

AGENDA
ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, NOVEMBER 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 Crawford-Howell
Jerry Binder
Al Hamauei
Chris Canulette
E. L. Gene Bellisario
Henry Billiot
Steve Stefancik
Richard Artigue
Ken Burkhalter

PRESENTATION

1) Samantha Goodwin - presentation regarding the activities of LCDP, Inc., a non-profit organization. (Dean) (Tabled 10/2/08)

2) Certificate of Recognition to Kristen Scott for her years of service to the St. Tammany Parish Library Board of Control. (Hamauei)

CONSENT CALENDAR

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

MINUTES

Regular Council Meeting	October 2, 2008
Council Committee Meeting	October 29, 2008
Special Council Meeting	October 29, 2008

ORDINANCES FOR INTRODUCTION

1) Ord. Cal. No. 3955 - Ordinance amending the official zoning map of St. Tammany to reclassify land located north of Amanda Drive, east of Highway 25 containing 2.58 acres from A-3 (Suburban) to LC (Light Commercial). (Ward 3, District 2)(ZC08-09-051)(Zoning Commission Approved October 7, 2008) (Binder/Davis)

2) Ord. Cal. No. 3956 - Ordinance to amend and reenact Appendix C of the St. Tammany Parish Code of Ordinances, Land Use Regulations Ordinance No. 523 as amended, Section 4 Off Street Parking and Loading Regulations. (ZC08-09-052) (Zoning Commission Approved October 7, 2008) (Binder/Davis)

3) Ord. Cal. No. 3957 - Ordinance to amend Ord. C.S. No. 06-1274, adopted April 6, 2006, amending the official zoning map of St. Tammany to reclassify 196.4 acres south of Haas Road, west of Highway 11 & Ashton Oaks Subdivision, east of Robert Road, from SA (Suburban Agricultural) to PUD, to provide major amendments to the original PUD plan. (Ward 8, District 9)(ZC06-01-004) (Zoning Commission Approved October 7, 2008) (Binder/Davis)

4) Ord. Cal. No. 3958 - Ordinance amending the official zoning map of St. Tammany to reclassify land located at the southeast intersection of Interstate 59 & Highway 1090 containing 1.4388 acres from A-3 (Suburban) to C-1 (Neighborhood Commercial). (Ward 8, District 9)(ZC08-10-053) (Zoning Commission Approved October 7, 2008) (Binder/Davis)

5) Ord. Cal. No. 3959 - Ordinance amending the official zoning map of St. Tammany to reclassify land located north of Salt Bayou Road, east of Old Spanish Trail containing 0.5 acres from SA (Suburban Agricultural) to C-2 (Highway Commercial). (Ward 8 and Ward 9, District 13) (ZC08-10-054) (Zoning Commission Approved October 7, 2008) (Binder/Davis)

6) Ord. Cal. No. 3960 - Ordinance amending zoning of 15 acres from SA to PUD. (Ward 3, District 3)(ZC08-10-058) (Zoning Commission Approved October 7, 2008) (Binder/Davis)

7) Ord. Cal. No. 3961 - Ordinance amending the official zoning map of St. Tammany to reclassify land located on east of Perrilloux Road, north of Highway 22 containing 12.6105 acres from A-4 (Single-Family Residential) & C-2 (Highway Commercial) to ID (Institutional).(Ward 1, District 1) (ZC08-10-059) (Zoning Commission Approved October 7, 2008) (Binder/Davis)

8) Ord. Cal. No. 3962 - Ordinance establishing a "Speed Limit" of 15 MPH on roads in a portion of Kingspoint Subdivision. (District 14)(Burkhalter)

9) Ord. Cal. No. 3963 - Ordinance authorizing the Parish President to execute a Cooperative Endeavor Agreement with Sub-drainage District No. 2 of Gravity Drainage District No. 5. (Gould)

10) Ord. Cal. No. 3964 - Ordinance to correct the Road and Drainage Inventory to include Hickory Field Boat Launch Road and Jim Hugh Lane Lateral; and to remove C.R. Even Road. (Wards 2, 5 & 6, Districts 2, 3 & 6) (Binder/Davis)

11) Ord. Cal. No. 3965 - Ordinance to permit the crossing of Tammany Trace for the purpose of rerouting drainage through Oaklawn Trace Subdivision and elsewhere, in the vicinity of Lacombe. (Ward 7, District 7) (Binder/Davis)

