

**MINUTES - ST. TAMMANY PARISH REGULAR COUNCIL MEETING - APRIL 2, 2009**

**MINUTES OF THE ST. TAMMANY PARISH COUNCIL MEETING ON THURSDAY,  
APRIL 2, 2009 HELD IN PARISH ADMINISTRATIVE COMPLEX,  
21490 KOOP DRIVE, MANDEVILLE, LA**

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

**Invocation by Mr. Hamauei**

**Pledge of Allegiance by Mr. Canulette**

**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**

**Binder - 1) Certificates of Recognition to members of the Salmen High School Basketball Team for winning the 2009 State Championship. (Binder)**

**Binder - due to the high winds and bad weather this evening, the youth were unable to travel. He is attending their awards banquet on Sunday and will present the certificates to them then. He just wanted to recognize their achievement.**

**Binder - 2) Certificates of Recognition to members of the National Council of Negro Women (NCNW) - Slidell Section - Youth Division. (Burkhalter)**

**Burkhalter - it is an honor and privilege to recognize the accomplishments of the young people in this community. (Read and presented certificates to the young men who served as escorts and to the young women who participated in the program.)**

**Binder - 3) Recognition of Fire Protection District No. 4 for receiving a Class 2 rating from the Property Insurance Association of Louisiana. (Gould)**

**Gould - he wanted to recognize Fire Protection District No. 4 for receiving a Class 2 rating, which is pretty significant. He asked some representatives to come and speak about this, as they were beaten up during the assessments last fall.**

**Bill Dobson - Board Member - they are very grateful to receive this recognition. They received this rating because of good equipment and the best training. Through a partnership with Delgado, their EMS program is one of the best. The District felt that they needed to maintain the same quality of service, so that is why they asked for more money during the assessment period. In order to keep the amount as low as possible, they are trying to spend the money wisely. They appreciate the honor of being recognized by the Council.**

**Spokesman for Fire District 4 - they have worked hard to achieve this rating for some time, but a lot of the rating comes from the Community.**

**Gould - moved to open the Off-the-Floor agenda, second by Stefancik. Unanimous with 1 absent (Burkhalter).**

**Bellisario - moved to move up Items #1, 2, 4 from the Off-the-Floor, second by Stefancik. Unanimous with 1 absent (Burkhalter).**

**Binder - 1) Presentation proclaiming April as Fair Housing Month. (Bellisario)**

**Bellisario read the proclamation on behalf of Kevin Davis.**

**Binder - 2) Presentation proclaiming April as Child Abuse Prevention Month. (Bellisario)**

**Bellisario read the proclamation on behalf of Kevin Davis.**

**Binder - 4) Ordinance amending the 2009 Operating Budget. (Stefancik)**

**Kevin Davis - this amendment is due to the effects of the poor economy on St. Tammany Parish. Revenue is down, franchise fees and permits are on the decline, there are no more rainy day funds from Katrina. The Parish needs to reduce its budget by 3% across the board. This includes all Parish Government Departments and Agencies that use Parish funds.**

**Binder - the Council as the legislative branch will also be rolling back its budget by 3%.**

**Stefancik - moved to introduce, second by Burkhalter; becomes Ordinance Cal. No. 4051.**

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

- Ord. Cal. No. 4014**
- Ord. Cal. No. 4028**
- Ord. Cal. No. 4033**
- Ord. Cal. No. 4042**
- Ord. Cal. No. 4045**
- Ord. Cal. No. 4048**

**Consent Calendar less items removed:**

**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>March 5, 2009</b>
<b>Council Committee Meeting</b>	<b>March 26, 2009</b>

**ORDINANCES FOR INTRODUCTION  
(Public Hearing May 7, 2009)**

**4) Ord. Cal. No. 4034 - Ordinance establishing a speed limit of 35 mph on Fairhaven Road (2-U-2). (Ward 2, District 2) (Cooper)**

**5) Ord. Cal. No. 4035 - Ordinance to extend for an additional six (6) months the moratorium**

on the issuance of building permits for the construction or placement of building structures within a portion of Cypress Park Subdivision and a portion of surrounding areas. (Ward 7, District 7) (Hamauei)

6) Ord. Cal. No. 4036 - 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 abutting, in whole or in part, a portion of East I-10 Service Road, Slidell, Louisiana. (Ward 8, District 8) (Canulette)

7) Ord. Cal. No. 4037 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of submissions by the parish zoning and planning commissions for the rezoning or resubdivision of property west of highway 11 and south of interstate 12 within unincorporated boundaries of Ward 9, District 14. (Ward 9, District 14) (Burkhalter)

8) Ord. Cal. No. 4038 - 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) (Gould)

