

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

**THURSDAY, MAY 7, 2015 AT 6:00 P.M.**

**ST. TAMMANY GOVERNMENT COMPLEX**

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

**Call to Order by Honorable Richard E. Tanner, Chairman**

**Invocation by Mr. Falconer**

**Pledge of Allegiance by Mr. Stefancik**

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

**EXECUTIVE SESSION**

**Tanner - 1. St. Tammany Parish Government v. James H. Welsh, Commissioner of Conservation. 19th JDC for the Parish of East Baton Rouge, Docket No. 631370.**

**Stefancik - moved to remove, second by Gould. Unanimous with 1 absent (Canulette).**

**PRESENTATIONS**

**Tanner - 1. Certificate of Recognition to Emma Landeche for her many achievements and awards received for her accomplishments in and for the St. Tammany Parish Public School System. (Bellisario)**

**Bellisario - he has known Emma's parents and learned that Emma is a great student who is very involved in all kinds of activities. She is graduating from high school next week and will be attending Florida State in the Fall. Read certificate.**

**Brister - what Mr. Bellisario read is just a fraction of what Emma has accomplished. She is sorry we are losing her to Florida, but she knows she will come back.**

**Tanner - 3. Veterans' Update Presentation by David LeCerte, Secretary of the Louisiana Department of Veterans' Affairs. (Groby)**

**David LeCerte - the new Veterans's Cemetery in the Parish has the biggest volume of us of all veterans' cemeteries in Louisiana. There are 21,000 veterans in the Parish, and the Parish has had a cooperative Agreement with Veterans' Affairs since World War II. The Agreement is for the Parish to contribute 25% of costs to the local veterans' office, which brought in \$1.1 million last year. They are working on legislation to make higher education to be more accommodating for veterans.**

**Tanner - 6. Presentation of St. Tammany Parish Government Employee of the month. (Brister)**

**Brister - after a few months of receiving letters regarding the great service of Parish employees, they decided the Parish needed to establish an Employee of the Month program.**

**Melissa Kellum - was the first employee of the month for March. She was diagnosed with breast cancer over a year ago, and continued to work. She kept the Parish updated and came through it with Grace. April's employee of the month was Lisa Maddox who runs that Tammany Trace and organizes events such as the Rubber Duck Regatta. Finally, May's employee of the month is Jennifer Bushnell, who is the driving force behind the President's Art Awards.**

**Tanner - 4. Presentation of a donation to Mary Bird Perkins Cancer Center. (Brister)**

**Brister - the Parish employees continue to donate \$1.00 per week for the privilege of wearing jeans on Fridays. This month the Parish is donating \$3482.00 to the Mary Bird Perkins Cancer Center.**

**Tanner - 5. Presentation of Northlake Behavioral Health Facility Progress and Status Report by Wes Mason. (Brister)**

**Brister - the Parish is the proud owner of Southeast Hospital and they were fortunate to receive a call from Wes Mason of Northlake Behavioral Health Facility to help keep the services of the hospital available.**

**Wes Mason - they saw an opportunity to contract with the State to keep the hospital open. When they started there were 32 patients and 184 jobs. Now, they serve 150 patients daily and 400 jobs. A lot of the patients are children, but they treat adolescents and adults as well. They serve patients from all over the State. They are planning to purchase additional land from the Parish in order to further expand their services.**

**Tanner - 2. Certificate of Recognition to Stephen Dwyer for his service on St. Tammany Parish Recreation District No. 14. (Dean)**

**Dean - Mr. Dwyer has been a board member at Coquille Sports Complex since 1999. Youth participation increased from 350 to over 3000. Every weekend hotels are packed with families attending sporting events, and a lot of that is due to Mr. Dwyer.**

**Stephen Dwyer - being able to serve and chair the board has been the greatest achievement of his life. In 1999, Coquille had no money or land, but they had a dream. They continue to move into the future. His proudest accomplishment is that during his term in office, they never had less than an unanimous vote. They always worked together.**

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

**Ord. Cal. No. 5365  
Resolution C.S. No. C-4327**

**Ord. Cal. No. 5391  
Resolution C.S. No. C-4338**

**Ord. Cal. No. 5392  
Resolution C.S. No. C-4340**

**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 April 2, 2015**

**Council Committee Meeting April 29, 2015**

**ORDINANCES FOR INTRODUCTION**  
**(Public Hearing: June 7, 2015)**

2. Ord. Cal. No. 5372 - Ordinance to impose a six (6) month moratorium on the issuance of permits for construction or placement of building structures on property within any portion of Highland Park Subdivision. (District 12) (Binder)

