

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, DECEMBER 06, 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.

SPECIAL ITEMS

1) Ord. Cal. No. 4885 - Ordinance adopting the 2013 Parish Operating Budget. (Introduced 9/26/12) (Tabled 11/1/12) (Gould/Brister)

2) Ord. Cal. No. 4886 - Ordinance adopting the 2013-2017 Parish Capital Improvement Budget and Program, and further identify Fixed Assets & Grants Awards. (Introduced 9/26/12) (Tabled 11/1/12) (Gould/Brister)

PRESENTATIONS

1. Introduction of Junior Council Member for December - Gabriel Lebreton. (Binder)

2. Certificates of Recognition to Donna O'Daniels, Tanya Leader and Kim Bergeron for their efforts to aid the victims of Hurricane Sandy. (Gould/Brister)

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CONSENT CALENDAR
(PAGES 2 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 - November 1, 2012

Council Committee Meeting - November 28, 2012

ORDINANCES FOR INTRODUCTION
(Public Hearing January 3, 2013)

1. Ord. Cal. No. 4916 - Ordinance amending the Official Parish Zoning Map to reclassify 15.55 acres located north of Emerald Forest Blvd, East of Falconer Drive to a PUD (Planned Unit Development Overlay). (Ward 3, District 5) (ZC12-08-076) (ZC approved 11/7/12) (Gould/Brister)

2. Ord. Cal. No. 4917 - Ordinance amending the Official Parish Zoning Map to reclassify 15.55 acres located north of Emerald Forest Blvd, East of Falconer Drive from NC-4 (Neighborhood Institutional District), NC-1 (Professional Office District) and A-7 (Multiple Family Residential District) to A-4-A (Single-family Residential District). (Ward 3, District 5) (ZC12-08-077) (ZC approved 11/7/12) (Gould/Brister)

3. Ord. Cal. No. 4918 - Ordinance amending the Official Parish Zoning Map to reclassify 1.5 acres located east of LA Highway 450, north of Starwood Ranch Road from A-1 (Suburban District) to A-1 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 2, District 3) (ZC12-11-105) (ZC approved 11/7/12) (Gould/Brister)

4. Ord. Cal. No. 4919 - Ordinance amending the Official Parish Zoning Map to reclassify 5 acres located east of Jim Loyd Road, south of LA Highway 40 from A-1 (Suburban District) to A-1 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 2, District 3) (ZC12-11-107) (ZC approved 11/7/12) (Gould/Brister)

5. Ord. Cal. No. 4920 - Ordinance amending the Official Parish Zoning Map to reclassify 1.4 acres located on the southeast corner of Harrison Avenue and Fuchsia Street from A-2 (Suburban District) to PF-1 (Public Facilities District). (Ward 3, District 5) (ZC12-11-109) (ZC approved 11/7/12) (Gould/Brister)

6. Ord. Cal. No. 4921 - Ordinance amending the Official Parish Zoning Map to reclassify 2.40 acres located west of LA Highway 434, South of I-12 from A-1 (Suburban District) and PF-2 (Public Facilities District) to SWM-1 (Solid Waste Management District). (Ward 7, District 7) (ZC12-11-110) (ZC approved 11/7/12) (Gould/Brister)

7. Ord. Cal. No. 4922 - Ordinance amending the Official Parish Zoning Map to reclassify 20.66 acres located west of LA Highway 434, South of I-12 from A-1 (Suburban District) and I-2 (Industrial District) to HC-3 (Highway Commercial District). (Ward 7, District 7) (ZC12-11-111) (ZC approved 11/7/12) (Gould/Brister)

8. Ord. Cal. No. 4923 - Ordinance amending the Official Parish Zoning Map to reclassify 2.4 acres located north of LA Highway 1088, west of Soutl Street from A-3 (Suburban District) to PF-1 (Public Facilities District). (Ward 4, District 5) (ZC12-11-112) (ZC approved 11/7/12) (Gould/Brister)

