

PUBLISHED JANUARY 31, 2013 AND POSTED AT PARISH COMPLEX BY FEBRUARY 4, 2013

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, FEBRUARY 07, 2013 AT 6:00PM
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Jerry Binder, Chairman

Invocation by _____

Pledge of Allegiance by _____

Roll Call: Marty Dean
Dennis Sharp
James A. (Red) Thompson
R. Reid Falconer
Richard E. Tanner
Jacob (Jake) Groby
Martin W. Gould, Jr.
Chris Canulette
E. L. Gene Bellisario
Maureen O'Brien
Steve Stefancik
Jerry Binder
Richard Artigue
Thomas (T.J.) Smith, Jr.

CONSENT CALENDAR
(PAGES 1 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 - January 3, 2013

Council Committee Meeting - January 30, 2013

ORDINANCES FOR INTRODUCTION
(Public Hearing March 7, 2013)

1. Ord. Cal. No. 4927 - Ordinance to revoke a portion of Emerald Forest Boulevard right-of-way, located in Ward 3, District 2. (Rev12-11-005) (PC approved 11/13/12) (Postponed 12/6/12 & 1/3/13)

2. Ord. Cal. No. 4947 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify 19.748 ACRES located north of Browns Village Road, west of US Highway 11 from HC-3 (Highway Commercial District) to I-1 (Industrial District). (Ward 9, District 14) (ZC12-12-123) (ZC Approved 1/2/13) (Binder/Brister)

3. Ord. Cal. No. 4948 - Ordinance to amend the St. Tammany Unified Development Code, to amend various sections relative to Agricultural Uses as Administrative Permits in A-1 through A-8 Residential Zoning Districts to require a Rural Overlay below the Urban Growth Boundary. (ZC13-01-002) (ZC Approved 1/2/13) (Binder/Brister)

4. Ord. Cal. No. 4949 - Ordinance to establish a Growth Management, Annexation and Revenue Sharing Agreement between St. Tammany Parish Sales Tax District No. 3 and the Village of Folsom and to provide for other matters in connection therewith. (Ward 2, District 3) (Binder/Brister)

5. Ord. Cal. No. 4950 - Ordinance to establish a Growth Management, Annexation and Revenue Sharing Agreement between St. Tammany Parish Sales Tax District No. 3 and the Town of Madisonville and to provide for other matters in connection therewith. (Ward 1, District 4) (Binder/Brister)

6. Ord. Cal. No. 4951 - Ordinance authorizing the Parish President to enter into a servitude agreement with Cleco Power, LLC for electric service to the Madisonville Library, in the area more fully described on attached servitude agreement and map. (Ward 1, District 4) (Binder/Brister)

7. Ord. Cal. No. 4952 - Ordinance to establish a Growth Management, Annexation and Revenue Sharing Agreement between the St. Tammany Parish Sales Tax District No. 3 and the Town of Pearl River and to provide for other matters in connection therewith. (Ward 8, District 9) (Binder/Brister)

8. Ord. Cal. No. 4953 - Ordinance to establish a Growth Management, Annexation and Revenue Sharing Agreement between St. Tammany Parish Sales Tax District No. 3 and the Village of Sun and to provide for other matters in connection therewith. (Ward 5, District 6) (Binder/Brister)

9. Ord. Cal. No. 4954 - Ordinance to authorize the Parish President to purchase or otherwise acquire certain parcels, rights of way, and/or servitudes for Highway 434 Retention Lake. (Ward 7, District 11) (Binder/Brister)

10. Ord. Cal. No. 4955 - Ordinance to declare Lots 25, 26, 27, 28 and 29 of Pelican Estates Addition No. 2, Abita Springs, as surplus property and authorize the Parish to proceed with the process for the advertising and sale of said property to the highest bidder. (Ward 10, District 6) (Binder/Brister)

11. Ord. Cal. No. 4956 - Ordinance establishing a No Overnight Parking zone on a portion of Laurent Road. (Ward 9, District 11) (Stefancik)

