



**MINUTES OF THE
ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, OCTOBER 06, 2022 AT 6:00 PM
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.**

CALL TO ORDER BY THE HONORABLE Jerry Binder.

PLEDGE OF ALLEGIANCE BY Mr. Lorino

INVOCATION BY Mr. T. Smith

ROLL CALL:

**Marty Dean
David Fitzgerald
Martha Jenkins Cazaubon
Michael R. Lorino, Jr.
Rykert O. Toledano, Jr.
Cheryl Tanner
James "Jimmie" Davis, III
Christopher Canulette
Michael "Mike" Maxwell Smith
Maureen "MO" O'Brien
Kirk Drumm
Jerry Binder
Jacob "Jake" Airey
Thomas "T.J." Smith, Jr.**

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.

SPECIAL ITEMS

- Binder - Note: The Parish Council will hold a Public Hearing in Council Chambers at 6:00 p.m. on Thursday, November 3, 2022 to review the proposed Operating and Capital Improvement Budgets prior to adoption. Copies of both proposed budgets will be made available for public inspection by October 10, 2022 at the Parish Council Office or online at www.stpgov.org.

- 1. Ord. Cal. No. 7109 - Ordinance to adopt the 2023 Operating Budget. (Binder/Cooper) (Scheduled to be introduced at the September 28, 2022 Parish Council Special Meeting)**
- 2. Ord. Cal. No. 7110 - Ordinance to establish the 2023-2027 Capital Improvement Budget and Capital Assets. (Binder/Cooper) (Scheduled to be introduced at the September 28, 2022 Parish Council Special Meeting)**

****These items were for informational purposes only, not action was taken.**

PRESENTATIONS

- President Cooper – took a point of personal privilege to recognize Leslie Long for receiving the BGR Award.
- Binder - 1. Presentation of proclamation to St. Tammany Parish Government Employee of the Month. (President Cooper)
- President Cooper – presented Glen Daughdrill from the Department of Environmental Services with the Employee of the Month proclamation.
- Binder - 2. Presentation of Jean Day Program funds in amount of \$5,262.00 to S.T.O.P.S. (President Cooper)
- President Cooper – presented a check to Bailey Boscoe who is the Executive Director with the St. Tammany Office of Prevention of Suicide (S.T.O.P.S.).

APPOINTMENTS

- Binder - 1. Resolution to reappoint Eric Schouest, Marty Mayer, and Dr. Will Wainwright for a second term on the Board of Commissioners for the St. Tammany Parish Development District. (Binder) (Parishwide)
- Toledano – moved to reappoint, seconded by Fitzgerald. Unanimous with no one absent.
- Lorino – moved to suspend the rules and appoint, seconded by Canulette. Unanimous with no one absent; becomes Resolution C.S. No. C-6669.
- Binder - 2. Resolution to appoint a member to replace Larry Gay on the Board of Commissioners for Fire Protection District No. 1. (Canulette)
- Binder said this needed to be passed on until after the Consent Calendar.

CONSENT CALENDAR
(PAGES 2 THROUGH 4)

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. A majority vote of the entire Council (8) is required to adopt the Consent Calendar.

ITEMS TO PULL

Ordinances for Introduction	Resolutions
1. Ord. Cal. No. 7067 15. Ord. Cal. No. 7125	7. Reso. C.S. No. C-6668

MINUTES

August 24, 2022	Agenda Review minutes
August 24, 2022	Finance Committee minutes
September 01, 2022	Special Meeting minutes -Board of Review
September 01, 2022	Council Meeting minutes

ORDINANCES FOR INTRODUCTION
(Public Hearing: November 03, 2022)

- 2. Ord. Cal. No. 7112 - An ordinance to officially rename the 40 foot road identified on the attached aerial as South River Road (Ward 3, District 2). (Binder/Cooper)
- 3. Ord. Cal. No. 7113 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the north side of Sharp Road, west

of Parc Place, and east of Westwood Drive; Mandeville and which property comprises a total of 11.96 acres of land more or less, from its present A-1 (Suburban District) and A-2 (Suburban District) to an NC-4 (Neighborhood Institutional District) (Ward 4, District 5) (2022-2914-ZC). (Binder/Cooper)