9) Ord. Cal. No. 4039 - 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 whose primary focus or concentration is the prescribing and/or dispensing of pain medication to individuals with complaints of chronic pain which is unaffiliated with any hospital, hospice and/or facility for the treatment of the terminally ill in unincorporated St. Tammany Parish. (Binder)

10) Ord. Cal. No. 4040 - Ordinance to extend for an additional six (6) months the moratorium on requests for rezoning of property within the triangular shaped area bounded on the south by Highway 190, on the east by Tchefuncte River, and on the west by the St. Tammany and Tangipahoa Parish line (Ward 1, District 1). (Dean)

11) Ord. Cal. No. 4041 - Ordinance to authorize the Parish President to execute an Act of Nullity of the adjudicated property sale to Dallas Wilson of May 8, 2008 and refund the purchase price. (Binder/Davis)

13) Ord. Cal. No. 4043 - Ordinance to correct the Road and Drainage Inventory to include Honeydew Lane; to add a portion to Scotch Pine Drive; and to delete portions of Monroe Crawford Road; Reed Road; and Allen Road. (Wards 2, 4, 6 & 10, Districts 2, 4 & 6) (Binder/Davis)

14) Ord. Cal. No. 4044 - Ordinance to correct the Road and Drainage Inventory to include Rheusaw Parker Road Lateral. (Ward 6, District 6) (Binder/Davis)

16) Ord. Cal. No. 4046 - Ordinance amending the 2009 Operating Budget. (Binder/Davis)

17) Ord. Cal. No. 4047 - Ordinance to amend the Parish Code of Ordinances, Chapter 16, Parks, Recreation and Scenic Neighborhoods, to establish a new Article XIX, creating Recreation District No. 16, and amending Article IV, to merge and consolidate Recreation District No. 3 into and with the New Recreation District No. 16. (Burkhalter)

19) Ord. Cal. No. 4049 - Ordinance to impose a six (6) month moratorium on the receipt of applications by the Parish Zoning Commission for mobile home conditional use permits and/or on the issuance of building permits for placement of mobile homes on property within the subdivision known as Hillcrest Country Club, Additions #1, 2, 3 and 4. (Ward 6, District 6) (Crawford-Howell)

#### RESOLUTIONS

20) Resolution C.S. No. C-2598 - Resolution approving the issuance of \$220,000 of Parcel Fee Bonds, Series 2009 of Sub-Drainage District No. 3 of Gravity Drainage District No. 5 (Estates of Northpark) of the Parish of St. Tammany, State of Louisiana. (Binder/Davis)

21) Resolution C.S. No. C-2599 - Resolution stating Council endorsement of Trinity Marine Products, Inc, for participation in the benefits of Louisiana Enterprise Zone Program. (EZ#20090132) (Binder/Davis)

22) Resolution C.S. No. C-2600 - Resolution establishing Warranty Obligations. (Binder/Davis)

WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Pine Creek Acres, Phase 1A Amount: \$7,200 Expires: May 23, 2009 Ward: 1 District: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Magnolia Trace Subdivison Amount: \$17,640 Expires: May 8, 2009 Ward: 8 District: 9	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Oakley Place Subdivision Amount: \$57,800 Expires: May 8, 2009 Ward: 8 District: 9	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Abney Farms Estates Subdivision Amount: \$6,000 Expires: May 8, 2009 Ward: 8 District: 9	RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM
Raiford Oaks Subdivision, Phase 1 Amount: \$26,400 Expires: May 8, 2009 Ward: 1 District: 1	RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM
Tchefuncte Club Estates S/D, Phase 2 Amount: \$95,700 Expires: May 20, 2009 Ward: 1 District: 1	RELEASE L.O.C. THIS IS A PRIVATE SUBDIVISION AND THE PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE

23) Resolution C.S. No. C-2601 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget, Fixed Asset and Grant Awards. (Binder/Davis)

24) Resolution C.S. No. C-2602 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget, Fixed Asset and Grant Awards to make changes to the Council District No. 6 Road List. (Binder/Davis)

25) Resolution C.S. No. C-2603 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget, Fixed Asset and Grant Awards to make changes to the Council District No. 7 Road List. (Binder/Davis)

26) Resolution C.S. No. C-2604 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-

**2013 Capital Improvement Budget, Fixed Asset and Grant Awards to make changes to the Council District No. 9 Road List. (Binder/Davis)**

**27) Resolution C.S. No. C-2605 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget, Fixed Asset and Grant Awards to make changes to the Council District No. 10 Road List. (Binder/Davis)**

**28) Resolution C.S. No. C-2606 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget, Fixed Asset and Grant Awards to make changes to the Council District No. 14 Road List. (Binder/Davis)**

**29) Resolution C.S. No. C-2607 - Resolution to support Parish Government's application for funding from the Louisiana Community Water Enrichment Fund.(Binder/Davis)**

