

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, OCTOBER 03, 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
Martin W. Gould, Jr.
Richard E. Tanner
Jerry Binder
Jacob (Jake) Groby
Chris Canulette
E. L. Gene Bellisario
Maureen O'Brien
Steve Stefancik
Richard Artigue
Thomas (T.J.) Smith, Jr.

PRESENTATIONS

1. Presentation by PRIDE (Parent Resources for Information, Development and Education) Board Member Dena Lopez to introduce and convey PRIDE's organizational mission: Community and Parental support encouraging our youth to commit to drug and alcohol free development throughout their school years. PRIDE provides leadership training, education and prevention programs designed to reduce the use of alcohol and drugs by our youth. PRIDE provides and sponsors:
 - a. A 4 day camp at Fontainebleau State Park for all students interested in the youth leadership workshop;
 - b. A 'life-skills' program curriculum in our schools for those students interested;
 - c. PRIDE recognizes National 'Red Ribbon' week by sponsoring St. Tammany's 'Red Ribbon' week, October 28-November 1, 2013. (Artigue)
2. Proclamation of St. Tammany's 'Red Ribbon' week, October 28-November 1, 2013. (Brister)
3. Certificate of recognition to St. Tammany Parish Homebuilder's Association for donations to local charities. (Falconer)
4. Presentation by Hilary Collis regarding the Coalition to Restore Coastal Louisiana's Marsh Grass Replanting Project.
5. Presentation by COAST regarding short and long range plans to manage its facilities. (Groby)
6. Proclamation declaring Friday, November 15th Black and Gold Day to benefit the Children's Museum of St. Tammany. (Brister)
7. Certificate to recognize Coach Ed Kelly, the founder and swim coach for Slidell's Hurricane Swim Club, for his commitment to our youth and community. (Brister)
8. Recognition of the United Way for services provided to St. Tammany Parish (Bellisario)

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 September 5, 2013

Special Council Meeting September 25, 2013

Council Committee Meeting September 25, 2013

ORDINANCES FOR INTRODUCTION
(Public Hearing November 7, 2013)

1. Ord. Cal. No. 5068 - Ordinance to amend Ordinance Council Series Nos. 00-0174, 05-1049 and 05-1199 for the purpose of amending various sections of the Personnel Policies pertaining to benefits, annual leave and sick leave. (Binder/Brister)

2. Ord. Cal. No. 5083 - Ordinance amending the Official Parish Zoning Map to reclassify 1 acre located east of Martin Luther King Road, east of Lake Road from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 7, District 7). (ZC13-09-069) (Zoning Commission approved 9/3/13) (Binder/Brister)

3. Ord. Cal. No. 5084 - Ordinance amending the Official Parish Zoning Map to reclassify 13.244 acres located south Joiner Wymer Road, west of Highway 1077 from A-1 (Suburban District) to A-2 (Suburban District). (Ward 1, District 3). (ZC13-09-071) (Zoning Commission approved 9/3/13) (Binder/Brister)

4. Ord. Cal. No. 5085 - Ordinance amending the Official Parish Zoning Map to reclassify 8,100 square feet located north of Galatas Road, east of Revere Road, west of Highway 1077 from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 1, District 1). (ZC13-09-073) (Zoning Commission approved 9/3/13) (Binder/Brister)

5. Ord. Cal. No. 5086 - Ordinance amending the Official Parish Zoning Map to reclassify 4.79 acrea located east of Highway 450, north of Ed Williams Road East, south of the Washington Parish Line from A-1 (Suburban District) to A-1 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 2, District 3). (ZC13-09-072) (Zoning Commission approved 9/3/13) (Binder/Brister)

6. Ord. Cal. No. 5087 - Ordinance amending the Official Parish Zoning Map to reclassify 3.96 acres located east of Abney Road, north of Red Rooster Road, being 62316 Abney Road, Pearl River from A-1 (Suburban District) and PUD (Planned Unit Development Overlay) to A-1A (Suburban District). (Ward 8, District 9). (ZC13-09-068) (Zoning Commission approved 9/3/13) (Binder/Brister)

7. Ord. Cal. No. 5088 - Ordinance amending the Official Parish Zoning Map to reclassify 1.921 acres located east of Highway 437, south of Narrow Drive, being Lot 4, Schiro Estates from A-1A (Suburban District) to A-1A (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 3, District 2). (ZC13-09-067) (Zoning Commission approved 9/3/13) (Binder/Brister)

8. Ord. Cal. No. 5089 - Ordinance to authorize the Parish President to purchase or otherwise acquire certain parcels, rights of way, and/or servitudes for the St. Tammany Regional Airport Project. (Ward 4, District 7) (Binder/Brister)

9. Ord. Cal. No. 5090 - Ordinance to Rename Joe's Road (R05G008) as O. D. Kain Lane. (Ward 5, District 6) (Binder/Brister)