4. Ord. Cal. No. 7114 - An ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the south side of Chris Kennedy Road, east of Central Avenue; Pearl River and which property comprises a total of 2.50 acres of land more or less, from its present A-2 (Suburban District) to an A-2 (Suburban District) and MHO (Manufactured Housing Overlay) (Ward 6, District 11) (2022-2966-ZC). (Binder/Cooper)
5. Ord. Cal. No. 7115 - An ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the east side of Gottschalk Road, south of Breen Road, north of US Highway 190, Covington and which property comprises a total of 2.38 acres of land more or less, from its present A-1 (Suburban District) to an A-2 (Suburban District) (Ward 1, District 3) (2022-2975-ZC). (Binder/Cooper)
6. Ord. Cal. No. 7116 - An ordinance amending the official zoning map of St. Tammany Parish, LA, to reclassify a certain parcel located on the west side of U.S. Highway 190, south of Indian Village Road; Slidell and which property comprises a total of 51.458 acres of land more or less, from its present A-3 (Suburban District) and NC-4 (Neighborhood Institutional District) to an NC-6 (Public, Cultural and Recreational District) (Ward 8, District 13) (2022-2977-ZC). (Binder/Cooper)
7. Ord. Cal. No. 7117 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the east side of LA Highway 21, south of Dummyline Road; Madisonville and which property comprises a total of 1.56 acres of land more or less, from its present NC-1 (Professional Office District) to an NC-4 (Neighborhood Institutional District) (Ward 1, District 1) (2022-2996-ZC). (Binder/Cooper)
8. Ord. Cal. No. 7118 - Ordinance to amend the 2022 Operating Budget - Amendment No. 12. (Binder/Cooper)
9. Ord. Cal. No. 7119 - Ordinance to amend the 2022 Grants Budget - Amendment No. 10. (Binder/Cooper)
10. Ord. Cal. No. 7120 - Ordinance to amend the 2022 Capital Improvement Budget and Capital Assets - Amendment No. 67 - Sales Tax District 3 - Parishwide Roads & Drainage. (Binder/Cooper)
11. Ord. Cal. No. 7121 - Ordinance to amend the 2022 Capital Improvement Budget and Capital Assets - Amendment No. 68 - Sales Tax District 3 - Parishwide Roads & Drainage. (Binder/Cooper)
12. Ord. Cal. No. 7122 - Ordinance to amend the 2022 Capital Improvement Budget and Capital Assets - Amendment No. 69 - Sales Tax District 3 - District 8. (Binder/Cooper)
13. Ord. Cal. No. 7123 - Ordinance to amend the 2022 Capital Improvement Budget And Capital Assets - Amendment No. 70 - Animal Services Facilities. (Binder/Cooper)
14. Ord. Cal. No. 7124 - Ordinance to amend the 2022 Capital Improvement Budget and Capital Assets - Amendment No. 71 - Buildings - General - Camp Salmen Facilities. (Binder/Cooper)
16. Ord. Cal. No. 7126 - Ordinance to declare multiple tax-adjudicated properties as surplus property and to authorize the Parish to proceed with the process for the advertising and sale of such adjudicated properties. (Binder/Cooper)
17. Ord. Cal. No. 7127 - Ordinance to amend portions of Ordinance C.S. No. 12-2707, adopted April 5, 2012 and codified as Sec. 40-333(A) of the Code of Ordinances of the

Parish of St. Tammany, which established and validated fees for sewerage and water services provided by systems owned and operated by the Parish. (Binder/Cooper)

18. Ord. Cal. No. 7128 - Ordinance to amend the 2022 Capital Improvement Budget and Capital Assets – Amendment No. 72 – Utility Operations – Utility Capital. (Binder/Cooper)

RESOLUTIONS

1. Reso. C.S. No. C-6662 - Resolution to adopt the St. Tammany Parish All Hazards Emergency Operations Plan. (Binder/Cooper)
2. Reso. C.S. No. C-6663 - Resolution to approve agreement with Louisiana Housing Corporation to provide utility assistance through the Low Income Home Energy Assistance Program for fiscal year 2023 with the Director of Health and Human Services (Mary Burckell), Assistant Director (Tanja Hill) to authorize monthly and weekly reports for reimbursement and program coordinator (Diane Morris) to authorize weekly reports for reimbursement. (Binder/Cooper)
3. Reso. C.S. No. C-6664 - Resolution supporting and authorizing the Parish President 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 Application for State financial assistance dated October, 2022. (Binder/Cooper)
4. Reso. C.S. No. C-6665 - Resolution certifying the population census counts for the Fire Protection Districts of St. Tammany Parish. (Binder/Cooper)
5. Reso. C.S. No. C-6666 - Resolution to take action on Performance and/or Warranty Obligations. (Binder/Cooper)
6. Reso. C.S. No. C-6667 - Resolution to approve per diem compensation for Commissioners of Water Works District No. 2. (Fitzgerald)

END OF CONSENT CALENDAR

-Tanner – moved to adopt the Consent Calendar, less items pulled, seconded by Cazaubon. Unanimous with no one absent.

-Binder - 1. Ord. Cal. No. 7067 - An ordinance to amend St. Tammany Parish Code of Ordinances Sec. 2-125, 2-273, and 2-274 relative to Parish Purchasing Procedures and Professional Services. (Lorino/Cooper) (Postponed 08/04/2022) (Postponed 09/01/2022)

-Airey – stated that there were minor changes provided in the substitute ordinance.

-Airey – moved to substitute, seconded by Lorino. Unanimous with no one absent.

-Airey – moved to re-introduce, seconded by Lorino; becomes Ord. Cal. No. 7067AA.

-Binder - 15. Ord. Cal. No. 7125 - 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 Overlay (“PUD”), or a Traditional Neighborhood Development District (“TND”). (Parishwide) (Davis/Cooper)

-Binder – stated that an update has been provided by Administration.

-Davis – moved to introduce, seconded by Canulette.

-Binder - 7. Reso. C.S. No. C-6668 - Resolution to remove Larry Gay from the Fire Protection #1 Board. (Canulette)

-T. Smith – said he needed clarity on this and needed to do research.

- T. Smith – moved to postpone, seconded by Canulette. Unanimous with no one absent.
- Binder - 2. Resolution to appoint a member to replace Larry Gay on the Board of Commissioners for Fire Protection District No. 1. (Canulette)
- T. Smith – moved to postpone, seconded by Canulette. Unanimous with no one absent.
- **moved up Ordinance for Adoption #33.
- Binder - 33. Ord. Cal. No. 7111 - Ordinance to amend the 2022 Operating Budget - Amendment No. 11. (Binder/Cooper) (To be introduced at the 09/28/2022 Special Council Meeting)
- Lorino – read a statement about his position.
- Council discussion ensued.
- Juilous (Collin) Sims – from the DA’s office made some comments.
- Lorino – asked if the additional money will fully fund the DA’s office.
- Lorino – moved to adopt, seconded by O’Brien. Unanimous with no one absent; becomes Ord. Cal. No. 22-5008.

