

MINUTES
ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, AUGUST 5, 2010 AT 6:00 P.M.
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Marty Gould, Vice-Chairman

Invocation by Mr. Falconer

Pledge of Allegiance by Mr. Hamauei

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

PRESENTATION

Gould - 1) Recognition of Al Hamauei as Alliance for Good Government's Legislator of the Year in St. Tammany Parish. (Dean)

John Wells - the Alliance for Good Government is a non-partisan organization made up of citizens interested in good government. Each year they select a local legislator who has stood out above any one else in the past year. This year they selected Al Hamauei. He is dedicated to the principles of good government and what the people want.

Hamauei - he is thrilled to receive this award. However, this is not his award. It belongs to all of St. Tammany Parish Government for all of the work they do together.

Gould - 2) Presentation by Rusty Batty, Office Administrator, on the programs offered and the personnel of the LSU Ag Center. (Cooper)

Rusty Batty - the St. Tammany Parish Ag Center is one of the 11 campuses of the LSU Ag Center. They are the educating branch of LSU. His staff does a variety of activities. They have a research station which provides unbiased research to people around the state. They help educate 4H Clubs and teach students to plant school gardens. They have programs regarding livestock, youth weapons, forestry, horticulture, and they have a water quality task force. The staff also helps local small farmers and gardeners. All of the staff live and work in the Parish.

Copper -thank you and your staff for all that you do.

Gould - 3) Presentation by Professor Sam Hyde, Southeastern University History Department, regarding the upcoming Bicentennial Celebration of the West Florida Republic. (Falconer)

Professor Hyde - Southeastern University history professor, most people do not realize that not all of Louisiana was bought in the Louisiana Purchase. The area known as the West Florida Parishes remained under Spanish control until the West Florida revolt occurred 200 years ago. There was an armed insurrection against the local government in 1810, and for a short period of time, the West Florida Republic was formed. Eventually, the Republic was forced to annex with the United States. The bicentennial celebration will include a walking trail with a series of tourist attractions showing the road that the battle took. St. Tammany Parish was initially to be named St. Ferdinand Parish, but after the revolt, the Republic decided they no longer wanted the Spanish name.

Gould - 4) Presentation of Certificates of Recognition to St. Tammany Parish Students who were chosen to participate in the 18th Annual Rotary Youth Leadership Awards Program for Rotary District 6840. (Falconer/Hamauei)

Falconer - he and Mr. Hamauei are members of the Covington and Slidell Rotary Clubs respectfully. Students selected for the RYLA program are incoming high school seniors who demonstrate an attitude of "service above self". These 6 students attended the camp representing St. Tammany Parish. They participated in the "Carolyn Fittere Relay for Wheels" and raised money to support the Wheelchair Foundation. One of these students was asked to be 1 of only 4 Alternate Counselors, and another was asked to be 1 of only 4 new Counselors for next year's program.

Falconer/Hamauei/ Davis - presented the awards.

Gould - I need a motion to move up the Appeal regarding the Tulane Primate Center as it is not going to be heard tonight.

Hamauei - motion to move up, second by Thompson. Unanimous with 2 absent (Dean, Binder).

Gould - 2) Robert Schank, Leon and Jane Golemi, Cori Renfroe, and Karen Brantly, individually appealing the Zoning Commission APPROVAL to rezone 529.6 acres located on the north, south, east and west sides of Three Rivers Road and west of Highway 190 from PF-1 (Public Facilities) to MD-4 (Medical Research). (ZC10-05-045) (Tabled 6/3/10 & 7/1/10)

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.

Hamauei - moved to table, second by Canulette. Unanimous with 2 absent (Dean, Binder).

Gould - called for items to be pulled from the Consent Calendar:

Ord. Cal. No. 4356	Ord. Cal. No. 4357	Ord. Cal. No. 4360
Resolution No. C-2925	Resolution No. C-2926	

Consent Calendar less items pulled:

CONSENT CALENDAR

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	July 1, 2010
Council Committee Meeting	July 28, 2010

**ORDINANCES FOR INTRODUCTION
(Public Hearing September 2, 2010)**

1) Ord. Cal. No. 4339 -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. (Ward 9, District 11) (Stefancik)

2) Ord. Cal. No. 4340 - Ordinance authorizing the Parish President to execute an act of dedication by the St. Timothy United Methodist Church and the related Cooperative Endeavor Agreement by and between St. Tammany Parish, Sub-drainage District No. 2 of Gravity Drainage District No. 5 and St. Timothy United Methodist Church for the dedication and construction of a dry retention pond. (Ward 4, District 5) (Gould)

3) Ord. Cal. No. 4341 - Ordinance to amend St. Tammany Parish Code of Ordinances, Chapter 7 Drainage and Flood Control, Article 1, Section 7-002.00 Use of Fill Materials Prohibited, to provide requirements with respect to the relocation of drainage ditches, drainage channels and/or similar drainage features that are partially located on, or which traverse a lot or parcel of property. (Gould)

4) Ord. Cal. No. 4342 - Ordinance to amend Appendix B, Chapter 40 of the St. Tammany Parish Code of Ordinances, Subdivision Regulatory Ordinance 499, Section 40-037.0 Drainage, to provide requirements with respect to structures being located within twenty (20') feet of an open drainage ditch, drainage channel and/or similar drainage feature. (Gould)

