

**MINUTES OF ST. TAMMANY PARISH COUNCIL MEETING**

**THURSDAY, APRIL 7, 2011 AT 6:00 P.M.**

**ST. TAMMANY GOVERNMENT COMPLEX**

**21490 KOOP DRIVE, MANDEVILLE, LA.**

**Call to Order by Honorable Martin Gould, Jr., Chairman**

**Invocation by Mr. Burkhalter**

**Pledge of Allegiance by Mr. Billiot**

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

**PRESENTATIONS**

**Gould - Presentation numbers 1, 4 and 5 are to be tabled.**

**1. Presentation of Certificate of Recognition to the Slidell Ladies of Liberty. (Bellisario)  
(Tabled 3/3/11)**

**4. Presentation of Certificates of Recognition to Saint Paul's School Soccer Team. (Gould)**

**5. Presentation of Certificates of Recognition to Northlake Christian Boys' Soccer Team for  
winning the State Championship. (Gould)**

**Gould - 2. Presentation of Certificate of Recognition to Home Depot for their prompt assistance  
following the March 9<sup>th</sup> tornado that affected Lake Village in Slidell. (Canulette)**

**Bellisario - read statement from Mr. Canulette (See Exhibit A attached).**

**Tommy Barrois - Pro Department Manager for Home Depot, they feel it is important to help the  
community recover after disasters such as this.**

**Derrick Powers - Home Depot Manager - it is great to have employees such as Tommy. When they  
asked for volunteers to help, the whole store volunteered.**

**Kevin Davis - Tommy came to the scene with tarps under his arm saying they were from Home  
Depot and there to help.**

**Gould - 3. Presentation of Certificate of Recognition to the Red Cross for their prompt assistance  
following the March 9<sup>th</sup> tornado that affected Lake Village in Slidell. (Canulette)**

**Red Cross - thanks the Council and President for the recognition. They think the recognition should  
go to the neighbors who stepped up to help the 46 families affected by this disaster. The Red Cross  
always appreciates the local government and volunteers.**

Davis - the Red Cross did a great job. He would also like to recognize CLECO and WST who worked quickly to restore power. All of the volunteers showed the spirit of St. Tammany.

Gould - call to Council and Audience for items to be pulled from the Consent Calendar.

Ord. Cal. No. 4486	Ord. Cal. No. 4543	Ord. Cal. No. 4544
Ord. Cal. No. 4545	Resolution C.S. No. C-3075	Resolution C.S. No. C-3077
Resolution C.S. No. C-3078	Resolution C.S. No. C-3079	Resolution C.S. No. C-3084

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. (Call to Council Members and Audience for items to pull)

**MINUTES**

Regular Council Meeting	March 3, 2011
Council Committee Meeting	March 30, 2011

**ORDINANCES FOR INTRODUCTION  
(Public Hearing: May 5, 2011)**

2. Ord. Cal. No. 4526 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning) to delete and replace Section 6.03, SAO - Slidell Airport Overlay in its entirety. (ZC11-03-013) (Zoning Commission approved 3/1/11) (Gould/Davis)

3. Ord. Cal. No. 4527 - Ordinance amending the official Parish Zoning Map to reclassify 5.84 acres located east and west of Buckley Lane, south of LA Highway 1091 from A-4 (Single-Family Residential District) and A-3 (Suburban District) to A-4 (Single-Family Residential District) and MHO (Manufactured Housing Overlay District). (Ward 8, District 14) (ZC11-03-014) (Zoning Commission approved 3/1/11) (Gould/Davis)

4. Ord. Cal. No. 4528 - Ordinance amending the official Parish Zoning Map to reclassify 11 acres located east of Fish Hatchery Road, north of Sandy Road from A-1-A (Suburban District) to A-2 (Suburban District). (Ward 7, District 7) (ZC11-03-016) (Zoning Commission approved 3/1/11) (Gould/Davis)

5. Ord. Cal. No. 4529 Ordinance amending the official Parish Zoning Map to reclassify 1.340 acres located on the southeast corner of LA Highway 21 & Pierce Road from A-2 (Suburban District) to HC-2 (Highway Commercial District). (Ward 5, District 6) (ZC11-03-018) (Zoning Commission approved 3/1/11) (Gould/Davis)

6. Ord. Cal. No. 4530 - Ordinance amending the official Parish Zoning Map to reclassify 4 acres located south of Morgan Road, west of LA Highway 40, being 21160 Morgan Road, Bush from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 2) (ZC11-03-019) (Zoning Commission approved 3/1/11) (Gould/Davis)

