

PUBLISHED FEBRUARY 22, 2007 - POSTED AT PARISH COMPLEX BY FEBRUARY 26, 2007
AGENDA
ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, MARCH 1, 2007 AT 6:00 P.M.

Call to Order by Honorable Barry Bagert, Chairman

Invocation by

Pledge of Allegiance by

Roll Call: Marty Dean
Russell Fitzmorris
James A. "Red" Thompson
Patricia P. Brister
Marty Gould
Gary Singletary
Barry Bagert
Al Hamauei
Chris Canulette
Henry Billiot
Steve Stefancik
Jerry Binder
Joe "Coach" Thomas
Ken Burkhalter

CONSENT CALENDAR

Any items not pulled from the consent calendar are automatically approved in whole by one vote. Items pulled from Consent Calendar are discussed and voted upon individually.

MINUTES

Regular Council Meeting	February 1, 2007
Council Committee Meeting	February 21, 2007

ORDINANCES FOR INTRODUCTION

1) Ord. Cal. No. 3503 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the southeast corner of Nunez Road and Highway 433, north of Mayfair Road, containing 27,000 sq. ft., from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 8, District 13) (ZC07-01-003) (Zoning Commission approved 2/6/07)

2) Ord. Cal. No. 3504 - Ordinance amending Ord. C.S. No. 07-1485, adopted January 4, 2007, amending official zoning map of St. Tammany to reclassify 24.9 acres on the south side of Penn Mill Road, west of Pruden Road, from SA to PUD, to provide major amendments to original PUD plan. (Ward 3, District 3) (ZC06-11-107) (Zoning Commission approved 2/6/07)

3) Ord. Cal. No. 3505 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Highway 59, south of Casril Drive, north of Mire Drive, containing 1.619 acres, from A-2 Suburban to C-2 Highway Commercial. (Ward 3, District 5) (ZC07-02-008) (Zoning Commission approved 2/6/07)

4) Ord. Cal. No. 3506 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of 8th Street, north of Marquette Street, south of Iberville Street, being Lots 30, 31 and 32, containing 10,800 sq. ft., from SA Suburban Agricultural to C-1 Neighborhood Commercial. (Ward 4, District 4) (ZC07-02-010) (Zoning Commission approved 2/6/07)

5) Ord. Cal. No. 3507 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on property within a certain portion of Highland Park subdivision. (District 12)

6) Ord. Cal. No. 3508 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on certain property within unincorporated St. Tammany abutting a portion of Highway 190. (Districts 5 & 10)

7) Ord. Cal. No. 3509 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on property within portions of Tammany Hills and Ingram Estates Subdivisions.(Ward 3, District 5)

8) Ord. Cal. No. 3510 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on Eola, Jordan, and Elmer Streets, west of Soutl Street, and on the submission of any application to enter the Parish rights of way for the purpose of extending, opening and/or constructing any unopened portion of said streets. (Ward 4, District 5)

9) Ord. Cal. No. 3511 - Ordinance to amend and reenact the Parish Code, Chapter 18, Article VII, to rescind and repeal Sections 18-080.00 through 18-084.00, specifically Ord. C. S. Nos. 01-0409, 01-0410, 01-0411, 01-0412 and 01-0413, which created five separate Lakeshore Community Development Districts, and further to ratify Ord. C.S. No. 07-1497 establishing Lakeshore Villages Master Community Development District as Section 18-085.00 et seq.

10) Ord. Cal. No. 3512 - Ordinance to declare the eastern half of Lot 23, Square 2, Ben Giordano Subdivision, Slidell, as surplus property and to authorize the sale of said parcel. (Ward 8, District 14)

11) Ord. Cal. No. 3513 - Ordinance ratifying Ordinance C.S. No. 06-1466, adopted December 7, 2006, and declaring Lots 13 & 16, 827 Eleanor Street, Slidell, as surplus property and to authorize the sale of said parcel. (Ward 9, District 14)

12) Ord. Cal. No. 3514 - Ordinance to amend Ord. C.S. No. 05-1205, the 2006-2010 Capital Improvement Budget and Program, and to identify Fixed Asset and Grant Awards.

