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AGENDA

ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, DECEMBER 6, 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

PRESENTATIONS

1) Certificate of Recognition to Cultus Pearson, recipient of Bronze Star medal of honor for bravery while a member of the U.S. Army during World War II. (Hamauei)

2) Certificate of Recognition to Bonnie Romano, Carriage Lane Estates Property Owners Association, for selection as a National Night Out 2007 All Star. (Gould)

3) Recognize following as "Businesses of Month" for local sponsorship of National Night Out. (Gould)

a) Target Store #1876 - Corporate sponsor of Night Out Against Crime-National Association of Town Watch past four years (Store Team Leader, Art Seyffert)

b) Chick-fil-A of Covington at Hwy. 21, first year participant (owner Steve Arton).

c) Northshore - McOpCo - McDonald's, first year participant (rep Becky Zakkour)

**CONSENT CALENDAR
(PAGE 2 THROUGH 7)**

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	November 1, 2007
Council Committee Meeting	November 28, 2007

**ORDINANCES FOR INTRODUCTION
(Public Hearing January 17, 2008)**

1) Ord. Cal. No. 3696 - Ordinance to extend building moratorium along Highway 59 in Ward 4, District 5. (Gould)

Ordinance to extend for an additional six (6) months the moratorium on 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 situated along said highway is in the area between the north side of Highway 1088 and the south side of I-12.

2) Ord. Cal. No. 3697 - Ordinance to extend moratorium on multi-family structures within Council District 12. (Binder)

Ordinance to extend for an additional six (6) months the moratorium on submission and review of zoning and conditional use permit applications, planning commission review and issuance of building permit applications, for construction or placement of multi-family structures on property in unincorporated areas of Council District 12.

3) Ord. Cal. No. 3698 - Ordinance to amend Ord. C.S. No. 07-1502 to provide major amendments to original PUD plan for 43.31 acres on Highway 1085. (Ward 1, District 1) (ZC06-10-090) (Zoning Commission approved 11/6/07) (Bagert/Davis)

Ordinance to amend Ord. C.S. No. 07-1502, adopted February 1, 2007, which amended the official zoning map of St. Tammany to reclassify 43.31 acres on the east side of Highway 1085, north of Brewster Road, across from Hough Road, from Rural to PUD, to provide major amendments to original PUD plan.

4) Ord. Cal. No. 3699 - Ordinance amending zoning of 5.84 acres from SA to M-2. (Ward 7, District 7) (ZC07-11-062) (Zoning Commission approved 11/6/07) (Bagert/Davis)

Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Krentel Road, north of I-12, containing 5.84 acres, from SA Suburban Agricultural to M-2 Intermediate Industrial.

5) Ord. Cal. No. 3700 - Ordinance to amend Parish Code, Appendix C, Land Use Ord. 523, Section 5.0316, to provide for change in Commercial Signage Regulations. (ZC07-11-068) (Zoning Commission approved 11/6/07) (Bagert/Davis)

6) Ord. Cal. No. 3701 - Ordinance to correct road inventory to include Bollifield Road and to remove approximately 2,528 feet from Branch Crossing Drive. (Ward 3, District 2) (Bagert/Davis)

7) Ord. Cal. No. 3702 - Ordinance to authorize Parish President to accept Act of Donation from Velvet Pines Developers, LLC, of a parcel of land on Penn Mill Road.(Ward 3, District 3) (Thompson)

8) Ord. Cal. No. 3703 - Ordinance to revoke a portion of Arc Road right of way in Ward 1, District 1. (Planning Commission approved 11/13/07) (Bagert/Davis)

9) Ord. Cal. No. 3704 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and developer of Chapel Creek Condominiums and Retail Development Subdivision. (Ward 4, District 4) (Bagert/Davis)

10) Ord. Cal. No. 3705 - Ordinance to amend Parish Code, Appendix B, Subdivision Regulatory Ord. 499, to create preamble to Section 40-084.0 Mobile Home Parks. (Planning Commission approved 11/13/07) (Bagert/Davis)

11) Ord. Cal. No. 3706 - Ordinance to authorize Parish President to purchase and/or expropriate certain parcel(s) of land in conjunction with Capital Improvement Projects. (Bagert/Davis)

12) Ord. Cal. No. 3707 - Emergency ordinance for 30-day moratorium on property within Lewisburg Estates and a portion of Old Golden Shores. (Ward 4, District 4) (Brister)
(SUSPEND RULES AND ADOPT)

Emergency Ordinance to impose a 30-day moratorium on the receipt of submissions by both the Parish Planning Department and the Parish Planning Commission for the resubdivision of property within Lewisburg Estates Subdivision and a portion of Old Golden Shores Subdivision, and only within the unincorporated boundaries of Ward 4, District 4.