**30) Resolution C.S. No. C-2608 - Resolution supporting the Parish President's authorizing the Chief Administrative Officer to sign all grant documents relating to Louisiana Act 19 of 2008 line item appropriation on his behalf. (Binder/Davis)**

**31) Resolution C.S. No. 2609 - Resolution authorizing the Parish President or his designee to sign sub-recipient agreements providing Community Development Block Grant Funds to eligible sub-recipients for the provisions of services associated with the CDBG Program.(Binder/Davis)**

**32) Resolution C.S. No. 2610 - Resolution to support Parish Government's application for assistance from the Land and Water Conservation Fund for the purpose of constructing the Gum Swamp Boardwalk for the Goldfish Bayou Basin Interpretive Trail at Camp Salmen Nature Park.(Binder/Davis)**

**33) Resolution C.S. No. 2611 - Resolution giving preliminary approval to the issuance of not exceeding One Million Dollars (\$1,000,000) of Utility Revenue Bonds, Series 2009, of the Parish of St. Tammany, State of Louisiana, providing certain terms of said Utility Revenue Bonds, making application to the State Bond Commission for the approval of said Bonds, and providing for other matters in connection thereto.**

**END OF CONSENT CALENDAR**

**Burkhalter - moved to adopt Consent Calendar less items removed, second by Artigue. Unanimous with no one absent.**

**Items pulled from the Consent Calendar:**

**Binder - 1) Ord. Cal. No. 4014 - Ordinance amending Ordinance C.S. No. 09-1985, adopted January 8, 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. (Gould) (Tabled 3/5/09)**

**Hamauei - he would like to amend and adopt it for his district only.**

**Neil Hall - there have been several conversations as to how to change this ordinance in order to allow for 7 ½ foot setbacks in critical drainage areas only.**

**Stefancik - he is okay with it stating critical drainage areas only.**

**Hamauei - moved to amend for District 7 only, second by Gould. Unanimous with no one absent.**

**Hamauei - moved to reintroduce, second by Burkhalter.**

**Binder - Mr. Davis wanted to give a status update on the flooding at the east end of the Parish, as he needs to go back to the site.**

**Davis - this morning the West Pearl River crested at 19.2 inches, which was good because it was less than expected. Only 2 houses have flooded so far. The Parish has mobilized with the EOC, Governor's Office, National Guard, Sheriff and the local fire and police departments. They are not**

sure if any more houses will flood. If no one had flooded, this would have been deemed a great exercise. He wants to thank the Council members in the areas that are flooding, Ms. Crawford-Howell, Mr. Bellisario and Mr. Artigue, who were also at the scene. Apologize for the way he is dressed, but came here from Slidell and is returning there now.

Binder - 2) Ord. Cal. No. 4028 - Ordinance to authorize the Parish President, to enter into a lease agreement with Florida Parishes Human Services Authority's Developmental Disabilities Services for space in the St. Tammany Parish State Building (aka-DHH Building). (Binder/Davis)(Tabled 3/5/09)

Gould - moved to table, second by Falconer. Unanimous with no one absent.

Binder - 3) Ord. Cal. No. 4033 - Ordinance amending the official zoning map of St. Tammany to reclassify land north Highway 21, east of Highway 1085 containing 1.73 acres from LC (Light Commercial) to C-2 (Highway Commercial). (Ward 1, District 1) (ZC09-03-005) (Zoning Commission approved 3/3/09) (Binder/Davis)

Wilke - representing the Association of Associations - he asked Mr. Dean to pull this item because it is a zoning change that the association approved, and they wanted to commend the developer for agreeing to the changes to give noise buffers and the right of way buffer after the Highway 21 expansion. The developer is a gentlemen.

Dean - moved to introduce, second by Stefancik.

Binder - 12) Ord. Cal. No. 4042 - Ordinance to amend the Parish Code of Ordinances, Section 2-009.00, Parish Fees and Service Charge, transportation and drainage impact fees. (Binder/Davis)

Billiot - he already found his answer, so does not need to discuss.

Billiot - moved to introduce, second by Stefancik.

Binder - 15) Ord. Cal. No. 4045 - Ordinance amending the 2008 Operating Budget. (Binder/Davis)

Gould - asks Ms. Long how Lighting District 16 is getting lights for the Helenbirg District. Does not need to answer tonight, he just wanted to bring up that he never received an answer.

Binder - 18) Ord. Cal. No. 4048 - Emergency Ordinance to impose a 30-day moratorium on the receipt of applications by the Parish Zoning Commission for mobile home conditional use permits and/or on the issuance of building permits for placement of mobile homes on property within the subdivision known as Hillcrest Country Club, Additions #1, 2, 3 and 4. (Ward 6, District 6) (Crawford-Howell)

Crawford-Howell - moved to introduce, second by Gould.

