

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-6177

COUNCIL SPONSOR: LORINO/BRISTER

PROVIDED BY: ENGINEERING

A RESOLUTION GRANTING PERMISSION TO VIOLA PROPERTIES, LLC, C/O IT'S MANAGERS: FRANK VIOLA, II AND BEATRICE PAPA VIOLA; 100 BLACKBURN PLACE, COVINGTON, LA 70433 OR ASSIGNEES; TO USE THE SOUTHERN PART OF LASALLE STREET RIGHT-OF-WAY FOR LOADING AREA IN PERPETUITY.

WHEREAS, the St. Tammany Parish Planning Commission approved an application to enter the Parish Right-of-way specifically the southern part of the right-of-way of LaSalle Street for loading area associated with the redevelopment of KMART.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that the St. Tammany Parish Council hereby grants permission to the above mentioned petitioner subject to the conditions outline in Planning Commission Resolution No. 19-075 (attached).

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 3 DAY OF OCTOBER , 2019, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK



ST. TAMMANY PARISH

PATRICIA P. BRISTER
PARISH PRESIDENT

ADMINISTRATIVE COMMENT

RESOLUTIONS FOR INTRODUCTION

Enter the Parish R.O.W. Resolution No. 19-075 - LaSalle Street was approved at the August 13, 2019 Planning Commission Meeting. Item No. 15 of Resolution No. 19-075 indicates "That the petitioner, upon approval from the Planning Commission, will also receive approval from The Parish Council for this Project."

ST. TAMMANY PARISH PLANNING COMMISSION

RESOLUTION

RESOLUTION PLANNING COMMISSION SERIES NO. 19-075

TITLE: A RESOLUTION AUTHORIZING VIOLA PROPERTIES, LLC TO ENTER PARISH RIGHT-OF-WAY.

SUB-TITLE: A RESOLUTION GRANTING PERMISSION TO VIOLA PROPERTIES, LLC, C/O ALL OF IT'S MANAGERS, FRANK VIOLA, II AND BEATRICE PAPA VIOLA; 100 BLACKBURN PLACE, COVINGTON, LA 70433 OR ASSIGNEES; TO ENTER PARISH RIGHT-OF-WAY, SPECIFICALLY THE SOUTHERN PART OF THE RIGHT-OF-WAY OF LASALLE STREET FOR LOADING AREA ASSOCIATED WITH RE-DEVELOPMENT OF KMART. WARD 4, DISTRICT 5.

NOW, THEREFORE, BE IT RESOLVED, by the St. Tammany Parish Planning Commission that it hereby grants permission to the aforementioned petitioner to enter Parish right-of-way for the aforementioned purposes, subject to the following conditions:

1. That the improvements that will be undertaken will be at the sole expense of the petitioner.
2. That the petitioner agrees to accept full responsibility, financial and all other, for the damage and/or relocation of utilities currently located within Parish right-of-way.
3. That the petitioner shall submit plans prepared by a licensed engineer to the Department of Engineering for review and approval. Upon approval of plans and specifications by the Director of Engineering, the petitioner must notify the Department of Engineering prior to the commencement of any activity.
4. That should the petitioner commence work thereon, petitioner by such act acquiesces and acknowledges thereby that he will hold this Parish, its officials, agents, servants, and employees free and harmless from any liability or responsibility whatsoever in connection with the construction of the project. Petitioner will provide copy of Liability Insurance Policy, including the naming of the Parish as an insured party. The insurance will remain in effect until the Performance Obligation is released.
5. That nothing herein shall be construed as a revocation of the dedication of the aforementioned right of way.
6. That no maintenance nor financial nor material nor assistance shall be provided by the Parish for the project nor the maintenance thereof, except for the inspection of the plans and specifications by the Department of Engineering to insure the construction complies with the approved plans.
7. That the petitioner post a Performance Obligation in the amount of \$53,000 for a period of six (6) months.
8. That the petitioner and any assignees submit a Hold Harmless Agreement in connection with the construction of the project and utilization of the access by (an) individual(s) until the time that the Performance Obligation is released.
9. That the petitioner and any assignees agrees to provide maintenance for this project at his/her own expense in perpetuity.
10. That the petitioner shall submit a copy of the current owner's deed.
11. That the petitioner shall produce proof that the right of way is dedicated to the Parish.

12. Permission is valid for the issuance of building permits according to current zoning only, issued to AS INDICATED ABOVE, WARD 4 DISTRICT 5.
13. That the petitioner submit as-built drawings certifying that the project is constructed within the Parish right of way.
14. That the petitioner submit all documentation required within ONE (1) year from date of adoption, additionally petitioner has two (2) years to complete all work on this project, if not completed within two (2) years, approval of this work will be voided and petitioner will be required to reapply for permission.
15. That the petitioner, upon approval from the Planning Commission, will also receive approval from the Parish Council for the project.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY MR. RONALD RANDOLPH, SECONDED BY MR. TODD RICHARD; A VOTE THEREON RESULTED IN THE FOLLOWING:

YEA: MR. LOY LORREN, MRS. CAROLYN PARKER, MR. TODD RICHARD, MR. RAY BERNIE WILLIE, MR. MR. DAVID DOHERTY, JR., BARRY BAGERT, MR. PATRICK FITZMORRIS, MR. WELDON CRAWFORD, MR. KIRK DRUMM, MR. RONALD RANDOLPH

NAY:

ABSTAIN:

ABSENT:

AND THIS RESOLUTION WAS DECLARED DULY ADOPTED ON THE 13TH DAY OF AUGUST, 2019, AT A REGULAR MEETING OF THE PLANNING COMMISSION, A QUORUM OF THE MEMBERS BEING PRESENT.



DAVID DOHERTY JR., CHAIRMAN
ST. TAMMANY PARISH PLANNING COMMISSION

ATTEST:



SIDNEY FONTENOT, SECRETARY
ST. TAMMANY PARISH PLANNING COMMISSION