Call to Order by Honorable Patricia Brister, Chairman
Invocation by
Pledge of Allegiance by
Roll Call: Marty Dean
Russell Fitzmorris
James A. “Red” Thompson
Marty Gould
Gary Singletary
Joe Impastato
Patricia Brister
Steve Stefanick
Chris Canulette
Barry D. Bagert
Henry Billiot
Jerry Binder
Joe “Coach” Thomas
Ken Burkhalter

PRESENTATIONS

1) Certificate to Madisonville Garden Club recognizing its 50th anniversary and contributions to beautification and betterment of community.

2) Certificate of Recognition to Rickey Caballero for D. A. Exterminating Company of St. Tammany, Inc. as Business of the Month for outstanding service to the community.

3) Certificates of Appreciation to former members of Board of Adjustments.

CONSENT CALENDAR

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

MINUTES

Regular Council Meeting August 5, 2004
Council Committee Meetings August 25, 2004

ORDINANCES FOR INTRODUCTION

1) Ord. Cal. No. 2918 - 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 with a portion of Tammany Forest Subdivision in Ward 7, District 7.

2) Ord. Cal. No. 2919 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Highway 190 between 8th Street and Lake Road, being a portion of Lots 3, 7, 8, 9 and 10, Square 101, Town of Lacombe Subdivision, containing 0.45 acres, from SA Suburban Agriculture to C-2 Highway Commercial. (Ward 7, District 7) (ZC 04-07-050) (Zoning Commission approved 8/4/2004)

3) Ord. Cal. No. 2920 - Ordinance to amend Code, Appendix C, (Ord. 523 Land Use Regs), Section 5.0316, to provide for change in Commercial Signage Regulations. (ZC 04-08-068) (Zoning Commission approved 8/4/2004)
4) Ord. Cal. No. 2921 - Ordinance to amend Code, Appendix B (Ord. 499 Subdivision Regs), Section 40-032.0 (3b) Streets (new subdivision driveway widths). (Planning Commission approved 8/10/2004)

5) Ord. Cal. No 2922 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Bennett Brothers, I.L.L.C, developer of Grand Maison Subdivision. (Ward 4, District 5)

6) Ord. Cal. No. 2923 - Ordinance accepting dedication and donation of Goslee Road for inclusion into the Parish Road Maintenance System. (Ward 1, District 1)

7) Ord. Cal. No. 2924 - Ordinance establishing a “No Thru Trucks” zone on Donya Street. (Ward 9, District 6)

8) Ord. Cal. No. 2925 - Ordinance accepting finalized subdivisions into Road and Drainage Inventories (Lakeview Regional Medical Center, Kingspoint, Phases 8Q1, 8Q2 and 8Q4, Madison Farms, Phase 3B, and River Oaks, Addition 9). (Wards 1, 4 & 8, Districts 1, 5, 13 & 14)

9) Ord. Cal. No. 2926 - Ordinance to correct Road Inventory to include portions of 4th Street, 5th Street and 6th Street. (Ward 3, District 5)

10) Ord. Cal. No. 2927 - Ordinance to amend Code of Ordinances, Chapter 20, Article I, Section 20-011.01, Procedures and Standards for Granting Permission to Enter Parish Right of Way for Gaining Access to Property, to provide for central water and community sewerage requirements within Council Districts 5, 7 and 10.

11) Ord. Cal. No. 2928 - Ordinance to amend Parish Code, Chapter 2, Section 2-009.00, Parish Fees and Service Charges, to impose Transportation and Drainage Impact Fees.

RESOLUTIONS

12) Resolution C.S. No. C-1199 - Resolution calling election November 2, 2004 to authorize the levy of a special tax for funding the Parish Coroner’s office construction, acquisition, improving, operating and maintaining facilities and equipment.


15) Resolution C.S. No. C-1202 - Resolution establishing Warranty Obligations.

