

PUBLISHED AUGUST 25, 2011 AND POSTED AT PARISH COMPLEX BY AUGUST 29, 2011

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING  
THURSDAY, SEPTEMBER 01, 2011 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  
Gary Cooper  
James A. (Red) Thompson  
R. Reid Falconer  
Becky Howell  
Al Hamauei  
Marty Gould  
Chris Canulette  
E. L. Gene Bellisario  
Henry Billiot  
Steve Stefancik  
Jerry Binder  
Richard Artigue  
Ken Burkhalter

SPECIAL ITEMS

PUBLIC HEARING - BOARD OF REVIEW

In accordance with the provisions of La. R.S. 47:1992, the St. Tammany Parish Council hereby convenes in public session as a Board of Review to entertain complaints and/or appeals from any taxpayer(s) aggrieved by ad valorem assessments levied against his/her/their property.

The Assessor of St. Tammany Parish has duly advertised notice of this public hearing in accordance with law. The deadline for receipt of appeals by taxpayers to the Board of Review will be 11:59 p.m. September 9, 2011. If no appeals are lodged by this date, or appeals are lodged but resolved through the Parish Assessor's Office, the time will automatically expire and terminate without the need for the Parish Council to reconvene to so declare.

PRESENTATIONS

- 1) Introduction of Mike Cooper, Mayor of Covington. (Gould/Billiot)
- 2) Recognize "Counter Culture" as the September Business of the Month. (Binder)
- 3) Certificate of Recognition to Paige Pichon for earning a scholarship from The Gates Millennium Scholars. (Hamauei)
- 4) Proclamation by President Kevin Davis of September 8th as "Black and Gold Day".
- 5) Presentation by Billy Nungesser, Plaquemines Parish President, of an update on the oil spill. (Gould/Davis)

CONSENT CALENDAR  
(PAGES 2 THROUGH 4)

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

MINUTES

Council Meeting - August 4, 2011

Council Committee Meeting - August 24, 2011

ORDINANCES FOR INTRODUCTION  
(Public Hearing October 6, 2011 )

1. Ord. Cal. No. 4628 - Ordinance amending the Official Parish Zoning Map to reclassify 0.411 acre located north of Erindale Drive, east of North Oaklawn Drive, Erindale Heights, from A-3 (Suburban District) to A-3 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 7, District 7) (ZC11-08-068) (Zoning Commission approved 8/2/11) (Gould/Davis)

2. Ord. Cal. No. 4629 - Ordinance amending the Official Parish Zoning Map to reclassify 0.72 acre located north of US Highway 190, east of Sherwood Drive, west of Briar Lake Drive from A-3 (Suburban District) to HC-2 (Highway Commercial District). (Ward 7, District 7) (ZC11-08-069) (Zoning Commission approved 8/2/11) (Gould/Davis)

3. Ord. Cal. No. 4630 - Ordinance amending the Official Parish Zoning Map to reclassify 5.65 acres located south of LA Highway 1088, west of Forest Brook Blvd., being 23098 Highway 1088, Mandeville from A-4 (Single Family Residential District) to NC-4 (Neighborhood Institutional District). (Ward 4, District 7) (ZC11-08-070) (Zoning Commission approved 8/2/11) (Gould/Davis)

4. Ord. Cal. No. 4631 - Ordinance amending the Official Parish Zoning Map to reclassify 9.81 acres located south of LA Highway 36, west of Gurtner Drive from A-3 (Suburban District) to I-2 (Industrial District). (Ward 3, District 3) (ZC11-08-071) (Zoning Commission approved 8/2/11) (Gould/Davis)

5. Ord. Cal. No. 4632 - Ordinance amending the Official Parish Zoning Map to reclassify 1 acre located west of Carrol Drive, north of Lake Ramsey Road, Lake Vista Estates, from A-2 (Suburban District) to a A-2 (Suburban District) & MHO (Manufactured Overlay District). (Ward 3, District 3) (ZC11-08-072) (Zoning Commission approved 8/2/11) (Gould/Davis)

6. Ord. Cal. No. 4633 - Ordinance amending the Official Parish Zoning Map to reclassify 40,000 square feet located north side of Bobcat Run, east of Fawn Run, Ponderosa Ranches from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 9, District 6) (ZC11-08-074) (Zoning Commission approved 8/2/11) (Gould/Davis)

