



MINUTES OF THE ST. TAMMANY PARISH COUNCIL MEETING  
THURSDAY, JULY 13, 2023 AT 6:00 PM  
ST. TAMMANY GOVERNMENT COMPLEX  
21490 KOOP DRIVE, MANDEVILLE, LA.

CALL TO ORDER BY THE HONORABLE JACOB "JAKE" A. AIREY

INVOCATION BY Mr. Randolph

PLEDGE OF ALLEGIANCE BY Mr. Toledano

ROLL CALL:

Marty Dean  
David Fitzgerald  
Martha Jenkins Cazaubon  
Michael R. Lorino, Jr. ABSENT  
Rykert O. Toledano, Jr.  
Cheryl Tanner  
James "Jimmie" Davis, III  
Christopher Canulette  
Michael "Mike" Maxwell Smith  
Maureen "MO" O'Brien  
Arthur Laughlin ABSENT  
Jerry Binder  
Jacob "Jake" Airey  
Ronald Randolph

**PUBLIC COMMENT: A three (3) minute time limit is established for each member of the public wishing to speak (for or against) an item on the Agenda, except Appeals.**

**To ensure that all speakers are heard please hold cheers and applause. Anyone who wishes to place a comment in the record but who does not wish to speak at the podium may fill out a speaker card and check the box indicating they do not wish to speak.**

\*\*Airey read the announcement of public meeting.

**ANNOUNCEMENT OF PUBLIC MEETING**

Notice is hereby given that at its meeting to be held on Thursday, August 3, 2023 at 6:00 p.m. at the Council Chambers of the Parish Government Complex, 21490 Koop Drive, Mandeville, Louisiana, the Parish Council of the Parish of St. Tammany, State of Louisiana, plans to consider adopting a resolution ordering and calling an election to be held within the Parish of St. Tammany, State of Louisiana, to authorize the renewal of an ad valorem tax therein.

-Dean – moved to move up the Discussion #1, seconded by Smith. Unanimous with 2 absent (Lorino, Laughlin)

- Airey - 1. Discussion regarding the expiration of the Public Health Tax expiration in December 2023. (Canulette)
- Canulette – made comments regarding the expiration of the Public Health Tax and the over \$4 million deficit. Said he has not heard anything from administration pertaining to this. Said he needs to know is the Parish President is going to support this millage or not.
- President Cooper – thanked Canulette for making assumptions. Said he will positively support the tax whether the Council puts it on in November or April. He said he is not anticipating funding going away. He said that the assumption is not true and Canulette could have asked him and he would have answered.
- Canulette - said he has asked and was told there would be a plan, but he has not seen a plan.
- Mary Burckell – spoke about the Public Health millage and what the Safe Haven Foundation is doing.
- Canulette – asked if the Council moves forward with putting the millage on the ballot, are they ready.
- Burckell – said she would say they would be ready by March.
- Canulette – asked why do they have to wait until it dies to do something about it. He said they should have been ready last year.
- Smith – made comments. He said they need a plan b. he said the plan needs to be out in front of the public now.
- Davis – asked Burckell to explain a funding source the Safe Haven Foundation had.
- Burckell – talked about the source.
- Davis – asked about another source.
- Burckell explained the potential to open a Behavioral Health Hospital.
- Airey – said it is odd that there is no plan. He said this is vitally important to the jail medical care.
- Canulette – asked if they need to do another RFP for the behavioral hospital since it is different from a crisis receiving center.
- Burckell – explained that the second time they did crisis services and a behavioral health hospital falls under that.

### **PRESENTATIONS**

- Airey - 1. Presentation of Proclamation to St. Tammany Parish Government Employee of the Month. (President Cooper)
- President Cooper – presented Team Tammany with the Employee of the Month proclamation and played a video.
- Airey - 2. Certificate of recognition to Mr. George Polk for his many years of service on St. Tammany Parish Recreation District No. 7 Board of Commissioners. (Tanner)
- Tanner, Smith, Davis – presented George Polk with the certificate of recognition.
- Airey - 3. Presentation by Scout Troop 310 regarding Flag etiquette. (O'Brien)
- O'Brien – moved to postpone 1 month, seconded by Smith. Unanimous with 2 absent (Lorino, Laughlin).



Planning and Development/Permits for the construction or placement of new multi-family building structures on property zoned A-6, A-7, or A-8 in Council District 12. (Binder)