3. Ord. Cal. No. 5373 - Ordinance to amend Parish Code, Volume I, Section 2 Definitions, to add the definition of breezeway. (ZC15-01-009) (ZC approved 4/7/2015) (Tanner Brister)

4. Ord. Cal. No. 5374 - Ordinance amending the Official Parish Zoning Map to reclassify 31,680 square feet located on south of West Main Street, West of Transmitter Road from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 7, District 7). (ZC15-04-040) (ZC approved 4/7/2015) (Tanner Brister)

5. Ord. Cal. No. 5375 - Ordinance amending the Official Parish Zoning Map to reclassify 163.45 acres located at the end of Joiner Wymer Road, west of La Highway 1077 from A-1 (Suburban District) to A-1A (Suburban District). (Ward 1, District 3) (ZC15-04-038) (ZC approved 4/7/2015) (Tanner Brister)

6. Ord. Cal. No. 5376 - Ordinance amending the Official Parish Zoning Map to reclassify 2.812 acres located on north of Voters Road, west of Allen Road, being 850 Voters Road, Slidell from AT-1 (Animal Training/Housing District) to CB-1 (Community Based Facilities District). (Ward 8, District 14) (ZC15-04-033) (ZC approved 4/7/2015) (Tanner Brister)

7. Ord. Cal. No. 5377 - Ordinance amending the Official Parish Zoning Map to reclassify 2.152 acres located north of Herwig Bluff Road, east of Herwig Road, being 41449 Herwig Bluff Rd., Slidell from A-4 (Single Family Residential District) to AT-1 (Animal Training/Housing District). (Ward 8, District 9) (ZC15-04-032) (ZC approved 4/7/2015) (Tanner Brister)

8. Ord. Cal. No. 5378 - Ordinance amending the Official Parish Zoning Map to reclassify 1.33 acres located north of Little Fawn Run, north of Choctaw Drive from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 7, District 7) (ZC15-04-030) (ZC approved 4/7/2015) (Tanner Brister)

9. Ord. Cal. No. 5379 - Ordinance amending the Official Parish Zoning Map to reclassify 4.12 acres located at the end of Normandie Drive, south of Marguerite Street from A-1 (Suburban District) and RO (Rural Overlay) to A-1A (Suburban District) and RO (Rural Overlay). (Ward 2, District 6) (ZC15-04-029) (ZC approved 4/7/15) (Tanner/Brister)

10. Ord. Cal. No. 5380 - Ordinance amending the Official Parish Zoning Map to reclassify 0.361 acre located west of N. Collins Blvd, south of N. Columbia Street, being 1930 N. Collins, Covington from HC-2 (Highway Commercial District) to I-1 (Industrial District). (Ward 3, District 2) (ZC15-04-028) (ZC approved 4/7/2015) (Tanner Brister)

11. Ord. Cal. No. 5381 - Ordinance amending the Official Parish Zoning Map to reclassify 40,000 square feet located west of Avery Drive, South of Heathermist Drive, being 209 Avery Drive, Slidell from A-2 (Suburban District) to A-2 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 8, District 13) (ZC15-04-026) (ZC approved 4/7/2015) (Tanner Brister)

12. Ord. Cal. No. 5382 - Ordinance amending the Official Parish Zoning Map to reclassify 27.39 acres located east of Bunny Lane, South of Joiner Wymer Road, being 72195 Bunny Lane, Covington from A-3 (Suburban District) to A-3 (Suburban District) and RO (Rural Overlay). (Ward 1, District 3) (ZC15-04-024) (ZC approved 4/7/2015) (Tanner Brister)

13. Ord. Cal. No. 5383 - Ordinance amending the Official Parish Zoning Map to reclassify 7.47 acres located south of Powell Drive, west of Grace Drive from A-4 (Single Family Residential District) to A-4 (Single Family Residential District) and MHO (Manufactured Housing Overlay). (Ward 9, District 14) (ZC15-01-007) (ZC approved 4/7/2015) (Tanner Brister)

14. Ord. Cal. No. 5384 - Ordinance establishing a No Parking Zone on Cross Creek Drive (R08-N-089) and Clayton Court (R08-N-093). (Ward 8, District 9) (Bellisario)

15. Ord. Cal. No. 5385 - Ordinance Establishing a No Parking Zone on Buckingham Court (R08-N-009) and Bradford Drive (R08-N-008). (Ward 8, District 9) (Bellisario)

