

**MINUTES OF ST. TAMMANY PARISH COUNCIL MEETING  
ON THURSDAY, JULY 1, 2010 AT 6:00 P.M. AT  
ST. TAMMANY GOVERNMENT COMPLEX  
21490 KOOP DRIVE, MANDEVILLE, LA.**

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

**Invocation by Mr. Hamauei**

**Pledge of Allegiance by Ms. Crawford-Howell**

**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        ABSENT**

**PRESENTATION**

**Binder - 1) Presentation of the Annual Report for COAST by Mary Toti. (Binder/Davis)**

**Mary Toti - she has been with COAST for 19 years and has been the executive director for 5 years. She understands that all government agencies are discussing cut backs and that causes a strain on everyone's nerves. Last year COAST provided \$1.3 million in services to senior citizens with money from the Parish, State and Federal Government. They will be coming out in the black. At the present time, COAST offers transportation, meals, respite, personal care givers, medical alerts, medication management and nutritional education. Their new budget will be \$2.3 million. They have 10,000 seniors in their data base. They hold a Resource Fair each year to keep them informed of the services available to them and to encourage them to participate.**

**Binder - 2) Certificate of Recognition to Winward, Inc. for its receipt of the Louisiana Economic Development's Lantern Award. (Binder/Davis)**

**Kevin Davis - the Lantern Award is given annually to one company within each of 8 economic development districts in Louisiana. This company is a family owned business that employees 40 people and manufactures items for the military.**

**Brenda Reine - there have only been 2 companies to win from St. Tammany Parish. Last year a company from the west end of the Parish won and now this company from the east end.**

**Wendy Beadle - she wants to thank her father who founded the company. Unfortunately, he passed away a few weeks before they received the award. Receiving this is a great honor.**

**Binder - 3) Presentation to Gayle Sloan.**

**Davis - many words came to mind when he was deciding what to say about Gayle Sloan. She stood tall during Katrina and got the schools reopened. People say that they move to the Parish and live here because the schools are so good. Credit for that is due to Gayle Sloan for making this school system great.**

**Gayle Sloan - this is her first day of retirement, but she could not say no to Kevin. She will be leaving for a long vacation tomorrow. Her job has been a labor of love for almost 40 years. Trey Folsie was sworn in this morning, and she is confident that the school system is in good hands. She and Folsie were both products of St. Tammany Parish schools.**

**PUBLIC HEARING**

**Binder - 1) Public hearing in accordance with open meetings law R.S. 42:1, et seq for consideration and adoption of Resolution C.S. No. C-2902 - Resolution establishing millage rates for the year 2010. (Binder/Davis)**

**Leslie Long - the recommendation is to leave the millages at the same level.**

**Stefancik - moved to adopt resolution, second by Hamauei. Unanimous with 1 absent (Burkhalter).**

**Binder - called for items to be pulled from the Consent Calendar:**

- |                                   |                                   |
|-----------------------------------|-----------------------------------|
| <b>Ord. Cal. No. 4324</b>         | <b>Ord. Cal. No. 4328</b>         |
| <b>Ord. Cal. No. 4329</b>         | <b>Ord. Cal. No. 4331</b>         |
| <b>Resolution C.S. No. C-2888</b> | <b>Resolution C.S. No. C-2889</b> |

**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**

<b>Regular Council Meeting</b>	<b>June 3, 2010</b>
<b>Council Committee Meeting</b>	<b>June 23, 2010</b>

**ORDINANCES FOR INTRODUCTION  
(Public Hearing August 5, 2010)**

**1) Ord. Cal. No. 4278 - Ordinance to amend the Parish Unified Development Code, Volume 1 (Zoning) to amend Section 6.05 Planned Corridor District. (ZC10-03-036) (Zoning Commission approved 3/2/10) (Binder/Davis) (Tabled 4/1/10, 5/6/10 & 6/3/10)**

**2) Ord. Cal. No. 4322 - Ordinance to amend the Official Parish Zoning Map to reclassify 1.39 acres on the north and south sides of Dorsey Road and east of Pace Street from A-1-A (Suburban District) to an A-1-A (Suburban District) & MHO (Manufactured Housing Overlay District). (Ward 8, District 14) (ZC10-06-050) (Zoning Commission approved 6/1/10) (Binder/Davis)**

**3) Ord. Cal. No. 4323 - Ordinance to amend the Official Parish Zoning Map to reclassify 232.97 acres located south of Pat O'Brien Road, North & South of Spring Clover Road and west of LA Highway 1082 from A-1 (Suburban District) to an A-1 (Suburban District) & RO (Rural Overlay District).(Ward 2, District 2) (ZC10-06-052) (Zoning Commission approved 6/1/10) (Binder/Davis)**