### **DEVELOPMENT ORDINANCES**

3. Ord. Cal. No. 7300 - Ordinance to revoke an unopened portion of Dogwood Drive located west of Willow Drive between Lot 49, Square K and Lot 1, Square J of the Country Club Estates Extension Subdivision (as delineated on Map #152B) (Ward 4, District 4.) (REV 23-07-004) (Lorino/Cooper)
4. Ord. Cal. No. 7301 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the north side of Poole Drive, west of North Columbia Street, being 1303 Poole Drive and which property comprises a total of 1.31 acres of land more or less, from its present I-1 (Industrial District) to an I-2 (Industrial District) (Ward 3, District 3). (2023-3296-ZC) (Cazaubon/Cooper)
5. Ord. Cal. No. 7302 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the west side of Pearl Street, east side of Rebel Drive, north of Coral Avenue, being lots 5 & 6, Pearl Acres Subdivision, Slidell and which property comprises a total of 1.99 acres of land more or less, from its present NC-1 (Professional Office District) to an ED-1 (Primary Education District) (Ward 8, District 8). (2023-3311-ZC) (Canulette/Cooper)
6. Ord. Cal. No. 7303 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located east of LA Highway 437, south of Highway 1129, being 84516 Highway 437, Covington and which property comprises a total of 6,400 sq. ft. of land more or less, from its present A-1 (Suburban District) to an PF-1 (Public Facilities District) (Ward 2, District 6). (2023-3321-ZC) (Tanner/Cooper)
7. Ord. Cal. No. 7304 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the south side of Bobby Jones Boulevard, west of Hillcrest Blvd being Lot 23 of Hillcrest Country Club Estates and which property comprises a total of .49 acres of land more or less, from its present A-3 (Suburban District) to an A-3 (Suburban District) and MHO (Manufactured Housing Overlay) (Ward 6, District 6). (2023-3322-ZC) (Tanner/Cooper)
8. Ord. Cal. No. 7305 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the south side of on the south side of US Highway 190, east of S Mill Road, being 29388 and 29408 US Highway 190, Lacombe and which property comprises a total of 1.97 acres of land more or less, from its present A-3 (Suburban District) to an NC-2 (Indoor Retail and Service District) (Ward 7, District 7). (2023-3329-ZC) (Davis/Cooper)
9. Ord. Cal. No. 7306 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the east side of Hart Road, south of Jakes Road, Folsom and which property comprises a total of 6 acres of land more or less, from its present A-1 (Suburban District) to an A-2 (Suburban District) (Ward 2, District 3). (2023-3332-ZC) (Cazaubon/Cooper)
10. Ord. Cal. No. 7307 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the west side of LA Highway 25, being 83581 LA Highway 25, Folsom and which property comprises a total of 1 acres of land more or less, from its present A-1 (Suburban District) to an A-2 (Suburban District) (Ward 2, District 3). (2023-3334-ZC) (Cazaubon/Cooper)

### **PUBLIC WORKS ORDINANCES**

11. Ord. Cal. No. 7308 - Ordinance to correct the road and drainage inventory to include Hwy 59 lateral (DHL59W001) (Ward 10, District 6). (Tanner/Cooper)

12. Ord. Cal. No. 7309 - Ordinance accepting finalized subdivisions into the road and drainage inventories, specifically Abita Ridge Subdivision, Ph. 2A (Ward 3, District 2). (Fitzgerald/Cooper)

### **FINANCE ORDINANCES**

13. Ord. Cal. No. 7310 - Ordinance to amend the 2023 Operating Budget – Amendment No. 8. (Toledano/Cooper)
15. Ord. Cal. No. 7312 - Ordinance to amend the 2023 Operating Budget – Amendment No. 10. (Tanner/Cooper)
17. Ord. Cal. No. 7314 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 35 – Coastal Environmental Capital Projects. (Davis/Cooper)
18. Ord. Cal. No. 7315 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 36 – Parishwide Drainage Capital Projects. (Toledano/Cooper)
19. Ord. Cal. No. 7316 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 37 – Parishwide Roads & Drainage Capital Projects. (Cazaubon/Davis)
21. Ord. Cal. 7318 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 39 – Districts 1-14 Capital Projects. (Airey/Cooper)
23. Ord. Cal. No. 7320 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 41 – Economic Development Capital Projects. (Laughlin/Cooper)

### **ORDINANCES AMENDING THE CODE**

24. Ord. Cal. No. 7321 - Ordinance to implement a technical correction in the description of Parish Council District 12 in Section 2-41(12) of the St. Tammany Parish Code of Ordinances by referring to the recently realigned precinct designation number. (Airey)
25. Ord. Cal. No. 7322 - Ordinance to amend St. Tammany Parish Code of Ordinances, Part II – Land Development Code, Chapter 115 – Drainage and flood control, Article I – in general, Sec. 115-3 – use of fill materials prohibited, to remove an Area of Special Concern (70117 Eike St.-Abita Springs). (Toledano)
26. Ord. Cal. No. 7323 - Ordinance to amend St. Tammany Parish Code of Ordinances, Part II – Land Development Code, Chapter 115 – Drainage and Flood Control, Article I – in general, Sec. 115-3 – Use of fill materials prohibited, to remove an Area of Special Concern (Proposed Fire Station 46 on Hwy 1088). (Toledano)

### **OTHER ORDINANCES**

28. Ord. Cal. No. 7325 - Ordinance authorizing the Parish of St. Tammany, through the Office of the Parish President, to acquire certain parcels, rights-of-way and/or servitudes for the Crestwood Drive, 11th Street and North Street Drainage Project (Ward 3, Districts 5 & 2). (Toledano/Cooper)

## **RESOLUTIONS**

### **PRESIDENT NOMINATION RESOLUTION**

1. Reso. C.S. No. C-6784 - Resolution to acknowledge and confirm the nomination the St. Tammany Parish President will submit to the Governor of Louisiana for Appointment to the St. Tammany Levee, Drainage and Conservation District Board. (Airey/Cooper)