12. Ord. Cal. No. 4957 - Ordinance to correct the Road and Drainage Inventory to include two (2) Central Avenue Laterals; Slaughter Road Lateral; and two (2) Oak Ranch Road Laterals. (Wards 6 & 8, Districts 9 & 11) (Binder/Brister)

13. Ord. Cal. No. 4958 - Ordinance to amend the Parish Code of Ordinances, Chapter 16, Article III, Recreation District No. 2, expanding the boundaries thereof to encompass all of Ward 5, including the incorporated area of the Village of Sun. (Ward 5, District 6) (Tanner)

14. Ord. Cal. No. 4959 - Ordinance establishing a speed limit of 35 mph on Airport Road (3-H-003). (Ward 3, District 2) (Sharp)

15. Ord. Cal. No. 4960 - Ordinance authorizing the sale of not exceeding Forty-Four Million Three Hundred Fifty Thousand Dollars (\$ 44,350,000) of Sales Tax Refunding Bonds, Series 2013 of Sales Tax District No. 3 of the Parish of St. Tammany, State of Louisiana; prescribing the form, terms and conditions of such bonds and providing for the payment thereof; authorizing an agreement with the paying agent; and providing for other matters in connection therewith. (Bellisario)

16. Ord. Cal. No. 4961 - 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. (Stefancik)

17. Ord. Cal. No. 4962 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of administrative permits for agricultural uses within the boundaries of St. Tammany Parish Council District No. 9 in all areas located south of Interstate 10 and east of Military Road. (Bellisario)

18. Ord. Cal. No. 4963 - Ordinance establishing a No Parking on Pavement Zone on North Son Moore Road (8-A-108). (Ward 8, District 14) (Smith)

RESOLUTIONS

1. Resolution C.S. No. C-3626 - Resolution limiting the Parish Council from referring re-zoning cases to the Zoning Commission. (Gould/Brister) (Referred to Council Agenda Review Committee 1/3/13)

2. Resolution C.S. No. C-3639 - Resolution approving the holding of an election in Fire Protection District No. 2, St. Tammany Parish, State of Louisiana, on Saturday, May 4, 2013, to authorize the renewal of a special tax therein. (Falconer)

3. Resolution C.S. No. C-3640 - Resolution approving the holding of an election in Recreation District No. 2 of the Parish of St. Tammany, State of Louisiana, on Saturday, May 4, 2013, to authorize the levy of a special tax therein. (Tanner)

4. Resolution C.S. No. C-3641 - Resolution approving and authorizing the Parish President to sign and/or execute a Cooperative Endeavor Agreement between the Parish and Access Health Louisiana, Inc. regarding the use of office space in the Fairgrounds Annex Building, and other items related thereto. (Ward 3, District 2)(Binder/Brister)

5. Resolution C.S. No. C-3642 - Resolution to approve and authorize the Parish President to execute a Cooperative Endeavor Agreement by and between the Parish and the City of Covington for drainage improvements to Justice Center Parking Garage fire lane along 26th Avenue. (Ward 3, District 2) (Binder/Brister)

6. Resolution C.S. No. C-3643 - Resolution approving and authorizing the Parish President to sign and/or execute a Cooperative Endeavor Agreement between the Parish and the Village of Folsom for the purpose of assisting the Village with certain road improvements. (Ward 2, District 3) (Binder/Brister)

7. Resolution C.S. No. C-3644 - Resolution approving and authorizing the Parish President to sign and/or execute a Cooperative Endeavor Agreement between the Parish and St. Tammany Parish Recreation District No. 16 for the purpose of creating a master plan for Recreation District No. 16. (Binder/Brister)

8. Resolution C.S. No. C-3645 - Resolution approving and authorizing the Parish President to sign and/or execute an Intergovernmental Agreement between the Parish and the City of Slidell in order to implement a wastewater management plan. (Binder/Brister)

9. Resolution C.S. No. C-3646 - Resolution to support St. Tammany Parish Government's application for funding from the Louisiana Community Water Enrichment Fund to improve various public water systems operated by Tammany Utilities and by replacing antiquated water meters. (Binder/Brister)

