

**MINUTES ST. TAMMANY PARISH COUNCIL MEETING - AUGUST 6, 2009**

**MINUTES OF THE ST. TAMMANY PARISH COUNCIL MEETING  
ON THURSDAY, AUGUST 6, 2009 AT 6:00 P.M. HELD IN  
THE ST. TAMMANY GOVERNMENT COMPLEX  
21490 KOOP DRIVE, MANDEVILLE, LA.**

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

**Invocation by Ms. Crawford-Howell**

**Pledge of Allegiance by Mr. Artigue**

**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**

**Billiot - introduced the Junior Council Member for the month, Leah Gibson, his granddaughter. Leah is 3 months old and the youngest Junior Council Member since he started the program a few years ago.**

**PRESENTATIONS**

**Binder - 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)**

**Binder - this presentation is related to an item on the Consent Calendar, so we will handle this in conjunction with that item and pull and discuss any other items from the Consent Calendar. We will come back to this presentation.**

**Bellisario - moved to move up the Consent Calendar, second by Stefancik. Unanimous with 2 absent (Dean, Burkhalter).**

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

**Ord. Cal. No. 4111  
Ord. Cal. No. 4122  
Resolution C.S. No. C-2669**

**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**

**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)

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)

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**

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**

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
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**

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

Binder 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)

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

Binder - 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)

Gould - after discussion of this at the Agenda Review Committee Meeting, decided to change the lot size to 12,600 square feet, which are the lot sizes in A-4 zoning.

Gould - moved to introduce, second by Cooper.

Binder - 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)

Binder - would like to have any one in support of the landfill speak first and then have the opposition speak. Appears that no one is present to speak on behalf of the landfill. We will hear the opposition, but ask that those present please make their point and move on.

Ken Diamond - wearing a Tyvex suit, which is the same type of suit that OSHA and the Department of Labor require to be worn when houses are being torn down so that workers do not breathe contaminated air or have dangerous chemicals touch their skin. When mold is being removed, the entire house needs to be sealed and have an air lock where workers remove their suits so the mold does not escape. Once houses such as these are demolished, they are removed by heavy machinery to a landfill where the debris is compressed releasing dust mites and mold spores. Please vote against keeping the landfill open.

Jack Francione - he is here on behalf of the Slidell Auto Dealers. They understood the increase in traffic to the landfill after the hurricane, but it has been almost 4 years. They are having to spend \$30,000 per dealership just to keep their cars clean because of the dust from the trucks going to the landfill. Louisiana DEQ gave the landfill a close date for January 31, 2010, but the landfill has applied for an extension. The DEQ is under new administration and would like to hear the Council's opinion on the landfill. The auto dealers have no problem with the owners of the landfill, but the owners bought it in 2008 knowing that it was to close in 2010. There is a CDM study that states that the landfill does not need to remain open.

Binder - certainly the DEQ wants to know what the Council would like to happen, and that is why this resolution is being discussed and sent. However, the closing of the landfill is ultimately the decision of the Louisiana DEQ.

Sandy Fauchaux - represents Citizens for a Healthy St. Tammany Parish- they formed the group when the landfill applied to increase to 125 feet. The landfill already has a long list of non-compliance violations, and they feel that the violations would continue if the landfill remains open.

Bellisario - moved to adopt, second by Artigue. Unanimous with 1 absent (Burkhalter).

2) Presentation of Certificates of Recognition to St. Tammany youths who participated in the 17<sup>th</sup> Annual Rotary Youth Leadership Awards (RYLA). (Falconer and Hamauei)

Hope O'Bryan - Rotary Youth Leadership Awards is a leadership camp for juniors in high school preparing to enter their senior year. Sixty students from southeast Louisiana and coastal Mississippi are awarded scholarships to RYLA. This year 10 of the 60 students were from St. Tammany Parish.

Falconer and Hamauei - read and presented certificates to 6 of the 10 St. Tammany students.

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.

