

**CITY OF COVINGTON  
COVINGTON CITY COUNCIL  
REGULAR MEETING MINUTES  
SEPTEMBER 19, 2017**

**Council President O'Keefe** called the regular meeting to order at 6:00 P.M.

Roll call was as follows:

PRESENT: John Callahan, Jerry Coner, Mark Wright, Larry Rolling, Rick Smith,  
Patrick McMath and Sam O'Keefe

ABSENT: None

A Moment of Silence was observed.

The Pledge of Allegiance was led by Mr. Phil Rapp.

**SPECIAL PRESENTATION BY COUNCIL**

**Council President O'Keefe** and the Council presented a memento to Eddie Fielding for his service as Interim Councilman at Large for the City of Covington. Mr. Fielding stated it was a privilege to serve with the Council and enjoyed working with the Council, Administration and City employees.

**APPEARERS**

1. Mr. Alan Zaunbrecher, Candidate for Judge, Division H, 22<sup>nd</sup> Judicial District Court, introduced himself and discussed his qualifications for the position of district judge.
2. Mr. Billy Burris, Candidate for Judge, Division E, 22<sup>nd</sup> Judicial District Court, introduced himself and discussed his qualifications for the position of district judge.

*(Ms. Lacey Toledano was running late and appeared later in the meeting.)*

3. Ms. Diane Weiss, on behalf of the 15<sup>th</sup> Street Flyers, presented a report on the 2017 "4 on the 4<sup>th</sup>" Race and presented checks from the proceeds of the race to the Northshore Food Bank, Tammany Trace Foundation, Covington Recreation Department, Wade Sharp FOP Lodge #43, Covington Firefighters Association and the West St. Tammany YMCA.

**Mayor Cooper** thanked Ms. Weiss and the 15<sup>th</sup> Street Flyers for providing a great race through our city. Also, he mentioned that funds have been allocated in the 2018 budget for repairs and improvements to the walkway path along 15<sup>th</sup> Avenue.

Mr. Joey Roberts from the West St. Tammany YMCA expressed his appreciation to Ms. Weiss and the 15<sup>th</sup> Street Flyers for the donation.

## **CONSENT CALENDAR**

**Councilman Smith made a motion to adopt the consent calendar, seconded by Councilman Wright. Roll call was unanimous to adopt the consent calendar. The consent calendar was adopted.**

## **REGULAR AGENDA**

### **Unfinished Business**

#### **Items to be voted on:**

**1. PUBLIC HEARING AND ACTION ON ITEM NO. 2017-08-01 – An Ordinance of the City of Covington Amending the Following Provisions of the Covington Code of Ordinances: Appendix B, Comprehensive Zoning Ordinance of 2010, Part 3. Use Districts, Section 3.31. HDC-MUOD Historic Downtown Covington Mixed-Use Overlay District, Subsection 3.3103. Permitted Uses, Subsection 3.3106. Area Requirements, and Subsection 3.3108. Height Requirements (Zoning Case No. 17-07-02TEXT) (O’Keefe)**

**Council President O’Keefe led a discussion on Item No. 2017-08-01.**

**Councilman Callahan made a motion to close the public hearing, seconded by Councilman Coner. There were no objections to closing the public hearing. The public hearing was closed.**

**Councilman Wright made a motion to adopt Item No. 2017-08-01, seconded by Councilman Rolling. Roll call was unanimous to adopt Item No. 2017-08-01. Item No. 2017-08-01 was adopted.**

**2. PUBLIC HEARING AND ACTION ON ITEM NO. 2017-08-02 – An Ordinance of the City of Covington Declaring the 20’ Alleys in Squares 712 and 713, Division of New Covington, City of Covington, St. Tammany Parish, Louisiana, Abandoned, Vacated, Closed and Not Needed for Public Purposes (Planning Case No. 17-07-01STREET/ALLEY REVOCATION) (Rolling)**

**City Attorney Rod Rodrigue stated that the owner of the subject property initially requested the revocation of the unconstructed Taylor Street between 8<sup>th</sup> Avenue and the Tchefuncte River in addition to the alleys in Squares 712 and 713. He also stated that after Public Works reviewed the request, they recommended that Taylor Street remain a dedicated street since it is a drainage feature. As a result, the request for revocation is limited to the two alleys, neither of which connect to any open street or contain any utilities.**

**Councilman Coner made a motion to close the public hearing, seconded by Councilman Callahan. There were no objections to closing the public hearing. The public hearing was closed.**

**Councilman Wright made a motion to adopt Item No. 2017-08-02, seconded by Councilman Rolling. Roll call was unanimous to adopt Item No. 2017-08-02. Item No. 2017-08-02 was adopted.**

