resolution to approve and authorize the Parish President to sign and/or execute a Utility Service Agreement between the Parish of St. Tammany and William Johnson for the purpose of providing water and sewerage services to a portion of Norval Street. (Gould/Brister)

15. Resolution C.S. No. C-3460 - Resolution to approve and authorize the Parish President to sign and/or execute an Intergovernmental Agreement between the Parish and the Parish Sheriff's Office for the purpose of Jail Funding. (Gould/Brister)

16. Resolution C.S. No. C-3461 - 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 Parish Sheriff's Office for the purpose of providing security to the Justice Center. (Gould/Brister)

17. Resolution C.S. No. C-3462 - Resolution to approve and authorize the Parish President to acquire right-of-way and improvements, State Route LA 3228, known as Asbury Drive, for use as a public street, from the Louisiana Department of Transportation and Development (LADOTD) and further for the Parish to incorporate the transferred right-of-way and improvements into the Parish Maintenance System. (Gould/Brister)

18. Resolution C.S. No. C-3463 - Resolution to approve and authorize the Parish President to sign and/or execute a Cooperative Endeavor Agreement between the Parish and Grace Memorial Baptist Church for emergency sheltering during an emergency. (Gould/Brister)

END OF CONSENT CALENDAR

APPEALS

1. William Smith appealing the Zoning Commission APPROVAL on June 5, 2012 for a major amendment to PUD (Planned Unit Development) and the addition of 85.311 acres located north of LA Highway 1085, south of Tchefuncte River, east and west of Rousseau Road. (Ward 1, District 1) (ZC04-10-083) (Applicant: Paul Mayronne for Terra Bella Group, LLC)

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.

2. William Smith appealing the Zoning Commission APPROVAL on June 5, 2012 to rezone 85.311 acres located north of LA Highway 1085 from A-3 (Suburban District) and TND (Traditional Neighborhood District) to A-4 (Single Family Residential District), A-8 (Multi Family Residential District) and HC-1 (Highway Commercial District). (Ward 1, District 3) (ZC12-06-050) (Applicant: Paul Mayronne for Rousseau Group, LLC)

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. 4771 - Ordinance to amend the Parish Unified Development Code, Section 8.01 Minimum Standards for Specific Uses, Subsection U, Outdoor Advertising (Billboards) to restrict the location of new billboards to within the same highway corridor from which a billboard credit was issued. (Introduced & referred to Zoning Commission 5/3/12) (Tabled 6/7/12)

2. Ord. Cal. No. 4783 - Ordinance to amend and reenact Article VIII of the St. Tammany Parish Code of Ordinances, Permit Provisions applicable to Articles VI & VII, by repealing Sec. 3-190.05 and creating new Sec. 3-190.03, Dispensing or Selling of Alcohol Beverages via Drive-thru Windows is Prohibited. (Introduced 6/7/12)

3. Ord. Cal. No. 4785 - Ordinance amending the Official Parish Zoning Map to reclassify 2.13 acres located at the end of Dewberry Road, west of South Fitzmorris Road from A- 1 (Suburban District) to A-1 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 2, District 2) (ZC12-05-032) (Introduced 6/7/12)

4. Ord. Cal. No. 4786 - Ordinance amending the Official Parish Zoning Map to reclassify 25,000 square feet located east of Spanish Court, north of LA Highway 433 from A-4-A (Single-Family Residential District) to NC-1 (Professional Office District). (Ward 8, District 12) (ZC12-05-034) (Introduced 6/7/12)

5. Ord. Cal. No. 4787 - Ordinance amending the Official Parish Zoning Map to reclassify 22,842 square feet located south of Destin Street, east of Lamarque Street, west of Foy Street from A-4 (Single Family Residential District) to A-4-A (Single-Family Residential District). (Ward 4, District 7) (ZC12-05-035) (Introduced 6/7/12)

6. Ord. Cal. No. 4788 - Ordinance amending the Official Parish Zoning Map to reclassify 1 acre located west of LA Highway 1077, south of Dummyline Road from A-1 (Suburban District) to A-1 (Suburban District) & RO (Rural Overlay). (Ward 1, District 4) (ZC12-05-037) (Introduced 6/7/12)

7. Ord. Cal. No. 4789 - Ordinance amending the Official Parish Zoning Map to reclassify 2.99 acres located east of LA Highway 450, south of South Road, north of Starwood Ranch Road from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 3) (ZC12-05-038) (Introduced 6/7/12)

8. Ord. Cal. No. 4790 - Ordinance amending the Official Parish Zoning Map to reclassify 0.460 acre located west of Chris Kennedy Road, north of Ted Kennedy Road from A-2 (Suburban District) to A-2 (Suburban District) & RO (Rural Overlay). (Ward 6, District 11) (ZC12-05-039) (Introduced 6/7/12)

9. Ord. Cal. No. 4791AA - 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 Lalane Drive north to Azalea Drive. (Ward 1, District 1) (Introduced 6/7/12)

10. Ord. Cal. No. 4792 - Ordinance to establish a program to promote affordable/workforce housing ownership for the needy in cooperation with Habitat for Humanity. (Introduced 6/7/12)

11. Ord. Cal. No. 4793 - Ordinance to authorize the Parish President to acquire by Donation and/or Quitclaim certain movable and immovable assets from 5196 Corporation, Inc., Tatty Company, L.L.C. and Thomas A. Dutel. (Introduced 6/7/12)

