

PUBLIC HEARING OF THE TANGIPAHOA PARISH COUNCIL ON MONDAY, JULY 9, 2018 AT 5:30 P.M. AT THE TANGIPAHOA PARISH GOVERNMENT BUILDING, 206 EAST MULBERRY STREET, AMITE, LOUISIANA –

T.P. Ordinance No. 18-29- An ordinance to grant a variance to ordinance 97-25- adoption of state sanitary code for Richard Moore at 47308 McGee Road in District No. 5- None

T.P. Ordinance No. 18-30- An ordinance to grant a variance to ordinance 16-18- adoption, Section 17-7.1, 1b for Calvin Populis, Fern Street Properties Hammond, Louisiana 70401- None

T.P. Ordinance No. 18-31- An ordinance providing for the levy of taxes for the year 2018- None

T.P. Ordinance No. 18-32- An ordinance placing 15 MPH speed limit signs on Bradford Lane in District No. 2 in Tangipahoa Parish in accordance with Chapter 20 streets, roads, sidewalks and drainage- Article I, in General- Section 20- None

T.P. Ordinance No. 18-33- An ordinance to grant a variance to the Tangipahoa Parish Subdivision Regulations for lot no. 29 in The Coves of the Highland subdivision in District No. 2- Ira Brown of Eighth Ward Fire Department expressed his opposition to this variance. Mr. Michael Cascio with DR Horton gave clarification of the variance being requested for Mr. Brown.

MINUTES OF THE TANGIPAHOA PARISH COUNCIL
JULY 9, 2018

The Tangipahoa Parish Council met on the 9th day of July, 2018 in Regular Session and was called to order by Mr. Bobby Cortez, Chairman, immediately following the public hearing held at 5:30 P.M.

The Invocation was given by Mr. Lionell Wells and the Pledge of Allegiance by Mr. Joey Mayeaux

The following members were present: James Bailey, Buddy Ridgel, Joey Mayeaux, Lionell Wells, David P. Vial, Harry Lavine and Bobby Cortez

Absent: Trent Forrest, Louis Joseph, Carlo S. Bruno

Item No. 5 - Cell Phones - Please Mute or Turn Off.

Item No. 6 - Adoption of Minutes - A motion was made by Mr. Wells and seconded by Mr. Bailey to adopt the minutes of the regular meeting dated June 25, 2018. Roll-call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)

Nays: None

Abstain: None

Absent: 3 (Forrest, Joseph, Bruno)

Not Voting: None

Item No. 7 - Public Input - Anyone Wishing to Address Agenda Items which were not on Public Hearing – None

Item No. 8- Parish President's Report-

a) Approval to Hire Special Legal Counsel- Economic Development Districts- A motion was made by Mr. Ridgel and seconded by Mr. Vial giving approval to hire special legal counsel for the creation of new economic development districts. Roll call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)

Nays: None

Abstain: None

Absent: 3 (Forrest, Joseph, Bruno)

Not Voting: None

b) Adoption of T.P. Resolution No. R18-14- A resolution to authorize the hiring of outside legal counsel- A motion was made by Mr. Vial and seconded by Mr. Wells to adopt T.P. Resolution No. R18-14. Roll call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)

Nays: None

Abstain: None

Absent: 3 (Forrest, Joseph, Bruno)

Not Voting: None

T.P. RESOLUTION NO. R18-14

A Resolution Authorizing the Hiring of Outside Legal Counsel by Tangipahoa Parish Government WHEREAS, the 21st Judicial District Attorney's Office is unable to provide the needed legal services; and WHEREAS, Adams and Reese, LLF is qualified to provide the needed legal services, and WHEREAS, the legal services in this matter will consist of:

(a) Preparation and review of all resolutions, notices and ordinances necessary in connection with the creation of the Districts, as described above, and coordinating and supervising the adoption and/or approval of the foregoing;

(b) Preparation and review of all resolutions, notices and ordinances necessary in connection with the levy of any sales taxes and/or hotel occupancy taxes in the Districts;

(c) Coordinating the necessary certifications of the Parish Director of Finance and the Tangipahoa Parish Registrar of Voters in connection with the levy taxes, as necessary;

(d) Coordinating with the Tangipahoa Parish Sales Tax Collector relative to the ordinance(s) levying sales taxes and/or hotel occupancy taxes in the Districts;