**ENGINEERING RESOLUTION**

2. Reso. C.S. No. C-6785 - Resolution to take action on performance and/or warranty obligations. (Airey/Cooper)

**CIVIL DIVISION RESOLUTIONS**

3. Reso. C.S. No. C-6786 - Resolution amending Resolution Council Series No. C-6707 acknowledging the authority, pursuant to Home Rule Charter Sections 1-04, 1-06, 3-01 and 3-09, for St. Tammany Parish Government, through the Office of the Parish President, to execute a grant application for funding of the Goodbee Wastewater Treatment Plant Expansion (Ward 1, District 3). (Cazaubon/Cooper)

**GRANTS RESOLUTIONS**

7. Reso. C.S. No. C-6790 - Resolution in opposition to the proposed Mississippi project known as "The One Lake Plan". (Smith)

**END OF CONSENT CALENDAR**

-Canulette – moved to adopt the Consent Calendar, less items pulled, seconded by Tanner. Unanimous with 2 absent (Lorino, Laughlin).

-Airey - 2. Ord. Cal. No. 7299 - Ordinance to extend a moratorium on receipt of submissions by the Parish Zoning Commission for rezoning of property which would result in an increase in the allowable density of a residentially-zoned parcel greater than A-4 (four [4] units per acre), a Planned Unit Development ("PUD") or a Traditional Neighborhood Development District ("TND") (Parishwide) (Davis/Cooper)

-Airey – spoke about how he wanted to address an article that spoke about the Council. He said this article shows that the Council took density seriously. He also spoke about a letter to the editor.

-Toledano – moved to introduce, seconded by Davis.

Airey - 14. Ord. Cal. No. 7311 - Ordinance to amend the 2023 Operating Budget – Amendment No. 9. (Laughlin/Cooper)

-Airey – said this needs to be amended to reflect an increase.

-Long – explained the substitute ordinance.

-Toledano – moved to substitute, seconded by Cazaubon. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. Cal. No. 7311AA.

-Davis – moved to introduce as amended, seconded by Cazaubon.

-Airey - 16. Ord. Cal. No. 7313 - Ordinance to amend the 2023 Grants Budget – Amendment No. 7. (Tanner/Cooper)

-Tanner – asked about the ordinance. She wanted to know what was the initial amount asked for.

-Jeanne Marino – explained the grant process for this item.

-Tanner – asked why not go for a bigger grant?

-Marino – said they're not eligible for some other grants because they are Parish Government.

-Tanner – asked who is going to keep it up.

-Marino – it will fall under Trace management, but the maintenance is minimal.

- Tanner – moved to introduce, seconded by Canulette.
- Airey - 20. Ord. Cal. No. 7317 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 38 – Grants Capital Projects. (Tanner/Cooper)
- Tanner – moved to introduce, seconded by Canulette.
- Airey - 22. Ord. Cal. No. 7319 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 40 – Animal Services. (Laughlin/Cooper)
- Airey – this goes along with Ord. Cal. No. 7311.
- Toledano – moved to substitute, seconded by Davis. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. Cal. No. 7319AA.
- Toledano – moved to introduce, seconded by Davis.
- Airey - 27. Ord. Cal. No. 7324 - Ordinance to amend St. Tammany Parish Code of Ordinances Sections 130-918, 130-945, 130-969 to remove the term apartments from the definition of Lodging as set forth in those ordinances. (Airey)
- Terri Lewis Stevens – wanted to talk about procedure. She said removing this from the HC categories would orphan the apartment definition. Said she searched for apartments in municode and saw it in the HC categories and TND. She said apartments were only in lodging. She said apartments were not showing in any residential zonings. She is urging the Council to go through the UDC process and not strike this tonight because they want these in commercial zonings.
- Davis - explained the reason why is ordinance is being introduces is to clearly define lodging.
- Airey – made comments.
- Davis – moved to introduce and refer to zoning, seconded by Fitzgerald.
- Airey - 29. Ord. Cal. No. 7326 - Ordinance establishing a "No Parking Zone" on a portion of Susan Lane. (R08K009) (Ward 8, District 12). (Binder)
- Binder – said there is a typo in the admin. comment. He said this is District 12, not 13. He also said the footage should be 113 ft. on Susan Ln.
- Binder – moved to amend, seconded by Canulette. Unanimous with 2 absent (Lorino,Laughlin); becomed Ord. Cal. No. 7326AA.
- Binder - said he is not amending, he is just doing housekeeping.
- Emily Couvillionn – gave clarification that she believes it should be amended because of the change in the footage.
- Binder – moved to introduce, seconded by Canulette.
- Airey - 4. Reso. C.S. No. C-6787 - Resolution authorizing the Parish President to execute an agreement with the Federal Aviation Administration (FAA) and the Louisiana Department of Transportation (LADOTD) for Runway Project at St. Tammany Regional Airport. (Airey/Cooper)
- Tanner – asked questions about this ordinance.
- Daniel Hill – answered.
- Tanner – spoke about being able to drive up and walk around and about cameras not working.

