

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, OCTOBER 7, 2004 AT 6:00 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Patricia Brister, Chairman

Invocation by

Pledge of Allegiance by

Roll Call:

**Marty Dean
Russell Fitzmorris
James A. "Red" Thompson
Marty Gould
Gary Singletary
Joe Impastato
Patricia Brister
Steve Stefancik
Chris Canulette
Barry D. Bagert
Henry Billiot
Jerry Binder
Joe "Coach" Thomas
Ken Burkhalter**

PRESENTATIONS

1) Commendation recognizing the Office of Emergency Preparedness and Parish employees for their performance during Hurricane Ivan. (Gould)

2) Certificate of Recognition to Bubba's BubBa Q as Business of the Month for outstanding service to the community. (Dean)

**CONSENT CALENDAR
(PAGE 1 THROUGH 5)**

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	September 2, 2004
Special Council Meeting	September 29, 2004
Council Committee Meetings	September 29, 2004

ORDINANCES FOR INTRODUCTION
(Public Hearing November 4, 2004)

1) Ord. Cal. No. 2935 - Ordinance to extend for six months the moratorium in Highland Park Subdivision. (Binder)

Ordinance to extend for an additional six (6) months the moratorium on issuance of building permits for construction or placement of building structures on property within a portion of Highland Park Subdivision.

2) Ord. Cal. No. 2936 - Ordinance to extend for six months the moratorium on submissions to enter parish rights of way. (Gould)

Ordinance to extend for an additional six (6) months the moratorium on the receipt of submissions by the Planning Commission for opening and/or extension of any unopened Parish right of way without the installation of central water and community sewerage for properties located within unincorporated areas of Council Districts 5, 7 and 10 (Wards 3, 4, 6, 7, 9 and 10).

3) Ord. Cal. No. 2937 - Ordinance amending zoning of 6.340 acres from PUD to A-3. (Ward 8, District 9) (ZC 04-07-064) (Zoning Commission approved 9/7/2004) (Brister/President)

Ordinance amending the official zoning map of St. Tammany to reclassify land east of Leeds Drive, south of Parkpoint Drive, containing 6.340 acres, from PUD (Planned Unit Development) to A-3 Suburban.

4) Ord. Cal. No. 2938 - Ordinance amending zoning of 15.29 acres from SA to A-2. (Ward 3, District 3) (ZC 04-09-069) (Zoning Commission approved 9/7/2004) (Brister/President)

Ordinance amending the official zoning map of St. Tammany to reclassify land on the northwest corner of Lowe Davis Road and Plantation Street, containing 15.29 acres, from SA Suburban Agriculture to A-2 Suburban.

5) Ord. Cal. No. 2939 - Ordinance amending zoning of 1.54 acres from A-6 to C-2. (Ward 9, District 12) (ZC 04-09-070) (Zoning Commission approved 9/7/2004) (Brister/President)

Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Hwy. 11, south of Oak Harbor Blvd. and north of Eden Isles Drive, being Lots 23, 24, 26 and 27 in Eden Isles Subdivision, Unit 1, containing 1.54 acres, from A-6 General Multiple Family to C-2 Highway Commercial.

6) Ord. Cal. No. 2940 - Ordinance amending zoning of 0.52 acres from A-2 to LC. (Ward 4, District 10) (ZC 04-09-071) (Zoning Commission approved 9/7/2004) (Brister/President)

Ordinance amending the official zoning map of St. Tammany to reclassify land on the southeast corner of Hwy. 59 and Caroline Street in Square 156 of Town of Mandeville Subdivision, containing 0.52 acres, from A-2 Suburban to LC Light Commercial.

7) Ord. Cal. No. 2941 - Ordinance amending zoning of 50.972 acres from SA to PUD.
(Ward 1, District 1) (ZC 04-09-075) (Zoning Commission approved 9/7/2004) (Brister/President)

Ordinance amending the official zoning map of St. Tammany to reclassify land north of Hwy. 1085, west of Rousseau Road and east of White Chapel Road, containing 50.972 acres, from SA Suburban Agriculture to PUD Planned Unit Development.

