

ST. TAMMANY PARISH COUNCIL MEETING MINUTES

THURSDAY, OCTOBER 4, 2012 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 Mr. Smith

Pledge of Allegiance by Mr. Stefancik

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

PRESENTATIONS

Gould - 1. Presentation by New Heights Therapeutic Riding. (Sharp)

Cindy Sibley - Director of Operations - New Heights has been part of the community for 14 years. They have 12 donated horses, who they call the "Herd of Heroes", which work with disabled adults and children. The horses work on all parts of the muscular system, help calm a hyperactive child or animate a child with a head injury. New Heights serves 66 riders per week. It costs approximately \$125 per ride for the horses, volunteers, training, etc. They only collect \$50 per ride, but they will not turn anyone away for the inability to pay.

Sharp - read and presented a plaque.

Sharp - moved to adopt a resolution, second by Thompson. Unanimous with 1 absent (Dean); becomes Resolution C.S. No. C-3538.

Pat Brister - she wanted to remind every one this month is breast cancer awareness month. She encourages all women to take advantage of every opportunity this month to get mammograms and perform self-exams.

Groby - also, a reminder the "Bras for a Cause" fund-raiser will take place on October 9.

Falconer - moved to move up Resolution C.S. No. C-3528, second by Tanner. Unanimous with no one absent.

Gould - 13. Resolution C.S. No. C-3528 - Resolution appointing Tony Oramous as Member Emeritus to the Board of Commissioners of St. Tammany Recreation District No. 1 in honor of his years of service to the District and Parish. (Gould)

Tony Oramous - he has worked for Pelican Park for 28 years and would like to continue to be a part of it. He plans on staying involved.

Gould - it is not often you find someone so dedicated. He is happy Mr. Aramus will now be an honorary permanent member.

Falconer - moved to adopt, second by Canulette. Unanimous with no one absent.

Brister - wanted to introduce Ron Simpson who will be taking over Suzanne Parsons Stymiest job as the new Public Information Office Director when she retires at the end of the year.

Bellisario - moved to open the Off-the-Floor Agenda and move up Item Nos. 1 and 8, second by Canulette. Unanimous with no one absent.

Gould - 1. Presentation: Shannon Davis, Director of Public Works, regarding debris removal. (Canulette)

Brister - asked Gina Campo to address this issue.

Gina Campo - shortly after the storm, Public Works and Engineering crews went out to assess the damage. A lot of progress has been made in removing storm debris. The contractor is averaging 62 truckloads of debris per day, which is 1800 loads so far. It is estimated they are over 50% complete with the removal of construction debris, vegetative and dangerous trees. They encourage citizens to get their trash to the curb and keep it separated, because if the contractor has to separate it, the process is really slowed.

Council Discussion ensued.

Gould - 8. Resolution recognizing the St. Tammany Parish Public School System earning the highest ACT scores among all Louisiana Public School Districts for the 22nd time in 23 years, and commending all St. Tammany Public School Teachers for their contribution to this achievement. (Binder)

Binder - moved to adopt, second by Artigue. Unanimous with 1 absent (Dean); becomes Resolution C.S. No. C-3536.

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

Ord. Cal. No. 4812

Ord. Cal. No. 4890

Ord. Cal. No. 4895

Resolution C.S. No. C-3472

Resolution C.S. No. C-3517

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

September 10, 2012

Special Council Meeting

September 26, 2012

Council Committee Meeting

September 26, 2012

ORDINANCES FOR INTRODUCTION

(Public Hearing: November 1, 2012)

2. Ord. Cal. No. 4887 - Ordinance amending the Official Parish Zoning Map to reclassify 6.33 acres located west of LA Highway 41, south of Gus Baldwin Road, being 73469 Hwy 41, Pearl River from A-2 (Suburban District) to PF-1 (Public Facilities District). (Ward 6, District 6) (ZC12-08-067) (Zoning Commission approved 9/4/12) (Gould/Brister)