13) Ord. Cal. No. 3515 - Ordinance to amend Ord. C.S. No. 05-1205, the 2006-2010 Capital Improvement Budget and Program, and to identify changes to the Capital Improvement List.

RESOLUTIONS

14) Resolution C.S. No. C-2023 - Resolution calling a special election May 5, 2007 in Road Lighting District No. 15 to authorize the levy of a service charge therein; making application to the State Bond Commission; and providing for other matters in connection therewith.

15) Resolution C.S. No. C-2024 - Resolution to vacate, in part, the moratorium established by Ord. C.S. No. 06-1429 on issuance of building permits for construction or placement of building structures on property within a portion of Cypress Park Subdivision and surrounding areas. (Ward 7, District 7)

16) Resolution C.S. No. C-2025 - Resolution approving the holding of an election in Fire Protection District No. 13 on May 5, 2007, to authorize the levy of a special tax therein.

17) Resolution C.S. No. C-2026 - Resolution to amend Ord. C.S. No. 06-1415, the 2007-2011 Capital Improvement Budget and Program, Fixed Asset and Grant Awards.

18) Resolution C.S. No. C-2027 - Resolution to amend Ord. C.S. No. 06-1415, the 2007-2011 Capital Improvement Budget and Program, Fixed Asset and Grant Awards.

19) Resolution C.S. No. C-2028 - Resolution certifying the population census counts for Fire Protection Districts of St. Tammany Parish.

20) Resolution C.S. No. C-2029 - Resolution establishing warranty obligations.

WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
COVINGTON INDUSTRIAL PARK AMOUNT: \$56,400 EXPIRES: APRIL 28, 2007 WARD: 3 DISTRICT: 2	RELEASE L.O.C. UPON EXPIRATION TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM
DOMINION S/D, PH 1 AMOUNT: \$56,500 EXPIRES: MARCH 16, 2007 WARD: 1 DISTRICT: 1	RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM
KOOP DRIVE OFFICE PARK AMOUNT: \$9,900 EXPIRES: NOVEMBER 11, 2008 WARD: 4 DISTRICT: 7	RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM
VINTAGE COURT S/D, PH 1 AMOUNT: \$21,300 EXPIRES: APRIL 7, 2007 WARD: 3 DISTRICT: 5	EXTEND FOR ONE YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
WILLOW BEND S/D, PHASE 1 AMOUNT: \$26,000 EXPIRES: APRIL 11, 2007 WARD: 1 DISTRICT: 1	EXTEND FOR ONE YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
RIVER OAKS S/D, PH 10-B-2 AMOUNT: \$69,000 EXPIRES: APRIL 12, 2007 WARD: 8 DISTRICT: 13	EXTEND FOR ONE YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
ENTER PARISH RIGHTS OF WAY 2ND & 3RD STREETS & MADISON AVE SOUTH ABITA SPRINGS S/D AMOUNT: \$20,600 EXPIRES: APRIL 9, 2007 WARD: 3 DISTRICT: 5	EXTEND FOR ONE YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
BEDICO CREEK S/D, PH 1-A AMOUNT: \$109,300 EXPIRES: APRIL 25, 2007 WARD: 1 DISTRICT: 1	EXTEND FOR ONE YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED

21) Resolution C.S. No. C-2030 - Resolution to amend Ord. C.S. No. 06-1415, the 2007-2010 Capital Improvement Budget and Program, to make changes to Council District 10 road list to include repair of Greenleaves z-wall.

22) Resolution C.S. No. C-2031 - Resolution declaring as surplus certain assets and authorizing sale or donation of same.

23) Resolution C.S. No C-2032 - Resolution to authorize Parish President to donate two Perkin-Elmer/L3 X-Ray Scanner Machines to the St. Tammany Parish Sheriff's Office to be used for training its employees.