8) Ord. Cal. No. 2942 - Ordinance amending zoning of 15,000 sq. ft. from A-3 to C-2.
(Ward 8, District 9) (ZC 04-09-076) (Zoning Commission approved 9/7/2004) (Brister/President)

Ordinance amending the official zoning map of St. Tammany to reclassify land at the northeast corner of Brownsitch Road and Walnut Street, being Lots 7-8, Square 1, Ozone Pines Subdivision, containing 15,000 sq. ft., from A-3 Suburban to C-2 Highway Commercial.

9) Ord. Cal. No. 2943 - Ordinance amending zoning of 0.67 acres from SA to M-2.
(Ward 3, District 3) (ZC 04-09-077) (Zoning Commission approved 9/7/2004) (Brister/President)

Ordinance amending the official zoning map of St. Tammany to reclassify land at the southeast corner of Hwy. 36 and Barbee Road, containing 0.67 acres, from SA Suburban Agriculture to M-2 Intermediate Industrial.

10) Ord. Cal. No. 2944 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Fairway Gardenhomes, LLC, developer of Lot 11B of Suburban Estates Subdivision.
(Ward 4, District 5) (Gould)

RESOLUTIONS

11) Resolution C.S. No. C-1245 - Resolution establishing Warranty Obligations.
(Brister/President)

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
BLACK RIVER FOREST SUBDIVISION, PH 3 AMOUNT: \$25,200 EXPIRES: AUGUST 26, 2005 WARD, 1 DISTRICT 1	RELEASE L.O.C. TO BE BROUGHT INTO THE MAINTENANCE SYSTEM
HIGHLAND OAKS ESTATES, PH 1 AMOUNT: \$27,200 EXPIRES: NOVEMBER 14, 2004 WARD 1, DISTRICT 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK SATISFACTORILY ACCOMPLISHED
KINGSPPOINT SUBDIVISION, PH 8Q-3 AMOUNT: \$5,800 EXPIRES: NOVEMBER 14, 2004 WARD 8, DISTRICT 13	RELEASE L.O.C. TO BE BROUGHT INTO THE MAINTENANCE SYSTEM

Warranty Obligations continued:

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
TALLOW CREEK SUBDIVISION, PH 1A AMOUNT: \$19,900 EXPIRES: NOVEMBER 3, 2004 WARD 1, DISTRICT 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK SATISFACTORILY ACCOMPLISHED
TCHEFUNCTA TRACE SOUTH, PH 1-A AMOUNT: \$900.00 EXPIRES: NOVEMBER 19, 2004 WARD 1, DISTRICT 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK SATISFACTORILY ACCOMPLISHED

12) Resolution C.S. No. C-1246 - Resolution to concur/not concur with Slidell annexation.
(Ward 8, District 8) (Brister/President)

Resolution to concur/not concur with City of Slidell annexation and rezoning of 0.746 acres at the front of the campus at 360 Robert Boulevard from Parish SA Suburban Agriculture to City of Slidell A-6 Single Family Residential.

13) Resolution C.S. No. C-1247 - Resolution to support Fire Protection District No. 3 application for assistance from Governor's Office of Rural Development for improving fire protection.
(Brister/President)

14) Resolution C.S. No. C-1248 - Resolution to support Fire Protection District No. 5 application for assistance from Governor's Office of Rural Development for improving fire protection.
(Brister/President)

15) Resolution C.S. No. C-1249 - Resolution to support Fire Protection District No. 6 application for assistance from Governor's Office of Rural Development for improving fire protection.
(Brister/President)

16) Resolution C.S. No. C-1250 - Resolution to support Fire Protection District No. 7 application for assistance from Governor's Office of Rural Development for improving fire protection.
(Brister/President)

