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AGENDA

ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, JULY 5, 2007 AT 6:00 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

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

PRESENTATIONS

- 1) Presentation to Wilma Hoppe for 20 years service to people of St. Tammany.**
- 2) Recognize Frosch Barber Shop in Mandeville as July "Business of the Month".**

PUBLIC HEARING

Resolution C.S. No. C-2120 - Resolution establishing millage rate for the year 2007.

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	June 7, 2007
Council Committee Meeting	June 27, 2007

ORDINANCES FOR INTRODUCTION

1) Ord. Cal. No. 3587 - Ordinance to amend Parish Code, Chapter 18, by adding Article X providing for placement, construction and modification of Wireless Telecommunication Facilities, application, co-location, lease of Parish land, permit process, minimization of negative impact and process for Parish review. (Tabled 6/7/07 pending receipt of ordinance)

2) Ord. Cal. No. 3589 - Ordinance to revoke a portion of unnamed street right-of-way in Chinchuba Subdivision. (Ward 4, District 4) (Brister) (Pre-introduce & refer to Planning Commission)

3) Ord. Cal. No. 3590 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on property that abuts Highway 59, or is located within a distance of two hundred (200') feet of the centerline of the highway, and which property, being situated along said highway, is in the area between the north side of Highway 1088 and the south side of I-12. (Ward 3, District 5)

4) Ord. Cal. No. 3591 - Ordinance to extend for an additional six (6) months the moratorium on submission and review of zoning and conditional use permit applications, planning commission review and issuance of building permit applications, for construction or placement of multi-family structures on property within unincorporated areas of Council District 12.

5) Ord. Cal. No. 3592 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of Brownsitch Road, east of Robert Road, west of Dauphine Street, containing 14 acres, from C-1 (Neighborhood Commercial) & SA (Suburban Agricultural) to ID (Institutional). (Ward 8, District 9) (ZC07-02-007) (Zoning Commission Approved 6/5/07)

6) Ord. Cal. No. 3593 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Highway 190, east of Christa Drive, containing 2.6 acres, from SA (Suburban Agricultural) to C-2 (Highway Commercial). (Ward 9, District 11) (ZC07-05-021) (Zoning Commission Approved 6/5/07)

7) Ord. Cal. No. 3594 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the southeast corner of Highway 59 and Henry Clay Avenue, north of Destin Street, west of Marigny Street, containing 16,884 sq. ft., from A-2 (Suburban) to LC (Light Commercial). (Ward 4, District 10) (ZC07-05-024) (Zoning Commission Approved 6/5/07)

8) Ord. Cal. No. 3595 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Airport Road, north of Burns Road, containing 5 acres, from SA (Suburban Agricultural) to M-2 (Intermediate Industrial). (Ward 3, District 2) (ZC07-06-026) (Zoning Commission Approved 6/5/07)

9) Ord. Cal. No. 3596 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Eike Street, south of Washington Street, north of Lincoln Street, containing 3.53 acres, from SA (Suburban Agricultural) District to an A-3 (Suburban) District. (Ward 3, District 3) (ZC07-06-027) (Zoning Commission Approved 6/5/07)

10) Ord. Cal. No. 3597 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Brownsitch Road, west of Military Road, containing 0.586 acres, from A-2 (Suburban) to LC (Light Commercial). (Ward 8, District 9) (ZC07-06-029) (Zoning Commission Approved 6/5/07)

11) Ord. Cal. No. 3598 - Ordinance amending the official zoning map of St. Tammany to reclassify land north of Highway 22, east of Highway 1085, west of Oak Park Drive, containing 4.7 acres, from A-4 (Single Family Residential) to C-1 (Neighborhood Commercial 2.082 acres) and C-2 (Highway Commercial 2.618 acres). (Ward 1, District 1) (ZC07-06-030) (Zoning Commission Approved 6/5/07)

12) Ord. Cal. No. 3599 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Highway 22, west of Oullibert Road, north of Koepf Road, containing 8 acres, from A-3 (Suburban) to C-2 (Highway Commercial). (Ward 1, District 1) (ZC07-06-031) (Zoning Commission Approved 6/5/07)

13) Ord. Cal. No. 3600 - Ordinance to amend Code, Appendix C, Land Use Regulations Ord. No. 523, Section 2.1502, to provide for change in permitted uses for M-2 Intermediated Industrial District. (ZC07-06-038) (Zoning Commission approved 6/5/07)

