

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

**THURSDAY, JANUARY 9, 2014 AT 6:00 P.M.**

**ST. TAMMANY GOVERNMENT COMPLEX**

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

**Call to Order by Honorable Jerry Binder, Chairman**

**Invocation by Mr. Bellisario**

**Pledge of Allegiance by Johnny Fitzmorris**

**Roll Call:** Marty Dean  
Dennis Sharp  
James A. (Red) Thompson  
R. Reid Falconer, AIA  
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.

**ELECTION OF OFFICERS**

**Binder - 1. Resolution C.S. No. C-3915 - Resolution to appoint a Chairman of the Parish Council for the calendar year 2014. (All Members)**

**Thompson - nominated Reid Falconer, second by Tanner.**

**Bellisario - nominated Jerry Binder, second by Artigue.**

**Tanner - moved to close the nominations, second by Thompson.**

**CLERK'S NOTE: The first two votes of all Council Members resulted in a tie. The third vote of all Council Members elected Reid Falconer by 8 votes to 6 votes.**

**Tanner - moved to appoint Reid Falconer, second by Thompson. Unanimous with no one absent.**

**Binder - it was not his intention to cause a tie vote. The supporters were very strong minded on both sides. He has already served 4 years as Chairman. 2013 was difficult because it was all Coroner, Coroner, Coroner. They were able to accomplish a lot this past year. He supports Mr. Falconer and the Council vote, but he is glad he can get back to his district. He thanks the Council Members for their support.**

**Falconer - thanks the Council for the honor and privilege of sitting in this chair.**

**Falconer - 2. Resolution C.S. No. C-3916 - Resolution to appoint a Vice-Chairman of the Parish Council for the calendar year 2014. (All Members)**

**O'Brien - nominated Mr. Tanner, second by Sharp.**

**Bellisario - he would prefer if someone from the east side of the Parish were Vice-Chairman as Mr. Falconer is from the west side.**

Stefancik - the Parish used to have one from the east and one from the west back when the Police Jury was deciding whether or not to split the 8<sup>th</sup> and 9<sup>th</sup> Ward making the rest of the Parish the west side because there were 7 members in those Wards. Now there are only 5 to 6 people representing the 8<sup>th</sup> and 9<sup>th</sup> Wards, so maybe this is a practice we need to get rid of. Mr. Tanner's District spans the east and the west.

O'Brien - we can look at it as Mr. Falconer is from the south and Mr. Tanner is from the north.

Smith - moved to close nominations, second by Bellisario.

Stefancik - moved to accept Richard Tanner by acclamation, second by Smith. Unanimous with no one absent.

Falconer - thank you, Mr. Tanner, for being willing to serve.

Tanner - he is looking forward to moving the Parish forward along with Mr. Falconer, the rest of the Council and the Administration.

Falconer - our Legal Council has informed me we need to adopt a formal resolution appointing Mr. Tanner.

Bellisario - moved to adopt appointment resolution, second by Groby. Unanimous with no one absent.

#### PRESENTATIONS

Falconer - 1. Presentation of a Certificate of Recognition to Johnny Fitzmorris of Troop 610 for becoming a Life Scout. (O'Brien)

O'Brien - Mr. Fitzmorris is in the Junior ROTC. For his Eagle Scout project, he has launched a recycling program for monofilament fishing line by placing receptacles for used lines on the Mandeville lakefront. Improperly discarded fishing line causes issues for marine life, birds, humans and boats. She thinks we will hear a lot from this young man in the future.

Johnny Fitzmorris - thanked Troop 610 and others, including Mayor Villere, for help in starting his recycling project.

Artigue - would like for Mr. Fitzmorris to place receptacles on the newly reopened fishing pier in Slidell.

Falconer - 2. Presentation by a member of the Independence Fund Organization regarding the organization and the Track Chair. (Groby)

Jason Kahl - his all-terrain Track Chair helps him participate in life with his three girls and travel around to promote the chair. He commends the Parish on the park for disabled kids, especially because it allows disabled parents to play with their kids. The Independence Fund has no paid employees, and 99% of the proceeds go to Veterans. It helps to break the barriers between disabled veterans and the world. This war has made more wounded veterans than ever because the advancement of medical science is saving people.

Groby - the Independence Fund is a tax deductible charitable donation.

Stefancik - moved to open the Off-the-Floor Agenda, second by Groby. Unanimous with 1 absent (Dean).

Falconer - 1. Certificate of Recognition to Amanda Warren as the recipient of the Presidential Award for Excellence in Science Teaching and the Middle School Teacher of the Year. (Brister)

Brister and Gould - presented the certificate.

Brister - not only was Ms. Warren the recipient of this award, she also won a \$10,000 grant award from the National Science Foundation.

Brister - she also wanted to mention the Parish Fishing Pier in Slidell will have its Grand Reopening this Saturday.

