



**PUBLIC COMMITTEE MEETING AGENDA**  
**Tuesday, February 4, 2020 at 6:00PM**  
**Abita Springs Town Hall**  
**22161 Level St., Abita Springs, LA 70420**

**Posted: January 28, 2020 5:00pm**

**CALL TO ORDER AND OPENING OF AGENDA:** Mayor Pro Tem Murphy  
**PLEDGE OF ALLEGIANCE:** Alderwoman Randolph

**FINANCE COMMITTEE:**

Committee Chair: Alderwoman Contois  
Committee Member: Mayor Pro Tem Murphy  
Acceptance of Minutes (January)

- 1.) Financial Report for December - Jay Hawkins

**GOVERNMENTAL COMMITTEE:**

Committee Chair: Alderman Saussy  
Committee Member: Mayor Pro Tem Murphy  
Acceptance of Minutes (January)

- 1.) Discussion and recommendation of Instrument 2020-002 AN ORDINANCE TO DECLARE A PORTION OF NORTH ST. NO LONGER NECESSARY FOR PUBLIC USE AND TO PROVIDE FOR THE SALE OF THAT PORTION OF PROPERTY LOCATED IN THE TOWN OF ABITA SPRINGS, ST TAMMANY PARISH, LOUISIANA, AND TO PROVIDE FOR RELATED MATTERS.
- 2.) Discussion and recommendation of Instrument 2020-003 AN ORDINANCE TO DECLARE A PORTION OF PINE ST. NO LONGER NECESSARY FOR PUBLIC USE AND TO PROVIDE FOR THE SALE OF THAT PORTION OF PROPERTY LOCATED IN THE TOWN OF ABITA SPRINGS, ST TAMMANY PARISH, LOUISIANA, AND TO PROVIDE FOR RELATED MATTERS.
- 3.) Discussion and recommendation of Instrument 2020-004 AN ORDINANCE TO PROVIDE FOR THE ZONING & ANNEXATION OF CERTAIN LAND LOCATED AT 23425 HWY 435 INTO THE CORPORATE LIMITS OF THE TOWN OF ABITA SPRINGS, LOUISIANA AND TO PROVIDE FOR RELATED MATTERS.
- 4.) Discussion of the code requirements related to the revocation, exchange, public or private sale of public street rights-of-way.

**INFRASTRUCTURE COMMITTEE:**

Committee Chair: Alderman Patterson  
Committee Member: Alderman Saussy  
Acceptance of Minutes (January)

**ECONOMIC DEVELOPMENT COMMITTEE:**

Committee Chair: Alderwoman Randolph  
Committee Member: Alderwoman Contois  
Acceptance of Minutes (January)

- 1.) Presentation, discussion and recommendation of a resolution related to the preservation of Fontainebleau State Park.

**ADJOURNMENT:**

If you have any questions pertaining to this agenda or in accordance with the Americans with Disabilities Act, if you need special assistance, please call (985) 892-0711.

# Town of Abita Springs



**DANIEL J. CURTIS**

## **INSTRUMENT 2020-002**

ORDINANCE TO DECLARE A PORTION OF NORTH ST. NO LONGER NECESSARY FOR PUBLIC USE AND TO PROVIDE FOR THE SALE OF THAT PORTION OF PROPERTY LOCATED IN THE TOWN OF ABITA SPRINGS, ST TAMMANY PARISH, LOUISIANA, AND TO PROVIDE FOR RELATED MATTERS.

Introduced by Alderman Patterson, seconded by Alderman Saussy, on the 21st, day of January 2020.

BE IT ORDAINED that the Planning Commission recommendation to revoke the below described property is accepted.

IT IS HEREBY ORDAINED that the below described property is determined to no longer be needed for public purposes.

IT IS FURTHER ORDAINED, that the Honorable Daniel J. Curtis, Mayor of the Town of Abita Springs is authorized to sell on behalf of the Town of Abita Springs and to execute the Act of Sale of the below described property under the terms and conditions as set out under the Statutes of Louisiana and the Code of Ordinances for the Town of Abita Springs, Louisiana.

ALL THAT CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, means, privileges, servitudes and appurtenances thereunto belonging or anywise appertaining, situated in the Town of Abita Springs in the Parish of St. Tammany, State of Louisiana and being more fully described as follows, to-wit:

### **Legal Description**

This sale price shall be \$\_\_\_\_\_, as provided for by the laws of the Town of Abita Springs and the State of Louisiana.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2020 on motion of Alderman \_\_\_\_\_ seconded by Alderman \_\_\_\_\_.