3. Ord. Cal. No. 4888 - Ordinance amending the Official Parish Zoning Map to reclassify 11 acres located north of McLain Road, east of Section Road, west of Modica Lane from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 6) (ZC11-09-080) (Zoning Commission approved 9/4/12) (Gould/Brister)
4. Ord. Cal. No. 4889 - Ordinance amending the Official Parish Zoning Map to reclassify 1.5 acres located west of Tulip Drive, south of Davis Landing Road, being 309 Tulip Drive, Slidell from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Home Overlay). (Ward 8, District 9) (ZC12-09-089) (Gould/Brister)
6. Ord. Cal. No. 4891 - Ordinance to declare undeveloped property on the northwest corner of Rue Esplanade and Military Road in Slidell as surplus property and to authorize the private sale, public auction and/or disposal of said property described herein. (Ward 8, District 13) (Gould/Brister)
7. Ord. Cal. No. 4892 - Ordinance to amend the 2012 Operating Budget - Amendment No. 9. (Gould/Brister)
8. Ord. Cal. No. 4893 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of submissions by the Parish Zoning and Planning Commissions for the rezoning or resubdivision of property west of Highway 11 and south of Interstate 12 within unincorporated boundaries of Ward 9 in District 14. (Smith)
9. Ord. Cal. No. 4894 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building, occupancy or occupational permits or licenses by any Parish department or agency for any pain management center/clinic whose primary focus or concentration is the prescribing and/or dispensing of pain medication to individuals with complaints of chronic pain which is unaffiliated with any hospital, hospice and/or facility for the treatment of the terminally ill in unincorporated St. Tammany Parish. (Binder)
11. Ord. Cal. No. 4896 - Ordinance to amend Parish Code of Ordinances, Chapter 20 Roads and Bridges, Article 1, Section 20-010.03.01 Public & Private Utilities in and adjacent to Certain Parish Road Rights-of-Way, to provide for the installation of subsurface utilities in connection with the future construction of Holy Trinity Drive. (Gould)
12. Ord. Cal. No. 4897 - Ordinance to amend the Parish Code of Ordinances, Section 7-002.00 Use Of Fill Material Prohibited, Subsection 8 (d) Areas Of Special Concern, relative to Dove Park Subdivision. (Gould)

RESOLUTIONS

3. Resolution C.S. No. C-3518 - Resolution establishing Performance Obligations. (District 9) (Gould/Brister)
4. Resolution C.S. No. C-3519 - Resolution to acknowledge the receipt and review of the 2012 Municipal Water Pollution Prevention Environmental Audit Report for the Cross Gates Wastewater Treatment Facility. (Gould/Brister)
5. Resolution C.S. No. C-3520 - Resolution to acknowledge the receipt and review of the 2012 Municipal Water Pollution Prevention Environmental Audit Report for the Highway 22 Wastewater Treatment Facility. (Gould/Brister)
6. Resolution C.S. No. C-3521 - Resolution to acknowledge the receipt and review of the 2011 Municipal Water Pollution Prevention Environmental Audit Report for the Westwood Wastewater Treatment Facility. (Gould/Brister)
7. Resolution C.S. No. C-3522 - Resolution supporting and authorizing the Chief Administrative Officer to formally request the Louisiana Department of Transportation and Development, Division of Aviation, to provide funds to complete the airport improvements at St. Tammany Regional Airport, as specifically described in the Capital Improvement Program Application for State Financial Assistance dated October 31, 2012. (Gould/Brister)

8. Resolution C.S. No. C-3523 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Brister)
9. Resolution C.S. No. C-3524 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Brister)
10. Resolution C.S. No. C-3525 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Brister)
11. Resolution C.S. No. C-3526 - Resolution to amend Ordinance C.S. No. 11-2638 the 2012-2016 Capital Improvement Budget & Program, Fixed Asset and Grant Awards to make changes to the Capital Improvements List - District 2. (Gould/Brister)
12. Resolution C.S. No. C-3527 - Resolution stating the Parish Council's approval for the five (5) year renewal of the Restoration Tax Abatement Contract between the LA Department of Economic Development and Abita Blends, LLC/Red Cedar Row/Joel & Leanne Schaefer Restoration (Tax Abatement Contract No. 2002-0145) to participate in the Louisiana Restoration Tax Abatement Program. (District 5) (Gould/Brister)
14. Resolution C.S. No. C-3529 - Resolution to support and authorize the Parish President to formally request the Louisiana Office of Community Development to provide funds for renovations to the Fifth Ward Community Recreation Center of St. Tammany, as specifically described in the Local Government Assistance Program Application dated September 14, 2012. (District 6) (Gould/Brister)

END OF CONSENT CALENDAR

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

Gould - 1. Ord. Cal. No. 4812 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning) Section 5.29 - MD-3 (Medical Facility District), relative to height regulations & Section 5.29A - MD-4 (Medical Research District), relative to buffer, setback and height regulations. (ZC12-06-046)(ZC approved 6/5/12) (Gould) (Postponed from 7/12/12 to 9/10/12) (Tabled 9/10/12)

Stefancik - moved to amend the maximum height restrictions to 70 feet, second by Artigue. Unanimous with no one absent; becomes Ord. Cal. No. 4812AA.

Stefancik - moved to introduce as amended, second by Canulette.

