

**PUBLISHED FEBRUARY 28, 2008 AND POSTED AT PARISH COMPLEX BY MARCH 4, 2008**

**AGENDA**

**ST. TAMMANY PARISH COUNCIL MEETING**

**THURSDAY, MARCH 6, 2008 AT 6:00 P.M.**

**ST. TAMMANY GOVERNMENT COMPLEX**

**21490 KOOP DRIVE, MANDEVILLE, LA.**

**Call to Order by Honorable Jerry Binder, Chairman**

**Invocation by**

**Pledge of Allegiance by**

**Roll Call: Marty Dean**

**Gary Cooper**

**James A. "Red" Thompson**

**R. Reid Falconer**

**Marty Gould**

**Rebecca C. Howell**

**Jerry Binder**

**Al Hamauei**

**Chris Canulette**

**E. L. Gene Bellisario**

**Henry Billiot**

**Steve Stefancik**

**Richard Artigue**

**Ken Burkhalter**

**PRESENTATIONS**

**1) Sheriff Jack Strain - report regarding St. Tammany Parish 2007 crime statistics.**

**2) Certificate of Recognition honoring Erwin R. Johnson for military service during World War II.**

**3) Recognize Campo's, 1818 N. Causeway Boulevard, Mandeville, as March Business of the Month.**

**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 14, 2008**

**Council Committee Meeting February 27, 2008**

**ORDINANCES FOR INTRODUCTION**

**1) Ord. Cal. No. 3765 - 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 certain portions of Highland Park Subdivision. (District 12)**

**2) Ord. Cal. No. 3766 - 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 Parish abutting a portion of Highway 190. (Districts 5 & 10)**

**3) Ord. Cal. No. 3767 - 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 Hills and portion of Ingram Estates Subdivisions. (Ward 3, District 5)**

4) Ord. Cal. No. 3768 - 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, located 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)

5) Ord. Cal. No. 3769 - Ordinance to extend for an additional six (6) months the moratorium on receipt of applications by the Parish Zoning Commission for mobile home conditional use permits and/or on issuance of building permits for placement of mobile homes on property within Bayou Heights Subdivision. (Ward 6, District 6)

6) Ord. Cal. No. 3770 - Ordinance authorizing the Parish to accept the dedication of Emerald Pines Court and associated subsurface drainage infrastructure, which are situated within Emerald Pines Subdivision. (Ward 4, District 5)

7) Ord. Cal. No. 3771 - Ordinance to amend Parish Code, Chapter 7, Drainage and Flood Control, Article I, Section 7-002.00 Use of Fill Materials Prohibited, to provide for the use of fill materials on lots less than ninety feet, on property located in critical drainage areas and jurisdictional wetlands, and to provide for procedures with respect thereto.

8) Ord. Cal. No. 3772 - Ordinance authorizing the Parish President to execute Cooperative Endeavor Agreement and Act of Exchange of real property by and between the Parish, Town of Madisonville and St. Tammany Parish Public Library.

9) Ord. Cal. No. 3773 - Ordinance establishing a "No Parking" zone on both sides of a portion of Marina Drive. (Ward 9, District 13)

10) Ord. Cal. No. 3774 - Ordinance establishing a "No Parking" zone on both sides of a portion of Waxwing Drive. (Ward 6, District 10)

11) Ord. Cal. No. 3775 - Ordinance to amend Ord. C.S. No. 00-0155, adopted May 4, 2000, which amended the official zoning map of St. Tammany to reclassify 157.667 acres on the west side of Highway 21, north of I-12, from SA/PUD to PUD, to provide major amendments to the original PUD plan. (Ward 1, District 1) (ZC00-03-020) (Zoning Commission approved 2/6/2008)

12) Ord. Cal. No. 3776 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Highway 59, north of Grand Maison Boulevard, containing 26,350 sq. ft., from A-3 Suburban to C-1 Neighborhood Commercial. (Ward 4, District 5) (ZC07-10-056) (Ord. Cal. No. 3683 approved A-3 to LC and referred back to ZC for C-1 on 12/6/2007) (Zoning Commission approved 2/6/2008)

13) Ord. Cal. No. 3777 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Highway 22, west of Koepp Road, containing 119.56 acres, from A-3 Suburban to a PUD (Planned Unit Development). (Ward 1, District 1) (ZC08-02-008) (Zoning Commission approved 2/6/2008)

14) Ord. Cal. No. 3778 - Ordinance to amend Parish Code, Appendix B, Subdivision Ord. 499, to create an Item 9 in Section 40-061.0, Additional Requirements to Preliminary. (Planning Commission approved 2/12/2008)

15) Ord. Cal. No. 3779 - Ordinance to amend Ord. C.S. No. 06-1415, the 2007-2011 Capital Improvement Budget and Program, and to further identify Fixed Asset and Grant Awards.