5) Ord. Cal. No. 4343 - Ordinance authorizing the Parish President to execute Cooperative Endeavor Agreement by and between St. Tammany Parish and Sub-drainage District No. 2 of Gravity Drainage District No. 5 of St. Tammany Parish for the purpose of improving and repairing the drainage ditch known as the Meadowbrook Main Drain. (Ward 4, District 5) (Gould)

6) Ord. Cal. No. 4344 - Ordinance amending the Official Parish Zoning Map to reclassify 5.61 acres located north of Voters Road and West of Allen Road from A-3 (Suburban District) to AT-1 (Animal Training Housing District). (Ward 8, District 14) (ZC10-07-070) (Zoning Commission approved 7/6/10) (Binder/Davis)

7) Ord. Cal. No. 4345 - Ordinance amending the Official Parish Zoning Map reclassify 2.23 acres located at the northwest corner of Front Street & Ramos Street, being Lots 114AA & 116A, Town of Claiborne, from NC-2 (Indoor Retail and Service District) to NC-4 (Neighborhood Institutional District). (Ward 3, District 3) (ZC10-07-071) (Zoning Commission approved 7/6/10) (Binder/Davis)

8) Ord. Cal. No. 4346 - Ordinance amending the Official Parish Zoning Map to reclassify 0.44 acres located on the northwest corner of Nursery Street & LA Highway 36, being Lots 10 & 11, Square 1, Abita Nursery Subdivision from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District). (Ward 3, District 3) (ZC10-07-073) (Zoning Commission approved 7/6/10) (Binder/Davis)

9) Ord. Cal. No. 4347 - Ordinance amending the Official Parish Zoning Map to reclassify 9.82 acres located south of Woodrow Drive, west of LA Highway 437 from A-1 (Suburban District) to A-1A (Suburban District). (Ward 2, District 2) (ZC10-07-079) (Zoning Commission approved 7/6/10) (Binder/Davis)

10) Ord. Cal. No. 4348 - Ordinance amending the Official Parish Zoning Map to reclassify 4 acres located west of Isabel Swamp Road, north of LA Highway 40 from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 2) (ZC10-07-080) (Zoning Commission approved 7/6/10) (Binder/Davis)

11) Ord. Cal. No. 4349 - Ordinance amending the Official Parish Zoning Map to reclassify 9.232 acres located south of LA Highway 40, west of LA Highway 437 from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 2) (ZC10-07-081) (Zoning Commission approved 7/6/10) (Binder/Davis)

12) Ord. Cal. No. 4350 - Ordinance amending the Official Parish Zoning Map to reclassify 0.994 acres located on the northeast corner of Brownswich Road and Chateau De Way from PF-1 (Public Facilities District) to HC-1 (Highway Commercial District). (Ward 8, District 9) (ZC10-07-082) (Zoning Commission approved 7/6/10) (Binder/Davis)

13) Ord. Cal. No. 4351 - Ordinance amending the Official Parish Zoning Map to reclassify 1 acre located at the end of Perkins Road, east of South 24th Street, south of US Highway 190, being Part of Lot 3 & the south half of Lot 10, Greensburg District Subdivision from A-1-A (Suburban District) to A-1-A (Suburban District) & MHO (Manufactured Housing Overlay District). (Ward 7, District 7) (ZC10-07-085) (Zoning Commission approved 7/6/10) (Binder/Davis)

14) Ord. Cal. No. 4352 - Ordinance amending the Official Parish Zoning Map to reclassify 1.94 acres located west of US Highway 11, commencing at Northshore Circle and extending to Lake Pontchartrain from A-4A (Suburban District) to CB-1 (Community Based Facilities District). (Ward 9, District 13) (ZC10-07-086) (Zoning Commission approved 7/6/10)

15) Ord. Cal. No. 4353 - Ordinance amending the Official Parish Zoning Map to reclassify 14.16 acres located on the Northwest Corner of LA Highway 437 & Woodrow Road from A-1 (Suburban District) to an A-1-A (Suburban District). (Ward 2, District 2) (ZC10-07-087) (Zoning Commission approved 7/6/10) (Binder/Davis)

16) Ord. Cal. No. 4354 - Ordinance amending the Official Parish Zoning Map to reclassify 5 acres located west of LA Highway 437, north of Woodrow Drive from A-1 (Suburban District) to an A-2 (Suburban District). (Ward 2, District 2) (ZC10-07-088) (Zoning Commission approved 7/6/10) (Binder/Davis)

17) Ord. Cal. No. 4355 - Ordinance amending the Official Parish Zoning Map to reclassify 9.31 acres located east of LA Highway 40, north of Big Fork Road, south of Fairhaven Road from A-1 (Suburban District) to an A-1-A (Suburban District). (Ward 2, District 2) (ZC10-07-089) (Zoning Commission approved 7/6/10) (Binder/Davis)

20) Ord. Cal. No. 4358 - Ordinance to correct the Road and Drainage Inventory to include Rucker Road; extension of Hezzie Loyd Road; extension of Mclain Road; extension of Destin Street; extension of Waxwing Drive Lateral; and extension of Blue Crane No. 1 Lateral. (Wards 1, 2, 4 & 8, Districts 1, 2, 9 & 10) (Binder/Davis)

