

Tangipahoa Parish Council
Tangipahoa Parish Gordon A Burgess Governmental Building
206 East Mulberry Street, Amite, LA 70422
Regular Meeting Immediately Following Public Hearing
July 11, 2022

PUBLIC HEARING - Notice Is Hereby Given That a Public Hearing Will Be Held by The Tangipahoa Parish Council on July 11, 2022, at 5:30 PM at the Tangipahoa Parish Gordon A Burgess Governmental Building, 206 East Mulberry Street, Amite, Louisiana, 70422, contact number (985) 748-3211 on the following:

T.P. Ordinance No. 22-32- An Ordinance placing 3 Way Stop Signs at Yokum Road and East Little Italy Road in District 8

T.P. Ordinance No. 22-33- An Ordinance amending and enacting Chapter 36-Planning and Development, Article V-Standards for Development of Property, Section 36-111-General Improvement Standards, (b) Land Clearing

T.P. Ordinance No. 22-34- An Ordinance to grant a variance to Section 36-112-Special Classification Property Development Standards for Nelson McKinley, Assessment #1082507 in District 4

T.P. Ordinance No. 22-35- An Ordinance amending and enacting Chapter 36-Planning and Development, Article IV-Standards for Subdivision of Property, Section 36-90-Minor Subdivision Standards, (D) Minor Commercial Partitions

CALL TO ORDER

CELL PHONES - *Please Mute or Turn Off*

INVOCATION

PLEDGE OF ALLEGIANCE (*All Veterans and active military, please render the proper salute*)

ROLL CALL

ADOPTION OF MINUTES of regular meeting dated June 27, 2022

PUBLIC INPUT - *Anyone Wishing to Address Agenda Items Which Were Not on Public Hearing*

1. PRESENTATION by Kim Bigler founder of James Samaritan

PARISH PRESIDENT'S REPORT

2. RECOGNITION of the 2023 Amite Oyster Festival Royalty

[3.](#) APPROVAL OF CHANGE ORDER #2 - Final Cover Cell 12 Bid C

4. APPROVAL OF CHANGE ORDER #2 - Velma Sewer System Improvements

5. APPROVAL OF FINAL ACCEPTANCE OF WORK - Velma Sewer System Improvements

6. APPROVAL TO SEEK BIDS - South Airport Road-North Hoover Road Improvements

7. APPROVAL TO PROCEED WITH LEGAL ACTION

(a) 55397 Hwy 1054, Independence, Assessment #745707, District 4

(b) 17084 Cooper Rd, Independence, Assessment #734101, District 4

REGULAR BUSINESS

ADOPTION OF ORDINANCES

[8.](#) ADOPTION of T.P. Ordinance No. 22-32 - An Ordinance placing 3 Way Stop Signs at Yokum Road and East Little Italy Road in District 8

[9.](#) ADOPTION of T.P. Ordinance No. 22-33 - An Ordinance amending and enacting Chapter 36-Planning and Development, Article V-Standards for Development of Property, Section 36-111-General Improvement Standards, (b) Land Clearing

[10.](#) ADOPTION of T.P. Ordinance No. 22-34 - An Ordinance to grant a variance to Section 36-112-Special Classification Property Development Standards for Nelson McKinley, Assessment #1082507 in District 4

[11.](#) ADOPTION of T.P. Ordinance No. 22-35 - An Ordinance amending and enacting Chapter 36-Planning and Development, Article IV-Standards for Subdivision of Property, Section 36-90-Minor Subdivision Standards, (D) Minor Commercial Partitions

INTRODUCTION OF ORDINANCES

- [12.](#) INTRODUCTION of T.P. Ordinance No. 22-36 - An Ordinance to adopt the Millage Rates for the Tax Year of 2022
- [13.](#) INTRODUCTION of T.P. Ordinance No. 22-37 - An Ordinance amending T.P. Ordinance 22-17, Chapter 36- Planning and Development, Article V, Section 36-113, Item (f), Number (1)
- [14.](#) INTRODUCTION of T.P. Ordinance No. 22-38 - An Ordinance reducing the speed limit to 15mph on Robinwood Drive in District 6

BOARD APPOINTMENTS

- 15. RE-APPOINTMENT to Gravity Drainage District No 5 Board

LEGAL MATTERS

COUNCILMEN'S PRIVILEGES

ADJOURN

Jill DeSouge
Clerk of Council

Daily Star
Please Publish July 7, 2022

Published on Tangipahoa Parish Government website at www.tangipahoa.org and posted @ T.P. Gordon A. Burgess Governmental Building July 7, 2022

In Accordance with the Americans with Disabilities Act, If You Need Special Assistance, please contact Jill DeSouge at [985-748-2290](tel:985-748-2290) describing the Assistance that is necessary.