16) Ord. Cal. No. 3780 - Ordinance amending the 2007 Operating Budget.

17) Ord. Cal. No. 3781 - Ordinance authorizing Parish President to purchase, expropriate or otherwise acquire those certain parcels of land and/or rights of way for the Claiborne Hill Bridge Project as described in Exhibit "A" hereto.

18) Ord. Cal. No. 3782 - Ordinance authorizing Parish President to purchase, expropriate or otherwise acquire certain parcels and/or rights of way for the Justice Center Additional Land Project as described in Exhibit "A" hereto.

19) Ord. Cal. No. 3783 - Ordinance authorizing Parish President to purchase, expropriate or otherwise acquire certain parcels of land for Koop Drive Property as described in Exhibit "A" hereto.

20) Ord. Cal. No. 3784 - Ordinance authorizing Parish President to purchase, expropriate or otherwise acquire certain parcels of land for drainage improvements in Tammany Hills Subdivision as described in Exhibit "A" hereto.

**RESOLUTIONS**

21) Resolution C.S. No. C-2301 - Resolution establishing Warranty Obligations.

**PERFORMANCE**

| <b>NAME OF SUBDIVISION</b>   | <b>RECOMMENDATION</b>   |
|--|---|
| <b>Angelic Estates (aka The Birg), Phase 1A</b><br><b>Amount: \$26,000</b><br><b>Expires: April 30, 2008</b><br><b>Ward 3, District: 5</b> | <b>PERFORMANCE OBLIGATION</b><br><b>TO BE REVIEWED AT APRIL 3, 2008</b><br><b>COUNCIL MEETING</b> |

**WARRANTY**

|   |   |
|---|---|
| <b>Coquille Subdivision, Phase 1</b><br><b>Amount: \$62,100</b><br><b>Expires: March 7, 2008</b><br><b>Ward 1, District 1</b>           | <b>RELEASE L.O.C.</b><br><b>TO BE BROUGHT INTO SELECTIVE</b><br><b>PARISH MAINTENANCE SYSTEM</b>                          |
| <b>Grand Champions Subdivision, Filing #3</b><br><b>Amount: \$15,100</b><br><b>Expires: April 7, 2008</b><br><b>Ward 9, District 13</b> | <b>RELEASE L.O.C.</b><br><b>PRIVATE SUBDIVISION AND PARISH</b><br><b>IS NOT RESPONSIBLE FOR ANY</b><br><b>MAINTENANCE</b> |
| <b>Normandy Oaks Subdivision, Phase 2</b><br><b>Amount: \$20,900</b><br><b>Expires: April 13, 2008</b><br><b>Ward 1, District 1</b>     | <b>RELEASE L.O.C.</b><br><b>TO BE BROUGHT INTO SELECTIVE</b><br><b>PARISH MAINTENANCE SYSTEM</b>                          |
| <b>Pine Creek Acres Subdivision, Phase 1A</b><br><b>Amount: \$7,200</b><br><b>Expires: April 3, 2008</b><br><b>Ward 1, District 1</b>   | <b>EXTEND FOR ONE (1) YEAR OR</b><br><b>UNTIL WORK IS SATISFACTORILY</b><br><b>ACCOMPLISHED</b>                           |
| <b>Tallow Creek Subdivision, Phase 1-I-2</b><br><b>Amount: \$42,900</b><br><b>Expires: April 25, 2008</b><br><b>Ward 1, District 1</b>  | <b>RELEASE L.O.C.</b><br><b>TO BE BROUGHT INTO SELECTIVE</b><br><b>PARISH MAINTENANCE SYSTEM</b>                          |