24) Resolution C.S. No. C-2033 - Resolution to authorize Parish President to donate one Perkin-ElmerL3 X-Ray Scanner Machine to the Washington Parish Government to be used for protection of its employees and the general public.

25) Resolution C.S. No. C-2034 - Resolution to authorize Parish President to donate one Perkin-ElmerL3 X-Ray Scanner Machine to the City of Slidell to be used for the protection of its employees and the general public.

26) Resolution C.S. No. C-2035 - Resolution amending the St. Tammany Parish List of Roadway Projects to be funded in part by the \$50 million bond issue to add Highway 59 and I-12.

END OF CONSENT CALENDAR

APPEALS

1) Paul Mayronne, on behalf of applicant Fred Sigur, appealing the Zoning Commission DENIAL on January 3, 2007 for major amendment to PUD (Rigolets Estates, Phase 3) containing 188.54 acres on the south side of Highway 433. (Ward 8, District 13) (ZC83-07-076). (TABLED 2/1/2007)

Note: To concur with Zoning denial, a simple majority vote is required and adoption of a resolution.

Note: To override Zoning denial, a majority vote of the entire Council is required and introduction of an ordinance to amend PUD.

2) Paul Lombard, as owner and on behalf of applicant, appealing the Zoning Commission DENIAL on January 3, 2007 to rezone 1.147 acres on the east side of Highway 434, south of Phillip Street, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 7, District 7) (ZC06-11-111) (TABLED 2/1/2007)

Note: To concur with Zoning denial, a simple majority vote is required and adoption of a resolution.

Note: To override Zoning denial, a majority vote of the entire Council is required and introduction of an ordinance.

3) Paul J. Mayronne, attorney for applicant Pam McNeely, appealing the Zoning Commission DENIAL on February 6, 2007 to rezone 9.49 acres on the north side of Highway 190, east of Fish Hatchery Road, west of Highway 434, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 7, District 7) (ZC07-01-002)

Note: To concur with Zoning denial, a simple majority vote is required and adoption of a resolution.

Note: To override Zoning denial, a majority vote of the entire Council is required and introduction of an ordinance.

4) Paul J. Mayronne, attorney for applicant Energy Star Homes, appealing the Zoning Commission DENIAL on February 6, 2007 to rezone 3.306 acres on the south side of Holiday Boulevard, east of Avenue Palais Royal, west of Hollycrest Lane, from C-1 Neighborhood Commercial to C-2 Highway Commercial. (Ward 3, District 1) (ZC07-01-005)

Note: To concur with Zoning denial, a simple majority vote is required and adoption of a resolution.

Note: To override Zoning denial, a majority vote of the entire Council is required and introduction of an ordinance.

5) Paul J. Mayronne, attorney for applicant Energy Star Homes, appealing the Zoning Commission DENIAL on February 6, 2007 for issuance of a conditional use permit for residential condominiums on the south side of Holiday Boulevard, east of Avenue Palais Royal, west of Hollycrest Lane. (Ward 3, District 1) (CP07-01-002)

Note: To concur with Zoning denial, a simple majority vote is required and adoption of a resolution.

Note: To override Zoning denial, a majority vote of the entire Council is required and adoption of a resolution.

6) Douglas A. Dunbar and Larry Manshal appealing the Planning Commission APPROVAL on February 13, 2007 for Preliminary Subdivision Review of Chapel Creek Condominiums & Retail Development in Section 54, Township 7 South, Range 11 East. (Ward 4, District 4) (SD06-11-039P) (Applicant Chapel Creek Development, LLC)

Note: To concur with Planning approval, a simple majority vote is required and adoption of a resolution.

Note: To override Planning approval, a majority vote of the entire Council is required and adoption of a resolution.