Gould - 5. Ord. Cal. No. 4890 - Ordinance to authorize the Parish President to grant a Non-exclusive Utility Servitude to Washington-St. Tammany Electric Cooperative, Inc. along Highway 1129 (Lee Road) at Johnny F. Smith Memorial Park. (Ward 2, District 6) (Zoning Commission approved 9/4/12) (Gould/Brister)

Tanner - moved to introduce, second by Bellisario.

Gould - 10. Ord. Cal. No. 4895 - Ordinance to amend Chapter 9 of the Parish Code of Ordinances, Article XIII, Section 9-071.00 - Garbage District No. 1, Boundaries, to expand the boundaries of said District. (Bellisario)

Bellisario - this item is a duplicate of one which is up for adoption.

Bellisario - moved to remove, second by Canulette. Unanimous with no one absent.

Gould - 1. Resolution C.S. No. C-3472 - Resolution approving the issuance of not exceeding \$600,000 of Limited Tax Certificates, Series 2012, of St. Tammany Fire Protection District No. 4, State of Louisiana. (Falconer) (Postponed 8/2/12, 9/10/12)

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

Gould - 2. Resolution C.S. No. C-3517 - Resolution approving the holding of an election in Recreation District No. 2 of the Parish of St. Tammany, State of Louisiana, on Saturday, December 8, 2012, to authorize the levy of a special tax therein. (Tanner)

Tanner - moved to adopt, second by Falconer. Unanimous with no one absent.

APPEALS

Gould - 1. Wayne Buras, representing Kelly McHugh, appealing the Zoning Commission DENIAL on August 7, 2012 to rezone 150.97 acres south of East Brewster Road, west of the Tchefuncte River from MD-1 (Medical Residential District), A-3 (Suburban District) and A-4 (Single Family Residential) to MD-1 (Medical Residential District), A-3 (Suburban District) and A-4 (Single Family Residential) and PUD (Planned Unit Development Overlay). (Ward 1, District 1) (ZC12-08-080) (Tabled 9/10/12)

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 - this is 150.9 acres located south of Sterling River Chase Subdivision. There was a motion at the Zoning Commission meeting to table this matter which did not receive a second. Then the vote for approval passed, but it only received 4 yea votes and 6 yea votes are needed to take action. They are not asking for a PUD. All of the properties surrounding this property have more intense zoning. His client's proposal is in line with what is in the area. They are asking for 214 lots where the zoning would allow 232 lots. They are preserving 55 acres (36%) as green space and all utilities will go offsite. There will be raised walkways, piers, slips and a walking path through the green space. The problem has been with the boundary with Tchefuncte Estates which has 6 properties which front toward this property. There is a required green space there due to a CLECO right-of-way. There will be 190 feet buffer from residential to residential, and his client is proposing an additional 25 foot buffer with plantings of Acadian holly.

Wilke - Association of Associations. Passed out a hand-out. The main issue they want to address is the canals being dredged and how it will cut into available building space. The green space they are proposing is all wetlands which are not buildable, and the hiking path is along the power lines. The boat slips will not be easily accessible. The design of this project is poor and was rushed. It is a PUD, and if they make changes, they would have to go back to the Zoning Commission. The Association would prefer for it to go back to the Zoning Commission now to give them time to review it and get a better plan.

Barbara Dodds - League of Women Voters. Passed out a hand-out. They objected to this in 2008 and still question the need for more river-front development. They urge the Parish to follow the rules of Coastal Management and not allow this project to dig canals to create water based uses and then cut a hole in the riverbank to access the water. There has not been a formal application to the State requesting permission to do that.

Mayronne - the Planning Staff likes the design and that it took advantage of available features of the property. Ms. Dodd and Mr. Wilke have been a part of this project all along, and his client respects their opposition, but they are ready to move forward. With regards to permits regarding the river, they will have to present any necessary permits to the Parish before they can proceed.

Wilke - he has seen the Parish approve things with the assumption the State or Federal authorities will deny it, but then those agencies approve it because the Parish did. Please deny this project.

Dodds - they are asking the Council to deny this project.

Falconer - because of the issues in District 4 due to Hurricane Isaac, he wants to clarify the storage capacity and effect of construction on the storage of storm surge.

Mayronne - as part of the project, his client will excavate 16 acres of highlands which will create 82 acre feet more of storage for storm surge.

Council Discussion ensued.

Dean - he met with the Tchefuncte Estates Board, and if you take away the concerns about the canal, the next major concern was these homes looking at the backs of other homes. The buffer seems to be sufficient and Tchefuncte is planning on building a fence.

Dean - moved to override the Zoning denial, second by Thompson. Motion passed with 12 yeas, 2 nays (Groby, O'Brien) and no one absent.