- Jim Ford - said they will be working on putting a gate up so that people know the airport is not open to the public.
- Tanner – asked about a plan for the airport.
- Hill and Ford – responded to this.
- Tanner – said she would like an update around every 6 months or so.
- Council discussion ensued.
- Tanner – moved to adopt, seconded by Davis. Unanimous with 3 absent (Lorino, Laughlin, Binder).
- Airey - 5. Reso. C.S. No. C-6788 - Resolution authorizing the Parish President to execute an agreement with the Federal Aviation Administration (FAA) and the Louisiana Department of Transportation (LADOTD) for Runway Project at St. Tammany Regional Airport. (Airey/Cooper)
- Davis – moved to adopt, seconded by Tanner. Unanimous with 3 absent (Lorino, Laughlin, Binder).
- Airey - 6. Reso. C.S. No. C-6789 – Resolution to the Parish President and Administration to submit to the Parish Council regular reporting on all matters pertaining to the Operations and Capital Improvement Budgets of Parish Government as specified herein. (Tanner)
- Tanner – said it is the Council’s responsibility to know what is going on.
- Airey - said it is important to have real time reporting.
- Tanner – moved to adopt, seconded by Canulette. Unanimous with 3 absent (Lorino, Laughlin, Binder).
- Airey - 8. Reso. C.S. No. C-6791 - Resolution to vacate, in part, the moratorium established by Ordinance C. S. No. 22-4979 on receipt of submissions by the Parish Planning and Zoning Commission for the re-subdivision or re-zoning of certain property and/or on the issuance of certain permits by the Parish Department of Planning and Development/Permits for the construction or placement of certain building structures on property in the area bounded by Eleventh Street, Harrison Avenue, Highway 59, Firetower Road, 5th Avenue, and Helenbirg Road, specifically property located at 70117 Eike St., Abita Springs (Ward 3, District 5). (Toledano)
- Airey – the address should be 70177 Eike St.
- Toledano – moved to amend and adopt, seconded by Davis. Unanimous with 3 absent (Lorino, Laughlin, Binder).



## APPEALS

**Each side is allowed ten (10) minutes to present their case and three (3) minutes for rebuttal, a two (2) minute conclusion per side may be allowed if questions are asked by the Council.**

-Airey - 3. Robert & Lisa Ciuffi appealing the Zoning Commission APPROVAL on May 02, 2023 to rezone 11,949 sq. ft. located on the west side of South Tranquility Road, south of US Highway 190, being lot 11, Dixie Pines Subdivision, being 60121 South Tranquility Road, Lacombe from A-2 (Suburban District) to A-2 (Suburban District) and MHO Manufactured Housing Overlay. (Ward 9, District 11) (2023-3279-ZC) Petitioner: William & Cara Pearson; Owner: William & Cara Pearson (Postponed 06/01/2023)

**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 Council is required and adoption of a resolution.

-Airey – explained that Laughlin went to the hospital and this would be postponed since he couldn't be there.

-Davis - moved to postpone for 1 month, seconded by Randolph. Unanimous with 3 absent (Lorino, Laughlin, Binder).

-Airey - 1. Sherrel Phillips appealing the Planning Commission denial on February 14, 2023 of the revocation of an unopened portion of Tammany Avenue, north of Landmark Lane, south of Walden Road, east of Hwy 437 (Ward 3, District 2). (Fitzgerald) (Postponed 04/06/2023) (Postponed 05/04/2023) (Postponed 06/01/2023)

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

**NOTE:** To override Planning DENIAL, a 2/3 majority vote of the Council is required and introduction of a resolution.

-Fitzgerald – explained that they need another opportunity to meet so they can work through things.

-Fitzgerald – moved to postpone for 1 month, seconded by Davis. Unanimous with 3 absent (Lorino, Laughlin, Binder).

-Airey - 2. Harold Burfict appealing the Zoning Commission DENIAL on May 02, 2023 to rezone 0.464 acres located on the north side of Shady Lane and east side of Carroll Road, Slidell from A-3 (Suburban District) to HC-2 (Highway Commercial District). (Ward 9, District 14) (2022-3189-ZC) Petitioner: Harold Burfict; Owner: Harold Burfict (Postponed 06/01/2023)

**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.

-Randolph – explained that he has not had an opportunity to meet with the constituent because he has had scheduling issues.

-Randolph – moved to postpone 1 month, seconded by Davis. Unanimous with 3 absent (Lorino, Laughlin, Binder).

-Airey - 4. Paul J. Mayronne appealing the Planning Commission DENIAL on May 09, 2023 for Final Subdivision Review of the Bedico Creek Subdivision, Phase 10-B, property located on the northwest side of LA Highway 1085, South of Interstate 12, Madisonville. (Ward 1, District 1) (2023-3317-FP) Developer/Owner: Bedico Creek Preserve, LLC; Engineer/Surveyor: Kelly McHugh & Associates, Inc.

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

**NOTE:** To override Planning DENIAL, a 2/3 vote of the full Council is required and adoption of a resolution.

#### APPELLANT

-Paul Mayronn – explained the case. He said it pertains to 7 lots in Bedico Creek. The staff report confirms there is no justification to deny this. He said the lots are larger in size and they have put measures in place to protect and preserve the trees. He also spoke about greenspace. He said th suggest that his client has attempted to remove greenspace is not correct. He said the plan is from 2004 and they have not increased the amount of lots. The issues that people have with the developer are not germane to Phase 10-B. He said they have complied with ordinances and he requests that the Final Subdivision Review be approved.

