

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, DECEMBER 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 ON THE 2012 PARISH OPERATING/CAPITAL BUDGETS

1) Ord. Cal. No. 4647 - Ordinance adopting the 2012 Parish Operating Budget. (Introduced 9/28/11) (Tabled 11/3/2011)

2) Ord. Cal. No. 4648 - Ordinance adopting the 2012-2016 Parish Capital Improvement Budget and Program, and further identify Fixed Assets & Grants Awards. (Introduced 9/28/11) (Tabled 11/3/2011)

PRESENTATIONS

1. Recognition of outgoing Council Members: Gary Cooper, Becky Howell, Al Hamauei, Henry Billiot and Ken Burkhalter, and Parish President Kevin Davis, for their dedicated service to St. Tammany Parish. (Gould)

2. Introduction of the Junior Council Members for December: Miles, Ella, Michael, Addie, John and Mary Margaret Hamauei (grandchildren of Council Member Al Hamauei). (Hamauei)

3. Certificate of Recognition to Len Finley for his years of service on the Board of St. Tammany Parish Sewerage District No. 4. (Falconer) (Tabled 10/6/2011 & 11/3/11)

4. Certificates of Recognition to the Fontainebleau High School Girls' Volleyball Team for winning the Division I State Championship. (Binder/Gould)

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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 and voted upon individually.

MINUTES

Regular Council Meeting - November 3, 2011

Council Committee Meeting - November 23, 2011 (if convened)

ORDINANCES FOR INTRODUCTION
(Public Hearing January 12, 2012)

1. 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) (Tabled 9/1/11, 10/6/11 & 11/3/11)

2. Ord. Cal. No. 4688 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Section 8.02 Land Clearing Permit. (ZC11-09-079) (Zoning Commission Approved 11/1/11) (Gould/Davis)

3. Ord. Cal. No. 4689 - Ordinance amending the official Parish Zoning Map to reclassify 1.30 acres located at the southeast corner of LA Highway 1083 & Sanders Road from A-1-A (Suburban District) to PF-1 (Public Facilities District). (Ward 10, District 6) (ZC11-11-087) (Zoning Commission Approved 11/1/11) (Gould/Davis)

4. Ord. Cal. No. 4690 - Ordinance amending the official Parish Zoning Map to reclassify 0.88 acre located on the northeast corner of LA Highway 59 & John T. Prats Road from A-1-A (Suburban District) to PF-1 (Public Facilities District). (Ward 10, District 6) (ZC11-11-088) (Zoning Commission Approved 11/1/11) (Gould/Davis)

5. Ord. Cal. No. 4691 - Ordinance amending the official Parish Zoning Map to reclassify 0.34 acre located west of US Highway 11, south of Lone Oak Drive, being 63353 Highway 11, St. Joe, from A-4-A (Single Family Residential District) to MD-1 (Medical Residential District). (Ward 8, District 14) (ZC11-11-089) (Zoning Commission Approved 11/1/11) (Gould/Davis)

6. Ord. Cal. No. 4692 - Ordinance amending the official Parish Zoning Map to reclassify 5.218 acres located east of Jim Loyd Road, south of LA Highway 40 from A-1 (Suburban District) to A-1 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 2, District 3) (ZC11-11-090) (Zoning Commission Approved 11/1/11) (Gould/Davis)

7. Ord. Cal. No. 4693 - Ordinance amending the official Parish Zoning Map to reclassify 1.5 acres located west side of Hickory Drive, east of Pinewood Drive, Hickory Heights, from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 6, District 6) (ZC11-11-091) (Zoning Commission Approved 11/1/11) (Gould/Davis)

8. Ord. Cal. No. 4694 - Ordinance amending the official Parish Zoning Map to reclassify 1 acre located at the northwest corner of Bryan Drive & Troy Drive from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 8, District 9) (ZC11-11-094) (Zoning Commission Approved 11/1/11) (Gould/Davis)

9. Ord. Cal. No. 4695 - Ordinance amending the official Parish Zoning Map to reclassify 22,957 square feet located south of Oceola Street, east of Apache Street, west of Patrick Street from A-4 (Single-Family Residential District) to PF-1 (Public Facilities District). (Ward 9, District 14) (ZC11-11-095) (Zoning Commission Approved 11/1/11) (Gould/Davis)

