

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

**THURSDAY, DECEMBER 1, 2011 AT 6:00 P.M.**

**ST. TAMMANY GOVERNMENT COMPLEX**

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

**Call to Order by Honorable Martin Gould, Jr., Chairman**

**Invocation by Jerry Binder**

**Pledge of Allegiance by Junior Council Members**

**Roll Call: Marty Dean  
Gary Cooper  
James A. "Red" Thompson  
R. Reid Falconer  
Rebecca Howell  
Al Hamauei  
Marty Gould  
Chris Canulette  
E. L. Gene Bellisario  
Henry Billiot  
Steve Stefancik  
Jerry Binder  
Richard Artigue  
Ken Burkhalter**

**SPECIAL ITEMS**

**PUBLIC HEARING OF THE 2012 PARISH OPERATING/CAPITAL BUDGETS**

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

**Carlo Hernandez -he appreciated the budget being available on-line and the public hearings were very educational. He is hoping the organizational charts will eventually be on-line. He still has concerns about the lighting districts. Some of the districts have almost a million dollars while others have nothing. He especially hopes a lighting district will be created or extended to include Highway 1088 from Interstate 12 north to the new high school. He is requesting the Council to review all of the lighting districts.**

**Falconer - he has the recommendations of the Council Budget Review Committee to be read and entered into the record. (Exhibit A)**

**Stefancik -moved to adopt, second by Burkhalter. Unanimous with no one absent; becomes Ordinance C.S. No. 11-2637.**

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

**Burkhalter - moved to adopt, second by Stefancik. Unanimous with no one absent; becomes Ordinance C.S. No. 11-2638.**

**PRESENTATIONS**

**Hamauei - moved to move up Presentation No. 2 to introduce the Junior Council Members, second by Canulette. Unanimous with no one absent.**

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

**Hamauei - introduced his grandchildren: Miles, Ella and Addie Hamauei and presented them with certificates. His remaining grandchildren had to return home out-of-state.**

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

**Mike Sevante - this is the third time the Council has seen change under the Parish Home Rule Charter. It is a somber event having to say goodbye to colleagues who have worked closely with over the last several years. However, it is a necessary part of government which is good in the long run as it encourages growth within local government.**

**Sevante - presented awards to Henry Billiot for 12 years of service, Ken Burkhalter for eight years of service, Al Hamauei for five years and Rebecca (Becky) Howell and Gary Cooper for four years of service.**

**Gould - he has been given the honor of leading a group of individuals in honoring President Kevin Davis.**

**Steve Stefancik, Jerry Binder, Marty Gould and Bill Oiler each talked about Kevin Davis' 12 years of service to the Parish of St. Tammany.**

**Gould - presented a flower bouquet to Maria Davis on behalf of the Council and Parish Government for sharing Kevin for the last 12 years and presented a clock honoring Kevin Davis for "Building Excellence" in this Parish. Congratulated Kevin Davis for being named the Louisiana Director of Homeland Security by the Governor.**

**Kevin Davis - thanks the Council and the people of St. Tammany for allowing him the honor to serve for the last 12 years. He leaves the Parish in the good hands of Pat Brister a little earlier than expected due to the call from the Governor. He is proud of the people of the Parish because without their involvement, the Parish would not be where it is today.**

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

**Gould - thanks to the ladies of the volleyball team for sitting through the presentations.**

**Binder - in volleyball, Division 1 is the top of all of the divisions. These young ladies won the division championship. Their head coach is also his nephew. Read certificates and presented them along with Kevin Davis and Marty Gould.**

**Danny Tullis - he coaches this team and wants to say thank you for all of the support he and the team receive from the parents. It takes a lot of work to accomplish this.**

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

**Falconer - would like to remove this item. Mr. Finley could not be here, so his certificate was mailed to him.**

**Bellisario - moved to open the Off-the-Floor Agenda, second by Burkhalter. Unanimous with no one absent.**

**Bellisario - moved to move up Item No. 1, second by Burkhalter. Unanimous with 3 absent (Cooper, Howell, Hamauei).**

**Gould - 1. Presentation by Ralph O'Neal of St. Tammany Seniors and Law Enforcement Together (SALT Council). (Bellisario)**

**Bellisario - he was contacted by Mr. O'Neal with a request to make a presentation to Kevin Davis.**

Ralph O’Neal - senior citizens represent the fastest growing part of this Parish. The SALT Council would not have been possible without Kevin Davis. Presented Mr. Davis with a SALT Council goody bag and the first lifetime membership.