JUSTIFICATION FOR CHANGE	Engineer's Project No.	TAN-058
	Contract	Final Cover Cell 12 – Bid C
	Change Order No.	2

1. Necessity for change:
Change Order No. 2 proposes to replace anchors that could not be successfully load locked or retrieved due to shallow depth refusal. Refusal occurs whenever impenetrable objects are encountered while driving anchors into the waste mass. It is impossible to predict where anchor installers may encounter shallow depth refusal. The anchors that could not be retrieved must be replaced to maintain proper anchor spacing and protect the exposed geomembrane from uplift.

2. Is proposed change an alternate bid? Yes No

3. Will proposed change alter the physical size of the project? Yes No

4. Effect of this change on other prime contractors:
None

5. Has consent of surety been obtained? Yes Not necessary

6. Will this change affect expiration or extent of insurance coverage? Yes No

7. Effect on operation and maintenance cost?
None

Owner	Date
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T.P. Ordinance No. 22-32

AN ORDINANCE PLACING 3 WAY STOP SIGNS AT YOKUM ROAD AND EAST LITTLE ITALY ROAD IN DISTRICT 8

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

- 1) 3 Way Stop Signs at Yokum Road and East Little Italy Road, District 8

in Accordance with Chapter 42, Streets, Roads, Sidewalks and Drainage - Article I, in General - Section 42-19.

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.

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.

On motion by__and seconded by ____, the foregoing ordinance was hereby declared adopted on this 11th day of July, 2022 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

Brigitte Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: June 27, 2022

PUBLISHED: July 7, 2022 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: July 11, 2022

DELIVERED TO PRESIDENT: _____day of July, 2022 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July, 2022 at _____

T.P. Ordinance No. 22-33

AN ORDINANCE AMENDING AND ENACTING CHAPTER 36 – PLANNING AND DEVELOPMENT, ARTICLE V – STANDARDS FOR DEVELOPMENT OF PROPERTY, SECTION 36-111 – GENERAL IMPROVEMENT STANDARDS, (B) LAND CLEARING

BE IT ORDAINED by the Tangipahoa Parish Council-President Government, State of Louisiana, acting as the Governing Authority thereof revises and amends the Tangipahoa Parish Code of Ordinance, Chapter 36 – Planning and Development as follows:

Chapter 36 PLANNING AND DEVELOPMENT

ARTICLE V. STANDARDS FOR DEVELOPMENT OF PROPERTY

Sec. 36-111. General improvement standards.

(b) *Land clearing.*

- (1) Approval of a land clearing permit from the parish is required for any disturbance parcel of five acres or more; any major subdivisions; and any special use residential commercial developments as required by the parish and in compliance with department of environmental quality SWPPP requirements.
- (2) All applications for parcels 20 acres or larger shall include a wetland jurisdictional determination (JD) performed by a qualified professional. Evidence of submission of the JD to the U.S. Army Corps of Engineers (Corps) shall also accompany the permit application. If the site does not contain wetlands, any further site development shall follow the applicable development regulations as set forth by the parish. If the site does contain wetlands, those wetlands areas shall be field marked, and no clearing operations shall be performed in those wetlands areas. Any further site development shall not disturb the identified wetlands areas until the site development plan and proposed wetland modifications are approved by the parish. Prior to any construction activities on the site, Corps concurrence of the JD shall be submitted to the parish. Any wetlands modification shall meet the requirements set forth by the parish and shall be properly permitted by the Corps and the state department of natural resources (if applicable).
- (3) This pertains to all developments, but specifically excludes the following: single residential structures (homes) with a construction permit, commercial forestry or timber operations with a logging permit, farming operations as defined by the state department of agriculture, and normal maintenance or pruning.
- (4) Any parcel regardless of having received a logging and/or land clearing permit and which has been cleared or logged such that all or portions of the 25-foot vegetative perimeter buffer has been removed shall not be allowed to be submitted for a major subdivision development or for a special use residential commercial development approval within a 24-month period from the completion date of the clearing operation or until the vegetative perimeter buffer is restored in accordance with section 36-8.
- (5) For major subdivision developments and special use residential commercial developments a land clearing permit shall not be issued until final approval has been obtained from the planning commission.
- (6) A land clearing permit shall be required for all major subdivision developments and special use residential commercial developments on parcels of five acres or greater.
- (7) Limited removal of vegetation for the sole purpose of obtaining information for an existing topographical survey shall not be deemed a violation of this chapter as long as no grubbing is performed.