<table>
<thead>
<tr>
<th>WARRANTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME OF SUBDIVISION</td>
</tr>
<tr>
<td>MADISON FARMS SUBDIVISION, PHASE 4</td>
</tr>
<tr>
<td>AMOUNT: $17,600</td>
</tr>
<tr>
<td>EXPIRES: OCTOBER 8, 2004</td>
</tr>
<tr>
<td>WARD: 1 DISTRICT: 1</td>
</tr>
<tr>
<td>COVINGTON MEADOWS, PHASE 4</td>
</tr>
<tr>
<td>AMOUNT: $3,700</td>
</tr>
<tr>
<td>EXPIRES: OCTOBER 10, 2004</td>
</tr>
<tr>
<td>WARD: 3 DISTRICT: 5</td>
</tr>
<tr>
<td>EMERALD CREEK, PHASE 2</td>
</tr>
<tr>
<td>AMOUNT: $12,500</td>
</tr>
<tr>
<td>EXPIRES: OCTOBER 10, 2004</td>
</tr>
<tr>
<td>WARD: 10 DISTRICT: 7</td>
</tr>
</tbody>
</table>
Warranty Obligations continued:

<table>
<thead>
<tr>
<th>NAME OF SUBDIVISION</th>
<th>RECOMMENDATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>THE MOORINGS OF OAK HARBOR, PHASE 5</td>
<td>EXTEND FOR ONE (1) YEAR OR AMOUNT: $33,400</td>
</tr>
<tr>
<td></td>
<td>UNTIL WORK SATISFACTORILY EXPIRES: OCTOBER 19, 2004</td>
</tr>
<tr>
<td>WARD: 9 DISTRICT: 12</td>
<td>ACHIEVED</td>
</tr>
</tbody>
</table>

| TURTLE CREEK SUBDIVISION, PHASE 5-1-C    | EXTEND FOR ONE (1) YEAR OR AMOUNT: $100,000          |
|                                          | UNTIL WORK SATISFACTORILY EXPIRES: OCTOBER 19, 2004 |
| WARD: 8 DISTRICT: 9                     | ACHIEVED                                            |

| TAMMANY WEST MULTIPLEX, PHASE 1          | RELEASE L.O.C.                                      |
|                                          | AMOUNT: $7,100                                      |
|                                          | TO BE BROUGHT INTO THE EXPIRES: OCTOBER 21, 2004    |
| WARD: 1 DISTRICT: 1                      | MAINTENANCE SYSTEM                                  |

|                                          | AMOUNT: $12,500                                     |
|                                          | TO BE BROUGHT INTO THE EXPIRES: SEPTEMBER 23, 2004  |
| WARD: 4 DISTRICT: 7                      | MAINTENANCE SYSTEM                                  |

16) Resolution C.S. No. C-1203 - Resolution to concur/not concur with Town of Pearl River annexation and rezoning of 2.64 acres at the southeast corner of Highway 41 and Johnson Street from Parish Rural to Town of Pearl River B-2 Highway Business. (Ward 8, Districts 6 & 14)

17) Resolution C.S. No. C-1204 - Resolution to concur/not concur with Town of Pearl River annexation and rezoning of 16.058 acres south and east of Hudson Road and Miller Road on the west side of Gum Creek from Parish Rural to Town of Pearl River R-1-A. (Ward 8, District 6)

18) Resolution C.S. No. C-1205 - Resolution to concur/not concur with Town of Pearl River annexation and rezoning of 8.01 acres on the south side of Highway 41 Spur, between Okefenokee Road and Jordan’s Lane, from Parish Rural to Town of Pearl River R-1. (Ward 8, District 6)

19) Resolution C.S. No. C-1206 - Resolution to concur/not concur with Town of Pearl River annexation and rezoning of 6.462 acres east of Highway 41, north of Smith Road and south of Murray Road, from Parish Rural to Town of Pearl River B-2 (0.934 acres-Hwy. 41) and R-1 (5.528 acres). (Ward 8, District 6)

20) Resolution C.S. No. C-1207 - 6)Resolution to concur/not concur with Town of Pearl River annexation and rezoning of 6.928 acres east of Highway 41, north of Smith Road and south of Murray Road, from Parish Rural to Town of Pearl River B-2 (Hwy. 41) and R-1 (5.528 acres). (Ward 8, District 6)