14) Ord. Cal. No. 3601 - Ordinance accepting finalized subdivisions into road & drainage inventories, specifically Normandy Oaks, Phase 1. (Ward 1, District 1)

15) Ord. Cal. No. 3602 - Ordinance to correct road inventory to include an approximate 675 foot extension of River Drive, an approximate 3,600 foot extension of Robinson Road, an approximate 613 foot extension of Meadow Lake Drive East, and an approximate 580 foot extension of Meadow Lake Drive West. (Ward 8, Districts 9 & 13)

16) Ord. Cal. No. 3603 - Ordinance to amend Code, Chapter 20, Article III, Road Lighting Districts, to add a new section creating Lighting District No. 16 for a portion of Ward 3, District 5.

RESOLUTIONS

17) Resolution C.S. No. C-2121 - Resolution calling a special election in St. Tammany to vote on amendment to Home Rule Charter, making application to State Bond Commission, and for other matters in connection therewith.

18) Resolution C.S. No. C-2122 - Resolution stating Council endorsement of Family Dollar Stores, Inc. (Brownswitch/Robert, Slidell) for participation in benefits of Louisiana Enterprise Zone Program.

19) Resolution C.S. No. C-2123 - Resolution stating Council endorsement of Hollingsworth Richards, LLC, (Covington) for participation in benefits of Louisiana Enterprise Zone Program.

20) Resolution C.S. No. C-2124 - Resolution to amend Ord. C.S. No. 06-1415, the 2007-2011 Capital Improvement Budget and Program, Fixed Asset and Grant Awards.

21) Resolution C.S. No. C-2125 - Resolution declaring as surplus certain assets and authorizing sale, exchange, or trade-in of same at private sale.

22) Resolution C.S. No. C-2126 - Resolution authorizing Director of Finance to transfer \$177,000 from Grand Maison Voluntary Developmental Agreement Escrow Account to Drainage Impact Fee Account 366.

23) Resolution C.S. No. C-2127 - Resolution authorizing Parish President to enter an Intergovernmental Agreement with Town of Abita Springs to construct Abita Trailhead Plaza.

24) Resolution C.S. No. C-2128 - Resolution establishing warranty obligations.

WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
PONTCHARTRAIN OAKS EST S/D AMOUNT: \$31,000 EXPIRES: AUGUST 7, 2007 WARD 1 DISTRICT 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS ACCOMPLISHED
AUTUMN CREEK S/D, PH 1 AMOUNT: \$37,000 EXPIRES: AUGUST 11, 2007 WARD 1 DISTRICT 7	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS ACCOMPLISHED
MARIGNY TRACE S/D PH 6A & 6B AMOUNT: \$8,900 EXPIRES: AUGUST 17, 2007 WARD 4 DISTRICT 7	CALL L.O.C. TO BE BROUGHT INTO SELECTIVE PARISH MAINTENANCE SYSTEM
ENTER PARISH RIGHT OF WAY(ECHO ST) ALEXIUSVILLE S/D AMOUNT: \$3,000 EXPIRES: AUGUST 30, 2007 WARD 3 DISTRICT 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS ACCOMPLISHED

Warranty Obligations continued:

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
RIVER OAKS S/D, PH 10- B-1 AMOUNT: \$44,300 EXPIRES: DECEMBER 14, 2007 WARD 8 DISTRICT 13	RELEASE L.O.C. TO BE BROUGHT INTO SELECTIVE PARISH MAINTENANCE SYSTEM
RIVER OAKS S/D, PH 10 -B -2 AMOUNT: \$69,000 EXPIRES: APRIL 12, 2008 WARD 8 DISTRICT 13	RELEASE L.O.C. TO BE BROUGHT INTO SELECTIVE PARISH MAINTENANCE SYSTEM
THE BLUFFS S/D, PH 5A AMOUNT: \$90,400 EXPIRES: OCTOBER 18, 2007 WARD 8 DISTRICT 9	RELEASE L.O.C PRIVATE S/D TO BE MAINTAINED BY HOMEOWNERS ASSOCIATION
OAK PLAIN, PH 2 AMOUNT: \$10,800 EXPIRES: OCTOBER 7, 2007 WARD 8 DISTRICT 13	RELEASE L.O.C. TO BE BROUGHT INTO SELECTIVE PARISH MAINTENANCE SYSTEM
LAKESHORE ESTATES, PH 1-A-4 AMOUNT: \$67,500 EXPIRES: OCTOBER 13, 2007 WARD 9 DISTRICT 13	RELEASE L.O.C. PRIVATE S/D TO BE MAINTAINED BY HOMEOWNERS ASSOCIATION
BELLE POINT S/D AMOUNT: \$57,600 EXPIRES: JUNE 16, 2008 WARD 1 DISTRICT 1	RELEASE L.O.C. TO BE BROUGHT INTO SELECTIVE PARISH MAINTENANCE SYSTEM

25) Resolution C.S. No. C-2129 - Resolution stating support of "Plaquemines Parish Navigation Channel" project for economic growth of region.

