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AGENDA

ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, NOVEMBER 3, 2005 AT 6:00 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Steve Stefancik, Chairman

Invocation by

Pledge of Allegiance by

Roll Call: Marty Dean

Russell Fitzmorris

James A. "Red" Thompson

Patricia P. Brister

Marty Gould

Gary Singletary

Steve Stefancik

Jerry Binder

Joe Impastato

Chris Canulette

Barry D. Bagert

Henry Billiot

Joe "Coach" Thomas

Ken Burkhalter

PUBLIC HEARING

**1) Ord. Cal. No. 3165 - Ordinance adopting the 2006 Operating Budget.
(Introduced 9/28/05)**

2) Ord. Cal. No. 3166 - Ordinance to establish the 2006-2010 Capital Improvement Budget and Program, and further identify Fixed Asset and Grant Awards. (Introduced 9/28/05)

PRESENTATIONS

1) Certificate of Recognition in Memory of Paul D. Cordes, Sr. (Brister)

2) Certificate of Recognition to CLECO for outstanding service to the community in the aftermath of Hurricane Katrina. (Billiot)

3) Discussion regarding adjustment of claims by insurance companies. (Binder)

4) Presentation on public adjustment companies and services provided. (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 October 6, 2005
Council Committee Meetings October 26, 2005

ORDINANCES FOR INTRODUCTION

(Public Hearing December 1, 2005)

1) Ord. Cal. No. 3171 - Ordinance to amend Parish Code, Chapter 14 Nuisances, Section 14-003.00 Fires For Yard Debris, to amend paragraph (A) and to enact paragraph (D), prohibiting the burning of leaves and yard debris within the boundaries of Council District 4. (Brister)

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2) Ord. Cal. No. 3172 - Ordinance amending and reenacting Parish Code of Ordinances, Section 20-011.01 Procedures and Standards for Granting Permission to Enter Parish Right of Way for Gaining Access to Property, by enacting a new subparagraph (a) to existing paragraph B(5), to require any developer/applicant proposing to develop lots within a dormant subdivision or subdivision or record to submit for review and approval of the Parish Engineer a drainage plan that meets the detention requirements of Subdivision Regulatory Ordinance No. 499. (Gould)

3) Ord. Cal. No. 3173 - Ordinance amending and reenacting Parish Code of Ordinances, Section 20-010.00, Placement of Public and Private Utilities in Parish Rights-of-Way, and Section 20-010.01, Procedures and Standards for Granting Permission to Enter Parish Rights of Way for Gaining Access to Property, to require that all new subdivisions and subdivisions of record to have utilities installed underground. (Gould)

4) Ord. Cal. No. 3174 - Ordinance amending and reenacting Parish Code, Chapter 12 Licenses, Taxation and Regulations, Article II, Parish [Occupational] License Tax, Sections 12-016.10 through 12-016.38, to enact a new section 12-016.39 Failure to Obtain License When Required and Penalty therefor. (Stefancik)

5) Ord. Cal. No. 3175 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for the construction or placement of building structures within a portion of Cypress Park Subdivision and a portion of surrounding areas in Ward 7, District 7. (Impastato)

6) Ord. Cal. No. 3176 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for the construction or placement of building structures on certain properties within unincorporated St. Tammany, abutting, in whole or in part, a portion of the East I-10 Service Road in Ward 8, District 8. (Canulette)

7) Ord. Cal. No. 3177 - Ordinance to extend for an additional six (6) months the moratorium on receipt of submissions by the Parish Zoning Commission for rezoning of property within a certain

portion of unincorporated St. Tammany Parish in Ward 1, District 1. (Dean)

8) Ord. Cal. No. 3178 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of building permits for the construction or placement of building structures on property within Dove Park Subdivision in Ward 4, District 5. (Gould)

9) Ord. Cal. No. 3179 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of submissions by the Parish Zoning and Planning Commissions for the rezoning or resubdivision of property west of Highway 11 and south of Interstate 12 within unincorporated boundaries of Ward 9 in District 14. (Burkhalter)

10) Ord. Cal. No. 3180 - Ordinance to extend for six (6) months the moratorium on the issuance of permits for the construction or placement of building structures on property within a portion of Pineview Heights Subdivision and a portion of surrounding areas in unincorporated St. Tammany Parish in Ward 4, District 5. (Gould)

11) Ord. Cal. No. 3181 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building, occupancy or occupational permits or licences by any Parish Department or agency for any pain management center/clinic whose primary focus or concentration is prescribing and/or dispensing pain medication to individuals with complaints of chronic pain and which is unaffiliated with any hospital, hospice or facility for the treatment of the terminally ill in unincorporated St. Tammany Parish. (Binder)

