

PUBLISHED JULY 30, 2009 AND POSTED AT PARISH COMPLEX BY AUGUST 3, 2009

AGENDA

**ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, AUGUST 6, 2009 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**

PRESENTATIONS

1) Request for public input regarding the Discharge Permit and Permit Modification filed with the Louisiana Department of Environmental Quality by Slidell Landfill, LLC. (Bellisario)

2) Presentation of Certificates of Recognition to St. Tammany youths who participated in the 17th Annual Rotary Youth Leadership Awards (RYLA). (Falconer and 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	July 2, 2009
Council Committee Meeting	July 29, 2009

**ORDINANCES FOR INTRODUCTION
(Public Hearing September 3, 2009)**

1) Ord. Cal. No. 4110 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 5.31 Ed-1, Primary Education District, relative to Permitted Uses. (ZC09-07-019) (Zoning Commission Approved 7/7/09) (Binder/Davis)

2) Ord. Cal. No. 4111 - Ordinance amending the official zoning map of the St. Tammany 2009 South Central Comprehensive Rezoning Area One (CRA-1) to reclassify land located in Section 14, Township 7 South, Range 12 East containing 100 acres from A-4 (Single-family Residential) to TND-1 (Traditional Neighborhood Development). (Ward 6, District 7) (Hamauei)

3) Ord. Cal. No. 4112 - Ordinance establishing a "No Thru Trucks" Zone on Brookter Street. (8-V-108) (Ward 8, District 13) (Artigue)

4) Ord. Cal. No. 4113 - Ordinance to reaffirm and ratify Ordinance C.S. No. 09-2098, adopted July 2, 2009 and rezoning 261 acres from A-4 to I-1. (Ward 4, District 7) (Hamauei)

5) Ord. Cal. No. 4114 - 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 property within a portion of Tammany Forest Subdivision. (Ward 7, District 7) (Hamauei)

6) Ord. Cal. No. 4115 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of submissions by the Parish Zoning and Planning Commissions, for rezoning or resubdivision of property, not previously applied for, located north of Interstate 12 and abutting or having access to Airport Road, within the unincorporated boundaries of Ward 9, District 11. (Ward 9, District 11) (Stefancik)

7) Ord. Cal. No. 4116 - Ordinance to authorize the Parish to proceed with the advertising and posting of Slip 89 of Marina Chamale' Condominiums, which has been declared as surplus property. (Binder/Davis)

8) Ord. Cal. No. 4117 - Ordinance to authorize the Parish to proceed with the advertising and posting of Lot 51, Square 233-a, Rural Mandeville, which has been declared as surplus property. (Binder/Davis)

9) Ord. Cal. No. 4118 - Ordinance to amend Parish Code, Chapter 2, Article I, Section 2-007.00(d), Purchasing Procedures, and provide for repeal, severability and date of enactment. (Binder/Davis)

10) Ord. Cal. No. 4119 - Ordinance amending the 2009 Operating Budget. (Binder/Davis)

11) Ord. Cal. No. 4120 - Ordinance to impose a six (6) month moratorium on the issuance of building permits and occupancy permits for structures that are connected to or will be provided sewer service by Utilities, Inc. of Louisiana, utilizing the lift station located at the entrance of Crestwood Estates. (Gould)

12) Ord. Cal. No. 4121 - Ordinance amending the official zoning map of the St. Tammany 2009 South Central Comprehensive Rezoning Area One (CRA-1) to reclassify land located in Sections 16 & 21, Township 7 South, Range 13 East containing 20.5661 acres from A-4 (Single Family Residential) to A-4-A (Single Family Residential). (Ward 6, District 6) (Crawford-Howell)

13) Ord. Cal. No. 4122 - Ordinance to amend Parish Code, Chapter 14 Nuisances, Article I, Section 14-003.00 Fires for Yard Debris, to amend paragraph (D) thereof, prohibiting burning of leaves and yard debris on lots less than one (1) acre in size. (Gould)

14) Ord. Cal. No. 4123 - Ordinance to correct the Road and Drainage Inventory to include a portion of Frank Pierre Road. (Ward 2, District 3) (Thompson)

15) Ord. Cal. No. 4124 - Ordinance authorizing the Parish President to proceed with an expropriation and acquisition of the assets of Southeastern Louisiana Water & Sewer Co., L.L.C. (Gould)

16) Ord. Cal. No. 4125 - Ordinance to concur/not concur with the de-annexation ordinance of the City of Slidell, describing the area to be annexed into unincorporated St. Tammany and the new boundaries thereof, and also classifying the annexed property as A-4 (Single Family Residential)(STP 2009-01) (Ward 8, District 9) (Binder/Davis)

17) Ord. Cal. No. 4126 - Ordinance to concur/not concur with the de-annexation ordinance of the City of Slidell describing the area to be annexed into unincorporated St. Tammany and the new boundaries thereof, and also classifying the annexed property as A-4 (Single Family Residential). (STP 2009-02) (Ward 9, District 12) (Binder/Davis)

