

PUBLISHED OCTOBER 25, 2007 - POSTED AT PARISH COMPLEX BY OCTOBER 30, 2007

**AGENDA
ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, NOVEMBER 1, 2007 AT 6:00 P.M.
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.**

Call to Order by Honorable Barry Bagert, Chairman

Invocation by

Pledge of Allegiance by

Roll Call: Marty Dean

Russell Fitzmorris

James A. "Red" Thompson

Patricia P. Brister

Marty Gould

Gary Singletary

Barry Bagert

Al Hamauei

Chris Canulette

Henry Billiot

Steve Stefancik

Jerry Binder

Joe "Coach" Thomas

Ken Burkhalter

**PUBLIC HEARING
2008 PARISH OPERATING/CAPITAL BUDGETS**

**1) Ord. Cal. No. 3653 - Ordinance adopting the 2008 Parish Operating Budget.
(Introduced 9/26/2007)**

2) Ord. Cal. No. 3654 - Ordinance to establish the 2008-2012 Capital Improvement Budget and Program, and further identify Fixed Asset and Grant Awards. (Introduced 9/26/2007)

PRESENTATIONS

St. Tammany Parish Tourist Commission report. (Burkhalter) (Postponed 9/4/2007)

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 October 4, 2007

Council Committee Meeting October 24, 2007

ORDINANCES FOR INTRODUCTION

1) Ord. Cal. No. 3682 - Ordinance to amend Land Use Reg. Ord. 523, Sections 2.1002, 4.03 and 10 to provide for a change in permitted uses in LC Light Commercial District. (ZC07-06-054) (Zoning Commission approved 10/2/2007)

2) Ord. Cal. No. 3683 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Highway 59, north of Grand Maison Boulevard, containing 26,350 sq. ft., from A-3 Suburban to LC Light Commercial. (Ward 4, District 5) (ZC07-10-056) (Zoning Commission approved 10/2/2007)

3) Ord. Cal. No. 3684 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Highway 11, north of Amos Street, south of 2nd Street, containing 1 acre, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 8, District 14) (ZC07-10-057) (Zoning Commission approved 10/2/2007)

4) Ord. Cal. No. 3685 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of North 12th Street, east of Highway 190, containing 1.16 acres, from A-2 Suburban and PUD (Planned Unit Development) to C-2 Highway Commercial. (Ward 3, District 3) (ZC07-10-058) (Zoning Commission approved 10/2/2007)

5) Ord. Cal. No. 3686 - Ordinance to establish a "No Parking" zone for both sides of Oil Row. (Ward 3, District 2)

6) Ord. Cal. No. 3687 - Ordinance to correct Parish road inventory to include Smith & Jones Road, "A" Street, and 11th Street, to add an approximate 552 foot extension of Jackson Street, an approximate 1,265 foot extension of Sun Drive, and remove an approximate 1,634 foot length of Hunt Road. (Wards 2, 3, 5 & 7, Districts 1, 2, 6 & 7)

7) Ord. Cal. No. 3688 - Ordinance accepting finalized subdivisions into Parish road and drainage inventories, specifically Tallow Creek, Phase 1H, Pinnacle Parkway, portions of 10th Street, 11th Street, Quincy Avenue and Webster Avenue. (Wards 1 & 3, Districts 1 & 5)

8) Ord. Cal. No. 3689 - Ordinance to authorize the Parish President to extend the Lease on property to Champagne Beverage Company, Inc., more fully described herein.

9) Ord. Cal. No. 3690 - Ordinance to declare Lots 7 and 8, Square 39, Spanish Trail Highlands Subdivision, Slidell, as surplus and to authorize sale of said property.

10) Ord. Cal. No. 3691 - Ordinance to extend for an additional six (6) months the moratorium on the placement of fill and on issuance of building permits for construction or placement of building structures on property within Dove Park Subdivision. (Ward 4, District 5)

11) Ord. Cal. No. 3692 - Ordinance establishing a "No Parking" zone and a 15-MPH speed limit for the entire length of Son Moore Road. (Ward 8, District 14)

12) Ord. Cal. No. 3693 - Ordinance authorizing the Pineland Park Estates Property Owners' Association to install and maintain a four-foot fence abutting concrete barrier on the unopened parish right of way known as Ozone Street, Pineland Park Estates Subdivision. (Ward 4, District 4)

13) Ord. Cal. No. 3694 - Ordinance to amend Ord. C.S. No. 07-1591, adopted June 7, 2007, providing for amendment to Parish Code of Ordinances, Chapter 18, Colonial Pinnacle Nord du Lac Economic Development District, defining boundaries thereof from which area local and state sales tax increments will be determined and for other matters in connection therewith. (Ward 1, District 1)

RESOLUTIONS

14) Resolution C. S. No. C-2212 - Resolution establishing Parish Council meeting dates for the months of January and February 2008.