21) Ord. Cal. No. 4359 - Ordinance Amending 2010 Operating Budget. (Binder/Davis)

RESOLUTIONS

23) Resolution C.S. No. C-2909 - Resolution approving the holding of an election in St. Tammany Parish Drainage District No. 4 to authorize the increase of a maintenance and operation tax. (Ward 8, District 13) (Artigue)

24) Resolution C.S. No. C-2910 - Resolution urging the United States Congress to pass and fund the Agent Orange Act of 2009, H. R. 2254, and to restore the presumption of a service connection for Agent Orange Exposure for United States Navy and Air Force Veterans who served on the inland waterways and territorial waters and in the airspace of Vietnam, Thailand, Laos, and Cambodia. (Hamauei)

25) Resolution C.S. No. C-2911 - Resolution establishing Warranty Obligations. (Binder/Davis)

PERFORMANCE

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Enter Parish R.O.W. (Resolution No. 05-223) Echo Street Alexiusville S/D Performance Obligation (\$3000) Expires: August 28, 2010 Ward: 3, District: 1	EXTEND FOR SIX MONTHS OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED

WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Enter Parish R.O.W. (Resolution No. 04-160) State, Orange, Walnut St. & Mandeville Ave. Abita Terrace S/D Amount: \$14,400 Expires: August 18, 2010 Ward: 4, District: 7	RELEASE WARRANTY OBLIGATION & ESTABLISH PERFORMANCE OBLIGATION FOR SIX (6) MONTHS

WARRANTY OBLIGATION CONTINUED:

**Heritage Oaks Subdivision
Amount: \$30,800
Expires: August 30, 2010
Ward: 1, District: 1**

**RELEASE WARRANTY OBLIGATION
& ESTABLISH PERFORMANCE
OBLIGATION FOR SIX (6) MONTHS**

26) Resolution C.S. No. C-2912 - Resolution to adopt changes to the St Tammany Parish Natural Hazards Mitigation Plan. (Binder/Davis)

27) Resolution C.S. No. C-2913 - Resolution stating the Parish Council's endorsement of RTD Beverages, LLC for participation in the benefits of the Louisiana Enterprise Zone Program. (EZ#2010-0738) (Binder/Davis)

28) Resolution C.S. No. C-2914 - Resolution to amend Ordinance C.S. No 09-2166, 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Capital Improvements - Facilities) (Binder/Davis)

29) Resolution C.S. No. C-2915 - Resolution to amend Ordinance C.S. No 09-2166, 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Grants)

30) Resolution C.S. No. C-2916 - Resolution to amend Ordinance C.S. No 09-2166, 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Road List - District 6. (Binder/Davis)

31) Resolution C.S. No. C-2917 - Resolution to Amend Ordinance C.S. No 09-2166, 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Road List - District 9. (Binder/Davis)

32) Resolution C.S. No. C-2918 - Resolution to amend Ordinance C.S. No 09-2166, 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Fixed Assets) (Binder/Davis)

33) Resolution C.S. No. C-2919 - Resolution to Amend Ordinance C.S. No 09-2166, 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Capital Improvements) (Binder/Davis)

34) Resolution C.S. No. C-2920 - Resolution supporting the Parish President's authorizing the Chief Administrative Officer to sign all grant documents relating to Louisiana Act 41 of 2010 Line Item Appropriations, on his behalf. (Binder/Davis)

35) Resolution C.S. No. C-2921 - Resolution authorizing Parish Government to administer grants appropriated to the Parish Council in Act 41 of the Louisiana 2010 Regular Session of the Legislature. (Binder/Davis)

36) Resolution C.S. No. C-2922 - Resolution certifying that Parish Government has no bond funding sufficient to fund the project entitled "Camp Salmen Acquisition and Improvements, Planning and Construction (\$449,000 Non-state Match)". (Binder/Davis)

37) Resolution C.S. No. C-2923 - Resolution certifying that Parish Government has no bond funding sufficient to fund the project entitled "South Slidell Levee Protection (Usace 533d Report for Levees West of I-10) Planning and Construction. (Binder/Davis)

38) Resolution C.S. No. C-2924 - Resolution certifying that Parish Government has no bond funding sufficient to fund the project entitled "South Slidell Levee Rehabilitation (Usace 533d Report for Levees East of I-10) Planning and Construction. (Binder/Davis)

END OF CONSENT CALENDAR

Stefancik - moved to adopt Consent Calendar less items pulled, second by Burkhalter. Unanimous with 2 absent (Dean, Binder).

Gould - 18) Ord. Cal. No. 4356 - Ordinance validating and ratifying ordinances adopting the Comprehensive Rezoning Areas of the Unified Development Code, Volume I (Zoning), and all subsequent amendments thereof. (Binder)

Bellisario - wanted to confirm that this will complete all comprehensive rezoning?

Hall - yes. This will be referred to the Zoning Commission for review, and when it comes back, it will be adopted. You will still be able to correct errors.

Stefancik - moved to introduce, second by Bellisario.