Crawford-Howell - moved to suspend the rules and adopt, second by Thompson. Unanimous with no one absent; becomes Ordinance C.S. No. 09-2019.

### APPEALS

Binder - 1) E.B. Dittmer, II (on behalf of John Hoogacker) and Kevin Jordon appealing the Zoning Commission APPROVAL on March 3, 2009 of a conditional use permits for two (2) 1140 sq. ft. mobile homes on the end of Commercial Drive, east of I-59 Service Road, Lots 4 & 5, I-59 Commercial Park Subdivision. (Ward 8, District 9)(CP09-03-030 & CP09-03-031) (Applicant Shirley C. Stanford)

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.

Ted Dittmer - on behalf of John Hoogacker - the Zoning Commission approved the conditional use permit in this matter, but it was only granted for a period of 6 months.

Hall - it was issued for 6 months, but they would then have the option to come back for another Conditional Use Permit if they needed to stay longer.

Dittmer - his client felt that approval of the permit was inappropriate because the mobile homes are actually on commercial property that is not zoned for mobile homes. The neighboring subdivision, I-59 Mobile Home Park, is actually where the permits would have been appropriate. If the original permit request from 3 years ago had properly noted the location, then these mobile homes would not be there. Also, the mobile home park now has many spaces available where these homes could be moved. The argument was made by the applicant, who is the owner of the mobile home park, that it would cause a hardship to move the trailers. These two trailers and spaces are actually rented to the occupants. It would not be a hardship to the applicant to move the trailers, it would be a hardship on the occupants. As lessor to the occupants, the applicant has an obligation to the lessees to grant them peaceful possession of their trailers. If the lessor has to spend money to make the lease good, then it is the lessor's issue. Legal obligation falls on the lessor, which in this case, falls on the applicant because the original application was incorrect when describing the location of the trailers. The applicant should not be allowed to use the hardship argument because they caused the error. Thinks that the applicant should have to move the trailers now and not be allowed the 6 months.

Shirley Stanford - she did not incorrectly state the location of the trailers, she listed them as being on Commercial Drive. The hardship is not hers, and they have planned to help their tenants move all along. Both of the tenants were displaced due to Katrina, and both have since lost their spouses, are elderly and have numerous medical problems. She thinks that the tenants should be allowed to live in the trailers until they pass away.

Dittmer - the permits state that the trailers are at the I-59 Mobile Home Park, not the commercial park. The numbers show the correct lots and street numbers, but the subdivision was incorrect. He thinks that the staff would agree that the mobile home park description probably influenced the decision to approve the permit. Also, the permit was approved to give them ample time to move, not to wait until the tenants passed away.

Stanford - these mobile homes have been there for 3 ½ years, and there have not been any complaints. In order to move the tenants, they will have to put them in a hotel for 8 to 10 days while the trailers are being moved.

Binder - each home has only one occupant?

Stanford - one has a son that lives with him and the other has a sister, her daughter and grandson.

Canulette - this is a 6 month extension so that they can move out of the commercial trailer park to wherever they are going to move. Does not think that we need to rush these people to move out now. Thinks that the 6 months is appropriate.

Burkhalter asks Mr. Fontenot if they move in 6 months, would she still be able to request a CP to put new homes there?

Fontenot - anyone can request a CP.

Burkhalter - asks Mr. Dittmer these have been here how long?

Dittmer - since 2006.

Burkhalter - does your client have a business there?

Dittmer - he owns the lot and had a business there before, which is no longer open.

John Hoogacker - he did not complain when the trailers were first put in because it was right after Katrina when FEMA trailers were allowed. He has been working with Code Enforcement for the last year trying to have them moved.

Crawford-Howell - did you start to try to have them moved when you acquired the extra additional lots?

Hoogacker - he has been working with Code Enforcement for the last year because it was not just the 2 trailers, it was 10 - 12 trailers. These two are all that is left and they have been skirted and prepared like they are permanent. No permits were pulled for this to be done.

Crawford-Howell - your initial business burned down?

Hoogacker - yes.

Canulette - when you called Code Enforcement, what were your complaints?

Hoogacker - wanted to know when the trailers were to be removed. He was okay when it was FEMA approved.

Gould - when did you obtain ownership of the lots?

Hoogacker - have owned the first lot for about 9 years. Bought the second and third lots within the last 6 months.

Gould asks Mr. Fontenot - when did the trailers go in and what were the circumstances?

Fontenot - 3 permits were pulled for the I-59 Mobile Home Park in 2006, which was when permits were being issued because of Katrina. Because of Mr. Hoogacker's complaint, he went to the trailer park and discovered several trailers other than the ones permitted. He sent them a letter advising that there was a problem with the permits and they needed to come in to get a conditional use permit in order to keep the trailers on the property.