Davis - He always felt he was only a small part of the SALT Council. He thinks the Council itself deserves all of the credit.

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

Ord. Cal. No. 4645	Ord. Cal. No. 4688	Ord. Cal. No. 4696
Ord. Cal. No. 4698	Ord. Cal. No. 4701	
Resolution C.S. No. C-3190	Resolution C.S. No. C-3255	Resolution C.S. No. C-3276
Resolution C.S. No. C-3277	Resolution C.S. No. C-3283	Resolution C.S. No. C-3287
Resolution C.S. No. C-3288		

Consent Calendar less items pulled:

**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	November 3, 2011
Council Committee Meeting	NONE

**ORDINANCES FOR INTRODUCTION**

(Public Hearing: January 12, 2011)

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

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

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

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

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

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

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

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

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

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

### RESOLUTIONS

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

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

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

8. Resolution C.S. No. C-3280 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 5 Capital Improvements List. (Gould/Davis)

9. Resolution C.S. No. C-3281 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 7 Capital Improvements List. (Gould/Davis)

10. Resolution C.S. No. C-3282 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards, to make changes to the District 14 Capital Improvements List. (Gould/Davis)

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

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

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

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

END OF CONSENT CALENDAR

**Burkhalter - moved to adopt the Consent Calendar less items removed, second by Stefancik. Unanimous with no one absent.**

**Gould - 1. Ord. Cal. No. 4645 - Ordinance to amend St. Tammany Parish Code of Ordinances, Section 2-050.01, Selection of Persons for Professional Services, to provide with respect to preference for in-parish providers of professional services. (Billiot) (Tabled 9/1/11, 10/6/11 & 11/3/11)**

**Stefancik - moved to table, second by Canulette. Unanimous with no one absent.**

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

**Thompson - moved to table, second by Falconer. Unanimous with no one absent.**

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

**Gould - would like to have Alpha Industrial Park removed from this ordinance.**

**Hamauei - moved to amend to remove Alpha Industrial Park, second by Thompson. Unanimous with no one absent.**

**Hamauei - moved to introduce as amended, second by Thompson; becomes Ord. Cal. No. 4696AA**

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

**Bellisario - moved to table to be heard after Appeal No. 4, second by Burkhalter. Unanimous with no one absent.**

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

**Thompson - moved to introduce and refer to the Planning Commission, second by Dean. Unanimous with no one absent.**

**Gould - 1. Resolution C.S. No. C-3190 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 2.3299 acres. (No. SL2011-05) (Ward 8, District 13) (Gould/Davis) (Tabled 9/1/11, 10/6/11 & 11/3/11)**

**Artigue - moved to table, second by Burkhalter. Unanimous with no one absent.**

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

**Hamauei - moved to table to be heard regarding Executive Session, second by Burkhalter. Unanimous with no one absent.**

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

**Dean - moved to remove, second by Cooper. Unanimous with no one absent.**

Gould - 5. Resolution C.S. No. C-3277 - Resolution to concur/not concur with the City of Covington annexation and rezoning of 6.317 acres located at the intersection of North Highway 190 and North Second Street from Parish HC-3 (Highway Commercial District) to City of Covington CR (Regional Commercial District). (Ward 3, District 3) (Gould/Davis)

Thompson - moved to remove, second by Cooper. Unanimous with no one absent.

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

Stefancik - thinks this needs to be discussed more.

Leslie Long - the Council has until February 28 to appoint an auditor.

Stefancik - moved to postpone to January 12, 2012 meeting, second by Bellisario. Unanimous with no one absent.

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

Larry Hess - Fire Chief for Fire Protection District 1 - this is a renewal of a 10-year tax. Historically the Fire District rolls back its millages. It is judicious to ask for approval of 35 mils, but the Board has no intention to roll forward from the 30 mils it currently collects. They are just asking for the flexibility of being able to roll forward.

Burkhalter - moved to adopt, second by Hamauei. Unanimous with no one absent.

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

Mike Lopez - this is a request to extend the current millage of 10 mils for 8 more years. The number of children in the Abita Recreation District has increased by 60%. This is the largest park without a gym and the mils will go toward the building of a gym. They already have 10 acres to build on.