21) Resolution C.S. No. C-1208 - Resolution to concur/not concur with Town of Pearl River annexation and rezoning of 2.88 acres at 65480 Highway 41 Spur, northeast side of Highway 41 Spur, from Parish Rural to Town of Pearl River R-1. (Wards 6 & 8, District 6)

22) Resolution C.S. No. C-1209 - Resolution to concur/not concur with Town of Pearl River annexation and rezoning of 31.58 acres (30.77 and 0.81) east of Highway 41, south of Hutchinson Subdivision, from Parish SA Suburban Agriculture to Town of Pearl River R-1-A. (Ward 8, District 6)
23) Resolution C.S. No. C-1210 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 264.14 acres south of Danney Street, west of I-12, north of Central Park Subdivision and Old Spanish Trail, from Parish C-2 Highway Commercial and M-1 Light Industrial to City of Slidell C-4 Highway Commercial. (Ward 8, Districts 12 & 14)

24) Resolution C.S. No. C-1211 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 1.171 acres in the southwest corner of East Gause Boulevard and Cross Gates Boulevard from Parish C-2 Highway Commercial to City of Slidell C-4 Highway Commercial. (Ward 8, District 9)

25) Resolution C.S. No. C-1212 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 0.34 acres, being Lot 3, Sq. 15, Robbert Park Subdivision, Annex No. 3, from Parish A-4 Single Family Residential to City of Slidell C-4 Highway Commercial. (Ward 8, District 13)

26) Resolution C.S. No. C-1213 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 0.34 acres, being Lot 6, Sq. 14, Robbert Park Subdivision, Annex No. 3, from Parish A-4 Single Family Residential to City of Slidell Highway Commercial. (Ward 8, District 13)

27) Resolution C.S. No. C-1214 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 5.7072 acres located 640 feet west of Pearl Street on the south side of East Gause Boulevard from Parish C-2 Highway Commercial to City of Slidell C-4 Highway Commercial. (Ward 8, District 8)

28) Resolution C.S. No. C-1215 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 19.5 acres in the southwest quadrant of I-12 and Short Cut Road (Hwy. 190) from Parish SA Suburban Agriculture and LC Light Commercial to City of Slidell C-4 Highway Commercial. (Ward 8, District 14)

29) Resolution C.S. No. C-1216 - Resolution certifying that Parish Government has no bond funding sufficient to fund project entitled “La Highway 22 and Bayou Tete L’Ours Area Drainage Improvements, Planning and Construction”.

30) Resolution C.S. No. C-1217 - Resolution certifying that Parish Government has no bond funding sufficient to fund project entitled “Diversified Foods, Emergency Infrastructure Upgrade, Planning and Construction”.

31) Resolution C.S. No. C-1218 - Resolution certifying that Parish Government has no bond funding sufficient to fund project entitled “Camp Salmen Acquisition and Improvements, Planning and Construction”.

32) Resolution C.S. No. C-1219 - Resolution certifying that Parish Government has no bond funding sufficient to fund project entitled “St. Tammany West Chamber of Commerce Building, Planning and Construction”.

33) Resolution C.S. No. C-1220 - Resolution certifying that Parish Government has no bond funding sufficient to fund project entitled “Maritime Training Institute Complex, Planning and Construction”.

34) Resolution C.S. No. C-1221 - Resolution certifying that Parish Government has no bond funding sufficient to fund project entitled “Haas Road Retention Pond”.

35) Resolution C.S. No. C-1222 - Resolution to amend Ord. C.S. No. 03-0775, the 2004-2008 Capital Improvement Budget and Program, Asset and Grant Awards.

36) Resolution C.S. No. C-1223 - Resolution expressing continued support of Parish Government for the development of a new North-South State Highway in St. Tammany and urging DOTD to expedite its evaluation of final route alternatives.