RESOLUTIONS

18) Resolution C.S. No. C-2669 - Resolution of the St. Tammany Parish Council in opposition to a discharge permit and permit modification filed with the Louisiana Department of Environmental Quality by Slidell Landfill, LLC. (Bellisario)

19) Resolution C.S. No. C-2670 - Resolution authorizing a request for proposals for professional services relative to the reapportionment of St. Tammany Parish Council Districts consistent with the 2010 Decennial Census, and authorizing the Council Chairman to execute documents in connection therewith. (Billiot)

20) Resolution C.S. No. C-2671 - Resolution authorizing the Parish President to take all actions necessary to obtain Hazard Mitigation Grant Funding. (Binder/Davis)

21) Resolution C.S. No. C-2672 - Resolution Establishing Performance Obligations. (Binder/Davis)

PERFORMANCE

NAME OF SUBDIVISION	RECOMMENDATION
Guste Island Estates S/D, Parcel C, Ph. 1 "The Pines" Amount: \$33,900 Expires: January 18, 2010 Ward:1, District: 1	<i>PERFORMANCE OBLIGATION</i> RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM
Guste Island Estates S/D, Parcel E, "The Forest" Amount: \$34,500 Expires: January 18, 2010 Ward:1, District: 1	<i>PERFORMANCE OBLIGATION</i> RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM

22) Resolution C.S. No. C-2673 - Resolution adopting the following plans and policy as required to accept funding by the HUD Community Development Block Grant. (Binder/Davis)

23) Resolution C.S. No. C-2674 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Binder/Davis)

24) Resolution C.S. No. C-2675 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Binder/Davis)

25) Resolution C.S. No. C-2676 - Resolution certifying that the Parish Government has no bond funding sufficient to fund the project entitled "South Slidell Levee Protection (USACE 533D Report for Levees West of I-10) Planning and Construction". (Binder/Davis)

26) Resolution C.S. No. C-2677 - Resolution certifying that the Parish Government has no bond funding sufficient to fund the project entitled "Camp Salmen Acquisition and Improvements, Planning and Construction (\$449,000 Non-state Match)". (Binder/Davis)

27) Resolution C.S. No. C-2678- Resolution certifying that the Parish Government has no bond funding sufficient to fund the project entitled "St Tammany Parish Fishing Pier, Planning and Construction ". (Binder/Davis)

28) Resolution C.S. No. C-2679 - Resolution approving certain action by the Greater New Orleans Expressway Commission in connection with the issuance of not exceeding \$9,500,000 of Refunding Revenue Bonds, Series 2009. (Binder/Davis)

END OF CONSENT CALENDAR

APPEALS

1) Jeffery Schoen, on behalf of Richard Blossman, appealing the Zoning Commission APPROVAL on July 7, 2009 of an ordinance amending the St. Tammany Parish Unified Development Code, Volume I, (Zoning), Section 5.30B PF-3 (Public Facilities) relative to title and permitted uses. (ZC07-12-076)

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.

2) Stephanie Bedford appealing the Zoning Commission APPROVAL on July 7, 2009 of two conditional use permits for two 1,120 sq. ft. mobile homes south of Eden Street, being Lots 5 and 6, Square 2 in Abita Nursery Subdivision. (Ward 3, District 3) (CP09-07-063 and CP09-07-064) (Applicant Ernest Smith)

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.

3) Matt Franklin appealing the Zoning Commission APPROVAL on July 7, 2009 of a conditional use permit for a Pond/Land Excavation southeast Of Old Highway 11, west of I-59. (Ward 8, District 6) (CP09-07-062) (Applicant James Fleming)

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

1) Ord. Cal. No. 4029AA - Ordinance to amend the Unified Development Code, Volume 1 - Zoning, by adopting the recommendation of the Parish Zoning Commission, as amended, relative to the Comprehensive Rezoning of the South West Study Area. (Introduced 3/5/09) (Reintroduced 4/2/09 & 5/7/09, 6/4/09 & 7/2/09)

2) Ord. Cal. No. 4087AA - Ordinance to amend the Unified Development Code, Volume 1 - Zoning, by adopting the recommendation of the Parish Zoning Commission, as amended, relative to the Comprehensive Zoning of the Southeast Study Area. (Approved by Zoning Commission on May 19, 2009)(Introduced 6/4/09) (Reintroduced 7/2/09)

3) Ord. Cal. No. 4091 - Ordinance to amend and reenact Parish Code of Ordinances, Chapter 14 Nuisances, Article I in General, Section 14-002.00 Illustrative Enumeration, to prohibit unfenced agricultural and decorative ponds, oxidation ponds, and pits that may hold rainwater, which are located on residential lots less than one hundred and fifty feet in width. (Introduced 6/4/09) (Tabled 7/2/09)

4) Ord. Cal. No. 4092 - Ordinance to close a portion of K West Street for an indefinite period of time, located in Tammany Hills Subdivision. (Ward 3, District 5) (Introduced 6/4/09) (Tabled 7/2/09)