Jeff Schoen - represents Heavy Moon, LLC and Mr. Blossman - this appeal is regarding an amendment to the rezoning ordinance that will change the classification PF3 to CB1. They think that the new definitions are very pervasive and different from what the original writer intended. They also think that this change could have much greater impacts. His client owns 150 acres which includes Covington Country Club golf course and club house. For years it has operated under the SA zoning, sometimes surrounding properties were rezoned as residential property. The Zoning Commission approved the PF3 for the property. However, his client would like A6, except for near the water area. He wants this in case the golf course has to close so that it will have zoning similar to the surrounding area. Now the Zoning Commission has approved the change to CB1 which is far different from PF3. He does not believe that this change received proper study by the Zoning Commission, the Council or the Public. Also, he believes that this amendment is very substantive in nature and unfairly takes away his client's use of his land. This amendment substantially changes the zoning and changes the rules in the middle of the process. He thinks it creates an unfair hardship on his client.

Blair Touschard - submitted a statement for the record from a rezoning sub-committee he has headed during this process in Covington Country Club Estates. They feel that if the zoning is not changed from PF3 to CB1, it would negatively impact their property values and taxes.

Chris Inman - President of Beau Chene Homeowners Association. They are in support of CB1.

Robbie Robinson - represents Riverwood - they are concerned that if the zoning does not change and the golf course closes, it will adversely effect the drainage in their neighborhood.

Schoen - in regards to the comments about lowering property values, his client owns the largest piece of property in the area, so he needs to be considered also. The Blossmans have owned this property since the 1950s. His client does not intend to close the golf course now or in the near future. He just wants to plan for a future residential area. If this passes, it does not give his client a fair shake.

Bob Wright - he is a 20 year resident living on the golf course. He bought there because it was a golf course community. All they are asking is for protection of what they bought into. CB1 was developed after considering everyone's needs.

Mr. Junius - Riverwood is concerned about what changes will do to their drainage.

Falconer - Mr. Junius and Mr. Robinson make a good point in that when considering the rezoning of large tracts of land, you have to consider all of the adjacent properties. The CB1 zoning has been negotiated line by line and several uses such as cemeteries and crematoriums have been removed.

Falconer - moved to concur with the Zoning Commission Approval, second by Gould. Unanimous with 1 absent (Burkhalter).

Falconer - moved to introduce ordinance, second by Dean; becomes Ordinance Calendar No. 4127.

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.

Stephanie Bedford - they live in a low to moderate income area, but they try to maintain it and don't feel that more mobile homes are appropriate. Most of the properties in their area that have mobile homes are investment properties that are not maintained. One mobile home is abandoned. The economy is already bad and they do not need additional mobile homes to reduce the value of their homes.

Ernest Smith - he owns the 2 lots and one of the two lots will be rental property that he is renting to his son. He is going to comply with the planning regulations and add skirting, etc to make it look nice.

Thompson - he knows this area very well and thinks that placing the mobile homes there is appropriate.

Thompson - moved to concur with the Zoning Commission Approval, second by Gould. Motion passed with 12 yeas, 1 nay (Billiot) and 1 absent (Burkhalter).

Thompson - moved to adopt resolution, second by Cooper. Motion passed with 12 yeas, 1 nay (Billiot) and 1 absent (Burkhalter); becomes Resolution C.S. No. C-2680.

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.

Matt Franklin - the reason for this appeal is that the drainage jurisdiction falls under the Town of Pearl River. The Zoning Commission added the condition of a drainage study to the approval, but the Parish does not have jurisdiction.

Fontenot - the Commission placed 2 conditions having to do with drainage. The pond is being dug in the Parish, but the dirt is being placed in the Town of Pearl River. The Commission asked for Mr. Franklin to provide copies of the permits from the Town of Pearl River to place the dirt.

Hall - agrees that because the fill is being placed in the Town of Pearl River, it would be appropriate for us to review the permits.

Bellisario - he is concerned with the fact that the Council would be waiving the right to make sure that the drainage is correct.

Hall - the only issue is whether or not the Parish has jurisdiction on where the fill is placed if the placement will effect the Parish. It was the recommendation of the Zoning Commission to send out the Parish Engineering department to review whether or not the fill placement will effect the Parish.

Crawford Howell - she spoke with the mayor of the Town of Pearl River who stated that he did not have a problem with the fill placement. He felt there would be little future development in this area.

Crawford-Howell - moved to concur with the Zoning Commission Approval but subject only to conditions Nos. 3-11 of the staff report. Also, condition No. 5 is that the perimeter set backs will be as shown on the attached site plan, second by Gould. Motion passed with 11 yeas, 1 nay (Bellisario) and 2 absent (Canulette, Burkhalter).