- (e) Coordinating with the Council Clerk's office all necessary legal notices and publications.
- (f) If needed, negotiation and preparation of any necessary cooperative endeavor agreement(s) relative to the use of moneys; and

WHEREAS, the services rendered under the paragraph above in connection with the creation of the Districts shall be \$580 per hour for David Wolf, and \$330 per hour for James L. Moffett, III, which hourly fees are customary and commensurate for attorneys with the number of years of experience (thirty-six and nine, respectively) for said attorneys, and in line with customary fees for services rendered in the Public Finance and Economic Development Practice Area. The aforementioned hourly fees in total will not exceed \$25,000 in connection with this engagement. THEREFORE BE IT RESOLVED, by the Tangipahoa Parish President Council-President Government, governing authority of Tangipahoa Parish, State of Louisiana, that Honorable Robby Miller, Tangipahoa Parish President, or his designee is hereby authorized to execute any and all documents on behalf of the Tangipahoa Parish Council-President Government, in regards to the hiring of Adams and Reese, LLP as outside legal counsel on behalf of the Tangipahoa Parish Council.

BE IT FURTHER RESOLVED, that this Resolution and proposed contract described herein be submitted to the Attorney General for the State of Louisiana for approval.

S/Kristen Pecararo, Clerk
Tangipahoa Parish Council

S/Bobby Cortez, Chairman
Tangipahoa Parish Council

S/Robby Miller, President
Tangipahoa Parish

- c) Approval of Intergovernmental Agreement between Tangipahoa Parish Government and the City of Hammond in regards to the Summer Feeding Program- A motion was made by Mr. Wells and seconded by Mr. Vial to approve the intergovernmental agreement between Tangipahoa Parish Government and the City of Hammond in regards to the Summer Feeding Program. Roll call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)
Nays: None
Abstain: None
Absent: 3 (Forrest, Joseph, Bruno)
Not Voting: None

Mr. Miller presented the financial report for June 2018.

Item No. 9- Presentation- The Village at Port Manchac- Mr. Terry Jones presented information regarding the proposed development. No action taken.

Item No. 10- Adoption of T.P. Ordinance No. 18-29- An ordinance to grant a variance to ordinance 97-25- adoption of state sanitary code for Richard Moore at 47308 McGee Road in District No. 5- A motion was made by Mr. Ridgel and seconded by Mr. Wells to adopt T.P. Ordinance No. 18-29. Roll call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)
Nays: None
Abstain: None
Absent: 3 (Forrest, Joseph, Bruno)
Not Voting: None

T.P. Ordinance No. 18-29

AN ORDINANCE TO GRANT A VARIANCE TO ORDINANCE 97-25 ADOPTION OF STATE SANITARY CODE FOR RICHARD MOORE AT 47308 MCGEE ROAD, HAMMOND, LA 70401

WHEREAS, Richard Moore has an existing structure on this .68 acre of property;

WHEREAS, the Moore property is .32 short of requirement and will not be in violation of the State Sanitary Code;

WHEREAS, the Moore property may add one additional residence as long as it is on the same system as the existing residence;

THEREFORE BE IT ORDAINED by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, State of Louisiana, that a variance to the Tangipahoa Parish Code of Ordinances, Parish of Tangipahoa, State of Louisiana, be granted to Richard Moore to obtain approval to place a second residence and on this property with the second residence using the existing system that is already in place.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said Council and was submitted to an official vote of the TPC.

S/Kristen Pecararo, Clerk
Tangipahoa Parish Council

S/Bobby Cortez, Chairman
Tangipahoa Parish Council

S/Robby Miller, President
Tangipahoa Parish

Item No. 11- Adoption of T.P. Ordinance No. 18-30- An ordinance to grant a variance to ordinance 16-18- adoption, Section 17-7.1, 1b for Calvin Populis, Fern Street Properties Hammond, Louisiana 70401- A motion was made by Mr. Vial and seconded by Mr. Wells to adopt T.P. Ordinance No. 18-30. Roll call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)
Nays: None