**5) Ord. Cal. No. 4325 - Ordinance to amend the Official Parish Zoning Map to reclassify 0.69 acres located west of Bolden Road, south of James Crosby Road, being 63543 Bolden Road, Pearl River from A-4-A (Single Family Residential District) to A-4-A (Single Family Residential District) & MHO (Manufactured Housing Overlay District). (Ward 8, District 14) (ZC10-06-066) (Zoning Commission approved 6/1/10) (Binder/Davis)**

**6) Ord. Cal. No. 4326 - Ordinance to amend the Official Parish Zoning Map to reclassify 49.28 acres located east of Ochsner Blvd., south of Maison du Lac Subdivision, and west of Normandy Oaks Subdivision from A-4 (Single Family Residential District) to A-4-A (Single Family Residential District). (Ward 1, District 1) (ZC10-06-067) (Zoning Commission approved 6/1/10) (Binder/Davis)**

**7) Ord. Cal. No. 4327 - Ordinance to amend Parish Code of Ordinances, Chapter 2 Administration, Article I General, Section 2-002.01 Reimbursement - medical, psychiatric, dental expenses by inmates/prisoners, to provide for the amount of co-payment authorized by statute, to provide with respect to reimbursement of medical and dental expenses and to otherwise provide with respect to reimbursement for the expenses of prisoners/inmates. (Binder/Davis)**

10) Ord. Cal. No. 4330 - Ordinance to correct the Road and Drainage Inventory to include Gitz Lane Lateral; Wood View Drive Lateral; Zellie Lane; 84 Lumber Road; and to remove portions of Anthony Road and North Anthony Road. (Wards 1, 2, 3, & 8; Districts 1, 3, 6, 9 & 13) (Binder/Davis)

12) Ord. Cal. No. 4332 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain parcels, rights of way and/or servitudes located in Autumn Creek II Subdivision, Phase 2A and all future phases. (Binder/Davis)

13) Ord. Cal. No. 4333 - Ordinance amending the 2010 Operating Budget. (Binder/Davis)

14) Ord. Cal. No. 4334 - Ordinance to amend the boundaries and 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) (Burkhalter)

15) Ord. Cal. No. 4335 - 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. (Binder)

16) Ord. Cal. No. 4336 - Ordinance amending the Official Zoning Map to reclassify Square 16: Lots 4 & 5, containing 2 acres, in Pearl Acres Subdivision from A-3 (Suburban District) to HC-1 (Highway Commercial). (ZC10-06-055) (Zoning Commission denied 6/1/10) (Ward 8, District 8) (Canulette)

17) Ord. Cal. No. 4337 - Ordinance authorizing the Parish President to execute a lease agreement for lease of fifteen (15) parking spaces within the lot on Jefferson Avenue bearing the municipal address 410 Jefferson Avenue, Covington. (Ward 3 District 3).

#### RESOLUTIONS

20) Resolution C.S. No. C- 2890 - Resolution stating Parish Council's endorsement of D1 Sports Training & Therapy of New Orleans, LLC for participation in the Louisiana Enterprise Zone Program. (EZ#20100071) (Binder/Davis)

21) Resolution C.S. No. C- 2891 - Resolution stating Parish Council's endorsement of Three Rivers Restaurants, LLC for participation in the Louisiana Enterprise Zone Program. (EZ#20100288) (Binder/Davis)

22) Resolution C.S. No. C-2892 - Resolution stating Parish Council's endorsement of 4 US Investment, LLC DBA Froots, for participation in the Louisiana Enterprise Zone Program. (EZ#20100099) (Binder/Davis)

23) Resolution C.S. No. C-2893 - Resolution approving and authorizing the Parish President to sign and/ or execute a Cooperative Endeavor Agreement between the Parish and the City of Slidell for the purpose of raising a berm located on 5.4 acres south of Interstate 12 and west of US Highway 11. (Binder/Davis)

24) Resolution C.S. No. C-2894 - Resolution to amend Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Binder/Davis)

25) Resolution C.S. No. C-2895 - Resolution to amend Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Binder/Davis)

26) Resolution C.S. No. C-2896 - Resolution to amend Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Road List - Fund 300 to add US190 improvements from LA22 - Interstate 12. (Binder/Davis)

27) Resolution C.S. No. C-2897 - Resolution to amend Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Binder/Davis)

28) Resolution C.S. No. C-2898 - Resolution giving preliminary approval to the issuance of not to exceed Two Million Dollars (\$2,000,000) of a Parish Sales Tax Bonds, Series 2010 (Jail); providing certain terms of said bonds; making application to the State Bond Commission for approval of said Bonds; and providing for other matters in connection therewith. (Binder/Davis)