10. Resolution C.S. No. C-3647 - Resolution to adopt the St. Tammany Parish Title VI Program in Compliance with Title VI of the Civil Rights Act of 1964. (Binder/Brister)

11. Resolution C.S. No. C-3648 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards. (Binder/Brister)

12. Resolution C.S. No. C-3649 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards to make changes to the Capital Improvements List - Capital Assets. (Binder/Brister)

13. Resolution C.S. No. C-3650 - Resolution authorizing Special Counsel to represent St. Tammany Parish in defending the Lawsuit entitled: Wallace Ruiz III, et al vs. St. Tammany Parish, 22nd Judicial District Court No. 2007-14243 and other complex personal injury cases. (Binder/Brister)

14. Resolution C.S. No. C-3651 - Resolution to declare certain movable property surplus and authorizing disposition of same. (Binder/Brister)

15. Resolution C.S. No. C-3652 - Resolution authorizing Special Counsel to assist with the handling of civil litigation and other legal matters. (Binder/Brister)

END OF CONSENT CALENDAR

APPEALS

1. Rick Wilke appealing the Zoning Commission APPROVAL on January 2, 2013 to rezone 19.20 acres located east of Ochsner Boulevard Extension, west of Normandy Oaks Subdivision from A-4-A (Single Family Residential District) to PBC-1 (Planned Business Center District [15.25 acres]) and A-7 (Multiple Family Residential District [3.95 acres]). (Ward 1, District 1) (ZC13-01-003) (Applicant: Wayne Buras for All State Financial Company)

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. 4914AA - Ordinance establishing a "No Parking Zone" on a portion of Dove Park Road (4-D-001) (Ward 4, District 5) (Introduced 11/1/12) (Amended and reintroduced 12/6/12) (Postponed 1/3/13)

2. Ord. Cal. No. 4916 - Ordinance amending the official Parish Zoning Map to reclassify 15.55 acres located north of Emerald Forest Blvd, East of Falconer Drive to a PUD (Planned Unit Development Overlay). (Ward 3, District 5) (ZC12-08-076) (ZC approved 11/7/12) (Introduced 12/6/12) (Postponed 1/3/13)

3. Ord. Cal. No. 4917 - Ordinance amending the official Parish Zoning Map to reclassify 15.55 acres located north of Emerald Forest Blvd, East of Falconer Drive from NC-4 (Neighborhood Institutional District), NC-1 (Professional Office District) and A-7 (Multiple Family Residential District) to A-4-A (Single-family Residential District). (Ward 3, District 5) (ZC12-08-077) (ZC approved 11/7/12) (Introduced 12/6/12) (Postponed 1/3/13)

4. Ord. Cal. No. 4928 - Ordinance accepting finalized subdivisions into the Road and Drainage Inventories, specifically entering the right-of-way of Abita Avenue within Abita Terrace Subdivision. (Ward 3, District 5) (Introduced 12/6/12) (Postponed 1/3/13)

5. Ord. Cal. No. 4934 - Ordinance amending the official Parish Zoning Map to reclassify 22,000 square feet located south of D.G. Holley Road, west of Watts Road from HC-2 (Highway Commercial District) to A-4 (Single-Family Residential District). (Ward 8, District 11) (ZC12-12-116) (ZC approved 12/4/12) (Introduced 1/3/13)

6. Ord. Cal. No. 4935 - Ordinance amending the official Parish Zoning Map to reclassify 2.64 acres located east and west of 7th Street, south LA Highway 36 from A-4-A (Single-Family Residential District) to HC-2 (Highway Commercial District). (Ward 3, District 2) (ZC12-12-117) (ZC approved 12/4/12) (Introduced 1/3/13)

7. Ord. Cal. No. 4936 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Section 5.1004 B.3. A-4-A (Single Family Residential District), relative to side yard setbacks. (ZC12-12-119) (ZC approved 12/4/12) (Introduced 1/3/13)