**Warranty Obligations continued:**

| NAME OF SUBDIVISION  | RECOMMENDATION  |
|--|---|
| <b>Tammany Middle, LLC Subdivision, Phase 1</b><br>Amount: \$33,200<br>Expires: March 23, 2008<br>Ward 1, District 1 | <b>EXTEND FOR TWO (2) MONTHS TO FULLY COMPLETE WORK IN SATISFACTORY MANNER</b>              |
| <b>Turtle Creek Subdivision, Phase 5-3-B</b><br>Amount: \$6,000<br>Expires: April 22, 2008<br>Ward 8, District 9     | <b>RELEASE L.O.C. TO BE BROUGHT INTO SELECTIVE PARISH MAINTENANCE SYSTEM</b>                |
| <b>Vintage Court Subdivision, Phase 1</b><br>Amount: \$21,300<br>Expires: April 6, 2008<br>Ward 3, District 5        | <b>RELEASE L.O.C. PRIVATE SUBDIVISION AND PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE</b> |
| <b>Weston Glen Subdivision, Phase 1</b><br>Amount: \$27,000<br>Expires: April 9, 2008<br>Ward 1, District 1          | <b>RELEASE L.O.C. PRIVATE SUBDIVISION AND PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE</b> |
| <b>Willow Bend Subdivision, Phase 1</b><br>Amount: \$26,400<br>Expires: April 10, 2008<br>Ward 1, District 1         | <b>EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED</b>                 |

22) Resolution C.S. No. C-2302 - Resolution stating Council endorsement of CP Nord du Lac JV, LLC, for participation in benefits of Louisiana Enterprise Zone Program.

23) Resolution C.S. no. C-2303 - Resolution stating Council endorsement of JTS Realty Services, LLC, for participation in benefits of Louisiana Enterprise Zone Program.

24) Resolution C.S. No. C-2304 - Resolution stating Council endorsement of Save-A-Lot for participation in benefits of Louisiana Enterprise Zone Program.

25) Resolution C.S. No. C-2305 - Resolution stating Council endorsement of KBL Developments, LLC, for participation in benefits of Louisiana Enterprise Zone Program.

26) Resolution C.S. No. C-2306 - Resolution stating Council endorsement of Enviro-Tech Systems, LLC, for participation in benefits of Louisiana Enterprise Zone Program.

27) Resolution C.S. No. C-2307 - Resolution stating Council endorsement of Cypress Bend Real Estate Development Company, LLC, for participation in benefits of Louisiana Enterprise Zone Program.

28) Resolution C.S. No. C-2308 - Resolution stating Council endorsement of Tammany Holding Company, LLC, for participation in benefits of Louisiana Enterprise Zone Program.

29) Resolution C.S. No. C-2309 - Resolution stating Council endorsement of Gulf Crane Services, Inc., for participation in benefits of Louisiana Enterprise Zone Program.

30) Resolution C.S. No. C-2310 - Resolution stating Council endorsement of Herman & Kittle Properties, Inc. (Canterberry House Apartments, Phase 1), for participation in benefits of Louisiana Enterprise Zone Program.

31) Resolution C.S. No. C-2311 - Resolution stating Council endorsement of Herman & Kittle Properties, Inc. (Canterberry House Apartments, Phase 2), for participation in benefits of Louisiana Enterprise Zone Program.

32) Resolution C.S. No. C-2312 - Resolution stating Council endorsement of Isis Development Group, LLC, for participation in benefits of Louisiana Enterprise Zone Program.

33) Resolution C.S. No. C-2313 - Resolution certifying population census counts for Fire Protection Districts of St. Tammany Parish.

34) Resolution C.S. No. C-2314 - Resolution to amend Ord. C.S. No. 07-1680, the 2008-2012 Capital Improvement Budget and Program, Fixed Asset and Grant Awards.

35) Resolution C.S. No. C-2315 - Resolution to amend Ord. C.S. No. 07-1680, the 2008-2012 Capital Improvement Budget and Program, Fixed Asset and Grant Awards.