9. Ord. Cal. No. 4924 - Ordinance amending the Official Parish Zoning Map to reclassify 0.424 acre located on the northwest corner of US Highway 190 and Richardson Street from PUD (Planned Unit Development Overlay) to PF-1 (Public Facilities District). (Ward 1, District 3) (ZC12-11-113) (ZC approved 11/7/12) (Gould/Brister)

10. Ord. Cal. No. 4925 - Ordinance amending the Official Parish Zoning Map to reclassify 0.99 acre located east of Wilkinson Road, north of McGee Road from A-1 (Suburban District) to A-1 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 1, District 3) (ZC12-11-114) (ZC approved 11/7/12) (Gould/Brister)

11. Ord. Cal. No. 4926 - 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 Lalanne Road North to Azalea Drive. (Ward 1, District 1) (Dean)

12. Ord. Cal. No. 4927 - Ordinance to revoke a portion of Emerald Forest Boulevard right-of-way, located in Ward 3, District 2. (Rev12-11-005) (PC approved 11/13/12)

13. Ord. Cal. No. 4928 - Ordinance accepting finalized subdivisions into the Road and Drainage Inventories, specifically entering the right-of-way of Abita Avenue within Abita Terrace Subdivision. (Ward 3, District 5) (Gould/Brister)

14. Ord. Cal. No. 4929 - Ordinance to correct the Road and Drainage Inventory to include River Bend Drive; C. Gottie Road Lateral; and Highway 437 Lateral. (Wards 1, 2 & 3; Districts 2 & 3) (Gould/Brister)

15. Ord. Cal. No. 4930 - Ordinance to amend the Parish Code of Ordinances, Chapter 15, Article II, Watercraft Speed Limits, to establish a "Dead Slow, No Wake" Zone on the Highway 11 Canal, a portion of the Morgan River and a portion of the Bogue Falaya River. (Wards 3, 8, 9; Districts 5, 9, 13) (Gould)

16. Ord. Cal. No. 4931 - Ordinance to amend the 2012 Operating Budget - Amendment No. 10. (Gould/Brister)

RESOLUTIONS

1. Resolution C.S. No. C-3584 - Resolution to acknowledge the receipt and review of the 2011/2012 Municipal Water Pollution Prevention Environmental Audit report for the Castine Regional Wastewater Treatment Facility. (Gould/Brister)

2. Resolution C.S. No. C-3585 - Resolution to authorize the Parish President to obtain special counsel for employment law matters. (Gould/Brister)

3. Resolution C.S. No. C-3586 - Resolution to authorize the Parish President to obtain special counsel for special tax matters. (Gould/Brister)

4. Resolution C.S. No. C-3587 - Resolution to support Fire Protection District No. 1's application for assistance from the Louisiana Office of Community Development for the purchase of prefabricated training props. (Gould/Brister)

5. Resolution C.S. No. C-3588 - Resolution to support Fire Protection District No. 2's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing a thermal imaging camera. (Gould/Brister)

6. Resolution C.S. No. C-3589 - Resolution to support Fire Protection District No. 3's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing digital radios. (Gould/Brister)

7. Resolution C.S. No. C-3590 - Resolution to support Fire Protection District No. 4's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing an advanced life support system. (Gould/Brister)

8. Resolution C.S. No. C-3591 - Resolution to support Fire Protection District No. 5's application for assistance from the Louisiana Office of Community Development for purchase of a hydraulic combination tool. (Gould/Brister)

9. Resolution C.S. No. C-3592 - Resolution to support Fire Protection District No. 6's application for assistance from the Louisiana Office of Community Development for purchase of personal protective equipment. (Gould/Brister)

10. Resolution C.S. No. C-3593 - Resolution to support Fire Protection District No. 7's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing personal protective equipment. (Gould/Brister)