Gould - 19) Ord. Cal. No. 4357 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically entering the rights of way on State Street, Orange Street, Walnut Street and Mandeville Avenue within Abita Terrace Subdivision. (Ward 4, District 7) (Binder/Davis)

Gould - Engineering has asked that this item be removed from the Agenda.

Hamauei - moved to remove, second by Thompson. Unanimous with 2 absent (Dean, Binder).

Gould - 22) Ord. Cal. No. 4360 - Ordinance providing for the incurring of debt and issuance of ___ * ___ Dollars (\$ *) of Sales Tax Bonds, Series 2010 (Jail), of the Parish of St. Tammany, State of Louisiana; prescribing the form, terms and conditions of said Bonds; designating the date, denomination and place of payment of said Bonds; providing for the payment thereof in principal and interest; authorizing the agreement with the Paying Agent; and providing for other matters in connection therewith. (*not to exceed two million dollars) (Binder/Davis)

Kevin Davis - this ordinance is not ready to go forward. We are asking that it be removed from the Agenda.

Falconer - moved to remove, second by Burkhalter. Unanimous with 2 absent (Dean, Binder).

Gould - 39) Resolution C.S. No. C-2925 - Resolution to concur/not concur with the Town of Pearl River Annexation and rezoning of 1.6 acres from Parish A-2 (Suburban District) to Pearl River R-1-A (Residential District) located at 65418 Crawford Lane in Crawford Subdivision. (Ward 8, District 6) (PR2010-02) (Binder/Davis)

Crawford - moved to concur with the annexation, second by Thompson. Unanimous with 2 absent (Dean, Binder).

Gould - 40) Resolution C.S. No. C-2926 - Resolution to concur/not concur with the Town of Pearl River annexation and rezoning of 8.11 acres from Parish A-2 (Suburban District) to Pearl River R-1-A (Residential District) located at 39326 Swann Lake Lane in Crawford Subdivision. (Ward 8, District 6) (PR2010-03) (Binder/Davis)

Crawford-Howell - moved to concur with the annexation, second by Thompson. Unanimous with 2 absent (Dean, Binder).

APPEALS

Gould - 1) Jeffery Schoen representing Maurmont Properties, LLC appealing the Zoning Commission DENIAL on May 4, 2010 of a text change in the Parish Unified Development Code, Section 7.0213 Sign Regulations. (ZC10-05-048) (Tabled 6/3/10 & 7/1/10)

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.

Jeff Schoen - he has asked Sandra Slifer to speak also and present their suggestion on how they would like to proceed. Maurmont Properties appealed this ordinance, because even though it improved the sign portion of the ordinance, there are still issues. His client asks the Council to consider overriding the denial but allow each side to add amendments to the ordinance. The amendments would not be presented but brought up at a later time for discussion.

Sandra Slifer - this ordinance is not the one that they want to be passed, but would like to see it move forward. They would like to work with staff at a later time to make some amendments to it.

Hamauei - moved to override the Zoning denial, second by Canulette. Unanimous with 3 absent (Dean, Binder, Burkhalter).

Hamauei - moved to introduce an ordinance, second by Canulette; becomes Ord. Cal. No. 4362.

Gould - 3) Richard P. Wilke appealing the Zoning Commission APPROVAL on December 1, 2009 to rezone 33 acres south of LA Highway 1085, west of LA Highway 21 and across from Bricker Road from PUD (Planned Unit Development) to MD-1 (Medical Residential). (Ward 1, District 1) (ZC09-12-047) (Applicant Michael J. Champagne, Jr.) (Tabled 1/7/10 & 2/4/10) (Postponed 60 days on 3/4/10) (Postponed 60 days on 5/6/10)

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.

Hamauei - moved to table, second by Burkhalter. Unanimous with 2 absent (Dean, Binder).

ORDINANCES FOR ADOPTION

Gould - 1) Ord. Cal. No. 4185AA - Ordinance to authorize the execution of a contract agreement pursuant to La. R.S. 33:4791.1 between St. Tammany Parish Government and Acadian Ambulance Service, Inc. for the provision of emergency and non-emergency ambulance services within specific service areas of St. Tammany Parish. (Introduced 7/1/10)

Gould - he thinks that this is an improvement over the previous contract. However, he cannot vote for it, because portions of his district are in a 15 minute response time. His district is an urban area. He cannot support this, because he thinks that Acadian can do better than a 15 minute response time.

Sevante - this contract allows for an annual review of Acadian's service and the contract. If there are concerns, they will be able to discuss them. It is a 4-year contract, but both parties have to comply with the terms of the contract for it to continue to be effective within the 4 years.

Gould - so the Council has no authority to make Acadian make a change to their services? Acadian would have to agree and approve?

Sevante - both sides would have to agree to make a change to the contract.

Dwain Meche - Acadian and the Parish have been working on this contract for the last year. At the Council's request, they began moving resources to different areas of the Parish in order to provide better service, especially in the 20 minute response time area. They are still servicing 60% of the calls in the Parish in 8 minutes or less, which is better than the contract requirements. Also, 77% of the calls are answered in under 12 minutes.