Abstain: None
 Absent: 3 (Forrest, Joseph, Bruno)
 Not Voting: None

T.P. Ordinance No. 18-30

AN ORDINANCE TO GRANT A VARIANCE TO ORDINANCE 16-18, Sec.17-7.1,1b FOR CALVIN POPULIS FERN STREET PROPERTIES HAMMOND, LOUISIANA 7041 WHEREAS, Calvin Populis owns 3 parcels of property, 2 of which has a 100-foot road frontage on each parcel and 1 parcel having 40-foot road frontage; WHEREAS, Ordinance 16-18; Sec. 17-7.1, 1b requires 80-foot road frontage for property with community sewage per parcel; WHEREAS, the Populis existing 3 parcels frontage will be revised to each have 75.15-foot road frontage, just 5.85 feet short of the requirement and will not be in violation of the Tangipahoa Parish Subdivision Regulations; THEREFORE BE IT ORDAINED by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, that a variance to the Tangipahoa Parish Code of Ordinances, Parish of Tangipahoa, Tangipahoa Sewerage District #1, be granted to Calvin Populis to revise the frontage on the 3 parcels to be contiguous in frontage and acreage on all. BE IT FURTHER ORDAINED, by the Tangipahoa Parish Council that this ordinance shall take effect immediately upon the signature of the Tangipahoa Parish President.

The above and foregoing ordinance having been duly submitted to the Tangipahoa Parish Council in writing; introduced at a public meeting of the Tangipahoa Parish Council; discussed at the said public hearing; after motion and second was submitted to the official vote of the Tangipahoa Parish Council.

S/Kristen Pecararo, Clerk
 Tangipahoa Parish Council

S/Bobby Cortez, Chairman
 Tangipahoa Parish Council

S/Robby Miller, President
 Tangipahoa Parish

Item No. 12- Adoption of T.P. Ordinance No. 18-31- An ordinance providing for the levy of taxes for the year 2018-

A motion was made by Mr. Bailey and seconded by Mr. Wells to adopt T.P. Ordinance No. 18-31. Roll call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)
 Nays: None
 Abstain: None
 Absent: 3 (Forrest, Joseph, Bruno)
 Not Voting: None

T. P. ORDINANCE NO. 18-31

PROVIDING FOR THE LEVY OF TAXES FOR THE YEAR OF 2018

BE IT ORDAINED by the Tangipahoa Parish Council, the governing authority of Tangipahoa Parish, State of Louisiana, in regular session convened and conducted in accordance with the open meetings law, a quorum being present, that the following millage(s) are hereby levied on all taxable property shown on the official assessment roll for the year 2018, and, when collected the revenues from said taxes shall be used only for the specific purposes for which said taxes have been levied; said millage rates are as follows:

	2018 <u>Millage</u>
Town of Kentwood.....	1.53
Town of Amite City	1.53
Town of Independence	1.53
Town of Ponchatoula	1.53
City of Hammond.....	1.53
General Parish-Wide Alimony Tax	3.06
(Excepting above Inc. Towns/Cities)	
Library Maintenance Tax #1	3.00
Library Maintenance Tax #2	2.81
Health Unit Maintenance Tax	4.00
Garbage District No. 1 Maintenance	10.00
Road Lighting District No. 1	2.00
Road Lighting District No. 2	5.00
Road Lighting District No. 3	3.00
Road Lighting District No. 4	5.00
Road Lighting District No. 5	4.00
Road Lighting District No. 6	8.00
Road Lighting District No. 7	2.00
T.P. Fire District No. 2	10.00
T.P. Fire District No. 2	10.00

Sinking Funds:

Road District No. 101 (Kentwood)	3.00
Road District No. 101 Sub 1 (Kentwood)	3.00

BE IT FURTHER ORDAINED that the proper administrative officials of the Parish of Tangipahoa, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2017, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in

the manner provided by law.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon passage by the Tangipahoa Parish Council and signature of the Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council and after a public hearing, was submitted to an official vote of said Council.

S/Kristen Pecararo, Clerk
Tangipahoa Parish Council

S/Bobby Cortez, Chairman
Tangipahoa Parish Council

S/Robby Miller, President
Tangipahoa Parish

Item No. 13- Adoption of T.P. Ordinance No. 18-32- An ordinance placing 15 MPH speed limit signs on Bradford Lane in District No. 2 in Tangipahoa Parish in accordance with Chapter 20 streets, roads, sidewalks and drainage- Article I, in General- Section 20- A motion was made by Mr. Bailey and seconded by Mr.