Binder - the Zoning Commission granted that CP for 6 months?

Fontenot - yes. The clock will begin after this meeting.

Binder - as of this moment these trailers are in the process of being legal?

Bellisario - he has listened to both sides. The paperwork clearly indicated that these would be in a mobile home park, which they clearly are not. They probably went in under an emergency order in 2007. The mobile home park and commercial park area were thriving. After the emergency order was lifted, the trailers should have been moved. The problem is that there are 2 senior citizens living there who have no idea what is happening. He spoke to Ms. Stanford, and told her that he was going to override the Zoning approval and have her move the trailers. Ms. Stanford stated that she was willing to do so. However, right before this meeting, she told him that they had decided not to move them and would like for them to be able to stay there until they passed away. The Zoning Commission did not set a definitive date for the mobile homes to be moved. He wants to override the approval, but give them 6 months from tonight to move them to the mobile home park.

Binder - if you concur, the clock starts tonight also.

Stefancik - we can tell them to move the mobile homes, but cannot tell them where to move them to.

Mike Sevante - would she be able to apply for an extension?

Hall - under the CP ordinance, there is a specific provision that allows for a time limit to be set. The proper way to handle this would be to concur with the approval and enforce the 6 month time limit. If they are there in 6 months, then they are in violation.

Burkhalter - in 6 months, can she reapply?

Binder - yes.

Bellisario - moved to concur with the Zoning approval with a time limit of 6 months to move the



mobile homes, second by Burkhalter. Unanimous with no one absent; becomes Resolution C.S. No. C-2612.

Binder - Ms. Stanford, we need to make sure that you understand what happened here. Mr. Bellisario has granted you 6 months to move the mobile homes. You have to know that if you wait the whole 6 months and put all of your cards on that fact that you will get an extension or another CP, that it may not pass, and if you appeal, he thinks that Mr. Bellisario has given the indication that he will not approve. You need to start planning to move them.

### ORDINANCES FOR ADOPTION

Binder - 1) Ord. Cal. No. 3902AA - 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) (Tabled 11/6/08 & 12/4/08) (Reintroduced as amended 1/8/09, 2/5/09 & 3/5/09)

Jim Bradford - represents the Manint's. He previously submitted a binder with all of the requests and support of those requests. He has participated all the way through this process and this property was A3 all along until March when it was changed to A1A. It is unfair to the Manint's for the neighbors to expect the Manint's to be responsible for preserving the drainage in this area. It is a very dense area and think that A3 was and is appropriate.

Hamauei - Mr. Bradford - SA allowed 2 homes per acre with a limitation on the road front, but it would not allow for more than 3 houses at a time. 40 houses would never happen in this area.

Fontenot - it would have to be rezoned to an A zone for that.

Hamauei - traffic and drainage are a problem.

Bradford - thinks it is ridiculous to only consider zoning and not what eventual planning would be.

Gould - this area was downgraded in zoning because of its current infrastructure problems. He is not sure that this is what zoning classification it will eventually need. The Council needs to be sure to provide for the health, welfare and safety of the citizens. The right thing to do is for the owner to take any proposed development to the Zoning Commission and go through the process of rezoning.

Bradford - comprehensive rezoning is about trying to decide what the future of this property is. He knows they disagree about this property, but thinks that the property owner's rights need to be considered.

Hamauei - he agrees that it has to be the decision of all the property owners on Hoffman, not just the large property owners.

Jill Spence - there are 3 houses to an acre in Autumn Wind and there are a lot of drainage issues. The subdivision people can speak as to the flooding issues. Knows that the Manints bought the property for a prospective subdivision. The people who own property should be allowed to do what they want, but not at the expense of other property owners.

Donald Mitchell - he represents the Mitchell Family who has owned 30 acres for over 50 years and the property has always been SA. Now it has been zoned A1A, which is 1 house on 3 acres. They would only be able to put 10 houses on their land if they wanted to build a subdivision, rather than 52 under the A3. When Dog Pound Road is extended, it should take some of the pressure off of Hoffman. Most of the people in this area live on smaller acres. If they have all of these problems, then why did they move there?

Hamauei - this process has taken a long time and it is a huge area that will expand a lot over the next 100 years. He would like to thank Mr. Fontenot for putting up with him. He averaged about 100 people at each of his community meetings and thinks this a good plan.

Burkhalter - after this is adopted, will the normal process prevail?

Fontenot - yes, and for clarification, this ordinance will take effect 15 days from tonight.

Hall - yes. The clock will start tonight unless Mr. Davis vetoes it.

Fontenot - it will be effective on April 17<sup>th</sup>.