7. Ord. Cal. No. 4634 - Ordinance amending the Official Parish Zoning Map to reclassify 1.47 acre located south of Cypress Street, west of Tranquility Lane, north of US Highway 190, Uranium Park, from A-3 (Suburban District) to A-3 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 7, District 7) (ZC11-08-075) (Zoning Commission approved 8/2/11) (Gould/Davis)

8. Ord. Cal. No. 4635 - Ordinance amending the Official Parish Zoning Map to reclassify 28,658 square feet located west of LA Highway 1077, north of Dendinger Cemetery Road from A-3 (Suburban District) to NC-4 (Neighborhood Institutional District). (Ward 1, District 1) (ZC11-08-076) (Zoning Commission approved 8/2/11) (Gould/Davis)

9. Ord. Cal. No. 4636 - Ordinance amending the Official Parish Zoning Map to reclassify 4.82 acres located east of LA Highway 59, north of Little Creek Road, across from Koop Drive, from HC-2 (Highway Commercial District) to an HC-3 (Highway Commercial District). (Ward 4, District 7) (ZC11-08-077) (Zoning Commission approved 8/2/11) (Gould/Davis)

10. Ord. Cal. No. 4637 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 8.01, Minimum Standards for Specific Uses, relative to Cemeteries and Mausoleums. (Gould)

11. Ord. Cal. No. 4638 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Sections 5.10 and 7.08, to include provisions for development of land on the south side of Lakeview Drive. (Ward 9, District 13) (Artigue)

12. Ord. Cal. No. 4639 - Ordinance to authorize the Parish President, to acquire certain parcels, rights of way and/or servitudes for LA 1085/Bootlegger Road Widening (Bootlegger Road/Francis Road Roundabout). (Gould/Davis)

13. Ord. Cal. No. 4640 - 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) (Binder)

14. Ord. Cal. No. 4641 - 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 portion of Tammany Hills Subdivision and a portion of Ingram Estates Subdivision. (Ward 3, District 5) (Gould)

15. Ord. Cal. No. 4642 - 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) (Gould)

16. Ord. Cal. No. 4643 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of building permits for construction or placement of building structures on property within portions of Beverly Hills and Kingspoint Subdivisions. (Ward 8, District 14) (Burkhalter)

17. Ord. Cal. No. 4644 - Ordinance to amend Parish Code of Ordinances, Chapter 14, Nuisances, Paragraph (D) of Section 14-003.00 Fires for Yard Debris, to exclude the unincorporated areas within voting precincts MD1 and 102 from the prohibition on burning of leaves and yard debris within the boundaries of Council District 4. (Falconer)

18. Ord. Cal. No. 4645 - Ordinance to amend St. Tammany Parish Code of Ordinances, Section 2-050.01, Selection of Persons for Professional Services, to provide with respect to preference for in-parish providers of professional services. (Billiot)

19. Ord. Cal. No. 4646 - Ordinance to amend the St. Tammany Parish Code of Ordinances, Chapter 4, Animals, Fowl and Reptiles, Section 4-121.00 Definition of private kennels in relation to the requirements for animal establishment permits. (Gould)