12) Ord. Cal. No. 3966 - Ordinance amending the 2008 Operating Budget. (Binder/Davis)

13) Ord. Cal. No. 3967 - Ordinance to amend Parish Code of Ordinances, Appendix C, Land Use Regulations. Ordinance No. 523 as amended, Section 2.0205, and Appendix B, Subdivision Regulations Ordinance No. 499 as amended, Section 6.01, to add new provisions for development of land on the south side of Lakeview Drive, Ward 9, District 13. (Artigue)

14) Ord. Cal. No. 3968 - Ordinance to amend Ordinances C.S. No. 01-0415 and 07-1495 and to amend and reenact Code of Ordinances, Chapter 2, Precincts, to effect voting precinct boundary adjustments for the convenience of voters, and acts of correction in compliance with federal and state law. (Wards 4 and 6, Districts 4 and 6) (Crawford-Howell)

15) Ord. Cal. No. 3969 - Ordinance authorizing the execution of a one-year extension of the current contract with Acadian Ambulance Service, Inc. as sole provider of emergency and non-emergency ambulance services in areas of unincorporated St. Tammany Parish. (Binder)

16) Ord. Cal. No. 3970 - Ordinance reaffirming Ordinance C.S. No. 08-1861, adopted July 3, 2008, to amend and reenact Land Use Regulations Ordinance No. 523, Section 6.01, and Unified Development Code, Section 7.0801, amending side yard setback and driveway requirements. (ZC08-08-042) (Zoning Commission Denied October 7, 2008) (Gould)

17) Ord. Cal. No. 3971 - Ordinance approving the form authorizing the execution of an amendment to the Cooperative Endeavor Agreement in connection with the Colonial Pinnacle Nord du Lac Economic Development District. (Dean)

RESOLUTIONS

18) Resolution C.S. No. C-2445 - Resolution establishing Adjusted Millage Rate for the year 2008. (Tabled 8/7/08, 9/11/08 & 10/2/08)(Binder/Davis)

19) Resolution C.S. No. C-2446 - Resolution reestablishing the Legal Maximum Millage Rates for the year 2008. (Tabled 8/7/08, 9/11/08 & 10/2/08) (Binder/Davis)

20) Resolution C.S. No. C-2502 - Resolution approving the issuance of a \$200,000 Revenue Anticipation Note, Series 2008, of Fire Protection District No. 8. (Binder/Davis)

21) Resolution C.S. No. C-2503 - Resolution providing for canvassing the returns and declaring the result of the special election held in Road Lighting District No. 5 to authorize the levy of a special tax therein. (Binder/Davis)

22) Resolution C.S. No. C-2504 - Resolution providing for canvassing the returns and declaring the results of the special election held in the Parish of St. Tammany, to authorize the renewal of special taxes therein.(Animal Shelter, COAST and STARC) (Binder/Davis)

23) Resolution C.S. No. C-2505 - Resolution certifying that the Parish shall comply with all requirements of the State of Louisiana Off-System Bridge Replacement Program. (Binder/Davis)

24) Resolution C.S. No. C-2506 - Resolution establishing load limits on bridges within the Off-System Bridge Replacement Program for St. Tammany Parish. (Binder/Davis)

25) Resolution C.S. No. C-2507- Resolution establishing Warranty Obligations.(Binder/Davis)

WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
River Highlands S/D, Phase 1 Amount: \$21,300 Expires: December 7, 2008 Ward: 3, District: 1	“CALL” WARRANTY
Versailles S/D, Phase 5B-2 Amount: \$3,500 Expired: December 6, 2008 Ward: 1, District: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Country Lane Patio Homes S/D, Phase 1 Amount: \$21,100 Expires: December 27, 2008 Ward: 8, District: 13	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED

26) Resolution C.S. No. 2508 - Resolution to rescind Resolution Police Jury Series No. 89-4073, adopted May 18, 1989; to provide for allowing the use of recycled asphalt on parish projects. (Binder/Davis)

27) Resolution C.S. No. 2509 - Resolution stating Parish Council endorsement of Martha E. Stewart, MD, LLC, for participation in Louisiana Enterprise Zone Program. (Binder/Davis)

28) Resolution C.S. No. 2510 Resolution to concur/not concur with Abita Springs annexation and rezoning of .85 acres from Parish SA (Suburban agriculture)to Abita Springs C (Commercial) which property fronts Harrison Avenue behind Walgreens & Statewide Bank. Section 12, Township 7 south, Range 11 east. (Ward 3, District 3)(Binder/Davis).