10. Ord. Cal. No. 4696 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Abita Lakes, Phase 3-B-1; Alpha Industrial Park, Phase 2A; Northpointe Business Park, Phase 3; and entering the Rights-of-way of Mulberry Avenue in Lewisburg Subdivision. (Wards 1, 4 & 10) (Districts 1, 2, 4 & 7) (Gould/Davis)

11. Ord. Cal. No. 4697 - Ordinance establishing a No Parking Zone on portions of Queen Ann Drive and Raleigh Drive in Huntwyck Village Subdivision. (Ward 9, District 11) (Gould/Davis)

12. Ord. Cal. No. 4698 - Ordinance revoking the dedication of the right-of-way known as Red Rooster Road, situated between Lots 6 and 7 of Dawes Subdivision. (Ward 8, District 9) (Gould/Davis)

13. Ord. Cal. No. 4699 - Ordinance to extend for an additional six (6) months the moratorium on the approval of rezoning and issuance of plan review permits, not previously received, for property abutting the Louisiana Highway 21 Planned Corridor from Keys Road North to Lalane Drive. (Ward 1, District 1) (Gould/Davis)

14. Ord. Cal. No. 4700 - Ordinance to amend Parish Code of Ordinances, Chapter 7 Drainage and Flood Control, Article 1, Section 7-002.00, Use of Fill Materials Prohibited, to provide with respect to Building Site Requirements for the Dove Park Subdivision Area of Special Concern. (Gould/Davis)

15. Ord. Cal. No. 4701 - Ordinance revoking the dedication of a portion of the right-of-way known as Major Lane, Sec. 10, T6S, R10E. (Ward 3, District 3) (Gould/Davis)

RESOLUTIONS

1. 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. (No. SL2011-05) (Ward 8, District 13) (Gould/Davis) (Tabled 9/1/11, 10/6/11 & 11/3/11)

2. Resolution C.S. No. C-3255 - Resolution to approve recommendations and authorize Executive Counsel for the Parish President to proceed with the settlement of certain lawsuits related to Post-Katrina debris contracts. (Gould/Davis)

3. Resolution C.S. No. C-3275 - Resolution amending Resolution P.J.S. No. 86-2675, which granted permission to enter parish right-of-way, specifically the unopened portion of Pontchartrain Boulevard. (Ward 7, District 7) (Gould/Davis)

4. Resolution C.S. No. C-3276 - Resolution to concur/not concur with the City of Covington annexation and rezoning of 1.49 acres located in Square 2 and portion of Carlos Street (revoked) Mailleville, from Parish A-2 (Suburban District) to City of Covington CR (Regional Commercial District). (Ward 3, District 1) (Gould/Davis)

5. Resolution C.S. No. C-3277 - Resolution to concur/not concur with the City of Covington annexation and rezoning of 6.317 acres located at the intersection of North Highway 190 and North

Second Street from Parish HC-3 (Highway Commercial District) to City of Covington CR (Regional Commercial District). (Ward 3, District 3) (Gould/Davis)

6. Resolution C.S. No. C-3278 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

7. Resolution C.S. No. C-3279 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

8. Resolution C.S. No. C-3280 - 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 5 Capital Improvements List. (Gould/Davis)

9. Resolution C.S. No. C-3281 - 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)

10. Resolution C.S. No. C-3282 - 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 14 Capital Improvements List. (Gould/Davis)

11. Resolution C.S. No. C-3283 - Resolution to appoint _____ as the auditing firm for the fiscal year 2011. (Gould/Davis)

12. Resolution C.S. No. C-3284 - Resolution certifying that St. Tammany Parish shall comply with all requirements of the State of Louisiana Off-system Bridge Replacement Program. (Gould/Davis)

13. Resolution C.S. No. C-3285 - Resolution establishing load limits on bridges within the Off-system Bridge Replacement Program for St. Tammany Parish. (Gould/Davis)

14. Resolution C.S. No. C-3286 - Resolution to approve and authorize the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and East St. Tammany Chamber of Commerce for economic development and promotion of Olde Towne, Slidell. (Gould/Davis)

15. Resolution C.S. No. C-3287 - Resolution to consider and take action with respect to adopting a resolution approving the holding of an election in St. Tammany Parish Fire Protection District No. 1 to authorize the renewal of a special tax therein. (Gould/Davis)