Dean - moved to introduce an ordinance, second by Thompson; becomes Ord. Cal. No. 4898.

Gould - 2. Elizabeth Cumbaa Glass appealing the Zoning Commission DENIAL on September 4, 2012 to rezone 49,503 square feet located on the southeast corner of US Highway 190 and South Oaklawn Drive from NC-1 (Professional Office District) to NC-2 (Indoor Retail and Service District). (Ward 7, District 7) (ZC12-09-086)

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.

Elizabeth Glass - she bought the 2 residential lots behind the commercial lot, so she could eventually live on the property. She would like to put a bakery on the commercial property, and she plans to fit it into the architecture of the surrounding areas.

Janice Ferrel - she represents her brother, who is handicapped, who lives on the property which abuts these 3 lots. They are concerned about the effect a commercial building would have on him.

Glass - she bought the lot as commercial property and feels she should be allowed to build on it. The location of the business would not impede her ability to get to her brother.

Groby - the property is NC-1, and she only wants to step-up one level. Only the property on the highway is being rezoned, the lots next to the gentleman will remain residential.

Groby - moved to override the Zoning denial, second by Sharp. Motion passes with 9 yeas, 1 nay (Artigue) and 4 absent (Dean, Thompson, Falconer, Binder).

Groby - moved to introduce an ordinance, second by Sharp; becomes Ord. Cal. No. 4899.

Gould - 3. Beverly McQuaid, on behalf of Parent Teacher Child Services, Inc., appealing the Zoning Commission DENIAL on September 4, 2012 to rezone 12,000 square feet located east of Sault Street, north of McNamara Street from A-4 (Single Family Education District) to ED-1 (Primary Education District). (Ward 4, District 7) (ZC12-09-088)

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.

Phillip Lynch- he is here representing the parents and teachers who are in favor of this daycare. Distributed letters of support from parents, a site plan and pictures of the facility. The request to rezone this property will not change the business. It has been there for 40 years and Ms. Faciane operated the business for 14 years under a conditional use permit. She closed the business in 2010, not realizing she would lose the permit. She wants to keep the business alive and in commerce.

Ms. Facione - she has a buyer who wants to keep the business open and who has 20 years of experience in child care. There are parents waiting for the daycare to open again. They just want to provide care for young children.

Lynch- this property has no value as a residential property.

Bellisario - what was the reason for the denial?

Sidney Fontenot - it was a conditional use permit from 1995. There was a problem with parking and the surrounding area is residential.

Lynch- more parking spaces have been added and there is a circular driveway available for child drop-off and pick up. Only the owner and 2 employees park there daily, and all of the parking is on concrete. It is his understanding the parking situation can be modified by the Board of Adjustments and is not part of the Zoning process. That part of Sault Street is the same as it was 40 years ago.

Tanner - he passes this daycare center numerous times and has never seen a problem here. He knows it can work. The people who have kids there don't park there, they just drop them off and leave.

Groby - moved to override the Zoning denial, second by Sharp. Motion passes with 9 yeas, 1 nay (Bellisario) and 4 absent (Dean, Thompson, Binder, Artigue).

Groby - moved to introduce an ordinance, second by Sharp; becomes Ord. Cal. No. 4900.

Gould - 4. Scott Jordon appealing the Zoning Commission DENIAL on September 4, 2012 to rezone 1.19 acres located east of LA Highway 41, north of Bill Stoltz Road, south of Jack Crawford Road from A-3 (Suburban District) to I-1 (Industrial District). (Ward 6, District 6) (ZC12-09-090)

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.

Kevin Jordon - there have been several different businesses in this building. First it was Northshore Marine Services, then Northshore Trailer Equipment, luxury counter top sales, a chemical company and finally an auto body and repair shop. During Comprehensive Rezoning the property was rezoned to residential. They originally asked for I-1, but were told they could do what they needed to with HC-1. They are asking this be tabled, so they can see if they can resolve the matter.

Tanner - moved to table, second by Thompson. Unanimous with 4 absent (Dean, Canulette, Binder, Artigue).

Gould - 5. Holly Biaselmon, Realtor, on behalf of Alice Keith, appealing the Zoning Commission DENIAL on September 4, 2012 to rezone 1.903 acres located south of LA Highway 22, west of Penn's Chapel Road, east of Fairview Oaks Boulevard from HC-1 (Highway Commercial District) to A-8 (Multiple Family Residential District). (Ward 4, District 4) (ZC12-09-091)

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.

