

MINUTES OF ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, JANUARY 4, 2018 AT 6:00 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable S. Michele Blanchard, Chairman

Invocation by Pastor Norman Joseph Farve of the Tabernacle Missionary Baptist Church

Pledge of Allegiance by Belle Airey and Jackson Airey

Roll Call: Marty Dean
David Fitzgerald
James A. (Red) Thompson
Rykert O. Toledano, Jr.
Richard E. Tanner
Michael R. Lorino, Jr.
S. Michele Blanchard
Jacob (Jake) Groby
Chris Canulette
E. L. Gene Bellisario
Maureen "MO" O'Brien
Steve Stefancik
Jerry Binder
Thomas (T.J.) Smith, Jr.

PRESENTATIONS

Blanchard - 1. Presentation of Proclamation to St. Tammany Parish Government Employee of the Month. (Brister)

Brister presented to Chase Hoselle and Alvin Kirst, both Application Analysts with IT Department.

Blanchard - 2. Presentation of proclamation to COAST declaring 2018 the "Year of the Senior". (Brister)

Brister - presented to Julie Agan, Executive Director.

Blanchard - 3. Proclamation of the Annual 4-H/FFA Livestock Day as "Dennis Sharp's 4-H/FFA Livestock Day". (Fitzgerald)

Fitzgerald, Brister, Thompson, Dean, and Lorino - declared it as Saturday, January 27th.

Blanchard, Tanner, Thompson, Dean, Lorino - presented Past Chairman gavel and plaque to Steve Stefancik.

APPOINTMENTS

Blanchard - 1. Resolution to appoint 5 members to the Board of Commissions for Drainage District No. 2. (All previous members resigned) (Blanchard) (Postponed 11/2/17 and 12/7/17)

Lorino - moved to postpone, second by Groby. Unanimous with one absent (Canulette).

Blanchard - 2. Resolution to appoint James W. Holden, Jr. to replace Dr. Susan Strain (resigned) on the Board of Commissions for St. Tammany Parish Fire Protection District No. 12. (Thompson/Fitzgerald)

Thompson - moved to appoint, second by Fitzgerald. Unanimous with one absent (Canulette); becomes Resolution C.S. No. C-4936.

Blanchard - 3. Resolution to appoint Beth Turkin to replace Joe Juhas (resigned) on the Board of Commissions for St. Tammany Parish Recreation District No. 4. (Groby)

Groby - moved to remove, second by Tanner. Unanimous with one absent (Canulette).

Blanchard - 4. Resolution to appoint Jim Fatic to replace Bernard Robertson (resigned) on the Board of Commissions as the representative of low income individuals on the Community Action Agency Advisory Board. (Blanchard)

Smith - moved to appoint, second by Bellisario. Unanimous with one absent (Canulette); becomes Resolution C.S. No. C-4937.

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

Ord Cal No. 5927
Resolution C-4933

Resolution C-4931
Resolution C-4934

Resolution C-4932

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 7, 2017

Council Committee Meeting None

ORDINANCES FOR INTRODUCTION (Public Hearing: February 1, 2018)

1. Ord. Cal. No. 5920 - Ordinance to extend for six (6) months the moratorium on the issuance of permits for construction or placement of any building structures on property within a defined area north of North Street, south of Harrison Avenue, west of Ravine Street, and east of Eike Street and Fuschia Street within Unincorporated Boundaries of Ward 3, District 5. (Toledano)

2. Ord. Cal. No. 5921 - Ordinance to amend the Parish Code of Ordinances, Chapter 24 - Motor Vehicles and Traffic, Article III - Operation on Private Roads and Subdivisions, Sec. 24-68 - Violations. (Stefancik)

3. Ord. Cal. No. 5922 - Ordinance to amend Ordinance Council Series Numbers 00-0174, 05-1049, 05-1199, 08-1853, 09-2012, 14-3167, 14-3229, 15-3262, 15-3425 and 16-3454 to provide for amendments to the Personnel Policies pertaining to certain benefits and compensation. (Blanchard/Brister)

4. Ord. Cal. No. 5923 - Ordinance to amend the Parish Code of Ordinances, Chapter 28 - Offenses and Miscellaneous Provisions, Article III- Waterways, Division 2 Watercraft Speed Limits, Section 28-121(a)(1) Operation; Special Speed Limits; Definitions, Unlawful Operation, Tchefuncte River Area to Establish a "Dead Slow, No Wake" Zone on a portion of the Tchefuncte River. (Ward 1, District 4) (Lorino)