16. Resolution C.S. No. C-3288 - Resolution to consider and take action with respect to adopting a resolution approving the holding of an election in St. Tammany Parish Recreation District No. 11 to authorize the renewal of a special tax therein. (Gould/Davis)

17. Resolution C.S. No. C-3289 - Resolution to vacate, in part, the moratorium established by Ordinance C.S. No. 11-2581 on issuance of building permits for construction or placement of building structures on property within Dove Park Subdivision. (Ward 4, District 5) (Gould/Davis)

END OF CONSENT CALENDAR

APPEALS

1. St. Tammany Parish Recreation District #1 appealing the exemption decision of the Parish Road and Drainage Impact Fees Administrator. (Tabled 11/3/11)

NOTE: To concur with the Administrator decision, a simple majority vote is required and adoption of a resolution.

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

2. Charles Walker appealing the Zoning Commission APPROVAL on November 1, 2011 to rezone 1.5 acres located on the northeast corner of Commercial Drive and Browns Village Road from I-1 (Industrial District) to I-3 (Heavy Industrial District). (Ward 8, District 14) (ZC11-10-082) (Applicant: Parish Council by Motion 9/6/11)

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

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

3. Jeff Schoen, for Ernie Nagim Construction Company, et al, appealing the Zoning Commission DENIAL on November 1, 2011 to rezone 6.5982 acres south of Lonesome Road, east of Highway 190 from A-4 (Single Family Residential District) to NC-1 (Professional Office District). (Ward 4, District 10) (ZC11-11-092)

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.

4. Kelly Hilderbrand appealing the Planning Commission APPROVAL on November 9, 2011 of a Revocation of a portion of Red Rooster Road located in Dawes Subdivision. (Petitioner: Chris Jean) (Ward 8, District 9) (REV11-10-004)

NOTE: To concur with Planning APPROVAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Planning APPROVAL, a majority vote of the entire Council is required and introduction of an ordinance.

ORDINANCES FOR ADOPTION (Public Hearing)

1. Ord. Cal. No. 4591AA - 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, 9/1/11 & 10/6/11) (Amended and reintroduced 11/3/11)

2. 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) (Referred to the Planning Commission 9/1/11) (Tabled 10/6/11) (Planning Commission approved 10/11/11) (Tabled 11/3/11)

3. Ord. Cal. No. 4637AA - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 8.01, Minimum Standards for Specific Uses, relative to Cemeteries and Mausoleums. (Tabled 9/1/11 & 10/6/11) (Amended and introduced 11/3/11)

4. Ord. Cal. No. 4662 - Ordinance authorizing the Parish President, to accept the act of dedication and donation of a portion of Red Rooster Road for inclusion into the road maintenance system. (Ward 8, District 9) (Tabled 10/6/11) (Introduced 11/3/11)

5. Ord. Cal. No. 4673 - Ordinance amending the Official Parish Zoning Map of to reclassify 28,183 square feet located north of LA Highway 36, east of St. Landry Street, west of Manor Street from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District). (Ward 3, District 3) (ZC11-10-081) (Zoning Commission approved 10/4/11) (Introduced 11/3/11)

6. Ord. Cal. No. 4674 - Ordinance amending the Official Parish Zoning Map to reclassify 100.43 acres located south of Thibodeaux Road, east of Stafford Road from A-1 (Suburban District) to an A-1-A (Suburban District). (Ward 2, District 2) (ZC11-10-084) (Zoning Commission approved 10/4/11) (Introduced 11/3/11)

7. Ord. Cal. No. 4675 - Ordinance amending the Official Parish Zoning Map to reclassify 7,548 square feet located at the end of Ridgewood Drive, south of Brown's Village Road, Slidell Ozone Heights Subdivision from A-4 (Single Family Residential District) to A-8 (Multi Family Residential District). (Ward 9, District 14) (ZC11-10-086) (Zoning Commission approved 10/4/11) (Introduced 11/3/11)

8. Ord. Cal. No. 4676 - Ordinance to authorize the Parish President, to lease a portion of a transmission tower from Cleco Power, LLC for regional data communications. (Introduced 11/3/11)