Crawford-Howell - moved to adopt resolution, second by Thompson. Motion passed with 11 yeas, 1 nay (Bellisario) and 2 absent (Canulette, Burkhalter); becomes Resolution C.S. No. C-2681.

**ORDINANCES FOR ADOPTION**

Binder - 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)

Sandra Slifer- submitted a statement from the Flower Estates Civic Association thanking Mr. Dean for rescinding HC3 zoning on 33 acres and returning it to A3.

Rick Wilke - the Board of Tchefuncte Estates echoes the opinion of Sandra Slifer and Flower Estates. They also object to A8 zoning behind Target and request that it be zoned A6 instead.

John Martin - President of the Goodbye Homeowners Association. They are concerned that the PF3 classification would allow alcohol to be served at events at restaurants, country clubs, etc. He is concerned that someone will set up a volleyball court for young people and then serve beer. Is there any way to restrict alcohol from a facility? He thinks PF2 would be more appropriate.

Hall - he is not familiar with the language that permits serving of alcohol. If he is talking about the sale of alcohol at events, the Parish and State ordinances regulate that.

Fontenot - the PF3 allows a grill or a bar or a golf course with a 19<sup>th</sup> hole. He thinks it would be difficult to prevent the sale of alcohol in these places.

Hall - the Parish can regulate the sale of alcohol, but cannot regulate where it can or cannot be served through zoning classifications.

Martin - he is also concerned about the industrial site in the Tantella Ranch area. He is concerned that if Industrial is put over scenic rivers, such as the Soap and Tallow Creeks, that it will cause pollution.

Dean - there were 2 properties that were already zoned Industrial in that area that were inadvertently down zoned. The owner just asked to have the Industrial back.

Martin - as long as the industrial will not be taken further north he is fine with that.

Troy Clark- lives is Casrill on Highway 59 on property between Cash Road and Parker Drive that borders commercial property. Their area is A2. They did not know about the hearing that made it M2. Abita Recycling is in that area and they recycle concrete. They are asking that it be rezoned back to M1.

Gould - the property was M1, but Abita Recycling was there prior to that classification. The proposal is to go to ID2 which will down zone the area.

Matthew Allen - Little Tchefuncte River - they have a similar scenic creek area as Tallow Creek. They are afraid that Industrial property will cause drainage issues up and down the river.

Chris Lopez - Northpointe Business Park, LLC - submitted statement for the record. They would like HC3 in certain areas of the property.

Dean - would like to look into the issue further about the entrances.

Dean - read amendments and submitted them for the record.

Robert Meyer - he and his partner have land across from a business park that was zoned , but they would like a higher commercial zone.

Dean - NC1 is appropriate because not much of the property touches the highway.

Gould, Falconer, Billiot - read amendments and submitted them for the record.

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

Gould - moved to reintroduce, second by Dean.

Binder - 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)

Crawford-Howell, Bellisario, Binder, Artigue, - read amendments and submitted them for the record.

Canulette - moved to amend as stated, second by Artigue. Unanimous with 1 absent (Burkhalter).

Bellisario - moved to reintroduce, second by Artigue.

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)

Hall - made amendments to make this less restrictive. He took out the agricultural and decorative ponds. It is now just oxidation ponds and pits. The pits are mainly for ones dug to burn yard debris. Also confirmed that the oxidation ponds are restricted when entirely within the boundaries of lots 150 feet or less.

Council discussion ensued.

Hamauei - moved to amend as stated, second by Stefancik. Motion passed with 11 yeas, 1 Nay (Canulette), 1 abstention (Bellisario) and 1 absent (Burkhalter).

Hamauei - moved to adopt as amended, second by Gould. Motion passed with 9 yeas, 3 nays (Cooper, Canulette, Binder) and 2 absent (Billiot, Burkhalter); becomes Ordinance C.S. No. 09-2099.

Binder - 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)

Gould - wanted to vote on this tonight, but he has not heard from the Fire District and the Parish Engineering Department about possible solutions.

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

Binder - 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)

Cooper - moved to adopt, second by Thompson. Unanimous with 1 absent (Burkhalter); becomes Ordinance C.S. No. 09-2100.

Binder - 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)

Hamauei - moved to adopt, second by Billiot. Unanimous with 1 absent (Burkhalter); becomes Ordinance C.S. No. 09-2101.