11. Resolution C.S. No. C-3594 - Resolution to support Fire Protection District No. 8's application for assistance from the Louisiana Office of Community Development for the purchase of a thermal imaging camera. (Gould/Brister)

12. Resolution C.S. No. C-3595 - Resolution to support Fire Protection District No. 9's application for assistance from the Louisiana Office of Community Development for the purchase of self contained breathing apparatus air packs. (Gould/Brister)

13. Resolution C.S. No. C-3596 - Resolution to support Fire Protection District No. 11's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing a thermal imager and digital flow meter. (Gould/Brister)

14. Resolution C.S. No. C-3597 - Resolution to support Fire Protection District No. 12's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing a thermal imaging camera. (Gould/Brister)

15. Resolution C.S. No. C-3598 - Resolution to support Fire Protection District No. 13's application for assistance from the Louisiana Office of Community Development for purchase of extrication equipment. (Gould/Brister)

16. Resolution C.S. No. C-3599 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 3.222 acres located at 1570 Shortcut Highway from Parish NC-1 (Neighborhood Commercial District) to City of Slidell C-2 (Neighborhood Commercial District). (SL2012-05) (Ward 8, District 12) (Gould/Brister)

17. Resolution C.S. No. C-3600 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Brister)

18. Resolution C.S. No. C-3601 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Capital Assets - Other - Fund 330) (Gould/Brister)

19. Resolution C.S. No. C-3602 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Capital Assets - Other - Fund 351) (Gould/Brister)

20. Resolution C.S. No. C-3603 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012 - 2016 Capital Improvement Budget & Program, Fixed Asset and Grant Awards to make changes to the Capital Improvements List - District 7. (Gould/Brister)

21. Resolution C.S. No. C-3604 - Resolution to Amend Ordinance C.S. No. 11-2638 the 2012 - 2016 Capital Improvement Budget & Program, Fixed Asset and Grant Awards to make changes to the Capital Improvements List - Drainage (Fund 316). (Gould/Brister)

22. Resolution C.S. No. C-3605 - Resolution providing for canvassing the returns and declaring the result of the special election held in St. Tammany Parish to authorize the renewal of a special tax therein. (Parish Health Unit) (Gould/Brister)

23. Resolution C.S. No. C-3606 - Resolution authorizing the filing of an application with the Louisiana Department of Transportation and Development for a grant under 49, CFR 5311, Non-Urbanized Area Formula Program and/or 49 CFR 5309, Discretionary Capital Program. (Gould/Brister)

24. Resolution C.S. No. C-3607 - Resolution to approve and authorize St. Tammany Parish through the Office of the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish of St. Tammany and the Louisiana Department of Natural Resources for the purpose of annual renewal of the Parish Local Coastal Program contract. (Gould/Brister)

25. Resolution C.S. No. C-3608 - Resolution to authorize the Parish Council to hire Jean Thibodeaux and Associates to work on consolidating the Parish's drainage regulations both Commercial and Residential into one Ordinance and recommend revisions with regards to technical updates, cost not to exceed \$ 30,000.00. (Gould)

26. Resolution C.S. No. C-3609 - Resolution to recognize and acknowledge the cooperative endeavor agreement and the intergovernmental agreement by and between the City of Covington and St. Tammany Fire Protection District No. 12 adopting the new 2012 re-drawn service areas between the parties. (Gould)

27. Resolution C.S. No. C-3610 - Resolution to appoint an Administrator of and for the St. Tammany Parish Council beginning 2013. (Dean)

END OF CONSENT CALENDAR

APPEALS

1. Gregory Benfatti appealing the Zoning Commission DENIAL on October 2, 2012 to rezone 11,000 square feet located west of Brookter Road, south of US Highway 190 East from A-4 (Single Family Residential District) to HC-2 (Highway Commercial District). (Ward 8, District 14) (ZC12-10-098) (Tabled 11/1/12)