Gould - he knows that Acadian and the Fire Districts that have ambulance services have been backing each other up through mutual aid agreements. The Fire Departments work efficiently and well together. They have been better at stepping up and helping Acadian. He just cannot support this contract, because he does not feel it is the best for his area.

Meche - the Council has his word that Acadian will continue to provide the best service at all times.

Stefancik - this contract has actually taken 3 ½ years. He thinks that Acadian has been very patient with the Parish. The reason for the changes was because longer response times in the rural areas of the Parish. He thinks that the contract improves the service in all areas. He thinks that the Fire Departments are performing better, because they are subsidized by taxes. Acadian is monitored on a monthly basis to make sure that they are meeting the contracted time requirements.

Stefancik - moved to adopt, second by Canulette. Motion passed with 1 Nay (Gould) and 2 absent (Dean, Binder); becomes Ordinance C.S. No. 10-2304.

Gould - 2) Ord. Cal. No. 4209AA - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 8.01, Minimum Standards for Specific Uses, relative to agricultural and decorative ponds. (Tabled 12/3/09 & 1/7/10)(Amended & re-introduced 2/4/10) (ZC10-01-016) (Zoning Commission approved 3/2/10)(Tabled 3/4/10, 4/1/10, 5/6/10, 6/3/10 & 7/1/10)

Sevante - the draft revision of this ordinance is done, but they are waiting to finalize this until the commercial excavation issue is addressed. There will be a Town Hall meeting on Wednesday, August 18 for anyone interested to come and speak about commercial excavation.

Bellisario - moved to table, second by Canulette. Unanimous with 3 absent (Dean, Falconer, Binder).

Gould - 3) Ord. Cal. No. 4213AII - Ordinance to amend Parish Unified Development Code, Volume I (Zoning) Sections 5.24 - 5.26a, I-1, I-2, I-3 and I-4 Industrial Districts, relative to Commercial Excavations. (ZC09-11-032) (Zoning Commission approved 12/1/09) (Introduced 1/7/10 & reintroduced 2/4/10) (Adopted 3/4/10) (Reconsidered, rescinded & tabled 4/1/10) (Tabled 5/6/10, 6/3/10 & 7/1/10)

Canulette - as Mr. Sevante stated, there will be a meeting on August 18th to discuss this ordinance. The drafts of this ordinance and the previous ones will be available before that time in the Council office.

Bellisario - moved to table, second by Burkhalter. Unanimous with 3 absent (Dean, Falconer, Binder).

Gould - 4) Ord. Cal. No. 4252AII - Ordinance to amend and reenact Parish Code of Ordinances, Chapter 20, Roads and Bridges Section 20.010.03 Location and Placement of Public and Private Utility Equipment and Collection and/or Distribution Lines in Parish Rights of Way. (Introduced 2/4/10) (Tabled 3/2/10, 4/1/10, 5/6/10 & 6/3/10) (Amended and reintroduced 7/1/10)

Bellisario - moved to adopt, second by Burkhalter. Unanimous with 3 absent (Dean, Falconer, Binder); becomes Ordinance C.S. No. 10-2305.

Gould - 5) Ord. Cal. No. 4275AA - Ordinance to amend the Parish Unified Development Code, Section 7.02 Sign Regulations, relative to permitted signs for properties located along the Interstate 10 Service Road. (Ward 9, District 13) (Introduced 3/4/10)(ZC#10-06-054) (Zoning Commission amended and approved 6/1/10) (Tabled 4/1/10, 5/6/10 & 6/3/10) (Amended and reintroduced 7/1/10)

Sevante - the ordinance in the packet is a result of the Zoning Commission recommendation based on the original ordinance. The Commission approved the original with 3 amendments - reduced height, greater square footage for commercial space and no video displays. If the Council chooses to disregard one of the changes then the amendment should be stated that way.

Artigue - the Harbor Center Sign needs to be able to change on a daily basis. He thinks it needs to be a reader board.

Sevante - the original ordinance included provisions allowing for the Harbor Center to have a video display. There has been public notice of both versions.

Carlo Hernandez - he believes that there is a big difference in a video display and a reader display. Video could include the broadcast of a live action sporting event. The Zoning Commission voted unanimously against video display signs.

Sandra Slifer - the Federal Highway Administration is currently evaluating whether or not to allow video displays because so many accidents are being caused by them. A picture with just moving words is not as distracting as a video display which is essentially a film. She urges the Council to not use this language in this ordinance.

Artigue - moved to amend the ordinance to the Zoning Commission recommendations, but allowing video displays, second by Stefancik. Unanimous with 2 absent (Dean, Binder); becomes Ordinance C.S. No. 10-2306.

Gould - 6) Ord. Cal. No. 4296 - Ordinance amending Ordinance C. S. No. 09-2038, adopted May 7, 2009, making changes to Land Use Regulations Ordinance No. 523 As Amended, Section 6.01, and Unified Development Code Section 7.0801, Modifications and Exceptions, Lots of Record, Amending Side Yard Setback and Driveway Requirements. (Introduced 4/1/10) (ZC#10-07-068) (Zoning Commission Hearing 7/6/10) (Tabled 5/6/10, 6/3/10 & 7/1/10) (Zoning Commission Approved 7/6/10)

Burkhalter - moved for adoption, second by Bellisario. Unanimous with 2 absent (Dean, Binder); becomes Ordinance C.S. No. 10-2307.