Mayeaux to adopt T.P. Ordinance No. 18-32. Roll call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)

Nays: None

Abstain: None

Absent: 3 (Forrest, Joseph, Bruno)

Not Voting: None

T.P. Ordinance No. 18-32

AN ORDINANCE PLACING 15 MPH SPEED LIMIT SIGNS ON BRADFORD LANE IN DISTRICT NO. 2 IN TANGIPAHOA PARISH IN ACCORDANCE WITH CHAPTER 20, STREETS, ROADS, SIDEWALKS AND DRAINAGE - ARTICLE I, IN GENERAL - SECTION 20-16

BE IT ORDAINED by the Tangipahoa Parish Council, governing authority of Tangipahoa Parish, State of Louisiana, as follows:

- 1) 15 MPH Speed Limit Signs on Bradford Lane in District No. 2

in Accordance with Chapter 20, Streets, Roads, Sidewalks and Drainage - Article I, in General - Section 20-16.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

The above and foregoing ordinance having been duly submitted to the Tangipahoa Parish Council in writing; introduced at a public meeting of the Tangipahoa Parish Council; discussed at the said public hearing; after motion and second was submitted to the official vote of the Tangipahoa Parish Council.

S/Kristen Pecararo, Clerk
Tangipahoa Parish Council

S/Bobby Cortez, Chairman
Tangipahoa Parish Council

S/Robby Miller, President
Tangipahoa Parish

Item No. 14- Adoption of T.P. Ordinance No. 18-33- An ordinance to grant a variance to the Tangipahoa Parish Subdivision Regulations for lot n. 29 in The Coves of the Highland subdivision in District No. 2- A motion was made by Mr. Ridgel and seconded by Mr. Mayeaux to adopt T.P. Ordinance No. 18-33. Roll call vote was as follow:

Yeas: 6 (Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)

Nays: 1 (Bailey)

Abstain: None

Absent: 3 (Forrest, Joseph, Bruno)

Not Voting: None

T. P. ORDINANCE NO.18-33

AN ORDINANCE TO GRANT A VARIANCE TO THE TANGIPAHOA PARISH SUBDIVISION REGULATIONS FOR COVES OF THE HIGHLAND SUBDIVISION.

BE IT ORDAINED by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, State of Louisiana, that a variance be granted to T.P. Ordinance 17-39, Setback requirements for Lot No. 29 of the Coves of the Highland, Coved Single-Family Neighborhood Development.

WHEREAS, DR Horton, Inc. is the owner of Lot 29, Coves of the Highland Coved Single-Family Neighborhood Development, Tangipahoa Parish, LA.

WHEREAS, DR Horton, Inc. has partially constructed a single-family dwelling that encroaches 6.4 feet over the front building setback line, as per the survey conducted by Production Builder Services, Inc., DBA: Carter & Clark, dated May 18, 2018 and signed by Christopher W. Clark, PLS, License No. 0005191.

WHEREAS, the required front building meandering setback line was established to be 20 feet from the established road right of way as per T.P. Ordinance 17-39.

THEREFORE, BE IT ORDAINED by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, that a variance is granted to Lot 29 of the Coves of the Highland, Coved Single-Family Neighborhood Development, allowing the building meandering setback line to be amended to 13.6 feet from the right of way from Isabella Drive.

BE IT FURTHER ORDAINED, by the Tangipahoa Parish Council that this ordinance shall take effect immediately upon the signature of the Tangipahoa Parish President.

The above and foregoing ordinance having been duly submitted to the Tangipahoa Parish Council in writing; introduced at a public meeting of the Tangipahoa Parish Council; discussed at the said public hearing; after motion and second was submitted to the official vote of the Tangipahoa Parish Council.