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. Susan Lagarde appealing the Zoning Commission APPROVAL on October 2, 2012 to rezone 8.901 acres located on the southeast corner of LA Highway 1077 and LA Highway 1085 from HC-2 (Highway Commercial District) to HC-2A (Highway Commercial District). (Ward 1, District 1) (ZC12-10-099) (Applicant: Clint Pierson, Sr.) (Tabled 11/1/12)

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. John Warner appealing the Zoning Commission DENIAL on November 7, 2012 to rezone 1.66 acres located east of 8th Street, west of 9th Street, south of Highway 36 from A-4-A (Suburban District) to HC-2 (Highway Commercial District). (Ward 3, District 2) (ZC12-11-108)

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. 4901 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume 1 (Zoning), to create a new Section 6.08 - Regional Business Center Overlay, to allow for Coordinated Design Standards and Flexible Design Standards for Planned Commercial or Office Developments. (ZC12-08-065) (Zoning Commission Approved 10/2/12) (Introduced 11/1/12)

2. Ord. Cal. No. 4902 - Ordinance amending the Official Parish Zoning Map to reclassify 2 acres located east of LA Highway 450, north of Ed Williams Road East, south of the Washington Parish Line from A-1 (Suburban District) to A-1 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 2, District 3) (ZC12-08-085) (Zoning Commission Approved 10/2/12) (Introduced 11/1/12)

3. Ord. Cal. No. 4903 - Ordinance amending the Official Parish Zoning Map to reclassify 1 acre located at the Southeast Corner of US Highway 190 East and Apple Pie Ridge Road from A-1 (Suburban District) to HC-2 (Highway Commercial District). (Ward 8, District 13) (ZC12-10-094) (Zoning Commission Approved 10/2/12) (Introduced 11/1/12)

4. Ord. Cal. No. 4904 - Ordinance amending the Official Parish Zoning Map to reclassify 0.79 acre located on the Southwest Corner of US Highway 190 East & Apple Pie Ridge Road from A-1 (Suburban District) to HC-2 (Highway Commercial District). (Ward 8, District 13) (ZC12-10-095) (Zoning Commission Approved 10/2/12) (Introduced 11/1/12)

5. Ord. Cal. No. 4905 - Ordinance amending the Official Parish Zoning Map to reclassify 6.7452 acres located north of La Highway 1085, west of Tallow Creek Blvd from A-3 (Suburban District) to PF-1 (Public Facilities District). (Ward 1, District 3) (ZC12-10-096) (Zoning Commission Approved 10/2/12) (Introduced 11/1/12)

6. Ord. Cal. No. 4906 - Ordinance amending the Official Parish Zoning Map to reclassify 32.5 acres located west of LA Highway 1085, north of Rue Maison du Lac Blvd from MD-1 (Medical Residential District) to A-4 (Single-family Residential District). (Ward 1, District 1) (ZC12-10-100) (Zoning Commission Approved 10/2/12) (Introduced 11/1/12)

7. Ord. Cal. No. 4907 - Ordinance amending the Official Parish Zoning Map to reclassify 32.5 acres located west of LA Highway 1085, north of Rue Maison du Lac Blvd to a PUD (Planned Unit Development Overlay). (Ward 1, District 1) (ZC12-10-101) (Zoning Commission Approved 10/2/12) (Introduced 11/1/12)

8. Ord. Cal. No. 4908 - Ordinance amending the Official Parish Zoning Map to reclassify 3.05 acres located east of Helen Drive, north of LA Highway 22, being 57 Helen Drive, Madisonville from HC-2 (Highway Commercial District) to A-4 (Single-family Residential District). (Ward 1, District 1) (ZC12-10-102) (Zoning Commission Approved 10/2/12) (Introduced 11/1/12)