Falconer - 2. Resolution to allow St. Tammany Parish Government to award a contract to Wallace C. Drennan, Inc. for work to be completed on the Huntwyck Subdivision Phase II Drainage Improvement Project that is being funded by the LADOTD Statewide Flood Control Program. (Stefancik)

Stefancik - moved to remove, second by Smith. Unanimous with no one absent.

Falconer - 3. Resolution to declare St. Tammany Parish Government complied with Louisiana State Bid/Laws in the awarding of a contract to Wallace C. Drennan, Inc. for work to be completed on the Huntwyck Subdivision Phase II Drainage Improvement Project that is being funded by the LADOTD Statewide Flood Control Program. (Stefancik)

Stefancik - moved to remove, second by Smith. Unanimous with no one absent.

Falconer - 3. Presentation of the 2014 Budget of the Parish Coroner's Office. (Binder)

Dr. Menon - it is a pleasure to be here again. He thanks all of the Council, especially Mr. Binder, for providing assistance and availability during the budget process. Earlier he submitted a copy of the Coroner's budget for the Council's review.

Bellisario - he had several concerns in the budget which Dr. Menon addressed for him. He thanks Dr. Menon for his efforts in answering his questions.

Stefancik - before we begin the Consent Calendar, he thinks the Council needs to set some rules for discussion. The Ordinances for introduction will be addressed again at the Agenda Review Meeting and the next Council meeting, so he thinks comments on those tonight should be limited to two minutes per speaker.

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

Ord. Cal. No. 5126	Ord. Cal. No. 5127	Ord. Cal. No. 5128
Ord. Cal. No. 5132	Resolution C.S. No. C-3882	Resolution C.S. No. C-3883
Resolution C.S. No. C-3884	Resolution C.S. No. C-3886	Resolution C.S. No. C-3888
Resolution C.S. No. C-3890	Resolution C.S. No. C-3891	Resolution C.S. No. C-3892
Resolution C.S. No. C-3893	Resolution C.S. No. C-3894	Resolution C.S. No. C-3910

**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	December 5, 2013
Council Committee Meeting	NONE

**ORDINANCES FOR INTRODUCTION  
(Public Hearing: February 6, 2014)**

1. Ord. Cal. No. 5123 - 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. (Binder)

2. Ord. Cal. No. 5124 - Ordinance establishing a No-Thru-Trucks Zone on Ridgewood Street (4-D-23), Maplewood Street (4-D-20) and Deval Drive (4-D-21). (Ward 1, District 5) (Gould)

3. Ord. Cal. No. 5125 - Ordinance to amend Parish Code of Ordinances, Chapter 16, Parks and Recreation, Article X, Recreation District No. 9, Sec. 16-102.00 Created; Boundaries, providing for the amendment of the boundaries of Recreation District No. 9. (Ward 9, District 13) (Artigue)

7. Ord. Cal. No. 5129 - Ordinance to amend the Parish Code of Ordinances, Chapter 18, by adding a new article thereto creating the 'Hwy 59 Economic Development District', defining the boundaries thereof in accordance with and as part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended; and providing for other matters in connection therewith. (District 5) (Binder/Brister)

8. Ord. Cal. No. 5130 - Ordinance to amend the Parish Code of Ordinances, Chapter 18, by adding a new article thereto creating the 'Hwy 434 Economic Development District', defining the boundaries thereof in accordance with and as Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended; and providing for other matters in connection therewith. (District 7 and District 11). (Binder/Brister)

9. Ord. Cal. No. 5131 - Ordinance to amend the Parish Code of Ordinances, Chapter 18, by adding a new article thereto creating the 'Hwy 1088 Economic Development District', defining the boundaries thereof in accordance with and as Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended; and providing for other matters in connection therewith. (District 5 and District 7) (Binder/Brister)

11. Ord. Cal. No. 5133 - Ordinance to amend the Parish Code of Ordinances, Chapter 18, by adding a new article thereto creating the 'Hwy 1077 Economic Development District', defining the boundaries thereof in accordance with and as Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended; and providing for other matters in connection therewith. (District 1 and District 3) (Binder/Brister)

12. Ord. Cal. No. 5134 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 5, Zoning Districts, amending Section 5.1402 to provide for the inclusion of Veterinary Clinics (no outdoor kennels) as a permitted use. (ZC13-11-085) (Binder/Brister) (ZC13-11-085) (Binder/Brister)

13. Ord. Cal. No. 5135 - Ordinance amending the Official Parish Zoning Map to reclassify 4.2 acres located north of Oak Ranch Road, west of Carey Road, being 37127 Oak Ranch Road, Pearl River from A-2 (Suburban District) to A-2 (Suburban District) and MHO. (Ward 8, District 9) (ZC13-12-088) (Binder/Brister)

14. Ord. Cal. No. 5136 - Ordinance amending the Official Parish Zoning Map to reclassify 0.521 acre located west of Rose Avenue, south of Arthur Road, being 20200 Rose Avenue, Covington from A-4 (single-Family Residential District) to A-4 (Single-Family Residential District) and MHO (Manufactured Housing Overlay). (Ward 3, District 2) (ZC13-12-087) (Binder/Brister)