5) Ord. Cal. No. 4094AA - Ordinance amending the official zoning map of St. Tammany to reclassify land located east of LA Highway 25, North of Hard Hat Drive containing 9.462 acres from M-2 (Intermediate Industrial) to a PUD (Planned Unit Development). (Ward 3, District 2) (ZC09-06-013) (Zoning Commission Approved 6/2/09) (Introduced 7/2/09)

6) Ord. Cal. No. 4095 - Ordinance amending the official zoning map of St. Tammany to reclassify land located east of South Oaklawn Drive, south of US Highway 190 containing 1.12 acres from A-1 (Suburban) A-3 (Suburban).(Ward 7, District 7) (ZC09-06-014) (Zoning Commission Approved 6/2/09) (Introduced 7/2/09)

7) Ord. Cal. No. 4096 - Ordinance to amend 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 and the St. Tammany Parish Unified Development Code, Volume I (Zoning), Section 7.07 Off Street Parking and Loading Regulations.(ZC09-06-015) (Zoning Commission Approved 6/2/09) (Introduced 7/2/09)

8) Ord. Cal. No. 4097 - Ordinance to extend for an additional six (6) months the moratorium on the 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 4, District 5)(Introduced 7/2/09)

9) Ord. Cal. No. 4098 - Ordinance to extend for an additional six (6) months the moratorium on the submission and review of zoning and conditional use permit applications, planning commission review and on the issuance of building permit applications, for the purpose of construction or placement of multi-family structures on property within unincorporated areas of Council District 12.(Introduced 7/2/09)

10) Ord. Cal. No. 4099 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of building or conditional use permits for construction or placement of building structures on property within a portion of unincorporated Town of Alton Subdivision. (Ward 9, District 14) (Introduced 7/2/09)

11) Ord. Cal. No. 4100 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire all certain parcels and/or rights of way for the Voters Road/Highway 433 Project. (Introduced 7/2/09)

12) Ord. Cal. No. 4101 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire all certain parcels and/or rights of way for Lot 1 and Lot 2, Square 11, Alton Subdivision. (Introduced 7/2/09)

13) Ord. Cal. No. 4102 -Ordinance to permit the crossing of the Tammany Trace for the purpose of providing subsurface drainage and maintenance of a retention/detention pond for Henry Mayfield Elementary School. (Ward 9, District 11) (Trec09-06-001) (Planning Commission approved (6/9/09) (Introduced 7/2/09)

14) Ord. Cal. No. 4103 - Ordinance to correct the Road and Drainage Inventory to include Heltemes Lane Lateral, Francis Street lateral and an extension of Hillcrest Blvd. Lateral. (Wards 6 & 7, Districts 6 & 7) (Introduced 7/2/09)

15) Ord. Cal. No. 4104 - Ordinance to amend the Parish Code, Chapter 13, to add new sections to provide for enforcement of traffic controls on private streets within Fox Branch Estates Subdivision. (Ward 1, District 1) (Introduced 7/2/09)

16) Ord. Cal. No. 4105 - Ordinance amending Parish zoning map of Comprehensive Rezoning Area One (CRA-1) to add certain parcels of property to the Ponderosa Ranches Manufactured Housing Overlay (MHO). (Ward 9, District 6) (ZC09-07-018)(Zoning Commission Approved 7/7/09) (Introduced 7/2/09)

17) Ord. Cal. No. 4106 - Ordinance amending Parish zoning map of Comprehensive Rezoning Area One (CRA-1) to add certain parcels of property to the Timberland Mobile Home Park Manufactured Housing Overlay (MHO). (ZC09-08-024) (Ward 7, District 11) (Introduced 7/2/09)

18) Ord. Cal. No. 4107 - Ordinance to amend Ordinance C.S. No. 09-1997, adopted January 8, 2009, and St. Tammany Parish Coastal Zone Management Ordinance P.J. S. No. 92-1607, to provide additional guidelines for land reclamation activities adjacent to Lakeview Drive, Slidell. (Ward 8, District 13) (Introduced 7/2/09)

19) Ord. Cal. No. 4108 - Ordinance to amend Ordinance C.S. No. 08-1779, adopted March 6, 2008 to approve location changes for polling sites. (Introduced 7/2/09)

20) Ord. Cal. No. 4109 - Ordinance authorizing the acceptance of certain drainage servitudes located within the Forest Brook Subdivision into the Parish Maintenance System. (Ward 4, District 7) (Introduced 7/2/09)

NOMINATIONS

1) Resolution to appoint _____ to replace Donald Samples (deceased) to the St. Tammany Hospital Services District No. 2 (Slidell Memorial Hospital) Permanent Nominating Committee. (Districts 6, 7, 8, 9, 11, 12, 13 & 14) (Bellisario)

APPOINTMENTS

1) Resolution to reappoint Alicia Irmischer and Celia Bezou (terms expire 12/31/2009) to the St. Tammany Tourist and Convention Commission. (Bellisario)

DISCUSSION AND OTHER MATTERS

1) Reconsideration of Ordinance C.S. No. 09-2084 adopted July 2, 2009, amending the official zoning map of Comprehensive Rezoning Area One (CRA-1) to reclassify certain areas as Manufactured Housing Overlay (MHO), Wards 8 and 9, District 14.