16. Ord. Cal. No. 5386 - Ordinance to authorize the Parish President to declare 113.5 acres as surplus property and to authorize the private sale and disposal of said property to St. Tammany Parish Recreation District No. 1. (Ward 4, District 7)

17. Ord. Cal. No. 5387 - Ordinance to authorize the Parish President to Grant a 32' Wide Utility Servitude to the St. Tammany Parish School Board. (Ward 8, District 8) (Tanner/Brister)

18. Ord. Cal. No. 5388 - Ordinance to declare Condo Unit 47, Chamale Cove Condominiums (47 Chamale Drive, Slidell) as surplus Tax-adjudicated property and authorize the donation of said property to the Chamale Cove Condominium Association, Inc. (Ward 9, District 12) (Tanner/Brister)

19. Ord. Cal. No. 5389 - Ordinance to authorize the Parish President to declare a 60' Wide strip of undeveloped property as surplus property and to authorize the private sale and disposal of said property to the St. Tammany Parish School Board. (Ward 8, District 8) (Tanner/Brister)

20. Ord. Cal. No. 5390 - 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. (Tanner/Brister)

23. Ord. Cal. No. 5393 - Ordinance to amend the Parish Code of Ordinances, Chapter 13, to add new sections providing for Operation of Motorized Vehicles and Enforcement of Traffic Controls on private streets within Natchez Trace Subdivision. (Ward 1, District 1) (Dean)

## RESOLUTIONS

2. Resolution C.S. No. C-4328 - Resolution to acknowledge the authority pursuant to Home Rule Charter sections 1-04, 1-06, 3-01 and 3-09 for St. Tammany Parish Government, through the Office of the Parish President, to execute a cooperative endeavor agreement with St. Tammany Council on Aging, Inc., City of Covington, City of Mandeville, City of Slidell, Town of Abita Springs, and Town of Pearl River for operation and/or funding of goSTAT. (Tanner/Brister)

3. Resolution C.S. No. C-4329 - Resolution to acknowledge the authority pursuant to Chapter 23 of the Parish Code of Ordinances for St. Tammany Parish Government, through the Office of the Parish President, to execute a Utility Services Agreement with Weyerhaeuser Real Estate Development Company and/or its affiliates for water and sewerage treatment services to the Tamanend and St. Tammany Advanced Campus developments.(Wards 7 and 9, District 11) (Tanner/Brister)

4. Resolution C.S. No. C-4330 - Resolution Establishing Performance and Warranty Obligations. (Tanner/Brister)

5. Resolution C.S. No. C-4331 - Resolution to appoint members of the Geographic Information System District in St. Tammany Parish. (Tanner/Brister)

6. Resolution C.S. No. C-4332 - Resolution to acknowledge the authority pursuant to Chapter 23 of the Parish Code of Ordinances for St. Tammany Parish Government, through the Office of the Parish President, to execute a Utility Services Agreement with Covenant Christian Church and/or its affiliates for the provision of water and sewerage treatment services. (District 3, Ward 1) (Tanner/Brister)

7. Resolution C.S. No. C-4333 - Resolution to amend Ordinance C.S. No. 14-3246 - to make changes to the Capital Improvements List - District Projects - Funds 301 through 314. (Tanner/Brister)

8. Resolution C.S. No. C-4334 - Resolution to authorize St. Tammany Parish to prepare and submit a pre-application to the Statewide Flood Control Program for assistance in the implementation of drainage improvements to Brownsitch Road located in Slidell, Louisiana for the purpose of reducing existing flood damages; providing for the necessary documentation of said flood damages; and providing for other related matters in connection therewith. (Tanner/Brister)

9. Resolution C.S. No. C-4335 - Resolution acknowledging presentation of the 2014 Louisiana Audit Compliance Questionnaire. (Tanner/Brister)

10. Resolution C.S. No. C-4336 - Resolution to acknowledge the receipt and review of the 2014 Municipal Water Pollution Prevention Environmental Audit Report for the Goodbee Regional Sewage Treatment Facility. (Ward 1, District 3) (Tanner/Brister)

11. Resolution C.S. No. C-4337 - Resolution to acknowledge receipt and review of the 2014 Municipal Water Pollution Prevention Environmental Audit Report for the Timber Branch II Regional Sewage Treatment Facility. (Ward 1, District 1) (Tanner/Brister)