29) Resolution C.S. No. C-2899 - Resolution obligating Parish Government's Dedicated Funds, Grant Funds, and In-kind Services as the Match Requirement for the Land and Water Conservation Fund Grant to construct Camp Salmen's Gum Bayou Boardwalk in the Goldfish Bayou Basin Interpretive Trail. (Binder/Davis)

30) Resolution C.S. No. C-2900 - Resolution to vacate, in part, the six (6) month moratorium established by Ordinance C.S. No. 10-2253, and any subsequent extension thereof, on the issuance of permits for construction or placement of building structures on property within a portion of Tammany Hills Subdivision and a portion of Ingram Estates Subdivision. (Ward 3, District 5) (Gould)

31) Resolution C.S. No. C-2901 - Resolution supporting State Project No. 013-11-0039 with the Regional Planning Commission for improvements on US Highway 190 (North Causeway Approach), to include auxiliary lanes and cold-plane and overlay on LA Highway 22 to I-12; providing improved safety, efficiency and enhanced riding surfaces. (Falconer/Gould)

#### END OF CONSENT CALENDAR

Stefancik - moved to adopt Consent Calendar less items removed, second by Hamauei. Unanimous with 1 absent (Burkhalter).

#### ITEMS PULLED FROM CONSENT CALENDAR:

Binder - 4) Ord. Cal. No. 4324 - Ordinance to amend the Official Parish Zoning Map to reclassify 3.18 acres located east of LA Highway 41, north of Jack Crawford Road, being 67464 Highway 41, Pearl River from A-2 (Suburban District) to an HC-1 (Highway Commercial District). (Ward 6, District 6) (ZC10-06-053 ) (Zoning Commission approved 6/1/10) (Binder/Davis)

Crawford-Howell - moved to amend the ordinance to rezone to HC-2 instead of HC-1, second by Gould. Unanimous with 1 absent (Burkhalter).

Crawford-Howell - moved to introduce as amended, second by Thompson; becomes 4324AA.

Binder - 8) Ord. Cal. No. 4328 - Emergency Ordinance to impose a 30-day moratorium on the receipt of conditional use permit applications by the Parish Planning Department for Solid Waste Transfer Stations and on the issuance of building permits for the construction of Solid Waste Transfer Stations. (Hamauei)

Sandra Slifer - she urges the council members to adopt this moratorium. She agrees that the Parish needs waste transfer stations and knows that the Zoning Commission will be considering a new waste transfer ordinance in August. However, she does not think that this needs to be a long process but feels that they need to call a time out in order to get a rule in place.

Jeff Schoen - he represents IESI who owns Coastal Waste Service. He is appearing in opposition of this moratorium. State Law, as well as the Parish Charter, created standards for enacting a moratorium. An emergency moratorium should only be issued if there is immediate danger to public health, peace and safety. He has not heard, nor does the ordinance state, why this moratorium is an emergency. If there was a waste transfer station that was a threat, he thinks that the Council would have a right to adopt a moratorium. Why wasn't a moratorium sought when the Industrial ordinance was originally introduced? Waste transfer stations in this parish have good record with Code Enforcement. What is before them is whether or not an emergency exists to warrant this.

Neil Hall - he believes that in this situation there is complete justification to consider adopting a moratorium when you consider that with no ordinance to define the regulations for a waste transfer station, there would be no mechanism in place to decide if a permit should be issued. If a permit were to be issued and construction began, then this body would have to call an emergency meeting to consider revoking the permit. He thinks that they need to have standards in place before permits are issued, and he thinks it does create a danger to public health. In the Highway 25 transfer station case, which was a conditional use permit, the opposition expressed concerns about health, smells, and property values. The Council imposed 33 conditions on them.

Hamauei - if we do not give the people a chance to speak, it is an injustice to the public.

Binder to Sidney Fontenot - Mr. Hall said that there are no standards in place regarding waste transfer stations. If there are no standards in place, why would a permit be issued?

Sidney Fontenot - there are environmental services, DEQ and state standards. There are just no specific zoning standards. There are typical zoning requirements such as landscaping, height and setbacks.

Binder - if we do not put a moratorium in place, are you going to approve a permit for a waste transfer station before any standards are in place?

Fontenot - I would have to consider each specific case in order to interpret if it should be an industrial permit.

Hamauei - the previous waste transfer station came before the Council as a public hearing. He thinks a public hearing is needed and one person should not be able to approve a waste transfer station.

Hall - the station on Highway 25 was not a permitted use, but a conditional use, which had to be approved for that particular location. The property was zoned M-2, and Mr. Fontenot interpreted that it would be an appropriate conditional use. Then the Zoning Commission and Council added 30 conditions before it was approved. He does not feel that a waste transfer station is appropriate under any of the permitted uses for Industrial zoning.

Binder - if there is no appropriate zoning, then wouldn't it require a conditional use permit?

Hall - it is up to the Zoning Commission to decide if a waste transfer station should be a conditional use or given specific permitted uses.