7. Ord. Cal. No. 4531 - Ordinance amending the official Parish Zoning Map to reclassify 6.075 acres located east of North Willie Road, north of Robert Willie Road, being 80472 N. Willie Road, Folsom from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 3) (ZC11-03-020) (Zoning Commission approved 3/1/11) (Gould/Davis)

8. Ord. Cal. No. 4532 - Ordinance amending the official Parish Zoning Map to reclassify 4.27 acres located east of LA Highway 1077, south of Stephanie Lane, being 76160 Highway 1077, Covington, from A-1 (Suburban District) to PF-1 (Public Facilities District).(Ward 1, District 1) (ZC11-03-022) (Zoning Commission approved 3/1/11) (Gould/Davis)

9. Ord. Cal. No. 4533 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Pine Creek Acres, Phase 1B Subdivision. (Ward 1, District 1) (Gould/Davis)

10. Ord. Cal. No. 4534 - Ordinance to correct the Road and Drainage Inventory to include Adams Avenue; Comanche Drive lateral; Sandewood Court lateral; and an extension of Falconer Blvd., in said inventory. (Wards 3 & 5, Districts 3, 5 & 6) (Gould/Davis)

11. Ord. Cal. No. 4535 - Ordinance to correct the Road and Drainage Inventory to include North Shore Drive in said inventory. (Ward 9, District 13). (Gould/Davis)

12. Ord. Cal. No. 4536 - Ordinance to authorize the Parish President to accept donation and dedication and to accept into the Parish Road Maintenance System Stirling Boulevard Extension. (Gould/Davis)

13. Ord. Cal. No. 4537 - Ordinance to amend Ordinance C.S. No. 09-2166 the 2010-2014 Capital Improvements Budget and Program; and to further identify Fixed Asset and Grant Award. (Gould/Davis)

14. Ord. Cal. No. 4538 - Ordinance to amend the 2011 Operating Budget -Amendment No. 2. (Gould/Davis)

15. Ord. Cal. No. 4539 - Ordinance to amend the 2011 Operating Budget -Amendment No. 3. (Gould/Davis)

16. Ord. Cal. No. 4540 - Ordinance amending the 2010 Operating Budget. (Gould/Davis)

17. Ord. Cal. No. 4541 - Ordinance to extend for 6 months the moratorium on property west of Highway 11 and south of Interstate 12. (Ward 9, District 14)

18. Ord. Cal. No. 4542 - 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 which is unaffiliated with any hospital, hospice and/or facility for the treatment of the terminally ill in unincorporated St. Tammany Parish. (Binder)

### RESOLUTIONS

2. Resolution C.S. No. C-3076 - Resolution authorizing the Parish President to execute a Cooperative Endeavor Agreement with Gravity Drainage District No. 5. (Gould/Davis)

6. Resolution C.S. No. C-3080 - Resolution stating the St. Tammany Parish Council's Endorsement of Bevolo Gas & Electric Lights Inc., for participation in the benefits of the Louisiana Enterprise Zone Program. (EZ2011-0068) (Gould/Davis)

7. Resolution C.S. No. C-3081 - Resolution to support Parish Government's applications for funding from the Louisiana Community Water Enrichment Fund to improve two (2) water systems. (Gould/Davis)

8. Resolution C.S. No. C-3082 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Road List - Fund 300 to include additional projects. (Gould/Davis)

9. Resolution C.S. No. C-3083 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

11. Resolution C.S. No. C-3085 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 3 Capital Improvements List. (Gould/Davis)

12. Resolution C.S. No. C-3086 - Resolution to Amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 7 Capital Improvements List. (Gould/Davis)

13. Resolution C.S. No. C-3087 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

14. Resolution C.S. No. C-3088 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

15. Resolution C.S. No. C-3089 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

16. Resolution C.S. No. C-3090 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

**END OF CONSENT CALENDAR**

Stefancik - moved to adopt the Consent Calendar less items removed, second by Thompson. Unanimous with one absent (Canulette).

Gould - 1. Ord. Cal. No. 4486 - Ordinance to create a new section of the Parish Code of Ordinances regarding Transferable Development Rights. (Gould) (Tabled 1/6/11, 2/3/11 and 3/3/11)

Hamauei - moved to substitute a new version, second by Bellisario. Unanimous with 1 absent (Canulette).