The vote was:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Janet Dufrene, Town Clerk

\_\_\_\_\_  
Honorable Daniel J. Curtis, Mayor

# Town of Abita Springs



**DANIEL J. CURTIS**

## **INSTRUMENT 2020-003**

ORDINANCE TO DECLARE A PORTION OF PINE ST. NO LONGER NECESSARY FOR PUBLIC USE AND TO PROVIDE FOR THE SALE OF THAT PORTION OF PROPERTY LOCATED IN THE TOWN OF ABITA SPRINGS, ST TAMMANY PARISH, LOUISIANA, AND TO PROVIDE FOR RELATED MATTERS.

Introduced by Alderman Patterson, seconded by Alderman Saussy, on the 21st, day of January 2020.

BE IT ORDAINED that the Planning Commission recommendation to revoke the below described property is accepted.

IT IS HEREBY ORDAINED that the below described property is determined to no longer be needed for public purposes.

IT IS FURTHER ORDAINED, that the Honorable Daniel J. Curtis, Mayor of the Town of Abita Springs is authorized to sell on behalf of the Town of Abita Springs and to execute the Act of Sale of the below described property under the terms and conditions as set out under the Statutes of Louisiana and the Code of Ordinances for the Town of Abita Springs, Louisiana.

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### **Legal Description**

This sale price shall be \$\_\_\_\_\_, as provided for by the laws of the Town of Abita Springs and the State of Louisiana.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2020 on motion of Alderman \_\_\_\_\_ seconded by Alderman \_\_\_\_\_.

The vote was:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Janet Dufrene, Town Clerk

\_\_\_\_\_  
Honorable Daniel J. Curtis, Mayor

# Town of Abita Springs



## MAYOR DANIEL J. CURTIS

INSTRUMENT #2020-004

1  
2  
3 AN ORDINANCE TO PROVIDE FOR THE ZONING AND ANNEXATION OF CERTAIN LAND AT 23425 HWY 435  
4 INTO THE CORPORATE LIMITS OF THE TOWN OF ABITA SPRINGS, LOUISIANA AND TO PROVIDE FOR RELATED  
5 MATTERS.  
6

7 IT IS HEREBY ORDAINED by the Board of Aldermen of the Town of Abita Springs that the below described  
8 property be and is hereby annexed into the municipal corporate limits of the Town of Abita Springs, Louisiana, without  
9 the necessity of an election for annexation. Said property is described as follows, to-wit:

10  
11 **ALL THAT CERTAIN LOT OR PORTION OF GROUND**, situated in Section 38, Township 6 South, Range 12 East, St.  
12 Tammany Parish, Louisiana, and more fully described as follows:

13  
14 From the section corner common to Sections 28, 29, and 38, go South 57 degrees 35 minutes West 287.47 feet to  
15 the point of beginning. From the point of beginning, continue South 57 degrees 35 minutes West 172.44 feet to an  
16 iron pipe; thence South 56 degrees 31 minutes West 19.23 feet to an iron rod; thence South 33 degrees 22 minutes  
17 45 seconds East 435.38 feet to an iron rod located on the northern edge of Louisiana Highway 435; thence North 62  
18 degrees 45 minutes 30 seconds East 178.54 feet along the northern of Louisiana Highway 435 to an iron rod; thence  
19 North 23 degrees 06 minutes 45 seconds West 293.04 feet to an iron rod; and the point of beginning. All in  
20 accordance with that survey by Thomas J. Fontcuberta dated August 4, 1993 bearing Job #933552. And further all as  
21 more fully shown on survey of Thomas J. Fontcuberta dated September 17, 1996, a copy of which is annexed hereto  
22 and made part hereof. Said property contains 2.10 acres.  
23

24 The officials of the Town of Abita Springs are hereby authorized and directed to take all necessary actions that are  
25 proper in order to affect the annexation into the corporate limits of the Town of Abita Springs.  
26

27 BE IT FURTHER ORDAINED that the above described property be zoned Commercial.  
28

29 This Ordinance shall take effect upon signature of the Mayor. Technical Amendments to the property description  
30 contained herein may be made in accordance with the laws of the Town of Abita Springs.  
31

32 Introduced by Alderman \_\_\_\_\_, seconded by Alderman \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_ 2020. Adopted  
33 on a motion of Alderman \_\_\_\_\_, seconded by Alderman \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_ 2020.  
34

35 Vote was:

36 YEAS:

37 NAYS:

38 ABSENT:

39 ABSTAIN:  
40

41  
42 ATTEST  
43

44 \_\_\_\_\_  
45 Janet Dufrene, Town Clerk

\_\_\_\_\_   
Honorable Daniel J. Curtis, Mayor

Sec. 9-127. - Action of planning commission required; revocation, exchange, public sale or private sale of public street rights-of-way.

Prior to any action taken by Abita Springs Board of Aldermen with regard to the revocation, exchange, public sale, or private sale of any public street right-of-way, to any individual, such must be approved by the Planning Commission of the Town of Abita Springs.