Fontenot - by the virtue of conditional uses, it was appropriate to give conditions under Ord. 523. However, under the new zoning, the Planning Director is given the authority to make an interpretation if it is conditional use or permitted use.

#### **COUNCIL DISCUSSION ENSUED.**

Barbara Dodds - the DEQ issues permits for non-processing waste transfer station following certain rules, but permitting of processing waste transfer stations lies with the local government.

Schoen - a few months ago, he approached Mr. Hamauei to let him know that his client was interested in placing a waste transfer station in his district. He wants to know why the industrial zoning was not amended during the UDC process. Would also like to know why this is an emergency. He respects the rights of the Council to make changes, but he feels there is no threat to the public at this time. If there are no waste transfer stations, it could become a public safety matter.

Hamauei - moved to introduce, second by Billiot.

Hamauei - moved to suspend the rules and adopt, second by Billiot. Motion failed with 2 yeas (Hamauei, Billiot), 1 abstention (Crawford-Howell) and 1 absent (Burkhalter).

Binder - 9) Ord. Cal. No. 4329 - Ordinance to impose a six (6) month moratorium on the receipt of conditional use permit applications by the Parish Planning Department for solid waste transfer stations and on the issuance of building permits for the construction of solid waste transfer stations. (Hamauei)

Hamauei - moved to introduce, second by Billiot.

Binder - 11) Ord. Cal. No. 4331 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Pittman Place; Abita Lakes, Phase 3a; Ashland Oaks Business Park; Terra Bella, Phase 1-A-2; and entering the Rights of Way on Ochsner Blvd. and Horace Street. (Wards 1, 4, 8 & 10; Districts 1, 2, 5, & 9) (Binder/Davis)

Binder - per the request of Public Works, Ashland Oaks Business Park needs to be removed from this ordinance.

Gould - moved to amend by removing Ashland Oaks Business Park, second by Stefancik. Unanimous with 1 absent (Burkhalter).

Stefancik - moved to introduce as amended, second by Bellisario; becomes Ord. Cal. No. 4331AA.

Binder - 18) Resolution C.S. No. C-2888 - Resolution authorizing special counsel to represent St. Tammany Parish in defending the lawsuit filed in the United States District Court for the Eastern District of Louisiana and entitled Maloney Gaming Management, LLC. Versus Parish of St. Tammany, Civil Action No. 10-01582 "J"(2). (Binder)

Neil Hall - this resolution needs to be deferred until after the Executive Session.

Thompson - moved to defer, second by Crawford-Howell. Unanimous with 1 absent (Burkhalter).

Binder - 19) Resolution C.S. No. C-2889 - Resolution establishing Warranty Obligations. (Binder/Davis)

WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Enter Parish R.O.W. (Resolution No. 04-160) State, Orange, Walnut St. & Mandeville Ave. Abita Terrace S/D Amount: \$14,400 Expires: August 18, 2010 Ward: 4, District: 7	CALL L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM
Heritage Oaks Subdivision Amount: \$30,800 Expires: August 30, 2010 Ward:1, District: 1	CALL L.O.C. THIS IS A PRIVATE SUBDIVISION & THE PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE

Gould - this needs to be amended to add the a Performance Obligation to extend the letter of credit for the Fountains Subdivision for an additional 60 days.

Gould - moved to amend, second by Thompson. Unanimous with 1 absent (Burkhalter).

Gould - moved to adopt as amended, second by Thompson. Unanimous with 1 absent (Burkhalter).; becomes Resolution C.S. No. C-2889AA.

APPEALS

Binder - 1) Jeffery Schoen representing Maurmont Properties, LLC appealing the Zoning Commission DENIAL on May 4, 2010 of a text change in the Parish Unified Development Code, Section 7.0213 Sign Regulations. (ZC#10-05-048) (Tabled 6/3/10)

**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.

Jeff Schoen - his client is continuing to work with Staff and the citizens on this matter. They would like to table.

Dean - moved to table, second by Canulette. Unanimous with 2 absent (Cooper, Falconer, Burkhalter).

Binder - 2) Robert Schank, Leon and Jane Golemi, Cori Renfroe, and Karen Brantly, individually appealing the Zoning Commission APPROVAL to rezone 529.6 acres located on the north, south, east and west sides of Three Rivers Road and west of Highway 190 from PF-1 (Public Facilities) to MD-4 (Medical Research). (ZC10-05-045) (Tabled 6/3/10)

**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.

Jeff Schoen - his client and the appellants submitted a letter requesting that this be tabled. Both sides are still gathering data and discussing possibilities.

Dean - moved to table, second by Gould. Unanimous with 5 absent (Cooper, Falconer, Canulette, Artigue, Burkhalter).