Hamauei - moved to introduce substituted ordinance, second by Falconer.

Gould - 19. Ord. Cal. No. 4543 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of new permits for commercial excavations within unincorporated St. Tammany Parish. (Canulette)

Bellisario - moved to remove, second by Thompson. Unanimous with 1 absent.

**2011 PARISH COUNCIL REDISTRICTING ORDINANCES**

**(Public Hearings: April 12, Towers Building Council Chambers, Slidell & April 13, Parish Council Chambers, Mandeville & April 20, Parish Council Chambers, Mandeville)**

Gould - 20. Ord. Cal. No. 4544 - Ordinance to provide for the redistricting of the Representative District Boundaries for the 14 St. Tammany Parish Council Districts in conjunction with the 2010 Federal Decennial Census. (Gould)

Gould - this ordinance is only being introduced tonight. The Council will allow two minutes for anyone who wishes to speak. Please be aware that at the public hearings on April 12<sup>th</sup>, 13<sup>th</sup> and 20<sup>th</sup> citizens will have the ability to speak at length.

Mayor Fitzmorris - there to represent Abita Springs along with several members of the Board of Aldermen. He wants to present a Resolution (See Exhibit B Attached) requesting that the Town of Abita Springs be placed into only one Parish Council District. Historically Abita Springs was located entirely in District No. 5 until the redistricting in 2000. The current proposed redistricting has Abita Springs located in Districts 2, 5 and 6. The other small towns in the Parish (Folsom, Bush) are all in one district, and he and the Town would appreciate it if the Council would consider doing the same for Abita Springs.

Rick Wilke - he thinks that this decision is too important to run through quickly in order to make sure the election happens in October. He thinks the redistricting deserves more time. There will be a presidential primary in February of 2012 and he thinks it would be appropriate for the Council to serve a few extra months in order to make sure that the redistricting receives the justice it deserves.

**Gould - the Council has an obligation to try and complete the redistricting before the deadline. After the Council hears all of the public comment, it may decide to move back the deadline.**

**Bruce Nesbitt - she lives in the blue circle on the map that dips down between Districts 2 and 3, but is going to become District 6. It does not make sense. She would like the Council to review this area and put it back in District 2.**

**Stefancik - dips such as that are caused by the way the precincts are laid out. The Council can not split precincts.**

**Gould - the State Legislature has precluded them from breaking up precincts during this redistricting.**

**Sandra Slifer - President of League of Women Voters. Read a statement from the League (See Exhibit C Attached). And cited State Legislature Act 824 regarding the splitting of precincts. The League feels it only makes sense to take more time in the process to make sure that all of the citizens are treated fairly. As there is a presidential primary scheduled in the Spring 2012, there should not be any additional election costs to the Council.**

**Neil Hall - what Ms. Slifer read about Act 824 is correct. However, Section 1903 states between December 2009 and December 2013 precincts cannot be created, divided or abolished. The exception is if the governing authority is unable to comply with the Act then the precincts could be divided. However, the Council has been able to comply so far, and the Council needs to do the best it can to not divide precincts.**

**Joe Savaris - the redistricting is dividing communities such as Lacombe where citizens have lived in the area for years. Mr. Hamauei has lived there for 42 years.**

**William McHugh - read statement (See Exhibit D Attached).**

**Cooper - he thinks that the splits in some areas will be beneficial as certain areas will now have the attention of two Council Members. He and Mr. Thompson split Magnolia Gardens Subdivision and they both attend the homeowners' meetings.**

**Falconer - he agrees with Mr. Wilke - he will not be able to attend the first two public hearings due to his teaching commitments with Southeastern University. He thinks that it is important for the public to become properly engaged in this process. At the last redistricting, the Senate district for his area extended into Metairie. He wishes he had attended those meetings to express his concerns. This redistricting decision will influence the process for the next ten years. He and his colleagues have an obligation to complete this process timely, but he does not think the public will have enough time to vet this information.**

**Binder - the Council did not just roll the dice to come up with this map. It hired Mr. Cartier who helped with the process in 2000. State law only requires one public hearing and the Council is offering five. The Parish Charter states the Council must complete redistricting six months prior to any election. If it comes down to it and the Council needs more time, then they will take it. However, money is tight and if it turns out that the Parish elections would be the only item on the February ballot, the Council could have to pay over \$200,000 for the election.**

**Sevante - because the February election is a presidential preference election, there will be federal items on the ballot. The Federal Government may foot the bill, but he is not sure.**