Hamauei - moved to adopt, second by Thompson. Unanimous with 1 absent (Cooper).

#### APPEALS

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

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

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

Stefancik - moved to table, second by Canulette. Unanimous with no one absent.

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

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

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

Paul Mayronne - on behalf of Mr. Walker. Mr. Walker's position is simple. He owns property adjacent to this property asking to be rezoned to I-3. His client does not believe I-3 intensity is appropriate to this area. There are businesses such as churches and a phlebotomy school near there, and it is not an appropriate area for steel mills, storage of petroleum or a refinery. His client is requesting the Council override the Zoning Commission approval.

Lisa Gentz - corporate counsel for Gas and Supply Industrial Welding Supplies. The company services clients in the area of the property. There are 3 streets in the area. In 2008, the company requested to be rezoned from M-1 to M-3. When the new zoning map was adopted the property was zoned I-1. The area contains several construction companies, including Bella Marble and Magnum Construction and a concrete plant. Mr. Walker has a batting school on the property next to this, and it appears, he is building a batting cage, creating an outdoor recreational facility. This area is industrial and there are already propane storage tanks in the area. There is a fire department substation that has a 15,000 gallon tank in its parking lot. Her client was approved for the rezoning in 2008 and again now. They are asking the Council to concur with the Zoning Commission approval.

Mayronne - this is an industrial area, but it is I-1 and there is a significant difference between it and I-3. During comprehensive rezoning, staff felt the area was more appropriate for I-1.

Gentz- her client needs I-3 for the bulk storage of propane gas. They are an industrial welding and gas supply company which sells argon, medical oxygen, propane, etc.

Council Discussion ensued.

Binder - moved to table, second by Hamauei. Motion passed 11 yeas, 2 nays (Billiot, Burkhalter) and 1 absent (Falconer).

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

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

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

Jeff Schoen - representing Nagim Construction. This is a 6.6 acre parcel on Lonesome Road. Historically everything in this area was developed in a residential manner. The client would like to change the A-4 zoning to neighborhood commercial zoning as Staff recommended. NC-1 would provide for small scale services with minimal impact for the residents of the neighborhood. The property currently has 12 parcels of record with 3 owners who could develop it into 12 single family sites with 12 driveways, which would not benefit anyone in the Lonesome Road corridor. His client's plan calls for only 2 curb cuts and a 30 foot no-cut buffer in order to maintain a green buffer for this beautiful area. The structures would look like residences and have less negative impact.

William Phillips - lives in the Lakes and is here representing the homeowners for all eight residential subdivisions in this area. They are united in opposition of further degradation of this area. The Zoning Commission denied this request. He finds the statement of less impact than residences to be absurd. There is an existing office park next to this which has 8 buildings and 128 parking spaces which are full everyday. This new complex could add 1000 vehicles a day. There is enough vacant office space on the market, more does not need to be built.

Schoen - Mr. Phillips makes some interesting points. His client thinks 12 curb cuts and 90 foot lots is not the answer either. He asks the Council to make the best decision.

Phillips - they would rather have 12 driveways than to have 2 driveways leading to offices which belong on Veterans Highway. They are the citizens and they do not want any other services this would provide. Residential means residential.

Council discussion ensued.

Billiot - moved to concur with the Zoning denial, second by Hamauei. Motion passed with 12 yeas, 2 nays (Dean and Cooper), and no one absent.

Billiot - moved to adopt a resolution, second by Burkhalter. Unanimous with no one absent; becomes Resolution C.S. No. C-3290.

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

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

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

Theresa Smith - her family has lived on Red Rooster Road for over 80 years. She has been there for 49 years. There has never been an accident. This neighbor bought two pieces of land on either side of the road, and now, she wants to combine her land and put a house in the middle. They are planning to close the entrance to the subdivision and run a new road through another subdivision onto a highway. They are going to put in drainage that is not needed because they have never flooded. There are 66 people on this road, and they do not want this. The children will now have to walk farther to catch the school bus that will now be on a blind curve.

Chief Ellim Warhorse - this Parish has been eliminating her people for years. It is not fair for this woman to block all of the people who live here.

Carolyn Jones - right now they have good access and visibility off of their road onto the highway. Now they will have to enter the highway into a dangerous curve.