Stefancik - moved to adopt, second by Burkhalter. Unanimous with 2 absent (Cooper, Crawford-Howell); becomes Ordinance C.S. No. 09-2020.

Binder - 2) Ord. Cal. No. 4010 - Ordinance to amend the Unified Development Code sections governing TND-1 and TND-2 Traditional Neighborhood Development Zoning Districts. (Introduced 2/5/09)(Referred to Zoning 3/5/09)

Artigue - moved to table, second by Bellisario. Unanimous with 2 absent (Cooper, Gould).

Binder - 3) Ord. Cal. No. 4011 - Ordinance amending the official zoning map of St. Tammany to reclassify land located east of Military Road, south of Sycamore Drive containing 81.58 acres of land from PUD (Planned Unit Development) to A-1 (Suburban). (Ward 8, District 9) (ZC09-02-002) (Zoning Commission approved 2/3/09) (Introduced 3/5/09)

Bellisario - moved to adopt, second by Burkhalter. Unanimous with 2 absent (Cooper, Gould); becomes Ordinance C.S. No. 09-2021.

Binder - 4) Ord. Cal. No. 4012 - Ordinance amending the official zoning map of St. Tammany to reclassify land located northwest of Highway 25 & Highway 1077 containing 4.767 acres from R (Rural) to ID (Institutional). (Ward 2, District 3) (ZC09-02-003) (Zoning Commission approved 2/3/09) (Introduced 3/5/09)

Thompson - moved to adopt, second by Dean. Unanimous with no one absent; becomes Ordinance C.S. No. 09-2022.

Binder - 5) Ord. Cal. No. 4013 - Ordinance amending the official zoning map of St. Tammany to reclassify land located on south Eden Street, east of Industry Park containing 0.46 acres from SA (Suburban Agricultural) to M-1 (Light Industrial). (Ward 3, District 3) (ZC09-02-004) (Zoning Commission approved 2/3/09) (Introduced 3/5/09)

Thompson - moved to adopt, second by Falconer. Unanimous with no one absent; becomes Ordinance C.S. No. 09-2023.

Binder - 6) Ord. Cal. No. 4015 - 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 Subdivision and a portion of Ingram Estates Subdivision. (Ward 3, District 5.) (Introduced 3/5/09)

Gould - moved to adopt, second by Cooper. Unanimous with no one absent; becomes Ordinance C.S. No. 09-2024.

Binder - 7) Ord. Cal. No. 4016 - 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 Sault 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) (Introduced 3/5/09)

Gould - moved to adopt, second by Thompson. Unanimous with no one absent; becomes Ordinance C.S. No. 09-2025.

Binder - 8) Ord. Cal. No. 4017 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of applications by the Parish Zoning Commission for mobile home

conditional use permits and/or on the issuance of building permits for placement of mobile homes on property within Bayou Heights Subdivision. (Ward 6, District 6) (Introduced 3/5/09)

Crawford-Howell - moved to adopt, second by Artigue. Unanimous with no one absent; becomes Ordinance C.S. No. 09-2026.

Binder - 9) Ord. Cal. No. 4018 - Ordinance to extend for an additional six (6) month the moratorium on the issuance of building permits for construction or placement of building structures on property within portions of Beverly Hills and Kingspoint Subdivisions.(Ward 8, District 14)(Introduced 3/5/09)

Burkhalter - moved to adopt, second by Artigue. Unanimous with no one absent; becomes Ordinance C.S. No. 09-2027.

Binder - 10) Ord. Cal. No. 4019 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning) Section 5.21 HC-2 Highway Commercial Zoning Districts relative to automotive sales and service. (Introduced 3/5/09)

Stefancik - since the South Central rezoning ordinance was adopted, he would like to table this item to discuss with Planning as to why this ordinance changed.

Hamauei - this is dealing just with used car lots, but he is okay with tabling it.

Gould - this came up from the number of used car lots in the Parish and they were going to be given a HC3 zoning. Instead, they asked staff to create a use in HC2.

Fontenot - HC3 includes auto sales and services, but they were thinking of mainly large dealers. Then, it became apparent that there were a number of smaller shops (mufflers, tires, etc) and that the alternative was to provide some use within another district.

Hamauei - we need to table this.

Fontenot - this would only effect new construction of used car lots.

Billiot - moved to table, second by Stefancik. Unanimous with no one absent.

Binder - 11) Ord. Cal. No. 4020 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Sections 5.20 through 5.23a, HC- Highway Commercial Zoning Districts relative to height regulations.(Introduced 3/5/09)

Fontenot - the zoning commission recommended change the 30 foot height to 35 feet.

Stefancik - moved to amend, second by Burkhalter. Unanimous with no one absent.

Stefancik - moved to reintroduce, second by Gould.