**Grant Schlueter - in his experience, when an election is scheduled on a presidential preference date, the local government paid for the entire election.**

**Bellisario - moved to introduce, second by Burkhalter.**

**Gould - 21. Ord. Cal. No. 4545 - Ordinance to provide for Re-establishment of precincts in conjunction with redistricting in accordance with the 2011 Federal Decennial Census. (Gould)**

**Bellisario - moved to introduce, second by Hamauei.**

**Gould - 1. Resolution C.S. No. C-3075 - Resolution ordering and calling a special election to be held in the Parish of St. Tammany, State of Louisiana, to authorize an additional homestead exemption for certain disabled veterans and surviving spouses; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith. (Gould/Davis)**

**Schlueter - this resolution is to authorize an election in which approval would allow the Assessor to increase the homestead exemption for disabled veteran's.**

**Falconer - speaking of costs and elections, if the Council elections are postponed, will that postpone the Parishwide position elections, such as Parish President and Assessor?**

**Sevante - no, only the Council would be postponed.**

**Hamauei - moved to substitute a new version with technical corrections, second by Thompson. Unanimous with 2 absent (Cooper, Canulette).**

**Hamauei - moved to adopt the substituted version, second by Thompson. Unanimous with 3 absent (Cooper, Canulette, Stefancik).**

**Gould - 3. Resolution C.S. No. C-3077 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 0.262 acre from Parish HC-2 (Highway Commercial District) to City of Slidell C-4 (Highway Commercial District) located at the corner of Brownsitch and Clearwood Drive. (Ward 8 District 9) (SL2011-01) (Gould/Davis)**

**Bellisario - moved to table, second by Burkhalter. Unanimous with 3 absent (Cooper, Canulette, Stefancik). CLERK'S NOTE: This motion was reconsidered after Resolution C.S. No. C-3084. Please see below.**

**Gould - 4. Resolution C.S. No. C-3078 - Resolution to concur/not concur with the City of Slidell Annexation and rezoning of 2.682 acres from Parish HC-2 (Highway Commercial District) to City of Slidell C-4 (Highway Commercial District) located at the Intersection of Mckinney Road and U.S. Highway 190. (Ward 8, District 12) (SL2011-02) (Gould/Davis)**

**Binder - with the new interchange, efforts have been made to downsize property as it moves away from the interstate. Is Slidell's highway commercial zoning similar zoning as Parish highway commercial?**

**Sidney Fontenot - yes.**

**Binder - moved to concur with the annexation, second by Thompson. Motion passed with 12 yays, 1 nay (Burkhalter) and 1 absent (Canulette).**

**Gould - 5. Resolution C.S. No. C-3079 - Resolution Establishing Performance and Warranty Obligations. (Gould/Davis)**

**Dean - moved to amend to table Montgomery Terrace, Phase 1, second by Thompson. Unanimous with 1 absent (Canulette).**

**Dean - moved to adopt as amended, second by Thompson. Unanimous with 2 absent (Canulette, Stefancik).**

**Gould - 10. Resolution C.S. No. C-3084 - Resolution to amend Ordinance C.S. No.10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 1 Capital Improvements List. (Gould/Davis)**

**Dean - moved to substitute a new version including Stagna Road Lateral at the request of Administration, second by Thompson. Unanimous with 3 absent (Canulette, Bellisario, Stefancik).**

**Dean - moved to adopt substituted version, second by Thompson. Unanimous with 2 absent (Canulette, Binder).**

Bellisario - moved to reconsider Resolution C.S. No. C-3077, second by Stefancik. Unanimous with 1 absent (Canulette).

Gould - 3. Resolution C.S. No. C-3077 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 0.262 acre from Parish HC-2 (Highway Commercial District) to City of Slidell C-4 (Highway Commercial District) located at the corner of Brownsitch and Clearwood Drive. (Ward 8 District 9) (SL2011-01) (Gould/Davis)

Bellisario - he wanted the opportunity to speak with the owner of this property to find out why she wants to have more land in the City rather than the Parish. However, it has been more than 60 days and if the Council does not take action, it will automatically be annexed.

Davis - that corner may be under the Parish water and sewer system.

Stefancik - his suggestion is to not concur and then the annexation can be brought up again after you talk to the property owner.

Binder - he does not understand why they would not want to concur. It is like to like zoning. Will it have an impact on Parish taxes?

Davis - yes. It will lower the alimony tax by 50%.