Binder - 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)

Canulette - moved to adopt, second by Gould. Unanimous with 1 absent (Burkhalter); becomes Ordinance C.S. No. 09-2102.

Binder - 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)

Gould - moved to adopt, second by Falconer. Unanimous with 1 absent (Burkhalter); becomes Ordinance C.S. No. 09-2103.

Binder - 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)

Hamauei - moved to adopt, second by Gould. Unanimous with 1 absent (Burkhalter); becomes Ordinance C.S. No. 09-2104.

Gould took over meeting from Binder.

Gould - 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)

Bellisario - moved to adopt, second by Canulette. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 09-2105.

Gould - 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)

Bellisario - moved to adopt, second by Falconer. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 09-2106.

Gould - 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)

Bellisario - moved to adopt, second by Crawford-Howell. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 09-2107.

Gould - 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) (Trc09-06-001) (Planning Commission approved (6/9/09) (Introduced 7/2/09)

Stefancik - moved to adopt, second by Hamauei. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 09-2108.

Gould - 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)

Crawford-Howell - moved to adopt, second by Hamauei. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 09-2109.

Gould - 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)

Dean - moved to adopt, second by Thompson. Unanimous with 1 absent (Burkhalter); becomes Ordinance C.S. No. 09-2110.

Gould - 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)

Crawford-Howell - moved to adopt, second by Binder. Unanimous with 1 absent (Burkhalter); becomes Ordinance C.S. No. 09-2111.

Gould - 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)

Stefancik - moved to adopt pending the 10 day appeal period, second by Artigue. Unanimous with 1 absent (Burkhalter); becomes Ordinance C.S. No. 09-2112.

Gould - 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)

Artigue - moved to adopt, second by Bellisario. Unanimous with 1 absent (Burkhalter); becomes Ordinance C.S. No. 09-2113.

Gould - 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)

Stefancik - moved to adopt, second by Bellisario. Unanimous with 1 absent (Burkhalter); becomes Ordinance C.S. No. 09-2114.

Gould - 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)

Hamauei - moved to adopt, second by Binder. Unanimous with 1 absent (Burkhalter); becomes Ordinance C.S. No. 09-2115.

#### NOMINATIONS

Gould - 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)

Bellisario - moved to nominate Edwin Canton, seconded by Binder.

Stefancik - moved to close nominations, second by Bellisario. Unanimous with 1 absent (Burkhalter).

Bellisario moved to suspend the rules and appoint, second by Stefancik. Unanimous with 1 absent (Burkhalter); becomes Resolution C.S. No. C - 2682.

**APPOINTMENTS**

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

Bellisario - moved to appoint, second by Stefancik. Unanimous with 1 absent (Burkhalter); becomes Resolution C.S. No. C-2683.

**DISCUSSION AND OTHER MATTERS**

Gould - 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. (ZC09-07-016)

Sevante - this ordinance was inadvertently adopted at the July meeting before it had been approved by the Zoning Commission on July 7, 2009. Therefore, the Council needs to reconsider it.

Bellisario - moved to reconsider, second by Cooper. Unanimous with 1 absent (Burkhalkter).

Binder motion to adopt, second by Falconer. Unanimous with 1 absent (Burkhalter); remains Ordinance C.S. No. 09-2084.

Stefancik - moved to open the Off-the-Floor Agenda, second by Artigue. Unanimous with 1 absent (Burkhalter).

**ITEMS OFF-THE-FLOOR**

Gould - 1) Resolution to vacate, in part, the six (6) month moratorium established by Ordinance C.S. No. 05-1185, and any subsequent extension thereof, 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) (Gould)

Thompson - moved to adopt, second by Cooper. Unanimous with 1 absent (Burkhalter); becomes Resolution C.S. No. C-2684.

Gould - 2) Resolution authorizing the Parish CEO to execute an agreement with the Federal Aviation Administration (FAA) to expand the Apron Area of the St. Tammany Parish Regional Airport. (Hamauei)

Hamauei - moved to adopt, second by Billiot. Unanimous with 1 absent (Burkhalter); becomes Resolution C.S. No. C-2685.

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

  
JERRY BINDER, COUNCIL CHAIRMAN

  
THERESA L. FORD, COUNCIL CLERK