Alice Keith - thanks the Council for hearing her appeal. She inherited this property from her Aunt and has been trying to sell it for 4 years. This is the first offer she has received, and it is contingent on rezoning the property. Her husband has cancer, and she needs to sell this property.

Hud Breaux - they brought a viable proposal to the Zoning Commission who denied the request, but they were not given feedback as to why. They demonstrated the fact a luxury apartment complex would be appropriate for the area. They are willing to reduce the density or discuss other changes.

They thought there would be significant demand for this type of project. Asks the Council to table this so he can work on a new proposal.

Bellisario - why A-8?

Breaux - it is up the road from the Chapel Creek Complex on Highway 22. He did not expect difficulty with approval. There will be a substantial buffer on the boundaries and this will not create new traffic issues.

Stefancik - did the staff recommend that they not change from commercial?

Fontenot - the staff saw no reason to change to A-8 because it would mean 55 units on 2 acres. A-6 would reduce the size by 1/3.

Falconer - moved to concur with the Zoning denial, second by Thompson. Unanimous with 3 absent (Dean, Canulette, Artigue).

Falconer - moved to adopt a resolution, second by Thompson. Unanimous with 3 absent (Dean, Canulette, Artigue); becomes Resolution C.S. No. C-3530.

Gould - need a motion to move up Ordinance Cal. No. 4884 as there are a lot of people here in opposition.

Binder- moved to move up Ord. Cal. No. 4884, second by Bellisario. Unanimous with 3 absent (Dean, Canulette, Artigue).

Gould - 22. Ord. Cal. 4884 - Ordinance amending the Official Parish Zoning Map to reclassify 111.402 acres located south of Dove Park Road, north of Sharp Road, east of Fairway Drive from A-1 (Suburban District) & CB-1 (Community Based Facilities District) to CB-1 (Community Based Facilities District), MD-1 (Medical Residential District) and PF-1 (Public Facilities District). (Ward 4, District 5). (ZC12-09-087) (Introduced 9/10/12)

Terri Lewis Stevens - she is an architect and lives on Dove Park Road. No one had any problem with the church, the funeral home or the cemetery. The traffic does worry her. The zoning for the property is the most restrictive and low density, now they are asking for CB-1. That zoning will create a really big church, and she is concerned about this spot zoning. The new zoning will allow a retirement home building which will take up to half of the property. It will also allow a 1700 member church and up to a 3 story building. She talked to 5 other retirement homes in the area and all of them have openings.

Jeff Schoen - he represents the Archdiocese of New Orleans and the Most Holy Trinity Parish. There are a lot of members of the church present. The Zoning Staff Report was clearly in favor of this change and no opposition appeared at the Zoning Commission meeting or filed an appeal. The commission gave its full approval. The rezoning process gives opportunity to file complaints and the church has been open to all complaints. He appreciates the fact Ms. Stevens has only lived in the area since October of last year. The Archdiocese has owned this property since 1907. There have been many projects which have come before the Council. This one proposes a model institutional facility which services the community and will develop a retirement community. Retirement communities draw quality people to the area who spend money but do not have cars and are quiet. Normally, you would see hundreds of homes on this property. The Archdiocese procured a traffic impact analysis before hand and updated it when the retirement community was proposed. There will be no significant traffic impact, and Dove Park will be connected to Judge Tanner Road. The Staff Report said yes, the Zoning Commission said yes, and until Ms. Stevens appeared, there was no opposition.

George Brown - his house faces Dove Park and he has lived there for 10 years. He is not opposed to the church, but he did not know anything about this project. His issue is with the closure of Westwood Drive and the speed bumps which limited the ability to go quickly for a medical emergency.

Kelly Permiski - she agrees with the need for the new church, but when she mentioned this new and improved site plan to 2 of its members, they did not know about it. No one on Westwood Drive knew. Why was it back-doored? The Zoning sign disappeared in Hurricane Isaac.

Schoen - it is interesting people say they have not seen the plans, but they have been addressing the church members here in support with venom. This project has been in process and has met all of the legal tests. The Archdiocese knew they needed a flagship church and decided to create a first class institution. There is up to 200 foot no-cut buffers in several areas of the property, and they feel it is compatible with the area.

Council Discussion ensued.

Binder - the church and the Archdiocese are good stewards. Assisted living is us one day. This project includes independent living and skilled nursing. Just like we have to have schools and doctors' offices, we need these kind of facilities.

Bellisario - the retirement home is a step-procedure and is well laid out. The people who would be staying here do not have cars.

Gould - Mr. Schoen - could this go Section 8?

Schoen - it is not designed to be that. It is a tens of millions dollar project which would be funded by bonds. Applications will be based on health. It will be all private pay with no subsidies, and a minimum annual income of \$50,000 would be required. People will be using life savings and proceeds from the sale of their homes to stay here.

