

PUBLIC HEARING OF THE TANGIPAHOA PARISH COUNCIL ON DECEMBER 26, 2023, AT 5:30 P.M. AT THE TANGIPAHOA PARISH GORDON A BURGESS GOVERNMENTAL BUILDING, 206 EAST MULBERRY STREET, AMITE, LOUISIANA Mr. Vial made it known a public hearing was being held on the following:

T.P. Ordinance No. 23-78, T.P. Ordinance No. 23-79, T.P. Ordinance No. 23-80 – No one from the public asked to speak on these items.

MINUTES OF THE TANGIPAHOA PARISH COUNCIL
DECEMBER 26, 2023 MEETING

The Tangipahoa Parish Council met on the 26th day of December 2023 in Regular Session and was called to order by Mr. David Vial, Chairman following the public hearing at 5:30pm. The Chair asked that all cell phones be muted or turned off.

The Invocation was given by Councilman Vial and the Pledge of Allegiance was led by Councilman Mayeaux

The following members were PRESENT: Trent Forrest, John Ingraffia, Louis Joseph, Carlo Bruno, Buddy Ridgel, Joey Mayeaux, Lionell Wells, David Vial, Brigitte Hyde, Kim Coates

ADOPTION OF MINUTES Motion by Mr. Joseph, seconded by Mr. Wells to adopt the minutes of the regular meeting dated December 11, 2023. Roll call vote as follows:

YEA: Mr. Forrest, Mr. Ingraffia, Mr. Joseph, Mr. Bruno, Mr. Ridgel, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Coates

PUBLIC INPUT – No one from the public asked to speak

PARISH PRESIDENT'S REPORT

1. APPROVAL OF PROPOSAL – Motion by Mr. Ridgel, seconded by Mr. Wells to approve the proposal Fiscal Agent Agreement for 2024-2027 by First Guaranty Bank. Roll call vote as follows: YEA: Mr. Forrest, Mr. Ingraffia, Mr. Joseph, Mr. Bruno, Mr. Ridgel, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Coates
2. APPROVAL OF BIDS – Motion by Mr. Mayeaux, seconded by Mr. Ingraffia to approve the year end bids for Fuel, Heavy Red Clay, Pest Control, Hot Mix, Cold Mix, Limestone, Road Materials, Bridge Material, Corrugated Metal Pipe, Janitorial as presented in the packet. Roll call vote as follows: YEA: Mr. Forrest, Mr. Ingraffia, Mr. Joseph, Mr. Bruno, Mr. Ridgel, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Coates
3. APPROVAL OF BIDS – Motion by Mrs. Hyde, seconded by Mrs. Coates to approve the bid for Ponchatoula FTA Pedestrian Improvements for Bryon E Talbot Contractor LLC in the amount of \$434,564.50. Roll call vote as follows: YEA: Mr. Forrest, Mr. Ingraffia, Mr. Joseph, Mr. Bruno, Mr. Ridgel, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Coates
4. APPROVAL OF CHANGE ORDER #1 – Motion by Mr. Joseph, seconded by Mr. Mayeaux to approve change order #1 for Asphalt Parking Improvements Chappapeela Sports Park for an increase of \$1,103.20 to the contract. Roll call vote as follows: YEA: Mr. Forrest, Mr. Ingraffia, Mr. Joseph, Mr. Bruno, Mr. Ridgel, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Coates
5. APPROVAL OF CHANGE ORDER #1 – Motion by Mr. Bruno, seconded by Mr. Joseph to approve change order #1 for Sweetwater Creek Debris Removal for an increase of \$43,518.30 to the contract. Roll call vote as follows: YEA: Mr. Forrest, Mr. Ingraffia, Mr. Joseph, Mr. Bruno, Mr. Ridgel, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Coates
6. APPROVAL OF CHANGE ORDER #1 – Motion by Mr. Ingraffia, seconded by Mr. Joseph to approve change order #1 for NRCS Emergency Watershed Protection Project Phase 1 & 2 for an increase of \$343,451.85 to the contract. Roll call vote as follows: YEA: Mr. Forrest, Mr. Ingraffia, Mr. Joseph, Mr. Bruno, Mr. Ridgel, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Coates
7. APPROVAL OF – Motion by Mr. Joseph, seconded by Mr. Forrest to approve the Louisiana Compliance Questionnaire 2023. Roll call vote as follows: YEA: Mr. Forrest, Mr. Ingraffia, Mr. Joseph, Mr. Bruno, Mr. Ridgel, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Coates