## RESOLUTIONS

1. Resolution C.S. No. C-3183 - Resolution approving the holding of an election in St. Tammany Fire Protection District No. 12 to authorize the renewal of a special tax therein. (Gould/Davis) (Tabled 8/4/11)
2. Resolution C.S. No. C-3188 - Resolution to vacate the six (6) month moratorium established by Ordinance C.S. No. 11-2543 on the issuance of building permits for placement of manufactured homes and mobile homes on property situated in Section 14, Township 5 South, Range 11 East. (Ward 2, District 2) (Cooper)
3. Resolution C.S. No. C-3189 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 1.509 acres from Parish HC-2 (Highway Commercial District) to City of Slidell C-4 (Highway Commercial District) with municipal address of 1725 Gause Boulevard East, Slidell. (Ward 8, District 13) (Gould/Davis)
4. Resolution C.S. No. C-3190 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 2.3299 acres from Parish HC-2 (Highway Commercial District) to City of Slidell C-4 (Highway Commercial District) with municipal address of 58445 Pearl Acres Road, Slidell. (Ward 8, District 13) (Gould/Davis)
5. Resolution C.S. No. C-3191 - Resolution establishing Performance and Warranty Obligations. (Gould/Davis)
6. Resolution C.S. No. C-3192 - Resolution approving and authorizing the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and the State of Louisiana through the Department of Transportation and Development for LA 1077/LA 1085 and Bootlegger Road. (Gould/Davis)
7. Resolution C.S. No. C-3193 - Resolution approving and authorizing the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and the State of Louisiana through the Department of Transportation and Development for US 190 at North Shore Boulevard intersection improvements. (Gould/Davis)
8. Resolution C.S. No. C-3194 - Resolution stating the Parish Council's endorsement of PMOLink for participation in the benefits of the Louisiana Enterprise Zone Program. (Gould/Davis)
9. Resolution C.S. No. C-3195 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)
10. Resolution C.S. No. C-3196 - 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-3197 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Facilities) (Gould/Davis)
12. Resolution C.S. No. C-3198 - Resolution declaring as surplus certain assets and authorizing sale, transfer or donation of same. (Gould/Davis)
13. Resolution C.S. No. C-3199 - Resolution authorizing Special Counsel to represent the Parish in the matter of the release of a toxic chemical substance believed to be "black water" into the Pearl River in the Bogalusa area. (Gould)

## APPEALS

1. Gayle Betz appealing the Zoning Commission DENIAL on July 5, 2011 to rezone 2.15 acres located on the southwest corner of US Highway 190 and Bremerman Road from A-1-A (Suburban District) to HC-1 (Highway Commercial District). (Ward 7, District 7) (ZC11-06-064) (Tabled 8/4/11)

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. Keith Province appealing the Zoning Commission APPROVAL on August 2, 2011 to rezone 3.5 acres located north of Nina Drive, west of Transmitter Road from A-4 (Suburban District) to A-4 (Suburban District) and MHO (Manufactured Home Overlay). (Ward 7, District 7) (ZC11-08-067)

NOTE: To concur with Zoning APPROVAL, a simple majority vote is required and introduction of an ordinance.

NOTE: To override Zoning APPROVAL, a majority vote of the entire Council is required and adoption of a resolution.

## ORDINANCES FOR ADOPTION (Public Hearing)

1. Ord. Cal. No. 4591 - Ordinance amending the Official Parish Zoning Map to reclassify 2 acres located north of Brewster Road, west of Powerline Road, being parcels A & B from A-2 (Suburban District) to A-5 (Two Family Residential District). (Ward 1, District 1) (ZC11-05-038) (Council overrode Zoning Commission denial - Introduced 6/2/11) (Tabled 7/7/11 & 8/4/11)

2. Ord. Cal. No. 4605 - A third supplemental bond ordinance authorizing the issuance of Parish Utilities Revenue Bonds, Series 2011, in accordance with the terms of a General Bond Ordinance adopted on February 4, 2010. (Introduced 7/7/11) (Tabled 8/4/11)

3. Ord. Cal. No. 4610AA - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 5.1704A (NC-4 Maximum Building Size), Section 5.1804A (NC-5 Maximum Building Size), and Section 5.1904A (NC-6 Maximum Building Size). (ZC11-05-035) (Council concurred with Zoning Commission approval and amended - Introduced 7/7/11) (Amended and reintroduced 8/4/11)

4. Ord. Cal. No. 4614 - 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 8/4/11)

5. Ord. Cal. No. 4615AA - Ordinance amending the Official Parish Zoning Map to reclassify 618.78 acres located south of Fairhaven Road, east west of Ben King Road, east of LA Highway 1129 from A-1 (Suburban District), ~~A-1-A (Suburban District), A-2 (Suburban District)~~ & MHO (Manufactured Housing Overlay) to A-1 (Suburban District), ~~A-1-A (Suburban District)~~ & ~~A-2 (Suburban District)~~. (Ward 2, District 2) (ZC11-07-060) (Zoning Commission approved 7/5/11) (Introduced 8/4/11)