13. Resolution C.S. No. C-4339 - Resolution to amend Ordinance C.S. No. 14-3246 - Grant Awards. (Tanner/Brister)

15. Resolution C.S. No. C-4341 - Resolution to amend Ordinance C.S. No. 14-3246 to make changes to the Capital Improvements List - Parishwide. (Fund 300 - Expenses) (Tanner/Brister)

16. Resolution C.S. No. C-4342 - Resolution to amend Ordinance C.S. No. 14-3246 to Make Changes to the Capital Improvements List - Parishwide. (Fund 300 - Revenues) (Tanner/Brister)

17. Resolution C.S. No. C-4343 - Resolution to amend Ordinance C.S. No. 14-3246 to make changes to the Capital Asset List - Facilities. (Fund 322 EOC Capital) (Tanner/Brister)

18. Resolution C.S. No. C-4344 - Resolution to amend Ordinance C.S. No. 14-3246 to make changes to the Capital Asset List - Capital Assets. (Tanner/Brister)

#### END OF CONSENT CALENDAR

Bellisario - moved to adopt the consent calendar less items pulled, second by Stefancik. Unanimous with 1 absent (Canulette).

Tanner - 1. Ord. Cal. No. 5365 - Ordinance to amend the St. Tammany Parish Code of Ordinances, Chapter 2, Article Parish VIII, Parish Buildings, to prohibit the possession, use and/or discharge of weapons and/or firearms on Parish owned property. (Tanner/Brister) (Postponed 4/2/15)

Terry Hand - this Ordinance needs some more revision to make it compliant with State and Federal law.

Stefancik - moved to postpone, second by Artigue. Unanimous with 1 absent (Canulette).

Tanner - 21. Ord. Cal. No. 5391 - Ordinance amending the Official Parish Zoning Map to reclassify 1.32 acres located in Square 35 on 7th Street Covington in New Claiborne Subdivision from A-4 (Single Family Residential District) to A-4 (Single Family Residential District) and MHO (Manufactured Housing Overlay). (Ward 3, District 2) (Sharp)

Sharp - moved to introduce and refer to the Zoning Commission, second by Thompson. Unanimous with 1 absent (Canulette).

Tanner - 22. Ord. Cal. No. 5392 - Ordinance to amend the 2015 Operating Budget - Amendment No. 4. (Tanner/Brister)

Binder - this Ordinance will allow the Coroner to transfer funds from his budget to the Behavioral Task Force. The Parish will donate \$12,000 and the Coroner will donate \$60,000. This Ordinance will also fund some purchases which were left off of the 2015 budget.

Binder - moved to introduce, second by Bellisario.

**Tanner - 1. Resolution C.S. No. C-4327 - A resolution approving the issuance of not exceeding \$700,000 of Limited Tax Certificates of St. Tammany Parish Recreation District No. 4, State of Louisiana. (Tanner/Brister)**

**Stefancik - he and Mr. Groby are working with the homeowners on the possibilities of changing the boundaries of this District. They need a few months to accomplish this, so he wants to postpone this until July.**

**Stefancik - moved to postpone until July, second by Groby. Unanimous with 1 absent (Canulette).**

**Tanner - 12. Resolution C.S. No. C-4338 - Resolution to acknowledge receipt and review of the 2014 Municipal Water Pollution Prevention Environmental Audit Report for the Cross Gates Sewage Treatment Facility. (Ward 8, District 9) (Tanner/Brister)**

**Greg Gordon - the information provided in this report comes from 2 sources. The send samples to the DEQ each month. Other numbers in the report regard how samples are obtained and repairs are made. For 2014, they had water coming in and being treated without overflow. They also finished some lift station upgrades.**

**Tanner - 14. Resolution C.S. No. C-4340 - Resolution to concur/not concur with the Mandeville annexation and rezoning of 0.70 acres (Parcel One - 0.37 acre and Parcel Two - 0.33 acre) from Parish NC-5 (Retail and Service District) to Mandeville B-2 (Highway Business District) located in Section 54, Township 7 South, Range 11 East, St Tammany Parish, Louisiana. (Ward 4, District 10) (Tanner/Brister)**

**O'Brien - moved to concur, second by Stefancik. Unanimous with 1 absent (Canulette).**

#### **APPEALS**

**Tanner - 1. Danny Delatte appealing the Zoning Commission APPROVAL on March 3, 2015 to rezone 0.35 acres located south of Highway 22, west of Timberwood Court, east of Indian Trace Blvd. Being 1859 Highway 22 West, Madisonville from A-2 (Suburban District) to NC-4 (Neighborhood Commercial District). (Ward 1, District 4) (ZC15-03-018) (Applicant: Rose Vaughn)(Postponed 4/2/15)**