Mr. Miller made comments to the 3 council members leaving.

REGULAR BUSINESS

8. PRESENTATION by Mayor Jim Paine of Independence along with Luke Suarez, Chief Polito, and Larry Cardaronella presented Carlo Bruno with a plaque for 36 years of service to the Town of Independence.
9. APPROVAL OF TAX EXEMPTION – Motion by Mr. Bruno, seconded by Mr. Forrest to approve the tax exemption for MKS Plastics, LLC, Application #20230075-ITE. Roll call vote as follows: YEA: Mr. Forrest, Mr. Ingraffia, Mr. Joseph, Mr. Bruno, Mr. Ridgel, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Coates
10. DISCUSSION AND INFORMATION – Charles Schlicher discussed the reason for the Tangipahoa Water District Expansion noting the neighboring property was purchased with the intent to build a new main office due to over crowding of staff, no money will be borrowed. Motion by Mr. Ridgel, seconded by Mr. Bruno to approve the Tangipahoa Water District expansion project. Roll call vote as follows: YEA: Mr. Forrest, Mr. Ingraffia, Mr. Joseph, Mr. Bruno, Mr. Ridgel, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Coates

ADOPTION OF ORDINANCES

11. ADOPTION of T.P. Ordinance No. 23-78 - An Ordinance to adjust the salary of the Clerk of the Tangipahoa Parish Council - The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Tangipahoa Parish Council on December 11, 2023, a summary thereof having been published in the Official Journal together with a notice of public hearing, which was held in accordance with said public notice, was brought up for final passage on December 26,

2023 on a Motion made by Mr. Joseph and seconded by Mr. Wells. Roll call vote as follows: YEA: Mr. Forrest, Mr. Ingraffia, Mr. Joseph, Mr. Bruno, Mr. Ridgel, Mr. Mayeaux, Mr. Vial, Mr. Wells, Mrs. Hyde, Mrs. Coates to adopt T.P. Ordinance No. 23-78 as follows:

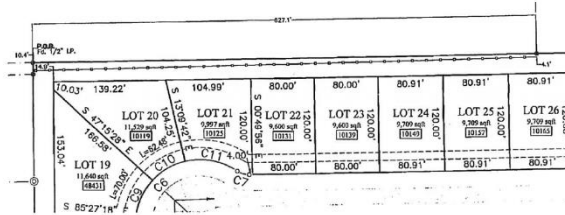
T. P. Ordinance No. 23-78

AN ORDINANCE TO ADJUST THE SALARY OF THE CLERK OF THE TANGIPAHOA PARISH COUNCIL BE IT ORDAINED by the Tangipahoa Parish Council-President Government, State of Louisiana, that the salary of the Clerk of the Tangipahoa Parish Council is hereby increased by three percent (3%) effective pay date January 12, 2024. 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 Tangipahoa Parish Council.