**3. PUBLIC HEARING AND ACTION ON ITEM NO. 2017-08-03 – An Ordinance of the City of Covington Amending the Following Provisions of the Covington Code of Ordinances: Chapter 18 Buildings and Building Regulations, Article II. Codes, Division 2. Uniform Construction Code, Section 18-56.**

Schedule of Permit and Inspection Fees and Article III. Land Clearing, Division 2. Permits, Section 18-120. Permits and Approvals (Smith)

**Councilman Smith** led a discussion on Item No. 2017-08-03.

**Councilman Callahan** made a motion to close the public hearing, seconded by **Councilman McMath**. There were no objections to closing the public hearing. The public hearing was closed.

**Councilman Wright** made a motion to adopt Item No. 2017-08-03, seconded by **Councilman McMath**. Roll call: Yeas – 6; Abstain – 1 (Coner) to adopt Item No. 2017-08-03. Item No. 2017-08-03 was adopted.

**4. PUBLIC HEARING AND ACTION ON ITEM NO. 2017-08-04** – An Ordinance of the City of Covington Amending the Following Provisions of the Covington Code of Ordinances: Chapter 66 Offenses and Miscellaneous Provisions, Article IV. Offenses Affecting Public Morals, Sec. 66-113. Obscenity (O’Keefe)

**Council President O’Keefe** led a discussion on Item No. 2017-08-04.

**Councilman Rolling** made a motion to close the public hearing, seconded by **Councilman Callahan**. There were no objections to closing the public hearing. The public hearing was closed.

**Councilman Smith** made a motion to adopt Item No. 2017-08-04, seconded by **Councilman Wright**. Roll call was unanimous to adopt Item No. 2017-08-04. Item No. 2017-08-04 was adopted.

**5. PUBLIC HEARING AND ACTION ON ITEM NO. 2017-08-05** – An Ordinance of the City of Covington Amending a Section of the Comprehensive Pay/Step Plan for the Covington Police Department (O’Keefe)

**Council President O’Keefe** led a discussion on Item No. 2017-08-05.

**Covington Police Chief Tim Lentz** stated that currently the difference in salary between the lieutenant position and the deputy chief position is two percent. With this amendment, the difference will be increased to seven percent which is more palatable for the deputy chief position since overtime and overtime details are not allowed.

**Mayor Cooper** commented that with the adoption of this ordinance tonight, the pay increase will be retroactive to the date when the current deputy chief was promoted. Also, he clarified that the deputy chief position is eligible for private details.

**Councilman Wright** made a motion to close the public hearing, seconded by **Councilman Callahan**. There were no objections to closing the public hearing. The public hearing was closed.

**Councilman Rolling made a motion to adopt Item No. 2017-08-05, seconded by Councilman Smith. Roll call was unanimous to adopt Item No. 2017-08-05. Item No. 2017-08-05 was adopted.**

**6. PUBLIC HEARING AND ACTION ON ITEM NO. 2017-08-06 – An Ordinance of the City of Covington Amending the Following Provisions of the Covington Code of Ordinances: Chapter 18 Buildings and Building Regulations, Article IV. Fill Regulations (Wright)**

**Councilman Wright** stated that these amendments were drafted to address a narrow issue with the fill regulations. During conversations with City Attorney Rod Rodrigue, he was advised that if these amendments were adopted at this time, another project that is underway in the City would be affected. Therefore, he requested this item be tabled for further review.

**Councilman Smith made a motion to table Item No. 2017-08-06, seconded by Councilman Coner. Roll call was unanimous to table Item No. 2017-08-06. Item No. 2017-08-06 was tabled.**

**7. PUBLIC HEARING AND ACTION ON ITEM NO. 2017-08-08 – An Ordinance of the City of Covington Amending the 2017 Budget for Tree Planting in Public Places (Smith)**

**Council President O’Keefe** led a discussion on Item No. 2017-08-08.

Mr. Keith Villere, Chairman of the Covington Tree Board, thanked the Council for considering the Tree Board’s recommendations and adopting the landscaping and tree preservation ordinance. Also, he discussed the plan for the replacement of various trees in Downtown Covington.

**Mayor Cooper** stated that Keith Villere, on behalf of the Covington Tree Board, and Priscilla Floca, on behalf of Keep Covington Beautiful, presented the tree-replanting plan to the City. Also, he stated that the Tree Mitigation Fund will be used to fund the plan and Public Works will remove the old trees which will minimize the cost of the project.