15. Ord. Cal. No. 5137 - Ordinance amending the Official Parish Zoning Map to reclassify 2.655 acres located south of Wager Cemetery Road, west of Perrilloux Road, being 114 Wager Cemetery Road, Madisonville from A-2 (Suburban District) to A-2 (Suburban District) and RO (Rural Overlay). (Ward 1, District 1) (ZC13-12-086) (Binder/Brister)

16. Ord. Cal. No. 5138 - Ordinance amending the Official Parish Zoning Map to reclassify 4.5 acres located west of Ruelle du Chene Drive, south of Brewster Road from A-3 (Suburban District) to A-4A (Single-Family Residential District). (Ward 1, District 1) (ZC13-11-080) (Binder/Brister) (Ward 1, District 1) (ZC13-11-080) (Binder/Brister)

17. Ord. Cal. No. 5139 - Ordinance to amend Parish Code of Ordinances, Chapter 7, Drainage and Flood Control, Article V Gravity Drainage District No. 4, Sec. 7-080.00 Established; amended boundaries, providing for the amendment of the boundaries of Gravity Drainage District No. 4. (Ward 4, District 5) (Gould)

18. Ord. Cal. No. 5140 - Ordinance to amend the 2014 Operating Budget - Amendment No. 1. (Binder/Brister)

### RESOLUTIONS

4. Resolution C.S. No. C-3885 - Resolution to vacate, in part, the six (6) month moratorium established by Ordinance C.S. No. 08-1741, and any subsequent extensions thereof, for the limited purpose of allowing the approval of rezoning applications and the issuance of plan review permits on Parcels A4 and A5, Flower Estates Subdivision, Covington, as more particularly described in Exhibit A attached. (Ward 1, District 1) (Dean)

6. Resolution C.S. No. C-3887 - Resolution to authorize the Parish President to enter into an agreement with Louisiana Housing Corporation (LHC) to provide utility assistance through the Low Income Home Energy Assistance Program (LIHEAP) for Fiscal Year 2014. (Binder/Brister)

8. Resolution C.S. No. C-3889 - Resolution establishing Performance Obligations. (Binder/Brister)

14. Resolution C.S. No. C-3895 - Resolution to acknowledge the receipt and review of the 2012/2013 Municipal Water Pollution Prevention Environmental Audit Report for the Castine Regional Sewage Treatment Facility. (District 7, Ward 4) (Binder/Brister)

15. Resolution C.S. No. C-3896 - Resolution to support Fire Protection District No. 6's application for assistance from the Louisiana Office of Community Development for the purchase of a new thermal imaging camera. (Binder/Brister)

16. Resolution C.S. No. C-3897 - Resolution to support Fire Protection District No. 13's application for assistance from the Louisiana Office of Community Development for the purchase of a new thermal imaging camera with receiver kit. (Binder/Brister)

17. Resolution C.S. No. C-3898 - Resolution to support Fire Protection District No. 12's application for assistance from the Louisiana Office of Community Development for the purchase of a new thermal imaging camera. (Binder/Brister)

18. Resolution C.S. No. C-3899 - Resolution to support Fire Protection District No. 11's application for assistance from the Louisiana Office of Community Development for the purchase of new equipment to outfit a new fire engine and gas detectors on two fire engines. (Binder/Brister)

19. Resolution C.S. No. C-3900 - Resolution to support Fire Protection District No. 9's application for assistance from the Louisiana Office of Community Development for the purchase of two new self contained breathing apparatuses. (Binder/Brister)

20. Resolution C.S. No. C-3901 - Resolution to support Fire Protection District No. 8's application for assistance from the Louisiana Office of Community Development for the purchase of new fire hoses. (Binder/Brister)

21. Resolution C.S. No. C-3902 - Resolution to support Fire Protection District No. 7's application for assistance from the Louisiana Office of Community Development for the purchase of eight new handheld Kenwood radios. (Binder/Brister)

22. Resolution C.S. No. C-3903 - Resolution to support Fire Protection District No. 5's application for assistance from the Louisiana Office of Community Development for the purchase of ten complete sets of personal protective equipment and a portable pump. (Binder/Brister)

23. Resolution C.S. No. C-3904 - Resolution to support Fire Protection District No. 1's application for assistance from the Louisiana Office of Community Development for the purchase of midland kits and chlorine A, B, and C kits. (Binder/Brister)

24. Resolution C.S. No. C-3905 - Resolution to support Fire Protection District No. 4's application for assistance from the Louisiana Office of Community Development for the purchase

of Betts valves, dome clamps, a Hazmat shower, a Hazmat laptop computer, a Megger bonding and grounding kit and meter, a chlorine C kit, and a Seris A-E leak kit. (Binder/Brister)