APPEALS

- Binder - 1. Susan A. Laborde appealing the Zoning Commission APPROVAL on April 05, 2022 to rezone 6.61 acres located on the north side of L’ Esperance Dr, west of Chestnut Street, Covington from A-2 (Suburban District) to A-2 (Suburban District) and RO (Rural Overlay) (Ward 3, District 5) (2022-2739-ZC). Petitioner: Denise Pilie’; Owner: L’ Esperance, Inc. – Denise Pilie’ (Postponed 05/05/2022) (Postponed 06/02/2022) (Postponed 07/07/2022) (Postponed 08/04/2022) (Postponed 09/01/2022)

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.

APPELLANT/IN FAVOR OF

- Susan Laborde – lives on Riverside Dr. She is the president of the Riverside Dr. Civic Association. She said an AirBNB is out of character for the neighborhood. She said it lost by 1 vote at the Zoning meeting.
- Lindsey Cheek – an attorney in New Orleans. Said she supports the appeal. She says she bought her property in May 2021. Said she feels safe when she goes home and wants to be sure people don’t come who don’t belong.
- Houston Gascon – lives on Riverside Dr. Thanked Toledano for coming to the meeting. Said short-term rental doesn’t belong there.
- Canulette – thanked Gascon for his time at the DA’s office.
- Richard Bernard – said he is standing with Susan Laborde. He said they are trying to keep the neighborhood clean and straight.

NOT IN FAVOR OF

- Denise Pilie’ – said she feels this is appropriate for AirBNB because they did operate an AirBNB for years and some people didn’t know. She said they pay expenses on property with money from the AirBNB. She said if they can’t pay property expenses then they will have to sell the property and if they sell the property, the person who buys it can build 5 houses.

They only rent out the property about 8 times a year. She said they don't run this property like a regular AirBNB. She said they don't allow parties. She said she has never been told about Riverside Civic Association and who voted for them or against them. She showed posters of the neighborhood and neighbors who are in support of them. She said she lives on the "commercial end" of Riverside Dr. She said they have agreed to no more than 12 rentals per year. She said she wants to keep it the family home and they want to keep it pristine. She said the home is completely surrounded by woods.

REBUTTAL

-Houston Gascon

REBUTTAL

-Monique Pilie'

-Michael Delayhousse

-Matt Organ

COUNCIL DISCUSSION

-Davis

-Toledano – said this is not commercial or mixed use. Said this does not fit in the neighborhood and would be a dangerous precedent. This is a very quiet neighborhood. It is a historical road. People who do not have a vested interest in the property are not concerned about the things that make this one of the great community roads in the Parish. This just frankly doesn't fit.

-Toledano – moved to override the Zoning approval, seconded by Davis. Motion passes with 13 yeas and 1 nay (Cazaubon).

-Toledano – moved to adopt a resolution, seconded by Davis. Unanimous with 3 absent (Dean, Lorino, Tanner); becomes Resolution C.S. No. C-6670.

-Binder - 2. Jeffrey D. Schoen appealing the Planning Commission DENIAL on April 12, 2022 for Preliminary Subdivision approval on property in the Bonterra Subdivision, Phases 2 & 3 located on the east & west side of North Military Road/ LA Highway 1090, north of Interstate 12, Slidell, LA (Ward 8, District 9) (2021-2568-PP). Developer/Owner: Lynn Levy Land Co., LLC (Postponed 06/02/2022) (Postponed 07/07/2022) (Postponed 08/04/2022) (Postponed 09/01/2022)

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.

APPELLANT

-Jeff Schoen from Jones Fussell Law firm representing the Lynn Levy Land Co. – Provided a packet. This case is not about land use and the right to make use of the property. The issue is whether or not his client has met the standard of the ordinance as it relates to what is required to procure preliminary subdivision approval. Staff report states that staff has no objection to the approval of the subdivision request although this case was denied. There were no items that needed to be addressed. The specifications, the traffic study, the drainage study all met the standards of the staff. The subdivision ordinance should be under review. Submitted everything in the ordinance and all were approved by staff. Has provided clerk a full copy of all studies as it relates to utilities, wetlands, traffic, drainage, site plans, and infrastructure. Thinks its interesting that Phase I has received preliminary and final subdivision approval and lots have already been sold and built on. What is the difference in Phase I and Phases II and III? Bonterra also has a little something to do with land use. When client looked at this property got it under purchase agreement, it was zoned A-5, Multi-

Family, duplex only and available for as many as 471 units. Proceeded to have it rezoned to Single-Family Residential (A-4A) and a PUD and sought approval for 233 units. Less than ½ the density. That was unanimously approved by this Council. Client then bought property because he knew if he brought the property up to standards then he could build his subdivision. Laws indicate what the litmus test is in order to get preliminary subdivision approval. Has had numerous discussions over the past months, and has provided tonight a list of modifications that client is willing to consider if Council is willing to override the Planning Commission denial. Read through submitted list:

1. reduce density from 233 to 215 lots which creates and additional 3.434 acres of greenspace.