Bellisario - moved to not concur, second by Burkhalter. Motion passes with 12 yays, 1 nay (Burkhalter) and 1 absent (Canulette).

#### APPEALS

Gould - 1. Glen Villalobos for Fontainebleau Property Owners Association appealing the Zoning Commission APPROVAL on March 1, 2011 to rezone 9.943 acres west of North Causeway Service Road, south of LA Highway 22, being 1438 North Causeway from NC-5 (Retail and Service District) to HC-2 (Highway Commercial District). (Ward 4, District 4) (ZC11-03-012) (Applicant Matt Bennett for BB Mini Storage)

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.

Falconer - moved to table, second by Thompson. Motion unanimous with 2 absent (Canulette, Binder)

Gould - 2. Kit Friedrich-Baumann appealing the Zoning Commission APPROVAL on March 1, 2011 to rezone 40.087 acres south of M.P. Planche Road, west of LA Highway 25 from A-3 (Suburban District) to A-4-A (Single Family District). (Ward 3, District 3) (ZC11-03-021) (Applicant Jeff Schoen for 110 Capital Pool 2, L.L.C., Team Management, L.L.C. and Mr. & Mrs. Benjamin C. Thomas)

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.

Kit Friedrich-Baumann - represents the Civic Association in the area. This rezoning will allow 6 units per acre instead of the current 1 unit per acre. Mr. Thompson feels there is a need for smaller lots because along Highway 25 the average minium acreage is 5 acres. This project is a stone's throw from her road which has been developed on 5 acres, but no one has bought property.

At the Zoning hearing Mr. Schoen stated that his client will not put 6 units per acre. Her suggestion is to rezone the area as A-4 with a PUD overlay. The Planning Department recommended denial, but the Zoning Commission ignored that recommendation.

Bruce Nesbitt - in past rezoning cases at the Zoning Meetings, when people ask what the plan is for a development, the citizens have been told it is not a planning meeting. It is aggravating that Mr. Schoen was given leeway to present plans when the citizens have not been given the same. This is a land use issue. Mr. Schoen's client may receive the desired rezoning and then sell the property. This is also a density issue. Why do they not want a PUD overlay? They are not asking for A-1.

Jeff Schoen - he represents the owner of this property. It is 40 acres that is currently zoned A-3. Once his client acquired the property, he conducted a cost evaluation to determine if he could include central sewage and water. The owner wants to do an environmentally safe subdivision. A-4-A mandates central sewerage and water. This property abuts commercial property. Across the street there is a subdivision of record from 1966 with 60 by 120 lots. This rezoning is not just for the economic security of the developer, this zone is appropriate for the area. None of the citizens who live on M.P. Planche Road appeared at the Zoning meeting. He thinks that is because the people understand this zoning would be appropriate for the area. Ms. Friedrich-Baumann's family sold this property a few years ago, so they had an opportunity to change the zoning. This is a land use hearing, and he does not think telling the conceptional plan for the development makes it a planning issue.

Friedrich-Baumann - she was not born when that subdivision was created, and it was her family, not her, who sold the property. If she had more control over the property, she would have done more. She does not live on M.P. Planche Road, but she just inherited property on it, so she does represent the area. She wants the Zoning Commission to review the feasibility study.

Schoen - his client did not do a formal feasibility study. They just did a study on whether it would be economically feasible for them. The Parish is trending toward smaller lots, but that is balanced out by regulations requiring green space and central sewage.

Thompson - he made his decision based on 2 issues. First, he feels the request is compatible to the area. When the comprehensive rezoning occurred, a lot of A-1 was created in his district. He feels that his district needs to have more density and not everyone can afford 5 acre lots.

Thompson - moved to concur with the Zoning Approval, second by Bellisario. Unanimous with 2 absent (Canulette, Burkhalter).

Thompson - moved to introduce an ordinance, second by Dean; becomes Ord. Cal. No. 4546.

#### ORDINANCES FOR ADOPTION

Gould - 1. Ord. Cal. No. 4484 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume 1 (Zoning), Section 5.2402, Subparagraph 2, and Section 5.2502, Subparagraph 30, I-1 and I-2 Industrial District Permitted Uses (Indoor Recreational Facilities), to provide for Indoor Recreational Facilities including a Restaurant without Lounge. (Introduced 1/6/11) (Tabled 2/3/11 and 3/3/11) (Zoning Commission approved 3/1/11)

Dean - moved for adoption, second by Thompson. Unanimous with 2absent (Canulette, Burkhalter); becomes Ordinance C.S. No. 11-2486.