25. Resolution C.S. No. C-3906 - Resolution to support Fire Protection District No. 3's application for assistance from the Louisiana Office of Community Development for the purchase of fifteen (15) sets of wild land fire gear. (Binder/Brister)

26. Resolution C.S. No. C-3907 - Resolution to support Fire Protection District No. 2's application for assistance from the Louisiana Office of Community Development for the purchase of two BH-20 blowhard fans. (Binder/Brister)

27. Resolution C.S. No. C-3908 - Resolution to authorize the Parish President to execute an agreement with the Louisiana Department of Transportation and Development (LA DOTD) for improvements at the St. Tammany Regional Airport. (Binder/Brister)

28. Resolution C.S. No. C-3909 - Resolution to authorize the publication of a notice describing the boundaries of the Hwy 1077 Economic Development District, and providing for other matters in connection therewith. (District 1 and District 3) (Binder/Brister)

30. Resolution C.S. No. C-3911 - Resolution to amend Ordinance C.S. No. 12-2862 the 2013-2016 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards. (Binder/Brister)

31. Resolution C.S. No. C-3912 - Resolution to amend Ordinance C.S. No. 13-3052 the 2014-2018 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards to make changes to the Capital Improvements List - Facilities - General Fund - Camp Salmen. (010-87) (Binder/Brister)

32. Resolution C.S. No. C-3913 - Resolution to amend Ordinance C.S. No. 13-3052 the 2014-2018 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards to make changes to the Capital Improvements List - Capital - Network Computers (320-01). (Binder/Brister)

33. Resolution C.S. No. C-3914 - Resolution to amend Ordinance C.S. No. 13-3052 the 2014-2018 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards to make changes to the Capital Improvements List - Capital - General Building (327). (Binder/Brister)

#### END OF CONSENT CALENDAR

Stefancik - moved to adopt the consent calendar less items pulled, second by Bellisario. Unanimous with no one absent.

Falconer - 4. Ord. Cal. No. 5126 - Ordinance to authorize the Parish President to acquire certain conservation servitudes from the Archdiocese of New Orleans, for Most Holy Trinity Conservation Area. (Ward 4, District 5) (Binder/Brister)

Terry Louis Stevens - she hopes this will be a full donation to the Parish. She wants to know if impact fee credits were offered to the Archdiocese because she does not feel it will be a true donation if they received credits. She would also like for the property to be under Parish Control.

Kelly Rabalais -the Cooperative Endeavor Agreements assures there will not be development on wetlands, and that the owner of the property can apply for impact credits. This Ordinance is in line with the Agreement.

Jeff Schoen - these Ordinances are in line with the Cooperative Endeavor Agreement executed in January 2013. The documents have been available to the public for at least twelve months. The donation is perpetual.

Stevens - she was hoping that when the Cooperative Endeavor Agreement was approved last January that it would give an estimate of the costs, but the Agreement was not completed. Now the amount for the impact fee credit is \$2.1 million.

Rabalais - the Parish received the appraisal of the property as a conservancy servitude for \$529,000.

Stevens - the transaction will not be a donation because the Archdiocese is being given credit for impact fees.

Schoen - the request for impact credits was included on the Agreement signed in February 2013, the Archdiocese has not received any credits nor are they guaranteed to receive any credits. This is a onerous donation where the donee can receive considerations. The amount of any credits received will be decided by the Parish after the donation occurs, and to suggest the Parish is paying anything for the property, is wrong.

Gould - moved to introduce, second by Bellisario.

Falconer - 5. Ord. Cal. No. 5127 - Ordinance to authorize the Parish President, to acquire certain parcels, rights of way and/or servitudes from the Archdiocese of New Orleans, for drainage improvements. (Ward 4, District 5). (Binder/Brister)

Stevens - this the same project in the same area and is about the purchase price of a pond. This portion is in wetlands, and the Parish cannot buy the property because of that. The Parish will also need the Corp of Engineers' approval to mitigate the property.

Schoen - there is nothing in this with regard to the purchase price of a pond. The pond is to be donated to the Parish, and the Archdiocese is waiting to see if they will receive credits for impact fees. Not all of the property under construction is wetlands. There is no purchase price or acquisition costs, this is just a donation.

Stevens - they have a potential of receiving \$300,000 in impact fee credits and five of the acres being donated are in wetlands.

Schoen - Phase 2 of the pond area is not being purchased by the Parish.

Rabalais - this ordinance just includes boilerplate language as approved in Section 2-11 of the Home Rule Charter, which allows for the purchase and/or donation of property. According to the Cooperative Endeavor Agreement, this transaction is going to be a donation.

Gould - moved to introduce, second by Bellisario.