Gould - 7) Ord. Cal. No. 4317 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Section 5.25 I-2 Industrial District to add all I-1 District Uses as Permitted Uses. (ZC10-06-059) (Zoning Commission amended and approved 6/1/10) (Introduced 6/3/10) (Tabled 7/1/10)

Hamauei - moved to adopt, second by Canulette. Unanimous with 2 absent (Dean, Binder); becomes Ordinance C.S. No. 10-2308.

Gould - 8) Ord. Cal. No. 4278 - Ordinance to amend the Parish Unified Development Code, Volume 1 (Zoning) to amend Section 6.05 Planned Corridor District. (ZC10-03-036) (Zoning Commission approved 3/2/10) (Binder/Davis) (Tabled 4/1/10, 5/6/10 & 6/3/10) (Introduced 7/1/10)

Bellisario - moved to adopt, second by Thompson. Unanimous with 2 absent (Dean, Binder); becomes Ordinance C.S. No. 10-2309.

Gould - 9) Ord. Cal. No. 4322 - Ordinance to amend the Official Parish Zoning Map to reclassify 1.39 acres on the north and south sides of Dorsey Road and east of Pace Street from A-1-A (Suburban District) to an A-1-A (Suburban District) & MHO (Manufactured Housing Overlay District). (Ward 8, District 14) (ZC10-06-050) (Zoning Commission approved 6/1/10) (Introduced 7/1/10)

Burkhalter - moved to adopt, second by Bellisario. Unanimous with 2 absent (Dean, Binder); becomes Ordinance C.S. No. 10-2310.

Gould - 10) Ord. Cal. No. 4323 - Ordinance to amend the Official Parish Zoning Map to reclassify 232.97 acres located south of Pat O'Brien Road, North & South of Spring Clover Road and west of LA Highway 1082 from A-1 (Suburban District) to an A-1 (Suburban District) & RO (Rural Overlay District). (Ward 2, District 2) (ZC10-06-052) (Zoning Commission approved 6/1/10) (Introduced 7/1/10)

Cooper - moved to adopt, second by Thompson. Unanimous with 2 absent (Dean, Binder); becomes Ordinance C.S. No. 10-2311.

Gould - 11) Ord. Cal. No. 4324AA - Ordinance to amend the Official Parish Zoning Map to reclassify 3.18 acres located east of LA Highway 41, north of Jack Crawford Road, being 67464 Highway 41, Pearl River from A-2 (Suburban District) to an HC-1 (Highway Commercial District). (Ward 6, District 6) (ZC10-06-053) (Zoning Commission approved 6/1/10) (Introduced 7/1/10)

Crawford-Howell - moved to adopt, second by Falconer. Unanimous with 3 absent (Dean, Cooper, Binder); becomes Ordinance C.S. No. 10-2312.

Gould - 12) Ord. Cal. No. 4325 -Ordinance to amend the Official Parish Zoning Map to reclassify 0.69 acres located west of Bolden Road, south of James Crosby Road, being 63543 Bolden Road, Pearl River from A-4-A (Single Family Residential District) to A-4-A (Single Family Residential District) & MHO (Manufactured Housing Overlay District). (Ward 8, District 14) (ZC10-06-066) (Zoning Commission approved 6/1/10) (Introduced 7/1/10)

Burkhalter - moved to adopt, second by Hamauei. Unanimous with 3 absent (Dean, Cooper, Binder); becomes Ordinance C.S. No. 10-2313.

Gould - 13) Ord. Cal. No. 4326 -Ordinance to amend the Official Parish Zoning Map to reclassify 49.28 acres located east of Ochsner Blvd., south of Maison du Lac Subdivision, and west of Normandy Oaks Subdivision from A-4 (Single Family Residential District) to A-4-A (Single Family Residential District). (Ward 1, District 1) (ZC10-06-067) (Zoning Commission approved 6/1/10) (Introduced 7/1/10)

Hamauei - moved to adopt, second by Thompson. Unanimous with 3 absent (Dean, Cooper, Binder); becomes Ordinance C.S. No. 10-2314.

Gould - 14) Ord. Cal. No. 4327 - Ordinance to amend Parish Code of Ordinances, Chapter 2 Administration, Article I General, Section 2-002.01 Reimbursement - medical, psychiatric, dental expenses by inmates/prisoners, to provide for the amount of co-payment authorized by statute, to provide with respect to reimbursement of medical and dental expenses and to otherwise provide with respect to reimbursement for the expenses of prisoners/inmates. (Introduced 7/1/10)

Canulette - moved to adopt, second by Burkhalter. Unanimous with 3 absent (Dean, Cooper, Binder); becomes Ordinance C.S. No. 10-2315.

Gould - 15) Ord. Cal. No. 4329 - Ordinance to impose a six (6) month moratorium on the receipt of conditional use permit applications by the Parish Planning Department for solid waste transfer stations and on the issuance of building permits for the construction of solid waste transfer stations. (Introduced 7/1/10)

Hamauei - the Council has discussed this for many meetings. He would like to put this moratorium in place until the Zoning can be defined.