29) Resolution C.S. No. 2511 - Resolution to concur/not concur with Slidell annexation and rezoning of 1.187 acres from Parish C-2 (Highway Commercial) to Slidell C-4 (Highway Commercial) located at the Southwest corner of Malbrough Dr. and Gause Boulevard East (1725 Gause Boulevard East), Lot 4A, Sq 3, Robert Subdivision. (Ward 8, District 13)(Binder/Davis)

30) Resolution C.S. No. 2512 - Resolution declaring the intention of the Parish Council that expenditures made in connection with the University Center Project be reimbursed with the proceeds of tax-exempt borrowings. (Binder/Davis)

31) Resolution C.S. No. 2513 - Resolution approving and authorizing the Parish President to sign and/ or execute cooperative endeavor agreement with Department of Transportation and Development regarding LA 1088/ I-12 interchange.(Binder/Davis)

32) Resolution C.S. No. 2514 - Resolution to amend Ordinance C.S. No. 07-1680, the 2008-2012 Capital Improvement Budget and Program, Fixed Asset and Grant awards.(Binder/Davis)

33) Resolution C.S. No. 2515 - Resolution to amend Ordinance C.S. No. 07-1680, the 2008-2012 Capital Improvement Budget and Program, Fixed Asset and Grant Awards.(Binder/Davis)

34) Resolution C.S. No. 2516 - Resolution authorizing advertising for bids for purchase of \$8,000,000 of Limited Tax Revenue Bonds, Series 2009. (Coroner's Office) (Binder/Davis)

END OF CONSENT CALENDAR

APPEALS

1) Applicant Jeffery D. Schoen appealing the Zoning Commission DENIAL on October 7, 2008 to rezone 1 acre north of Champagne Street, west of North Columbia Street from M-1 Light Industrial to ID Institutional. (Ward 3, District 3) (ZC08-10-060)

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 Jeff Schoen appealing the Zoning Commission DENIAL on October 7, 2008 of a conditional use permit for a 10,000 sq. ft. Work Release Facility north of Champagne Street, west of North Columbia Street . (Ward 3, District 3)(CP08-10-173)

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.

3) Applicant Phillip Manchester appealing the Zoning Commission DENIAL on October 7, 2008 to rezone 1.1 acres south of Lonesome Road, east of US Highway 190 from SA Suburban Agricultural to C-1 Neighborhood Commercial. (Ward 4, District 10) (ZC08-1-055)

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) Applicant Alexander Piehet appealing the Zoning Commission DENIAL on October 7, 2008 of a conditional use permit for a 1,000 sq. ft. Home Office north of Fairhaven Road, east of Highway 1129. (Ward 2, District 2)(CP08-09-145)

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.

5) Warren Frank appealing the Zoning Commission APPROVAL on October 7, 2008 of a conditional use permit for a 1280 sq. ft. mobile home north of Ned Avenue, east of Sunrise Street, Chateau Estates Subdivision. (Ward 9, District 11)(ZC08-10-167)(Applicant Melanie Buras)

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

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. 3895AA - Ordinance to rename E. Fairway Drive Extension as Judge Tanner Boulevard. (Introduced 8/7/08; Reintroduced 9/11/08; Tabled 10/2/08)

2) Ord. Cal. No. 3902 - Ordinance to amend the Unified Development Code, Volume 1 - Zoning, relative to the Comprehensive Rezoning of the South Central Study Area. (Introduced 10/2/08)

3) Ord. Cal. No. 3909 - Ordinance to amend the Parish Unified Development Code, Article 6, Overlays to add Section 6.06, Mixed Use District. (Introduced 8/7/08 and Referred to Zoning) (ZC08-10-057) (Tabled by Council 9/11/08 & 10/2/08) (Tabled by Zoning Commission 10/7/08)

4) Ord. Cal. No. 3916 - Ordinance amending the official zoning map of St. Tammany to reclassify land located north of LA Highway 40, East of Beason Road, 16096 Highway 40 containing 4.02 acres from R (Rural) to ID (Institutional). (Ward 2, District 2)(ZC08-08-045)(Zoning Commission Approved 8/5/08)(Introduced 9/11/08; Tabled 10/2/08) (Applicant withdrew application October 21, 2008)