**END OF CONSENT CALENDAR**

**APPEALS**

1) Applicant Leroy J. Cooper appealing the Zoning Commission DENIAL on January 2, 2008 to rezone 13.3 acres on the west side of Highway 59, north of Walder Road, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 4, District 10) (ZC08-01-005) (Tabled 2/14/2008)

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 Norman Ducre, III, appealing the Zoning Commission DENIAL on February 6, 2008 for a one-year extension of the original conditional use permit to fill an existing 1.5 acre pond on a 60,000 sq. ft. Land Reclamation site located on the south side of Highway 190, west of Thompson Road, in a C-2 Highway Commercial District. (Ward 9, District 11) (CP05-12-121)

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.

**ORDINANCES FOR ADOPTION  
(Public Hearing)**

1) 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) (Tabled 7/5/07 thru 2/14/2008)

- 2) Ord. Cal. No. 3733 As Amended - Ordinance to amend Code, Chapter 18, Article IV, St. Tammany Parish Zoning Commission, to provide for Judicial Review of Council Decisions. (Introduced 1/17/2008) (Tabled 2/14/2008)
- 3) Ord. Cal. No. 3735 - Ordinance to amend Code, Chapter 2, Article V, Tourist and Convention Commission, to provide for changes in membership, nominations and appointments. (Tabled 1/17/2008) (Introduced 2/14/2008)
- 4) Ord. Cal. No. 3738 - Ordinance to amend Code, Chapter 15, to reestablish criminal penalties for intentional littering, commercial littering and littering per Sections referenced herein. (Tabled 1/17/2008) (Introduced 2/14/2008)
- 5) Ord. Cal. No. 3739 - Ordinance authorizing Parish President to purchase/expropriate property in vicinity of Airport Road in Slidell in conjunction with 2006-2010 Capital Improvement Projects as it pertains to the Airport Road-Slidell Connector Project. (Introduced 1/17/2008) (Tabled 2/14/2008)
- 6) Ord. Cal. No. 3744 - Ordinance authorizing the Parish President to accept the dedication of streets, rights of way and drainage servitudes within Timberlane Subdivision, Phases 1 and 2. (Ward 1, District 1) (Introduced 2/14/2008)
- 7) Ord. Cal. No. 3745 - Ordinance amending the official zoning map of St. Tammany to reclassify land at the end of North 12th Street, east of Highway 190, north of Harrison Avenue, containing 21.28 acres, from SA Suburban Agricultural to PUD (Planned Unit Development). (Ward 3, District 3) (ZC07-11-065) (Zoning Commission approved 1/2/2008) (Introduced 2/14/2008)
- 8) Ord. Cal. No. 3746 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Highway 190, north of Avery Estates, containing 51.458 acres, from MH Mobile Home District to PUD (Planned Unit Development). (Ward 8, District 13) (ZC07-12-077) (Zoning Commission approved 1/2/2008) (Introduced 2/14/2008)
- 9) Ord. Cal. No. 3747 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the southeast corner of Highway 25 and River Road, containing 3.898 acres, from A-2 Suburban to C-2 Highway Commercial. (Ward 3, District 3) (ZC07-12-080) (Zoning Commission approved 1/2/2008) (Introduced 2/14/2008)
- 10) Ord. Cal. No. 3748 - Ordinance to amend Ord. C.S. No. 01-0363, adopted September 6, 2001, which amended the official zoning map of St. Tammany to reclassify 66.36 acres on the east side of Highway 25, north of Liskey Road, south of Million Dollar Road, from A-1 to PUD, to provide major amendments to the original PUD plan. (Ward 3, District 2) (ZC01-07-048) (Zoning Commission approved 1/2/2008) (Introduced 2/14/2008)
- 11) Ord. Cal. No. 3749 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north and west sides of Million Dollar Road, south of Riverside Drive, containing 105.68 acres, from SA Suburban Agricultural and Rural to A-1 Suburban. (Wards 2 & 3, District 2) (ZC08-01-001) (Zoning Commission approved 1/2/2008) (Introduced 2/14/2008)
- 12) Ord. Cal. No. 3750 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Highway 59, north of Mire Drive, containing 0.44 acres, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 3, District 7) (ZC08-01-002) (Zoning Commission approved 1/2/2008) (Introduced 2/14/2008)