Gould - 2. Ord. Cal. No. 4485 - Ordinance to amend and reenact Chapter 9 of the St. Tammany Parish Code of Ordinances, Garbage and Trash, to provide definitions and criteria with respect to Solid Waste Management Facilities, Collection Facilities, Transfer Stations and Commercial Haulers, and to otherwise provide amendments with respect to Garbage and Trash. (Introduced 1/6/11) (Tabled 2/3/11, 3/3/11)

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

Gould - 3. Ord. Cal. No. 4511 - Ordinance amending the Official Parish Zoning Map to reclassify

those parcels of land situated along West Porters River Road, generally between Highway 11 and I-59, located in S42, T8, R14E, as described on attached Exhibit A, from A-4 (Single-Family Residential District) to A-4 (Single-Family Residential District) and MHO (Manufactured Housing Overlay District). (Ward 8, District 6) (ZC11-04-030) (Introduced 3/3/11) (Zoning Commission hearing 4/5/11)

Neil Hall - the Zoning Commission unanimously approved this at Tuesday night's meeting. The ordinance has language built into it to allow for the 10 day appeal period.

Howell - moved to adopt, second by Hamauei. Unanimous with 3 absent (Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 11-2487.

Gould - 4. Ord. Cal. No. 4512 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), to add new zoning classification: Section 6.07, AAO-Abita Airport Overlay. (ZC10-08-102) (Zoning Commission approved 2/1/11) (Introduced 3/3/11)

Hamauei - moved to adopt, second by Thompson. Unanimous with 3 absent (Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 11-2488.

Gould - 5. Ord. Cal. No. 4513 - Ordinance amending the Official Parish Zoning Map to reclassify 16,843 acres located south of LA Highway 36 from PF-1 (Public Facilities District) to PF-1 (Public Facilities District) & AAO (Abita Airport Overlay District). (Ward 4, 6 & 10, District 6 & 7) (ZC10-08-103) (Zoning Commission approved 2/1/11) (Introduced 3/3/11)

Hamauei - moved to adopt, second by Hamauei. Unanimous with 3 absent (Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 11-2489.

Gould - 6. Ord. Cal. No. 4514 - Ordinance amending the Official Parish Zoning Map to reclassify 1.99 acres located on west of Allen Road, south of US Highway 190, Slidell from A-3 (Suburban District) to CB-1 (Community Based Facilities District). (Ward 8, District 14) (ZC11-02-008) (Introduced 3/3/11)

Bellisario - moved to adopt, second by Thompson. Unanimous with 3 absent (Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 11-2490.

Gould - 7. Ord. Cal. No. 4515 - Ordinance amending the Official Parish Zoning Map to reclassify 0.898 acre located north of Jackson Avenue, West of Fish Hatchery Road, Being 27275 Jackson Street, Lacombe from A-3 (Single Family Residential District) to A-4 (Single Family Residential District) & MHO (Manufactured Housing Overlay District). (Ward 7, District 7) (ZC11-02-009) (Introduced 3/3/11)

Hamauei - moved to adopt, second by Thompson. Unanimous with 3 absent (Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 11-2491.

Gould - 8. Ord. Cal. No. 4516 - Ordinance amending the Official Parish Zoning Map to reclassify 6.996 acres located west of North Factory Road, north of LA Highway 40, being 83329 North Factory Road, Folsom from A-1 (Suburban District) to A-1-A (Suburban District). (Ward 2, District 2). (ZC11-02-010) (Introduced 3/3/11)

Cooper - moved to adopt, second by Thompson. Unanimous with 3 absent (Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 11-2492.

Gould - 9. Ord. Cal. No. 4517 - Ordinance amending the Official Parish Zoning Map to reclassify 2.67 acres located north of Robert Road, east of LA Highway 59, west of the Tammany Trace from HC-2 (Highway Commercial District) to A-2 (Suburban District). (Ward 4, District 7) (ZC11-02-011) (Introduced 3/3/11)

Hamauei - moved to adopt, second by Cooper. Unanimous with 3 absent (Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 11-2493.