9. Ord. Cal. No. 4677 - Ordinance to amend Ordinance C.S. No. 11-2561, adopted July 7, 2011, which established and validated rates and fees for sewerage and water services provided by systems owned and operated by the Parish. (Introduced 11/3/11)

10. Ord. Cal. No. 4678 - Ordinance to authorize the Parish President to purchase or otherwise acquire certain parcels, rights-of-way and/or servitudes located in Little Creek Center Subdivision. (Introduced 11/3/11)

11. Ord. Cal. No. 4679 - Ordinance to authorize the Parish President to acquire certain parcels, rights-of-way and/or servitudes for Arthur Court. (Introduced 11/3/11)

12. Ord. Cal. No. 4680 - Ordinance to authorize the Parish President to enter into a lease agreement for certain parcels for the Fishing Pier Parking Lot. (Introduced 11/3/11)

13. Ord. Cal. No. 4682 - Ordinance to correct the Road and Drainage Inventory to include Highway 41 Lateral. (Ward 6, District 6) (Introduced 11/3/11)

14. Ord. Cal. No. 4683 - Ordinance to extend for an additional six (6) months the moratorium on the placement of fill and on the issuance of permits for construction, renovation, improvement or placement of any building or structures on property within the boundaries of the subdivision known as Serenity Oaks. (Ward 9, District 14) (Introduced 11/3/11)

15. Ord. Cal. No. 4684 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify certain parcels of land located on the south side of Ann Street, east of Apple Pie Ridge Road, being lots 24, 25 & 26, Block 5, Blue Haven Subdivision, 42472 Ann Street, Slidell and which property comprises a total 9375 sq. ft. of land more or less, from its present A-1 (Suburban District) to an I-2 (Industrial District). (Ward 8, District 13) (ZC11-10-083) (Introduced 11/3/11)

16. Ord. Cal. No. 4685 - Ordinance amending the official Parish Zoning Map to reclassify 1.69 acres located east of Apple Pie Ridge Road, south of US Highway 190 East, from A-1 (Suburban District) to I-2 (Industrial District). (Ward 8, District 13) (ZC11-10-085) (Introduced 11/3/11)

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

17. Ord. Cal. No. 4686 - Ordinance to enact Article XX Section 16-160.00 et seq. of the Parish Code of Ordinances setting forth Rules and Regulations for the St. Tammany Parish Fishing Pier. (Introduced 11/3/11)

18. Ord. Cal. No. 4687 - Ordinance to correct the Road and Drainage Inventory to include an extension of North 8th Street. (Ward 8, District 14) (Introduced 11/3/11)

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, 9/1/11, 10/6/11 & 11/3/11)

2. Resolution to appoint one member to replace Peter Link (Term Expired) on the Finance Authority of St. Tammany Parish. (Stefancik) (Tabled 9/1/11, 10/6/11 & 11/3/11)

3. Resolution to appoint one member to replace Dr. Kumar Amaraneni to the St. Tammany Hospital Services District No. 2 (Slidell Memorial Hospital) Permanent Nominating Committee. (Districts 6, 7, 8, 9, 11, 12, 13, 14) (Bellisario) (Tabled 10/6/11 & 11/3/11)

DISCUSSIONS AND OTHER MATTERS

1. Motion to refer to Planning Commission for consideration of amending Subdivision Regulatory Ordinance 499, Section 40-074.01 Parish Enforced Subdivision Restrictions and/or Covenants, to prohibit rear access to lots within an approved subdivision via a driveway to or from any street or road that is not dedicated within the boundaries of the approved subdivision plat. (Bellisario)

2. Motion to refer to the Zoning Commission for recommendation of a Manufactured Home Overlay (MHO) on Lot C bearing physical address 67573 Chris Kennedy Road. (Ward 6, District 6)

3. Motion to refer to the Planning Commission for consideration of amending Subdivision Regulatory Ordinance 499, Section 40-034.01 Contiguous Lot Rule, to require a minimum building site of 75 feet front on the setback line within the Dove Park Subdivision. (Gould)

4. Motion to refer to Zoning Commission for recommendation of the proposed rezoning of a 3 acre parcel and a 14 acre parcel located on Sloat Road and Vincent Road from A-3 (Single Family Residential District) to I-3 (Heavy Industrial District). (Ward 9, District 14) (Burkhalter)