12. Ord. Cal. No. 4794 - Ordinance to authorize the Parish President to acquire by Donation certain parcels, rights-of-way, and/or servitudes located in Parcels A-2-A and A-2-B, Section 3, Township 7 South, Range 10 East. (Introduced 6/7/12)

13. Ord. Cal. No. 4795 - Ordinance to authorize the Parish President to acquire certain parcels, rights-of-way, and/or servitudes from M Properties, L.L.C. for future road expansion. (Introduced 6/7/12)

14. Ord. Cal. No. 4796AA - Ordinance to amend Parish Code of Ordinances, Section 2-091.00 and Section 2-092.00 for the Reorganization of Parish Departments. (Introduced 6/7/12)

15. Ord. Cal. No. 4797 - Ordinance to correct the Road and Drainage Inventory to include Kissena Park Lateral; Wildwood Drive Lateral; Patrick Road Lateral; Green Hill Drive Lateral; and an extension to Rosedown Way Lateral. (Wards 1, 2, 5 & 10) (Districts 2, 3 & 6) (Introduced 6/7/12)

16. Ord. Cal. No. 4798 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Grande Maison, Phase 1; entering the right-of-way of Lenard Street in Jones Picket Addition to Town of Ramsey Subdivision; and an addition to entering the right-of-way of Fay Street in Town of Mandeville Subdivision. (Wards 3 & 4) (Districts 3, 5 & 7) (Introduced 6/7/12)

17. Ord. Cal. No. 4799 - Ordinance to Amend the 2012 Operating Budget - Amendment No. 5. (Introduced 6/7/12)

18. Ord. Cal. No. 4800 - Ordinance to amend Parish Code of Ordinances, Chapter 9, Article XIII, Section 9-071.00 Garbage District No. 1, Boundaries, and Section 9-072.01, Service Area, to expand the boundaries of said District. (Bellisario) (Introduced 6/7/12)

19. Ord. Cal. No. 4801 - Ordinance establishing a speed limit of 35 MPH on Krentel Road (7-A-4). (Ward 7, District 7) (Introduced 6/7/12)

20. Ord. Cal. No. 4802 - Ordinance to revoke a portion of an unopened unnamed right-of-way, located south of Cherrywood Subdivision. (Ward 9, District 9) (REV12-05-004) (Introduced 6/7/12)

21. Ord. Cal. No. 4803 - Ordinance to amend Ordinance Council Series No. 09-2114, adopted August 7, 2009, to approve location change for (1) one polling location to include Precincts CO1, CO2, CO3, C10, and C11. (Dean) (Introduced 6/7/12)

22. Ord. Cal. No. 4804 - Ordinance amending the Official Parish Zoning Map to reclassify 51.27 acres located north of Penn Mill Road, west of Quave Road, north of US Highway 190 from A-1A (Suburban District) to A-3 (Suburban District). (Ward 3, District 3) (ZC12-03-016) (Introduced 6/7/12)

23. Ord. Cal. No. 4805 - Ordinance amending the Official Parish Zoning Map to reclassify 51.27 located north of Penn Mill Road, west of Quave Road, north of US Highway 190 from A-1A (Suburban District) to PUD (Planned Unit Development Overlay). (Ward 3, District 3) (ZC12-03-023) (Introduced 6/7/12)

24. Ord. Cal. No. 4806 - Ordinance to amend Parish Code of Ordinances, Chapter 16, Article 1, Section 16-001.00 Curfew at North Shore Beach Park to include rules and regulations for the beach. (Introduced 6/7/12)

NOMINATIONS

1. Nominate three (3) members to appoint to the Board of Commissioners of St. Tammany Recreation District No. 16. (Smith) (Tabled 4/5/12, 5/3/12 & 6/7/12)

2. Nominate three (3) members to appoint to the Community Action Agency Advisory Board. (One (1) Representative of Low-Income Individuals; Two (2) from Public and Private Organizations) (Bellisario)

3. Nominate five (5) members to appoint to the St. Tammany Parish Commission on Cultural Affairs. (Gould) (Simone Burke, Stephen Cefalu and Lisa Barnett eligible for reappointment)

4. Nominate five (5) members to Parish Personnel Board. (Atty. Patrick J. Berrigan, Rev. Frederick L. Fields, Deputy Chief Donald Sharp (ret.) and Joseph Allen eligible for reappointment)

APPOINTMENTS

1. Resolution to appoint/reappoint six (6) members to the St. Tammany Parish Library Board of Control (All terms expired). (Nominations made 6/7/12: John Danjean, Dr. Argiro Morgan, Barbara Morgan, Silvia Muller, Rebecca Taylor, Dave Stefferud and Mary Reseau) (Bellisario)

2. Resolution to reappoint Sonny Schwing to St. Tammany Parish Fire Protection District No. 12. (Thompson/Gould)

3. Resolution to appoint/reappoint three (3) members to St. Tammany Parish Fire Protection District No. 12. (Gould) (Recommendations: John Buttone, Ronald Garrity, Robert Gilhaus, Kenneth Kimberly, James Woodard, M.D., Suzy Labadot {currently serving})

4. Resolution to appoint David Lindsey to St. Tammany Parish Fire Protection District No. 4. (Falconer)

EXECUTIVE SESSION

1. United Disaster Response, LLC v. Omni Pinnacle, LLC, et al; United States District Court, Eastern District of Louisiana; Case Number: 2:06-cv-06075-ILRL-SS