#### NOT IN FAVOR

-Gary Ogle – handed out a packet and spoke against the appeal. He spoke about flooding/drainage issues and also traffic issues. He said it is a nature preserve community. He explained the neighborhood's association and how the developer makes all of the decisions. He said they have come to the Council as the last resort.

-Carol Goodenough – is concerned about the trees. Asked does anybody know the law on cutting down Oak trees? Said know the law before they vote on this.

#### REBUTTAL

-Mayronne – said the issue is the final subdivision review on 7 lots, not the other things that were talked about. He said they followed all of the requirements and did all of the traffic studies. He said his client has expressed sincere desire in his plan to preserve the trees. He said they have followed the zoning approval, tentative approval, and the preliminary approval. He said their issues are outside of the final subdivision approval.

#### REBUTTAL

-Ogle – said he knows that 942 houses are being mentioned, but changes have been made. He said the builder has put clay/dirt and it causes drainage issues. He said maybe this is a chance to make some amendment to say back in 2004 they were wrong.

#### COUNCIL DISCUSSION

-Cazaubon – has questions for Jay Watson about how many houses flooded in the May 16<sup>th</sup> flood. She also made comments about drainage. She spoke about hwo the original plan was a golf course, but it failed. She asked Mayronne about the original plan.

-Mayronne explained about “Bubble 3”.

-Davis - asked Mayronne about the Planning vote and why it was 5 against and 3 for.

-Mayronne – said he couldn't tell him why, but believes it was in error.

-Davis – said he watched the meeting and the same people who made the motion and second voted to deny. He said maybe there was some confusion or maybe they just said they wanted to get this over with.

-Smith – asked Mayronne some questions.

-Mayronne – answered Smith's questions and made comments about the flood in 2020 that Cazaubon mentioned.

-Canulette – asked Liner about this phase and Liner answered.

- Davis – asked if they met the requirements for that phase.
- Liner – explained the process and said that this meets the requirements for when this first started in 2002.
- Hill - answered Davis’s questions about the Engineering approval.
- Dean – spoke about the subdivision and asked Mayronne questions.
- Dean – moved to override the Planning denial, seconded by Cazaubon. Unanimous with 2 absent (Lorino, Laughlin).
- Dean – moved to adopt a resolution, seconded by Cazaubon. Unanimous with 2 absent (Lorino, Laughlin); becomes Reso. C.S. No. C-6794.
- Airey - 5. Loretto O’Reilly appealing the Planning Commission APPROVAL on May 09, 2023 for Preliminary Approval of the Vieux Carre Subdivision located on the south and west sides of Bricker Road, east of LA Highway 1085, north of LA Highway 21, Louisiana. (Ward 1, District 1) (2023-3248-PP) Developer/Owner: All State Financial Company; Engineer/Surveyor: Kelly McHugh & Associates, Inc.

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

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

#### APPELLANT

- Loretto O’Reilly – said she has never opposed development, she has asked for an alternative development. She spoke about wetlands. She said this is a cookie cutter plan. She said she hopes they read the email from Mr. Olett.
- Hazel Piazza – spoke against the approval. She spoke about wetlands and a change in the PUD. She also spoke about the well that would allow drilling.

#### NOT IN FAVOR OF APPEAL

- Paul Mayronne – said this is not a Utilities Inc issue and spoke about drainage. They have preserved the flood plain and increased the flood plain storage. 98% of the flood plain is undisturbed. He said the well site would provide great benefit to the entire area. He also said there is nothing more for Planning to consider. He said the plans have been completely approved. The commissioners voted unanimously to approve it because there were no issues.

#### REBUTTAL

- Piazza – spoke about permits that he does not have. Said he has not answered what other buildings will be there. Said this is a commercial endeavor to go from greenspace to a regional well. She spoke again about flooding and issues with Bricker Rd.

#### REBUTTAL

- Mayronne – said they have all of their permits for Phase I and recognize that they will need permits for other phases when they get to it. Said the well will not be in Flood Zone A. He also said they share concerns about flooding on Bricker Rd. and have agreed to fix the issues, but it will be a long time before they connect to Bricker Rd. He also said they have agreed to put up \$250,000 in Performance Obligations and if any widening is needed, it would be done on their property.

#### COUNCIL DISCUSSION

- Dean – asked Mayronne questions about Bricker Rd., backflow, and the well.
- Bill McHugh – made comments in response to the question about the well.
- Dean – said he would like to shield the homeowners from machinery because he wouldn’t want to see that in front of his house.
- Mayronne – explained the site plan regarding no tower, all ground storage, and no buildings on site.

-Dean – said maybe they can meet about the well.

-Dean – moved to concur with the Planning approval, seconded by Davis. Unanimous with 2 absent (Lorino, Laughlin).

-Dean – moved to adopt a resolution, seconded by Cazaubon. Unanimous with 2 absent (Lorino, Laughlin); becomes Reso. C.S. No. C-6795.