**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.**

**Tom Snyder - representing Mr. Delatte - The staff recommendation was to deny this request because there was no compelling reason for the rezoning. Ms. Vaughn said she wanted to rezone so she would be able to pass her business to her son with no issues because her business is currently a non-conforming use. The Zoning Commission was not told that she already sold her business to someone else and never planned to give the business to her son. Also, the NC-4 requirements will not allow the creation of a new lot less than 20,000 feet and this property is only 15,000. If the building were to burn down, she would not be able to rebuild the same structure. This property sits on Highway 22, and there is no place to park. The new owner has already started to move in.**

**Rose Vaughn - she takes extreme offense to what the attorney said because if they had done their homework because she said she wanted to give the property to her son, but after she said that at the meeting she was approached by the new owners. The sale was not completed until March. She has been operating a business since 1986, and then the property was rezoned making it non-compliant. There is not just an office. There is a warehouse. The new owners will continue the business. She was not planning to defraud the Zoning Commission.**

**Timothy Miletello - he is the new owner and he plans to run a wholesale business, not retail. He refurbishes appliances, but he does not sell them out of the business.**

**Danny Delatte - he has a copy of the sale, and it was signed before the meeting. He spoke to the new owner and told him he did not want the rezoning because if it was rezoned, it would allow for a new commercial business. This was property was A-2 when it was purchased. This property will still not be in compliance with NC-4.**

**Vaughn - Mr. Delatte does not live on his property, which is next to hers. Her business was already there when he bought his property.**

**Terry Hand - Ms. Vaughn provided a copy of a cash deed which was signed on February 24<sup>th</sup>. Ms. Vaughn stood up as the owner of the property and stated that her son would be buying the property. She also stated that the sale was voided. He was unable to find any evidence of a voided sale.**

**Falconer - if the property remains A-4, it can still operate as non compliant?**

**Sidney Fontenot - yes.**

**Falconer - moved to override the approval, second by Gould. Unanimous with 1 absent (Canulette).**

**Falconer - moved to adopt a resolution, second by Gould. Unanimous with 1 absent (Canulette); becomes Resolution C.S. No. C-4345.**

**Tanner - 2. Carlo Hernandez appealing the Zoning Commission APPROVAL on April 7, 2015 to rezone 11.68 acres located east of Highway 59, north of Grande Maison Blvd., west of Fontainebleau Schools from NC-4 (Neighborhood Industrial District) to PF-1 (Public Facilities District), HC-1 (Highway Commercial District) and HC-2 (Highway Commercial District). (Ward 4, District 5) (ZC15-04-031) (Applicant: Parish Council by Motion)**

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

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

**Carlo Hernandez - this is directly in front of Fontainebleu High and Junior High schools. The Zoning Commission recommended NC-4 during Comprehensive Rezoning because of the activities they wanted to see taking place in front of schools. All of the businesses there are NC-4 except the bank which requires different zoning, but it is an existing non-conforming use. This bank has less than 3000 square feet. There used to be a moratorium due to the traffic, and if this rezoning goes through, there will be even more traffic issues. He suggests approving the PF, but not HC zoning.**

**David Devon - he is just asking for rezoning part of his property. He had this property rezoned 15 years ago and then it was changed again during Comprehensive Rezoning.**

**Hernandez - the Comprehensive Rezoning superceded what Mr. Devon was given 15 years ago. Some of the things that cannot take place because it is by a school, such as the serving of alcohol. This new zoning would allow a drug store or a restaurant which serves alcohol.**

**Devon - HC-2 is less than 20 feet across the street, and he has no intention of putting in a drug store or a bar. They asked the citizens around this what they wanted, and they wanted businesses like donut shops.**

**Fontenot - the bank is non-compliant and the churches are close to non-compliant. The biggest issue is traffic due to the schools.**

**Gould - Mr. Devon came to him because he lost some potential sales due to the down zoning of his property. He does not recall having a discussion about changes on the eastern side of the road, not western. He would not have intentionally created a non-conforming use.**

**Gould - moved to concur with the zoning approval, second by Dean. Unanimous with 1 absent (Canulette).**

Gould - moved to introduce an ordinance, second by Thompson; becomes Ord. Cal. No. 5394.