13) Ord. Cal. No. 3708 - Ordinance to impose six month moratorium on property within Lewisburg Estates and a portion of Old Golden Shores. (Ward 4, District 4) (Brister)

Ordinance to impose a six (6) month moratorium on the receipt of submissions by both the Parish Planning Department and the Parish Planning Commission for the resubdivision of property within Lewisburg Estates Subdivision and a portion of Old Golden Shores Subdivision, and only within the unincorporated boundaries of Ward 4, District 4.

14) Ord. Cal. No. 3709 - Ordinance to authorize Parish President to negotiate and accept Act of Donation and Dedication of land for right of way from the Archdiocese of New Orleans and St. Genevieve Catholic Church. (Ward 9, District 11) (Stefancik)

15) Ord. Cal. No. 3710 - Ordinance to authorize Parish President to negotiate and execute an Agreement with the Archdiocese of New Orleans and St. Genevieve Catholic Church for use of a portion of Parish right of way for construction and utilization of a parking area. (Ward 9, District 11) (Stefancik)

16) Ord. Cal. No. 3711 - Ordinance to amend Ord. C.S. No. 07-1676, adopted October 4, 2007, authorizing the Parish to accept the dedication of a right of way situated on the north side of I-12 at the former rest area, to add an additional donor entity, Quality Properties, Inc. (Ward 1, District 1) (Dean)

RESOLUTIONS

17) Resolution C.S. No. C-2232 - Resolution approving the issuance of \$630,000 of Limited Tax Certificates of Indebtedness, Series 2008, of Fire Protection District No. 1. (Bagert/Davis)

18) Resolution C.S. No. C-2233 - Resolution approving issuance of \$240,000 of Parcel Fee Bonds, Series 2008, of Sub-Drainage District No. 2 of Gravity Drainage District No. 5 (Meadowbrook Subdivision). (Gould)

19) Resolution C.S. No. C-2234 - Resolution establishing warranty obligations. (Bagert/Davis)

WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Alamosa Park Subdivision, Phase 2B Amount: \$9,000 Expires: January 4, 2008 Ward: 4 District: 7	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED

Warranty Obligations continued:

NAME OF SUBDIVISION	RECOMMENDATION
Arbor Walk Subdivision, Phase 4 Amount: \$31,100 Expires: January 10, 2008 Ward: 1 District: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Bluffs Subdivision, Phase 5B Amount: \$51,300 Expires: January 2, 2008 Ward: 8 District: 9	RELEASE L.O.C A PRIVATE SUBDIVISION AND PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE
Brier Lake Subdivision, Phase 16 Amount: \$4,300 Expires: January 2, 2008 Ward: 7 District: 7	RELEASE L.O.C A PRIVATE SUBDIVISION AND PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE
Clipper Estates Subdivision, Phase 7B Amount: \$18,100 Expires: January 28, 2008 Ward: 9 District: 13	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Clipper Estates Subdivision, Phase 8 Amount: \$13,000 Expires: January 28, 2008 Ward: 9 District: 13	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Enter Parish Right of Way Walden & Linen Streets and Eldora Ave. Tammany Terrace Subdivision, Phase 1 Amount: \$42,200 Expires: January 25, 2008 Ward: 3 District: 2	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
The Fountains Subdivision Amount: \$34,900 Expires: January 12, 2008 Ward: 4 District: 5	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Grand Maison Subdivision, Phase 1 Amount: \$70,000 Expires: December 15, 2007 Ward: 4 District: 5	RELEASE L.O.C A PUBLIC SUBDIVISION AND PARISH WILL BE RESPONSIBLE FOR ANY MAINTENANCE
Grand Maison Subdivision, Phase 2 Amount: \$41,600 Expires: January 24, 2008 Ward: 4 District: 5	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Penn Mill Lakes Subdivision, Phase 2A-1 Amount: \$19,600 Expires: January 11, 2008 Ward: 3 District: 3	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED

Warranty Obligations continued:

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Penn Mill Lakes Subdivision, Phase 2C Amount: \$77,000 Expires: January 9, 2008 Ward: 3 District: 3	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Stonebridge at Madisonville Subdivision Amount: \$16,000 Expires: January 23, 2008 Ward: 1 District: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Tammany Middle, LLC Subdivision, Phase 1 Amount: \$33,200 Expires: January 23, 2008 Ward: 1 District: 1	CALL L.O.C. TO BE BROUGHT INTO PARISH SELECTIVE MAINTENANCE SYSTEM
Versailles Subdivision, Phase 5C Amount: \$75,400 Expires: January 24, 2008 Ward: 1 District: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Willow Bend Subdivision, Phase 2 Amount: \$45,600 Expires: January 17, 2008 Ward: 1 District: 1	RELEASE L.O.C A PUBLIC SUBDIVISION AND PARISH WILL BE RESPONSIBLE FOR ANY MAINTENANCE

20) Resolution C.S. No. C-2235 - Resolution stating Council endorsement of RTD, Inc., for participation in benefits of Louisiana Enterprise Zone Program. (Bagert/Davis)

21) Resolution C.S. No. C-2236 - Resolution stating Council endorsement of Level 10 Marketing for participation in benefits of Louisiana Enterprise Zone Program. (Bagert/Davis)

22) Resolution C.S. No. C-2237 - Resolution stating Council endorsement of North Park Associates, LLC, for participation in benefits of Louisiana Enterprise Zone Program. (Bagert/Davis)

23) Resolution C.S. No. C-2238 - Resolution stating Council endorsement of ZEA Covington, LLC, for participation in benefits of Louisiana Enterprise Zone Program. (Bagert/Davis)

24) Resolution C.S. No. C-2239 - Resolution to amend Ord. C.S. No. 06-1415, the 2007-2011 Capital Improvement Budget and Program, to make changes to Council District 4 Road List to include Northlake Drive. (Bagert/Davis)

25) Resolution C.S. No. C-2240 - Resolution to amend Ord. C.S. No. 06-1415, the 2007-2011 Capital Improvement Budget and Program, to make changes to Council District 5 Road List, to include Soell Drive. (Bagert/Davis)

26) Resolution C.S. No. C-2241 - Resolution to amend Ord. C.S. No. 06-1415, the 2007-2011 Capital Improvement Budget and Program, to make changes to Council District 14 Road List to include Ben Thomas Road. (Bagert/Davis)

27) Resolution C.S. No. C-2242 - Resolution authorizing Director of Finance to transfer \$11,500 from the Money Hill Voluntary Developmental Agreement Escrow Accounts to Fire Protection District No. 7. (Bagert/Davis)

28) Resolution C.S. No. C-2243 - Resolution to amend Ord. C.S. No. 06-1415, the 2007-2011 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Bagert/Davis)

29) Resolution C.S. No. C-2244 - Resolution to concur/not concur with Abita Springs annexation. (Ward 3, District 3) (Bagert/Davis)

Resolution to concur/not concur with Town of Abita Springs annexation and rezoning of 3.148 acres on the southwest corner of Harrison Avenue and Highway 59 from Parish C-2 Highway Commercial to Town of Abita Springs C-2 District.

30) Resolution C.S. No. C-2245 - Resolution granting a temporary special permit for the placement of four (4) directional signs on Parish rights of way for Village Church construction site entrance. (Ward 7, District 7) (Hamauei)

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 11/1/07)

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.

2) Applicant Uncas B. Favret, Jr., member Favret Investments, LLC, appealing the Zoning Commission DENIAL on November 6, 2007 to rezone 90.62 acres on the south side of Highway 22, west of Penns Chapel Road, from SA Suburban Agricultural to a PUD (Planned Unit Development). (Ward 4, District 4) (ZC07-10-059)

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.

3) Paul Mayronne, agent for applicant Brooke Development, LLC, appealing the Zoning Commission DENIAL on November 6, 2007 to rezone 123 acres at the end of Kathman Road, north of Adrienne Street, from Rural to a PUD (Planned Unit Development). (Ward 1, District 1) (ZC07-06-037)

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.

4) Josie Adams for applicant J & J Builders appealing the Zoning Commission DENIAL on November 6, 2007 to rezone 5.52 acres on the south side of Hickory Street, west of Colonial Court, east of Highway 190, from SA Suburban Agricultural to a PUD (Planned Unit Development). (Ward 4, District 5) (ZC07-11-066)

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.

5) Applicant Jeff Birnbaum, represented by Virginia Kelly, S.L. Shaw & Associates, Inc., appealing the Zoning Commission APPROVAL on November 6, 2007 of amended LC Light Commercial rezoning of 3.134 acres at the southeast corner of Lonesome road and Highway 190, from SA Suburban Agricultural. (Applicant seeking C-1 Neighborhood Commercial) (Ward 4, District 10) (ZC07-11-064)

NOTE: To concur with Zoning APPROVAL of LC, a simple majority vote is required and introduction of an ordinance.