9. Ord. Cal. No. 4909 - Ordinance amending the Official Parish Zoning Map to reclassify 53.5 acres located north LA Highway 1085, west of Tallow Creek Blvd from A-3 (Suburban District) & PF-2 (Public Facilities District) to A-3 (Suburban District), PF-2 (Public Facilities District) & PUD (Planned Unit Development Overlay). (Ward 1, District 3) (ZC12-10-104) (Zoning Commission Approved 10/2/12) (Introduced 11/1/12)

10. Ord. Cal. No. 4910 - Ordinance to amend and reenact Section 3-105.00 of Article V, Chapter 3, of the St. Tammany Parish Code of Ordinances, Alcoholic Beverages, in General, and to repeal Sections 3-190.00 through 3-190.04 of Article VIII. (Introduced 11/1/12)

11. Ord. Cal. No. 4911 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Palm Courts and Covington Place Cottages, Phase 1 Subdivisions. (Wards 1 & 3) (Districts 1 & 2) (Introduced 11/1/12)

12. Ord. Cal. No. 4912 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of Agricultural Use Permits within the boundaries of St. Tammany Parish Council District No. 5. (Introduced 11/1/12)

13. Ord. Cal. No. 4913 - Ordinance amending the Official Parish Zoning Map to reclassify 1.19 acres located east of Highway 41, north of Bill Stoltz Road, south of Jack Crawford Road from A-3 (Suburban District) to HC-2 (Highway Commercial District). (Ward 6, District 6) (ZC12-09-090) (Introduced 11/1/12)

14. Ord. Cal. No. 4914 - Ordinance establishing a "No Parking Zone" on a portion of Dove Park Road (4-D-001) (Ward 4, District 5) (Introduced 11/1/12)

15. Ord. Cal. No. 4915 - Ordinance to amend the St. Tammany Parish Code of Ordinances Section 2-009.00 Parish Fees and Service Charges, (B) Development, IV. Mandatory Impact Fees. (Introduced 11/1/12)

NOMINATIONS

1. Appoint one (1) individual to the Board of Commissioners of St. Tammany Recreation District No. 16. (Districts 8, 9, 11, 12, 13, 14) (Smith)

2. Appoint four (4) individuals to the Board of Commissioners of St. Tammany Recreation District No. 10. (Districts 1, 2, 3, 4, 5) (Tabled 10/4/12, 11/1/12) (Gould)

APPOINTMENTS

1. Resolution to reappoint John O'Neil, John Evans and Tom Buell (Terms expire December 31, 2012) and to appoint Marty Gould and Trilby Lenfant to replace Marlin Peachey and Earl Gorrondona (Terms expire December 31, 2012) to Parish Communications District No. 1. (Bellisario)

2. Resolution to reappoint Larry Rase to the Greater New Orleans Expressway Commission. (Falconer)

DISCUSSIONS AND OTHER MATTERS

1. Motion to refer to Zoning Commission for recommendation the proposed re-zoning of 1.01 acres situated in Section 6, Township 8 South, Range 12 East, from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District). (Ward 4, District 5) (Gould)

2. Motion to refer to Zoning Commission for recommendation the proposed re-zoning of Lot 4 in Hillcrest Country Club Subdivision from A-3 (Suburban District) to A-3 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 6, District 6) (Tanner)

3. Motion to refer to Zoning Commission for recommendation the proposed re-zoning of Square 60 in Section 11, Township 7 South, Range 11 East, from A-4-A (Single Family Residential District) to AT-1 (Animal Training/Housing District) (Ward 3, District 2) (Sharp)

4. Motion to reconsider Resolution C.S. C-3539, adopted November 1, 2012, Resolution to vacate, in part, the six (6) month moratorium established by Ordinance C.S. No. 08-1741, and any subsequent extensions thereof, for the limited purpose of allowing the approval of rezoning applications and the issuance of plan review permits on the property located at 200 Pinnacle Drive, Covington, as more particularly described herein. (Ward 1, District 1) to remove Lot 414-D1 from the Resolution to vacate. (Dean)