Tanner - 3. James Maurin appealing the Zoning Commission DENIAL on April 7, 2015 to rezone 21.22 acres located south of Brewster Road, east of River Chase Drive, south of Interstate 12 from A-4 (Single Family Residential District) and A-6 (Multiple Family Residential District) to A-7 (Multiple Family Residential District). (Ward 1, District 1) (ZC15-04-034)

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.

Wayne Buras - all parties have reached an agreement in regards to this property. They are removing five acres from the original 21.22 acres. They have also reached a restrictive covenant, which includes prohibiting further apartments along Riverclub Drive. Based on the removal of the property and restrictions agreed on, they withdraw their opposition. Now, they agree to the rezoning of 15.612 acres to A-7. Maurmont will then file at a later date to rezone the remainder of the property.

Mr. Underhill - represents Maurmont Group - they agree with all of the requests and would like the 15.612 acres to A-7. They will apply to rezone the remainder of the property to A-6 at a later time.

Dean - moved to override the Zoning Denial, second by Binder. Unanimous with 1 absent (Canulette).

Dean - moved to introduce an ordinance, second by Thompson; becomes Ord. Cal. No. 5395.

Tanner - 4. Brian Intravia appealing the Zoning Commission DENIAL on April 7, 2015 to rezone 71 acres located south of Highway 22, west of Trepangier Road, east of Helen Drive to a PUD (Planned Unit Development Overlay). (Ward 1, District 4) (ZC15-04-035)

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.

Paul Mayronne - representing Brian Intravia, this Appeal is related to Appeal No. 5. At this point, they are asking to postpone both Appeals, so they will be able to address some concerns of the staff and the Zoning Commission.

Falconer - moved to postpone, second by Gould. Unanimous with 1 absent (Canulette).

Tanner - 5. Brian Intravia appealing the Zoning Commission DENIAL on April 7, 2015 to rezone 71 acres located south of Highway 22, west of Trepangier Road from A-2 (Suburban District) and HC-1 (Highway Commercial District) to A-4 (Single Family Residential District). (Ward 1, District 4) (ZC15-04-036)

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.

Falconer - moved to postpone, second by Gould. Unanimous with 1 absent (Canulette).

Tanner - 6. Kay Corriere (for Hano Road residents), Debra Fauries, Jannell Parker, Sherri Perniciaro, and Sheri Graham appealing the Zoning Commission APPROVAL on April 7, 2015 to rezone 23.37 acres located at the southwest intersection of Interstate 12 and Highway 1085, across

from Perrilloux Road from A-2 (Suburban District) and HC-1 (Highway Commercial District) to A-5 (Two Family Residential District). (Ward 1, District 1) (ZC15-04-037) (Applicant: Greg Intravia)

**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.

**Kay Corriere** - for the Hano Road residents - they are concerned about growth, traffic, and drainage in this area. They have worked with Paul Mayronne and Mr. Intravia and have reached an agreement. They are withdrawing their appeal.

**Sheri Graham** - they have agreed to withdraw. She is not opposed to growth in the Madisonville area, but she is a concerned resident who is opposed to rezoning which is not concurrent with this area. It became apparent that Mr. Dean was in approval of this. They appreciate the down zoning from commercial.

**Paul Mayrone** - this is a down zone request to go from HC-1 to A-5. It could have been 400,000 of commercial space. They think that the request to down zone is why the staff and Zoning Commission approved the request. They are also concerned about drainage and traffic, but they are not items that are addressed with zoning. They are planning issues. They believe this development as A-5 will have much less impact as A-5 than HC-1. The staff recommended they come back at a later time to ask for the PUD and they have agreed to do that. If a PUD is approved, they have agreed to file deed restrictions to only single family residences rather than multi-family.

**Dean** - the Zoning Commission and staff suggested approval from this project because it is being down zoned to avoid commercial. This property next to the interstate, and he believes the many concession Mr. Mayronne and his client have made show that they are concerned for the area.

**Dean** - moved to concur with the Zoning approval, second by Gould. Unanimous with 1 absent (Canulette).

**Dean** - moved to introduce, second by Gould; becomes Ord. Cal. No. 5396.

**Tanner** - 7. Chuck Hickman appealing the Zoning Commission DENIAL on April 7, 2015 to rezone 1.327 acres located south of Galatas Road, west of C.S. Owens Road from A-2 (Suburban District) to CB-1 (Community Based Facilities District) and RO (Rural Overlay) (Ward 1, District 1) (ZC15-04-039)

**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.

**Candice Hickman** - their intended purpose is to provide a private recreation district. There are three other CB areas within miles from their property. They currently own a baseball facility with no employees and not a lot of business. They have 10 acres which is where they will build the baseball cages. Their clientele range in ages from 8-18 years old, and their hours are from after school until 8 p.m. She is the assistant principal at Madisonville Junior High which is right in front of the property. They are also going to live on the property.