10. Ord. Cal. No. 5091 - Ordinance to correct the Road and Drainage Inventory to include an extension to Ochsner Boulevard. (Ward 1, District 1) (Binder/Brister)

11. Ord. Cal. No. 5092 - Ordinance to amend the 2013 Operating Budget - Amendment No. 8. (Binder/Brister)

12. Ord. Cal. No. 5093 - Ordinance to extend for 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 whose primary focus or concentration is the prescribing and/or dispensing of pain medication to individuals with complaints of chronic pain which is unaffiliated with any hospital, hospice and/or facility for the treatment of the terminally ill in unincorporated St. Tammany Parish. (Binder)

RESOLUTIONS

1. Resolution C.S. No. C-3802 - Resolution to approve and authorize the Parish President to sign and/or execute an Administration Agreement between the Parish and St. Tammany Council on Aging, Inc. regarding the parties' obligations as to the expenditure of the Council on Aging Tax. (Binder/Brister)

2. Resolution C.S. No. C-3823 - Resolution to approve the issuance of not exceeding \$ 50,000 of Limited Tax Certificates of Indebtedness of Fire Protection District No. 9 of the Parish of St. Tammany, State of Louisiana. (Tanner)

3. Resolution C.S. No. C-3824 - Resolution Establishing Performance and Warranty Obligations. (Binder/Brister)

4. Resolution C.S. No. C-3825 - Resolution to acknowledge the receipt and review of the 2013 Municipal Water Pollution Prevention Environmental Audit Report for the Highway 22 Sewage Treatment Facility. (Ward 1, District 4) (Binder/Brister)

5. Resolution C.S. No. C-3826 - Resolution to acknowledge receipt and review of the 2013 Municipal Water Pollution Prevention Environmental Audit Report for the Cross Gates Sewage Treatment Facility. (Ward 8, District 9) (Binder/Brister)

6. Resolution C.S. No. C-3827 - Resolution to amend the St. Tammany Parish Board of Adjustment Rules of Procedure pursuant to the St. Tammany Parish Code of Ordinances, specifically Appendix C of the Unified Development Code, Article 3, Section 3.0104 (A.) (Binder/Brister)

7. Resolution C.S. No. C-3828 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013 - 2017 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards. (Binder/Brister)

8. Resolution C.S. No. C-3829 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013-2017 Capital Improvement Budget and Program, Fixed Asset & Grant Awards to make changes to the Capital Improvements List - Facility - Fund 017-24 - Fairgrounds Annex. (Binder/Brister)

9. Resolution C.S. No. C-3830 - 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 - Parishwide Roads - (Fund 300-00). (Binder/Brister)

10. Resolution C.S. No. C-3831 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013-2017-Capital Improvement Budget and Program, Fixed Asset & Grant Awards to make changes to the Capital Improvements List - Fund 321 - Koop Complex Capital. (Binder/Brister)

11. Resolution C.S. No. C-3832 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013-2017 Capital Improvement Budget and Program, Fixed Asset & Grant Awards to make changes to the Capital Improvements List - Facility - Fund 337 - Capital Justice Complex. (Binder/Brister)

12. Resolution C.S. No. C-3833 - 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 - Other - Fund 622 Utilities Capital. (Binder/Brister)

13. Resolution C.S. No. C-3834 - Resolution to set the salaries of the employees of the St. Tammany Parish Coroner's Office pursuant to Louisiana House Act No. 181 (R.S. 13:5725). (Binder)

END OF CONSENT CALENDAR

APPEALS

1. Gregory Lockett appealing the Zoning Commission APPROVAL on September 3, 2013 to rezone 0.42 acre located north of Ben Thomas Road, west of Highway 11, being 37397 Ben Thomas Road, Slidell, from HC-2 (Highway Commercial District) to I-2 (Industrial District). (Ward 9, District 14) (ZC13-08-054) (Applicant: Miroslav Cutura)

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. 5008 - Ordinance amending the Official Parish Zoning Map to reclassify 5.0192 acres located south of Browns Village Road, west of US Highway 11, being 38008 Browns Village Road from HC-3 (Highway Commercial District) to I-1 (Industrial District). (Ward 8, District 14) (ZC13-05-029) (ZC approved 5/7/13) (Introduced 6/6/13) (Postponed 7/11/13, 8/1/13 and 9/5/13)

2. Ord. Cal. No. 5023 - Ordinance to revoke a portion of Bryan Drive Right-of-way, located in Slidell Ozone Heights Subdivision. (Ward 9, District 14) (Rev13-05-001) (Introduced 6/6/13) (Postponed 7/11/13 , 8/1/13 and 9/5/13)