**Councilman Coner made a motion to close the public hearing, seconded by Councilman Wright. There were no objections to closing the public hearing. The public hearing was closed.**

**Councilman Coner made a motion to adopt Item No. 2017-08-08, seconded by Councilman Callahan. Roll call was unanimous to adopt Item No. 2017-08-08. Item No. 2017-08-08 was adopted.**

**8. PUBLIC HEARING AND ACTION ON ITEM NO. 2017-08-09 – An Ordinance of the City of Covington Amending the 2017 Budget for Air Conditioning and Heating Replacement in the Greater Covington Center (Rolling)**

**Council President O’Keefe** led a discussion on Item No. 2017-08-09.

**Chief Administrative Officer/Director of Administration Gina Hayes** commented that the air conditioning and heating system on the second floor of the

Greater Covington Center is the original system and due to its age and current condition, an entirely new system is needed.

**Councilman Callahan made a motion to close the public hearing, seconded by Councilman Wright. There were no objections to closing the public hearing. The public hearing was closed.**

**Councilman Coner made a motion to adopt Item No. 2017-08-09, seconded by Councilman Smith. Roll call was unanimous to adopt Item No. 2017-08-09. Item No. 2017-08-09 was adopted.**

**9. PUBLIC HEARING AND ACTION ON ITEM NO. 2017-08-10 – An Ordinance of the City of Covington Authorizing the Mayor to Execute An Act of Lease for Office Space in the Greater Covington Center (Callahan)**

**Council President O’Keefe** led a discussion on Item No. 2017-08-10.

**Councilman Wright made a motion to close the public hearing, seconded by Councilman Smith. There were no objections to closing the public hearing. The public hearing was closed.**

**Councilman McMath made a motion to adopt Item No. 2017-08-10, seconded by Councilman Wright. Roll call was unanimous to adopt Item No. 2017-08-10. Item No. 2017-08-10 was adopted.**

**APPEARER**

Ms. Lacey Toledano, CEO of the St. Tammany West Chamber of Commerce, handed out informational brochures on the Chamber and discussed its mission.

**Items for discussion:**

Update on Mile Branch, Blue Swamp Creek and Patricia Ditch (O’Keefe)

**Council President O’Keefe** commented that Mile Branch is the main drainage system through the City and since Blue Swamp Creek and Patricia Ditch drain into Mile Branch, he requested an update from Administration with regard to the drainage issues involving these tributaries.

**Mayor Cooper** commented on the destabilization and erosion issues that heavy rains have caused along Mile Branch. He stated that over the years, the City has been researching the responsibility for Mile Branch, whether it is the Corps of Engineers, the state, St. Tammany Parish Government, the City of Covington or a combination of these entities. He reminded everyone that several months ago, City Attorney Rod Rodrigue researched the issue and presented his opinion that the servitudes are dedicated to St. Tammany Parish Government. Also, he reminded everyone about the meeting between City and Parish officials at which time the City offered to cooperate with Parish Government to identify the issues concerning the destabilization and erosion of Mile Branch and to share the cost of making improvements to Mile Branch. Also, he commented that our City Engineer and Parish officials met in the field and have made some general conclusions as to the needed improvements. Also, he mentioned that Chief Administrative Officer Gina Hayes and City Engineer Daniel Hill met with Parish officials today and discussed the Mile Branch issues. He stated that in anticipation

of cooperation with the Parish next year, funds have been allocated in the 2018 budget for the improvements along Mile Branch.

**Chief Administrative Officer/Director of Administration Gina Hayes** stated that the meeting today was positive and all parties agreed that it was time to work on this project. She stated that the Parish's legal department is reviewing the issue and will meet with City Attorney Rod Rodrigue in the near future to discuss the exact liability of the maintenance of Mile Branch. She stated that the City is ready to work with the Parish on this project regardless of which entity has the legal responsibility to maintain it. After the legal departments discuss the issue, the next step will be for the engineering departments to meet and develop a plan for improvements to Mile Branch which will be included in the Cooperative Endeavor Agreement between the City and Parish.

**Mayor Cooper** stated that the Blue Swamp Creek is a 2.25 mile long drainage feature that originates on the north side of the City and drains into Mile Branch. The City has selected an engineer to assist with the engineering and permitting services for this project and the engineering work is funded in this year's budget. Funds for the construction and improvements, which include grading, clearing, and de-snagging, are allocated in the 2018 budget.

**Mayor Cooper** stated that the Patricia Ditch is a 1.5 mile long drainage feature which traverses through River Forest Subdivision and drains into the Tchefuncte River. Due to the drainage issues throughout River Forest, this project is needed to remove the sediment from the ditch. The City has selected an engineer to assist with the engineering and permitting services for this project and the engineering work is funded in this year's budget. Funds for the construction and improvements are allocated in the 2018 budget.