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.

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 shall take effect immediately upon the signature of the Tangipahoa Parish President.

On motion by ___ and seconded by ____, the foregoing ordinance was hereby declared adopted on this 11th day of July, 2022 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

Brigette Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: June 27, 2022

PUBLISHED: July 7, 2022 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: July 11, 2022

DELIVERED TO PRESIDENT: _____ day of July, 2022 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July, 2022 at _____

T.P. Ordinance No. 22-34

**AN ORDINANCE TO GRANT A VARIANCE TO SECTION 36-112 –
SPECIAL CLASSIFICATION PROPERTY DEVELOPMENT STANDARDS
FOR NELSON MCKINLEY, ASSESSMENT #1082507, IN DISTRICT NO. 4**

WHEREAS, Nelson McKinley is requesting a variance for a moving permit to place a manufactured home at 11594 Hwy 40, Independence, LA, Assessment #1082507, a 5 acre parcel that occupied 3 residential dwellings with the primary residential structure being damaged during Hurricane Ida; and

WHEREAS, the storm damaged primary residential structure has been demolished and removed from the 5 acre parcel; and

WHEREAS, Mr. McKinley desires to replace the damaged primary residential structure with a new manufactured home; and

WHEREAS, Tangipahoa Parish Code of Ordinances Chapter 36 Planning and Development, Article V Standards for Development of Property, Section 36-112 Special classification property development standards (A) Mobile/Manufactured Homes Placement Standards for placement on a single lot reads no more than 2 single family dwelling units shall be placed on any one parcel of record. These 2 single family residential dwelling units will only allow for one manufactured home and a one single family residential dwelling. Each unit will require one-half acre per unit; 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 Nelson McKinley to approve a moving permit to place a manufactured home on Assessment #1082507 based on the hardship of losing the primary residential structure due to an act of nature, once all other requirements have been satisfied;

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.

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.

On motion by__and seconded by ____, the foregoing ordinance was hereby declared adopted on this 13th day of July, 2022 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

Brigitte Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: June 27, 2022

PUBLISHED: June 23, 2022 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: July 7, 2022

DELIVERED TO PRESIDENT: _____ day of July, 2022 at _____

APPROVED BY PRESIDENT: _____

Robby Miller Date

VETOED BY PRESIDENT: _____

Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July, 2022 at _____

T.P. Ordinance No. 22-35

AN ORDINANCE AMENDING AND ENACTING CHAPTER 36 –
PLANNING AND DEVELOPMENT, ARTICLE IV – STANDARDS FOR
SUBDIVISION OF PROPERTY, SECTION 36-90 – MINOR SUBDIVISION
STANDARDS, (D) MINOR COMMERCIAL PARTITIONS

BE IT ORDAINED by the Tangipahoa Parish Council-President Government, State of Louisiana, acting as the Governing Authority thereof revises and amends the Tangipahoa Parish Code of Ordinance, Chapter 36 – Planning and Development as follows:

Chapter 36 PLANNING AND DEVELOPMENT

ARTICLE IV. STANDARDS FOR SUBDIVISION OF PROPERTY

Sec. 36-90. Minor Commercial Standards.

- (d) *Minor commercial partitions.* General minor commercial partitions result in the creation of two lots, but not exceeding ~~ten~~ **four (4)** lots fronting on an existing road for access with the intended purpose of commercial developments being constructed on these lots.
- (1) Lots sizes meet the minimum 125 feet of road frontage.
 - (2) Each lot must be a minimum of one acre each.
 - (3) These subdivisions are considered minor subdivisions and may be approved administratively upon signature by the parish engineer, community development director and drainage district administrator, if applicable.
 - (4) All such partitions must be filed with the parish clerk of court before any commercial development permits will be issued.
 - (5) A wetlands jurisdictional determination, in writing from the Corps of Engineers, is obtained.
 - (6) Sewerage discharge verification is not required for the approval of these subdivisions. Details concerning where sewer effluent will be received by a public, maintained waterway will be required at the time of the commercial development plan.
 - (7) The survey plat shall state that the lots are for the intended purpose of commercial development. No single-family residential houses or multifamily residential developments shall be allowed on parcels.