17) Resolution C.S. No. C-1251 - Resolution to support Fire Protection District No. 9 application for assistance from Governor's Office of Rural Development for improving fire protection.
(Brister/President)

18) Resolution C.S. No C-1252 - Resolution to support Fire Protection District No. 11 application for assistance from Governor's Office of Rural Development for improving fire protection.
(Brister/President)

19) Resolution C.S. No. C-1253 - Resolution to support Fire Protection District No. 13 application for assistance from Governor's Office of Rural Development for improving fire protection. (Brister/President)

20) Resolution C.S. No. C-1254 - Resolution to support Recreation District No. 15 application for assistance from Governor's Office of Rural Development for upgrading North Shore Beach. (Brister/President)

21) Resolution C.S. No. C-1255 - Resolution to support Tammany Trace application for grant assistance from Governor's Office of Rural Development for installing cross alert systems on the Tammany Trace. (Brister/President)

22) Resolution C.S. No. C-1256 - Resolution adopting Anti-Displacement and Relocation Assistance Plan. (Brister/President)

23) Resolution C.S. No. C-1257 - Resolution declaring surplus certain assets and authorizing sale of same. (Brister/President)

24) Resolution C.S. No. C-1258 - Resolution to amend Resolution C.S. No. C-1124, adopted June 3, 2004, concurring with Slidell annexation of property within Village Square Subdivision to additionally concur with the annexation of Square Street and Square Circle. (Ward 8, District 9) (Bagert)

25) Resolution C.S. No. C-1259 - Resolution urging the St. Tammany Parish School Board to roll back its millage to an adjusted rate for the calendar year 2004 to help reduce the financial burden of reassessment on parish citizens. (Impastato)

END OF CONSENT CALENDAR

APPEALS

1) Attorney Jeff Schoen for applicant Lonesome Development, LLC, appealing the Zoning Commission DENIAL on August 4, 2004 to rezone 206.437 acres west of Tantella Ranch Road, east of Highway 1077, north of intersection of Tantella Ranch Road and Highway 1077, from SA Suburban Agriculture to Planned Unit Development (PUD) (Ward 1, District 1) (ZC 04-07-055) (TABLED 9/2/2004)

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.

2) Applicant Huey J. Brown appealing the Zoning Commission DENIAL on September 7, 2004 to rezone 0.94 acres at the northeast corner of Sharp Road and Lochmere Drive from A-2 Suburban to A-3 Suburban. (Ward 4, District 5) (ZC 04-09-074)

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) Martin W. Gould, Jr. appealing the Zoning Commission APPROVAL on September 7, 2004 for issuance of conditional use permit for a wireless tower extension on 1.32 acres at the northwest corner of 12th Street and "H" Street in a C-2 Highway Commercial District. (Ward 3, District 5) (CP 04-09-107) (Applicant Karen Frazier/Bellsouth Mobility, Inc.)

NOTE: TO CONCUR WITH ZONING APPROVAL, A SIMPLE MAJORITY VOTE IS REQUIRED AND ADOPTION OF A RESOLUTION TO ISSUE PERMIT.

NOTE: TO OVERRIDE ZONING APPROVAL, A MAJORITY VOTE OF THE ENTIRE COUNCIL IS REQUIRED AND ADOPTION OF A RESOLUTION.

**ORDINANCES FOR ADOPTION
(Public Hearing)**

1) Ord. Cal. No. 2808 - Ordinance accepting finalized subdivision into road and drainage inventories, specifically Forest Brook, Phase 4C1. (Ward 4, District 7) (Introduced 4/1/2004) (Tabled 9/2/2004)

2) Ord. Cal. No. 2919 - Ordinance amending zoning of 0.45 acres from SA to C-2. (Ward 7, District 7) (ZC 04-07-050) (Zoning Commission approved 8/4/2004) (Introduced 9/2/2004)

Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Highway 190 between 8th Street and Lake Road, being a portion of Lots 3, 7, 8, 9 and 10, Square 101, Town of Lacombe Subdivision, containing 0.45 acres, from SA Suburban Agriculture to C-2 Highway Commercial.