Falconer - 6. Ord. Cal. No. 5128 - Ordinance to amend Parish Code of Ordinances, Chapter 18, by adding a new article thereto creating the 'Airport Road Economic Development District', defining the boundaries thereof in accordance with and as Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended; and providing for other matters in connection therewith. (District 11 and District 14) (Binder/Brister)

Bellisario - the language in this bothered him because of the Rooms to Go and AWG Properties. The Town of Pearl River is not receiving taxes from the District, but they are responsible for the infrastructure. He wants to make sure that we have reviewed these Economic Development Districts to make sure of the costs of infrastructure.

Brister - because of all the interstates running through the Parish, these Districts are intended to make sure that the Parish has the ability to decide what the faceplate of the gateway to this Parish will look like. No taxes will be involved and there are no voters in the Districts. This will prevent gas stations and Waffle Houses being built at every exit. Before any taxes could happen, they would have to return in a different ordinance and go through several public hearings.

Stevens - she appreciates the clarification. She is all for managing corporations, but she was concerned about ad valorem taxes. She would also like to see stipulations added to include 100 foot no-cut buffers and only allow Louisiana contractors and laborers within these districts.

Brister - that can be considered further down the road.

Tanner - moved to introduce, second by Canulette.

Falconer - 10. Ord. Cal. No. 5132 - Ordinance to amend the Parish Code of Ordinances, Appendix D, Buildings and Construction, Chapter 1 Administration, Section 108.5 Building, 108.5.10 Minimum Finished Floor Elevations. (Binder/Brister)

Sidney Fontenot - current minimum standards require every house in the Parish to have elevation certificates, this will allow Inspectors to decide if a house needs a certificate or not.

Groby - moved to introduce, second by Stefancik.

Falconer - 1. Resolution C.S. No. C-3882 - Resolution approving the holding of an election in Parish Recreation District No. 10 on Saturday, May 3, 2014, to authorize the incurring of debt and issuance of bonds and the levy of a special tax therein. (Dean)

Dwayne Shiae - there are flaws in this proposal. Covington is required to give away control of the recreation center. This agreement said this will be a rededication of tax, but Covington does not have a majority of the representatives on the Board. No one on the Recreation District can answer any questions. Now there is a rush to have a vote in less than four months, which does not leave enough time for discussion of the issues. He asks the Council to delay for a few months, so discussions can be held.

Dean - is the Chairman from the Board here? This is just the Council allowing the election. The Council is not endorsing either side.

Dean - moved to adopt, second by Canulette. Unanimous with 2 absent (Binder, Artigue).

Falconer - 2. Resolution C.S. No. C-3883 - Resolution approving the holding of an election in Parish Recreation District No. 2 on Saturday, May 3, 2014, to authorize the levy of a special tax therein. (Tanner)

Tanner - moved to adopt, second by Thompson. Unanimous with 1 absent (Binder).

Falconer - 3. Resolution C.S. No. C-3884 - Resolution approving the holding of an election in Parish Fire Protection District No. 5 on Saturday, May 3, 2014, to authorize the levy of a special tax therein. (Thompson)

Thompson - moved to adopt, second by Tanner. Unanimous with 2 absent (Stefancik, Binder).

Falconer - 5. Resolution C.S. No. C-3886 - Resolution granting approval to Parish Fire Protection District No. 13 to hold an election on May 3, 2014, to authorize the renewal of the levy and collection of a ten (10) mill ad valorem tax therein. (Dean)

Dean - moved to adopt, second by Thompson. Unanimous with 2 absent (Stefancik, Binder).

Falconer - 7. Resolution C.S. No. C-3888 - 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)

Don Henderson - the House Act gave the Council the responsibility of setting the salaries of the employees of the Coroner's Office. The Council has already set the salaries for the CFO and secretary receptionist. They met with Dr. Menon, Dr. DeFatta, and Ken Fielding and are now submitting the Labor Grade for each position at the Coroner's Office.

Bellisario - the only thing this resolution does not address is the Coroner's salary. He thinks we need to decide on that before the qualifying deadline to run for the position of Coroner. He thinks we need to have a Resolution on the Agenda in February to address the Coroner's salary.

Dean - moved to adopt, second by Smith. Unanimous with 2 absent (Stefancik, Binder).

Falconer - 9. Resolution C.S. No. C-3890 - Resolution to authorize the publication of a notice describing the boundaries of the Airport Road Economic Development District, and providing for other matters in connection therewith. (Districts 11 and 14) (Binder/Brister) (Districts 11 and 14) (Binder/Brister)



Stefancik - moved to adopt, second by Groby. Unanimous with 1 absent (Binder).

Falconer - 10. Resolution C.S. No. C-3891 - Resolution to authorize the publication of a notice describing the boundaries of the Airport Road Economic Development District, and providing for other matters in connection therewith. (District 5) (Binder/Brister)

Stefancik - moved to adopt, second by Groby. Unanimous with 1 absent (Binder).

Falconer - 11. Resolution C.S. No. C-3892 - Resolution C.S. No. C-3892 - Resolution to authorize the publication of a notice describing the boundaries of the Hwy 434 Economic Development District, and providing for other matters in connection therewith. (District 7 and District 11). (Binder/Brister)

Stefancik - moved to adopt, second by Groby. Unanimous with 1 absent (Binder).