2. agreed to both fence and gate entrance to the historic cemetery that is not part of the subdivision, but to make sure there are security measures in place.

3. agreed to place restrictive covenants on the plat that would control the use of the pond. It will be owned and maintained by the Parish. It will not be for recreational use of the residents. Have also made it an option for residents to put a fence along the back of their property that abuts the pond.

4. agreed that all lots that abut Military Road will have a privacy fence.

5. have agreed to go to DOTD and get their permission to plant live oaks along the Military Rd. corridor abutting Bonterra subdivision.

Asking Council to closely examine submission made tonight and follow their own law. Wants to make sure the record includes the documents provided this evening (gave specifics of the documents provided).

NOT IN FAVOR

-Stan Owen – 117 Shermac Dr. Resident of Military Rd. area. Once sat on this board and represented area Mr. Smith represents now. First hint of this subdivision going in was a clear cut of an old forest. None of it was preserved. Found lots of aesthetic problems with this. Have presented facts to Planning and Zoning board and want Council to uphold denial. Are prepared to answer any questions. If you uphold the denial they can go back to Planning and Zoning or they can go to court. They don't care which one they go to. They would prefer to go to court. They think they will prevail. Restore the mandated greenspace and make it livable. Saw the revised plat with greenspace spread around and thinks the 16.4 acres should be all together. Also propose that a better job be done with the traffic. Consider a roundabout with right turn only. The pond that was mentioned has high banks and kids will drown either put up a high fence or mitigate it with the right slope. Mitigate the drainage issue on the Bourgeois side of the property.

-James Macaluso – 637 Dockside Dr. Concern tonight is traffic. Some of the studies that were done revert back to Covid time. Concern is going northbound from overpass taking a right turn onto Crawford Landing. Long wheeled vehicles such as fire trucks can't make the turn. Busses also can't make the turn.

-Sandra Williams - 200 Branch Dr. Bonterra's representatives are here to avoid ordinances. Acreage has been incorrectly accounted for. Should be 25% greenspace. Phase I is under construction without a core permit. Spoke to further concerns of the developer not properly noticing or being permitted or having the correct greenspace.

REBUTTAL

-Schoen

REBUTTAL

-Dr. Andrew Benson

****an extra 2 minutes was given**

REBUTTAL

-Schoen

REBUTTAL

-Benson, Bob Henderson

COUNCIL DISCUSSION

-M. Smith

-Canulette – asked Schoen about wetlands and asked Hill about the turning lane.

-Schoen - answered about the turning lane.

-Canulette – asked if the bond was approved by the Parish. Stated that he has a problem with this.

-Airey – said this isn't a Zoning appeal, this is a Planning appeal. Said this isn't a Parish road, it is a State road.

-Drumm – asked Schoen about the manufacturer of the houses.

-Davis – said they could have bombarded the place with 2 family homes.

-Cazaubon – said there would be less traffic with his than the 2 family houses.

-M. Smith – Spoke to Hill and Liner.

-Davis – spoke to Liner.

-Airey – moved to override the Planning denial, seconded by M. Smith. Unanimous with no one absent.

-Airey – moved to adopt a resolution, seconded by M. Smith. Unanimous with no one absent; becomes Resolution C.S. No. C-6671.

-Binder - 4. David Hoover appealing the Zoning Commission APPROVAL on September 06, 2022 to rezone 3.05 acres located on the west side of Henderson Road, south of Gottschalk Road, Covington from A-1 (Suburban District) to A-2 (Suburban District) (Ward 1, District 3). (2022-3000-ZC) Petitioner: Kimberly Jarrell; Owner: Kimberly Jarrell

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.

-Cazaubon – said there was a misunderstanding on what Kimberly Jarrell wanted to do with the property, but she hasn't heard from Mr. Hoover.

-Kimberly Jarrell – wasn't sure if she needed to be here tonight.

-Cazaubon - moved to concur with the Zoning approval, seconded by Davis. Unanimous with 1 absent (M. Smith).

-Cazaubon – moved to introduce an ordinance, seconded by Fitzgerald; becomes Ord. Cal. No. 7131.

-Binder - 3. Jeffrey D. Schoen appealing the Zoning Commission DENIAL on September 06, 2022 to rezone .665 acres located on the south side of Wilson Road, west of LA Highway 59, Covington from A-2 (Suburban District) to A-2 (Suburban District) and MHO

Manufactured Housing Overlay (Ward 10, District 2) (2022-2901-ZC). Petitioner: Jeff Schoen; Owner: H&S Holdings

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.

APPELLANT

-Jeff Schoen – with Jones Fussell Law Firm representing the owner and petitioner. Only 9 of 11 commissioners were present. First motion was to deny and there were 4 votes for and 5 votes against. Following there was a motion to approve and there were 5 votes to approve and 4 votes against. Said this was a technical denial because it requires 6 votes to pass. Zoning staff report did not offer any objection as to why the MHO could not be considered by the Zoning commission. There are 10 habitable structures, 7 mobile homes and 3 stick built homes. Only 1 is in close proximity. It is the next door to the property. That neighbor who lives next door lives in a mobile home and wrote a letter of no objection because she would like to have some neighbors. Only seeking MHO on 2 interior lots, Lots 7A and Lot 1A2. Client is in the business of owning properties with mobile homes. He is a landlord and has been doing it successfully for many years. Request is compatible with what is in the area. For the most part, this area is relatively undeveloped. Referenced a previous case that was heard and approved by the Council. Mobile homes shouldn't be viewed as a negative. Feels comfortable in saying that the Zoning commission voted favorably. Hopes Council will vote to override the technical denial.