END OF CONSENT CALENDAR
APPEALS

1) Michael Tilly for applicant Stuart Rathe appealing the Zoning Commission DENIAL on June 1, 2004 to rezone 74,917 sq. ft. of land on the north side of Highway 21, west of Cherokee Rose Lane, from LC Light Commercial to C-2 Highway Commercial. (Ward 1, District 1)(ZC 04-06-046) (APPEALS NO. 1 AND 2 WERE FILED TOGETHER) (TABLED 7/1/2004 and 8/5/2004)

2) Michael Tilly for applicant Stuart Rathe appealing the Zoning Commission DENIAL on June 1, 2004 Plan Review of 18,912 sq. ft. medical office on the north side of Highway 21, west of Cherokee Rose Lane in Highway 21 Planned Corridor. (Ward 1, District 1) (PR 04-06-006) (APPEALS NO. 2 AND 1 WERE FILED TOGETHER) (TABLED 7/1/2004 and 8/5/2004)

3) Russell Butz and Scott Chotin appealing the Zoning Commission APPROVAL on July 6, 2004 to amendments to Parish Land Use Ord. No. 523 relative to standards for landscaping and tree preservation regulations. (ZC 04-06-049) (Tabled 8/5/2004)


5) Attorney Jeff Schoen for applicant Lonesome Development, LLC, appealing the Zoning Commission DENIAL on August 4, 2004 to rezone 206.437 acres west of Tantella Ranch Road, east of Highway 1077, north of intersection of Tantella Ranch Road and Highway 1077, from SA Suburban Agriculture to Planned Unit Development (PUD) (Ward 1, District 1) (ZC 04-07-055)

6) Carlo Hernandez appealing the Zoning Commission APPROVAL on August 4, 2004 of text change amending Ordinance No. 523 (Land Use Regs), Section 5.13, to modify standards for accessory buildings and structures, and Section 10 to modify the definition of accessory buildings, accessory structures, or uses. (ZC 04-08-065)

7) Deborah Burst appealing the Zoning Commission APPROVAL on August 4, 2004 for a conditional use permit to locate a 2,560 sq. ft. mobile home as a 2nd residence on property on the south side of Strain Road, east of Highway 59 (Lot 19A1, Mandabita Subdivision) in a SA Suburban Agriculture District. (Ward 4, District 7) (CP 04-08-092) (Applicant Shannon Darder)


9) Attorney Julia L. Deal for applicant James S. Haas, appealing the Planning Commission DENIAL on July 13, 2004 and August 10, 2004 for permission to enter Parish right of way, Putt Street in Hillcrest Country Club Addition No. 2, to gain access to property. (Ward 6, District 6)

ORDINANCES FOR ADOPTION

(Public Hearing)


2) Ord. Cal. No. 2887 As Amended - Ordinance to amend Code, Appendix B (Ord. 499 Subdivision Regs), Section 40-061.01 Hydrological Study and Plan, to add provisions relative to developments within Gravity Drainage District No. 5. (Introduced 7/1/2004) (Planning Commission approved as amended 8/10/2004)


7) Ord. Cal. No. 2895 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the northwest corner of Amber Street and Cane Avenue, being Lot 5 of Square 18 in Pearl Acres Subdivision, containing 42,500 square feet, from A-3 Suburban to LC Light Commercial. (Ward 8, District 8) (ZC 04-07-059) (Zoning Commission approved 7/6/2004) (Introduced 8/5/2004)

8) Ord. Cal. No. 2896 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Vivian Street, between Fifth and Sixth Streets, being Square 3 of Mailleville Subdivision, containing 57,600 square feet, from A-2 Suburban to LC Light Commercial. (Ward 3, District 1) (ZC 04-07-060) (Zoning Commission approved 7/6/2004) (Introduced 8/5/2004)

9) Ord. Cal. No. 2897 - Ordinance amending the official zoning map of St. Tammany to reclassify land at the southeast corner of Highway 190 (Business) and Nellie Drive, containing 2,4186 acres, from LC Light Commercial to C-2 Highway Commercial. (Ward 8, District 14) (ZC 04-07-063) (Zoning Commission approved 7/6/2004) (Introduced 8/5/2004)

10) Ord. Cal. No. 2898 - Ordinance to correct road inventory to include an extension of Partridge Street, located off Dove Park Road. (Ward 4, District 5) (Introduced 8/5/2004)