Falconer - 12. Resolution C.S. No. C-3893 - Resolution to authorize the publication of a notice describing the boundaries of the Hwy 1088 Economic Development District, and providing for other matters in connection therewith. (District 5 and District 7) (Binder/Brister)

Stefancik - moved to adopt, second by Groby. Unanimous with 1 absent (Binder).

Falconer - 13. Resolution C.S. No. C-3894 - Resolution to approve the appointment of Anthony Smith as Director of the Procurement Department for the remainder of the 2012-2015 Parish President's term of office. (Binder/Brister)

Stefancik - moved to postpone, second by Tanner. Unanimous with 1 absent (Binder).

Falconer - 29. Resolution C.S. No. C-3910 - Resolution stating St. Tammany Parish Government's interest in participation in the Louisiana Enterprise Zone Program and designation of the Enterprise Zones and otherwise providing with respect thereto. (Binder/Brister)

Smith - moved to adopt, second by Artigue. Unanimous with 2 absent (Dean, Binder).

**APPEAL**

Falconer - 1. Carlo Hernandez appealing the Zoning Commission APPROVAL on November 12, 2013 for a major amendment to a 116.115 acre PUD located at the northwest intersection of I-12 and LA Highway 1088. (Districts 5 and 7) (ZC01-03-028) (Petitioner G.E.C., Inc.)

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

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

Gould - he has not had the opportunity to review information that was e-mailed to him a day ago, so he would like to postpone this. He would like to invite Mr. Hernandez to sit in on any meetings to be had.

Gould - moved to postpone, second by Groby. Unanimous with 1 absent (Binder)

Falconer - 2. Heather Hines appealing the Zoning Commission DENIAL on December 3, 2013 to rezone 0.656 acre located north of Highway 190, west of Blackwell Drive from A-2 (Suburban District) to HC-2 (Highway Commercial District). (Ward 4, District 7) (ZC13-12-084)

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 - Jones Fussell - he is here on behalf of Ms. Hines. This is a relatively small piece of property in the Big Branch Community. The purpose of this request is to expand the existing business. In previous cases, there have been people in the community who told her to buy existing property zoned for what she needs rather than rezone this property. She did buy another property and has been a good neighbor and business in both places for 11 years. Now she would like to expand the business in this location. There are a number of people in the crowd tonight who are in support of this request. There are 16 commercial or industrial properties on Highway 190 in this area. They are asking the Council to overturn this denial and rezone the property.

Christopher Roquette - his family has lived in Big Branch for most of his life. His uncle sold the property in question to Ms. Hines because she cleaned up and maintained the property next door and she has been a good neighbor.

Sharon Murphy - she has lived right next door to this property since 1995. This company already has two commercial pieces, and she does not think they need to expand. There are not a lot of active commercial properties along the Highway. The company is not a bad neighbor, she would just like to see as much property kept residential as possible. If the denial is reversed, her appraiser says she will lose 25% of her property value.

Jeannine Meeds - she lives in Big Branch. The Zoning Commission voted unanimously to deny this request. The Planning Staff report stated this property should not be commercial. People do not want to commercialize Big Branch and the residents agreed to leaving Big Branch residential during comprehensive rezoning. She thinks the Hines' should have bought property which was already commercial, though, they are not bad neighbors.

Mayronne - Ms. Murphy and Ms. Meeds do not represent all of the residents of Big Branch. There are residents here who are in favor of rezoning. He takes the comments about property values seriously, but there is no data to support that this change would lower property values.

Carol Seagrave - she lives on Highway 190 and bought her property 42 years ago. They have made extensive repairs to their property and their children and grandchildren would like to keep the property in the family. She would hate to see commercial property creeping up and taking over her property.

Grobby - he met personally with the owners of the property. That is the neatest, best kept used car lot in this Parish, and he has seven other used car lots in his district. Until tonight's meeting, he has not received any contact in opposition to this rezoning, but he has received a number of e-mails and phone calls in favor of rezoning, which is unusual. He thinks this will positively impact the area economically.

Grobby - moved to override the denial, second by Artigue. Motion passes with 12 yeas, 1 Nay (Bellisario) and 1 absent (Binder).

Grobby - moved to introduce, second by Canulette; becomes Ord. Cal. No. 5141.

#### ORDINANCES FOR ADOPTION

Falconer - 13. Ord. Cal. No. 5121 - Ordinance to authorize the Parish President to acquire certain parcels, rights of way and/or servitudes from the Archdiocese of New Orleans, for Holy Trinity Drive, and further for the Parish to incorporate Holy Trinity Drive into the Parish Maintenance System. (Ward 4, District 5) (Introduced 12/5/13)

Stevens - this 5.6 acres as submitted in the Cooperative Endeavor Agreement, should be appraised for \$300,000. The Parish is willing to pay \$500,000 in impact fees. Now this is saying the tax payers are going to pay for the road, when it was said the church was going to pay for the road. If the Parish is going to pay commercial prices for this, she is very upset and disappointed. The Parish should have obtained an independent appraisal.