NOT IN FAVOR/AGAINST APPEAL

-Linda Searcy – 21291 Wilson Rd. Family owns whole ½ mile from 59 to Tammy Lane and have kept it green and clean. Family has been out there 100 years. Some of family lives in trailers for years and they are pristine. Not looking forward to having renters come trash the property.

-Mark Varisco – 21112 Wilson Rd. Was not approached by anyone. Whether it was a technical denial or not, it was a denial. Zoning laws are there for a reason. Voting to approve the denial is a bad precedent.

-Jodie Malley – 21545 Lowe Davis Rd. If you approve for one person, it is opening a door for everyone else who has property in that area.

-Alouyse Kissgen – 21228 Wilson Rd. Requesting that Zoning denial be upheld. Explained the area. Spoke about traffic and drainage problems on both sides of Wilson Rd. Spoke about residents and landowners. Everyone is on large tract land. Has been there since 1972. Has never been anybody who has lived on a tract of land that is 95 ft wide by 100 ft deep. There is one trailer and the owner doesn't object because she rents from the owner who wants the other 2 lots rezoned. She has no vested interest. Worked hard to get the A-2 zoning and they were happy because thought that would protect land and property values. The owner isn't going to live there. He's simply going to rent it out. Its commercial. The previous case that Mr. Schoen spoke about is not the same. Disagree with the statement that there is a trend of mobile homes. Last time there was a mobile home approved was 4 years ago. Last mobile home installed was 14 years ago and it is family owned. Neighbors all said they were going to send an email with their opinions.

-Lorino – told Ms. Alouyse she was fantastic.

-Diane Plaisance – 73464 Tammy Lane – when water runs off properties, it runs down to Tammy Lane. Has had a lot of water problems. With recent rain, hasn't been able to flush toilets. Asking to not let this pass until the water problem is solved.

-Bill Klopff – Schoen said it was trending toward trailers, but it is not. There are 26 houses and trailers that are owner occupied. There are 4 trailers that are rental properties and they

are the problem. Don't want to see trailers because the people don't have to take care of the property. And that is what we see with no occupied trailers.

REBUTTAL

-Schoen

REBUTTAL

-Rick Valentour

-Alouyse Kissgen

COUNCIL DISCUSSION

-Cazaubon – wanted to clarify that the zoning is not going to be changed. This overlay kind of took the place of conditional uses. They made it this is the way of actually looking at the land and seeing the use. It will always be the A-2 zoning.

-Fitzgerald – drives down Wilson Rd. since this issue came up. Looked at everything on GIS. Have done a nice job of insulating themselves. Lives on family property, so appreciates what they are trying to do. Not a big fan of manufactured homes. This proposal is on the end on a corner lot. Doesn't think anyone will build a stick home there because of its location. Doesn't think the trailers will be viewable from 59. Owners are willing to push trailers back off of Wilson Rd. The issue is land use and is it compatible. The first few thousand feet there is compatibility with manufactured homes. Doesn't think the 2 mobile homes will have much impact on Tammy Lane. Spoke to home prices.

-Fitzgerald – moved to override the Zoning denial, seconded by Dean.

-Davis – made a recommendation for modular homes to Schoen.

-Motion passes with 12 yeas, 1 nay (Drumm), and 1 absent (Airey).

-Fitzgerald – moved to introduce and ordinance, seconded by Lorino; becomes Ord. Cal. No. 7130.

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 Toledano. Unanimous with 2 absent (Fitzgerald, Airey).

OCTOBER 06, 2022 - ITEMS OFF-THE-FLOOR

-Binder - OTF #2. - Resolution to appoint Daigle, Fisse, PLC as outside counsel for St. Tammany Parish Government for purposes of obtaining a determination of Parish obligations to fund state mandated expenses for its Justice System. (Binder)

-Binder – explained the resolution and its purpose.

-Dean – moved to adopt, seconded by Cazaubon. Unanimous with 2 absent (Fitzgerald, Lorino); becomes Reso. C. S. No. C-6672.

-Binder - OTF #1. Ord. Cal. No. 7129 - 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 modify an area of Special Concern (Ward 3, District 5). (Toledano) (Introduced at the 09/28/2022 Special Meeting)

-Toledano – explained the purpose of this ordinance.

-Toledano – moved to adopt, seconded by Cazaubon. Unanimous with 1 absent (Fitzgerald); becomes Ord. C.S. No. 22-5009.

-Binder - OTF #3. – Resolution to authorize the Parish President to hire a firm for the purpose of conducting a Feasibility and Cost Study on the proposed renovation of the Parish Emergency Operations Center in Covington, LA. (Binder)

- Binder – this is not to exceed \$100,000.
- Dean – wants to make sure this is looking into the best use.
- Dean – moved to adopt, seconded by Cazaubon. Motion passes with 12 yeas, 1 nay (Airey), and 1 absent (Fitzgerald); becomes Reso. C. S. No. C-6673.
- Binder - OTF #4. - Resolution to reverse and withdraw identification of certain movable property as surplus. (Binder/Cooper)
- Tanner – moved to adopt, seconded by Toledano.
- Binder – asked administration why this was being removed.
- Cooper – they want to continue to use it.
- Motion is unanimous with 2 absent (Fitzgerald, M. Smith); becomes Reso. C.S. No. C-6674.