Binder - 3) George Scariano appealing the Zoning Commission DENIAL on June 1, 2010 to rezone 23,153 square feet located east of Highway 59 and south of Robert Road, being 69408 Highway 59, Abita Springs from HC-2 (Highway Commercial District) to I-1 (Industrial District). (Ward 4, District 7) (ZC10-06-064)

**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.

Jeremy Goux - he represents Mr. Copeland, the owner of this property. In the past, he has used the building or rented it out to be operated as a mechanic shop and/or body shop. In order for the building to be used as a body shop, it needs to be zoned as I-1. Mr. Scarino currently rents the building and runs it as a body shop. The difference between a body shop and a mechanic is that a body shop requires the use of paint and that requires a special method for disposal. The surrounding area is consistent with I-1. There is a boat storage yard and another business similar to a body shop. Mr. Scarino's body shop was shut down by the Parish, because it was not consistent with the current zoning. They are requesting a return to the I-1 zoning so that operation can resume.

Hamauei - why were they shut down? It was a body shop that became a mechanic and body shop?

Goux - the building has been both a body shop and a mechanic shop at several different times. He believes that this became an issue when they tried to get a permit to run it as a body shop again.

Hamauei - moved to override the Zoning Commission Denial, second by Gould. Unanimous with 2 absent (Artigue, Burkhalter).

Hamauei - moved to introduce an ordinance, second by Canulette; becomes Ord. Cal. No. 4338.

**Binder - 4) Sandra Slifer appealing the Zoning Commission DENIAL of a text change in the Parish Unified Development Code, Volume I (Zoning), Section 2, Definitions and Section 5.26A - I-4 (Heavy Industrial District), relative to Waste Transfer Stations. (ZC10-06-065)**

**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.**

**Sandra Slifer - there has already been a lot of discussion regarding this. She will not appeal the public hearing aspect of this. She would like to suggest a possible solution, Mr. Fontenot has prepared an ordinance addressing waste transfer station zoning that will go before the Zoning Commission in August. She would like to substitute Mr. Fontenot's ordinance in place of this one.**

**Schoen - he believes that the commission made a good decision in denying this matter because I-4 is too intense for this.**

**COUNCIL DISCUSSION ENSUED.**

**Gould - moved to concur with the Zoning Commission denial, second by Artigue. Motion passes with 2 absent (Dean, Burkhalter) and 1 nay (Hamauei).**

**Gould - moved to adopt a Resolution, second by Canulette. Motion passes 2 absent (Dean, Burkhalter) and 1 nay (Hamauei).**

**Binder - 5) Ken Burkhalter appealing the Zoning Commission DENIAL on June 1, 2010 to rezone parcels located on the east side of US Highway 11 and north of Haas Road from A-4 (Single Family Residential District) to A-4 (Single Family Residential District) and MHO (Manufactured Housing Overlay). (Ward 8, District 14) (ZC10-06-051)**

**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.**

**Pat McEllroy - represents Ashton Park which is a master plan community, approved in 2009, located across the street from this proposed zoning change. There is a beautiful entry leading into Ashton Park, and there are 7 homes under construction with several more scheduled to start. This zoning change would place the proposed 82 acre manufactured home overlay only 129 feet away from Ashton Park. Three million dollars have been invested into improving Haas Road, drainage and a turn lane into Ashton Park. The nearby dirt pit is scheduled to become a retention pond. This area deserves to be a nice area.**

**Artigue - moved to concur with the Zoning Commission denial, second by Bellisario. Unanimous with 1 absent (Burkhalter).**

**Bellisario - moved to adopt a resolution, second by Canulette. Unanimous with 1 absent (Burkhalter); becomes Resolution C.S. No. C-2903.**

**ORDINANCES FOR ADOPTION**

**Binder - 1) Ord. Cal. No. 4171AIII - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Article 2 Definitions and Section 5.2102, Paragraph (2) Convenience Stores (w/gas), to provide a definition for convenience store and to provide requirements for convenience stores selling gas as an accessory use in the HC-2 Highway Commercial District. (Introduced 11/5/09) (ZC10-01-009) (Zoning Commission approved 2/2/10) (Tabled 12/3/09, 1/7/10, 2/4/10, 3/4/10 & 4/1/10) (reintroduced 5/6/10 & 6/3/10)**



Dean - moved for adoption, second by Bellisario. Unanimous with 1 absent (Burkhalter); becomes Ordinance C.S. No. 10-2290.

Binder - 2) Ord. Cal. No. 4209AA - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 8.01, Minimum Standards for Specific Uses, relative to agricultural and decorative ponds. (Tabled 12/3/09 & 1/7/10)(Amended & re-introduced 2/4/10) (ZC10-01-016) (Zoning Commission approved 3/2/10)(Tabled 3/4/10, 4/1/10, 5/6/10 & 6/3/10)

Canulette - moved to table, second by Bellisario. Unanimous with 1 absent (Burkhalter).