Schoen - with regard to this Ordinance, this is a contractual obligation of the Cooperative Endeavor Agreement from February 2013. With regard to the value, the appraisal is for \$540,000, but the Parish is buying the property for \$500,000. The Parish advised the Archdiocese to choose an approved Parish appraiser, and the Archdiocese paid for the appraisal. The Archdiocese did ask for

credit for the \$40,000, but it has not been granted. Because the ordinance to rezone had not been adopted, the appraisers assumed the property to have zoning of Community Based Facilities, Medical Facilities, and Public Facilities. The Ordinance to rezone was then adopted 10 days later. There had not been any opposition to the motion to rezone. He found the sale of a residential lot in Brookstone subdivision which sold in May 2012 for \$3.00 per square foot. The appraisal submitted to and approved by the Parish was only \$2.20 per square foot. The Cooperative Endeavor Agreement required the Archdiocese to build the road and give it to the Parish. He asks the Council to please allow this Ordinance to proceed for the safety and well being of the residents in the area.

Kelly Kriminski - when the road is brought into the maintenance system, is it automatically brought into public use?

Rabalais - no. The opening of the road has to meet all Parish inspections.

Mike Pententon - he has lived in Westwood Subdivision. This road, which has been promised to them for 15 years, is going to relieve the traffic through their subdivision. As of Saturday morning, 25 cars drove through the neighborhood within two minutes, several of them were speeding. They would like this new road to be opened to save their neighborhood.

Savannah Andrews - she also lives in Westwood. A few months ago, she watched three cars hit her cat.

CLERK'S NOTE: Mr. Gould submitted a copy of a written statement, which he also read into the record.

Gould - he would like to thank the Council for its support through this process.

Gould - moved to adopt, second by Thompson. Unanimous with 3 absent (Stefancik, Binder, Smith); becomes Ordinance C.S. No. 14-3075.

Falconer - 1. Ord. Cal. No. 5097 - Ordinance to amend Code of Ordinances, Appendix B, Chapter 40 Subdivision Regulatory Ordinance No. 499, relative to roadway testing and inspection standards and related matters for residential and commercial subdivisions, and to provide for the modification and/or deletion of other relevant sections in connection therewith. (Introduced and referred to Planning Commission 11/7/13) (Postponed 12/5/13)

Hand - there are several technical issues which need to be addressed.

Tanner - moved to amend to make changes, second by Gould. Unanimous with 2 absent (Canulette, Binder); becomes Ord. Cal. No. 5097AA.

Tanner - moved to adopt as amended, second by Gould. Unanimous with 2 absent (Canulette, Binder); becomes Ordinance C.S. No. 14-3064.

Falconer - 2. Ord. Cal. No. 5109 - Ordinance to amend St. Tammany Parish Code of Ordinances, Chapter 7 Drainage and Flood Control, Article III Drainage District No. 2, Sec. 7-061.00 Reorganization, Boundaries, to amend and reestablish the boundaries of Drainage District No. 2. (Ward 9, District13) (Introduced 12/5/13)

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

Falconer - 3. Ord. Cal. No. 5110 - Ordinance amending the Official Parish Zoning Map to reclassify a parcel of land in Section 42, Township 6 South, Range 11 East, more specifically municipal address 72292 Wilkinson Street, Covington from A-2 (Suburban District) and NC-4 (Neighborhood Institutional District) to A-2 . (Ward 3, District 2) (Introduced 12/5/13)

Sharp - moved to adopt, second by Tanner. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 14-3065.

Falconer - 4. Ord. Cal. No. 5111 - Ordinance amending the Official Parish Zoning Map to reclassify 2.74 acres located on the north side of Bruhl Road, east of LA Highway 25, 15143 Bruhl Road, Folsom from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 3) (ZC13-11-082) (Zoning Commission approved 11/12/13) (Introduced 12/5/13)

Thompson - moved to adopt, second by Tanner. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 14-3066.

Falconer - 5. Ord. Cal. No. 5112 - Ordinance amending the Official Parish Zoning Map to reclassify 15,000 square feet located on north of Magnolia Drive, east of Sycamore Drive, being 4809 Magnolia Drive, Slidell from A-3 (Suburban District) to A-3 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 8, District 9) (ZC13-11-078) (Zoning Commission approved 11/12/13) (Introduced 12/5/13)

Bellisario - moved to adopt, second by Canulette. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 14-3067.

Falconer - 6. Ord. Cal. No. 5113 - Ordinance amending the Official Parish Zoning Map to reclassify 39,989.4 square feet located on the northwest corner of Francis Street & Eagle Street, being 73483 Eagle Street, Abita Springs from A-3 (Suburban District) to A-3 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 6, District 6) (ZC13-11-075) (Zoning Commission approved 11/12/13) (Introduced 12/5/13)

Tanner - moved to adopt, second by Thompson. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 14-3068.