**Thad Baham** - represents the Baham family who own the property in the area. CB is being portrayed as quasi-community, but it is actually purely commercial and for profit. They are advertising on their website to rent the facility to baseball teams. The Community does not believe they just have a small operation. CB-1 says it can be located in the proximity of residential property, but this is in the middle of a subdivision. It became personal for the community because of unsafe conditions and poor quality of life for the community.

Hickman - they do have a website, but they are solely a local entity. They are advertising to baseball teams for 8 to 18 year olds. Their business will not competing with school traffic because they will not open until after school. Her husband can only teach a certain amount of children at one time.

Earl Crandle - he is against this because they are a residential area, and already have a lot of issues with the school. If there is an emergency in the area, they will be in trouble. There are problems with the road. This is a peaceful neighborhood. What is to stop them from staying open later and shining bright lights all night.

Dean - are you advertising the facility for rental?

Hickman - yes, but only to one team at a time, which is only 10 to 15 kids, and they would not be able to use the facilities for other activities while it is rented out.

Dean - you are willing to negotiate deed restrictions?

Hickman - they will agree to remove all of the undesirable uses of the zoning. They are only looking to have a backyard business and CB is the only zoning that would accommodate what they wanted.

Dean -if this is passed tonight, he willing to work with both parties over the next 30 days to create the deed restrictions before the zoning takes effect.

Dean - moved to override the Zoning denial, second by Thompson. Motion passed with 11 yeas, 2 nays (Bellisario, Smith) and 1 abstention (Groby).

Dean - moved to introduce an ordinance, second by Thompson; becomes Ord. Cal. No. 5397.

#### ORDINANCES FOR ADOPTION

Tanner - 1. Ord. Cal. No. 5172AA - Ordinance to amend and reenact Section 3-164.00 Location Restrictions of the Alcoholic Beverage Regulations under Article VII - All Wards. (Introduced 4/3/14) (Postponed 5/1/14,6/5/14) (Postponed from 7/10/14 until 9/4/14) (Postponed 9/4/14) (Reintroduced 10/2/14)(Postponed 11/6/14)(Amended and Reintroduced 12/4/14) (Postponed from 1/8/15 until 4/2/15) (Amended and Reintroduced 4/2/15)

Gould - moved to adopt, second by Bellisario. Unanimous with 1 absent (Canulette); becomes Ordinance C.S. No. 15-3315.

Tanner - 2. Ord. Cal. No. 5322 - Ordinance to amend St. Tammany Parish Uniform Development Code by creating Section 6.09 Entertainment Overlay. (Introduced 12/4/14) (Postponed from 1/8/15 until 4/2/15) (ZC15-03-019) (ZC postponed 4/7/15Z) (ZC Hearing scheduled for 5/5/15) (Postponed 4/2/15)

Gould - the Zoning Commission came back with some suggested amendments to this ordinance, so it needs to be amended and reintroduced.

Gould - moved to amend, second by Smith. Unanimous with 2 absent (Canulette, Artigue).

Gould - moved to reintroduce as amended, second by Stefancik; becomes Ord. Cal. No. 5322AA.

Tanner - 3. Ord. Cal. No. 5364AA - Ordinance to amend Section 18-051.04 of the Code of Parish Ordinances Relative to the Powers and Duties of the Zoning Commission. (Amended and Introduced 4/2/15)

Smith - moved to adopt, second by Artigue. Unanimous with 3 absent (Canulette, Bellisario, Binder); becomes Ordinance C.S. No. 15-3316.

Tanner - 4. Ord. Cal. No. 5366 - Ordinance amending the Official Parish Zoning Map to reclassify 35,800 square feet located north Highway 36, west of St. Landry Street, being Lot 6, Block 9, Garland's Covington & Claiborne Addition from NC-4 (Neighborhood Institutional District) to A-5 (Two Family Residential District). (Ward 3, District 2) (ZC15-03-020) (ZC approved 3/3/15) (Introduced 4/2/15)

Sharp - moved to adopt, second by Thompson. Unanimous with 3 absent (Canulette, Bellisario, Binder); becomes Ordinance C.S. No. 15-3317.