-Airey - 6. Lindsey Flower appealing the Planning Commission APPROVAL WITH WAIVERS at the May 09, 2023 meeting for Minor Subdivision of 21.99 acres into Parcels 1, 2 & 3 on property located on the east side of Davidson Road, south of LA Highway 1077, Folsom. (Ward 2, District 3) (2023-3310-MSP) Owner & Representative: Frank J. & Sunny Francois; Surveyor: James J. Jones

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

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

#### APPELLANT

-Lindsey Flower – said she owns property directly across from the Francois property. Said she is also speaking on behalf of Mr. and Mrs. Courtney. She said the 2 lots don't come close to the minimum width standard. She asked what was the undue hardship for the Zoning wavier. She said maximizing profits is what is driving the property owners. She also spoke about UDC guidelines. She mentioned concerns about density. She said Davidson Rd. doesn't meet Loft Ln. width minimum. She said the hardship was self-imposed. She also said the Council would be setting a dangerous precedent that the zoning laws are expendable.

#### NOT IN FAVOR OF THE APPEAL/OWNER

-Sunny Francois – said one lot adjoins her farm, so any damage would be to herself. She does not want to maximize profits. She said she wants 3 large lots that are 5 acres, 5 acres, and 12 acres. She said the property has a 23 year old abandoned home on it and another abandoned home 1 lot down and it will adjoin to the 12 acres. She said she is trying to bring beauty to the area. She also said if she wanted to maximize profits, she would have asked for a minor subdivision of 5 lots.

#### REBUTTAL

-Flowers – said she doesn't see this as helping the neighborhood. She asked where is the new survey. She also said that 156 ft. is not close to the 300 ft required. She asked why is this acceptable and they're supposed to obey the zoning laws.

#### REBUTTAL

Francois – said she understands that requesting a wavier isn't different than thing that have been done in the past. She also said that her hardship is that the lots would be very strange.

#### COUNCIL DISCUSSION

-Davis – spoke about the lots and some variances that are allowed by Planning and Zoning. Said he doesn't have a problem with this.

-Cazaubon – commented on the road. She also spoke about Parish wavier vs. state laws. She said this would bring tremendous value to the area.

-Cazaubon – moved to concur with the Planning approval, seconded by Davis. Unanimous with 2 absent (Lorino, Laughlin).

-Cazaubon – moved to adopt a resolution, seconded by Davis. Unanimous with 2 absent (Lorino, Laughlin); becomes Reso. C.S. No. C-6796.

**ORDINANCES FOR ADOPTION****ORDINANCE REFERRED TO PLANNING**

- Airey - 1. Ord. Cal. No. 7239 - Ordinance to amend St. Tammany Parish Code of Ordinances Sec. 125-95, 130-5, and 130-1674 to prohibit the location of greenspace and/or open space required in major residential subdivisions, including planned unit developments, separated from the major development by a state or local roadway which is not a part of the permitted development. (2023-3339-ZC) (Smith) (Introduced 04/06/2023) (Heard at the 06/06/2023 Zoning meeting)
- Couvillion spoke about eh 1 change recommended by Zoning.
- Smith – said he does not want to accept the recommendation.
- Smith – moved to adopt, seconded by Canulette. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5174.

**PUBLIC WORKS ORDINANCES**

- Airey - 2. Ord. Cal. No. 7276 - Ordinance to correct the Road and Drainage Inventory to include Steele Road Lateral (D08NW01012) (Ward 8, District 9). (Smith) (Introduced 06/01/2023)
- Smith – moved to adopt, seconded by Binder. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5175.
- 3. Ord. Cal. No. 7277 - Ordinance to correct the Road and Drainage Inventory to include Belle Cherie Dr. Lateral (D08MW01031) (Ward 8, District 13). (Airey) (Introduced 06/01/2023)
- Binder – moved to adopt, seconded by O’Brien. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5176.

**DEVELOPMENT ORDINANCE**

- Airey - 4. Ord. Cal. No. 7278 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on north side of Haas Road, east of US Highway 11, Slidell and which property comprises a total of .87 acres of land more or less, from its present PF-1 (Public Facilities District) to an A-4 (Single-Family Residential District) (Ward 8, District 14). (2023-3225-ZC) (Randolph) (Introduced 06/01/2023)
- Randolph – moved to adopt, seconded by Davis. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5177.
- Airey - 5. Ord. Cal. No. 7279 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located the west side of Violet Street, south of Success Street, north of LA Highway 36, being lots 34 & 36, Square 13, West Abita Springs Subdivision, being 72361 Violet Street, Covington and which property comprises a total of 5,000 sq. ft. of land more or less, from its present A-4 (Single-Family Residential District) to an A-4 (Single-Family Residential District) and MHO (Manufactured Housing Overlay) (Ward 10, District 2). (2023-3288-ZC) (Fitzgerald) (Introduced 06/01/2023)
- Fitzgerald – moved to adopt, seconded by Cazaubon. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5178.
- Airey - 6. Ord. Cal. No. 7280 - Ordinance to officially name the 30-foot gravel road identified on the attached survey Leon Robert Lane (Ward 2 District 3). (Cazaubon) (Introduced 06/01/2023)
- Cazaubon – moved to adopt, seconded by Fitzgerald. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5179.

**ORDINANCE AMENDING THE CODE**

-Airey - 7. Ord. Cal. No. 7281 - Ordinance to amend St. Tammany Parish Code of Ordinances, Part II-Land Development Code, Chapter 130—Unified Development Code, Article VII – Minimum Standards for Specific Uses, Division 1 - (51)a. convenience store (with gas) to limit the number of fuel pumping units according to the square footage of the parcel. (2023-3299-ZC) (Dean/Cooper) (Introduced 06/01/2023)

-Dean – moved to adopt, seconded by Tanner. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5180.