ORDINANCES FOR ADOPTION

- Binder - 1. Ord. Cal. No. 7024 - An ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the north side of LA Highway 1088, east of Viola Street, west of Elm Street, Mandeville and which property comprises a total of 2 acres of land more or less, from its present A-3 (Suburban District) to an HC-2 (Highway Commercial District) (Ward 4, District 5) (2022-2840-ZC). (Binder/Cooper) (Introduced 07/07/2022) (Postponed 08/04/2022) (Postponed 09/01/2022)
- Toledano – explained this zoning request. Believes this got overlooked at the zoning level. The owner wants to put in a used car lot right across from a residential neighborhood. Is going to move to deny the ordinance.
- Couvillion – you can make a motion to deny the zoning change.
- Toledano – moved to deny the Zoning change, seconded by Lorino.
- Couvillion – if you vote to deny the Zoning change the ordinance dies, or you could just vote to remove this ordinance.
- Sean Jeanfreau – said that no one opposed this at Zoning. Met with the Councilman and decided to do deed restrictions. Feels like this would be a good fit for them.
- Anthony Latino – explained the property and said it would be a perfect location to sell automobiles. Hwy. 1088 is going to be commercial from that subdivision to the interstate. There are probably already 12 different zonings there.
- Toledano – 1088 is not fraught with commercial. This is not a good location. It is directly across from the Quail Creek entrance. A used car lot is not good for this area. Never saw the signs out there. It just doesn't fit in the area. Would be doing a terrible disservice if he allows it to go there.
- O'Brien – totally agrees with Toledano. While its not just exclusively residential, you have schools, churches, a gym. It's a different type of non-residential.
- Davis – asks the Council to remember a denial at the end of Soult street. To convert from A-3 to HC-2 is not good.
- Motion is unanimous with 2 absent (Cazaubon, Tanner).
- Binder - 2. Ord. Cal. No. 7052 - An ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the south side of Ben Thomas Road, west of Javery Road; Slidell; and which property comprises a total of .306 acres 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 9, District 14) (2022-2912-ZC). (Binder/Cooper) (Introduced 08/04/2022) (Postponed 09/01/2022)

-T. Smith – moved to postpone, seconded by Airey. Unanimous with 2 absent (Cazaubon, Tanner).

-Binder - 3. Ord. Cal. No. 7069 - Ordinance to impose a six (6) month moratorium 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, all as more particularly described herein and on the attached map (Ward 3, District 5). (Toledano) (Introduced 08/04/2022) (Postponed 09/01/2022)

-Toledano – moved to adopt, seconded by Dean. Unanimous with 2 absent (Cazaubon, Tanner); becomes Ord. C.S. No. 22-4979.

-Binder - 4. Ord. Cal. No. 7080 - Ordinance to impose a six (6) month moratorium on the issuance of certain permits by the Parish Department of Planning and Development or Department of Permits for the construction or placement of automated car washes in the Highway 21 Planned Corridor (Ward 1, District 1). (Dean) (Introduced 09/01/2022)

-Terrence Bergeron – lives at 3 Begonia in Flowers Estates. Property directly behind where a Tommy's car wash and a Take 5 car wash are planning to be built. He is not anti-business. Read a statement explaining his concerns with car washes and the issues that arise concerning noise, etc. Said there needs to be studies done.

-Jordan Williams – said he did everything right. He has gone all in to get this property. Said he is 30 days away from a permit. Said he would have had a permit had he not tried to work with the people. This is devastating to him.

-Dean – gave the reason for the moratorium and plans going forward for the moratorium.

-Davis – applauds Councilman Dean on his moratorium efforts.

Dean – moved to adopt, seconded by Fitzgerald. Motion passes with 13 yeas and 1 abstention (Drumm); becomes Ord. C.S. No. 22-4980.

-Binder - 5. Ord. Cal. No. 7081 - Ordinance to amend the Code of Ordinances, St. Tammany Parish, Chapter 18, Section 18-152 – Exemptions; to provide for revisions. (Binder/Cooper) (Introduced 09/01/2022)

-M. Smith – moved to adopt, seconded by O'Brien. Unanimous with 1 absent (Canulette); becomes Ord. C.S. No. 22-4981.

-Binder - 6. Ord. Cal. No. 7082 - Ordinance authorizing the Parish of St. Tammany, through the Office of the Parish President, to enter into a servitude agreement with Cleco Power, LLC for the substation near Safe Haven (Ward 4, District 7). (Binder/Cooper) (Introduced 09/01/2022)

-Davis – moved to adopt, seconded by M. Smith. Unanimous with 1 absent (Canulette); becomes Ord. C.S. No. 22-4982.

-Binder - 7. Ord. Cal. No. 7083 - Ordinance to correct the Road and Drainage Inventory to include Westshore Dr. Ext. (R01D021) (Ward 1, District 1). (Binder/Cooper) (Introduced 09/01/2022)

-Dean – moved to adopt, seconded by Tanner. Unanimous with 1 absent (Canulette); becomes Ord. C.S. No. 22-4983.