Binder - moved to adopt, second by Canulette. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2846.

Gould - 6. Walter Pennington appealing the Mandatory Impact Fees for a Building Permit 2012-5693 in accordance with the Mandatory Impact Fee Ordinance.

NOTE: To concur with the Mandatory Impact Fees, a simple majority vote is required and adoption of a resolution.

NOTE: To override the Mandatory Impact Fees, a majority vote of the entire Council is required and adoption of a resolution.

Gould - As Mr. Pennington is not present, would someone make a motion to concur for me?

Thompson - moved to concur with the Mandatory Impact Fees, second by Sharp. Unanimous with 2 absent (Dean, Artigue).

Canulette - moved to adopt a Resolution, second by Stefancik. Unanimous with 2 absent (Dean, Artigue); becomes Resolution C.S. No. C-3531.

ORDINANCES FOR ADOPTION

Gould - 1. Ord. Cal. No. 4861 - Ordinance amending the official Parish Zoning Map to reclassify 1.8 acres located west of US Highway 11, north of Avenue D from A-3 (Suburban District) to HC-2 (Highway Commercial District). (Ward 8, District 9) (ZC12-08-066) (Zoning Commission Approved 8/7/12) (Introduced 9/10/12)

Bellisario - moved to adopt, second by Canulette. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2825.

Gould - 2. Ord. Cal. No. 4862 - Ordinance amending the official Parish Zoning Map to reclassify 12.8 acres located east of Booth Road, north of Joiner Road from A-1 (Suburban District) to A-1A (Suburban District). (Ward 2, District 3) (ZC12-08-068) (Zoning Commission Approved 8/7/12) (Introduced 9/10/12)

Thompson - moved to adopt, second by Sharp. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2826.

Gould - 3. Ord. Cal. No. 4863 - Ordinance amending the official Parish Zoning Map to reclassify 2.027 acres located south of US Highway 190, east of Neslo Road from A-2 (Suburban District) to HC-2 (Highway Commercial District). (Ward 9, District 14) (ZC12-08-071) (Zoning Commission Approved 8/7/12) (Introduced 9/10/12)

Smith - moved to adopt, second by Artigue. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2827.

Gould - 4. Ord. Cal. No. 4864 - Ordinance amending the official Parish Zoning Map to reclassify 28,800 square feet located at the southwest corner of Bravo Street & 4th Street, being Lots 1 & 2, Square 37, Alexiusville, from HC-3 (Highway Commercial District) & A-3 (Suburban District) to NC-2 (Indoor Retail and Service District). (Ward 3, District 5) (ZC12-08-072) (Zoning Commission Approved 8/7/12) (Introduced 9/10/12)

Bellisario - moved to adopt, second by Falconer. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2828.

Gould - 5. Ord. Cal. No. 4865 - Ordinance amending the official Parish Zoning Map to reclassify 1.966 acres located on the northeast corner of Robert Road & Brownsitch Road from NC-4 (Neighborhood Institutional District) to HC-1(Highway Commercial). (Ward 8, District 8) (ZC12-08-073) (Zoning Commission Approved 8/7/12) (Introduced 9/10/12)

Canulette - moved to adopt, second by Bellisario. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2829.

Gould - 6. Ord. Cal. No. 4866 - Ordinance amending the official Parish Zoning Map to reclassify 0.29 acre located west of Cass Avenue, north of Coast Blvd, being lots 42A & 43A, Square 6, Central Park, from A-4A (Single Family Residential District) to A-4A (Single Family Residential District) & MHO (Manufactured Housing Overlay). (Ward 8, District 12) (ZC12-08-074) (Zoning Commission Approved 8/7/12) (Introduced 9/10/12)

Binder - moved to adopt, second by Smith. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2830.

Gould - 7. Ord. Cal. No. 4867 - Ordinance amending the official Parish Zoning Map to reclassify 1.15 acres located at the northeast intersection of LA Highway 36 & LA Highway 21, being 19375 Hwy 36, Covington, from A-1A (Suburban District) to PF-1 (Public Facilities District). (Ward 3, District 2) (ZC12-08-078) (Zoning Commission Approved 8/7/12) (Introduced 9/10/12)

Sharp - moved to adopt, second by Thompson. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2831.

Gould - 8. Ord. Cal. No. 4868 - Ordinance amending the official Parish Zoning Map to reclassify 7.44 acres located south of Thompson Road, west of LA Highway 25, being 15086 Thompson Road, Folsom, from A-1 (Suburban District) to A-1A (Suburban District). (Ward 2, District 3) (ZC12-08-079) (Zoning Commission Approved 8/7/12) (Introduced 9/10/12)

Thompson - moved to adopt, second by Falconer. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2832.