5. Ord. Cal. No. 5924 - Ordinance to authorize the Parish of St. Tammany, to officially change the name of Holly Street between Eden Street and Gardenia Street in the Abita Nursery Subdivision to Eden Street Extension further for the Parish to incorporate Eden Street Extension into the Parish Road and Maintenance System and to reflect same on all maps. (Ward 3, District 2) (Fitzmorris)

6. Ord. Cal. No. 5925 - Ordinance to rescind Ordinance Council Series No. 17-3808, adopted November 2, 2017, establishing a No Parking Zone on portions of Fifth Avenue. (3-1-10) (3-1-10) (Ward 3, District 5) (Toledano)

7. Ord. Cal. No. 5926 - Ordinance amending the Official Parish Zoning Map to reclassify 14,609.72 square feet located south of Sycamore Drive, east of 24th Street from A-3 (Suburban District) to A-3 (Suburban District) and MHO (Manufactured Housing Overlay). (Ward 7, District 7) (2017-786-ZC) (ZC approved 12/5/17) (Blanchard/Brister)

9. Ord. Cal. No. 5928 - Ordinance amending the Official Parish Zoning Map to reclassify 1.196 acres located south of Highway 190, north of Susan Street, west of Marc Drive, being 30152 Highway 190, Lacombe from NC-4 (Neighborhood Institutional District) to I-1 (Industrial District). (Ward 7, District 7) (2017-829-ZC) (ZC approved 12/5/17) (Blanchard/Brister)

10. Ord. Cal. No. 5929 - Ordinance amending the Official Parish Zoning Map to reclassify 2.11 acres located east of Section Road, north of Nelson Road from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 6) (2017-831-ZC) (ZC approved 12/5/17) (Blanchard/Brister) (Ward 2, District 6) (2017-831-ZC) (ZC approved 12/5/17) (Blanchard/Brister)

11. Ord. Cal. No. 5930 - Ordinance amending the Official Parish Zoning Map to reclassify 6250 square feet located west of Nellie Drive, north of Shortcut Highway, south of Alice Avenue from HC-2 (Highway Commercial District) to A-4A (Single-Family Residential District). (Ward 8, District 12) (2017-832-ZC) (ZC approved 12/5/17) (Blanchard/Brister) (Introduced 1/4/18)

12. Ord. Cal. No. 5931 - Ordinance to authorize Parish Government, through the Office of the Parish President, to acquire certain parcel(s), right(s) of way and/or servitude(s) for the Lower W-15 Area Drainage Project. (Ward 8, Districts 9 and 13) (Blanchard/Brister)

13. Ord. Cal. No. 5932 - Ordinance to declare tax adjudicated property as surplus property and to authorize the Parish to proceed with the process for the advertising and sale of such adjudicated property. (Blanchard/Brister)

14. Ord. Cal. No. 5933 - Ordinance to declare immovable property as surplus and to acknowledge the authority pursuant to Home Rule Charter, Sections 1-04, 1-06, 3-01 and 3-09, and the Louisiana Local Services Law, for the Parish, through the Office of the Parish President, to execute an Intergovernmental Agreement with The City of Slidell for the transfer and disposition of said property. (Ward 9, Districts 12 and 14) (Blanchard/Brister)

Resolutions

1. Resolution C.S. No. C-4929 - Resolution to approve agreement with Louisiana Housing Corporation to provide utility assistance through the Low Income Home Energy Assistance Program for fiscal year 2018 with the Director of Health and Human Services (Allyson Villars) and CAA Office Manager (Tanja Hill) to Authorize weekly reports for reimbursement. (Blanchard/Brister)

2. Resolution C.S. No. C-4930 - Resolution to establish Performance and Warranty Obligations. (Blanchard/Brister)

7. Resolution C.S. No. C-4935 - Resolution to vacate in part, the 6 Month Moratorium on property located within a portion of the Bayou De Zaire Basin and a portion of the Flowers Bayou Basin South of I-12, being the Storm Sewer System that flows into the Flowers Bayou Basin. (Ward 1, District 1) (Toledano)

END OF CONSENT CALENDAR

Bellisario- moved to adopt the consent calendar less items pulled, seconded by Tanner. Unanimous with one absent (Canulette).