26) Resolution C.S. No. C -2130 - Resolution authorizing a study of legislative options for establishment of Transfer of Development Rights (TDR) Policies in conjunction with implementation of Traditional Neighborhood Zoning Districts (TND) during Parish comprehensive rezoning.

END OF CONSENT CALENDAR

APPEALS

1) Applicant Bea Kaiser appealing the Zoning Commission DENIAL on March 6, 2007 to rezone 1 acre of land on the south side of Highway 190, east of Bremerman Road, west of Johns Road, from SA Suburban Agricultural to C-1 Neighborhood Commercial. (Ward 4, District 7) (ZC07-03-015) (Postponed to June on 4/5/07; Tabled 6/7/07)

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 Patrick Milligan appealing the Zoning Commission DENIAL on May 1, 2007 to rezone 6,250 sq. ft. of land on the north side of Coast Boulevard, east of Behrman Street, west of Dwyer Street, from Special District #14 to C-2 Highway Commercial. (Ward 8, District 12) (ZC07-05-022) (Tabled 6/7/07)

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) Vincent Wynne, Jr., for applicant Aphelion Holdings, LLC, appealing the Zoning Commission DENIAL on May 1, 2007 to rezone 440.78 acres on the east side of Highway 1082, north of Elderberry Lane, from Rural to A-1 Suburban. (Ward 5, District 2) (ZC07-05-023) (Tabled 6/7/07)

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 A. Lea, Jr. for applicant James E. Shields, Sr., appealing the Zoning Commission DENIAL on June 5, 2007 to rezone 28 acres on the south side of Highway 1088, east of Trinity Drive, west of Forest Brook Boulevard, from SA Suburban Agricultural and C-1 Neighborhood Commercial to a PUD (Planned Unit Development). (Ward 4, Districts 5 & 7) (ZC07-01-001)
(Item referred back to Zoning Commission with specific requests 4/5/07)

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) Judy Stringer and Steven M. Swanson appealing the Zoning Commission APPROVAL on June 5, 2007 to rezone 55,963 sq. ft. on the east side of Highway 190 East Frontage Road, south of Robinhood Drive, north of Melody Lane, from LC Light Commercial to C-1 Neighborhood Commercial. (Ward 3, District 5) (ZC07-06-036) (Applicant David Derbes, owner Marimax, LLC)

Note: To concur with Zoning approval, a simple majority vote is required and introduction of an ordinance.

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

ORDINANCES FOR ADOPTION

1) Ord. Cal. No. 3538 As Amended - Ordinance to amend Parish Code, Appendix D, Buildings and Construction, minimum finished floor elevation requirements. (Reintroduced as amended 6/7/07)

2) Ord. Cal. No. 3567 - Ordinance to extend for an additional six (6) months the moratorium on placement of fill and issuance of building permits for construction or placement of building structures on property within Dove Park Subdivision. (Ward 4, District 5) (Introduced 6/7/07)

3) Ord. Cal. No. 3568 - Ordinance establishing a “No Parking” zone on both sides of a portion of Choctaw Drive. (Ward 8, District 13) (Introduced 6/7/07)

4) Ord. Cal. No. 3569 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and developer of Cypress Park Subdivision. (Ward 7, District 7) (Introduced 6/7/07)

5) Ord. Cal. No. 3570 As Amended - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of Oschner Boulevard, west of Highway 21, north of I-12, containing 19.11 acres, from A-4 Single Family Residential to C-3 Planned Commercial Center. (Ward 1, District 1) (ZC07-05-025) (Zoning Commission approved 5/1/07) (Introduced 6/7/07)

6) Ord. Cal. No. 3571 - Ordinance amending Article I, Section 1-02 of the Home Rule Charter of the Parish of St. Tammany to provide with respect to term limits for Parish Government elected officials. (Introduced 6/7/07)