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RESOLUTIONS

12) Resolution C.S. No. C-1549 - Resolution establishing Warranty Obligations.
(Stefancik/President)

WARRANTY

NAME OF SUBDIVISION RECOMMENDATION

POST OAK LANDING SUBDIVISION EXTEND FOR ONE (1 YEAR) OR
AMOUNT: \$44,900 UNTIL WORK IS SATISFACTORILY
EXPIRES: DECEMBER 10, 2005 ACCOMPLISHED
WARD 1 DISTRICT 1

RIVER OAKS SUBDIVISION ADD. 10-B-1 EXTEND FOR ONE (1) YEAR OR
AMOUNT: \$44,300 UNTIL WORK IS SATISFACTORILY
EXPIRES: DECEMBER 14, 2005 ACCOMPLISHED
WARD 8 DISTRICT 13

TALLOW CREEK SUBDIVISION PH 1-F EXTEND FOR ONE (1) YEAR OR
AMOUNT: \$22,400 UNTIL WORK IS SATISFACTORILY
EXPIRES: DECEMBER 21, 2005 ACCOMPLISHED
WARD 1 DISTRICT 1

FOREST BROOK SUBDIVISION PH 4-C-4 EXTEND FOR ONE (1) YEAR OR

**AMOUNT: \$22,200 UNTIL WORK IS SATISFACTORILY
EXPIRES: DECEMBER 21, 2005 ACCOMPLISHED
WARD 4 DISTRICT 7**

**FOREST BROOK SUBDIVISION PH 5B EXTEND FOR ONE (1) YEAR OR
AMOUNT: \$14,400 UNTIL WORK IS SATISFACTORILY
EXPIRES: DECEMBER 21, 2005 ACCOMPLISHED
WARD 4 DISTRICT 7**

**TCHEFUNCTE SOUTH, PH 1A RELEASE L. O. C.
AMOUNT: \$900
EXPIRES: NOVEMBER 19, 2005
WARD 1 DISTRICT 1**

**TALLOW CREEK SUBDIVISION, PH 1A EXTEND FOR ONE (1) YEAR OR
AMOUNT: \$19,900 UNTIL WORK IS SATISFACTORILY
EXPIRES: NOVEMBER, 1, 2005 ACCOMPLISHED
WARD 1 DISTRICT 1**

13) Resolution C.S. No. C-1550 - Resolution certifying that St. Tammany shall comply with all requirements of the State Off-System Bridge Replacement Program. (Stefancik/President)

14) Resolution C.S. No. C-1551 - Resolution establishing load limits on bridges within the Off-System Bridge Replacement Program for St. Tammany. (Stefancik/President)

15) Resolution C.S. No. C-1552 - Resolution to amend Ord. C.S. No. 04-0998, the 2005-2009 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Stefancik/President)

16) Resolution C.S. No. C-1553 - Resolution adopting handicap policy and grievance procedures required by the Louisiana Community Development Block Grant Program. (Stefancik/President)

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17) Resolution C.S. No. C-1554 - Resolution to support Fire Protection District No. 9 application for assistance from Governor's Office of Rural Development for purchasing and installing a generator. (Stefancik/President)

18) Resolution C.S. No. C-1555 - Resolution to support Fire Protection District No. 11 application for assistance from Governor's Office of Rural Development for purchasing communication equipment and turn-out gear. (Stefancik/President)

19) Resolution C.S. No. C-1556 - Resolution to support Fire Protection District No. 10 application for assistance from Governor's Office of Rural Development for upgrading communication system. (Stefancik/President)

20) Resolution C.S. No. C-1557 - Resolution to support Fire Protection District No. 13 application for assistance from Governor's Office of Rural Development for upgrading communication system. (Stefancik/President)

21) Resolution C.S. No. C-1558 - Resolution to support Fire Protection District No. 3 application

for assistance from Governor's Office of Rural Development for purchasing communication equipment. (Stefancik/President)

22) Resolution C.S. No. C-1559 - Resolution to support Fire Protection District No. 5 application for assistance from Governor's Office of Rural Development for improving fire protection. (Stefancik/President)

23) Resolution C.S. No. C-1560 - Resolution to support Fire Protection District No. 6 application for assistance from Governor's Office of Rural Development for constructing a 150-foot radio tower. (Stefancik/President)

24) Resolution C.S. No. C-1561 - Resolution to support Fire Protection District No. 7 application for assistance from Governor's Office of Rural Development for upgrading radio communications. (Stefancik/President)