Falconer - 7. Ord. Cal. No. 5114 - Ordinance to authorize the Parish President to acquire certain parcels, rights of way and/or servitudes for the Pinewood Circle Site Triangle Project. (Ward 8, District 9). (Introduced 12/5/13)

Bellisario - moved to adopt, second by Canulette. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 14-3069.

Falconer - 8. Ord. Cal. No. 5115 - Ordinance accepting finalized subdivisions into the Road and Drainage Inventories, specifically Colonial Pinnacle Nor du Lac minor subdivision Westshore Drive (a/k/a Access Road #2). (Ward 1, District 1) (Introduced 12/5/13)

Dean - moved to adopt, second by Thompson. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 14-3070.

Falconer - 9. Ord. Cal. No. 5116 - Ordinance amending the Official Parish Zoning Map to reclassify 3.0 acres located on north of Maison du Lac Blvd., west of LA Highway 1085 from NC-2 (Indoor Retail and Service District) to an MD-2 (Medical Clinic District). (Ward 1, District 1) (ZC13-11-076) (Zoning Commission approved 11/12/13) (Introduced 12/5/13)

Dean - moved to adopt, second by Thompson. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 14-3071.

Falconer - 10. Ord. Cal. No. 5118 - Ordinance to impose a six (6) month moratorium on the opening of new streets in Angelic Estates. (Ward 3, District 5) (Introduced 12/5/13)

Gould - moved to adopt, second by Thompson. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 14-3072.

Falconer - 11. Ord. Cal. No. 5119 - 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 Lalanne Road North to Azalea Drive. (Ward 1, District 1) (Introduced 12/5/13)

Dean - moved to adopt, second by Thompson. Unanimous with 2 absent (Gould, Binder); becomes Ordinance C.S. No. 14-3073.

Falconer - 12. Ord. Cal. No. 5120 - Ordinance amending the Official Parish Zoning Map to reclassify 4 acres located west of Isabel Swamp Road, north of LA Highway 40 from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 2, District 6). (Ward 2, District 6) (ZC13-11-077) (Introduced 12/5/13)

Tanner - moved to adopt, second by Thompson. Unanimous with 2 absent (Gould, Binder); becomes Ordinance C.S. No. 14-3074.

Falconer - 14. Ord. Cal. No. 5122 - Ordinance to Amend the 2013 Operating Budget - Amendment No. 10. (Introduced 12/5/13)

Bellisario - moved to adopt, second by Stefancik. Unanimous with 2 absent (Gould, Binder); becomes Ordinance C.S. No. 14-3076.

#### NOMINATIONS

Falconer - 1. Resolution to appoint a representative of the Hotel-Motel Association to the St. Tammany Parish Tourist and Convention Commission. (Binder)

Smith - nominated Pablo Melendez, second by Groby.

Stefancik - moved to close the nominations, second by Artigue.

Artigue - moved to suspend the rules, second by Stefancik. Unanimous with 2 absent (Gould, Binder).

Smith - moved to appoint, second by Artigue. Unanimous with 2 absent (Gould, Binder); becomes Resolution C.S. No. C-3917.

#### APPOINTMENTS

Falconer - 1. Resolution to appoint Tiffany Hudson to the Board of Commissioners for St. Tammany Parish Recreation District No. 2. (District 6) (Tanner)

Tanner - moved to appoint, second by Thompson. Unanimous with 2 absent (Gould, Binder); becomes Resolution C. S. No. C-3918.

Falconer - 2. Resolution to appoint one (1) member to the Board of Commissioners for St. Tammany Parish Recreation District No. 6. (Districts 2 and 6) (Tanner)

Tanner - moved to postpone, second by Thompson. Unanimous with 2 absent (Gould, Binder).

#### VERBAL OFF-THE-FLOOR

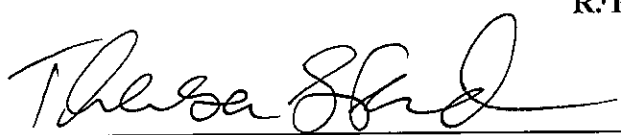
Smith - 1. Resolution requesting the Louisiana Department of Economic Development designate Block Group 2 of Census Tract 411.02 in St. Tammany Parish as an additional qualified Enterprise Zone pursuant to authority and criteria established in La. R.S. 51:1782 through 51:1785.

Smith - moved to open the floor to hear his resolution, second by Stefancik. Unanimous with 2 absent (Gould, Binder).

Smith - moved to adopt, second by Stefancik. Unanimous with 2 absent (Gould, Binder); becomes Resolution C.S. C-3919.

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

  
R. REID FALCONER, AIA, COUNCIL CHAIRMAN

  
THERESA L. FORD, COUNCIL CLERK