Gould - 3) Ord. Cal. No. 4213AII - Ordinance to amend Parish Unified Development Code, Volume I (Zoning) Sections 5.24 - 5.26a, I-1, I-2, I-3 and I-4 Industrial Districts, relative to Commercial Excavations. (ZC09-11-032) (Zoning Commission approved 12/1/09) (Introduced 1/7/10 & reintroduced 2/4/10) (Adopted 3/4/10) (Reconsidered, rescinded & tabled 4/1/10) (Tabled 5/6/10 & 6/3/10)

Canulette - moved to table, second by Artigue. Unanimous with 2 absent (Binder, Burkhalter).

Gould - 4) Ord. Cal. No. 4252AA - Ordinance to amend and reenact Parish Code of Ordinances, Chapter 20, Roads and Bridges Section 20.010.03 Location and Placement of Public and Private Utility Equipment and Collection and/or Distribution Lines in Parish Rights of Way. (Introduced 2/4/10) (Tabled 3/2/10, 4/1/10, 5/6/10 & 6/3/10)

Gould - would like to amend this ordinance to create a system where utility companies will have to meet with residents before they are allowed to place utility equipment.

Falconer - moved to amend per Mr. Gould's request, second by Bellisario. Unanimous with 2 absent (Binder, Burkhalter).

Stefancik - moved to reintroduce as amended, second by Artigue.

Gould - 5) Ord. Cal. No. 4275 - Ordinance to amend the Parish Unified Development Code, Section 7.02 Sign Regulations, relative to permitted signs for properties located along the Interstate 10 Service Road. (Ward 9, District 13) (Introduced 3/4/10)(ZC#10-06-054) (Zoning Commission amended and approved 6/1/10) (Tabled 4/1/10, 5/6/10 & 6/3/10)

Artigue - moved to amend to Zoning Commission recommendations, second by Falconer. Unanimous with 2 absent (Binder, Burkhalter).

Artigue - moved to reintroduce as amended, second by Stefancik.

Gould - 6) Ord. Cal. No. 4296 - Ordinance amending Ordinance C. S. No. 09-2038, adopted May 7, 2009, making changes to Land Use Regulations Ordinance No. 523 As Amended, Section 6.01, and Unified Development Code Section 7.0801, Modifications and Exceptions, Lots of Record, Amending Side Yard Setback and Driveway Requirements. (Introduced 4/1/10)(ZC#10-07-068) (Zoning Commission Hearing 7/6/10) (Tabled 5/6/10 & 6/3/10)

Bellisario - moved to table pending the Zoning Commission Hearing on July 6, 2010, second by Stefancik. Unanimous with 2 absent (Binder, Burkhalter).

Gould - 7) Ord. Cal. No. 4306 - Ordinance accepting the Act of Dedication and Donation of Spinner Road for inclusion into the Road Maintenance System. (Ward 6, District 6) (Introduced 5/6/10 & 6/3/10)

Crawford-Howell - moved to adopt, second by Thompson. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 10-2293.

Gould - 8) Ord. Cal. No. 4308 - Ordinance amending the 2009 Parish Zoning Map of the South West Comprehensive Rezoning Area (CRA-2) to rezone 54.56 acres commonly referred to as Covington Country Club, located south of Country Club Drive and is designated as CB-1 (Community Based Facilities), in part, and in part as A-2 (Suburban). (Ward 4, District 4) (ZC10-01-008) (Introduced 5/6/10) (Tabled 6/3/10)

Falconer - moved to adopt, second by Thompson. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 10-2294.

Gould -9) Ord. Cal. No. 4309 - Ordinance amending the 2009 Zoning Map South West Comprehensive Rezoning Area (CRA-2) to reclassify 90.60 acres commonly referred to as Covington Country Club, located North of Country Club Drive and designated as CB-1 (Community Based Facilities), in part, and, in part, as A-2 (Suburban). (Ward 4, District 4) (ZC10-01-007) (Introduced 5/6/10) (Tabled 6/3/10)

Falconer - moved to adopt, second by Thompson. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 10-2295.

Gould -10) Ord. Cal. No. 4314 - Ordinance amending the Official Parish Zoning Map to reclassify 1.5 acres located on the south side of Gause Blvd, west of Malborough Street, address 1725 Gause Boulevard, Slidell, from NC-2 (Indoor Retail and Services) to HC-2 (Highway Commercial). (Ward 8, District 13)(ZC10-05-046) (Zoning Commission approved 5/4/2010) (Introduced 6/3/10)

Artigue - moved to adopt, second by Bellisario. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 10-2296.