**Councilman Wright** remarked about the size of the culverts installed in the West 15<sup>th</sup> Avenue washout project and asked if the larger culverts were installed in anticipation of additional water draining through that area.

**Mayor Cooper** commented that studies were performed and the larger culverts were required by the Federal Highway Administration in order to address future drainage needs. Also, he mentioned that the studies are on file in City Engineer Daniel Hill's office.

**Councilman Smith** stated that he would like to review the background of Mile Branch to better understand this issue. Also, he requested a copy of the City Attorney's legal opinion as to the legal responsibility of Mile Branch.

**City Attorney Rod Rodrigue** stated that he issued his opinion and copies have been forwarded to the Council.

**Mayor Cooper** stated that Mr. Rodrigue conducted research and determined that Mile Branch is the responsibility of St. Tammany Parish Government.

**Councilman McMath** commented that Mile Branch was built by the state as part of their public works initiative in the 1950s and it is a canal, not a natural drainage feature. Because it was a state project, it was turned over to St. Tammany Parish.

As the City has grown, it has led to some gray areas. However, City Attorney Rod Rodrigue has issued his opinion.

**City Attorney Rod Rodrigue** gave an overview of the legal positions. Also, he commented that the grants of servitude were granted to the Parish of St. Tammany for a parish drainage servitude. The specific language in the grants of servitude states that the drainage servitude shall be maintained by the Parish of St. Tammany unequivocally. He commented that the City hopes to reach a compromise with St. Tammany Parish relative to jointly dealing with the problem in lieu of litigating the contractual obligation of either party.

**Councilman McMath** remarked it has become clear over the past several months that dialog has obviously taken place and this issue is incredibly important to the City Council, Mayor and Administration. Also, he commented that the Mayor has placed significant priority on the Mile Branch, Blue Swamp Creek and Patricia Ditch projects during 2018. Also, he stated there has been some progress in that St. Tammany Parish has cleaned out, cleared and graded a drainage way that borders the Savannahs and River Glen subdivisions and it has made a significant difference.

**Councilman Rolling** commented that he attended the original meeting with the Parish a few months ago and thanked them for the positive discussion. Also, he suggested that the City keep the residents along Mile Branch informed about the progress of this issue.

**Mayor Cooper** responded that the City will share updates with the public at the appropriate time and asked the press to share with the public that plans are moving forward with regard to Mile Branch and other drainage features.

**Mayor Cooper** clarified that he forwarded City Attorney Rod Rodrigue's determination to the Council in which he advised that Mile Branch is a St. Tammany Parish Government right-of-way.

**Councilman Coner** commented that with everyone working together, he feels confident that the drainage problems will be resolved.

## **COMMENTS AND REPORTS**

### **Council District and Committee Reports**

- 1. District A – None.**
- 2. District B –**

**Councilman Coner** acknowledged the September birthdays for City employees. Also, he reminded everyone to shop locally to support our local businesses. His quote for this evening was, "A man is rich according to what he is, not according to what he has." Also, he asked everyone to keep the families of David White who was one of our City employees who passed away; the U.S. Navy personnel who were killed in an accident in Singapore; and the victims of Hurricane Harvey and Hurricane Irma, in our prayers.

- 3. District C – None.**
- 4. District D –**

**Councilman Rolling** reminded everyone that the Economic Development Committee will host its seventh Covington Business Resource Workshop on Thursday, September 21<sup>st</sup> from 8 A.M. until noon in the Bogue Falaya Hall. The

topic for the workshop will be, "The Changing Workplace," and it is a free event for the business community. Upcoming events: Thursday, September 28<sup>th</sup> – Pontchartrain Film Festival presents, "Deeply Rooted," at 7 P.M. at the Trailhead; Friday, September 29<sup>th</sup> – Columbia Street Block Party at 6:30 P.M.; Saturday, September 30<sup>th</sup> – River Sweep/River Clean-up event at 9 A.M. at the Bogue Falaya Park; Rockin' the Rails – every Thursday in October from 5 P.M. until 7:30 P.M. at the Trailhead; Thursday, October 5<sup>th</sup> through Sunday, October 8<sup>th</sup> – St. Tammany Parish Fair and Parade at the Fairgrounds; Friday, October 13<sup>th</sup> through Saturday, October 14<sup>th</sup> – the Covington Recreation Department presents, "Field of Screams," Halloween event at the Covington Recreation Complex; and the Farmer's Market every Wednesday and Saturday.