Tanner - 5. Ord. Cal. No. 5367 - Ordinance to Amend 2015 Operating Budget - Amendment No. 3. (Introduced 4/2/15)

Stefancik - moved to adopt, second by Artigue. Unanimous with 2 absent (Canulette, Binder); becomes Ordinance C.S. No. 15-3318.

Tanner - 6. Ord. Cal. No. 5368 - Ordinance establishing the placement of all-way stop signs at the intersection of Ranch Road (R08-M-025) and Taylor Street (R08-M-029). (Ward 8, District 13) (Introduced 4/2/15)

Artigue - moved to adopt, second by Bellisario. Unanimous with 2 absent (Canulette, Binder); becomes Ordinance C.S. No. 15-3319.

Tanner - 7. Ord. Cal. No. 5370 - Ordinance to impose a six-month 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 Highway 1088 from Soult Street to Hickory Street. (Ward 4) (Districts 5 & 7) (Introduced 4/2/15)

Gould - moved to remove property north of Highway 1088, District 5, second by Groby. Unanimous with 1 absent (Canulette).

Gould - he would also like to ask the staff to report on the State's progress with the road construction project.

Gould - moved to suspend the rules and adopt as amended, second by Thompson. Unanimous with 1 absent (Canulette); becomes Ordinance C.S. No. 15-3320.

Tanner - 8. Ord. Cal. No. 5371 - Ordinance amending the Official Parish Zoning Map to reclassify 1.2 acres located south of Highway 190, west of South Oaklawn Drive from A-2 (Suburban District) to HC-1 (Highway Commercial District). (Ward 7, District 7). (ZC15-03-023) (Introduced 4/2/15)

Groby - moved to adopt, second by Gould. Unanimous with 1 absent (Canulette); becomes Ordinance C.S. No. 15-3321.

#### APPOINTMENTS

Tanner - 1. Resolution to appoint one (1) member to replace Pablo Melendez as the Hotel, Motel and Campground Association member on the Tourist and Convention Commission. (Hotel, Motel and Campground Association recommended Valerie Waeltz) (Parishwide) (Tanner)

Smith - moved to appoint, second by Stefancik. Unanimous with 1 absent (Canulette); becomes Resolution C.S. No. C-4346.

Bellisario - moved to open the Off-the-Floor Agenda, second by Thompson. Unanimous with 1 absent (Canulette).

#### ITEMS OFF-THE-FLOOR

Tanner - 1. Motion to refer to Zoning Commission for recommendation the proposed rezoning of a parcel of land located in Section 15, Township 6 South, Range 11 East, with a physical address of 19416 Wymer Rd, from A-2 (Suburban District) and RO (Rural Overlay) to HC-2 (Highway Commercial District) and RO (Rural Overlay). (Ward 3, District 2) (Sharp)

Carlo Hernandez - he would like to point out that if the Council approves this motion, they will be waive \$849.00 in fees. Money which he believes could be used to defend against fracking.

Sharp - moved to refer, second by Thompson. Unanimous with 3 absent (Falconer, Gould, Canulette).

**Tanner - 2. Motion to refer to Zoning Commission for recommendation the proposed rezoning of 1.97 acres located north of Highway 190, south Spruce Lane, west of Tranquility Road from NC-4 (Neighborhood Commercial District) to HC-2 (Highway Commercial). (Ward 9, District 11) (Stefancik)**

**Stefancik - this property owner has already paid the fees twice to have this property changed, and he does not think the owner needs to pay again for something the Parish did.**

**Hernandez - the Council will be waiving \$525.00 if they approve this motion.**

**Stefancik - moved to refer, second by Bellisario. Unanimous with 2 absent (Gould, Canulette).**

**Tanner - 3. Resolution to appoint Mimi Goodyear Dossett to replace Vesey Jay Richardson (term expired) to Hospital Service District No. 1. (St. Tammany Parish Hospital) (Tanner)**

**Thompson - moved to appoint, second by Dean. Unanimous with 2 absent (Gould, Canulette); becomes Resolution C.S. No. C-4347.**

**Tanner - 4. Resolution to adopt changes to the St. Tammany Parish Natural Hazards Mitigation Plan originally passed in November 2004 and the changes adopted in 2010. (Tanner)**

**Bellisario - moved to adopt, second by Stefancik. Unanimous with 1 absent (Canulette); becomes Resolution C.S. No. C-4348.**

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

**s/Richard Tanner**  
**RICHARD TANNER, COUNCIL CHAIRMAN**

**s/ Theresa Ford**  
**THERESA L. FORD, COUNCIL CLERK**