13) Ord. Cal. No. 3751 - Ordinance amending the official zoning map of St. Tammany to reclassify land west of Carroll Road, north of Garden Drive, south of Liberty Drive, being Lot 27, Bayou Liberty Garden Subdivision, containing 32,600 sq. ft., from A-3 Suburban to C-1 Neighborhood Commercial. (Ward 9, District 11) (ZC08-01-003) (Zoning Commission approved 1/2/2008) (Introduced 2/14/2008)

14) Ord. Cal. No. 3752 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the northeast corner of Amber Street and Coral Avenue, being Lots 4 and 5, Square 16, Pearl Acres Subdivision, containing 2 acres, from A-3 Suburban to C-1 Neighborhood Commercial. (Ward 8, District 8) (ZC08-01-006) (Zoning Commission approved 1/2/2008) (Introduced 2/14/2008)

15) Ord. Cal. No. 3753 - Ordinance to correct the parish road inventory to remove Honey Island Marina Road and correct parish drainage inventory to include Hunters Glen Lateral Ditch. (Wards 4 & 8, Districts 10 & 13) (Introduced 2/14/2008)

16) Ord. Cal. No. 3754 As Amended - Ordinance accepting finalized subdivisions into parish road and drainage inventories, specifically Willow Bend, Phase 2. (Wards 1 & 4, Districts 1 & 5) (Introduced as amended 2/14/2008)

17) Ord. Cal. No. 3755 - Ordinance to amend Ord. C.S. No. 06-1415, the 2007-2011 Capital Improvements Budget and Program, and to further identify changes to the Capital Improvement List for 2007-2011. (Introduced 2/14/2008)

18) Ord. Cal. No. 3756 - Ordinance amending the 2008 Operating Budget (to include cost associated with computerized aerial image system). (Introduced 2/14/2008)

19) Ord. Cal. No. 3757 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for the construction or placement of building structures on certain property within a portion of Tammany Forest Subdivision. (Ward 7, District 7) (Introduced 2/14/2008)

20) Ord. Cal. No. 3758 - 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 2/14/2008)

21) Ord. Cal. No. 3759 - Ordinance to extend for an additional six (6) months the moratorium on receipt of submissions by Parish Zoning and Planning Commissions for rezoning or resubdivision of property not previously applied for and located north of I-12, abutting or having access to Airport Road. (Ward 9, District 11) (Introduced 2/14/2008)

22) Ord. Cal. No 3760 - Ordinance to amend Parish Code, Appendix C, Land Use Ord. 523, Ward 4 Comprehensive Rezoning, and the official zoning map of St. Tammany to reclassify certain land within Heritage Heights Subdivision. (Ward 4, District 5) (Introduced 2/14/2008)

23) Ord. Cal. No. 3761 - Ordinance to amend Ord. C.S. No. 07-1496, adopted January 4, 2007, and Ord. C.S. No. 07-1588, adopted June 7, 2007, to make changes to polling locations. (Introduced 2/14/2008)

24) Ord. Cal. No. 3762 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of I-12 at the end of the future extension of Ochsner Boulevard, containing 14.66 acres, from SA Suburban Agricultural to A-6 General Multi-Family Residential. (Ward 1, District 1) (ZC07-12-082) (Introduced from appeal 2/14/2008)

25) Ord. Cal. No. 3763 - Ordinance amending the official zoning map of St. Tammany to reclassify land at the end of East Brewster Road, east of Highway 21, south of I-12, containing 2.223 acres, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 1, District 1) (ZC07-12-076) (Introduced from appeal 2/14/2008)

26) Ord. Cal. No. 3764 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of Highway 1088, east of Highway 59, containing 1.718 acres, from SA Suburban Agricultural to LC Light Commercial. (Ward 4, District 5) (ZC08-01-004) (Introduced from appeal 2/14/2008)

**NOMINATIONS**

1) Resolution to appoint Council members \_\_\_\_\_ and \_\_\_\_\_ to the Regional Planning Commission for terms expiring 12/31/2009. (Parishwide)

**APPOINTMENTS**

1) Resolution to appoint nine (9) members to the Parish Planning/Zoning Commissions (all terms expired). (Nominations made 2/14/2008)

2) Resolution to appoint six (6) members to Recreation District No. 14 (all terms expired). (District 1)

3) Resolution to appoint four (4) members to Fire Protection District No. 12 (terms expired). (Districts 1, 2, 3, 4 & 5)