3. Ord. Cal. No. 5057 - Ordinance amending the Official Parish Zoning Map to reclassify 10,830 square feet located east of Beech Avenue, north of Birch Street, south of Sycamore Street, being lot 7A, Beverly Hills Subdivision, 57344 Beech Avenue, Slidell, from A-4 (Single-Family Residential District) to A-4 (Single-Family Residential District) and MHO (Manufactured Housing Overlay). (Ward 8, District 14). (ZC13-08-053) (ZC Approved 8/6/13) (Introduced 9/5/13)

4. Ord. Cal. No. 5058 - Ordinance amending the Official Parish Zoning Map to reclassify 1.74 acres located east of Park Place Drive, north of Northpark Blvd., being Lot 41-A-1, Northpark, Phase II from NC-1 (Professional Office District) and HC-2 (Highway Commercial District) to HC-2 (Highway Commercial District). (Ward 3, District 5) (ZC13-08-055) (ZC Approved 8/6/13) (Introduced 9/5/13)

5. Ord. Cal. No. 5059 - Ordinance amending the Official Parish Zoning Map to reclassify 13,334.3 square feet located on the northwest corner of Caroline Street and Marigny Avenue, Mandeville from NC-4 (Neighborhood Institutional District) to A-4 (Single Family Residential District). (Ward 4, District 10). (ZC13-08-056) (ZC Approved 8/6/13) (Introduced 9/5/13)

6. Ord. Cal. No. 5060 - Ordinance amending the Official Parish Zoning Map to reclassify 26,083 square feet located at the northwest corner of Carroll Road and Liberty Drive, being 59125 Carroll Road, Slidell from NC-2 (Indoor Retail and Service District) to HC-1 (Highway Commercial District).(Ward 9, District 14) (ZC13-08-057) (ZC Approved 8/6/13) (Introduced 9/5/13)

7. Ord. Cal. No. 5061 - Ordinance amending the Official Parish Zoning Map to reclassify 1.41 acres located west of Airport Road, south of Belair Blvd, north of Royal Drive, being 62069 Airport Road, Slidell from CB-1 (Community Based Facilities District) to A-2 (Suburban District). (Ward 9, District 11). (ZC13-08-058) (ZC Approved 8/6/13) (Introduced 9/5/13)

8. Ord. Cal. No. 5062 - Ordinance amending the Official Parish Zoning Map to reclassify 9,474 square feet located north of Orleans Street, east of LA Highway 59, Mandeville from HC-2 (Highway Commercial District) to A-5 (Two-Family Residential District). (Ward 4, District 10). (ZC13-08-062) (ZC Approved 8/6/13) (Introduced 9/5/13)

9. Ord. Cal. No. 5063 - Ordinance amending the Official Parish Zoning Map to reclassify 151.43 acres located at the southeast intersection of LA Highway 21 and I-12 from HC-3 (Highway Commercial District) and PBC-1 (Planned Business Center) to HC-3 (Highway Commercial District), PBC-1 (Planned Business Center) and RBCO (Regional Business Center Overlay). (Ward 1, District 1). (ZC13-08-063) (ZC Approved 8/6/13) (Introduced 9/5/13)

10. Ord. Cal. No. 5064 - Ordinance amending the Official Parish Zoning Map to reclassify 0.94 acre located east of Cypress Drive, across from Jackson Drive, south of US Highway 190, being 60504 Cypress Drive, Lacombe from A-4 (Single Family Residential District) and A-3 (Suburban District) to A-4 (Single Family Residential District), A-3 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 7, District 7). (ZC13-08-064) (ZC Approved 8/6/13) (Introduced 9/5/13)

11. Ord. Cal. No. 5065 - Ordinance amending the Official Parish Zoning Map to reclassify 3.812 acres located east of LA Highway 21, south of Brady Island Lane from A-1 (Suburban District) to NC-1 (Professional Office District). (Ward 1, District 1). (ZC13-08-065) (ZC Approved 8/6/13) (Introduced 9/5/13)

12. Ord. Cal. No. 5066 - Ordinance amending the Official Parish Zoning Map to reclassify 1 acre located west of Josephine Street, south of LA Highway 36, being 72100 Josephine Street, Covington from A-2 (Suburban District) to I-1 (Industrial District). (Ward 3, District 2) (ZC13-08-066) (ZC Approved 8/6/13) (Introduced 9/5/13)

13. Ord. Cal. No. 5067 - Ordinance to authorize the Parish President to acquire property approved by the Hazard Mitigation Grant Program. (Ward 3, District 4) (ZC Approved 8/6/13) (Introduced 9/5/13)

14. Ord. Cal. No. 5069 - Ordinance to authorize the Parish President to acquire temporary construction servitudes for the Carriage Lane Estates Drainage Project. (Ward 4, District 5) (Introduced 9/5/13)