Gould - 9. Ord. Cal. No. 4870 - Ordinance amending the official Parish Zoning Map to reclassify 2.14 acres located east of Commercial Drive, north of Browns Village Road, being 114 Commercial Drive, Slidell from I-1 (Industrial District) to NC-6 (Public, Cultural and Recreational District). (Ward 9, District 14) (ZC12-08-082) (Zoning Commission Approved 8/7/12) (Introduced 9/10/12)

Smith - moved to adopt, second by Canulette. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2833.

Gould - 10. Ord. Cal. No. 4871 - Ordinance amending the official Parish Zoning Map to reclassify 6,000 square feet located on the northeast corner of Rex Avenue & Davis Street, being lot 188, Three Rivers Heights from A-4 (Single Family Residential District) to A-4 (Single Family Residential District) & MHO (Manufactured Housing Overlay). (Ward 1, District 1) (ZC12-08-084) (Zoning Commission Approved 8/7/12) (Introduced 9/10/12)

Bellisario - moved to adopt, second by Stefancik. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2834.

Gould - 11. Ord. Cal. No. 4872 - Ordinance amending the official Parish Zoning Map to reclassify 14.6 acres located north of Emerald Forest Blvd, east of Falconer Drive to a PUD (Planned Unit Development Overlay). (Ward 3, District 5) (ZC12-08-076) (Zoning Commission Approved 8/7/12) (Introduced 9/10/12)

Bellisario - moved to adopt, second by Canulette. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2835.

Gould - 12. Ord. Cal. No. 4873 - Ordinance amending the official Parish Zoning Map to reclassify 14.6 acres located north of Emerald Forest Blvd, east of Falconer Drive from NC-4 (Neighborhood Institutional District) & NC-1 (Professional Office District) to A-4A (Single-Family Residential District). (Ward 3, District 5) (ZC12-08-077) (Zoning Commission Approved 8/7/12) (Introduced 9/10/12)

Bellisario - moved to adopt, second by Stefancik. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2836.

Gould - 13. Ord. Cal. No. 4874 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for construction or placement of building structures on property within certain portions of Highland Park Subdivision. (District 12) (Introduced 9/10/12)

Binder - moved to adopt, second by Smith. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2837.

Gould - 14. Ord. Cal. No. 4875 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of building permits for construction or placement of building structures on property within portions of Beverly Hills and Kingspoint Subdivisions. (Ward 8, District 14) (Introduced 9/10/12)

Smith - moved to adopt, second by Artigue. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2838.

Gould - 15. Ord. Cal. No. 4876 - Ordinance to correct the Road and Drainage Inventory to include Lake Catherine Drive Lateral, and an extension of Shady Lane Road; also to delete a portion of St. Amand Street, a portion of Turquoise Street, and a portion of Airport Road Lateral. (Wards 1, 3, 4, 7 & 10, Districts 2, 3, 4, 6 & 11) (Introduced 9/10/12)

Thompson - moved to adopt, second by Falconer. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2839.

Gould - 16. Ord. Cal. No. 4877 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Stirling Boulevard Extension Subdivision. (Ward 1, District 1) (Introduced 9/10/12)

Thompson - moved to adopt, second by Canulette. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2840.

Gould - 17. Ord. Cal. No. 4878 - Ordinance to authorize the Parish President to Grant a Utility Servitude to Parkway Pipeline, LLC in and through the Bayou Castine and Bayou Cane Drainage Management Area. (Ward 4, District 7) (Introduced 9/10/12)

Groby - moved to adopt, second by Tanner. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2841.

Gould - 18. Ord. Cal. No. 4879 - Ordinance to amend the 2012 Operating Budget - Amendment No. 8. (Introduced 9/10/12)

Bellisario - moved to adopt, second by Falconer. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2842.

Gould - 19. Ord. Cal. No. 4880 - Ordinance to amend Chapter 9 of the Parish Code of Ordinances, Article XIII Section 9-071.00 Garbage District No. 1, Boundaries, and Section 9-072.01, Service Area, to amend the recently expanded boundaries to include additional areas. (Introduced 9/10/12)

Bellisario - moved to adopt, second by Stefancik. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2843.

Gould - 20. Ord. Cal. No. 4882 - Ordinance to impose a six (6) month moratorium on the issuance of administrative permits for agricultural uses within the boundaries of St. Tammany Parish Council District No. 4. (Introduced 9/10/12)

Falconer - moved to adopt, second by Thompson. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2844.