Binder - 12) Ord. Cal. No. 4021 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Grand Maison, Phase 2; Northpointe Business Park, Phase 1; and Northpointe Business Park, Phase 2; and enter Parish Right of Way on Pansy Street and Independence Street. (Wards 1, 3 & 4, Districts 1, 3 & 5) (Introduced 3/5/09)

Dean - moved to adopt, second by Thompson. Unanimous with 1 absent (Billiot); becomes Ordinance C.S. No. 09-2028.

Binder - 13) Ord. Cal. No. 4022 - Ordinance to correct the Road and Drainage Inventory to include South Hay Hollow Road Lateral; Palm Street Lateral and Fish Hatchery Road Lateral. (Wards 2, 7 & 9, Districts 2, 7 & 12) (Introduced 3/5/09)

Cooper - moved to adopt, second by Thompson. Unanimous with 1 absent (Billiot); becomes Ordinance C.S. No. 09-2029.

Binder - 14) Ord. Cal. No. 4023 - Ordinance to amend Ordinance C.S. No. 07-1680, 2008-2012 Capital Improvement Budget to identify changes to the Capital Improvement List for 2008-2012. (Binder/Davis)

Gould - moved to adopt, second by Bellisario. Unanimous with 1 absent (Billiot); becomes Ordinance C.S. No. 09-2030.

Binder - 15) Ord. Cal. No. 4024 - Ordinance to amend Ordinance C.S. No. 07-1680, 2008-2012 Capital Improvement Budget to identify Fixed Assets and Grant Awards. (Introduced 3/5/09)

Hamauei - moved to adopt, second by Artigue. Unanimous with 1 absent (Billiot); becomes Ordinance C.S. No. 09-2031.

Binder - 16) Ord. Cal. No. 4025 - Ordinance providing for the incurring of debt and issuance of Four Million Dollars (\$4,000,000) of St. Tammany Parish Revenue Bonds, Series 2009 for water and sewerage facilities improvements; prescribing the form, terms and conditions of said Bonds; designating the date, denomination and place of payment of said Bonds; providing for the payment thereof in principal and interest; authorizing the agreement with the Paying Agent; and providing for other matters in connection therewith. (Introduced 3/5/09)

Grant Schleuter - this is a 15 year bond that will be used to acquire Cross Gates Utility. They received bids from Iberia and Hancock Banks, and Bond Counsel's recommendation is to accept the 3.87% bid of Hancock Bank.

Stefancik - moved to adopt, second by Bellisario. Unanimous with 2 absent (Billiot, Burkhalter); becomes Ordinance C.S. No. 09-2032.

Binder - 17) Ord. Cal. No. 4026 - 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 within certain portions of Highland Park Subdivision. (District 12) (Introduced 3/5/09)

Crawford-Howell - moved to adopt, second by Thompson. Unanimous with 2 absent (Billiot, Burkhalter); becomes Ordinance C.S. No. 09-2033.

Binder - 18) Ord. Cal. No. 4027 - Ordinance amending and reenacting Section 40-034.01, Contiguous Lot Rule, of the Parish Subdivision Regulatory Ordinance 499, to allow for the combining of substandard lots with abutting rear property lines. (Introduced and Referred to Planning Commission 3/5/09)

Hall - the Planning Commission recommended a text change from the word "may" to the word "must". It needs to be amended and reintroduced.

Gould - moved to amend, second by Bellisario. Unanimous with 2 absent (Billiot, Burkhalter).

Stefancik - moved to reintroduce, second by Artigue.

Binder - 19) Ord. Cal. No. 4029 - 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)

Rick Wilke - he is assuming that this is going to be tabled because Mr. Dean is scheduled to come to their next meeting, so he would like to make comments at the Committee Meeting.

Dean - he has the biggest portion of the South West Study Area and has spoken to the other Council members with part of it that he would like to table this until next month.

Gould - he has several items to submit into the record, so he suggests the Ordinance be amended and reintroduced.

Wilke - are they amendments to the Highway 21 area?

Gould - it is general housekeeping and the drainage district needed to be adjusted.

Fontenot - just a reminder that they plan on having the South Central Area map ready on Monday. Then they will make Mr. Gould's amendments to the South West Area map.

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

Gould - moved to reintroduce, second by Falconer.

Binder - 20) Ord. Cal. No. 4030 - Ordinance authorizing the Parish President to enter into a Cooperative Agreement for the purpose of granting a servitude to access property, to provide for construction and maintenance thereof by grantee, and to otherwise provide with respect thereto. (Ward 3, District 3) (Thompson)

Thompson - moved to adopt, second by Cooper. Unanimous with 1 absent (Burkhalter); becomes Ordinance C.S. No. 09-2034.