-Binder - 8. Ord. Cal. No. 7084 - Ordinance to correct the Road and Drainage Inventory to include Pine St. Ext. Ditch (D08AW03024) (Ward 8, District 11). (Binder/Cooper) (Introduced 09/01/2022)

- Drumm – moved to adopt, seconded by Davis. Unanimous with 1 absent (Canulette); becomes Ord. C.S. No. 22-4984.
- Binder - 9. Ord. Cal. No. 7085 - Ordinance to correct the Road and Drainage Inventory to include Danielle St. Lateral (D02NW01014) (Ward 2, District 3). (Binder/Cooper) (Introduced 09/01/2022)
- Cazaubon – moved to adopt, seconded by Lorino. Unanimous with 1 absent (Canulette); becomes Ord. C.S. No. 22-4985.
- Binder - 10. Ord. Cal. No. 7086 - Ordinance to correct the Road and Drainage Inventory to include Deer Run Lateral (D09IW01035) (Ward 6, District 6). (Binder/Cooper) (Introduced 09/01/2022)
- Tanner – moved to adopt, seconded by Lorino. Unanimous with 1 absent (Canulette); becomes Ord. C.S. No. 22-4986.
- Binder - 11. Ord. Cal. No. 7087 - Ordinance to correct the Road and Drainage Inventory to include Lovern Rd. Lateral (D06IW01004) (Ward 6, District 6). (Introduced 09/01/2022)
- Tanner – moved to adopt, seconded by Lorino. Unanimous with 2 absent (Canulette, M. Smith); becomes Ord. C.S. No. 22-4987.
- Binder - 12. Ord. Cal. No. 7088 - Ordinance to remove roads and/or portions of roads in District 11 that have not been maintained by Parish forces. (Binder/Cooper) (Introduced 09/01/2022)
- Drumm – moved to adopt, seconded by Dean. Unanimous with 1 absent (Canulette); becomes Ord. C.S. No. 22-4988.
- Binder - 13. Ord. Cal. No. 7089 - Ordinance to remove roads and/or portions of roads in District 7 that have not been maintained by Parish forces. (Binder/Cooper) (Introduced 09/01/2022)
- Davis – moved to adopt, seconded by Airey. Unanimous with 1 absent (Canulette); becomes Ord. C.S. No. 22-4989.
- Binder - 14. Ord. Cal. No. 7090 - Ordinance to remove roads and/or portions of roads in District 6 that have not been maintained by Parish forces. (Binder/Cooper) (Introduced 09/01/2022)
- Tanner – moved to adopt, seconded by Fitzgerald. Unanimous with no one absent; becomes Ord. C.S. No. 22-4990.
- Binder - 15. Ord. Cal. No. 7091- Ordinance to amend the 2022 Capital Improvement Budget and Capital Assets – Amendment No. 60 – Public Works - Administration. (Binder/Cooper) (Introduced 09/01/2022)
- Tanner – moved to adopt, seconded by Davis. Unanimous with no one absent; becomes Ord. C.S. No. 22-4991.
- Binder - 16. Ord. Cal. No. 7092 - Ordinance to amend the 2022 Capital Improvement Budget and Capital Assets - Amendment No. 61 -Sales Tax District 3 - Parishwide Roads & Drainage. (Binder/Cooper) (Introduced 09/01/2022)
- Tanner – moved to adopt, seconded by Toledano. Unanimous with no one absent; becomes Ord. C.S. No. 22-4992.
- Binder - 17. Ord. Cal. No. 7093 - Ordinance to amend the 2022 Capital Improvement Budget and Capital Assets - Amendment No. 62 - Sales Tax District 3 - District 8. (Binder/Cooper) (Introduced 09/01/2022)

-Canulette – moved to adopt, seconded by O’Brien. Unanimous with no one absent; becomes Ord. C.S. No. 22-4993.

Binder - 18. Ord. Cal. No. 7094 - Ordinance to amend the 2022 Capital Improvement Budget and Capital Assets - Amendment No. 63 - Sales Tax District 3 - District 10. (Binder/Cooper) (Introduced 09/01/2022)

-O’Brien – moved to adopt, seconded by T. Smith. Unanimous with no one absent; becomes Ord. C.S. No. 22-4994.

-Binder - 19. Ord. Cal. No. 7095 - Ordinance to amend the 2022 Capital Improvement Budget and Capital Assets - Amendment No. 64 - Sales Tax District 3 - District 13. (Binder/Cooper) (Introduced 09/01/2022)

-Airey – moved to adopt, seconded by Davis. Unanimous with no one absent; becomes Ord. C.S. No. 22-4995.

-Binder - 20. Ord. Cal. No. 7096 - Ordinance to amend the 2022 Capital Improvement Budget and Capital Assets - Amendment No. 65 - Buildings - General - St. Tammany Regional Airport. (Binder/Cooper) (Introduced 09/01/2022)

-T. Smith – moved to adopt, seconded by Davis. Unanimous with no one absent; becomes Ord. C.S. No. 22-4996.

-Binder - 21. Ord. Cal. No. 7097 - Ordinance to amend the 2022 Grants Budget - Amendment No. 9. (Binder/Cooper) (Introduced 09/01/2022)

-Tanner – moved to adopt, seconded by Toledano. Unanimous with no one absent; becomes Ord. C.S. No. 22-4997.

-Binder - 22. Ord. Cal. No. 7098 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the west side of Gurtner Drive, south of Louisiana Highway 36, Abita Springs and which property comprises a total of .95 acres of land more or less, from its present A-3 (Suburban District) to an A-4 (Single-Family Residential District) and MHO (Manufactured Housing Overlay) (Ward 3, District 2) (2022-2935-ZC). (Binder/Cooper) (Introduced 09/01/2022)

-Fitzgerald – moved to adopt, seconded by Lorino. Unanimous with no one absent; becomes Ord. C.S. No. 22-4998.