**5. District E –**

**Councilman Smith** announced some upcoming events: (1) a live broadcast of "News with a Twist" on Wednesday, September 27<sup>th</sup> at 5 and 6 P.M. at the Trailhead; (2) the next CBA meeting will be held on Wednesday, October 4<sup>th</sup> at the English Tea Room, social at 5:30 and meeting at 6 P.M.; (3) OnStage presents, "The Comedy Ventriloquism of Lynn Trefzger," on Wednesday, October 4<sup>th</sup> at 7 P.M. in the Fuhrmann Auditorium; and (4) Rockin' the Rails concert series begins on Thursday, October 5<sup>th</sup> at 5 P.M. at the Trailhead. Also, he thanked the Public Works Department for the fine job they do in District E.

**6. At Large (Vice President) –**

**Councilman McMath** thanked all of the speakers this evening. Also, he commended Ms. Toledano and the St. Tammany West Chamber of Commerce for their efforts and especially with regard to increasing voter turnout. Also, he congratulated Councilman Wright on his endorsement by the Chamber and wished him the best of luck.

**7. At Large (President) –**

**Council President O'Keefe** requested that the Police Department investigate the number of abandoned cars on street rights-of-way.

**B. Administrative Comments and Reports**

**1. Mayor Cooper's comments:**

- (a) He attended a meeting today with Governor John Bel Edwards and other local elected officials including Councilman McMath to discuss the state's fiscal situation and the opportunities that may be available to address the fiscal cliff.
- (b) He thanked Gina, Alisa and all department heads for their work on the 2018 budget. He encouraged the Council to review the budget and submit any questions before the work sessions scheduled in October.
- (c) He reminded everyone that DOTD is hosting an Open House on Tuesday, September 26<sup>th</sup> from 4 P.M. until 6 P.M. in the Council Chambers at which time the plans for the proposed roundabout at West 21<sup>st</sup> Avenue/Jefferson Avenue will be presented. He invited our citizens to attend the Open House and submit their questions and comments.
- (d) He announced that the Bogue Falaya Park was recently entered into the National Register of Historic Places. He commented that the Bogue Falaya Park has received a great deal of recognition lately such as receiving the LMA Award for the Master Plan, the grant to design and construct the bulkhead with kayak and canoe launching and the acceptance of the Walker Percy statue.
- (e) He gave an update on some projects:
  - (1) West 29<sup>th</sup> Avenue Bridge at Mile Branch – The bridge is in service to vehicular traffic with a three ton weight restriction. Plans have been designed and



bids will be opened on October 12<sup>th</sup>. Funds are included in the budget for the total rehabilitation of the bridge.

(2) The Groves – VOA has completed 25 new homes and all of the homes have received their certificates of occupancy.

(3) Bogue Falaya Park Shoreline Protection and Boardwalk – The City received a \$250,000 grant for this project and the plans will be completed early next month. The plans will be submitted to the City and the Louisiana Water Conservation Fund for final review and acceptance. Upon acceptance, work will begin with the Corps of Engineers for the required permit. Construction should begin early next year.

(4) E. 20<sup>th</sup> near SSA, S. Jefferson Avenue near Acquistapace's and E. 16<sup>th</sup> Avenue – These were major pipe failures and due to the depth of the failures, a contractor was hired to make the repairs. All three projects are basically complete with the exception of the placement of the final layer of asphalt.

(5) River Forest Paving and Drainage – The award letter has been mailed to Hard Rock Construction for the section of Lurline Drive from West 21<sup>st</sup> Avenue to Karen Drive. Work should begin within the next four to six weeks.

**Councilman Wright** inquired as to whether DOTD has had to replace any panels on Hwy. 21/Tyler or provided any reasons for the delay in the completion of the widening project.

**Mayor Cooper** responded that he noticed some panels have been replaced. Also, he commented that considerable progress was made last week and it is his understanding the only work still to be done is striping of the roadway. He has not received any further updates from DOTD regarding the anticipated completion date.

**Councilman Smith** commented that the former location of "Nat and Jack's" at the corner of West 21<sup>st</sup> Avenue and Jefferson Avenue has become an eyesore and reported it to the Code Enforcement Department but has not received a response yet.

**Mayor Cooper** responded that Code Enforcement is aware of the situation and letters have been sent out. Also, he mentioned the City has contacted the owner about returning the business to commerce but to no avail. Also, he mentioned that the proposed roundabout shifts more toward that corner.

There being no further business, the meeting was adjourned at 7:45 P.M.



R.S. "SAM" O'KEEFE  
Council President



BONNIE D. CHAMPAGNE  
Council Clerk