Blanchard - 8. Ord. Cal. No. 5927 - Ordinance to amend the 2018 Operating Budget -Amendment No. 1. (Blanchard/Brister)

Leslie Long - This is to transfer \$80,000 to the Camp Salmen/Tammany Trace Capital Improvement Budget.

Tanner - moved to introduce, second by Lorino.

Blanchard - 3. Resolution C.S. No. C-4931 - Resolution to amend Ordinance C.S. No. 17-3673 the 2017 Grant Budget. (Blanchard/Brister)

Long - this is to accept new grant awards.

Tanner - moved to adopt, second by Lorino. Unanimous with one absent (Canulette).

Blanchard - 4. Resolution C.S. No. C-4932 - Resolution to amend Ordinance C.S. No. 17-3823 to make changes to the 2018 Capital Improvement Budget and Capital Assets. (Blanchard/Brister)

Long - this is to add new projects to the budget.

Tanner - moved to adopt, second by Lorino. Unanimous with one absent (Canulette).

Blanchard - 5. Resolution C.S. No. C-4933 - Resolution to Concur/not Concur with the Slidell Annexation and rezoning of 3.84 acres located on Highway 190 (Gause Blvd West) in Sections 37 and 38, Township 8 South, Range 14 East from Parish HC-2 (Highway Commercial District) to Slidell C-4 (Highway Commercial District). (Ward 9, District 11) (Blanchard/Brister)

Smith - moved to concur, second by Binder. Unanimous with one absent (Canulette).

Blanchard - 6. Resolution C.S. No. C-4934 - Resolution to Concur/not Concur with the Mandeville annexation and rezoning of 1.549 acres, being Lot 5-A-1, Forest Park Subdivision, from Parish HC-2 (Highway Commercial) and NC-2 (Indoor Retail Service District) to Mandeville B-2 (Highway Commercial District). (Ward 4, District 10) (Blanchard/Brister)

O'Brien - moved to concur, second by Bellisario. Unanimous with one absent (Canulette).

APPEALS

Blanchard - 1. Henry Gaffney appealing the Planning Commission APPROVAL of the preliminary subdivision plans for Versailles Business Park, Phase 2 located in the northwest quadrant of I-12 and Highway 190, east of Avenue De Bellevue, south of Covington. (Petitioner Mark Saucier on behalf of Versailles Business Park, Phase 2) (Ward 3, District 5) (2017-825-PP)

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 adoption of a resolution.

Henry Gaffney - he is not against the Business Park. His house was excluded from being separated from the Commercial Property, and he was told that this Park would be far away from his house. Looking at the whole commercially zoned area, the street in front of his house is going to have the sign for the business Park. He feels like the developer made a side deal to allow this to happen. The Council needs to look at the whole complex as to how it is going to look as it evolves.

Paul Mayronne - Jones Fusell - none of Mr. Gaffney's concerns relate in any way to this issue. This is the creation of a lot at the far when which is bordered by I-12. The PUD has been in place, and this approval was tabled for five to six months until all parties could reach an agreement. This lot needs to be created to conform with the PUD plan.

Gaffney - it does not make any difference what was approved in the past. If a mistake was made, the Parish needs to go back and fix it.

Mayronne - they do not believe any mistakes were made, and it would not be appropriate to reopen the Zoning case for the simplest of planning issues.

Toledano - he met continuously with the Homeowners' group and the developer. The developer made many concessions, and because of the art of negotiation, they turned over a piece of property to the Homeowners to put green space behind the pool. He feels that this PUD plan will bring a beautiful PUD which will complement this area.

Toledano - moved to concur with the Planning Approval, second by Lorino. Unanimous with one absent (Canulette).

Toledano - moved to adopt a resolution, second by Thompson. Unanimous with one absent (Canulette); becomes Resolution C.S. No. C- 4938.

Blanchard - 2. Denise Hurstell appealing the Zoning Commission DENIAL on December 5, 2017 to rezone 3.1 acres located on the northeast corner of Dove Park Road and Buras Ranch Road from A-1A (Suburban District) to A-2 (Suburban District).(Ward 4, District 5) (2017-827-ZC)

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.

Denise - Hurstell - she passed around a map which indicated all areas which are zoned A-2 or less. The orange was the only A-1 area. There are 14 parcels in that area that do not meet the A-1A requirements. She is only asking that her property be made to be consistent with the area. Mr. Toledano stated that the neighbors are concerned about the size of the lots. There are 8 lots, counting hers, which are being held to a higher standard than the surrounding areas.