S/Kristen Pecararo, Clerk
Tangipahoa Parish Council

S/Bobby Cortez, Chairman
Tangipahoa Parish Council

S/Robby Miller, President

Tangipahoa Parish

Item No. 15- Introduction of T.P. Ordinance No. 18-34- An ordinance placing 35 MPH speed limit signs and Drive Like Your Kids Live Here signs on Bennett Road in District No. 8 in Tangipahoa Parish in accordance with Chapter 20 streets, roads, sidewalks and drainage- Article I, in General- Section 20- A motion was made by Mr. Vial and seconded by Mr. Lavine to introduce T.P. Ordinance 18-34 and set public hearing for Monday, July 23, 2018 at 5:30PM for the purpose of receiving public input on the adoption thereof. Roll call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)
Nays: None
Abstain: None
Absent: 3 (Forrest, Joseph, Bruno)
Not Voting: None

Item No. 16- Introduction of T.P. Ordinance No. 18-35- An ordinance to surplus asset number 12435 (2003 Ford F-250) and authorize the donation of asset numbers 12435 (2003 Ford F-250) and 20788 (2008 Dodge Ram) to the Town of Kentwood- a motion was made by Mr. Vial and seconded by Mr. Wells to introduce T.P. Ordinance 18-35 and set public hearing for Monday, July 23, 2018 at 5:30PM for the purpose of receiving public input on the adoption thereof. Roll call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)
Nays: None
Abstain: None
Absent: 3 (Forrest, Joseph, Bruno)
Not Voting: None

Item No. 17- Introduction of T.P. Ordinance No. 18-36- An ordinance adding an addendum to section L-a1 of T.P. Ordinance No. 09-11, authorizing an increase of Waste Connection's service fees be \$0.50 per month- A motion was made by Mr. Vial and seconded by Mr. Wells to table the foregoing item until the August 13th meeting at the request of Mr. Clay Richardson of Waste Connections. Roll call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)
Nays: None
Abstain: None
Absent: 3 (Forrest, Joseph, Bruno)
Not Voting: None

Item No. 18- Introduction of T.P. Ordinance No. 18-37- An ordinance amending Tangipahoa Parish Subdivision Regulations on various requirements and allowing those requirements to become codified- A motion was made by Mr. Wells and seconded by Mr. Vial to introduce T.P. Ordinance 18-37 and set public hearing for Monday, July 23, 2018 at 5:30PM for the purpose of receiving public input on the adoption thereof. Roll call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)
Nays: None
Abstain: None
Absent: 3 (Forrest, Joseph, Bruno)
Not Voting: None

A motion was made by Mr. Bailey and seconded by Mr. Mayeaux to add to the agenda by unanimous vote the matter of appoint/re-appoint Sewerage District No. 1. Roll call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)
Nays: None
Abstain: None
Absent: 3 (Forrest, Joseph, Bruno)
Not Voting: None

Appoint/Re-appoint Sewerage District No. 1- A motion was made by Mr. Mayeaux and seconded by Mr. Vial to appoint Mr. Justin Proctor to fill the expired term of Mrs. Susan Quinn. This term will expire July 2022. Roll call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)
Nays: None
Abstain: None
Absent: 3 (Forrest, Joseph, Bruno)
Not Voting: None

Item No. 19- Beer, Wine, and Liquor Permits

- a) Pinnacle Roseland, LLC dba Arcola Petroleum
12046 Highway 1048
Roseland, La 70456
Class B/Class A/B

A motion was made by Mr. Vial and seconded by Mr. Bailey to approve the class b and class a/b permit for Arcola Petroleum. Roll call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)
Nays: None

Abstain: None
Absent: 3 (Forrest, Joseph, Bruno)
Not Voting: None

Sanger Oil, LLC dba Sunny Hill Petro Plus
24609 Highway 40
Kentwood, Louisiana 70444
Class B/Class A/B

A motion was made by Mr. Wells and seconded by Mr. Bailey to approve the class b and class a/b permit for Sunny Hill Petro Plus. Roll call vote was as follows:

Yeas: 7 (Bailey, Ridgel, Mayeaux, Wells, Lavine, Vial, Cortez)
Nays: None
Abstain: None
Absent: 3 (Forrest, Joseph, Bruno)
Not Voting: None

Item No. 20- Legal Matters- Jeremiah Carrol, Et Ux

Vs. C-622, 907 (D)- Mr. Speed gave a brief update regarding the aforementioned case.
He recommends no settlement negotiations. No action was taken.

Item No. 21- Councilmen's Privileges- None

Item No. 22- Adjourn

With no further business appearing, on motion by Mr. Wells and seconded by Mr. Bailey, the Tangipahoa Parish Council adjourned.

ATTEST:

S/Kristen Pecararo
Clerk
Tangipahoa Parish Council

S/Bobby Cortez
Chairman
Tangipahoa Parish Council