25) Resolution C.S. No. C-1562 - Resolution to support Fire Protection District No. 8 application for assistance from Governor's Office of Rural Development for improving fire protection. (Stefancik/President)

26) Resolution C.S. No. C-1563 - Resolution to support St. Tammany Association of Retarded Citizens application for assistance from Governor's Office of Rural Development for purpose of purchasing a truck. (Stefancik/President)

27) Resolution C.S. No. C-1564 - Resolution to support St. Tammany Parish Government application relating to projects for the St. Tammany Regional Airport. (Stefancik/President)

28) Resolution C.S. No. C-1565 - Resolution ordering and calling a special election to be held January 21, 2006 in Lighting District No. 6 to authorize the levy of a special tax therein, Lighting District No. 11 to authorize the levy of a service charge therein, and Lighting District No. 14 to authorize the levy of a service charge therein. (Stefancik/President)

29) Resolution C.S. No. C-1566 - Resolution objecting to offensive remarks of Idaho Senator Larry Craig and recommending citizens of St. Tammany Parish and the State of Louisiana boycott products from the State of Idaho until an apology is received. (Gould)

END OF CONSENT CALENDAR

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APPEALS

1) Sam Ethridge, Jr. appealing the Zoning Commission APPROVAL on August 3, 2005 for issuance of a conditional use permit for a 160' Monopole Cellular Tower on the south side of Walder Road, west of Highway 59, in a Suburban Agricultural District. (Ward 4, District 10) (CP 05-08-074) (Applicant Chris Emmer for Mystic Porte, LLC) (No meeting 9/1/2005, Tabled 10/6/2005) (Request by both parties to Table to December meeting)

2) Hazel Sinclair appealing the Planning Commission APPROVAL on August 9, 2005 of Tentative Subdivision Review for Weston Glen. (Ward 1, District 1) (SD 05-08-020) (Applicant/Owner Webber Land and Development Corp.) (No meeting 9/1/2005, Tabled 10/6/2005)

ORDINANCES FOR ADOPTION

(Public Hearing)

1) Ord. Cal. No. 3109 - Ordinance to rename Oak Harbor Boulevard East as Lakeshore Boulevard East. (Ward 9, District 13) (Introduced 6/2/2005) (TABLED pending 911 Board review)

2) Ord. Cal. No. 3110 - Ordinance to rename Harbor Center Boulevard as Lakeshore Boulevard North. (Ward 9, District 13) (Introduced 6/2/2005) (TABLED pending 911 Board review)

3) Ord. Cal. No. 3164 As Amended - Ordinance to amend Ordinance C. S. No. 05-1162, adopted August 4, 2005, and Appendix B of the Parish Code, Subdivision Regulatory Ord. No. 499, Section 40- 020.0 Exemptions, to apply only to Council Districts 6 and 14. (Reintroduced as amended 10/6/2005)

4) Ord. Cal. No. 3168 - Ordinance amending the official zoning map of St. Tammany to reclassify land at the end of Atalin Street, south of Tortoise Drive, west of Marigny Trace Subdivision, containing 5.46 acres, from SA (Suburban Agricultural) to A-4 (Single Family Residential).
(Ward 4, District 10) (ZC05-08-050) (Introduced from appeal 10/6/2005)

5) Ord. Cal. No. 3169 - Ordinance amending the official zoning map of St. Tammany to reclassify land on south side of Highway 1085 and on the north side of I-12, west of Highway 1077, from R-Rural to M-1 Light Industrial for 1.70 acres and M-2 Intermediate Industrial for 36.09 acres.
(Ward 1, District 1) (ZC05-08-051) (Introduced from appeal 10/6/2005)

6) Ord. Cal. No. 3170 As Amended - Ordinance providing for sale of not exceeding \$10,000,000 of Revenue Anticipation Notes, Series 2005, of St. Tammany Parish, and providing for other matters in connection therewith. (Introduced 10/6/2005)

APPOINTMENTS

1) Resolution to appoint _____ to replace Kyle Bruhl (resigned) to Recreation District No. 12. (Thompson) (Tabled 10/6/2005)

2) Resolution appointing members of the 22nd Judicial District Children and Youth Planning Board per Ord. C.S. No. 05-1204, adopted October 6, 2005, consisting of 4 from Washington Parish and 10 from St. Tammany, with 8 appointed by Council and 2 by President.
(Stefancik/Davis)

3) Resolution to appoint Paul Melancon to replace Paul Lea (resigned) and to reappoint Lloyd Ostendorf, Stephen Dwyer, Tim Hymel and David Earl Goodwin (terms expired) to Recreation District No. 14. (District 1 - Dean)