12. ADOPTION of T.P. Ordinance No. 23-79 - An Ordinance to grant a variance to Section 36-113-General Standards for Major Subdivisions & Special Use Commercial Development, (C)-Preserve a 25' Perimeter Buffer of Undisturbed Greenspace for Rivers Edge Subdivision/Cobalt Construction, Assessment #6297951 in District 4 - The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Tangipahoa Parish Council on December 11, 2023, a summary thereof having been published in the Official Journal together with a notice of public hearing, which was held in accordance with said public notice, was brought up for final passage on December 26, 2023 on a Motion made by Mr. Bruno and seconded by Mrs. Hyde. Roll call vote as follows: YEA: Mr. Forrest, Mr. Ingraffia, Mr. Joseph, Mr. Bruno, Mr. Ridgel, Mr. Mayeaux, Mr. Vial, Mr. Wells, Mrs. Hyde, Mrs. Coates to adopt T.P. Ordinance No. 23-79 as follows:

T. P. Ordinance No. 23-79

AN ORDINANCE TO GRANT A VARIANCE TO SECTION 36-113-GENERAL STANDARDS FOR MAJOR SUBDIVISIONS & SPECIAL USE COMMERCIAL DEVELOPMENT, (C)-PRESERVE A 25' PERIMETER BUFFER OF UNDISTURBED GREENSPACE FOR RIVERS EDGE SUBDIVISION/COBALT CONSTRUCTION, ASSESSMENT #6297951 IN DISTRICT 4 WHEREAS, Cobalt Construction & Development LLC, owner of River's Edge Subdivision, Assessment #6297951, Sec-12, T6S, R6E, requested a variance of the required 25' buffer being the distance of 627.10' in length from the northwest property line for a shortage of 16'6" on the west end and narrowing to 4'1" on the east end as per drawing



WHEREAS, the Tangipahoa Parish Code of Ordinances read in Chapter 36 Planning and Development, Article V Standards for Development of Property, Section 36-113 General Standards for major subdivisions and special use commercial developments, (c) All developments shall preserve a 25-foot perimeter buffer of undisturbed green space, which may be considered as part of the stormwater management area. There shall be a minimum stormwater management area requirement of 20 percent of the gross area of all special use residential commercial developments, which shall meet the following standards: (1) The buffer may only be disturbed or modified for access or infrastructure connectivity with the approval of the parish engineer. (2) Fill shall not be placed in any required buffer. (3) Selective removal of trees will be allowed in the 25-foot buffer and individual lots. Removal shall be based on tree species and disease or decay. The selected tree removal plan shall be pre-approved by the Planning Department prior to removal. (4) Any drainage way required by the post development drainage design shall be placed outside the 25-foot undisturbed perimeter buffer. This area may be considered as part of the stormwater management area. Width of said drainage way shall be approved by the Parish Engineer or Consolidated Gravity Drainage District Administrator.

WHEREAS, on December 5, 2023, the Planning Commission voted to recommend approval of the variance request by Cobalt Construction & Development LLC, to allow for the development of River's Edge Subdivision, Assessment #6297951, Sec-12, T6S, R6E, given the property line ownership dispute is a hardship that is not self-created and said area is determined to be owned by Cobalt Construction & Development LLC by the courts then this area is to be preserved as a buffer for Rivers Edge Subdivision; and THEREFORE BE IT ORDAINED by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, State of Louisiana, that a variance to the section of the Tangipahoa Parish Code of Ordinances, Parish of Tangipahoa, State of Louisiana, be granted to Cobalt Construction & Development LLC to allow for the development of River's Edge Subdivision, Assessment #6297951, Sec-12, T6S, R6E, once all other requirements have been satisfied; 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 Tangipahoa Parish Council.

13. ADOPTION of T.P. Ordinance No. 23-80 - An Ordinance amending and enacting Chapter 12-Buildings and Building Regulations, Article III-Removal or Condemnation of Dangerous Buildings, Structures and Camps in the Unincorporated areas of the Parish, Section 12-58 and Section 12-59 - Filed with Recorder of Mortgage - The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Tangipahoa Parish Council on December 11, 2023, a summary thereof having been published in the Official Journal together with a notice of public hearing, which was held in accordance with said public notice, was brought up for final passage on December 26, 2023 on a Motion made by Mr. Bruno and seconded by Mr. Mayeaux. Roll call vote as follows: YEA: Mr. Forrest, Mr. Ingraffia, Mr. Joseph, Mr. Bruno, Mr. Ridgel, Mr. Mayeaux, Mr. Vial, Mr. Wells, Mrs. Hyde, Mrs. Coates to adopt T.P. Ordinance No. 23-80 as follows:

T. P. Ordinance No. 23-80

AN ORDINANCE AMENDING AND ENACTING CHAPTER 12-BUILDINGS AND BUILDING REGULATIONS, ARTICLE III-REMOVAL OR CONDEMNATION OF DANGEROUS BUILDINGS, STRUCTURES AND CAMPS IN THE UNINCORPORATED AREAS OF THE PARISH, SECTION 12-58 AND SECTION 12-59 – FILED WITH RECORDER OF MORTGAGE

Chapter 12 BUILDINGS AND BUILDING REGULATIONS

ARTICLE III. REMOVAL OR CONDEMNATION OF DANGEROUS BUILDINGS, STRUCTURES AND CAMPS IN THE UNINCORPORATED AREAS OF THE PARISH

Sec. 12-58. Notice to owner; **public** hearing; ~~notice filed with recorder of mortgages binds transferees.~~

- (a) Before the parish council-president government may condemn any building, camp or structure, there must be submitted to the parish council a written report detailing the current condition of the building, camp or structure and recommending the demolition or removal of the building, camp or structure inspected and signed by the parish building inspector and the parish president. The parish council shall then accept this report and approve moving forward with condemnation proceedings by a resolution duly passed by a majority of the membership of the parish council. Thereafter, the parish president shall thereupon serve notice on the owner of the building, camp or structure requiring said owner to show cause at a meeting of the parish council, either regular or special, why the building, camp or structure should not be condemned or removed. The location, date and hour of the meeting shall be stated in the notice which shall be served upon the owner of the building, camp or structure at least 15 days prior to the date of the hearing, except in the case of grave public emergency as hereinafter provided. The notice may be served by registered or certified mail, postage prepaid, addressed to the owner at the owner's last known address. The

notice may also be served by the sheriff or deputy sheriff or constable having jurisdiction and power to serve legal process where the owner of the building, camp or structure is found in the state and the officer shall make a return of the service as in ordinary cases.

- (b) If the owner is absent from the state and unrepresented therein, then the notice shall be served upon the owner by certified mail at the owner's last known address and upon the occupant of the dilapidated and dangerous building, camp or structure, if any, and also upon an attorney-at-law appointed by the parish president to represent the absentee owner. Domiciliary service may be made on the owner as in ordinary cases. In the case of a jointly owned building, camp or structure by a husband and wife, both the husband and the wife, in community, shall be served with this notice. Otherwise, each and every owner of the building, camp or structure shall be served with notice as required herein.
- (c) In the case of grave public emergency, where the condition of the building, camp or structure is such as to cause possible immediate loss or damage to persons or property and there is no means for the parish council-president government to restrict access to the property or otherwise secure and/or protect the general public from the property, the parish council-president government may condemn the building, camp or structure and cause its removal after 24 hours' notice served upon the owner or the owner's agent or the occupant and attorney-at-law appointed to represent the absentee owner, incompetent owner, minor child owner or a deceased owner.

~~(d) Any notice served pursuant to this section shall be filed with the recorder of mortgages for the parish, being the parish clerk of court. Once filed, the notice shall be deemed notice to all subsequent transferees. Any transferee of such property takes the property subject to all recorded liens, mortgages and notice thereunto pertaining.~~

- (e) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Absentee owner means one who has no representative in the state and whose whereabouts are not known and cannot be ascertained by diligent effort.

Deceased person means a person who has died where there is no legally appointed person to represent the estate.

Interdict means a person who has been declared incompetent to manage his own affairs and has no curator appointed for him.

Minor means a person who has not attained the age of majority, 18 years old, and has no tutor appointed for him.

- (f) The council-president government shall order an abstract on the property prior to any action on property to be demolished or condemned.