Such approval must be done at a meeting of the planning commission after being advertised in the same manner as required for the application for a variance.

(Ord. No. 244, 3-19-02)

Sec. 9-128. - Criteria for the determination of revocations, exchange public sale or private sale of public street right-of-way.

In order to approve the revocation, exchange, public sale or private sale of public street rights-of-way the planning commissions must determine that the right-of-way is no longer necessary for public use and will not be necessary for the public use in the foreseeable future.

Additionally it must be determined that the denial by the town for the revocation, public sale, private sale or exchange of the street right-of-way will cause the adjacent property owner unusual and practical difficulties of particular hardship, but only when the zoning commission is satisfied that the granting of such action will not merely serve as a convenience to the adjacent property owner, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant the disposal of public property and at the same time the surrounding property will be protected. Additionally the action taken in the revocation, public sale, private sale or exchange of property must resolve and settle all claims which the adjacent property owner may have against the Town of Abita Springs.

(Ord. No. 244, 3-19-02)

Sec. 9-129. - Action by the planning commission.

After a public hearing held on the matter the planning commission within 60 days of application for revocation, public sale, private sale or exchange shall recommend to the board of aldermen the following:

- (1) Accept the application as presented.
- (2) Accept the application with the recommendation for either a revocation, public sale, private sale, or exchange of the street right-of-way.
- (3) A recommendation of partial disposition of the street right-of-way by any method provided for herein.
- (4) Recommended the disposition of the street right-of-way, in whole or in part, by any method provided for with the retention of servitudes, which servitudes shall be defined.
- (5) Deny the application for the disposition and recommend no action to be taken by the Board of Aldermen of the Town of Abita Springs.

(Ord. No. 244, 3-19-02)

Sec. 9-130. - Referral of recommendation to the board of aldermen.

Within ten days of action taken by the planning commission, the Secretary of the Abita Springs Planning Commission shall forward to the Clerk of the Board of Aldermen for the Town of Abita Springs the recommendation of the planning commission on the application for the revocation, public sale, or

exchange of public street right-of-way. At the next regularly scheduled monthly meeting of the board of aldermen, an ordinance shall be introduced by the Board of Aldermen for the Town of Abita Springs that shall conform to the recommendation of the planning commission. Should the planning commission recommend denial, no ordinance need be introduced.

Such ordinance introduced shall be considered at the subsequently regularly scheduled meeting of the Board of Aldermen of the Town of Abita Springs.

(Ord. No. 244, 3-19-02)

Sec. 9-131. - Notification to adjacent property owners.

All property owners which are adjacent to that portion of a public street right-of-way, which right-of-way or any rights thereto has been recommended for disposal by the planning commission to the Board of Aldermen of the Town of Abita Springs, shall be notified by registered mail. Such registered mail shall be sent no sooner than 30 days not later than 15 days of the meeting of the board of aldermen, which will consider such disposition. This notification shall be sent to the record owner of the property which is adjacent to that portion of the street right-of-way sought to be disposed. Certification by the Clerk of the Board of Aldermen for the Town of Abita Springs of such mailing shall be sufficient for the proof thereof.

(Ord. No. 244, 3-19-02)

Sec. 9-132. - Consideration by the board of aldermen.

Upon consideration of the ordinance introduced, based on the recommendation of the planning commission the board of aldermen may:

- (1) Adopt as proposed;
- (2) Amended in any fashion; or
- (3) Deny the recommendation of the planning commission.

Such amendment may provide for a smaller disposition of right-of-way and/or the reservation of certain delineated servitudes or a change in the method of the disposition recommended by the planning commission.

(Ord. No. 244, 3-19-02)

Sec. 9-133. - Adjacent property owners rights to purchase.

In the instance of a private sale of a street right-of-way, all adjacent property owners shall have the right to buy to the middle of the right-of-way that is adjacent to purchase at private sale the street right-of-way the adjacent property owner across the street may purchase that portion of the street right-of-way.

(Ord. No. 244, 3-19-02)

Sec. 9-134. - Terms of disposition.

The disposition of public right-of-way shall be under the following terms:

- (1) All cash to be paid by the buyer at the act of sale.
- (2) The sale shall be from the Town of Abita Springs without warranty.

- (3) The purchaser of the right-of-way shall pay all expenses incurred by the Town of Abita Springs in the disposition of the property.
- (4) Notwithstanding any ordinances to the contrary the property which is bought shall become a part of the adjacent lot and will be governed by the land use laws of the Town of Abita Springs and particularly with regards to resubdivision of the street right-of-way and the adjacent property which shall become one lot.

(Ord. No. 244, 3-19-02)