Gould - 10. Ord. Cal. No. 4518 - Ordinance restating and reenacting §23-402.00 of the Parish Code of Ordinances regarding the procedures to compel sewer connections. (Introduced 3/3/11)

**Bellisario - moved to adopt, second by Stefancik. Unanimous with 3 absent (Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 11-2494.**

**Gould - 11. Ord. Cal. No. 4519 - Ordinance approving and authorizing the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and Covington Housing Authority. (Introduced 3/3/11)**

**Bellisario - moved to adopt, second by Dean. Unanimous with 3 absent (Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 11-2495.**

**Gould - 12. Ord. Cal. No. 4520 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories specifically entering the right of way on Emerald Forest Boulevard (Extension). (Ward 3, District 5) (Introduced 3/3/11)**

**Thompson - moved to adopt, second by Bellisario. Unanimous with 4 absent (Falconer, Hamauei, Canulette, Burkhalter); becomes Ordinance C.S. No. 11-2496.**

**Gould - 13. Ord. Cal. No. 4521 - 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 3/3/11)**

**Binder - moved to adopt, second by Stefancik. Unanimous with 4 absent (Falconer, Hamauei, Canulette, Burkhalter); becomes Ordinance C.S. No. 11-2497.**

**Gould - 14. Ord. Cal. No. 4522 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on property within a portions Tammany Hills Subdivision and Ingram Estates Subdivisions. (Ward 3, District 5) (Introduced 3/3/11)**

**Thompson - moved to adopt, second by Dean. Unanimous with 4 absent (Falconer, Hamauei, Canulette, Burkhalter); becomes Ordinance C.S. No. 11-2498.**

**Gould - 15. Ord. Cal. No. 4523 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on Eola, Jordan and Elmer Streets, located west of Soult Street, and on the submission of any application to enter the parish rights of way for the purpose of extending, opening and/or constructing any unopened portion of said streets. (Ward 4, District 5) (Introduced 3/3/11)**

**Dean - moved to adopt, second by Stefancik. Unanimous with 3 absent (Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 11-2499.**

**Gould - 16. Ord. Cal. No. 4524 - Ordinance to extend for an additional six (6) month 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 3/3/11)**

**Stefancik - moved to adopt, second by Bellisario. Unanimous with 2 absent (Canulette, Burkhalter); becomes Ordinance C.S. No. 11-2500.**

**Gould - 17. Ord.. Cal. No. 4525 - Ordinance establishing a load limit of 8 tons and a "No Thru Truck" zone on Oak Harbor Boulevard from Interstate 10 West to Highway 11. (Ward 9, District 12) (Introduced 3/3/11)**

**Binder - moved to adopt, second by Bellisario. Unanimous with 1 absent (Canulette); becomes Ordinance C.S. No. 11-2501.**

#### **APPOINTMENTS**

**Gould - 1. Resolution to reappoint Sue B. Osbon (term expires April 7, 2011) to St. Tammany Parish Hospital Service District No. 1 (St. Tammany Parish Hospital). (Ward 1) (Dean)**

Dean - moved to adopt, second by Thompson. Unanimous with 1 absent (Canulette); becomes Resolution C.S. No. C-3091.

Gould - 2. Resolution to appoint Dr. Peter Galvan to replace Ray Canada (term expired) on St. Tammany Parish Community Action Agency Advisory Board. (Gould/Davis)

Hamauei - moved to adopt, second by Bellisario. Unanimous with 1 absent (Canulette); becomes Resolution C.S. No. C-3092.

#### DISCUSSION AND OTHER MATTERS

Gould - 1. Motion to refer to Zoning Commission for consideration and recommendation of the proposed rezoning of two certain parcels of land, being a 5.63 acre parcel located at 3<sup>rd</sup> Avenue and Dore Street (not constructed) and a 2.50 acre parcel situated at 4<sup>th</sup> Avenue and Dore Street (not constructed), located in Section 14, Township 7 South, Range 11 East, from A-2 (Single-Family Residential District) to A-3 (Single Family Residential), all as more particularly shown on the attached instruments and surveys (Ward 3, District 5).

Binder - moved to refer, second by Hamauei. Unanimous with 1 absent (Canulette).

Gould - 2. Motion to refer to zoning the realignment of the current MHO (Manufactured Housing Overlay) on west side of Hwy 40 between Sam's Branch and Bills Creek, sections 17 and 20, Township 7 South, Range 11 East, from its present 500' set back to a 150' set back. (Ward 2, District 2) (Cooper)

Cooper - moved to refer, second by Thompson. Unanimous with 1 absent (Canulette).