Gould - 11) Ord. Cal. No. 4315 - Ordinance to correct the Road and Drainage Inventory to include three (3) Sandy Brook Circle Laterals, Blackjack Oak Drive Lateral; South 24<sup>th</sup> Street Lateral; South 23<sup>rd</sup> Street; two (2) Heather Drive Laterals; Lazy Creek Drive Lateral; Haas Road Pond; an extension of Surrey Lane; and to remove a portion of Barbee Road. (Wards 1, 3, 4, 7,& 8; Districts 1, 3, 7, 13 & 14) (Introduced 6/3/10)

Dean - moved to adopt, second by Thompson. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 10-2297.

Gould - 12) Ord. Cal. No. 4316 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Article 4-Non-conformities, Section 4.02-Abandonment of or Restoration after Damage, to clarify the provisions thereof and to extend the time for repair and replacement of mobile homes. (ZC10-06-058) (Zoning Commission amended and approved 6/1/10) (Introduced 6/3/10)

Crawford-Howell - moved to amend to state manufactured homes instead of mobile homes, second by Canulette. Unanimous with 2 absent (Binder, Burkhalter).

Crawford-Howell - moved to adopt as amended, second by Canulette. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 10-2298.

Gould - 13) Ord. Cal. No. 4317 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Section 5.25 I-2 Industrial District to add all I-1 District Uses as Permitted Uses. (ZC10-06-059) (Zoning Commission amended and approved 6/1/10) (Introduced 6/3/10)

Gould - the zoning commission recommended extensive amendments to this ordinance.

Bellisario - moved to table for review, second by Canulette. Unanimous with 2 absent (Binder, Burkhalter).

Gould - 14) Ord. Cal. No. 4318 - Ordinance to extend for an additional six (6) months the moratorium on the approval of rezoning, issuance of conditional use permits and issuance of plan review permits, not previously received, for property abutting the Louisiana Highway 21 Planned Corridor from Keys Road North to Azalea Drive. (Ward 1, District 1) (Introduced 6/3/10)

Dean - moved to adopt, second by Thompson. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 10-2299.

Gould - 15) Ord. Cal. No. 4319 - Ordinance to extend for six (6) months the moratorium on the issuance of permits for construction or placement of building structures on certain right-of-way parcels needed for listed capital projects. (Introduced 6/3/10)

**Bellisario - moved to adopt, second by Canulette. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 10-2300.**

**Gould - 16) Ord. Cal. No. 4320 - Ordinance amending the Official Parish Zoning Map (CRA-1) to reclassify 1.90 acres located on the south side of Montana Drive, east of Shady Pine Road from A-2 (Suburban) to ED-1 (Primary Education). (Ward 7, District 7) (ZC10-06-061) (Zoning Commission approved 6/1/10) (Introduced 6/3/10)**

**Hamauei - moved to adopt, second by Bellisario. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 10-2301.**

**Gould - 17) Ord. Cal. No. 4321 - Ordinance to authorize the Parish President to accept the Act of Dedication and Donation of Public Rail Crossing at Schneider Parkway for inclusion into the Road Maintenance System. (Introduced 6/3/10)**

**Bellisario - moved to adopt, second by Cooper. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 10-2302.**

#### **APPOINTMENTS**

**Gould - 1) Resolution to appoint Mike Delahoussaye to replace John Beyls (resigned) to the Board of Commissioners of Fire Protection District No. 2. (District 1) (Dean)**

**Dean - moved to appoint, second by Thompson. Unanimous with 2 absent (Binder, Burkhalter); becomes Resolution C.S. No. C-2904.**

**Gould - 2) Resolution to reappoint James E. Morrison to St. Tammany Parish Hospital Services District No. 2 Permanent Nominating Committee. (Term expires - July 10, 2010). (Bellisario)**

**Bellisario - moved to appoint, second by Stefancik. Unanimous with 3 absent (Binder, Artigue, Burkhalter); becomes Resolution C.S. No. C-2905.**

#### **DISCUSSION AND OTHER MATTERS**

**Stefancik - moved to refer all motions to the Zoning Commission in globo, second by Canulette. Unanimous with 4 absent. (Bellisario, Binder, Artigue, Burkhalter).**

**Gould - 1) Motion to refer to the Zoning Commission for recommendation the proposed rezoning of approximately 1.6 acres on Riverside Drive, Covington, LA within the North West Comprehensive Rezoning Area (CRA-5) currently zoned A-1-A to NC-2. (Ward 3, District 1) (Dean)**

**Gould - 2) Motion to refer to the Zoning Commission for recommendation the proposed rezoning of 3.48 acres at the entrance of Belle Pointe Subdivision within the South West Comprehensive Rezoning Area (CRA-2) currently zoned HC-1 to HC-2. (Ward 1, District 1) (Dean)**