-Binder - 23. Ord. Cal. No. 7099 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the west side of LA Highway 1083, north of LA Highway 1084, being 76055 LA Highway 1083; Covington and which property comprises a total of 1.89 acres of land more or less, from its present A-1A (Suburban District) to an A-1A (Suburban District) and MHO (Manufactured Housing Overlay) (Ward 10, District 6) (2022-2910-ZC). (Binder/Cooper) (Introduced 09/01/2022)

-Tanner – moved to adopt, seconded by Toledano. Unanimous with no one absent; becomes Ord. C.S. No. 22-4999.

-Binder - 24. Ord. Cal. No. 7100 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the east side of Tenth Street, south of Harrison Avenue, and north of Webster Street; Covington and which property comprises a total of .30 acres of land more or less, from its present A-4A (Single Family Residential District) to an A-4A (Single Family Residential District) and MHO Manufactured Housing Overlay (Ward 3, District 2) (2022-2927-ZC). (Binder/Cooper) (Introduced 09/01/2022)

-Fitzgerald – moved to adopt, seconded by Dean. Unanimous with no one absent; becomes Ord. C.S. No. 22-5000.

-Binder - 25. Ord. Cal. No. 7101 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the north and south sides

of Wallace Road, east of Galatas Road; Madisonville and which property comprises a total of 1.32 acres of land more or less, from its present A-2 (Suburban District) to an A-3 (Suburban District) (Ward 1, District 4) (2022-2937-ZC). (Binder/Cooper) (Introduced 09/01/2022)

-Lorino – moved to adopt, seconded by Cazaubon. Unanimous with no one absent; becomes Ord. C.S. No. 22-5001.

-Binder - 26. Ord. Cal. No. 7102 - Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the northwest side of Pine Knoll Drive, east of LA Highway 40; Covington and which property comprises a total of .977 acres of land more or less, from its present A-2 (Suburban District) to an A-4 (Single Family Residential District) (Ward 2, District 2) (2022-2946-ZC). (Binder/Cooper) (Introduced 09/01/2022)

-Fitzgerald – moved to adopt, seconded by Lorino. Unanimous with no one absent; becomes Ord. C.S. No. 22-5002.

-Binder - 27. Ord. Cal. No. 7103 - An ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the east side of US Highway 11, south of Oak Harbor Boulevard, Slidell; and which property comprises a total of .39 acres of land more or less, from its present A-6 (Multi-Family Residential District) to an HC-2 (Highway Commercial District) (Ward 9, District 12) (2022-2951-ZC). (Binder/Cooper) (Introduced 09/01/2022)

-Canulette – moved to adopt, seconded by M. Smith. Unanimous with no one absent; becomes Ord. C.S. No. 22-5003.

-Binder - 28. Ord. Cal. No. 7104 - Ordinance to amend the 2022 Operating Budget - Amendment No. 10. (Binder/Cooper) (Introduced 09/01/2022)

-Tanner – moved to adopt, seconded by Dean. Unanimous with no one absent; becomes Ord. C.S. No. 22-5004.

-Binder - 29. Ord. Cal. No. 7105 - Ordinance to amend the 2022 Capital Improvement Budget and Capital Assets – Amendment No. 66 – Sales Tax District 3 – District 9. (Binder/Cooper) (Introduced 09/01/2022)

-M. Smith – moved to adopt, seconded by Canulette. Unanimous with no one absent; becomes Ord. C.S. No. 22-5005.

-Binder - 30. Ord. Cal. No. 7106 - An ordinance amending the St. Tammany Parish Code of Ordinances, Chapter 2 – Administration, Article XVII – Parish Fees, Sec. 2-711. - Administrative/ADM conditional uses relative to Parish Fees for Development related services. (Binder/Cooper) (Introduced 09/01/2022)

-Toledano – moved to adopt, seconded by Drumm. Unanimous with no one absent; becomes Ord. C.S. No. 22-5006.

-Binder - 31. Ord. Cal. No. 7107 - An ordinance amending the St. Tammany Parish Code of Ordinances, Chapter 2 – Administration, Article XVII – Parish Fees, Sec. 2-742. - Final subdivision stage relative to Parish Fees for Development related services. (Binder/Cooper) (Introduced 09/01/2022)

-Liner – explained the purpose of the substitute ordinance.

-Toledano – moved to substitute, seconded by Tanner. Unanimous with no one absent

-Toledano – moved to reintroduce as amended, seconded by Tanner; becomes Ord. Cal. No. 7107AA.

-Binder - 32. Ord. Cal. No. 7108 - An ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the south side of LA Highway 22, west of Timberwood Court, east of Bootlegger Road; Madisonville and

which property comprises a total of .35 acres of land more or less, from its present A-2 (Suburban District) to an NC-1 (Professional Office District) (Ward 1, District 4). (2022-2872-ZC) (Binder/Cooper) (Introduced 09/01/2022)

-Lorino – moved to adopt, seconded by O’Brien. Unanimous with no one absent; becomes Ord. C.S. No. 22-5007.

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

JERRY BINDER, COUNCIL CHAIRMAN

KATRINA L. BUCKLEY, COUNCIL CLERK