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.

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 shall take effect immediately upon the signature of the Tangipahoa Parish President.

On motion by ___ and seconded by ____, the foregoing ordinance was hereby declared adopted on this 11th day of July, 2022 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

Brigette Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: June 27, 2022

PUBLISHED: July 7, 2022 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: July 11, 2022

DELIVERED TO PRESIDENT: _____ day of July, 2022 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July, 2022 at _____

T. P. ORDINANCE NO. 22-36

AN ORDINANCE TO ADOPT THE MILLAGE RATES FOR THE TAX YEAR OF 2022

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 2022, 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:

	2022
	<u>Millage</u>
Town of Kentwood	1.52
Town of Amite City	1.52
Town of Independence.....	1.52
Town of Ponchatoula	1.52
City of Hammond	1.52
General Parish-Wide Alimony Tax	3.05
(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	6.00
Road Lighting District No. 4	5.00
Road Lighting District No. 5	5.00
Road Lighting District No. 6	5.00
Road Lighting District No. 7	5.00
T.P. Fire District No. 2.....	10.00
T.P. Fire District No. 2.....	10.00

Sinking Funds:

Road District No. 101 (Kentwood).....	2.00
Road District No. 101 Sub 1 (Kentwood).....	2.00

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 2022, 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.

On a motion by _____ and seconded by _____, the foregoing ordinance was hereby declared adopted this day 25th of July, 2022 by the following roll-call vote:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

Brigette Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: July 11, 2022

PUBLISHED: July 21, 2022 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: July 25, 2022

DELIVERED TO PRESIDENT: _____ day of July, 2022 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July, 2022 at _____

T.P. Ordinance No. 22-37

AN ORDINANCE AMENDING T.P. ORDINANCE 22-17, CHAPTER 36 – PLANNING AND DEVELOPMENT, ARTICLE V, SECTION 36-113, ITEM (F), NUMBER (1)

BE IT ORDAINED by the Tangipahoa Parish Council-President Government, State of Louisiana, acting as the Governing Authority thereof revises and amends the Tangipahoa Parish Code of Ordinance, Chapter 36 – Planning and Development as follows:

CHAPTER 36 – PLANNING AND DEVELOPMENT

ARTICLE V – STANDARDS FOR DEVELOPMENT OF PROPERTY

Sec. 36-113. General standards for major subdivisions and special use commercial developments

- (f) All structures constructed on new lots in flood zone A and AE as established by adopted DFIRM shall be developed as follows in compliance with the base flood elevation:
 - (1) A maximum of 24 inches of fill from ~~post~~ **pre**-development grade be placed under the roof-shed area of the primary structure and shall not exceed the volume required to prepare an adequate building footprint pad. The fill shall have a slope steepness between 4H:1V and 3V:1V back slope to the existing grade. The final plat and as-builts plans must include a table detailing maximum allowed height for all lots with fill as defined in these regulations. Elevations shall be taken at the center of each lot.
 - (2) Fill shall not be placed in any side yard, rear yard or front yard setbacks.

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.

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. On motion by ___ and seconded by ___, the foregoing ordinance was hereby declared adopted on this 25th day of July, 2022 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

Brigette Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: July 11, 2022

PUBLISHED: July 21, 2022 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: July 25, 2022

DELIVERED TO PRESIDENT: _____ day of July, 2022 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July, 2022 at _____

T.P. Ordinance No. 22-38

**AN ORDINANCE REDUCING THE SPEED LIMIT TO 15 MPH ON
ROBINWOOD DRIVE IN DISTRICT 6**

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

- 1) 15 MPH speed limit signs on Robinwood Drive in District No. 6

in Accordance with Chapter 42, Streets, Roads, Sidewalks and Drainage - Article I, in General - Section 42-19.

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.

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.

On motion by__and seconded by __, the foregoing ordinance was hereby declared adopted on this 25th day of July, 2022 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

Brigitte Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: July 11, 2022

PUBLISHED: July 21, 2022 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: July 25, 2022

DELIVERED TO PRESIDENT: _____day of July, 2022 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July, 2022 at _____