#### APRIL 7, 2011- ITEMS OFF-THE-FLOOR

Gould - 1. Motion to refer to the Zoning Commission for recommendation the proposed rezoning of land located on the north side of Surgi Drive bearing physical address 1933 Surgi Drive from NC-4 (Neighborhood Institutional District) to HC-1 (Highway Commercial District). (Ward 4, District 5) (Gould)

Thompson - moved to refer, second by Cooper. Unanimous with 1 absent (Canulette).

Gould - 2. Motion to refer to the Zoning Commission for recommendation the proposed rezoning of land located on the south side of Surgi Drive bearing the physical addresses 1998, 1994, 1990, 1980, 1970, 1960, 1936, 1932 and 1930 Surgi Drive from NC-4 (Neighborhood Institutional District) to HC-1 (Highway Commercial District). (Ward 4, District 5) (Gould)

Thompson - moved to refer, second by Dean. Unanimous with 1 absent (Canulette).

Gould - 3. Motion to refer to the Zoning Commission for recommendation the proposed rezoning of land bearing the physical addresses of 20409 Highway 36 from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District). (Ward 3, District 3) (Thompson)

Thompson - moved to refer, second by Falconer. Unanimous with 1 absent (Canulette).

Gould - 4. Ordinance amending Ordinance C. S. No. 10-2200 to accept into the Parish Selective Road Maintenance System Inventory the sixty (60') foot right-of- way and servitude previously accepted by said ordinance, and to ratify said ordinance as amended hereby. (Ward 10, District 6) (Howell)

Howell - moved to introduce, second by Hamauei; becomes Ord. Cal. No. 4547.

Gould - 5. Resolution to vacate, in part, the moratorium established by Ordinance C.S. No. 10-2361 in Beverly Hills and Kingspoint Subdivisions, to release Lots 31 and 32 Square 8, Slidell. (Ward 8, District 14) (Burkhalter)

Burkhalter - moved to adopt, second by Artigue. Unanimous with 2 absent (Cooper, Canulette); becomes Resolution C.S. No. C-3094.

Gould - 6. Resolution to vacate in part, the moratorium established by Ordinance C.S. No. 11-2465 in unincorporated Town of Alton Subdivision. (Ward 9, District 14) (Burkhalter)

Burkhalter - moved to adopt, second by Bellisario. Unanimous with 2 absent (Cooper, Canulette); becomes Resolution C.S. No. C-3095.

Gould - 7. Ordinance to amend the Parish Unified Development Code, Volume 1 (Zoning), Section 7.02, Signage Regulations, and Article 2 Definitions relative to pylon signs applicable to regional commercial/office centers (ZC11-04-033) (Dean)\

Dean - moved to introduce, second by Thompson; becomes Ord. Cal. No. 4548.

Gould - 8) Resolution authorizing the Parish President to execute a Cooperative Endeavor Agreement by and between Gravity Drainage District No. 5 and the Parish of St. Tammany. (Gould)

Thompson - moved to adopt, second by Hamauei. Unanimous with 2 absent (Cooper, Canulette); becomes Resolution C.S. No. C-3096.

Gould - 9. Resolution authorizing a request to the Attorney General for an opinion on the uses of the Parish Drainage Tax. (Gould)

Hamauei - moved to adopt, second by Bellisario. Unanimous with 2 absent (Cooper, Canulette); becomes Resolution C.S. No. C-3097.

#### EXECUTIVE SESSION

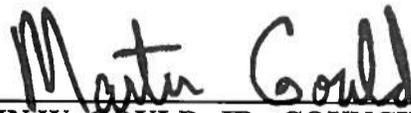
Gould - 1. Discussion of filing suit against British Petroleum and other parties regarding the April 20, 2010 Oil Spill Disaster. (Gould/Davis)

Binder - moved to adopt a resolution, second by Stefancik. Unanimous with 2 absent (Canulette, Burkhalter); becomes Resolution C.S. No. C-3093.

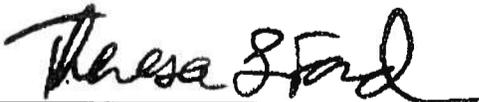
Gould - 10. Resolution authorizing settlement of lawsuit entitled St. Tammany Parish vs. Linda F. Accardo, et al, 22<sup>nd</sup> Judicial District Court Case No. 2010-14273. (Gould)

Stefancik - moved to adopt, second by Artigue. Unanimous with 2 absent (Canulette, Burkhalter); becomes Resolution C.S. No. C-3098.

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



MARTIN W. GOULD, JR., COUNCIL CHAIRMAN



THERESA L. FORD, COUNCIL CLERK