Binder - 21) Ord. Cal. No. 4031 - Ordinance to Replace Parish Code of Ordinances, Chapter 2, Section 2-004.00, an ordinance creating the St. Tammany Parish Transit Authority and appointing members thereof (Ord. No. 1126, adopted 03/13/1980) and to provide for changes reflected herein. (Gould)

Gould - moved to adopt, second by Cooper. Unanimous with 1 absent (Burkhalter); becomes Ordinance C.S. No. 09-2035.

Binder - 22) Ord. Cal. No. 4032 - Ordinance to authorize the Parish President to sign and/or execute transfer documents for Right-of-Way needed for State 1088 Interchange Project. (Hamauei)

Hamauei - moved to adopt, second by Artigue. Unanimous with 1 absent (Burkhalter); becomes Ordinance C.S. No. 09-2036.

#### NOMINATIONS

Binder - 1) Resolution to appoint \_\_\_\_\_ (permanent member) to replace Gerald Morris (resigned) to the Parish Board of Zoning Adjustments. (Binder)

Cooper - nominate Alton Sanchez.

Falconer - moved to close the nominations, second by Gould.

Stefancik - moved to suspend the rules and appoint, second by Cooper. Unanimous with 1 absent (Burkhalter); becomes Resolution C.S. No. C-2613.

Binder - 2) Resolution to appoint \_\_\_\_\_ (alternate member) to replace John Scott Fischer (resigned) to the Parish Board of Zoning Adjustments. (Binder)

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

#### APPOINTMENTS

Binder - 1) Resolution to appoint Greg Lemons to replace Charles Frederick, Jr. (Deceased) to St. Tammany Parish Hospital Service District No. 1. (St. Tammany Parish Hospital) (Crawford-Howell)

Crawford-Howell - moved to appoint, second by Stefancik. Unanimous with 1 absent (Burkhalter); becomes Resolution C.S. No. C-2614.

Binder - 2) Resolution to appoint \_\_\_\_\_ to St. Tammany Parish Recreation District No. 2 to replace Anita Fincher (resigned). (Cooper)

Cooper - moved to table, second by Stefancik. Unanimous with 1 absent (Burkhalter).

Binder - 3) Resolution to appoint \_\_\_\_\_ to St. Tammany Parish Recreation District No. 6 to replace F. Jean Dawsey (resigned). (Cooper)

Cooper - moved to appoint John Travers, second by Gould. Unanimous with 1 absent (Burkhalter); becomes Resolution C.S. No. C-2615.

**OFF-THE-FLOOR**

Stefancik - moved to open the Off-the-Floor Agenda, second by Artigue. Unanimous with no one absent.

Binder - 3) Ordinance to authorize parish president, to purchase, expropriate or otherwise acquire all certain parcels and/or rights of way for the Old Military Road at Cleo Road Project (Crawford-Howell)

Crawford-Howell - moved to introduce, second by Bellisario; becomes Ordinance Cal. No. 4050.

Binder - 5) Ordinance to amend the Parish Code of Ordinances Section 2-009.00 Parish Fees and Service Charges, Subsection B. III - Subdivision and Associated Fees. (Cooper)

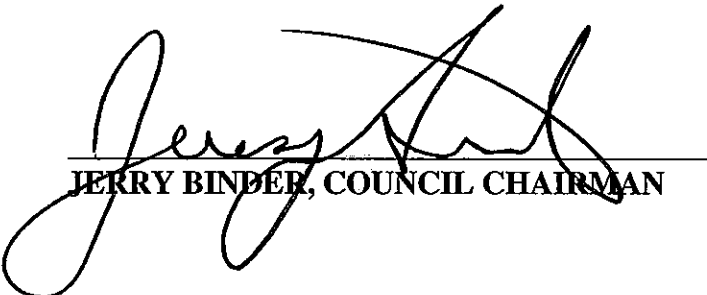
Cooper - moved to introduce, second by Thompson; becomes Ordinance Cal. No. 4052.


Dean - apologized for not being at the beginning of the meeting when the Child Abuse Awareness matter was discussed. As a member of the mental health counseling field, he wanted to make a few points, especially after hearing about what happened to the little boy by the janitor in the elementary school. There are many forms of abuse, physical, emotional, sexual and neglect. Adults have control over what happens to them. Children do not. The reason that the Sheriff and Coroner have to ask for more money is the increase in abuse. Abused children become angry and sad adults. When the matter is glossed over and more time is spent discussing the budget decrease it bothers him. The Community needs to stay aware.

Binder - read an article that stated that child abuse is up by 20%.

Dean - these are difficult, stressful times. The economy causes the increase, that then turns into emotional scars which cause children to grow into adults who abuse their children.

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

  
JERRY BINDER, COUNCIL CHAIRMAN

  
THERESA L. FORD, COUNCIL CLERK