Gould - 21. Ord. Cal. No. 4883 - Ordinance amending the Official Parish Zoning Map to reclassify 0.907 acre located south of LA Highway 1088, east of Forest Brook Blvd from A-2 (Suburban District) to NC-2 (Indoor Retail and Service District). (Ward 4, District 7). (ZC12-08-069) (Introduced 9/10/12)

Groby - moved to adopt, second by Tanner. Unanimous with 1 absent (Dean); becomes Ordinance C.S. No. 12-2845.

NOMINATIONS

Gould - 1. Nominate two (2) individuals to appoint to the Board of Commissioners of St. Tammany Recreation District No. 16. (Districts 8, 9, 11, 12, 13, 14) (Smith) (Postponed 8/2/12, 9/10/12)

Smith - there are enough members on this board now to form a quorum. The board will be discussing potential new members.

Smith - moved to table, second by Bellisario. Unanimous with 1 absent (Dean).

Gould - 2. Nominate four (4) individuals to appoint to the Board of Commissioners of St. Tammany Recreation District No. 10. (Districts 1, 2, 3, 4, 5) (Gould)

Thompson - moved to table, second by Sharp. Unanimous with 1 absent (Dean).

Gould - 3. Nominate one (1) individual to appoint to Parish Planning and Zoning Commission. (Parishwide) (Smith)

Binder - moved to open the nominations, second by O'Brien. Unanimous with 1 absent (Dean).

Smith - nominate Ronald Randolph.

Groby - nominate Kort Hutchinson.

Canulette - moved to close the nominations, second by Smith. Unanimous with 1 absent (Dean).

Gould - the vote will layover until the next meeting.

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

ITEMS OFF-THE-FLOOR

Gould - 2. Resolution establishing load limits on bridges within the Off-System Bridge Replacement Program for St. Tammany Parish, as indicated on the attached "Exhibit A"; further directing the Department of Engineering to record same within the records of the Clerk of Court. (Gould)

Canulette - moved to adopt, second by Binder. Unanimous with 1 absent (Dean); becomes Resolution C.S. No. C-3532.

Gould - 3. Resolution certifying that St. Tammany Parish shall comply with all requirements of the State of Louisiana Off-System Bridge Replacement Program. (Gould)

Falconer - moved to adopt, second by Thompson. Unanimous with 1 absent (Dean); becomes Resolution C.S. No. C-3533.

Gould - 4. Resolution naming Laporte, APAC as the audit firm for the fiscal year 2012. (Bellisario)

Bellisario - moved to adopt, second by Stefancik. Unanimous with 1 absent (Dean); becomes Resolution C.S. No. C-3534.

Gould - 5. Resolution approving the holding of an election in Drainage District No. 4 of the Parish of St. Tammany, State of Louisiana, on Saturday, December 8, 2012 to authorize the levy of an additional maintenance and operation tax therein. (Smith)

Smith - moved to adopt, second by Stefancik. Unanimous with 1 absent (Dean); becomes Resolution C.S. No. C-3535.

Gould - 6. Motion to refer to the Zoning Commission for recommendation the proposed rezoning of 0.5 acre bearing physical address 38196 D.G. Holley Road, Pearl River, from HC-2 (Highway Commercial District) to A-4 (Single Family Residential). (Ward 8, District 11) (Stefancik)

Stefancik - moved to refer, second by Smith. Unanimous with 1 absent (Dean).

Gould - 7. Motion to refer to the Zoning Commission for recommendation the proposed rezoning of 1.057 acres bearing physical address 58291 Hwy 433, Slidell, from NC-2 (Indoor Retail and Service District) to HC-2 (Highway Commercial District). (Ward 9, District 11) (Stefancik) (Ward 9, District 11) (Stefancik)

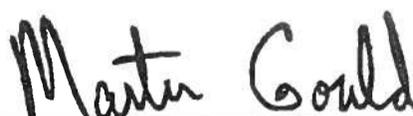
Stefancik - moved to refer, second by Canulette. Unanimous with 1 absent (Dean).

VERBAL ITEMS OFF-THE-FLOOR

Smith - moved to consider a Resolution supporting the call of a special session of the Louisiana Legislature for the purpose of reviewing budget cuts made by the Jindal Administration affecting healthcare in the State, including the closure of Southeast Louisiana Hospital in Mandeville, second by Bellisario. Unanimous with 1 absent (Dean).

Smith - moved to adopt, second by Stefancik. Unanimous with 1 absent (Dean); becomes Resolution C.S. No. C-3537.

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



MARTIN W. GOULD, JR., COUNCIL CHAIRMAN



THERESA L. FORD, COUNCIL CLERK