State law reference(s)—Required notice, R.S. 33:1236(49)(b)(ii).

Sec. 12-59. Decision of parish council; order to demolish or repair; **notice filed with recorder of mortgages.**

- (a) After the hearing pursuant to this article, if, in the opinion of the parish council, the facts justify it, an order shall be issued and entered by the parish council condemning the building and ordering that it be demolished or removed within a certain reasonable delay. If repairs will correct the dilapidated, dangerous or unsafe condition, the parish council-president government may grant the owner the option of making such repairs, but in such a case the general nature or extent of the repairs to be made, the time thereof and the defects to be corrected shall be specified in the decision of the parish council-president government.

- (b) The decision of the parish council shall be in writing **and filed with the recorder of mortgages for the parish, being the parish clerk of court. The filed notice shall be deemed notice to all subsequent transferees. Any transferee of such property takes the property subject to all recorded liens, mortgages and notice thereunto pertaining.** ~~and~~ **The decision of the council** shall be final unless appealed from within five days as hereinafter provided.

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 Tangipahoa Parish Council.

ADOPTION OF RESOLUTIONS

14. **ADOPTION of T.P. Resolution No. R23-53 - A Resolution of the Tangipahoa Parish Council-President Government to approve the ADA Policy for Open Meetings of the Tangipahoa Parish Council**
WHEREAS, R.S. 42:17.2 requires the public body to adopt rules, regulations, and policies to facilitate viable alternative methods for a member of the public with a disability recognized by the Americans with Disabilities Act or a designated caregiver of such a person who so requests to participate in its meetings; and
WHEREAS, In accordance with the Americans with Disabilities Act, any person needing special assistance to participate in an Open Meeting of the Tangipahoa Parish Council shall contact the Tangipahoa Parish Council Clerk prior to 12:00pm (cst) the day of the schedule meeting via phone or email requesting assistance to participate in the meeting; and
WHEREAS, upon request the Tangipahoa Parish Council Clerk shall provide the attached Americans with Disabilities Act Public Input Form.
THEREFORE BE IT RESOLVED, that the Tangipahoa Parish Council hereby approves the ADA Policy for Open Meetings of the Tangipahoa Parish Council as adopted in this Resolution and as attached.
On a motion by Mr. Wells and seconded by Mrs. Coates, the foregoing resolution is hereby declared adopted on this 26th day of December 2023 by the following roll-call vote: YEAS: Forrest, Ingraffia, Joseph, Bruno, Ridgel, Mayeaux, Wells, Vial, Hyde, Coates

BEER, WINE, AND LIQUOR PERMITS

Motion by Mrs. Hyde, seconded by Mr. Ridgel to approve the foregoing Beer, Wine & Liquor permits as approved by TPSO for Omega Fuels / LA 22 Mart, 24020 Hwy 22, Ponchatoula, LA 70454 in District 9 for Class B Beer (Package Only) and Class A/B Liquor and E-Ventory LLC / Blackened Brew, 14256 W Club Deluxe Road, Hammond, LA 70403 in District 10 for Class A Beer (On Premise) / Class A/B Liquor. Roll call vote as follows: YEA: Mr. Forrest, Mr. Ingraffia, Mr. Joseph, Mr. Bruno, Mr. Ridgel, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde ABSTAIN: Mrs. Coates

LEGAL MATTERS - None

COUNCILMEN'S PRIVILEGES

Mr. Joseph commented on the 3 council members leaving and discussed the swearing in ceremony on January 8th.

Mr. Forrest thanked everyone and encouraged everyone to continue working together.

Mr. Ingraffia thanked the outgoing council members.

Mrs. Coates thanked everyone.

Mr. Bruno thanked everyone and encouraged the continued growth of the parish and working together.

ADJOURN

With no further discussion, Motion by Mr. Bruno to adjourn the meeting. No opposition.

S/Jill DeSouge, Council Clerk
Tangipahoa Parish Council

S/David P. Vial, Chairman
Tangipahoa Parish Council