Johnny Vitrano - this rezoning will increase the density and increase the drainage issues within Little Creek. He would like to keep this area the sanctuary it is.

Sean Wells - when you look at the aesthetics of the Dove Park Frontage Road, it gives the area a country in the middle of the city feel. He feels that if this lot is subdivided to allow 3 houses on one lot, it is just going to take away the scenic feel of the area. There has been a for sale sign on the property since the owners bought it. Also, they have stated they plan to build more homes on the lot.

Hurtsell - the property does drain to the rear, but it all drains to a valley area where the CLECO right-of-way is. She doesn't think 3 houses will increase drainage issues. Mr. Wells' property does not meet A-1A requirements. She and her husband are downsizing and planning to build a home where they can park their motor home. They never were able to sell as is for a fair market value. They have had a house in Brookstone since 1993. They do not want to change the aesthetics. They would like to be on equal footing as the properties in the area. At this point, it is not their intent to place 3 homes there.

Wells - yes, he is at A-1A, but it is not big enough for A-2. He was referencing property behind Ms. Hurtsell. It is a 7 acre lot that was not rezoned because of drainage concerns. He does not believe it is necessary to rezone to A-2. She has plenty of room to build.

Toledano - he has walked the area and reviewed the drainage issues. Ms. Hurtsell makes some good points, but he disagrees with her because the vast majority of the area exceeds 1 to 3 acres. The character of this area is not conducive to one acre lots. He is concerned about increasing the density, which could cause more issues.

Council Discussion ensued.

Toledano - moved to concur with the Zoning denial, second by Lorino. Unanimous with one absent (Canulette).

Toledano - moved to adopt a resolution, second by Thompson. Unanimous with one absent (Canulette); becomes Resolution C.S. No. C-4939.

3. Darcee Michele Cacibauda appealing the Zoning Commission APPROVAL on December 5, 2017 to rezone 2.99 acres located at the end of J Lane, west of Highway 40 from A-1 (Suburban District), RO (Rural Overlay) and MHO (Manufactured Housing Overlay) to A-2 (Suburban District), RO (Rural Overlay) and MHO (Manufactured Housing Overlay). (Ward 2, District 6) (2017-805-ZC) (Applicants and Owners: Colin and Eva Shonti Vial)

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.

Tanner - moved to postpone, second by Thompson. Unanimous with one absent (Canulette).

ORDINANCES FOR ADOPTION

Blanchard - 1. Ord. Cal. No. 5867AA - Ordinance to amend the Parish Code of Ordinances, Chapter 20, Roads and Bridges, Article I, in General, by creating a new Section, Procedures and specifications relative to Parish Road Overlay Projects. (Introduced 9/7/17) (Postponed 10/5/17, 11/2/17, and 12/7/17)

Stefancik - moved to postpone for two months, second by Lorino. Unanimous with one absent (Canulette).

Blanchard - 2. Ord. Cal. No. 5909 - Ordinance to extend for six-months the moratorium on the Re-subdivision and/or issuance of permits for construction or placement of building structures on property within a portion of Voting Precinct 914. (Ward 8, District 14) (Introduced 12/7/17)

Smith - moved to adopt, second by Binder. Unanimous with one absent (Canulette); becomes Ordinance C.S. No. 18-3838.

Blanchard - 3. Ord. Cal. No. 5910 - Ordinance to extend for an additional six (6) months the moratorium on the opening of new streets in Angelic Estates. (Ward 3, District 5) (Introduced 12/7/17)

Toledano - moved to adopt, second by Lorino. Unanimous with one absent (Canulette); becomes Ordinance C.S. No. 18-3839.

Blanchard - 4. Ord. Cal. No. 5911 - 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 Brewster Road North to Azalea Drive. (Ward 1, District 1) (Introduced 12/7/17)

Dean - moved to adopt, second by Thompson. Unanimous with one absent (Canulette); becomes Ordinance C.S. No. 18-3840.

Blanchard - 5. Ord. Cal. No. 5912 - Ordinance amending the Official Parish Zoning Map to reclassify 3.865 acres located east and west of Highway 450, south of East and West Ed Williams Road, north of South Road from A-1 (Suburban District) to A-1 (Suburban District - 1.665 Acres) and A-2 (Suburban District-2.20 Acres). (Ward 2, District 3) (2017-550-ZC) (ZC approved 11/7/17) (Introduced 12/7/17)

Thompson - moved to adopt, second by Dean. Unanimous with one absent (Canulette); becomes Ordinance C.S. No. 18-3841.