**ORDINANCES FOR ADOPTION
(Public Hearing)**

1) Ord. Cal. No. 3459 - Ordinance amending the official zoning map of St. Tammany to reclassify land at the end of Indian Trace, south of Highway 22, containing 81.69 acres, from Rural to A-4 Single Family Residential. (Ward 1, District 1) (ZC06-11-110) (Zoning Commission approved 11/8/06) (Introduced 12/7/06) (Tabled 1/4/07 and 2/1/07)

2) Ord. Cal. No. 3484 - Ordinance authorizing Parish President to accept dedication and donation of 328 acres by Abita Springs Timber Company, LLC. (Ward 4, District 7) (Introduced 1/4/07) (Tabled 2/1/07)

3) Ord. Cal. No. 3487 - Ordinance to adopt The St. Tammany Parish Unified Development Code. (Introduced 1/4/07) (Tabled 2/1/07)

4) Ord. Cal. No. 3492 - Ordinance authorizing Parish President to negotiate the purchase and/or expropriation of 4.514 acres, currently owned by the Faciane Family Trust, for the purpose of road improvements in connection with the Camp Salmen Project. (Introduced 2/1/07)

5) Ord. Cal. No. 3493 - Ordinance authorizing Parish President to purchase that portion of land and improvements commonly referred to as Parish Concrete, 401 West 28th Avenue, Covington. (Ward 3, District 1) (Introduced 2/1/07)

6) Ord. Cal. No. 3494 - Ordinance authorizing Parish President to negotiate the purchase and/or expropriation of 1.756 acres, currently owned by the Marquer Family Trust, for the purpose of road improvements in connection with the Camp Salmen Project. (Introduced 2/1/07)

7) Ord. Cal. No. 3495 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on property within a portion of The Birg Boulevard Subdivision. (Ward 3, District 5) (Introduced 2/1/07)

8) Ord. Cal. No. 3496 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on property within a portion of Tammany Forest Subdivision. (Ward 7, District 7) (Introduced 2/1/07)

9) Ord. Cal. No. 3497 - Ordinance to extend for an additional six (6) months the moratorium on placement of fill on undeveloped property within a portion of Tammany Hills Subdivision. (Ward 3, District 5) (Introduced 2/1/07)

10) Ord. Cal. No. 3498 - Ordinance to extend for an additional six (6) months the moratorium on receipt of submissions by Parish Zoning/Planning Commissions for rezoning or resubdivision of property, not previously applied for, located north of I-12 and abutting or having access to Airport Road, within unincorporated Ward 9, District 11. (Introduced 2/1/07)

11) Ord. Cal. No. 3499 - Ordinance to amend Ord. C.S. No. 02-0470, adopted May 2, 2002, amending the official zoning map of St. Tammany to reclassify 50.105 acres on the west side of Perrilloux Road, north side of Stelly Road, from Rural to PUD, to provide major amendments to original PUD plan. (Ward 1, District 1)(ZC02-02-010) (Zoning Commission approved 1/3/2007) (Introduced 2/1/07)

12) Ord. Cal. No. 3500 - Ordinance to amend Code, Appendix B, Subdivision Regulatory Ord. 499, Section 40-050.0 Tentative Subdivision Review, Subpart 4, Paragraph 2 - Exemption. (Planning Commission approved 1/9/2007) (Introduced 2/1/07)

13) Ord. Cal. No. 3501 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the northwest end of Tolawa Lane, east of Highway 190 North, south of Ponchitalawa Creek, containing 7.82 acres, from A-6 Multiple Family Residential to A-3 Suburban. (Ward 4, District 5) (Introduced 2/1/07)

14) Ord. Cal. No. 3502 - Ordinance to authorize the Parish President to purchase and/or expropriate Lot 4, Tolawa Place, and an undivided interest in and to Tract 8 and 9, Tolawa Place. (Introduced 2/1/07)

APPOINTMENTS

1) Resolution to appoint William Sifert to replace Lionel Booth (moved out of District) to Fire Protection District No. 9. (Districts 2 and 6 appointment) (Tabled 2/1/07)

2) Resolution to appoint Audrey Baker to replace Joey Richard on the Board of the East Florida Parishes Retirement District. (Parishwide)