**CIVIL DIVISION ORDINANCE**

-Airey - 8. Ord. Cal. No. 7282 - Ordinance to adopt a Second Amendment to a (Voluntary) Developmental Agreement between the Parish of St. Tammany and Wainer Brothers, the developer of the Nord Du Lac commercial property, located in Ward 1, District 1. (Dean/Cooper) (Introduced 06/01/2023)

-Dean – moved to adopt, seconded by Fitzgerald. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5181.

**FINANCE ORDINANCES**

-Airey - 9. Ord. Cal. No. 7283 - Ordinance establishing adjusted millage rates for the Year 2023. (Airey/Cooper) (Introduced 06/01/2023)

-Tanner – moved to adopt, seconded by Binder. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5182.

Airey - 10. Ord. Cal. No. 7284 - Ordinances establishing parcel fees for the Year 2023. (Airey/Cooper) (Introduced 06/01/2023)

-Binder – moved to adopt, seconded by Tanner. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5183.

Airey - 11. Ord. Cal. No. 7285 - Ordinance to amend the 2023 Grants Budget – Amendment No. 6. (Airey/Cooper) (Introduced 06/01/2023)

-Tanner – asked if this was CDBG funds and asked for a report on funds and what they're used for.

-Marino – answered and spoke about the funds and meetings they had.

-Tanner – asked are the funds used each year or run over.

-Marino – explained that there is no expiration, but there is a timeliness factor.

-Tanner – asked about aviation maintenance.

-Long – answered.

-Canulette – asked where meetings are noticed for HUD-type things.

-Marino – answered.

-Airey – asked was there a lot of citizen participation.

-Marino – said no one was there, but they did a survey and got a lot of response.

-Tanner – asked for a report on CDBG funds.

-Tanner – moved to adopt, seconded by Randolph. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5184.

Airey - 12. Ord. Cal. No. 7286 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 25 – Economic Development Capital Projects. (Tanner/Cooper) (Introduced 06/01/2023)

-Tanner – moved to adopt, seconded by Davis. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5185.

Airey - 13. Ord. Cal. No. 7287 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 26 – District 1 Capital Projects. (Dean/Cooper) (Introduced 06/01/2023)

-Dean – moved to adopt, seconded by Cazaubon. Unanimous with 3 absent (Lorino, Smith, Laughlin); becomes Ord. C.S. No. 23-5186.

Airey - 14. Ord. Cal. No. 7288 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 27 – District 4 Capital Projects. (Lorino/Cooper) (Introduced 06/01/2023)

-Toledano – moved to adopt, seconded by Randolph. Unanimous with 3 absent (Lorino, Smith, Laughlin); becomes Ord. C.S. No. 23-5187.

Airey - 15. Ord. Cal. No. 7289 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 28 – District 5 Capital Projects. (Toledano/Cooper) (Introduced 06/01/2023)

-Toledano – moved to adopt, seconded by Davis. Unanimous with 3 absent (Lorino, Smith, Laughlin); becomes Ord. C.S. No. 23-5188.

Airey - 16. Ord. Cal. No. 7290 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 29 – District 10 Capital Projects. (O'Brien/Cooper) (Introduced 06/01/2023)

-O'Brien – moved to adopt, seconded by Tanner. Unanimous with 3 absent (Lorino, Smith, Laughlin); becomes Ord. C.S. No. 23-5189.

Airey - 17. Ord. Cal. No. 7291 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 30 – District 12 Capital Projects. (Binder/Cooper) (Introduced 06/01/2023)

-Binder – moved to adopt, seconded by Randolph. Unanimous with 3 absent (Lorino, Smith, Laughlin); becomes Ord. C.S. No. 23-5190.

Airey - 18. Ord. Cal. No. 7292 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 31 – District 13 Capital Projects. (Airey/Cooper) (Introduced 06/01/2023)

-Binder – moved to adopt, seconded by O'Brien. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5191.

Airey - 19. Ord. Cal. No. 7293 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 32 – District 14 Capital Projects. (Randolph/Cooper) (Introduced 06/01/2023)

-Randolph – moved to adopt, seconded by O'Brien. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5192.

Airey - 20. Ord. Cal. No. 7294 - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 33 – Disaster Relief Capital Projects. (Lorino/Cooper) (Introduced 06/01/2023)

-Tanner – moved to adopt, seconded by Smith. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5193.

Airey - 21. Ord. Cal. No. 7295AA - Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets – Amendment No. 34 – Parishwide Roads and Drainage Capital Projects. (Cazaubon/Cooper) (Introduced 06/01/2023)

-Cazaubon – moved to adopt, seconded by Dean. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5194.

Airey - 22. Ord. Cal. No. 7296 - Ordinance to amend the 2023 Operating Budget to reduce the Tammany Utilities Operating Fund – 502 by \$350,000, budgeted in August 2022, for an operating consultant. (Laughlin) (Introduced 06/01/2023)

-Canulette – moved to adopt, seconded by Smith. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. C.S. No. 23-5195.