15) Resolution C. S. No. C-2213 - Resolution to amend Ord. C.S. No. 06-1415, the 2007-2011 Capital Improvement Budget and Program, Fixed Asset and Grant Awards.

16) Resolution C. S. No. C-2214 - Resolution to support Grant Application with DOTD for improvements at the St. Tammany Regional Airport and authorize the CAO to execute an agreement funding the project.

17) Resolution C. S. No. C-2215 - Resolution naming LaPorte, Sehrt, Romig & Hand as the audit firm for St. Tammany Parish 2007 Fiscal Year.

18) Resolution C. S. No. C-2216 - Resolution establishing warranty obligations.

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Amber Trace Townhomes Amount: \$31,900 Expires: December 13, 2007 Ward: 9 District: 11	RELEASE L.O.C PRIVATE SUBDIVISION AND PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE.
Brookstone Subdivision, Phase 2 Amount: \$25,100 Expires: January 3, 2008 Ward: 4 District: 5	RELEASE L.O.C PRIVATE SUBDIVISION AND PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE.
Brookstone Subdivision, Phase 3 Amount: \$26,300 Expires: November 4, 2007 Ward: 4 District: 5	RELEASE L.O.C PRIVATE SUBDIVISION AND PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE.
Enter Parish R-O-W Holly Drive River Gardens Subdivision Amount: \$1,700 Expires: December 21, 2007 Ward: 8 District: 9	RELEASE L.O.C TO BE BROUGHT INTO PARISH SELECTIVE MAINTENANCE SYSTEM
Grand Maison Subdivision, Phase 1 Amount: \$70,000 Expires: December 15, 2007 Ward: 4 District: 5	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Highland Oaks Subdivision, Phase 2 Amount: \$16,400 Expires: December 20, 2007 Ward: 1 District: 1	RELEASE L.O.C TO BE BROUGHT INTO PARISH SELECTIVE MAINTENANCE SYSTEM
River Highlands Subdivision, Phase 1 Amount: \$21,300 Expires: December 8, 2007 Ward: 3 District: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Southdown Subdivision, Phase 3A Amount: \$42,100 Expires: May 5, 2008 Ward: 1 District: 1	RELEASE L.O.C TO BE BROUGHT INTO PARISH SELECTIVE MAINTENANCE SYSTEM
Southdown Subdivision, Phase 3C Amount: \$27,800 Expires: October 10, 2007 Ward: 1 District: 1	RELEASE L.O.C TO BE BROUGHT INTO PARISH SELECTIVE MAINTENANCE SYSTEM
Tallow Creek Subdivision, Phase 1F Amount: \$22,400 Expires: December 13, 2007 Ward: 1 District: 1	RELEASE L.O.C TO BE BROUGHT INTO PARISH SELECTIVE MAINTENANCE SYSTEM

Warranty Obligations continued:

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Tallow Creek Subdivision, Phase 1-I-1 Amount: \$23,900 Expires: November 17, 2007 Ward: 1 District: 1	RELEASE L.O.C TO BE BROUGHT INTO PARISH SELECTIVE MAINTENANCE SYSTEM
Versailles Subdivision, Phase 5A Amount: \$62,300 Expires: October 27, 2007 Ward: 1 District: 1	RELEASE L.O.C TO BE BROUGHT INTO PARISH SELECTIVE MAINTENANCE SYSTEM

19) Resolution C. S. No. C-2217 - Resolution certifying that St. Tammany Parish shall comply with all requirements of State of Louisiana Off-System Bridge Replacement Program.

20) Resolution C. S. No. C-2218 - Resolution establishing Load Limits on Bridges within the Off-System Bridge Replacement Program as indicated on Exhibit "A", and further directing the Department of Engineering to record same within the records of the Clerk of Court.

21) Resolution C. S. No. C-2219 - Resolution to authorize execution of an Agreement between La. DOTD and St. Tammany Parish Government for Project No. 576-52-0010, which provides partial funding for Huntwyck Village Subdivision Drainage Improvement Project.