7) Ord. Cal. No. 3572 - Ordinance establishing a “No Parking” zone on both sides for the entire length of Salmen Street within unincorporated Ward 9, District 14. (Introduced 6/7/07)

8) Ord. Cal. No. 3573 - Ordinance establishing a “No Parking” zone on a portion of the west side of Allen Road. (Ward 8, District 14) (Introduced 6/7/07)

9) Ord. Cal. No. 3574 - Ordinance to amend Code, Chapter 13, to add new sections governing Operation of Motorized Vehicles and Enforcement of Traffic Controls on Private Streets within Lake Ramsey Development. (Ward 3, District 3) (Introduced 6/7/07)

10) Ord. Cal. No. 3575 - Ordinance to authorize Parish President to accept donation of Victorian Oaks Subdivision retention pond for drainage purposes and add same to Parish Selective Drainage Maintenance System Inventory. (Ward 4, District 5) (Introduced 6/7/07)

11) Ord. Cal. No. 3576 - Ordinance to enter Servitude Agreement and ratify actions of Parish President with respect to Temporary Construction Servitude Agreement between the Parish and Roy Cortes, et ux, for a portion of Lot 1-A, Square 20, Alexiusville Subdivision, in connection with extension of Falconer Drive. (Ward 3, District 5) (Introduced 6/7/07)

12) Ord. Cal. No. 3577 - Ordinance to amend Ord. C.S. No. 07-1518, adopted 3/1/07, to provide for change in purchase price of Faciane property in connection with Camp Salmen Road Improvements Project. (Ward 9, District 11) (Introduced 6/7/07)

13) Ord. Cal. No. 3578 - Ordinance to revoke a portion of 14th Avenue right-of-way in Alexiusville Subdivision. (Ward 3, District 1)(Planning Commission approved 5/8/07) (Introduced 6/7/07)

14) Ord. Cal. No. 3579 - Ordinance to revoke a portion of “A” Street right-of-way in Alexiusville Subdivision. (Ward 3, District 1) (Planning Commission approved 5/8/07) (Introduced 6/7/07)

15) Ord. Cal. No. 3580 - Ordinance to amend Parish Code, Appendix B, Subdivision Regulatory Ord. 499, to rescind Section 40-035.0 Setback Lines. (Planning Commission approved 5/8/07) (Introduced 6/7/07)

16) Ord. Cal. No. 3581 - Ordinance amending the 2007 Operating Budget. (Introduced 6/7/07)

17) Ord. Cal. No. 3582 - Ordinance to correct the road inventory to include Lange Lane, Lawrence Lane, Sandy Hollow, Elizabeth Mae Lane, Livingston Lane, an 1,890 foot extension of Rose Street; to remove Miranda Road from the inventory; adjust length of West Chestnut Street from 2,910 feet to 1,541 feet; and correct drainage inventory to include ditches located off Montmartre Street and off Downs Avenue. (Wards 2, 4, 6, 7 & 10, Districts 2, 3, 6 & 7. (Introduced 6/7/07)

18) Ord. Cal. No. 3583 - Ordinance to amend Ord. C.S. No. 07-1562, adopted 5/3/07, to remove Core Road from roads accepted into Parish maintenance system.(Ward 2, District 3) (Introduced 6/7/07)

19) Ord. Cal. No. 3584 - Ordinance to rename Harrison Road as South Harrison Road. (Ward 8, District 14) (Introduced 6/7/07)

20) Ord. Cal. No. 3585 - Ordinance accepting finalized subdivisions into the Parish Road and Drainage Inventories, specifically Covington Industrial Park, Phase 2; Dominion, Phase 1; Koop Office Park; and portions of South Abita Springs. (Wards 1, 3 & 4, Districts 1, 2, 5 & 7) (Introduced 6/7/07)

21) Ord. Cal. No. 3586 - Ordinance to amend Parish Code, Chapter 18, Article VII, Section 18-086, amending boundaries of Colonial Pinnacle Community Development District. (Introduced 6/7/07)

22) Ord. Cal. No. 3588 - Ordinance establishing speed limits on certain roads within unincorporated Ward 9, District 14. (Introduced 6/7/07)

APPOINTMENTS

Resolution to appoint _____ to replace Sandip Chauhan (resigned) to the Hotel-Motel Assn. representative on the Tourist and Convention Commission. (Nominations by Council 6/7/07: Huey W. Davis and Jennifer Shutt)

EXECUTIVE SESSION

Lawsuit entitled: "Gitz vs. St. Tammany Parish", 22nd JDC No. 97-14791