NOTE: To override Zoning APPROVAL of LC and deny rezoning, a majority vote of the entire Council is required and adoption of a resolution.

NOTE: To override Zoning APPROVAL of LC and grant rezoning to C-1, a majority vote of the entire Council is required and introduction of an ordinance.

6) Applicant Edith Burel appealing the Zoning Commission DENIAL on November 6, 2007 to rezone 1.07 acres on the north side of West 21st Avenue, east of Pine Air Drive, from SA Suburban Agricultural to C-1 Neighborhood Commercial. (Ward 3, District 3) (ZC07-10-060)

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.

7) Applicant Donald I. Geier appealing the Zoning Commission DENIAL on November 6, 2007 to rezone 2.79 acres on the north side of Highway 190, east of North Oaklawn Drive, west of North Mill Road, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 7, District 7)(ZC07-11-061)

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.

8) Applicant Samuel Markovich/Acadian Properties Northshore, LLC, appealing the Zoning Commission DENIAL on November 6, 2007 for issuance of conditional use permit for a 78,000 sq. ft. retail facility on the west side of Highway 21, south of Cherokee Rose Lane, in a C-2 Highway Commercial District. (Ward 1, District 1) (CP07-09-157PR)

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 adoption of a resolution.

**ORDINANCES FOR ADOPTION
(Public Hearing)**

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 11/1/07)

2) Ord. Cal. No. 3682 - Ordinance to amend Parish Code, Appendix C, Land Use Reg. Ord. 523, Sections 2.1002, 4.03 and 10 to provide for change in permitted uses in LC Light Commercial District.(ZC07-06-054) (Zoning Commission approved 10/2/2007) (Introduced 11/1/07)

3) Ord. Cal. No. 3683 - Ordinance amending zoning of 26,350 sq. ft. from A-3 to LC. (Ward 4, District 5) (ZC07-10-056) (Zoning Commission approved 10/2/2007) (Introduced 11/1/07)

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.

4) Ord. Cal. No. 3684 - Ordinance amending zoning of 1 acre from SA to C-2. (Ward 8, District 14)(ZC07-10-057) (Zoning Commission approved 10/2/2007) (Introduced 11/1/07)

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.

5) Ord. Cal. No. 3685 - Ordinance amending zoning of 1.16 acres from A-2 & PUD to C-2. (Ward 3, District 3) (ZC07-10-058) (Zoning Commission approved 10/2/2007) (Introduced 11/1/07)

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.

6) Ord. Cal. No. 3686 - Ordinance to establish a “No Parking” zone for both sides of Oil Row. (Ward 3, District 2) (Introduced 11/1/07)

7) Ord. Cal. No. 3687 - Ordinance to correct Parish road inventory. (Wards 2, 3, 5 & 7, Districts 1, 2, 6 & 7) (Introduced 11/1/07)

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.

8) Ord. Cal. No. 3688 - Ordinance accepting finalized subdivisions into Parish road and drainage inventories. (Wards 1 & 3, Districts 1 & 5) (Introduced 11/1/07)

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.

9) Ord. Cal. No. 3689 - Ordinance to authorize the Parish President to extend the Lease on property to Champagne Beverage Company, Inc. (Introduced 11/1/07)

10) Ord. Cal. No. 3690 - Ordinance to declare Lots 7 and 8, Square 39, Spanish Trail Highlands Subdivision, Slidell, as surplus and authorize sale of said property. (Introduced 11/1/07)

11) Ord. Cal. No. 3691 - Ordinance to extend for an additional six (6) months the moratorium on the placement of fill and on the issuance of building permits for construction or placement of building structures on property within Dove Park Subdivision. (Ward 4, District 5) (Introduced 11/1/07)

12) 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) (Introduced 11/1/07)

13) 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 unopened parish right of way known as Ozone Street, Pineland Park Estates Subdivision. (Ward 4, District 4) (Introduced 11/1/07)

14) Ord. Cal. No. 3694 - Ordinance to amend Parish Code, Chapter 18, Sec. 18-096.03, Colonial Pinnacle Nord du Lac Economic Development District Boundaries. (Ward 1, District 1) (Introduced 11/1/07)

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.

15) Ord. Cal. O. 3695 - Ordinance to correct road inventory to include Curley Road, Nancy Singletary Road and Michelle Vick Road. (Wards 6 & 9, District 6) (Introduced 11/1/07)