Jeff Schoen - This case is simple. They are asking that a 12-foot wide road surface be revoked and replaced by a 20-foot surface with drainage that meets Parish specifications. The road has been 12 feet wide for over 50 years. There are no fences or a place to wait for the bus. Two cars cannot pass on the road at the same time. His client feels this will be an improvement for the area. They plan to build a new road and tie it into an existing public road with superior access that would allow the children to be picked up by the bus someplace other than Robert Road.

Smith - they have had ambulances, buses, fire trucks and 18-wheelers come down their road. There are fences farther down. The children have room to walk on the side of the road. This new road is not going to benefit the residents at the end of the road.

Jones - the new road will exit into the subdivision road which has a lot more traffic and turns onto Robert Road into a very dangerous curve.

Schoen - he understands and respects the residents of this area. They have been there for a long time. He thinks their comfort at being there and their heritage have blinded them to the potential safety hazards. In the 21<sup>st</sup> Century, can the Parish justify maintaining a 12 foot road?

Bernadine Atwood - the new road is just the back of her property and will not benefit them. The road is a landmark named for fighting roosters.

Council discussion ensued.

Schoen - his client has agreed to provide a right-of-way extending the full width of the property, and he feels they are doing their part by removing the unsafe road from commerce. They will also build a covered bus stop for the children on the new road rather than Robert Road.

Bellisario - this is a complex case to consider based just on the map. This road was taken into the maintenance system in 1993. It is a substandard road that is not easily accessible to the mowers. He will commit to looking into using Capital Money to widen the other end of Red Rooster Road.



Bellisario - moved to concur with the Zoning approval, second by Canulette. Motion passed with 13 yeas and 1 nay (Howell).

Bellisario - moved to adopt a resolution, second by Canulette. Unanimous with no one absent; becomes Resolution C.S. No. C-3291.

Bellisario - moved to consider introduction of Ord. Cal. No. 4698 earlier tabled, second by Canulette. Unanimous with no one absent.

Bellisario - moved to introduce, second by Canulette.

#### ORDINANCES FOR ADOPTION

Hamauei - 1. Ord. Cal. No. 4591AA - Ordinance amending the Official Parish Zoning Map to reclassify 2 acres located north of Brewster Road, west of Powerline Road, being parcels A & B from A-2 (Suburban District) to A-5 (Two Family Residential District). (Ward 1, District 1) (ZC11-05-038) (Council overrode Zoning Commission denial - Introduced 6/2/11) (Tabled 7/7/11, 8/4/11, 9/1/11 & 10/6/11) (Amended and reintroduced 11/3/11)

Dean - moved to table, second by Thompson. Unanimous with 4 absent (Cooper, Gould, Canulette, Billiot).

Hamauei - 2. Ord. Cal. No. 4621 - Ordinance revoking the dedication of the unopened, unnamed street right-of-way which is located on a parcel of ground identified as Lot 6, 5 acre farm lots, in the SW 1/4 of Section 14, Township 8 South, Range 14 East. (Introduced 8/4/11) (Referred to the Planning Commission 9/1/11) (Tabled 10/6/11) (Planning Commission approved 10/11/11) (Tabled 11/3/11)

Bellisario - moved to adopt, second by Burkhalter. Unanimous with 4 absent (Cooper, Gould, Canulette, Billiot); becomes Ordinance C.S. No. 11-2639.

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

Bellisario - moved to amend second by Burkhalter. Unanimous with 4 absent (Cooper, Gould, Canulette, Billiot).s

Burkhalter- moved to reintroduce as amended and refer to the Zoning Commission, second by Bellisario. Unanimous with 4 absent (Cooper, Gould, Canulette, Billiot).

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

Burkhalter - moved to amend to add 159 additional feet of right-of-way, 35 feet wide, second by Bellisario. Unanimous with 3 absent (Gould, Canulette, Billiot); becomes Ord. Cal. No. 4662AA.

Richard Rowell - by entering this servitude into the maintenance system, will it effect the bus stop?

Bill Oiler - the change in the bus stop will not take place until it meets Parish guidelines.

Burkhalter - moved to adopt as amended, second by Bellisario. Unanimous with 3 absent (Gould, Canulette, Billiot); becomes Ordinance C.S. 11-2640.

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

Thompson - moved to adopt, second by Cooper. Unanimous with 3 absent (Gould, Canulette, Billiot); becomes Ordinance C.S. 11-2641.