Bellisario - this is one issue that he and Mr. Hamauei are on opposite sides. The paperwork is in the process to address this. There is no ordinance that would allow Administration to approve a waste transfer station. He does not feel that a moratorium is needed.

Canulette - he thinks that they need to give the process a chance to work and to continue to work with all parties.

Hamauei - moved to adopt, second by Billiot. Motion failed with 2 yeas (Hamauei, Billiot) and 3 absent (Dean, Cooper, Binder).

Gould - 16) Ord. Cal. No. 4330 - Ordinance to correct the Road and Drainage Inventory to include Gitz Lane Lateral; Wood View Drive Lateral; Zellie Lane; 84 Lumber Road; and to remove portions of Anthony Road and North Anthony Road. (Wards 1, 2, 3, & 8; Districts 1, 3, 6, 9 & 13) (Introduced 7/1/10)

Hamauei - moved to adopt, second by Stefancik. Unanimous with 3 absent (Dean, Cooper, Binder); becomes Ordinance C.S. No. 10-2316.

Gould - 17) Ord. Cal. No. 4331AA -Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Pittman Place; Abita Lakes, Phase 3a; Terra Bella, Phase 1-A-2; and entering the Rights of Way on Ochsner Blvd. and Horace Street. (Wards 1, 4, 8 & 10; Districts 1, 2, 5, & 9) (Introduced 7/1/10)

Bellisario - moved to adopt, second by Stefancik. Unanimous with 3 absent (Dean, Cooper, Binder); becomes Ordinance C.S. No. 10-2317.

Gould - 18) Ord. Cal. No. 4332 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain parcels, rights of way and/or servitudes located in Autumn Creek II Subdivision, Phase 2A and all future phases. (Introduced 7/1/10)

Thompson - moved to adopt, second by Canulette. Unanimous with 2 absent (Dean, Binder); becomes Ordinance C.S. No. 10-2318.

Gould - 19) Ord. Cal. No. 4333 - Ordinance amending the 2010 Operating Budget. (Introduced 7/1/10)

Falconer - moved to adopt, second by Burkhalter. Unanimous with 2 absent (Dean, Binder); becomes Ordinance C.S. No. 10-2319.

Gould - 20) Ord. Cal. No. 4334 - Ordinance to amend the boundaries and extend for an additional six (6) months the moratorium on the issuance of building or conditional use permits for construction or placement of building structures on property within a portion of unincorporated Town of Alton Subdivision. (Ward 9, District 14) (Introduced 7/1/10)

Burkhalter - moved to adopt, second by Artigue. Unanimous with 2 absent (Dean, Binder); becomes Ordinance C.S. No. 10-2320.

Gould - 21) Ord. Cal. No. 4335 - 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 permit applications, for the purpose of construction or placement of multi-family structures on property within unincorporated areas of Council District 12. (Introduced 7/1/10)

Bellisario - moved to adopt, second by Hamauei. Unanimous with 2 absent (Dean, Binder); becomes Ordinance C.S. No. 10-2321.

Gould - 22) Ord. Cal. No. 4336 - Ordinance amending the Official Zoning Map to reclassify Square 16: Lots 4 & 5, containing 2 acres, in Pearl Acres Subdivision from A-3 (Suburban District) to HC-1 (Highway Commercial). (ZC10-06-055) (Zoning Commission denied 6/1/10) (Ward 8, District 8) (Introduced 7/1/10)

Canulette - moved to adopt, second by Stefancik. Unanimous with 2 absent (Dean, Binder); becomes Ordinance C.S. No. 10-2322.

Gould - 23) Ord. Cal. No. 4337 - Ordinance authorizing the Parish President to execute a lease agreement for lease of fifteen (15) parking spaces within the lot on Jefferson Avenue bearing the municipal address 410 Jefferson Avenue, Covington. (Ward 3 District 3) (Introduced 7/1/10)

Thompson - moved to adopt, second by Cooper. Unanimous with 3 absent (Dean, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2323.

Gould - 24) Ord. Cal. No. 4338 - Ordinance to amend the Official Parish Zoning Map to reclassify 23,153 square feet located east LA Highway 59, south of Robert Road, being 69408 Highway 59, Abita Springs from HC-2 (Highway Commercial District) to I-1 (Industrial District). (Ward 4, District 7) (ZC10-06-064)

Hamauei - moved to adopt, second by Canulette. Unanimous with 3 absent (Dean, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2324.

APPOINTMENTS

Gould - 1) Resolution to re-appoint Mike Lopez (term expired) to St. Tammany Parish Recreation District No. 11. (Districts 2, 3, 5, 6 & 7) (Gould)

Bellisario - moved to adopt, second by Stefancik. Unanimous with 2 absent (Dean, Binder); becomes Resolution C.S. No. C-2928.

DISCUSSION AND OTHER MATTERS

Gould - 1) Motion to refer to Zoning Commission for recommendation the proposed rezoning of property situated in Section 11, Township 7 South, Range 1 East, located within Tammany Hills Subdivision from its present A-4-A (Single Family Residential District) to CB-1 (Community Based Facility District). (Ward 3, District 5) (Gould)

Thompson - moved to refer, second by Falconer. Unanimous with 2 absent (Dean, Binder).