Blanchard - 6. Ord. Cal. No. 5913 - Ordinance amending the Official Parish Zoning Map to reclassify 21,025 square feet located on the Northeast Corner of Manzella Drive and Malbrough Drive, being Lots 5 & 6, Square 4, Robbert Park Subdivision, Annex No. 1 from A-4 (Single-family Residential District) to CB-1 (Community Based Facilities District). (Ward 8, District 13) (2017-790-ZC) (ZC approved 11/7/17) (Introduced 12/7/17)

Lorino - moved to adopt, second by Stefancik. Unanimous with one absent (Canulette); becomes Ordinance C.S. No. 18-3842.

Blanchard - 7. Ord. Cal. No. 5914 - Ordinance amending the Official Parish Zoning Map to reclassify 0.632 acre located north Highway 22, east of Kathmann Drive, being Lot 11-B, Square 5, Live Oak Hills Subdivision from A-3 (Suburban District) to HC-1 (Highway Commercial District). (Ward 1, District 1) (2017-789-ZC) (ZC approved 11/7/2017) (Introduced 12/7/17)

Dean - moved to adopt, second by Thompson. Unanimous with one absent (Canulette); becomes Ordinance C.S. No. 18-3843.

Blanchard - 8. Ord. Cal. No. 5915 - Ordinance amending the Official Parish Zoning Map to reclassify 26.054 acres located on the Southeast Corner of Holy Trinity Drive and Dove Park Road from MD-1 (Medical Residential District) to MD-2 (Medical Clinic District). (Ward 4, District 5) (2017-788-ZC) (ZC approved 11/7/17) (Introduced 12/7/17)

Toledano - moved to adopt, second by Lorino. Unanimous with one absent (Canulette); becomes Ordinance C.S. No. 18-3844.

Blanchard - 9. Ord. Cal. No. 5916 - Ordinance to declare certain movable property surplus and authorize transfer of same to Quad Area Community Action Agency, Inc. in accordance with Grant Requirements for Continuation of Weatherization Program. (Introduced 12/7/17)

Lorino - moved to adopt, second by Stefancik. Unanimous with one absent (Canulette); becomes Ordinance C.S. No. 18-3845.

Blanchard - 10. Ord. Cal. No. 5917 - Ordinance to authorize the Parish of St. Tammany, through the Office of the Parish President, to acquire a Conservation Servitude from Watercross Development, LLC. (Ward 3, District 1) (Introduced 12/7/17)

Dean - moved to adopt, second by Thompson. Unanimous with one absent (Canulette); becomes Ordinance C.S. No. 18-3846.

Blanchard - 11. Ord. Cal. No. 5918 - Ordinance to amend the 2017 Operating Budget-Amendment No. 13. (Introduced 12/7/17)

Tanner - moved to adopt, second by Toledano. Unanimous with one absent (Canulette); becomes Ordinance C.S. No. 18-3847.

Blanchard - 12. Ord. Cal. No. 5919 - Ordinance to authorize St. Tammany Parish Government, through the Office of the Parish President, to purchase or otherwise acquire burial space for indigent cremains. (Introduced 12/7/17)

Bellisario - moved to adopt, second by Smith. Unanimous with one absent (Canulette); becomes Ordinance C.S. No. 18-3848.

Lorino - moved to open the Off-the-Floor Agenda, second by O'Brien. Unanimous with one absent (Canulette).

ITEM OFF-THE-FLOOR

Blanchard - 1. Resolution to approve recommendations and authorize Parish Council Attorney to proceed with the settlement of a certain lawsuit. (Re: Estate of Crystal Ann Friedman, *et al.* v. Robert L. Torres, Sr., *et al.*, Case No. 2014-15228, Division "H," 22nd Judicial District Court for the Parish of St. Tammany, State of Louisiana) (Blanchard/Brister)

Bellisario - moved to adopt, second by Stefancik. Unanimous with one absent (Canulette); becomes Resolution C.S. C-4940.

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


S. MICHELE BLANCHARD, COUNCIL CHAIRMAN


THERESA L. FORD, COUNCIL CLERK