8. Ord. Cal. No. 4937 - Ordinance amending the official Parish Zoning Map to reclassify 28,800 square feet located north of 4th Street, east of Edna Street, south of 3rd Street, being lot 59-B, Town of Mailleville, Covington from NC-4 (Neighborhood Institutional District) to MD-1 (Medical Residential District). (Ward 3, District 2) (ZC12-12-120) (ZC approved 12/4/12) (Introduced 1/3/13)

9. Ord. Cal. No. 4938 - Ordinance amending the official Parish Zoning Map to reclassify 10,340 square feet located west of US Highway 11, south of Carr Drive, being 4961 Pontchartrain Drive, Slidell from CB-1 (Community Based facilities District) to HC-1 (Highway Commercial District). (Ward 9, District 13) (ZC12-12-121) (ZC approved 12/4/12) (Introduced 1/3/13)

10. Ord. Cal. No. 4939 - 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 a portion of voting Precinct 914. (Ward 8, District 14) (Introduced 1/3/13)

11. Ord. Cal. No. 4940 - Ordinance amending the official Parish Zoning Map to reclassify 3.48 acres located west of Patrick Lane, south of Rogers Hill Road from A-1 (Suburban District) to A-2 (Suburban District). (Ward 3, District 2) (ZC12-12-124) (ZC approved 12/4/12) (Introduced 1/3/13)

12. Ord. Cal. No. 4941 - Ordinance amending the official Parish Zoning Map to reclassify 1.5 acres located south of LA Highway 22, east of Guste Island Road from NC-4 (Neighborhood Institutional District) to A-2 (Suburban District). (Ward 1, District 4) (ZC12-12-125) (ZC approved 12/4/12) (Introduced 1/3/13)

13. Ord. Cal. No. 4942 - Ordinance amending the official Parish Zoning Map to reclassify 202.43 acres located north and south of Charlene Drive, and east and west of Emily Court and Casey Court, west of Chris Kennedy Road from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 6, District 11) (ZC12-12-126) (ZC approved 12/4/12) (Introduced 1/3/13)

14. Ord. Cal. No. 4943 - Ordinance to amend the 2013 Operating Budget - Amendment No. 1. (Introduced 1/3/13)

15. Ord. Cal. No. 4944 - Ordinance to ratify/amend/rescind Ordinance C.S. No. 12-2845 adopted October 4, 2012, amending the official Parish Zoning Map to reclassify 0.097 acre located south of La. Highway 1088, east of Forest Brook Blvd from A-2 (Suburban District) to NC-2 (Indoor Retail and Service District). (Ward 4, District 7)(Introduced 1/3/13)

16. Ord. Cal. No. 4945 - Ordinance to extend for an additional six (6) months the moratorium on the submission and review of Zoning permit applications and 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 1/3/13)

17. Ord. Cal. No. 4946 - Ordinance amending the official Parish Zoning Map to reclassify 1.057 acres located west of Thompson Road, south of Wesley Road, Slidell from A-2 (Suburban District) and NC-2 (Indoor Retail and Service District) to HC-1 (Highway Commercial District). (Ward 9, District 11). (ZC12-12-115) (Introduced 1/3/13)

NOMINATIONS

1. Appoint one (1) individual to the Board of Commissioners of St. Tammany Recreation District No. 16. (Districts 8, 9, 11, 12, 13, 14) (Smith) (Postponed 1/3/13)

2. Resolution to appoint John Bollinger to replace Jason Cobb (resigned) to St. Tammany Parish Development District. (Parishwide Appointment) (Falconer)

APPOINTMENTS

1. Resolution to appoint Jerry Wiggins to replace Wes Wolsefer (resigned) to St. Tammany Parish Gravity Drainage District No. 5. (Binder)

DISCUSSIONS AND OTHER MATTERS

1. Motion to refer to the Zoning Commission for recommendation on the proposed rezoning of 3.285 acres located in Section 12, Township 5, Range 12 east from its present A-1 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 2, District 6) (Tanner)