Gould - 2) Motion to rescind Motion Off the Floor #2 from the May 6, 2010 Parish Council meeting and to substitute a Motion to refer to the Zoning Commission for recommendation of the proposed rezoning of 14.09 acres located east of Slaughter Road, south of LA Highway 36, west of Reed Road, from A-2 (Suburban District), HC-2 (Highway Commercial District), I-1 (Industrial District), and I-4 (Heavy Industrial District) to A-2 (Suburban District), HC-2 (Highway Commercial District) and I-2 (Industrial District). (Ward 6, District 6) (Crawford-Howell)

Crawford- Howell - there was an improper legal description in the previous motion. So, she is rescinding that motion and referring this one instead.

Crawford-Howell - moved to refer, second by Cooper. Unanimous with 2 absent (Dean, Binder).

Bellisario - moved to open the Off-the-Floor Agenda, second by Stefancik. Unanimous with 2 absent (Dean, Binder).

AUGUST 5, 2010- ITEMS OFF-THE-FLOOR

Gould - 1) Presentation from Kevin Davis and Public Service Commissioner Eric Skrmetta to Courtney Smith in recognition for being selected as St. Tammany Parish's Representative in the Reaching for Tops Essay Contest sponsored by Public Service Commission's District One. (Gould)

Gould - Ms. Smith was unable to be here tonight. This item needs to be tabled.

Stefancik - moved to table, second by Burkhalter. Unanimous with 2 absent (Dean, Binder).

Gould - 2) Motion to refer to the Zoning Commission for recommendation the proposed rezoning of property in Oak Park Estates, bearing physical address 89 Oak Park Drive, Madisonville, from A-3 (Suburban District) to PF-3 (Public Facilities District). (Ward 1, District 1) (Dean)

Kieran Welldon - he represents Fire Protection District No. 2. They need to be rezoned in order to proceed with planned renovations to help improve service.

Hamauei - moved to refer, second by Thompson. Unanimous with 2 absent (Dean, Binder).

Gould - 3) Ordinance amending the Official Parish Zoning Map of the 2009 South West Comprehensive Rezoning Area Two (CRA-2) to reclassify 6 acres, bearing physical address 120 Fairview Drive, Madisonville, from A-4 (Single Family Residential District) to HC-2 (Highway Commercial District). (Ward 4, District 4) (ZC10-07-074) (Zoning Commission denied 7/6/10) (Falconer)

Falconer - moved to introduce, second by Crawford-Howell; becomes Ord. Cal. No. 4363.

Gould - 4) Emergency Ordinance to impose a 30-day 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)

Hamauei - moved to introduce, second by Stefancik; becomes Ord. Cal. No. 4361.

Hamauei - moved to suspend the rules and adopt, second by Stefancik. Unanimous with 2 absent (Dean, Binder); becomes Ordinance C.S. No. 10-2303.

Gould - 5) Ordinance to impose a 6 month 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)

Hamauei - moved to introduce, second by Stefancik. Unanimous with 2 absent (Dean, Binder); becomes Ord. Cal. No. 4364.

Gould - 6) Resolution urging President Obama to reduce the six-month moratorium on deep-water drilling in the Gulf of Mexico to no more than thirty (30) days, and during that time task Minerals Management Service (MMS) with conducting thorough inspections of all deep-water drilling facilities in the Gulf of Mexico as well as implement strict safety measures and take enforcement actions to ensure compliance with safety mandates, thus greatly reducing the job loss and negative economic impact felt by our region while ensuring a safer industry. (Burkhalter)

Burkhalter - moved to adopt, second by Artigue. Unanimous with 2 absent (Dean, Binder); becomes Resolution C.S. No. C-2929.

VERBAL OFF-THE-FLOOR

Gould - 7) Motion authorizing the Parish to take all appropriate action, including legal action, to ensure that the responsible parties comply with the drainage improvement requirements for the development of the subdivision known as The Fountains Subdivision. (Gould)

Canulette - moved to open floor for discussion, second by Bellisario. Unanimous with 2 absent (Dean, Binder).

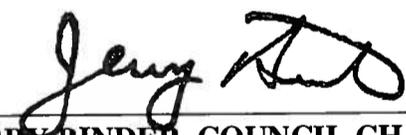
Bellisario - moved to authorize, second by Burkhalter. Unanimous with 2 absent (Dean, Binder).

Gould - 8) Resolution C.S. No. C-2930 - Resolution in support of the Deepwater Horizon Response UAC Transition Plan as amended and approved by all coastal parishes and the State of Louisiana.

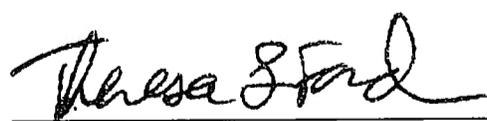
Stefancik - moved to open floor for discussion, second by Burkhalter. Unanimous with 2 absent (Dean, Binder).

Stefancik - moved to adopt, second by Artigue. Unanimous with 2 absent (Dean, Binder); becomes Resolution C.S. No. C-2930.

There being no further business, meeting adjourned at the call of the Vice-Chairman.



JERRY BINDER, COUNCIL CHAIRMAN



THERESA L. FORD, COUNCIL CLERK