6. Ord. Cal. No. 4616 - Ordinance amending the Official Parish Zoning Map to reclassify 16,200 square feet located east of Beech Street, south of Birch Street, being lots 1,2,3,4,5 & 6, Square 1, Beverly Hills Subdivision from A-4 (Single-Family Residential District) to A-4 (Single-Family Residential District) & MHO (Manufactured Housing Overlay). (Ward 8, District 14) (ZC11-07-063) (Zoning Commission approved 7/5/11) (Introduced 8/4/11)

7. Ord. Cal. No. 4617 - Ordinance amending the Official Parish Zoning Map to reclassify 6.8 acres located east of LA Highway 1077, south of Tantella Ranch Road from A-1 (Suburban District) to A-1 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 1, District 1) (ZC11-07-065) (Zoning Commission approved 7/5/11) (Introduced 8/4/11)

8. Ord. Cal. No. 4618 - Ordinance amending the Official Parish Zoning Map to reclassify 10 acres located west of LA Highway 41, north of Julia Drive, south of Willis O'Berry Road from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 6, District 6) (ZC11-07-066) (Zoning Commission approved 7/5/11) (Introduced 8/4/11)

9. Ord. Cal. No. 4619 - Ordinance to authorize the Parish President to acquire certain parcels, rights of way and/or servitudes for the expansion of Brown's Village Road. (Introduced 8/4/11)

10. Ord. Cal. No. 4620 - Ordinance accepting act of dedication and donation of an eighty (80') foot wide right-of-way and servitude for the future improvement and construction of Learning Center Boulevard. (Introduced 8/4/11)

11. Ord. Cal. No. 4621 - Ordinance revoking the dedication of the unopened, unnamed street right-of-way which is located on a parcel of ground identified as Lot 6, 5 acre farm lots, in the SW 1/4 of Section 14, Township 8 South, Range 14 East. (Introduced 8/4/11)

12. Ord. Cal. No. 4622 - Ordinance to correct the Road and Drainage Inventory to include N. White Chapel Lateral; Tammany Trace Lateral; and an extension to Strain Road Lateral. (Wards 1, 4 & 7) (Districts 1 & 7) (Introduced 8/4/11)

13. Ord. Cal. No. 4623 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Riverview Townhomes Subdivision. (Ward 3, District 3) (Introduced 8/4/11)

14. Ord. Cal. No. 4624 - 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, within the unincorporated boundaries of Ward 9, District 11. (Introduced 8/4/11)

15. Ord. Cal. No. 4625 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of building permits for construction or placement of building structures on any properties within unincorporated St. Tammany Parish abutting, in whole or part, the east side of Tantella 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) (Introduced 8/4/11)

16. Ord. Cal. No. 4626 - Ordinance amending the Official Parish Zoning Map to reclassify 0.75 acre located on the southwest corner of US Highway 11 & Fricke Road from HC-3 (Highway Commercial District) to an I-1 (Industrial District). (Ward 8, District 14) (ZC11-06-057) (Introduced 8/4/11)

17. Ord. Cal. No. 4627 - Ordinance amending the Official Parish Zoning Map to reclassify 20,000 square feet located west of 13th Street, east 14th Street, south of 3rd Avenue, Alton, from A-4 (Single-Family Residential District) to an A-4 (Single-Family Residential District) and RO (Rural Overlay). (Ward 8, District 14). (ZC11-07-062) (Introduced 8/4/11)

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## NOMINATIONS

1. Resolution to appoint six (6) members to the Board of Commissioners of St. Tammany Recreation District No. 16. (Burkhalter) (Tabled 8/4/11)

2. Resolution to reappoint or replace three (3) members of the Finance Authority of St. Tammany Parish. Terms expire September 7, 2011 for Peter Link (not seeking reappointment), Richard Muller and Ronald Randolph. (Stefancik)

## DISCUSSIONS AND OTHER MATTERS

1. Motion to Reconsider and amend Resolution C.S. No. C-3178 adopted August 4, 2011. (District 5) (Gould)

2. Motion to refer to the Zoning Commission for recommendation the proposed re-zoning of Lot 25 in Brown's Village Industrial Park from I-1 (Industrial District) to I-3 (Heavy Industrial District). (Ward 9, District 14) (Burkhalter)