**Gould - 3) Motion to refer to the Zoning Commission for recommendation an amendment to the Official Zoning Map of St. Tammany Parish (South East Comprehensive Rezoning Area CRA-3) to reclassify 10 parcels totaling 133.01 acres east of Jack Lloyd Road from A-2 (Suburban District) to NC-6 (Public, Cultural, Recreational District). (Ward 6, District 6)(Crawford-Howell)**

**Gould - 4) Motion to refer to Zoning Commission for recommendation the proposed rezoning of 1.6 acres situated in Section 32, Township 7 South, Range 12 East, from it present A-2 (Suburban District) to NC-1 (Neighborhood Commercial District). (Ward 4, District 5) (Gould)**

**Gould - 5) Motion to refer to Zoning Commission for recommendation the proposed rezoning of 1.03 acres from A-1 (Suburban District) to A-3 (Suburban District). (Ward 2, District 2)(Cooper)**

**Gould - 6) Motion to refer to Zoning Commission for recommendation the proposed rezoning of 8.74 acres from A-1 (Suburban District) to A-1-A (Suburban District). (Ward 2, District 2)(Cooper)**

Stefancik - moved to open the Off-the-Floor Agenda, second by Canulette. Unanimous with 4 absent. (Bellisario, Binder, Artigue, Burkhalter).

#### ITEMS OFF-THE-FLOOR

Gould - 1) Resolution to vacate the six (6) month moratorium established by Ordinance C.S. No. 04-0863, and any subsequent extensions thereof, on issuance of permits for construction or placement of building structures on property within Tammany Forest Subdivision. (Ward 7, District 7) (Hamauei)

Hamauei - moved to adopt, second by Billiot. Unanimous with 4 absent. (Bellisario, Binder, Artigue, Burkhalter); becomes Resolution C.S. No. C-2906.

Gould - 2) Resolution to appoint James Rogers to replace Lonnie Allen (resigned) to St. Tammany Parish Recreation District No. 12. (Districts 2 and 3) (Thompson)

Thompson - moved to adopt, second by Cooper. Unanimous with 4 absent. (Bellisario, Binder, Artigue, Burkhalter); becomes Resolution C.S. No. C-2907.

Gould - 3) Motion to refer to the Zoning Commission for recommendation the proposed rezoning of 5.32 acres from MD-2 (Medical Clinic District) to MD-3 (Medical Facility District). (Ward 4, District 5)(Gould)

Canulette - moved to adopt, second by Falconer. Unanimous with 4 absent. (Bellisario, Binder, Artigue, Burkhalter).

#### VERBAL ITEMS-OFF-THE-FLOOR

Canulette - 4) Ordinance to authorize the execution of a contract agreement pursuant to La. R.S. 33:4791.1 between St. Tammany Parish Government and Acadian Ambulance Service, Inc. for the provision of emergency and non-emergency ambulance services within specific service areas of St. Tammany Parish. (Canulette)

Canulette - moved to hear verbal ordinance, second by Stefancik. Unanimous with 4 absent. (Bellisario, Binder, Artigue, Burkhalter).

Canulette - moved to reintroduce as amended, second by Stefancik; becomes Ord. Cal. No. 4185AA.

Cooper - 5) Motion to refer to the Zoning Commission for recommendation the proposed rezoning of 9.3 acres situated in Section 21, Township 5 South, Range 11 East, on Fitzgerald Church Road from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 2) (Cooper)

Cooper - moved to hear verbal motion, second by Thompson. Unanimous with 3 absent. (Binder, Artigue, Burkhalter).

Copper - moved to refer to the Zoning Commission, second by Thompson. Unanimous with 3 absent (Binder, Artigue, Burkhalter).

Kevin Davis - discussion of Oil Spill.

Stefancik - moved to enter Executive Session, second by Canulette. Unanimous with 3 absent (Binder, Artigue, Burkhalter).

#### EXECUTIVE SESSION

Gould - 1) Lawsuit filed in the United States District Court for the Eastern District of Louisiana entitled: "Maloney Gaming Management, LLC versus Parish of St. Tammany, Civil Action No. 10-01582 "J"(2)"

Stefancik - moved to come out of Executive Session, second by Canulette. Unanimous with 3 absent (Dean, Crawford-Howell, Burkhalter).

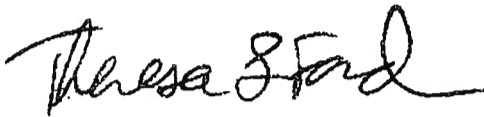
Stefancik - moved to adopt a resolution, second by Canulette. Unanimous with 3 absent (Dean, Crawford-Howell, Burkhalter); becomes Resolution C.S. No. C-2888.

There being no further business, meeting adjourned at the call of the Vice-Chairman.



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JERRY BINDER, COUNCIL CHAIRMAN



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THERESA L. FORD, COUNCIL CLERK