15. Ord. Cal. No. 5070 - Ordinance to declare multiple tax adjudicated properties as surplus property and authorize the Parish to proceed with the process for the advertising and sale of such adjudicated properties to the highest bidder at public auction. (Introduced 9/5/13)

16. Ord. Cal. No. 5071 - Ordinance to Amend the 2013 Operating Budget - Amendment No. 7. (Introduced 9/5/13)

17. Ord. Cal. No. 5072 - Ordinance to revoke a portion of St. Benedict Street Right-of-way, located in St. Benedict Subdivision, Covington. (Ward 3, District 2) (REV13-08-002) (Introduced 9/5/13)

18. Ord. Cal. No. 5073 - Ordinance accepting finalized subdivisions into the Road and Drainage Inventories, specifically Montgomery Terrace Subdivision, Phase 2. (Ward 1, District 1) (Introduced 9/5/13)

19. Ord. Cal. No. 5074 - Ordinance to correct the Road and Drainage Inventory to include Archie Singletary Road Lateral; 2 Lynn Drive Laterals; Herman Singletary Road Lateral; Rheusaw Parker Road Lateral; Gretchen Lane Lateral; Sycamore Place Lateral; Kissena Park Court Lateral; and an extension to Carnation Street. (Wards 3, 4, 6 and 10) (Districts 3, 6, 7 and 11) (Introduced 9/5/13)

20. Ord. Cal. No. 5075 - 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 9/5/13)

21. Ord. Cal. No. 5076 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for construction or placement of building structures on any properties within unincorporated St. Tammany Parish within five hundred (500) feet of the centerline on either side of Hwy 1088 from Sout Street to I-12. (Ward 4, Districts 5 and 7) (Introduced 9/5/13)

22. Ord. Cal. No. 5077 - Ordinance to authorize the Parish President to accept the act of dedication and donation of Howze Beach Lane and to incorporate Howze Beach Lane into the Parish maintenance system. (Ward 9, District 13) (Introduced 9/5/13)

23. Ord. Cal. No. 5079 - Ordinance to impose a six (6) month moratorium on the issuance of permits for construction or placement of non-single family residential building structures on property within a portion of Voting Precinct 310, north of Abita River. (District 5) (Introduced 9/5/13)

24. Ord. Cal. No. 5080 - Ordinance amending the Official Parish Zoning Map to reclassify 1.84 acres located west LA Highway 1083, north of Military Road from HC-2 (Highway Commercial District) to I-1 (Industrial District). (Ward 10, District 6). (ZC13-08-061) (Introduced 9/5/13)

APPOINTMENTS

1. Resolution to reappoint Otto Mehrgut, John Lavanway, David Bates (terms expired) to St. Tammany Parish Sub-Drainage District No. 2 (Meadowbrook) of Gravity Drainage District No. 5. (Gould)

2. Resolution to reappoint Jerry Lambert (term expired) and to appoint Phil Fox and Ronnie Webb to St. Tammany Parish Sub-Drainage District No. 3 (Northpark) of Gravity Drainage District No. 5. (Gould)

3. Resolution to reappoint Alicia T. Irscher (term expired) to St. Tammany Parish Hospital Services District No. 2 (Slidell Memorial Hospital) Permanent Nominating Committee. (Bellisario)

4. Resolution to appoint Audrey Johnson to replace Ann Creighton as the Community Service Block Grant (CSBG) representative on St. Tammany Parish Community Action Agency. (Bellisario, O'Brien, Artigue)

5. Resolution to appoint Kimberly Pitts, Eric Hudson and Morvin Penton to St. Tammany Parish Recreation District No. 2. (Tanner)

6. Resolution to reappoint Steve Stefancik and Richard Kelley to the Regional Planning Commission. (Falconer)

7. Resolution to reappoint Reid Falconer to the Regional Planning Commission. (Stefancik)

DISCUSSIONS AND OTHER MATTERS

1. Motion to refer to Zoning Commission for recommendation on the proposed re-zoning of a portion of property located on Hwy 40 in Section 40, Township 5 South, Range 13 East from A-2 (Suburban District) to I-2 (Industrial District). (Ward 5, District 6) (Tanner)

2. Motion to refer to Zoning Commission for recommendation on the Proposed re-zoning of 5.00 acres located in Section 43, Township 4 South, Range 12 East from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 6) (Tanner)

3. Motion to refer to Zoning Commission for recommendation on the proposed re-zoning of 2.115 acres located in Section 28, Township 5 South, Range 12 East from A-1 (Suburban District) to A-2 (Suburban District). (Ward 5, District 6) (Tanner)

EXECUTIVE SESSION

1. Lawsuit entitled: Doris Smith et als vs. Kathleen Schroeder, St. Tammany Parish Government et als, 22nd JDC # 2008-14016

2. Matter entitled: St. Tammany Parish vs. Arbor Holdings Inc. et als, unfiled dispute.