22) Resolution C. S. No. C-2220 - Resolution to vacate, in part, the moratorium established by Ord. C.S. No. 07-1567 on issuance of building permits for construction or placement of building structures on property within a portion of Cypress Park Subdivision and surrounding areas. (Ward 7, District 7)

23) Resolution C. S. No. C-2221 - Resolution to vacate, in part, the moratorium established by Ord. C. S. No. 07-1567 on issuance of building permits for construction or placement of building structures on property within a portion of Cypress Park Subdivision and surrounding areas. (Ward 7, District 7)

24) Resolution C. S. No. C-2222 - Resolution requesting the Louisiana Department of Wildlife and Fisheries and the Louisiana Legislature name the boat launch at U.S. Highway 90 and the Pearl River as Edward C. Scogin Memorial Boat Launch. (Ward 8, District 9)

25) Resolution C.S. No. C-2223 - Resolution requiring recordation of an Act of Correction to the final subdivision plat (restrictive covenants) for Magnolia Trace Subdivision in the public records of the Clerk of Court for St. Tammany Parish within 30 days to incorporate restrictions provided for in Ordinance C.S. No. 06-1383, adopted by the Parish Council September 7, 2006, requiring homes no less than 1800 square feet within said subdivision. (Ward 8, District 9) (Bagert)

END OF CONSENT CALENDAR

APPEALS

1) Paul A. Lea, Jr. for applicant James E. Shields, Sr., appealing the Zoning Commission DENIAL on June 5, 2007 to rezone 28 acres on the south side of Highway 1088, east of Trinity Drive, west of Forest Brook Boulevard, from SA Suburban Agricultural and C-1 Neighborhood Commercial to a PUD (Planned Unit Development). (Ward 4, Districts 5 & 7) (ZC07-01-001) (Item referred back to ZC with specific requests 4/5/07; Tabled 7/5/07 thru 10/4/07)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and introduction of an ordinance.

ORDINANCES FOR ADOPTION

1) Ord. Cal. No. 3569 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and developer of Cypress Park Subdivision. (Ward 7, District 7) (Introduced 6/7/07) (Tabled 7/5/07 thru 10/4/07)

2) Ord. Cal. No. 3655 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building permits for construction or placement of building structures in a portion of Cypress Park Subdivision and portions of surrounding areas. (Ward 7, District 7)(Introduced 10/4/07)

3) Ord. Cal. No. 3656 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building permits for construction or placement of building structures on certain properties abutting, in whole or in part, a portion of the East I-10 Service Road in unincorporated Ward 8, District 8. (Introduced 10/4/07)

4) Ord. Cal. No. 3657 - Ordinance to extend for an additional six (6) months the moratorium on receipt of submissions by the Parish Zoning and Planning Commissions for rezoning or resubdivision of property west of Highway 11 and south of Interstate 12 in unincorporated Ward 9, District 14. (Introduced 10/4/07)

5) Ord. Cal. No. 3659 - 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. (Introduced 10/4/07)

6) Ord. Cal. No. 3660 - Ordinance to extend for an additional six (6) months the moratorium on the submission of applications to rezone property located within the triangular shaped area bounded on the south by Highway 190, on the east by Tchefuncte River, and on the west by St. Tammany Parish and Tangipahoa Parish line in Ward 1, District 1. (Introduced 10/4/07)

7) Ord. Cal. No. 3661 - Ordinance establishing a "No Thru Trucks" zone on Keys Road, Lalanne Road, and Dummyline Road. (Ward 1, District 1) (Introduced 10/4/07)

8) Ord. Cal. No. 3662 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of Oschner Boulevard, west of Highway 21, north of I-12, containing 4.29 acres, from A-4 Single Family Residential to C-3 Planned Commercial Center. (Ward 1, District 1)(ZC07-05-025)(Zoning Commission approved 9/4/2007)(Introduced 10/4/07)

9) Ord. Cal. No. 3663 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of Viola Street, east of Highway 59, containing 23.66 acres, from SA Suburban Agricultural to ID Institutional District. (Ward 4, District 5) (ZC07-08-051) (Zoning Commission approved 9/4/2007) (Introduced 10/4/07)

10) Ord. Cal. No. 3664 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of River Highlands Boulevard, west of Highway 190, south of the Abita River, containing 9.922 acres from A-2 Suburban, A-3 Suburban, A-4 Single Family Residential and LC Light Commercial to C-2 Highway Commercial. (Ward 3, District 1) (ZC07-09-053) (Zoning Commission approved 9/4/07) (Introduced 10/4/07)