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

Cooper - moved to adopt, second by Thompson. Unanimous with 3 absent (Gould, Canulette, Billiot); becomes Ordinance C.S. 11-2642.

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

Burkhalter - moved to adopt, second by Stefancik. Unanimous with 3 absent (Gould, Canulette, Billiot); becomes Ordinance C.S. 11-2643.

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

Bellisario - moved to adopt, second by Burkhalter. Unanimous with 3 absent (Gould, Canulette, Billiot); becomes Ordinance C.S. 11-2644.

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

Greg Gordon - proposes increase having a cap of four (4%) percent and can only happen every two (2) years. Any increase will not take effect until 2012.

Bill Oiler - it is an adjustment like on utilities fuel adjustments.

Bellisario - moved to amend to place a four (4%) percent cap on increase without additional Council approval required, second by Falconer. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue); becomes Ord. Cal. No. 4677AA.

Burkhalter - moved to adopt as amended, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue); becomes Ordinance C. S. No. 11-2645.

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

Burkhalter - moved to adopt, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue); becomes Ordinance C.S. No. 11-2646.

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

Burkhalter - moved to adopt, second by Falconer. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue); becomes Ordinance C.S. No. 11-2647.

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

Binder - moved to adopt, second by Stefancik. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue); becomes Ordinance C.S. No. 11-2648.

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

Howell - moved to adopt, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue); becomes Ordinance C.S. No. 11-2649.

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

Burkhalter - moved to adopt, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue); becomes Ordinance C.S. No. 11-2650.

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

Burkhalter - moved to adopt, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue); becomes Ordinance C.S. No. 11-2651.

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

Burkhalter - moved to adopt, second by Howell. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue); becomes Ordinance C.S. No. 11-2652.

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

Binder - moved to adopt, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue); becomes Ordinance C.S. No. 11-2653.

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

Burkhalter - moved to adopt, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue); becomes Ordinance C.S. No. 11-2654.

NOMINATIONS

Hamauei - 1. Resolution to appoint six (6) members \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ to the Board of Commissioners of St. Tammany Recreation District No. 16. (Burkhalter) (Tabled 8/4/11, 9/1/11, 10/6/11 & 11/3/11)

Burkhalter - moved to appoint Raymond Sanders and Terry Kendall, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue); becomes Resolution C.S. No. C-3292.

Burkhalter - moved to table the remaining nominations, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue).

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

Stefancik - moved to table, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue).

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

Stefancik - moved to table, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue).

#### DISCUSSION AND OTHER MATTERS

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

Bellisario - moved to refer, second by Burkhalter. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue).

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

Howell - moved to refer, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue).

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

Bellisario - moved to refer, second by Binder. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue).

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

Burkhalter - moved to refer, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue).

Burkhalter - moved to reopen the Off-the-Floor Agenda, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue).

Hamauei - 2. EXECUTIVE SESSION: Lawsuits Entitled: United Disaster Response, LLC vs. Omni Pinnacle, LLC, et al, USDC Eastern District C.A. No. 06-6075, Section B, Magistrate 1 and Parish of St Tammany vs. Omni Pinnacle, LLC, et al. 22<sup>nd</sup> JDC, Case No. 2007-10755, Division 1. (Thompson)

Stefancik - moved to enter Executive Session, second by Falconer. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue).

Stefancik - moved to leave Executive Session, second by Falconer. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue).

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

Burkhalter - moved to adopt, second by Bellisario. Motion passed with 9 yeas, 1 abstention (Hamauei) and 4 absent (Gould, Canulette, Billiot, Artigue).

**VERBAL OFF-THE-FLOOR**

**Stefancik - moved to consider a Motion to schedule a special meeting on December 8, 2011 to appoint an interim Parish President following the resignation of Kevin Davis, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue).**

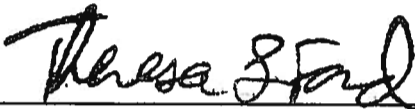
**Stefancik - moved to schedule, second by Bellisario. Unanimous with 4 absent (Gould, Canulette, Billiot, Artigue).**

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



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**MARTIN W. GOULD, JR., COUNCIL CHAIRMAN**



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**THERESA L. FORD, COUNCIL CLERK**