5) Ord. Cal. No. 3939 - Ordinance amending the official zoning map of St. Tammany Parish to reclassify land located west La Highway 59, North of Walder Road containing 13.3 Acres of Land from its SA (Suburban Agricultural) to PUD (Planned Unit Development). (Ward 4, District 10)(ZC09-01-005)(Council overrode Zoning denial 9/11/08)(Introduced 10/2/08)

6) Ord. Cal. No. 3940 - Ordinance adopting the 2009 Operating Budget. (Introduced 10/2/08)

7) Ord. Cal. No. 3941 - Ordinance adopting the 2009 Capital, Fixed Assets & Grants Budgets. (Introduced 10/2/08)

8) Ord. Cal. No. 3942 - Ordinance to correct the Road and Drainage Inventory to include Lakeshore Boulevard East; Oak Harbor Boulevard Extension; Two (2) Fish Hatchery Road Laterals; and McKinney Road Lateral.(Wards 7,8 & 9 and Districts 7, 13 & 14)(Introduced 10/2/08)

9) Ord. Cal. No. 3943 - Ordinance authorizing the Parish President to accept the donation of and/or exchange Parish properties with property owned by Laporte Family Properties, LLC located off of Koop Drive near the Tammany Trace. (Introduced 10/2/08)

10) Ord. Cal. 3944AA - Ordinance to amend Parish Code, Chapter 7 Drainage and Flood Control, Article 1 Section 7-002.00 Use of Fill Materials Prohibited, to provide for the use of fill materials and the type of construction in areas of special concern, to provide standards for non-residential development, and to provide for procedures with respect thereto. (Introduced 10/2/08)

11) Ord. Cal. No. 3945 - Ordinance establishing a "No Thru Trucks" Zone on Lonesome Road. (Ward 4, District 10)(Introduced 10/2/08)

12) Ord. Cal. No. 3946 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for any construction activities on, or improvements to, undeveloped property within a portion of Pineview Heights Subdivision and certain surrounding areas. (Ward 4, District 5)(Introduced 10/2/08)

13) Ord. Cal. No. 3947 - 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 Parish abutting, in whole or in part, a portion of East I-10 Service Road, in Slidell.(Ward 8, District 8)(Introduced 10/2/08)

14) Ord. Cal. No. 3948- Ordinance to extend for an additional six (6) months the moratorium on submission of applications to rezone property within the triangular shaped area bounded on the south by Highway 190, on the east by the Tchefuncte River, and on the west by the St. Tammany/Tangipahoa Parish line. (Ward 1, District 1)(Introduced 10/2/08)

15) Ord. Cal. No. 3949 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building, occupancy or occupational permits or licenses by any parish department or agency for any pain management center/clinic unaffiliated with any hospital, hospice or facility for treatment of the terminally ill in unincorporated St. Tammany. (Introduced 10/2/08)

16) Ord. Cal. No. 3950 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building permits for construction or placement of building structures within a portion of Cypress Park Subdivision and a portion of surrounding areas. (Ward 7, District 7)(Introduced 10/2/08)

17) Ord. Cal. No. 3951- Ordinance to extend for an additional six (6) months the moratorium on receipt of submissions by the Parish Zoning and Planning Commissions for rezoning or resubdivision of property west of Highway 11 and south of Interstate 12. (Ward 9, District 14) (Introduced 10/2/08)

18) Ord. Cal. No. 3952 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire all certain parcels and/or rights of way for the Fremeaux Interchange Service Road Project. (Introduced 10/2/08)

19) Ord. Cal. No. 3954 - Ordinance to impose a three (3) month moratorium on the issuance of permits for construction or placement of building structures on property located within the Sub Drainage District #3 of Gravity Drainage District #5 and areas generally north and east of the District. (Introduced 10/2/08)

NOMINATIONS

1) Resolution to appoint two (2) members _____ and _____ to the St. Tammany Parish Tourist and Convention Commission. (Parishwide)

EXECUTIVE SESSION

Lawsuit entitled: "Aegis Innovative Solutions, LLC v. Parish of St. Tammany". 22nd JDC #2003-10454-I