11) Ord. Cal. No. 3665 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Highway 11, north of North Shore Circle, south of Eden Isles Drive, containing 1.9 acres, from A-6 General Multiple Family Residential to C-2 Highway Commercial. (Ward 9, District 13) (ZC07-09-055) (Zoning Commission approved 9/4/2007) (Introduced 10/4/07)

12) Ord. Cal. No. 3666 - Ordinance to correct Parish road inventory to include South Factory Road, Oubre Street, and an approximate 9240 foot extension of North Factory Road. (Wards 2 & 8, Districts 2 & 9) (Introduced 10/4/07)

13) Ord. Cal. No. 3668 - Ordinance amending and restating Ordinance C.S. No. 07-1592, levying an additional sales and use tax in the Colonial Pinnacle Nord du Lac Economic Development District at a rate of three-quarters of one percent (0.75%), clarifying certain matters relating to sales and use tax, and for other matters in connection therewith. (Introduced 10/4/07)

14) Ord. Cal. No. 3669 - Ordinance approving the form of and authorizing the execution of a Cooperative Endeavor Agreement in connection with the Colonial Pinnacle Nord du Lac Economic Development District, and for other matters in connection therewith. (Introduced 10/4/07)

15) Ord. Cal. No. 3670 - Ordinance amending and restating Ordinance C.S. No. 07-1590, levying an additional sales and use tax in the Rooms To Go St. Tammany Economic Development District at reduced rate of three-quarters of one percent (0.75%), clarifying certain matters relating to the sales and use tax, and for other matters in connection therewith. (Introduced 10/4/07)

16) Ord. Cal. No. 3671 - Ordinance approving the form of and authorizing the execution of a Cooperative Endeavor Agreement in connection with the Rooms To Go St. Tammany Economic Development District, and for other matters in connection therewith. (Introduced 10/4/07)

17) Ord. Cal. No. 3672 - Ordinance to impose a six (6) month moratorium on 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) (Introduced 10/4/07)

18) Ord. Cal. No. 3673 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Krentel Road, north of Interstate 12, containing 3 acres, from SA Suburban Agricultural to M-2 Intermediate Industrial. (Ward 7, District 7) (ZC07-09-052) (Introduced from appeal 10/4/07)

19) Ord. Cal. No. 3674 - Ordinance establishing a "No Thru Trucks" zone on Keys Road, Lalanne Road and Dummyline Road. (Ward 1, District 1) (Introduced 10/4/07) (REMOVE - DUPLICATE OF ITEM #7 Ord. Cal. No. 3661)

20) Ord. Cal. No. 3675 - Ordinance establishing a "No Thru Trucks" zone on Pinehurst Boulevard, Montgomery Boulevard, Devonshire Drive, Kingspoint Boulevard, Foxcroft Street and Brookter Street. (Ward 8, District 13) (Introduced 10/4/07)

21) Ord. Cal. No. 3676 - Ordinance establishing a "No Parking" zone on the south side of Reilly Road. (Ward 9, District 11) (Introduced 10/4/07)

22) Ord. Cal. No. 3677 - Ordinance to ratify amendment to Parish Code, Article VII, Section 18-086.00 et seq., specifically Ord. C. S. No. 07-1508 and Ord. C. S. No. 07-1613, regarding the creation of Colonial Pinnacle Community Development District. (Introduced 10/4/07)

23) Ord. Cal. No. 3678 - Ordinance establishing a "No Parking" zone on a portion of Airport Road at the Oakmont Subdivision entrance and a portion of the adjacent pedestrian walking path. (Ward 9, District 11) (Introduced 10/4/07)

24) Ord. Cal. No. 3679 - Ordinance establishing a speed limit of 25 MPH on Perrilloux Road. (Ward 1, District 1) (Introduced 10/4/07)

25) Ord. Cal. No. 3680 - Ordinance establishing the placement of stop signs on Dove Park Road. (Ward 4, District 5) (Introduced 10/4/07)

26) Ord. Cal. No. 3681 - Ordinance to authorize the Parish of St. Tammany, through the Office of the Parish President, to negotiate the purchase of all those parcels of land owned by Salvatore Modica, Jr., situated at the corners of Falconer Drive and Emerald Forest Drive, forming the proposed extension of Falconer Drive, and to ratify all actions of the Office of the Parish President related thereto. (Introduced 10/4/07)

APPOINTMENTS

1) Resolution to appoint Robert T. Myers to replace Jeffrey Swiger (resigned) to Sewerage District No. 4 (Riverwood).