3) Ord. Cal. No. 2920 - Ordinance to amend Code, Appendix C, (Ord. 523 Land Use Regs), Section 5.0316, to provide for change in Commercial Signage Regulations. (ZC 04-08-068) (Zoning Commission approved 8/4/2004) (Introduced 9/2/2004)

4) Ord. Cal. No. 2921 - Ordinance to amend Code, Appendix B (Ord. 499 Subdivision Regs), Section 40-032.0 (3b) Streets (new subdivision driveway widths). (Planning Commission approved 8/10/2004) (Introduced 9/2/2004)

5) Ord. Cal. No 2922 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Bennett Brothers, LLC, developer of Grand Maison Subdivision. (Ward 4, District 5) (Introduced 9/2/2004)

6) Ord. Cal. No. 2923 - Ordinance accepting dedication and donation of Goslee Road for inclusion into the Parish Road Maintenance System. (Ward 1, District 1) (Introduced 9/2/2004)

7) Ord. Cal. No. 2924 - Ordinance establishing a "No Thru Trucks" zone on Donya Street. (Ward 9, District 6) (Introduced 9/2/2004)

8) Ord. Cal. No. 2925 - Ordinance accepting finalized subdivisions into Road and Drainage Inventories (Lakeview Regional Medical Center, Kingspoint, Phases 8Q1, 8Q2 and 8Q4, Madison Farms, Phase 3B, and River Oaks, Addition 9). (Wards 1, 4 & 8, Districts 1, 5, 13 & 14) (Introduced 9/2/2004)

9) Ord. Cal. No. 2926 - Ordinance to correct Road Inventory to include portions of 4th Street, 5th Street and 6th Street. (Ward 3, District 5) (Introduced 9/2/2004)

10) Ord. Cal. No. 2927 - Ordinance to amend Code, Chapter 20, regarding permission to enter Parish rights of way. (Introduced 9/2/2004)

Ordinance to amend Code of Ordinances, Chapter 20, Article I, Section 20-011.01, Procedures and Standards for Granting Permission to Enter Parish Right of Way for Gaining Access to Property, to provide for central water and community sewerage requirements within Council Districts 5, 7 and 10.

11) Ord. Cal. No. 2928 - Ordinance to amend Parish Code, Chapter 2, Section 2-009.00, Parish Fees and Service Charges, to impose Transportation and Drainage Impact Fees. (Introduced 9/2/2004)

12) Ord. Cal. No. 2929 - Ordinance to amend Parish Code, Appendix C (Ord. 523 Land Use Regs), Section 5.16, relative to Standards for Landscaping and Tree Preservation Regulations. (ZC04-06-049) (Introduced from appeal 9/2/2004)

13) Ord. Cal. No. 2930 - Ordinance to amend Code, Chapter 13, Division I, Motor Vehicles, to enact Section 13-008.00 Dangerous, Distracting or Unreasonably Loud Noises from a Motor Vehicle. (Introduced 9/2/2004)

14) Ord. Cal. No. 2931 - Ordinance to accept an Act of Dedication and Donation of a 2.55 acre right of way situated off Highway 21 in Ward 1, District 1. (Introduced 9/2/2004)

15) Ord. Cal. No. 2932 - Ordinance to accept an Act of Dedication of Robert Bush Road for inclusion into the road maintenance system. (Ward 10, District 6) (Introduced 9/2/2004)

AWARD OF BIDS

(Brister/President)

<u>BID ITEM</u>	<u>BID NUMBER</u>	<u>FUND</u>
Renovation of Old Courthouse 510 E. Boston Street (Bid tab sheets to be provided)	322-00-04-30-2C	OEP-911

NOMINATIONS

Resolution to appoint _____ to replace Edward P. "Bubby" Lyons (resigned) to the East Florida Parishes Retirement District (term expires 7/5/2005 per state law). (Parishwide) (Tabled 9/2/2004)