Airey - 23. Ord. Cal. No. 7297 - Ordinance to amend the 2023 Capital Budget to reduce Capital Fund 253-24XX – Deepwater Horizon by \$100,000.00, budgeted for EOC Building Renovations. (Airey) (Introduced 06/01/2023)

-Airey – met with President Cooper and the consultant. His primary concern was putting the cart before the horse because it is an old building in a bad location. He is okay with moving forward.

-Davis – moved to remove, seconded by Toledano. Motion passes with 11 yeas, 1 nay (Canulette), and 2 absent (Lorino, Laughlin).

#### **DISCUSSIONS AND OTHER MATTERS**

Airey - 2. Council discussion regarding Blight. (Canulette)

-Canulette – said he is looking for an update and when can some of the blight be torn down.

-Karlin Fitzmorris – passed out a packet and spoke about the first semi-annual report regarding everything going on with Code. She said Code has been brought back to full staff. She went over the items in the packet and thanked some people. She also let Council know that all cases are available in MPN and can be accessed by Council staff.

-Toledano – said this was a great job.

-Canulette – asked how much money would be needed to keep knocking it down.

-Fitzmorris – answered that if they keep funding Code, maybe they can keep it going. She also said they are going to do one of the succession properties that Sarabeth is doing to see how much it costs. Hopefully they can sell the lots and start a fund.

-Airey – commented on the succession properties and said he would like to figure out the process.



**NOTE: A unanimous vote of members present is needed to open the off-the-floor agenda.**

-Canulette – moved to open the Off-the-Floor Agenda, seconded by Tanner. Unanimous with 2 absent (Lorino, Laughlin).

### **JULY 13, 2023 ITEMS OFF-THE-FLOOR**

#### **ORDINANCE FOR INTRODUCTION**

-Airey - OTF #1. Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets - Amendment No. 45 Justice Center Capital Projects. (Lorino/Cooper)

-Long – explained the purpose of this ordinance.

-Dean – asked who is taking care of this now because Star Services had been taking care of it for years.

-Ford – answered this question.

-Dean – said he hopes they would keep their options open in the future to the company.

-Davis – asked how did they notice the cracks.

-Ford – replied.

-Canulette – asked if they did an assessment to figure out what cause them to break.

-Ford – said they are beyond life and there will be a budget amendment to replace them in the future.

-Toledano – moved to introduce, seconded by Tanner; becomes Ord. Cal. No. 7327.

Airey - OTF #2. Ordinance to amend St. Tammany Parish Code of Ordinances, Chapter 26 - Nuisances, Section 26-3 - Fires for yard debris, Paragraph (D) to include the area of Hillcrest Subdivision that is within the response area of Fire Protection District No. 8, prohibiting the burning of leaves and yard debris within those boundaries (Wards 6 & 10, District 6). (Tanner)

-Tanner – said Chief Stein was there and could speak on this item.

-Chief Stein - said they have answered 31 calls regarding fires since the first of last year. He said some have become major issues. He described some of the issues and some of it is people clearing land and burning the debris. He also said he is deeming this a life safety issue.

-Cazaubon – asked is this near Hillcrest.

-Tanner – said that Liner is aware and has sent Code Enforcement.

-Tanner – moved to introduce, seconded by Canulette; becomes Ord. Cal. No. 7238.

-Tanner - asked can this be adopted now.

-Couvillion – said they can adopt an emergency ordinance, but it is only good for 30 days.

-Tanner – moved to add to the off-the-floor agenda an emergency ordinance entitled “Ordinance to amend St. Tammany Parish Code of Ordinances, Chapter 26 - Nuisances, Section 26-3 - Fires for yard debris, Paragraph (D) to include the area of Hillcrest Subdivision that is

within the response area of Fire Protection District No. 8, prohibiting the burning of leaves and yard debris within those boundaries (Wards 6 & 10, District 6). (Tanner)", seconded by Canulette. Unanimous with no one absent.

-Tanner – moved to introduce and adopt, seconded by O'Brien. Unanimous with 2 absent (Lorino, Laughlin); becomes Ord. Cal. No. 7239 and Ord. C.S. No. 23-5196.

-Tanner – moved to add to the off-the-floor agenda a resolution entitled "Resolution to appoint Cassie Audibert to replace George Polk (resigned) on the Board of Commissioners for St. Tammany Parish Recreation District No. 7. (Tanner)", seconded by Canulette. Unanimous with 2 absent (Lorino/Laughlin).

-Tanner – this is needed because the Board is down a few members.

-Tanner – moved to adopt, seconded by Canulette. Unanimous with 2 absent (Lorino/Laughlin); becomes Reso. C.S. No. C-6797.

-Tanner – moved to add to the off-the-floor agenda a resolution entitled "Resolution to appoint Ross F. Lagarde, APLC as outside counsel for St. Tammany Parish Government and to approve written contract for legal services in the matter of Military Road Revitalization Company, LLC V. St. Tammany Parish Government. (Airey)", seconded by O'Brien. Unanimous with 2 absent (Lorino, Laughlin).

-Tanner – moved to adopt, seconded by Canulette. Unanimous with 2 absent (Lorino, Laughlin); becomes Reso. C.S. No. C-6798.

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

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JACOB "JAKE" A. AIREY, COUNCIL CHAIRMAN

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KATRINA L. BUCKLEY, COUNCIL CLERK