12) Ord. Cal. No. 2900 - Ordinance to correct road inventory to include an extension of Dupard Street, located off Soult Street. (Ward 4, District 10) (Introduced 8/5/2004)

13) Ord. Cal. No. 2901 - Ordinance to authorize Parish President to accept donation of 2.512 acres of land, including two (2) retention ponds, in Westwood Subdivision. (Introduced 8/5/2004)


18) Ord. Cal. No. 2906 - 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 a portion of The Birg Boulevard Subdivision, less and except those lots removed per Resolution C.S. No. C-1164 and Resolution C.S. No. C-1172. (Ward 3, District 5) (Introduced 8/5/2004)

19) Ord. Cal. No. 2907 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for the construction or placement of building structures on certain property within unincorporated St. Tammany Parish abutting a portion of Highway 22. (Ward 4, District 4) (Introduced 8/5/2004)

20) Ord. Cal. No. 2908 - Ordinance to extend for an additional six (6) months the moratorium on receipt of submissions by Parish Zoning and Planning Commissions for rezoning or resubdivision of property and/or issuance of permits for construction or placement of building structures on property within a certain area of Ward 1, District 1. (Introduced 8/5/2004)


24) Ord. Cal. No. 2912 - Ordinance to amend the Parish Code of Ordinances, Chapter 23, Article IX, to include Section 23-930.00 for establishment and definition of Wastewater Management Areas and Wastewater Service Areas for the purpose of planning for the extension of sewerage and water systems within unincorporated St. Tammany Parish. (Introduced 8/5/2004)


26) Ord. Cal. No. 2914 - Ordinance to amend the Parish Code, Chapter 2, Section 2-009.00 (B-1) Building Permits, Registration and Associated Fees, and Appendix D, Chapter 4, Section 401 Building Permit Fees, to provide for administrative costs relating to drainage review and inspections. (Introduced 8/5/2004)


28) Ord. Cal. No. 2916 - Ordinance to impose a six (6) month moratorium on the receipt and consideration of submissions by the Parish Zoning Commission for the rezoning of property within a certain portion of unincorporated Ward 1, District 1. (Introduced 8/5/2004)

29) Ord. Cal. No. 2917 - Ordinance to amend Parish Code, Chapter 3, Article VI, to repeal Section 3-118.00, Sale of High Content Beverages. (Introduced 8/5/2004)

APPOINTMENTS


2) Resolution to Chad Maurello, Ed Beals, Jim Knoh and Greg Cleland to the Building Code Electrical Regulatory Board. (Nominations made 8/5/2004)


5) Resolution to appoint Brad Gerkin, Brett Holloway, Martin Murphy, Keith Young, Ray beck, Greg Gordon, Ross Guestella and Jewell Chatellier as members and appoint Michael Martin and Mark Roberts as alternates to the Building Regulatory Board. (Nominations made 8/5/2004)

6) Resolution to reappoint Edward Miles, Denise Gutnisky, John T. Grab, Jr. and Hattie Brown to the Housing Authority of St. Tammany Parish. (Nominations made 8/5/2004)


8) Resolution to reappoint Argiro Morgan, Silvia Muller, Barbara Morgan, Kristen Scott and Margaret Cammatte and appoint James Don Scroggins to replace Ann Torczon (resigned) to the Library Board of Control. (Nominations made 8/5/2004)

9) Resolution to appoint Tony Giambelluca, Brad Gerkin, Pete Rudesill, Barry Breaux, Donnie Jenkins, A. J. Burmaster and Denise Jobe as members and appoint Mike Mahl and Ralph Delbuno as alternates to the Construction Board of Standards-Adjustments and Appeals. (Nominations made 8/5/2004)


11) Resolution to appoint Alex Brett to replace Charles Taylor and to reappoint George Osbourn and Perry Hamilton (terms expired) to Fire Protection District No. 13. (Dean)

12) Resolution to appoint Debra Landor to replace Brad Ducre (moved out of District) to Recreation District No. 4. (Impastato)

NOMINATION

13) Resolution to appoint ______________ to replace Edward P. “Bubby” Lyons (resigned) to the East Florida Parishes Retirement District (term expires 7/5/2005 per state law). (Parishwide)